

rally cannot get delivery. The Minister for Health should take an interest in this matter because people who live in the bush and have to make a journey of four or five miles to get supplies of meat, milk, etc., should have this convenience in their homes. Those commodities have to be kept cool. Coolgardie safes, also, are unprocurable. I appeal on behalf of the kiddies particularly. It is unfair that our people should have to put up with this sort of thing and I think we should refuse to tolerate it. Because of the incapacity of people in the Eastern States, the people of this State suffer far more than they should, and this is one direction in which they suffer.

On the subject of refrigerators a few weeks ago I obtained some information from friends in Sydney. They had just bought a refrigerator and it appears there is no trouble in getting one in Sydney, for they are manufactured there. In Western Australia, however, we have to put up with procurement boards and many other difficulties. I hope the day is not far distant when refrigerators will be manufactured here. There is no reason whatever why we could not make them. In bygone years we have depended far too much on the Eastern States. It looks to me as if one of the hottest summers on record is coming. It has made an early start. I would like to know from the Government, if Ministers do reply to this discussion, what it has done regarding last year's wholesale complaints concerning ice. The trouble was that the Western Ice Co. would not deliver ice on the other side of Canning Bridge—owing, the company said, to manpower trouble. People living well away from the centre, and especially women with young babies, ought to be able to obtain refrigerators; and that remark applies also to invalids.

Mr. Marshall: The Electrolux refrigerator is made in Perth.

Mr. CROSS: But the agents cannot give delivery, although they have orders for 750 or 800 refrigerators. I trust the Minister will look into this matter, because during the past three or four weeks lack of refrigerators has been the commonest complaint. In the back country, on the farms, Coolgardie coolers are used; but the people I have in mind have been accustomed to obtain supplies of ice, and now they can-

not get either ice or a refrigerator or a Coolgardie cooler. If these conveniences are not made available, there will be an epidemic among children, owing to this neglect. The matter should be given first priority. Steps should be taken to ensure deliveries of ice, and of the utmost possible number of refrigerators, and to release refrigerators that have been in stock in the cities for 12 months. That is all I intend to say on these Estimates. I hope that what I have said will carry some weight.

Progress reported.

*House adjourned at 10.34 p.m.*

## Legislative Council.

*Wednesday, 8th November, 1944.*

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

### QUESTION—BARLEY BOARD.

*As to Superintendent's Salary.*

Hon. V. HAMERSLEY (for Hon. G. B. Wood) asked the Chief Secretary:

(i) What is the average yearly salary paid to the Superintendent of the West Australian Barley Board?

(ii) On what basis is the amount of the salary arrived at?

(iii) How much time per year is devoted by the Superintendent to the affairs of the barley industry?

(iv) Will the Minister lay on the Table of the House the balance sheet of the operations of the W.A. Barley Board for the 1943-44 season?

The CHIEF SECRETARY replied:

(i) The Superintendent of the West Australian Barley Board is not paid on an annual salary basis, but on a commission

basis. The amount he received for the 1942-43 season amounted to £604 17s.; for the 1943-44 season he received £698 7s. 6d.

(ii) For the 1942-43 season the basis of payments were:—For the first 200,000 bushels of barley acquired, 1½d. per bushel; for the next 50,000 bushels of barley acquired, 1d. per bushel; for every additional bushel of barley acquired, ½d. per bushel. For the 1943-44 season he received payment at the rate of:—For the first 100,000 bushels acquired, 1d. per bushel; for every additional bushel acquired, ½d. per bushel.

(iii) Impossible to say but matters of executive nature require attention throughout the year.

(iv) The balance sheet is at present on the Table of the House.

### **BILL—REDEMPTION OF ANNUITIES ACT AMENDMENT.**

Introduced by Hon. H. S. W. Parker, and read a first time.

### **BILL—HEALTH ACT AMENDMENT.**

#### *Recommittal.*

Resumed from the previous day. Hon. V. Hamersley in the Chair; the Honorary Minister in charge of the Bill.

Clause 7—New Division added to Part V (partly considered):

Proposed new Section 158K:—

Hon. J. G. HISLOP: I move an amendment—

That proposed new Section 158K be struck out, and the following new section inserted in lieu:

“The chairman of the local authority with approval of the local authority which granted or issued the registration of an eating-house or a license issued to a proprietor may, by notice in writing signed by him and served upon the owner of the eating-house or the holder of such license as the case may be, cancel such registration or license.”

When this matter was mentioned yesterday the Honorary Minister promised to secure legal opinion regarding the effect of my proposal. I shall be glad to hear what he has to tell the Committee.

The HONORARY MINISTER: I have submitted Dr. Hislop's amendment to the Crown Law Department, and am still advised that the effect of it would involve a very wrong principle, in that it would place within the power of the

chairman of the local authority the responsibility which, in fact, rests with the local authority itself. The power of cancellation would, by the proposed amendment, be vested primarily in the chairman and not in the local authority. It merely gives to the local governing body, as such, power to prevent the chairman exercising his authority as an individual. As the local authority grants the registration or license, it should have the power to initiate the cancellation thereof. Therefore I must oppose the amendment. When the local authority decides to exercise this power the chairman is the most appropriate channel through which its decision can be communicated to the party concerned.

Hon. J. G. HISLOP: Although the Crown Law authorities seem quite convinced that the proposed new section makes sense, it does not read English to me.

Amendment put and negatived.

Hon. H. S. W. PARKER: I desire to move an amendment that in line 5 of proposed new Section 158K, the words “with the approval of the local authority” be struck out. Surely the chairman would not sign an order cancelling a license without the approval of the local authority!

The CHAIRMAN: The hon. member overlooks that the Committee has agreed that the proposed new section shall stand. Therefore the amendment is out of order. To move the amendment, the hon. member would have to secure the further recommittal of the clause.

Clause put and passed.

Postponed Clause 3—Amendment of Section 3:

The HONORARY MINISTER: Under an amendment passed in another place, the word “not” was dropped from the amendment to the definition of “lodging-house.” Consequently places that ought to be brought under the Act would be excluded. I move an amendment—

That before the word “more” in line 3 of paragraph (b) the word “not” be inserted.

Hon. C. F. Baxter: The word is not necessary.

The HONORARY MINISTER: It is necessary in order to include lodging-house keepers who let rooms numbering fewer than six.

Hon. H. L. Roche: Even to one person?

The HONORARY MINISTER: Yes.

Hon. Sir HAL COLEBATCH: As the paragraph stands only lodging-houses in which more than six persons are lodged would be included, and the Honorary Minister wishes to make it one person.

The Honorary Minister: Yes.

Hon. Sir HAL COLEBATCH: To do that would be going too far. If the Honorary Minister would reduce the number to two, I would support him.

Hon. C. F. BAXTER: The present deplorable shortage of lodging accommodation will not last for ever, and we must exercise great care in interfering with people who may let a room in their home to a relative or a friend. We are altering the present definition of "lodging-house" and, in my opinion, we should give further consideration to the amendment.

The HONORARY MINISTER: The Department of Health and the various health authorities consider this amendment to be absolutely necessary in order to provide for certain existing conditions. A person who takes in a relative or a friend is not likely to be interfered with.

Hon. L. CRAIG: The Committee ought to agree to the amendment under existing circumstances. We all know that at present people are letting one or two rooms to several people, but conditions are not normal and we have to provide for those conditions. Sir Hal Colebatch said that the amendment would affect people who take in a friend as a paying guest, but special cases make hard laws and we should not permit slum conditions in boarding-houses. The amendment would not affect any person who did not make a charge for letting a room. It is necessary to clean up the lodging-houses and eating-houses in the city, some of which are in a very bad condition. We should pass the amendment, even though a few people may be inconvenienced by having to register themselves as lodging-house keepers.

Hon. H. SEDDON: More than that is involved in the amendment. Once people are registered as lodging-house keepers, they must comply with all sorts of orders and regulations.

Hon. L. B. Bolton: And pay fees.

Hon. H. SEDDON: I favour Sir Hal Colebatch's suggestion, that the number should be fixed at not more than two. That would get over the difficulty with regard to

the people who take in relatives or guests from time to time.

Hon. J. G. HISLOP: The amendment is most important and the Committee should not make a hasty decision. I do not feel prepared to vote on something about which I know nothing, and I therefore suggest that the Committee ask for time to give further consideration to the amendment.

Hon. W. J. MANN: I have been unable to grasp the type of establishment which the amendment is designed to cover. If an establishment has a bad reputation or is not run properly, there are other means of controlling it. If we pass the amendment, I fear it will cover many homes that are today available for one or two people to live in. If we bring under the Act by this amendment all persons who take in a friend or two as boarders, not with the idea of making profit but to help them in a difficulty, we shall find that they will say, "I will not bother about letting rooms in my home if I am to be put in the position of having to register it as a lodging-house. My friends will have to find accommodation elsewhere." The Committee seems to be anything but clear as to the object of the amendment, and we should clarify it before placing it on the statute-book.

Hon. Sir HAL COLEBATCH: Would I be in order in moving an amendment in paragraph (b) that the word "six" be struck out with a view to inserting "two"? That would be all that was necessary to adjust the matter.

The HONORARY MINISTER: That would not achieve the object of the hon. member. The Bill has been brought down to deal with the very conditions that have been discussed. It is preposterous to think that a local health inspector would interfere with the house of an ordinary family in cases where relatives or friends had gone to stay for a week or two.

Hon. F. E. GIBSON: I see no necessity for any further amendment. The Committee need have no anxiety with regard to those people who let rooms. It is the tenant who sublets to other people who has to be watched. I know of cases where four or five families are living under conditions that should not be tolerated. If the Bill brings about an improvement in those conditions, it will be achieving much good.

Hon. J. G. HISLOP: I have been looking up the Health Act to see what conditions

are already imposed upon the people we are now discussing. I find from Section 147 of the Act that these houses cannot be registered until they have been inspected and approved by the local authority. If this Bill goes through, it will take a long time before all that has been done. Another provision is that every keeper of a lodging-house shall, if required in writing by the local authority so to do, place a notice with the words "registered lodging-house" in some conspicuous place on the outside of such house. Then the keeper of a boarding-house or lodging-house must keep the walls clean under a penalty of 40s. and, upon any death occurring on the premises, must notify one authority or another. These people are also called upon to notify any infectious diseases that may break out in the house. I feel that we are putting a great many burdens upon the keepers of these establishments.

The HONORARY MINISTER: I will put my amendments on the notice paper. Progress reported.

### **BILL—RURAL AND INDUSTRIES BANK.**

Received from the Assembly and read a first time.

### **MOTION—HEALTH AND HOSPITAL ADMINISTRATION.**

*As to Inquiry by Royal Commission.*

Debate resumed from the previous day on the following motion by Hon. J. G. Hislop:

That this House desires to draw the attention of the Government to the urgent necessity for a Royal Commission, on which there is professional medical representation, to be appointed to—

- (i) investigate the administration of the Health Act;
- (ii) investigate the condition and administration of hospitals and the conditions under which nurses are trained as well as the training they receive;
- (iii) make recommendations for the necessary measures to be adopted during the war for the adequate hospital accommodation and treatment of all forms of sickness; and
- (iv) formulate plans for the post-war finance and provision of hospital accommodation, such plans to include the administration of hospital and nursing services.

HON. W. J. MANN (South-West)  
[5.10]: Dr. Hislop seeks to secure the ap-

pointment of a Royal Commission to inquire into particular phases of the administration of the Health Act. I hope the Government will not turn down his request. As a result of much experience of health matters, and in particular of country hospital administration, I have felt for a considerable period that there was necessity for a considerable betterment of the position as it has been revealed to us. I listened with a great deal of interest to Dr. Hislop's speech and with equal interest to the reply of the Leader of the House. The Chief Secretary, in the way to which we have been accustomed, dealt fairly and honestly with the questions raised so far as his advice went, and put up a good case. I am satisfied that he made wonderful use of the material supplied to him. My experience of nearly 40 years of country hospital administration, however, does not lead me to accept all that was put forward by the Chief Secretary. If one were to take a plebiscite throughout the country of those who have been concerned in the administration of country hospital and health matters regarding the kind of sympathy and assistance that at all times have been accorded to them by the Health Department, I feel sure the decision would be that much has been left undone that might have been done to help in this important work.

One hesitates to refer to any particular source of trouble, but I am impelled to register the opinion that many of the persons who have been directly concerned with the control of public hospitals and nursing matters have had always in the back of their minds the lack of assistance and sympathy from the permanent head of the department concerned. I know the permanent head of the Health Department very well, and in many respects I have a great admiration for him. I am satisfied that he, while imbued with the very highest of motives, has not always gained the maximum results possible from those working under him. I have in mind attempts that were made in one or two country districts to establish hospitals. I know that at Donnybrook particularly the local people took an enormous amount of interest in the move to secure the erection of a hospital there. In a very short time the small community raised between £1,300 and £1,500, which was striking evidence of their desire to help themselves. The Lotteries Commis-

sion agreed to extend assistance and that applied to the Health Department as well. The battle for the hospital went on for many long months. Throughout the whole of the endeavours to have a hospital established at that centre, the opinion was almost unanimous that but for the influence of the Health Department through its permanent head it would have been provided much sooner. Ultimately a hospital was established, but it is nothing like what was desired. The hospital possibly fills the bill, but after all that is merely temporary.

I think Dr. Hislop is endeavouring to render the people of this State a distinct service. Reference has been made to the appointment and subsequent resignation of Dr. Park. We know only what we have been able to read in the Press, and the few odd hints that have been dropped here and there, but it seems obvious that a man of Dr. Park's ability and attainments would not have been selected for appointment as Commissioner of Public Health had he not been a man of the type the Government believed would be able to improve the administration of the health services of the State. The fact that he received the appointment is evidence that he is a man of ability and capacity. I do not know Dr. Park personally and have never seen him. There is, in addition, the fact that his resignation having been lodged so soon after his appointment suggests definitely that there is something unsatisfactory in the existing situation. If Dr. Hislop has done nothing else he has rendered a service in that he has made a protest in this House because of the circumstances that he believes are the cause of Dr. Park's resignation.

The Chief Secretary: He also protested against the retirement of Dr. Park's predecessor in office.

Hon. W. J. MANN: I hardly think that applies. I have endeavoured to look at this matter very carefully and to be perfectly fair. Now that the Chief Secretary has interjected, I would like to tell him frankly that the action the Minister for Health took in connection with the newspaper controversy that was current a week or two ago gave me the impression very definitely that there is something wrong. It suggested that the Minister was fearful of some disclosures.

The Chief Secretary: That is not right.

Hon. W. J. MANN: That is how it seemed to me. He appeared to feel that something might come out as a result of Dr. Hislop's motion for a Royal Commission that would point to some inefficiency or injustice. To say the least of it, the Minister gave signs of a sensitiveness that was unusual. I think it will be agreed that the Minister for Health took considerable umbrage at the suggestion that the administration of the Health Department could be questioned. The Minister went a little further. He more or less attacked Dr. Hislop personally. That in itself was not conducive to strengthening the Minister's case. I am speaking in the presence of the Chief Secretary, but I must say there was a marked difference between the manner in which he handled the question and the manner in which the Minister for Health dealt with it in the public Press. If the Minister for Health has brought any odium on himself by his tactics and his protest against any suggestion for the appointment of a Royal Commission, he has himself to blame.

When the newspaper controversy was current it was generally admitted that the Minister for Health did not cut a very dignified figure or make a very good show. As a layman I do not profess to know the intricacies of the administration of the Health Department. We can speak only on the basis of what we have seen and are told. Sufficient has been said both by Dr. Hislop and by the Minister to warrant an investigation of the situation. I desire to make reference to the position of the nursing profession. I cannot at the moment say just what the provision for the training of nurses actually embodies, but I know that in the past these young women have been shockingly underpaid. If ever there has been a section of the community deserving of much better payment, much improved conditions and better hours, I believe that section comprises the nurses.

I wonder what the position will be after the war? Many nurses have joined the Military Forces and those girls have received much better pay and improved conditions in consequence. I am just wondering whether they will be prepared to revert to civilian nursing again. I am afraid that many of them will not do so, and the question of future training of nurses could very well be looked into. The old order

of things whereby the nurses received a smaller weekly wage than did ordinary domestics should not be permitted to continue. If we are to have an adequate supply of competent and enthusiastic nurses this is one phase that will have to be looked into. I hope the Government, despite the attitude of the Minister for Health as indicated by his statements in the public Press, will accede to this request. If it does not, I am afraid public opinion will not commend it.

**HON. E. H. H. HALL** (Central): It was not my intention to take part in this discussion because I believe the reply that Dr. Hislop will make will be sufficient to convince the majority of the members of this Chamber that the appointment of a Royal Commission will be abundantly justified. I have been looking through the report in "The West Australian" of the reply by the Chief Secretary to Dr. Hislop, and there is one portion upon which I desire to comment. During the course of the report the Chief Secretary is represented as saying—

The pound-for-pound policy as applied to hospitals built in the country, which had been criticised by Dr. Hislop, had been in effect during the last 30 years, and had been accepted and followed by successive Governments.

I am sure members will agree with me that country members, from time to time, have complained bitterly about the disparity between the provision made by Governments in connection with the erection of hospitals in the country districts and the erection of the Perth Hospital, respectively. The accepted policy, according to the Chief Secretary, which has been followed by successive Governments for over 30 years—I think we can take that assertion as being correct—has been that no matter how urgent the necessity was for the erection of new hospital accommodation or of extra accommodation, the people of the centres concerned have been definitely told that they must be prepared to find the necessary funds on the pound-for-pound basis. Country members have for years protested against the policy as applied to country hospitals, while at the same time the Government was prepared to spend hundreds of thousands of pounds on the erection of a new hospital in the city. The reply has been made that the Perth Hospital caters for numbers of people from the country

districts. That is admitted, but I have to thank Dr. Hislop for pointing out to the House something which I, as a country member, at all events overlooked, and which I have not heard pointed out by any other country member.

In certain country towns such as Geraldton and Bunbury, there are hospitals which are district hospitals. The Geraldton hospital is known as the Victoria District Government Hospital. I shall not make a guess at the number of patients from country districts treated there, but it is not small. Is it fair to say to the people of Geraldton, "Before you can have an up-to-date hospital"—which I may add is badly needed—"you have to find a pound-for-pound subsidy" while no such demand is made upon the Perth City Council or any other local governing body in the metropolitan area? This policy, which has already been in vogue for at least 30 years and has been accepted by successive Governments, requires investigation. In my opinion, it is just about time that an alteration was made, in view of the new hospital accommodation and enlarged accommodation required in district hospitals, if not in the smaller country hospitals. I have just given expression to that wish; and if a Royal Commission is granted—I am fairly sure that Dr. Hislop has proved his case—I hope that aspect will receive consideration. I ask for permission to read two letters addressed by Dr. Clark, of Lake Grace, to Dr. Hislop, letters which Dr. Hislop would not be permitted to make use of in his reply. Here is the first letter—

Lake Grace,  
1st November, 1944.

Dear Dr. Hislop,—

I feel that this statement recently made by Matron Lobley of this hospital should be brought to your notice as relevant to the general condition of inaction in the P.H.D.

Matron Lobley, while on her annual holidays, made enquiries at the department about relief of existing trained and untrained members of her staff and was told that replacements were quite unobtainable.

Her comment then was: In that event the hospital would have to close! Reply: Yes.

Q. How then would patients who had already travelled up to 110 miles be dealt with, as the next hospital is 75 miles away?

A. They will have to get an ambulance to Wagin. Nothing else can be done.

This atrocious disregard for those people who are so unfortunate as to be attempting the development of this State fills me with baffled fury.

I might add that Matron Lobley has returned to work in a state of profound discouragement.

I know that the next few weeks will see a crisis in regard to this hospital and I feel that before long I will be without a hospital in which to treat patients unless some drastic action can be, or will be taken by the powers of Murray-street. In the event of the hospital having to close, I feel that my usefulness here will be at an end, and I presume that the co-ordination committee will be understanding if I wish to quit this place.

As you are probably aware, there are two small hospitals between here and Wagin—one at Kukerin and one at Dumbleyung—which are being kept open for no adequate reason in this time of stress, so absorbing in the first case one trained nurse and in the second a matron and one other nurse (trained or untrained) who could very well be used elsewhere, as the former place is 25 miles from here and Dumbleyung is 25 miles from Wagin and 32 miles from Katanzing—a typical illustration of the lack of planning which is so apparent in all the undertakings of our department.

Yours sincerely,

(Sgd.) A. M. Clark.

And here is the second communication from Dr. Clark to Dr. Hislop—

Lake Grace,  
1st November, 1944.

Dear Dr. Hislop,

#### Hospital Improvements.

With reference to your enquiry re improvements at Lake Grace Hospital during the past 12 months—I must inform you that the sole improvement has been the resetting of the laundry copper, which was in such a state as to be an imminent danger to the laundress; otherwise nothing has been done to repair or paint a building which is (1) hopelessly inadequate in size and convenience, (2) filthy with the grime of years on walls which to my knowledge have not been painted in some cases for 10 years, in others from the opening of the place in 1926.

The committee has long had in hand sufficient money to build a new general block and a nurses' home.

Plans which the committee and I have disliked intensely have been drawn up by the department for alterations to the existing block and tenders were called—unsuccessfully.

The department then advised the Committee to wait for some unspecified time, in spite of the fact that two wards originally designed for three and two beds respectively, are now holding five and three beds, and in the latter one cot as well. Enclosed or partially enclosed verandahs hold six more beds and one cot, and the former labour ward (so called) is now a single bed general ward.

The nurses and domestics' quarters consist of two small rooms and a sleep-out upstairs—all this for two sisters, three assistant nurses and three domestics.

The matron has her room in the midwifery-block which was built in 1938 and which really requires minor alterations, as of course, it was designed by the Department.

The sanitary arrangements for this block are quite good of their kind (no septic tanks of course) but those of the general block are frightful and are situated within 25 feet of a ward door (to the north) with pleasant results when our hot north winds blow.

The kitchen and laundry would disgrace any home, however humble. The kitchen is roughly 10ft. x 16ft., dark, insanitary and with a small stove which has to cook dinners for anything up to 17 or 18 patients and 10 staff, as well as supply hot water for ward requirements. The rest of the hot water system consists of primus or blue flame stoves.

Yours sincerely,

(Signed) A. M. Clark.

As I said at the beginning of my remarks, I consider that the Chief Secretary's reply might very well be left to the consideration of Dr. Hislop, who has a first-hand, first-rate, intimate knowledge of the subject which he has tackled, in my opinion, so very effectively.

**HON. H. SEDDON** (North-East): I intend to support Dr. Hislop's motion, because I think that nothing but good can come out of the suggested inquiry. There are many aspects of the hospital question. The Health Department has been very dissatisfied for years. The department, at any rate, is ever seized of the fact that it is dealing with one third of the continent, and dealing, too, with a set of conditions involving a very heavy charge upon the small population which is trying to develop this third of a continent. From that angle, nothing but good can come out of the inquiry along the lines set out in the motion.

**Hon. C. B. Williams:** You are not running down the Government because of that third of the continent, are you?

**Hon. H. SEDDON:** No. I am pointing out the conditions. The position in the Health Department is one that probably exists in all departments having a professional head and a secretarial head. The professional man naturally looks at things from what he knows to be the most desirable and most efficient standpoint; that is, from the professional standpoint. The secretarial head looks at matters from the aspect of the funds he has available and the number of problems he has to solve. I am trying to point out the difficulties which concern the secretarial head, and which to him are just as pressing and from his angle

as difficult as those confronting the professional head. In every department where there is a professional head together with a secretarial head, such a condition of affairs will arise.

The position as regards this State's hospitals, as disclosed by the Royal Commission which sat many years ago, can only be described as very mixed. We have hospitals which are entirely spoilt by the Government. Others raise funds and have subsidies granted to them by the Government; and we have yet other hospitals which are being handled from one angle or from the other and in some cases are entirely supported by the people of the district. The departmental head has to handle all those conditions. As I say, we must go into that question. It should be made plain to the people of the State, and especially to the people who, not limited by a parochial view, will be able to vision the position from the aspect of the medical service of the whole of Western Australia. And there is another aspect. We know there has been a highly serious shortage of nurses, due to war conditions; and we also know that war conditions affect every avenue of public services.

Hon. C. B. Williams: At Kalgoorlie, girls have to wait six months to get into a training institution!

Hon. H. SEDDON: I shall deal with the question of nurses afterwards. The war has also imposed upon the Health Department, as upon every other department, a serious shortage of labour and materials. Yet another aspect is particularly important, the making of provision not only for current needs, but for the period between the present time and the cessation of hostilities, in regard to taking advantage of the progress made during this war and arranging for its embodiment into the medical and hospital system of Western Australia. It must be recognised, also, that there will be tremendous surpluses of equipment and materials. If the matter is gone into, the publicity will help very materially towards obtaining better equipment and various materials for our hospitals in the country. It is from that angle we should look at the subject. There is, of course, the undoubted fact that a tendency exists right through the country for sending serious cases down to Perth in order to receive attention.

Hon. C. B. Williams: The best attention!

Hon. H. SEDDON: The natural impression is that the best medical talent is available in the centre, where medical men have the opportunity to specialise more than the men who are trying to cope with the medical problem in the country. At the same time I think that a great deal more could be done to assist public hospitals than has been done up to the present. There has been some reference to the training of nurses, and mention was made of Kalgoorlie. Since we had that fortunate fire in Kalgoorlie there has been a tremendous improvement; but there is room for further improvement. I am glad to say that a start is being made with the provision of quarters for night nurses. The conditions under which those nurses have been living for some time past are most deplorable. Many nurses who were on night shift used to go away from the hospital to get a bit of rest in the daytime. So far as remuneration is concerned, some of the maids at the hospital get a better deal than the nurses.

Hon. C. B. Williams: I join issue with you there.

The PRESIDENT: Order! The hon. member will have an opportunity to speak later.

Hon. H. SEDDON: These are things that require investigation, and from that angle nothing but good can come out of an inquiry. The Chief Secretary pointed out the position in regard to nurses' examinations there. The results of the examinations reflect great credit on the teaching the nurses receive. I think they secured the highest place in the State; I know that the tuition they receive is very good. I refer to the tuition and lectures from the matron as well as those from the medical men. One of Dr. Hislop's ideas in moving this motion was that the conditions of the staff should be given recognition. The difficulties of the matron are such that she should receive every sympathy and support, and a good deal could be done in the way of educating the public by means of an inquiry through a Royal Commission. The history of the results of inquiries by Royal Commissions in this State is not altogether satisfactory. We had a Royal Commission on the Native Affairs Department a few years ago, and there has been nothing but rows in connection with that department ever since. We have had commissions inquiring into other matters; and the general opinion is that,



if only their recommendations had been carried out, things would be a great deal better.

This is one of the cases in which I think we could do a great deal of good by having an inquiry. We could see where the difficulties lie and wherein lie the possibilities of improvement. We could ascertain where the medical policy of the State could be placed on a basis as fair to the country as to the city; and we could also see where improvement could be made, in the intervening period, with regard to the transport of patients from remote centres to where they could get attention. I think we could make a good deal more use of the flying doctor service. That involves, as part of the policy of the department, the provision of adequate landing grounds in country districts, especially in remote centres; because, unless such provision is made, we cannot expect planes to go out. These things could all be tied up into one co-ordinated whole. We could assist the department very materially, and we could assist the medical profession, by having an inquiry made by a commissioner who would be qualified to look at matters and explain them and set them out from the professional side, so that the result would yield nothing but good both from the department's point of view and from the point of view of the profession. I support the motion.

**HON. E. M. HEENAN** (North-East): I think Dr. Hislop has achieved his object by provoking a debate on this motion. It has had very wide publicity, and I am sure that a number of points he made will receive the serious consideration of the Health Department. On the other hand, I think all will admit that the Chief Secretary made an adequate reply which must satisfy the public that there is nothing radically wrong in the administration of the department. I therefore fail to see the necessity for a Royal Commission; and, while applauding the research undertaken and the interest displayed by Dr. Hislop in this matter and commending him for what he has done, I do not intend to support the motion. During the eight years I have been in Parliament, there has been a remarkable change for the better in the Kalgoorlie Hospital, and I would like to convey to the Health Department the gratitude of the people of the Goldfields for

what has been achieved. I also extend thanks to the Lotteries Commission and to others concerned. In a somewhat lesser degree, those remarks can be said to apply also to the hospitals at Laverton and Leonora. Although the Norseman Hospital is not in my province, there has also been a remarkable improvement there in recent years.

I would like to draw attention to the necessity which exists on the Goldfields for some institution, supplementary to the hospital, for the accommodation of aged men. Kalgoorlie is the centre for the North-East Goldfields in which there is a number of mining townships. It is a peculiarity of the pioneers and old settlers in those places that in their old age they are loath to leave the Goldfields. There, more than in any other part of the State, we have a great number of old men who, in their early days, were prospectors and miners and who now, in their old age, are pensioners. They love to reside about their old haunts; but when they become sick, or are unable to look after themselves, there is no place for them to go to except "Sunset," the Old Men's Home, or the Kalgoorlie Hospital. I have it on the authority of one of the doctors in Kalgoorlie, who is a friend of mine, that there is always a considerable number of these old men occupying beds in the Kalgoorlie Hospital. Actually they are not hospital cases; they are old men who are temporarily unable to look after themselves and have to be kept in hospital because there is nobody and no other institution that can look after them.

This is a matter that has received consideration and sympathy from various governing bodies and public people on the Goldfields. While appreciating the difficulties in the way of building some institution ancillary to the hospital at present, I hope the Government will consider the position and, in due course, formulate some scheme. At present, these men can go only to the Kalgoorlie Hospital, and, by occupying beds at that institution, they are depriving of accommodation other—perhaps more urgent—cases. The only other alternative is to send them down to "Sunset;" but they would regard that as banishment, and the few remaining years of their lives would be spoilt. I am sure the Government is not unsympathetic to those

men and that it appreciates what they have done for the State. I am not unaware of the difficulties existing in the way of making some provision for them, but I hope the Minister will bear in mind that this is a situation which needs attention and that when the opportunity offers something will be done to meet it.

**HON. J. G. HISLOP** (Metropolitan—in reply): I would thank all those who have taken part in the debate; all have exhibited an interest in the hospital and health affairs of the State. My speech in moving the motion for a Royal Commission to investigate the administration of the Health Act and the conditions of hospitals, etc., has been replied to—through the Chief Secretary—by the department and referred to as containing statements which have been much exaggerated or which are grossly misleading. This is exactly what moved me to ask for a Royal Commission. Whenever I have made any criticisms in this House they have been replied to in those same terms as being exaggerated and misleading, as if making that statement finally disposed of them. Possibly the reason they appear exaggerated is that they contain no half-truths, but are the whole truth, and nothing but the truth. For this reason, I feel it would be very much better for the public to be informed upon these matters through evidence given before a Royal Commission. The commission itself, and the public, would then be able to judge whether my statements were misleading.

I do not intend to reply point by point to what has been said, because that is unnecessary and would take up far too much time; but, on this occasion, the Chief Secretary stated that my whole case against the administration of the Health Act had been made up from replies given to questions which I had asked. This is complained of. On a previous occasion, I was advised that I could have been informed upon all the points on which I was in doubt had I asked questions. It does not seem possible to please either way. On this point, there are a few portions of the Chief Secretary's reply to which I desire to refer. The Chief Secretary stated—

The whole Act centres around the Commissioner of Public Health. There is no mention of the permanent head, yet Dr. Hislop suggests interference by the permanent head although there is no basis for this suggestion.

Again, the Chief Secretary stated—

I want to emphasise that the whole of the public health administration is completely under the Commissioner; the professional head.

There is no doubt that congratulations are due to the Chief Secretary for having delivered so clear an exposition of how the Health Act should be administered, and of how Parliament expected the Health Act to be administered when it drafted legislation. Unfortunately, the Chief Secretary forgot to inform the House how the Health Act was administered. It is not the word, but the spirit, that really counts. Despite this Utopia that was described, Dr. Park resigned. No adequate explanation of this was given. It was simply regarded as unfortunate. It is more; it is a tragedy for this State! If a Royal Commission can find a solution which will permit him to remain, it will have been worth while. If Dr. Park goes, health affairs in this State will fall into an abyss.

I propose to give one example, which I think will make it quite clear to the House that the public health administration is not as Utopian as is described by the Chief Secretary. I give this instance because it occurred recently—since the appointment of the new Commissioner. When the Nurses Registration Act Amendment Bill was at the second reading stage in another place, being dissatisfied with some of the clauses I made it my business to call upon the new Commissioner, Dr. Park, and to my surprise was informed by him that he had not seen the Bill but would have a copy sent down to him so that we could discuss it later. Possibly this matter had been discussed with the Commissioner, but the Commissioner, who was to be the chairman of the new amalgamated registration board, had not seen the Bill which was to be presented to Parliament! Did the Minister present this Bill without collaboration with the Commissioner of Public Health?

I trust that all members saw in the Press that extraordinary letter from the Commissioner of Public Health, in which he, as chairman of the Nurses Registration Board, referred to the intention of that board to withdraw its approval of Bunbury and Collie Hospitals as nursing training schools. The last paragraph of a letter from the Assistant Under Secretary asking that this decision be reviewed and addressed to Dr.

Park in his capacity as chairman of the Nurses Registration Board, asks him, as Commissioner of Public Health, to allow the Nurses Registration Board to see only that portion of the reports of hospitals managed or supervised by the department which the Commissioner of Public Health thinks it might be wise for the Nurses Registration Board to see! We must remember that the Nurses Registration Board has no staff to police its regulations and is entirely dependent upon these reports. This is an involved department, which does not fit into that Utopian idea of administration so clearly outlined by the Chief Secretary. The Leader of the House also made the statement—

The new Perth Hospital stands as a monument of what the Government, the Minister and the department would do if they could.

This is extraordinary reading, when one remembers the efforts which had to be made by the medical and nursing professions to rouse public interest to the degree of demanding that action be taken before the Government could be moved to consider a new Perth Hospital. Members of the honorary staff had to write to the daily Press and give it information as to where it would find material for photographs which would arouse public interest, and now we find the Chief Secretary distributing the praise for the new Perth Hospital. He admits that it was the honorary medical staff which had to urge the appointment of an expert architect. In fact, the present building of the new Perth Hospital stands as a memorial to the interest and the persistence of the medical profession. I move on to reply in regard to the training of nurses. Much emphasis has been laid upon Kalgoorlie in regard to this training. The Chief Secretary stated—

It is a pity the doctor is so ready to listen to individual complaints. These can always be obtained if wanted. If there are shortages of ward materials and equipment, the matron knows nothing of it and no official complaints have been made by the staff.

I must reply to that remark. My first intimation of dissatisfaction with the lectures at Kalgoorlie came through a letter from a nurse. This was confirmed by another nurse. Having had 25 years of experience of hospitals I did not even accept this as evidence but asked a member of the W.A. Nurses' Association to send a telegram to the Kal-

goorlie Hospital. The reply was then handed to me. The letter contains a complete survey of the lectures given to the nursing staff at all the other training schools before the girls go to Kalgoorlie, and confirms the dissatisfaction amongst the Kalgoorlie training nursing staff; but I have not asked permission to read this letter, as I have no wish to involve the writer.

It does make interesting reading in "The West Australian" of the 3rd November, 1944, to find a letter from Dr. A. B. Webster, stating that no doctor had ever refused a request by the matron to give lectures. This surely makes confusion worse confounded. And it certainly does not clear up the position when the Chief Secretary endeavours to state that the whole business of lecturing to nurses is in the hands of professional people. Far from it! The department, which is responsible for the curriculum of nursing training, apparently does not make any contact with the medical profession regarding the delivery of lectures, but it is left in the hands of the matron to arrange them. This is just the sort of lax administration which I am asking should be the subject of investigation by a Royal Commission.

Much emphasis has been laid upon the fact that although I have criticised training in country hospitals, nurses who have qualified at Kalgoorlie have gained such high places in the State. It must be remembered that the nurses trained in these country hospitals must devote four years before they can sit for the same examination as do the girls from the metropolitan area. This may explain the differences. It may have been thought that the fact that the papers were examined in Kalgoorlie may have made the difference and, as it did not seem wise to have two separate boards of examiners, the papers in the last examination were sent to Perth for checking. This still gives the first and third places to the Government training school in Kalgoorlie. It would appear from this that it is the four years of practical work which brings the results, rather than the lecturing. Certain of my contentions are therefore upheld that some definite curriculum of training with a more ordered arrangement of lectures is essential for all. I give the House the figures as supplied by the Nurses Registration Board for the recent examination. They are as follows:—

Hospital.	Number sitting.	Failures.
St. John of God ..	6	—
Fremantle ..	8	1
Children's ..	7	3
Perth ..	18	—
Mount ..	1	1
Government ..	13	2
1st place—Government Training School, Kalgoorlie.		
2nd place—Perth Hospital.		
3rd place—Government Training School, Kalgoorlie.		

It does not help matters to learn that the Kalgoorlie trainees wrote to "The Kalgoorlie Miner" on the 4th of this month, and said this—

With regard to lectures to trainee nurses at Kalgoorlie, in view of the publicity which this matter has received we feel it necessary to assure our local doctors that their lectures have always been greatly appreciated. Nevertheless, the statements made by Dr. Hislop are correct, and in some cases it is necessary for nurses to receive all their lectures in a short space of time, at the rate of four or five a week.

However, our complaints are levelled at the Medical Department which utilises trainee nurses to staff hospitals without providing adequate facilities for training or, in some cases, suitable housing conditions, and a Nurses Registration Board which increases the training period from three to four years, yet does not see that suitable tuition and lectures are given.

We think everyone will agree that to spend half our training period, as some of us have done, performing menial tasks and not even receiving lectures, is most discouraging, and it is in the best interests of the doctors to see that nurses do receive adequate training.

We find confusion worse confounded when we read the final paragraphs of the report of Matron Lockhead, of the Wooroloo Sanatorium. She states—

It is evident that our system of training is quite wrong. The nurses spend 16 months at Wooroloo, 13 months at country hospitals, and 19 months at Kalgoorlie. This means that a nurse goes to three different hospitals during her four years' training. Each time the nurse goes to a different hospital, she loses about six weeks in adapting herself to the different conditions. A more satisfactory arrangement would be for the nurse to commence training at Kalgoorlie, and when she had spent 18 months there, do a four months' course of tuberculosis nursing at Wooroloo, and then complete her training at Kalgoorlie.

I am of opinion that, more often than not, the period spent at country hospitals is harmful to the nurses. They are junior nurses again when they go to country hospitals, and as there are as many trained nurses as probationer nurses on the staff, the trained staff do the dressings, etc., whilst the probationer nurses continue with the sink rooms, lockers, etc., and do not do sufficient senior work. As the hos-

pitals are often so very busy and short staffed, the trained nurses do not have the time to instruct the probationer nurses, nor in many cases are the trained nurses sufficiently interested in the training of the nurses.

A hospital should not be recognised as a training school until the Nurses Registration Board has satisfied itself that the doctors and the matron will lecture to the nurses, and that conditions at the hospital are such that the nurse will be getting every opportunity of receiving a good, sound, all-round training, in surroundings which should prove an example of what a hospital should be, and not what it should not be.

Lecturing to nurses is, I find, a very specialised task, and one at which not all members of the profession are gifted. In my opinion, it would be very much wiser if the main mass of lecturing was undertaken at a central training school rather than in the present widespread manner. I think I have said enough about nurses' training for this to be a subject for a Royal Commission. Not once in his long reply did the Chief Secretary tackle the real problems which I placed before this House, namely, the future, for the war period and for the peace, of hospital administration and nursing training. I have asked that some definite planning be made known to the public, and yet not a word from the Chief Secretary as to the solution of the crying urgency for provision of hospital beds for chronic illnesses and aged people! One would think that Mr. Heenan was speaking in favour of the Royal Commission rather than against it because he emphasised the real need for a scheme to look after the aged sick at Kalgoorlie. He might even now have time to change his mind as to how he votes on this motion.

If, as the Chief Secretary says, in the concluding remarks of his speech, the department does not require a Royal Commission to tell it what it already knows, is not this House entitled to know, when requesting a Royal Commission, what the plans of the Department are? I venture to suggest that it has none. Again I repeat the statement that unless some concerted action is taken in regard to hospitals, there will be chaos. Beds cannot be obtained today in private hospitals without undue waste of time searching for a vacant bed. Patients are, at times, scattered in lobbies, ends of passages and, in fact, anywhere that a bed can be placed. Hospital staffs are breaking down under the strain. This applies

to our public hospitals as well. It is a curious fact that the day before the Chief Secretary replied in this House, the British Medical Association received an invitation to nominate one of its members to the Departmental Hospital Planning Committee. So what plans can have been made? This matter of beds is vitally urgent to the public.

The board of management of the Home of Peace has been advised by the department that the Government desires no control over the administration of the Home of Peace. Thus, the board, more or less in desperation I take it, not knowing its part in the scheme of things sent delegates to a meeting of the Hospitals Sub-committee of the British Medical Association. They desired to know what part they were to play in the future of things, and they could not be told, because there is no plan. That meeting was informed by the representatives of the Home of Peace that if no decision were arrived at within a very short period, the home would have to expand without any idea of what part it was playing in the future planning of hospitals. Yet, not a word in the Chief Secretary's reply! It is not the part of the British Medical Association to lay down the future of hospitals—it has not the authority to do so. It is for this again that I ask for a Royal Commission.

The Chief Secretary referred to the 6s. per day from the Commonwealth as being a donation to the sick and not to hospitals. Here again is an excellent reason for a Royal Commission. We cannot afford to accept 6s. a day for the sick person while our hospitals are in their present parlous condition. We who are interested in this problem have been made to realise of late that the Commonwealth does not intend to assist the States to re-build their hospitals. I have heard those who have attended Commonwealth conferences repeat this time after time in the last few weeks. What a curious turn of events that whilst the State cannot afford the money to build hospitals, the Commonwealth can afford to take our taxes and return the money to the sick so that they may have free hospital treatment.

*Sitting suspended from 6.15 to 7.30 p.m.*

Hon. J. G. HISLOP: I propose to give a few figures which will show that this is quite

impossible for us to do. I give figures for 1941 of the expenditure on health, hospitals and charities per head of population of all States—

New South Wales	..	35s.	9d.
Western Australia	..	28s.	10d.
Queensland	..	24s.	3d.
Tasmania	..	24s.	1d.
South Australia	..	23s.	0d.
Victoria	..	17s.	6d.
Average for all States	..	27s.	2d.

It will be seen from this that, apart from New South Wales, we spend the highest amount per head under these headings, which may be referred to as at least portion of our social services.

I quote also from Mr. Justice Wolff's report in 1942 as the Royal Commissioner appointed to inquire into matters relating to the University, from which I extract evidence given by the Under Treasurer. It will be seen from this that because we spent the amount we did on social services we have been charged £129,000 by the Grants Commission. Members must realise from this that with every penny from now on by which we increase our social services expenditure, which includes our expenditure on hospitals, we face a further deduction by the Grants Commission. Where does this lead us? This is a question to which the public must want a further definite answer, which can only be obtained by a Royal Commission.

There are, in Western Australia, 1,305 private hospital beds available, with a daily average occupancy of 800; there is a total of 4,523 hospital beds with 2,650 beds daily occupied. This, at 6s. per day, means approximately £300,000 per year. This sum would be very much better spent for the first five or ten years on equipping our hospitals. In fact, I know that there are those in the Medical Department who believed that the original intention of the Commonwealth was to make this grant available on a certain date and make the grant available by the States to individuals at a later date, so setting up a reserve fund by which hospitals could be raised to a higher standard. The whole scheme is so involved that no-one knows when it will be introduced, or what its details will be, and the latest information is that it will not be introduced into the Commonwealth Parliament until February of next year. This means that we would have ample time for a Royal Com-

mission to investigate the position as it affects this State.

In conclusion, let me reiterate the matters which call for urgent investigation by a Royal Commission—

1. Why did the Commissioner, a man of sound experience and administrative ability, resign after six months, and what steps can be taken to retain his services?

2. What measures must be taken to attract girls to nursing training during the war period, in connection with which training schools view the present shortage of candidates with alarm?

3. The laying down of a sound curriculum and basis of nursing training.

4. What expedients must be adopted to ensure adequate hospital accommodation during the war?

5. The provision of hospital accommodation for chronic illness and old age.

Ultimately, the Royal Commission would be able to lay down the plans for future hospital provision and administration throughout the State; the conditions under which nurses are to be trained and employed, and the method of hospital finance best suited to the State's resources. I trust I have shown members the need for a Royal Commission; and I sincerely hope the motion for its appointment will meet with the approval of the House.

Question put and a division taken with the following result.—

Ayes	..	..	..	13
Noes	..	..	..	6

Majority for	..	..	7
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#### AYES.

Hon. L. B. Bolton	Hon. H. S. W. Parker
Hon. Sir Hal Colebatch	Hon. H. Seddon
Hon. J. A. Blimmit	Hon. F. R. Welsh
Hon. V. Hamersley	Hon. C. B. Williams
Hon. J. G. Hildop	Hon. G. B. Wood
Hon. W. J. Mann	Hon. E. H. Hall
Hon. G. W. Miles	(Teller.)

#### NOES.

Hon. J. M. Drew	Hon. W. H. Kitson
Hon. G. Fraser	Hon. T. Moore
Hon. E. H. Gray	Hon. E. M. Heenan
	(Teller.)

Question thus passed: the motion agreed to.

### BILL—MORTGAGEES' RIGHTS RESTRICTION ACT AMENDMENT.

#### Second Reading.

Debate resumed from the 1st November.

**HON. H. SEDDON** (North-East) [7.40]: I intend to support the Bill, but I hope that it will be amended in Committee. I find myself in very much the same position as

Mr. Parker, because I have each year opposed the extension of the Mortgagees' Rights Restriction Act and consider that no sound reason exists for its extension. I cannot see why this legislation should be continued in view of the existence of the National Security Regulations, which are being so rigidly enforced by the Commonwealth Government. The provisions of the Bill, in my opinion, are not only inadequate, but are unfair to a class of people still carrying the burden of the depression of some 12 years ago, notwithstanding that everybody else has been freed from the restrictions then imposed.

It must be remembered that mortgages executed after that time are free from these restrictions. A number of very old mortgages are affected, some of which should have been discharged many years ago. This Bill requires action to be taken by mortgagees, and imposes conditions under which action shall be taken. It is rather interesting to note that relief is proposed to be granted to people who are receiving an income that is less than the basic wage. The Government might at least have been a bit more generous than that. Further, the maximum of £1,000 for a mortgage to which relief applies will still weigh heavily on an estate that in the past made provision for children and their future. I hope that Mr. Parker, by the amendments he has indicated, will endeavour to bring about a reversal of the conditions governing the measure in order that mortgagees may be freed from the Act.

**THE CHIEF SECRETARY** (in reply): The sole reason for introducing this measure is the fact that from time to time representations have been made to the Government—and I suppose to all members of Parliament—on behalf of mortgagees who claim to be suffering hardship as a result of the operation of the Act. Those complaints have been made over a period of several years. While there has been a number of cases in which it could be satisfactorily proved that hardship did exist, I am afraid that in many cases no real hardship was involved. In order to meet those cases where hardship does exist as a result of the investment of savings in mortgages, of which savings the mortgagees hoped to have the benefit at a certain stage in their lives, the Government decided to do what it could to assist that class of person. From the

amendments which Mr. Parker has placed on the notice paper, it would appear that he is desirous of amending this measure so as to make the conditions, which it is sought to apply to a few people who are undoubtedly suffering hardship at present, apply to all and sundry, including banks and other financial institutions. I feel sure that the Bill will pass the second reading stage, and I sincerely hope that in Committee members will not listen to the pleadings of either Mr. Parker or Mr. Seddon.

Question put and passed.

Bill read a second time.

*In Committee.*

Hon. G. Fraser in the Chair; the Chief Secretary in charge of the Bill.

Clause 1—agreed to.

Clause 2—Amendment of Section 7:

Hon. H. S. W. PARKER: I move an amendment—

That paragraph (a) of proposed new Subsection (5) be struck out.

I am glad to note that the Government has at last discovered that hardship does exist under the Act; it is the Government's first admission for 12 years that any hardship does exist. Members will realise that the Act applies to mortgages 12 years old and over. The Government now says that it proposes to give some relief to mortgagees in receipt of an income of less than £5 per week. By this Bill the Government proposes that such persons may appear before the Commissioner of Titles, instead of before a judge, to put their case, and that they will not be put to any expense nor be liable to pay fees to the Government. The relief is therefore confined to mortgagees in receipt of an income less than the basic wage. Why debar people on the basic wage from the relief which this measure proposes to confer? A great many mortgages are held by trustees for estates, and in many instances the beneficiaries would be receiving more than £5 per week, although the income might have to be divided between a number of beneficiaries. These would be debarred from applying for relief. They must take the expensive method.

The CHIEF SECRETARY: This is the first of several amendments which Mr. Parker is moving. My reply to the debate on the second reading dealt particularly with this clause. The Bill is designed to

help those who are not in a position to help themselves. The income of £5 per week was not fixed on account of any relationship to the basic wage, although I am delighted to hear that Mr. Parker has some regard for the basic wage. Mortgagees in receipt of an income exceeding £5 per week cannot be said to be suffering hardship within the meaning of that term in this Bill. If it is desired to apply the provisions of this clause to all mortgagees, irrespective of their financial position, then we would have to agree to Mr. Parker's amendment; but, if on the other hand, it is desired to limit the relief to mortgagees suffering real hardship, then the Committee must agree to the Bill as it stands.

Hon. H. SEDDON: I should be inclined to follow the Chief Secretary's argument further if he could show any justification for the continuance of this legislation, in view of the existence of the National Security Regulations, which apply to all mortgages. I hope the Committee will agree to Mr. Parker's amendment.

The CHIEF SECRETARY: This matter has been ventilated so frequently in this Chamber that there is scarcely necessity for me to refer to it again. In many cases the mortgagee could only secure repayment of his principal by the mortgagor securing the money elsewhere. Notwithstanding the National Security Regulations, to which Mr. Seddon referred, there would be great difficulty in mortgagors securing advances to repay their mortgages. That, I believe, is the answer to the point raised by him. If it were not for legislation of this kind—and particularly the legislation with which we are now dealing—there would be chaos in the field of small mortgagors, who would find it next door to impossible to secure the money to repay the mortgages which they entered into.

Hon. H. S. W. PARKER: Evidently the Chief Secretary does not know anything about the subject. It is not a question of obtaining further advances, but merely of effecting an exchange, because there is ample money available at the present time.

Hon. C. B. Williams: Apart from the Victory Loan?

Hon. H. S. W. PARKER: Yes. The trouble is that people cannot get investments because of Commonwealth regulations. Mortgagors are perfectly

satisfied to continue paying £5 8s. 6d. per cent., because by so doing they would avoid paying Government stamp duty and Government registration fees on the discharge of mortgage, as well as the cost of a new mortgage, roughly 21s. per £100, which represents the legal cost, and the stamp duty and Titles Office fees. If the Government is genuine in its desire to help these people, why not forego the stamp duty and registration fees? An aged couple whom I knew were anxious to secure repayment of a small mortgage of £500 so that they might repair their own house, which was valued at about £1,600, and also have a little capital to live on. They did not secure repayment of the mortgage and have since died. Are mortgagees never to get their money back unless they earn under £5 a week?

Hon. C. B. Williams: Move to amend in that way.

Hon. H. S. W. PARKER: I have an amendment which I consider to be reasonable.

Hon. E. M. HEENAN: I hope the Committee will not agree to the amendment. Mr. Parker's experience is evidently different from mine.

Hon. C. B. Williams: Are you speaking as a member of Parliament or as a solicitor?

The CHAIRMAN: Order!

Hon. E. M. HEENAN: I know of four cases that come under the 1931 legislation, and in each case the principal could not be paid without inflicting great hardship. I assume, therefore, that that is the general position. This is emergency legislation, and in my opinion the time has not arrived when we can afford to terminate it. If anybody desires the return of his principal a simple expedient is provided. The individual can apply to the court for relief. If, as Mr. Parker says, plenty of money is available, the court would undoubtedly grant relief.

Hon. H. S. W. Parker: But hardship cannot be shown.

Hon. E. M. HEENAN: If that is so, why bother about it? If the money is not required, why not leave it safely where it is? If hardship can be proved, the court will readily grant relief. We should abolish this legislation very guardedly and the Bill represents one step in that direction.

Amendment put and a division taken with the following result:—

Ayes	..	..	7
Noes	..	..	11
Majority against			4

#### AYES.

Hon. L. B. Bolton	Hon. H. S. W. Parker
Hon. Sir Hal Colebatch	Hon. H. Seddon
Hon. J. A. Dimmitt	Hon. G. W. Miles
Hon. J. G. Hislop	(Teller.)

#### NOES.

Hon. C. F. Baxter	Hon. W. H. Kitson
Hon. J. M. Drew	Hon. W. J. Mann
Hon. E. H. Gray	Hon. C. B. Williams
Hon. E. H. H. Hall	Hon. G. B. Wood
Hon. V. Hamersley	Hon. T. Moore
Hon. E. M. Heenan	(Teller.)

Amendment thus negatived.

Hon. H. S. W. PARKER: I move an amendment—

That in paragraph (b) of proposed new Subsection (5) the words "and the total real and personal property of which the mortgagee stands possessed as beneficial owner (inclusive of the amount of moneys secured by the mortgage the subject of the application) does not exceed in all the sum of two thousand five hundred pounds" be struck out.

What does it matter if an individual has other mortgages?

The CHIEF SECRETARY: The Bill is not designed to afford assistance to persons who make a business of lending money on mortgages. If the amendment is agreed to, it could very well be that an individual could have 10 mortgages of £1,000 each and then this legislation would apply to him. The limitation set out in the Bill is merely another indication of the hardship with which it proposes to deal. We must have regard to all the amendments that Mr. Parker has placed on the notice paper, and from these it is clear that they are designed to provide the facilities outlined in the Bill for all mortgagees, irrespective of any conditions that may apply. I hope the Committee will be consistent and defeat the amendment.

Amendment put and negatived.

Hon. H. S. W. PARKER: I move an amendment—

That in lines 40 to 42 of proposed new Subsection (5) the words "or mortgagors, or his or their personal representatives, if such mortgagor or mortgagors is or are dead" be struck out and the words "or his executor or administrator" inserted in lieu.

The amendment is really a matter of draftsmanship and in this instance the



draftsman was apparently not aware of the Interpretation Act, which provides that the singular shall include the plural.

The CHIEF SECRETARY: I have no objection to the amendment. I am advised that it can do no harm, as it merely means the same thing.

Amendment put and passed.

Hon. H. S. W. PARKER: I move an amendment—

That in line 58 of proposed new Subsection (5) the words "or mortgagors" be struck out.

Amendment put and passed.

Hon. H. S. W. PARKER: I move an amendment—

That in lines 66 to 68 of proposed new Subsection (5) the words "for the purpose of this subsection the term 'mortgagee' shall not include a firm or corporation" be struck out.

I do not know how a firm can be a mortgagee. A mortgagee is an individual, not a firm. Actually in view of legislation we have passed, there is no such thing as a firm in Western Australia. Why should the small one-man company with an income of £5 a week, which does not possess more than £2,500, be deprived of the right of applying to the Commissioner of Titles for relief?

The CHIEF SECRETARY: That is a very specious argument.

Hon. H. S. W. Parker: I told you earlier you know nothing about it!

The CHIEF SECRETARY: Had Mr. Parker been successful with his other amendments it is easy to see what result would have been achieved. Firms and corporations include banks and other financial institutions. The Bill has not been designed for the purpose of assisting financial concerns or corporations. If we accept the amendment, those firms or corporations will be in a position to take advantage of the provisions of the Bill, and that was not intended.

Hon. H. SEDDON: There is one aspect that I would like the Minister to deal with. If the words sought to be struck out are retained, how will they affect a trustee company that is handling an estate on behalf of beneficiaries?

The CHIEF SECRETARY: It seems to me that if this part of the proposed new subsection can be shown to mean that hardship of the kind the Bill is designed to deal with can apply to a particular individual as a

mortgagee, the Commissioner of Titles would deal with the matter on its merits. While there is no mention in the Bill of trustees, I am assuming, without having been advised on the law, that everything would depend on the circumstances of the case as presented to the Commissioner of Titles. If he were satisfied, then of course the applicant would be all right. If the Commissioner were not satisfied, the application would fail.

Hon. H. S. W. PARKER: The Minister has explained exactly what I tried to explain, and that is that the trustee company would take up a mortgage in its own name, but in fact as trustee for the estate. With these words inserted, the trustee company cannot apply to the Commissioner of Titles, and that is why I ask that the words be struck out, so that a trustee company could apply under this measure; that is; if the estate concerning this particular mortgage has an income of less than £5 per week, and the total mortgages are less than £2,500. That is the very reason why I want the words struck out, and I am pleased that the Minister sees my point.

The CHIEF SECRETARY: I am afraid I do not see the point. I suggest that if the trustee company takes out a mortgage in its own name, then so far as I am concerned it cannot on any consideration make a claim under the Bill, because there is no hardship so far as the trustee company is concerned.

Amendment put and a division taken with the following result:—

Ayes	..	..	..	..	11
Noes	..	..	..	..	6
Majority for	..	..	..	..	5

#### AYES.

Hon. C. F. Baxter	Hon. J. G. Hislop
Hon. L. B. Bolton	Hon. H. S. W. Parker
Hon. Sir Hal Colebatch	Hon. H. Seddon
Hon. J. A. Dismitt	Hon. G. B. Wood
Hon. E. H. Hall	Hon. W. J. Mann
Hon. V. Hamersley	(Teller.)

#### NOES.

Hon. J. M. Drew	Hon. T. Moore
Hon. E. H. Gray	Hon. C. B. Williams
Hon. W. H. Kitson	Hon. E. M. Heenan
	(Teller.)

Amendment thus passed; the clause, as amended, agreed to.

Title—agreed to.

Bill reported with amendments.

# **BILL—PERTH DIOCESAN TRUSTEES (SPECIAL FUND).**

## *Second Reading.*

**HON. V. HAMERSLEY** (East) [8.24] in moving the second reading said: This small Bill is of considerable importance to one of my principal centres, and it explains itself in the preamble. The measure has been introduced in order to relieve the trustees under the will of the late Samuel Evans Burges, of "Tipperary," York, who died in May of 1885. He left all his property at York to his son, R. G. Burges, his heirs and assigns, and for the support of the Church of England clergyman stationed at York he provided an annual sum of £10 during the life of R. G. Burges and after his death a payment of £20 annually for ever. The money was to be paid to the clergyman of the parish of York. R. G. Burges died on the 25th September, 1905.

By an order of His Honour Mr. Justice McMillan, made on the 19th April, 1910, it was ordered, *inter alia*, that the cash surrender value of the perpetual charge of the annual sum of £20, as created by the will over the lands therein charged, be fixed at £500, and upon the payment of such sum to the Diocesan Trustees of the Church of England in Western Australia, the perpetual charge on their lands should be discharged, and the lands be freed and discharged from the perpetual charge. The order further directed that the Diocesan Trustees should invest the sum of £500 in securities mentioned in the order, and that the income accruing to the extent of £20 per annum should be paid to the clergyman at York, and that any surplus income over £20 per annum should be capitalised. The sum of £500 was duly paid, and the sum of £20 per annum has been regularly paid and the surplus income capitalised, with the result that the annual income from the capital sum is in excess of the amount required to pay the sum of £20 per annum.

The Perth Diocesan Trustees are desirous of being empowered to apply to a judge of the Supreme Court from time to time for directions as to the use and application of the surplus income arising from £500. The income derived from the investment has enabled the trustees to pay the £20 annually, with a surplus accruing each year; and the annuity capital has increased

to £1,000. If the investment continues without distribution, the capital will continue to increase indefinitely and in perpetuity. The Perth Diocesan Trustees have no power to dispose of the surplus income. Then it was discovered that the Supreme Court had no jurisdiction to enable it to make an order authorising either of the proposals of the trustees. The trustees have asked that consideration be given to legislation that will make provision to give the court jurisdiction to make an order conferring the necessary authority upon the trustees; or, alternatively, giving to the trustees direct authority to apply the income from the annuity capital to purposes to be expressed in such legislation. I move—

That the Bill be now read a second time.

**HON. G. B. WOOD** (East): I second the motion for the second reading, but am not altogether satisfied with the Bill, since it does not provide any safeguard that the money will be expended in the parish of York, which, of course, was in the mind of the person who left this money to the clergymen of York. The Diocesan Trustees under the Bill will approach a judge of the Supreme Court and ask him to apply the surplus money after the sum of £20 has been paid to the clergymen, in any way they think fit. As I read the Bill, the Diocesan Trustees may not be the slightest bit interested in the matter after the clergyman gets his £20. I had a telephone message today from the Vestry of York controlling the finances of the York church. The vestrymen were perturbed that some of this money might find its way into channels other than those represented by the clergymen of York and the parish of York. In Committee, I propose to move an amendment that the extra money must be expended in the parish of York.

On motion by Hon. J. A. Dimmitt, debate adjourned.

## **ADJOURNMENT—SPECIAL.**

**THE CHIEF SECRETARY:** I move—

That the House at its rising adjourn till Tuesday, the 14th November.

Question put and passed.

*House adjourned at 8.32 p.m.*