

Legislative Assembly

Wednesday, 16th October, 1957.

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

QUESTIONS.

EDUCATION.

(a) *Overtaking Classroom Shortage, etc.*
Mr. COURT asked the Minister for Education:

(1) If funds were available, how much would be required—

- to overtake the whole primary classroom shortage including appropriate equipment;
- to overtake high school classroom shortage including appropriate equipment;
- to overtake technical education deficiencies in buildings and equipment?

(2) If funds were available, how long would it take to complete the respective tasks mentioned in No. (1) (a), (b) and (c)?

(3) If the respective tasks set out in No. (1) (a), (b) and (c) were completed, what would be the effect on—

- teacher requirements under each heading;
- annual education costs under each heading?

The MINISTER replied:

(1) If the hon. member means the provision of proper classrooms to replace temporary accommodation in use at the present moment such as hired halls, cloak rooms, staff rooms, etc., and for which replacement no financial allocation has been made in the current financial year, the answers would be—

(a) Primary—£70,250.

(b) Secondary—Nil.

This does not take into account the additional rooms necessary to accommodate the increased enrolment expected in February, 1958—4,150 in primary schools and 1,160 in secondary schools. Nor does it include the replacement of some very old and out-moded rooms considered unsuitable. If these needs are included, the funds necessary, over and above the amount already allocated in the financial year would be—

(a) Primary—£461,140.

(b) Secondary—£317,500.

This does not take into account any possible reforms such as reducing the size of classes or raising the permissible leaving age. Nor does it include septic tank installations, playground improvements, teachers' quarters and other ancillaries.

(c) It is not possible to consider this division in terms of classrooms, but it is anticipated that the expansion of technical education facilities and the conversion of former high schools for technical education purposes will involve an expenditure of £1,750,000.

(2) (a) A few months.

(b) A few months.

(c) Two to three years.

(3) (a) There are sufficient teachers available to staff the schools under present rules for staffing, and there will be in 1958 and 1959. Beyond that, it is not possible to estimate; but it is expected that the rate of recruitment will keep pace with the increased enrolments.

The anticipated annual increases from 1958 onward require approximately—

110 extra teachers for primary schools;

90 extra teachers for secondary schools; and
20 extra teachers for technical schools.

- (b) Primary—
£108,000 approximately.
Secondary—
£105,550 approximately.
Technical—
£26,000 approximately.

(b) *Moora State School, Accommodation, etc.*

Mr. ACKLAND asked the Minister for Education:

(1) Is it the intention to make the Moora State school a junior high school as from the commencement of the 1958 school year?

(2) If so—

(a) Is it the intention of the department to provide the extra school rooms so urgently needed before the 1958 school year?

(b) If not, when will the additional classrooms be provided?

(3) As the Moora school is in two parts, situated more than a quarter-of-a-mile apart, each with its separate grounds, is it considered that the head master has any chance of efficiently supervising the work and conduct of his school?

The MINISTER replied:

(1) It is the intention of the department to make Moora State school a junior high school as from the beginning of 1958.

(2) (a) No; finances will not permit.

(b) It is hoped during the financial year 1958-59.

(3) Yes.

TRAFFIC.

Drunken Driving Charges.

Mr. CROMMELIN asked the Minister for Transport:

(1) Is the incidence of drunken driving increasing?

(2) How many charges of drunken driving were laid from the 1st July, 1956, to the 31st December, 1956, against—

(a) adults;

(b) persons under 21 years of age?

(3) How many charges were laid for the same offence for the period from the 1st January, 1957, to the 30th June, 1957, against—

(a) adults;

(b) persons under 21 years of age?

(4) Is it the intention of the Government to make blood tests compulsory for charges of drunken driving?

(5) If so, when?

The MINISTER replied:

(1) There is no charge of drunken driving; but with respect to driving under the influence of liquor or drugs, there has been an increase.

(2) The records do not separate adults and persons under the age of 21 years. Persons convicted in the metropolitan area were 129. Figures for the country are not available.

(3) Persons convicted numbered 228.

(4) No.

(5) Answered by No. (4).

ROAD RESERVES.

Statutory Authority to Destroy Trees.

Mr. W. A. MANNING asked the Minister for Works:

(1) What authorities or departments have the right to destroy trees within road reserves beside either main roads or those under the control of road boards, and what statute or regulation authorises such destruction?

(2) Who has power to prevent unnecessary destruction by such authorities or departments?

The MINISTER replied:

(1) Most State Government instrumentalities and local authorities are empowered under their respective statutes to remove trees growing on road reserves where such trees obstruct the installation or construction of their respective works. Commonwealth Government departments have similar powers under Commonwealth statute.

(2) With State Government instrumentalities, the Minister in charge of each department has authority to prevent unnecessary destruction of trees. Local authorities can, at their discretion, remove trees from road reserves, except in areas which are State forests, when the permission of the Conservator of Forests must first be obtained.

MAIN ROADS DEPARTMENT.

Work on Assisted Roads.

Mr. W. A. MANNING asked the Minister for Works:

(1) Is it a fact that road work on assisted roads previously done by country road boards is now being undertaken by the Main Roads Department in some cases?

(2) If so, what would be the reason?

The MINISTER replied:

(1) There has been no variation in the policy of the Main Roads Department of carrying out works with departmental organisations assisted by local authorities as and when required.

(2) Answered by No. (1).

FIRST AID.*Inclusion in Teachers' Course.*

Mr. EVANS asked the Minister for Education:

(1) Does he not consider that the training in first aid and ambulance work should be a compulsory part of the training course of school teachers?

(2) Will he give consideration to the above inclusion and the establishment of St. John Ambulance competitions for teachers, similar to those enjoyed by railway workers?

The MINISTER replied:

(1) Training in first aid is already a compulsory part of the course at teachers' colleges.

(2) It is not considered that training to enter for competition work should be part of the first aid course for teachers.

AREA ADJACENT TO PARLIAMENT HOUSE.*Details, Ownership and Future Use.*

Hon. D. BRAND asked the Minister representing the Minister for Local Government:

(1) What are the future plans for the area bounded by Hay-st., Harvest Terrace, Havelock-st. and Parliament Place?

(2) How many properties in this area now belong to the State or State instrumentalities?

(3) Is it intended that the area now held by Hale School will be used in relation to the planning of the area referred to in the previous question?

The MINISTER replied:

(1) It was proposed in the metropolitan region plan for future Government offices. It is included in the metropolitan region interim development order No. 1 as an area proposed for public purposes. No final decision on this proposal has yet been made.

(2) One property in Parliament Place acquired by W.A. Transport Board; one in Hay-st. owned by Princess Margaret Hospital; and one in Hay-st. leased by the Police Traffic Branch.

(3) This was the proposal in the metropolitan region plan. It is now receiving active consideration.

STATE RENTAL HOMES.*Effect of Pension Increases on Pensioners' Rents.*

Mr. HALL asked the Minister for Housing:

(1) Will he advise if the increase in the pension rate will cause increased rents to pensioners occupying State rental homes?

(2) If the answer to No. (1) is "Yes," what will the amount of increase be to married couples occupying State rental homes and what will be the increase to single pensioners?

The MINISTER replied:

(1) Yes; rents will be affected as the commission is bound by the requirements of the formula in the Commonwealth-State Housing Agreement, 1946, which sets out how the economic rent and rebates are determined.

(2) (a) Aged couple with no other occupants in home, £1 increased to £1 3s. per week.

(b) Aged pensioner, sole occupant, 8s. per week increased to 8s. 6d. per week.

RAILWAYS.

(a) *Closure of Bridge-st. Booking Office.*

Mr. JAMIESON asked the Minister representing the Minister for Railways:

(1) What necessitated the closing of the Bridge-st. booking office at the Perth railway station?

(2) What provision has been made for the convenience of passengers normally securing tickets at this office?

(3) (a) Has there been a recent fall-off in ticket sales at this office?

(b) If so, will he supply relevant figures?

The MINISTER FOR TRANSPORT replied:

(1) As an economy measure the booking office is closed during portion of the day.

(2) When the booking office is closed, a ticket porter is on duty at the barrier to issue chits to intending passengers.

(3) (a) No.

(b) Answered by (a).

(b) *Inspection of Sleepers at Mill.*

Mr. HEARMAN (without notice) asked the Minister for Forests:

Some weeks ago I asked if it would be possible to arrange for sleepers produced at mills for the Railway Department to be passed by the Forests Department inspectors at the mill site. The Minister said he would look into the matter. Has he yet made a decision as to whether the convenience of sawmillers will be met in this direction?

The MINISTER replied:

I have received a report in connection with the matter and if I can locate it, I will convey the information to the hon. member.

NORTH-WEST GRAZING.*Survey of Potentialities.*

Mr. COURT asked the Minister for Agriculture:

With reference to his answers given on the 8th August, 1957, in respect of the survey of 26,000 square miles of grazing country in the Meekatharra-Wiluna area,

what progress has been made with the survey and what approximate time-table does he expect will be followed both for the preliminary and main research work?

The MINISTER replied:

The preliminary survey has been completed. It took approximately four weeks and was carried out in September. Actual commencement date has not yet been determined, but it is expected that the main party will spend several months in the field during the winter of 1958 and complete the report by the end of the year.

WEIGHTS AND MEASURES.

Alternative Arrangements re Scales for Country Traders.

Mr. HEARMAN asked the Minister for Police:

What provision or dispensation is made to enable trades people in the country, who have been ordered by the police to send their weighing appliances to Perth for adjustment, to carry on their business during the time their appliances are away from their shops?

The MINISTER replied:

The Police Department is well aware of the difficulties experienced by country storekeepers in having repairs effected to their weighing apparatus, and affords a reasonable time to the owners of such to have the same repaired before taking further action to enforce the provisions of the Act. Reputable scale repairing firms frequently loan scales to country storekeepers.

NATIVE WELFARE.

Departmental Visits to Warburton Mission.

Mr. GRAYDEN asked the Minister for Native Welfare:

(1) On how many occasions in the ten years prior to February, 1957, did officers from the Native Welfare Department visit the Warburton mission?

(2) Who were the officers concerned on each visit and on what dates, respectively, did they arrive and depart from the mission?

(3) What was the mode of travel in each instance?

The MINISTER replied:

(1) Five.

(2) (a) Mr. A. J. Donegan—superintendent, Cosmo Newbery Native ration department.

Mr. J. H. Bisley—acting inspector of natives.

Arrived the 21st September, 1947.

Departed the 22nd September, 1947.

(b) Mr. S. G. Middleton—Commissioner of Native Welfare.

Mr. K. A. Hall—supply and transport officer (Head Office). Also accompanied by Dr. F. E. Heymannson of Perth Chest Clinic.

Arrived the 14th October, 1950.
Departed the 18th October, 1950.

(c) Mr. F. W. G. Anderson—Acting Deputy Commissioner of of Native Welfare.

Mr. B. A. McLarty—acting district officer, Central District

Mr. J. B. Redfern—investigation officer (Head Office).

Mrs. D. R. Bulford—acting welfare and public relations officer.

Arrived the 2nd November, 1951.
Departed the 6th November, 1951.

(d) Mr. B. A. McLarty—district officer, Central District.

Mr. A. O. Day—assistant district officer, Eastern Goldfields sub-district.

Also accompanied by Mr. G. F. Thornbury—Superintendent of Native Education, Education Department; and Dr. Grigoroff of Public Health Department. Arrived the 14th March, 1955.
Departed the 16th March, 1955.

(e) Mr. A. O. Day—assistant district officer, Eastern Goldfields sub-district.

Mr. J. J. Harman—assistant district officer, Eastern Goldfields sub-district.

Arrived the 19th March, 1956.
Departed the 21st March, 1956.

(3) (a) Departmental truck;

(b) charter aircraft;

(c) mission truck;

(d) charter aircraft;

(e) departmental Land-Rover.

KATANNING SNACK BAR.

Alternative Site.

Hon. A. F. WATTS (without notice) asked the Minister representing the Minister for Railways:

(1) Is it correct that the Railway Department proposes to lease for the purpose of the erection of a "snack bar," a portion of the railway reserve at Katanning in close proximity to the statue of the late Hon. F. H. Piesse, C.M.G., a former Minister for Railways?

(2) If so, is the Minister aware that such statue was erected by public subscription and in honour of the leading pioneer of the Katanning district and the suggested erection is regarded by many people as being too close to the statue and liable to lead to its desecration?

(3) Will the Minister take steps to ensure that another site is found for the "snack bar"?

The MINISTER FOR TRANSPORT replied:

(1) Yes.

(2) No.

(3) The nearest part of the proposed site is approximately 50ft. from the statue and is being excised from an area of land leased to the Katanning Road Board, which has signified its agreement to the proposal in writing. In these circumstances, it is not intended to find another site.

UNIFORM BUILDING BY-LAWS.

Completion of Committee's Deliberations.

Mr. COURT (without notice) asked the Minister representing the Minister for Local Government:

Does he anticipate that the committee examining uniform building by-laws will have finished its deliberations in time for the motion on the notice paper to be dealt with by the 13th November so that Parliament will know how far the Government proposes to go in connection with the regulations?

The MINISTER FOR WORKS replied:

I expect that that will be the position, but I have no precise information on the question. I shall ask the Minister controlling the department about the matter and supply the information on the point at the next sitting of the House.

BILL—GOVERNMENT RAILWAYS ACT AMENDMENT.

Introduced by the Minister for Transport and read a first time.

BILL—ROMAN CATHOLIC VICARIATE OF THE KIMBERLEYS PROPERTY.

Read a third time and transmitted to the Council.

PAPERS—STATE HOUSING COMMISSION.

Appointment of Senior Officers, Tabling Files.

MR. WILD (Dale) [4.45]: I move—

That all departmental papers dealing with the calling of applications for the position of Under Secretary, State Housing Commission, and the rejection of the recommendation of the Public Service Commissioner to appoint the Chief Administrative Officer, Department of Agriculture, Mr. W. Hopkinson thereto; all departmental papers relating to the decision to reduce the status of the position of administrative head of the State Housing Commission from Under Secretary to Manager; all papers dealing with

the calling of applications for the position of Manager, State Housing Commission, and the appointment of Mr. A. D. Hynam thereto to be laid upon the Table of the House.

I am forced to move this motion because in recent weeks I have been endeavouring to obtain from the Minister reasons for the rejection of the recommendation of the Public Service Commissioner, which was laid on the Table of the House in accordance with the Act, and the change in status of the chief administrative officer of the State Housing Commission, and finally the appointment of one A. D. Hynam to the position of manager, although he is a man who, as I shall endeavour to prove, has no qualifications for the position.

The answers that I have been receiving over a period have been not only misleading but also, I would say without fear of contradiction, in some instances not quite the truth. It is necessary, in order to work up to the reason for this motion, to trace back the events that led to the change in status of this appointment to the State Housing Commission. It all arises from the retirement of Mr. Telfer who was Under Secretary of the State Housing Commission since the 1st October, 1954.

In passing, I might add that it was the present Minister who, in August, 1954, decided to raise the status of the chief administrative officer at the Housing Commission from that of an ordinary secretary to that of an Under Secretary. The applications for the position of Under Secretary, State Housing Commission, were first called on the 10th May of this year, closing on the 25th. The applications—how many of them I do not know—were received by the Public Service Commissioner and in his wisdom he decided to appoint Mr. Hopkinson. He is a gentleman well known to many members of Parliament and a man of extremely wide administrative experience. He is one who prior to his departure to England to become secretary to the Agent General, was a senior officer of the Treasury Department in this State. He served for some years in England under two Agents General and, after approximately six years, returned to this State when he was appointed chief administrative officer of the Department of Agriculture.

In my opinion, it would be very difficult to find an officer in the same grading with the wide administrative knowledge possessed by Mr. Hopkinson. Not only had he gained a wide knowledge of the workings of the Treasury Department whilst employed by it as a senior officer, but he has also gained wide experience as chief administrative officer of the Department of Agriculture, which is one of the senior departments of the State. Further, whilst he was in England I do not think one

could gain any better experience than to be secretary to two Agents General and come into contact with people in all walks of life.

In this position, at a great distance from the Government in this State, and as chief adviser to the Agent General, he would be called upon to make decisions of some moment. Yet we find that, in accordance with the Act, the Government refused to accept the services of Mr. Hopkinson and, also in accordance with the provisions of the Act, the document which I now have in my hand was laid on the Table of the House. The relevant minute reads as follows:—

Public Service Act, 1904-1956.
Statement of Reasons for Not Approving a Recommendation of the Public Service Commissioner.

On the 7th August, 1957, the recommendation of the Public Service Commissioner for the promotion of Mr. W. Hopkinson to the position of Under Secretary, State Housing Commission, was not approved by the Lieutenant-Governor in Executive Council.

The following statement of reasons is made in accordance with Section 38 of the Public Service Act:

It is considered there should be a reallocation of the duties of this position and that a close association with the activities of the State Housing Commission would lead to greater efficiency than the appointment of an officer from outside the department.

Let us have a look at that. Here we have the Minister himself, in 1954, determining that the position of senior administrative officer of the State Housing Commission was so important that it should be raised to the status of Under Secretary. Over the years, and particularly since that time, a record number of houses has been built by the State Housing Commission for which I give the Minister full marks. It is interesting to note that in the latest annual report issued by the State Housing Commission, which report has been laid upon the Table of the House, it was revealed that it had a capital expenditure of £9,763,000.

That is a fairly tidy sum, and during that same year 3,696 houses were built by the State Housing Commission. Also, the total number of employees under the jurisdiction of the commission who worked both inside and outside of the building in Plain-st., was 362. So I think it can be said fairly that the position of chief administrative officer of that commission is a pretty important one and without doubt it calls for a man with some wide administrative experience.

Now let us have a look at the second portion of this document. It reads—

It is considered there should be a reallocation of the duties of this position and that a close association with the activities of the State Housing Commission would lead to greater efficiency than the appointment of an officer from outside the department.

When that information was given to me, I thought it only fair that I should find out whether all the remaining senior positions in Government departments in Western Australia had been filled by men who had been working within the department because it was felt that they should have a close association with the department in question.

So yesterday, in answer to a question that I asked the Premier, I was informed that of all the senior postings that we have in this State only one in recent months has been filled by an officer who has had previous service within the department. The one I refer to is the Conservator of Forests who, some years ago, prior to becoming general manager of the Wundowie charcoal iron industry was an officer of the Forests Department. For instance, as Under Secretary of the Public Works Department we have Mr. R. J. Bond who previously was Under Secretary of the State Housing Commission. Immediately prior to his present appointment Mr. Bond was Under Secretary, Water Supply Department. Mr. Green, who is the Under Secretary, Crown Law Department, was previously an officer in the Premier's Department. So one could go on. As I have said, there is not one officer, with the exception of Mr. Harris—who was appointed Conservator of Forests two years ago—who had prior experience in the department to which he was appointed as under secretary.

Mr. Lawrence: Are you inferring that they are inefficient?

Mr. WILD: No, I am merely pointing out that it was possible to move these men from one department to another because they are administrative officers and are in that classification in the Public Service.

Mr. Lawrence: Who put Mr. Harris in his position?

Mr. WILD: The hon. member's own Minister. Fresh applications for the position of manager of the State Housing Commission were called for on the 6th September and closed on the 21st September. In accordance with the answer given to me by the Minister there were seven applicants for the position and Mr. A. D. Hynam, who at that time was the building superintendent at the State Housing Commission, was appointed to fill the position of manager.

I say right here and now that that was the man who was sought the first time and because he could not be appointed then

the classification was merely altered so that Mr. Hynam would be the only man who could be appointed to the position. From the Minister I tried to ascertain what experience and qualifications were possessed by Mr. Hynam to justify his appointment, firstly, as building superintendent.

Mr. Lawrence: Who was the Minister then?

Mr. WILD: The present Minister for Housing appointed Mr. Hynam as building superintendent of the State Housing Commission. I was interested to know what technical qualifications this man has to hold down a job such as this. It is quite interesting to discover that there is not one scintilla of evidence to show that he has any knowledge of building. Yet this is the man who is now in control of a department with a capital expenditure of nearly £10,000,000 with 300-odd employees and building nearly 4,000 houses per annum.

His record shows that when he first went out to work he was an apprentice boiler-maker and was employed at the Midland Junction Workshops from 1915 to 1936, when he became a factories inspector with the Department of Labour. In 1941 he was appointed factories inspector, factories branch, Department of Labour, and in 1945 he was made liaison officer for the re-absorption of severely war-disabled Government employees, general division. In 1946 he became material production officer, Workers' Homes Board, State Housing Commission, and from 1948 to 1950 he was building material production officer, Department of Industrial Development. In 1950, he became technical officer, State Housing Commission.

During the three years that I was at the State Housing Commission—whilst I am not saying anything personal against this man—all Mr. Hynam did as technical officer—and why they called him technical officer, I do not know—was to be responsible for tying up the loose ends in regard to the shortage of material. If there was a shortage of bricks, he would be sent out to the brickworks to find out the reason, or he would be sent to see Mr. New at the Midland brickworks; if there was a shortage of flooring in respect of one of the contractors working in the country, he would be sent to Manjimup, or to Messrs. Bunning Bros. to find out the reason.

In 1954 the present Government saw fit to appoint this officer as building superintendent. Members should ponder for a moment and ask themselves this question: What qualifications should a person possess in order to become the building superintendent of an organisation such as this? Does anybody sincerely think that a person with a background like that and who, like me, was unable to draw a rough sketch on the end of a matchbox because

he did not have the training, should be appointed to the position of building superintendent of the State Housing Commission, and, as is intended, appointed as manager of that big organisation?

The Minister for Housing: You would make a good sanitary contractor.

Mr. WILD: I know all about the Minister's comments. He would be well down in the mire for some of the things that he has done.

The Minister for Housing: You prove it.

Mr. WILD: In reply to questions that I asked the Minister, in an endeavour to probe the background of this man, I was given a fair sort of story which made it appear to the average man in the street that that officer was a pretty knowledgeable person in the building industry. When I asked—

What special qualifications did Mr. A. D. Hynam have to justify his being appointed building superintendent of the State Housing Commission in 1954?

I was told in reply—

Considerable technical knowledge, initiative, ability to overcome difficulties, and personal qualities necessary to command the confidence of building contractors, building tradesmen, and manufacturers and suppliers of building materials.

Then in answer to a further question I was told—

Mr. Hynam does not hold a master builder's certificate, but was a qualified tradesman in structural engineering, a qualified health inspector—which requires a knowledge of building construction—and qualified in sanitary science as applied to public buildings.

Further on I was told, in answer to another question I asked—

He qualified at the Western Australian University for the Diploma of Public Administration, and is a member of the Royal Institute of Public Administration.

Hon. L. Thorn: All theory.

Mr. WILD: In fact, it is worse than being all theory. There is no such thing as a diploma of public administration. It is very unfortunate that the Minister for Housing should have selected this particular course, because I did it myself. It is a one-year course in Arts or Economics at the university. All that the student got after passing the examination at the end of the year was a certificate stating that he had satisfied the examiners that he had passed the first year of that particular course. There is no such thing as a diploma of public administration.

Mr. Lawrence: Have you not got a diploma to misrepresent the people of your electorate?

Mr. WILD: All this goes to show that the position was, without doubt, ready made for this officer. I am going to suggest the reason why no one was selected for the position of under secretary in the first place was because the Government wanted to place Mr. Hynam in the position, who, as I said, has been promoted bit by bit from the bottom to the top, not that I do not give him full marks for having achieved such promotion. But an officer has to have a more solid background before he can expect to become the manager and chief administrative officer of an organisation like the State Housing Commission.

What I am going to say is hypothetical, and I am suggesting that if the papers were laid on the Table of the House, we would have a fair idea. When the original applications were called for the position of under secretary, if Mr. Hynam had been the successful applicant there would not have been a down-grading of the position from under secretary to manager and chief administration officer. Without doubt, he would have become the under secretary of the State Housing Commission, but if that did not eventuate, under the Public Service Act the Government would have to lay on the Table of the House the reasons why the position had not been given to the person selected by the Public Service Commissioner. It was quite possible, with the many applications for this position, that Mr. Hynam was eighth or tenth on the list, which meant when the papers were laid on the Table of the House, the reasons for not accepting the second, third or fourth recommendation of the Public Service Commissioner would have to be given.

The only way in which to overcome the impasse was to decide that the position of under secretary of the State Housing Commission was no longer required, even though only three short years ago the Minister said it was a very important post. In order to get Mr. Hynam into the position, the Government decided to bring about a reallocation of duties, and to create a position of manager and chief administrative officer. It was freely rumoured all over the place weeks before the appointment was made that Mr. Hynam was to be the new under secretary of the State Housing Commission.

Of course, when the plan misfired, some other way had to be found to bring about the appointment that the Government wanted to make. The only way in which that could be done was to take the step that I have mentioned, which, whilst it may not be factual, is very nearly without precedent in the Public Service, that is, bringing an officer from the general division of the Public Service and placing him into a senior post in the administrative division.

This jockeying to get Mr. Hynam into that position is completely unfair to all members of the State Housing Commission, when one takes into consideration all the officers in that instrumentality who possess technical or professional backgrounds, and who will have to take orders from Mr. Hynam. Not one scintilla of evidence can be adduced to show that he knows anything about building administration, yet he has been appointed over the heads of professional and technical officers.

There are also building inspectors—men who must be in possession of a master builder's certificate—who will have to take instructions from an officer who knows very little about the job at all. Because that officer is, or is not, a friend of the Minister, we find that he has been elevated from the general division into the administrative division—a step without precedent in the State—and appointed to the senior post in the State Housing Commission.

Mr. Lawrence: Are you prepared to say who are your informants?

Mr. WILD: In answer to that interjection, I can say that I do not have to ask some member of the Housing Commission to meet me on the Esplanade to find out any information. I can get my information through questions in this House.

Mr. Lawrence: I shall meet you on the Esplanade if you want that.

Hon. L. Thorn: You would never get back if you did.

Mr. WILD: I consider that this appointment should not see the light of day. The only opportunity that we as members of this House have to ventilate this matter, is to get the papers laid on the Table. In answer to a question I was told by the Minister that I could see the papers in his office. Members are aware that if that is done, they will be permitted to see the papers but they will not be permitted to quote in the House what they see.

The manner in which this position has been jockeyed, in my view, stinks completely. It is a move that certainly should see the light of day. The only way in which that can be done is to move for the papers to be laid on the Table of the House.

THE MINISTER FOR HOUSING (Hon. H. E. Graham—East Perth) [5.10]: I touch first of all upon the concluding remarks of the member for Dale. I say that, in my view, the only thing that stinks in this connection is the member for Dale himself, and his distorted mind that gives birth to this sort of attitude.

Point of Order.

Mr. Wild: On a point of order, Mr. Speaker, I would ask the Minister to withdraw that remark.

The Speaker: If the hon. member takes exception to the remark, I ask the Minister to withdraw it.

Members: Withdraw it!

The Minister for Housing: I hope to be able to prove that statement.

Mr. Bovell: You have been requested to withdraw the remark.

The Speaker: Order!

The Minister for Housing: The hon. member has been asked to keep order.

Mr. Wild: On a point of order, I have requested the Minister to withdraw that statement.

The Speaker: I might say that I did not hear the statement. If the hon. member takes it as a personal affront, then the Minister should withdraw the statement.

The Minister for Housing: In deference to your request, Mr. Speaker, I withdraw the statement, but I shall adduce certain facts from which members in this House, irrespective of political complexion, will be able to draw their own conclusions.

The Speaker: The Minister may proceed.

Debate Resumed.

The MINISTER FOR HOUSING: I make the statement that the member for Dale, in moving this resolution, does not want the papers to be laid on the Table of the House. If he were interested and desired to see what had been done, he would have accepted the invitation extended to him to call at the office of the Public Service Commissioner. If he had done that and found anything offensive to him, or any improper thing done by the Government or anybody else, then he would have been in a far more commanding position, could have spoken with some more authority, and could have made out some case for the papers to be laid on the Table.

Mr. Wild: Why were they not laid on the Table? You have something to hide; that is why.

The MINISTER FOR HOUSING: Any other member but the member for Dale, would know or should know that it is highly improper for personal papers to be laid on the Table of the House. There are all sorts of personal and intimate details appearing on personal files which do not deserve to be bandied about in the public Press or anywhere else.

In certain cases it could happen that responsible departmental officers, indeed the Public Service Commissioner himself, pass very strong personal criticism against certain applicants for a position. Is it right that that criticism should be made public, or is it desired that we should encourage the state of affairs where the recommending officers or the Public Service Commissioner are afraid to make a proper assessment, or afraid to set out

the facts that should be presented to senior officers, Ministers or the Government, as the case may be? So I say it is not a statement of fact; it is completely false for the member for Dale to say that he was forced to move this resolution.

He has had an opportunity, since Tuesday of last week, to look at all the papers related to this matter, but he was not interested in them. This, to him, was a heaven-sent opportunity to indulge in smear and in sludge. The more exaggerated his terms, the greater will be the possibility of receiving publicity in the Press tomorrow, however ill-founded may be his assertions, based on the type of mind which he possesses.

Mr. Wild: You ought to talk of publicity.

Mr. Court: Do you not think that a member has some duty in these matters, if he honestly believes a situation should be cleared up?

The MINISTER FOR HOUSING: I like the qualification that "if he honestly believes." Surely he would have looked at the papers to see if there was something wrong with the proposition, if he honestly believed something was wrong.

Mr. Court: The Minister knows there are many disabilities in looking at papers in the Minister's office.

The MINISTER FOR HOUSING: Not in the Minister's office but in the Public Service Commissioners' office. What are the disabilities?

Mr. Court: If there is any leakage from these files after the papers have been seen you are suspect, no matter how innocent you might be.

The MINISTER FOR HOUSING: To be perfectly frank, I would have no objection—there were certainly no strings attached to the answer I gave to a question last week—to the member for Dale using anything at all he saw on these papers.

Mr. Wild: You would not be long in taking me to task if I did.

Mr. Court: He would not be entitled ethically to use the papers in this instance.

The MINISTER FOR HOUSING: I said no condition whatsoever. The only qualification, and hence the reason for not laying the papers on the Table of the House, was that all the papers should not be made available to the public; not because there is necessarily anything which should not be made public, but it is unethical in the extreme as—I repeat—these are personal papers.

There are confidential matters appearing on them, and might I say this, that having some idea of the attitude of mind of the member for Dale, I went out of my way one evening after the first murmurings from that quarter and approached the Leader of the Opposition.

I pointed out to him certain very intimate and serious matters that had occurred in connection with a certain officer and in the interests of this officer, his feelings and his family in order not to endeavour to make political capital out of that, I gave the Leader of the Opposition the reasons. I am certain he respected my wishes—not to protect myself or the Government, but that officer and his family.

Is it right that details in connection with the matter to which I had made just a general allusion should be available to the public. Is there any decency left in life? The administration of the State Housing Commission and its operations are exceedingly important.

Mr. Wild: You apparently do not seem to think so.

The MINISTER FOR HOUSING: Perhaps I had better proceed in another way. Over the past 4½ years they have become important. For the three years preceding that they should have been important, but were not. It is all very well for the member for Dale to say that a man like Mr. Hynam does not know the first thing about the job. There was a person who sat in the chair of the Minister for Housing for three years and after he was bundled out, he admitted in this Chamber that he did not know he had authority over the State Housing Commission. He, Mr. Speaker, is the person now setting himself up as an authority as to the type of administration.

Mr. Wild: I did not tell the Housing Commission to build large blocks of flats, like Wandana Flats.

The MINISTER FOR HOUSING: The hon. member did not tell the Housing Commission anything, and it was not my intention to tell with the regard to the member for Dale, either. He certainly was not doing his job as Minister for Housing.

Mr. Wild: That is your view.

The SPEAKER: Order!

The MINISTER FOR HOUSING: How did Mr. Hynam become technical officer, a title which he was not entitled to use? He was appointed by the member for Dale to that position!

Mr. Wild: How does the Minister know of junior appointments like that?

The MINISTER FOR HOUSING: Now we have an admission of a Minister signing papers for Executive Council and not knowing what was contained in them and disagreeing violently with them. There is an administrator for you!

Mr. Wild: With all these papers for junior officers, would you be cognisant of them? Why have you a chief administrative officer or a chairman?

The MINISTER FOR HOUSING: What comes under the heading of "junior officer" in regard to this appointment? He

was a junior officer until he became friendly with the member for Dale; then he was shot up. There is something to which I should make reference, although I do it with reluctance and out of respect for the person concerned. I made it my business to obtain certain papers and I found there was a note of just a few lines from a person who was charged with a certain responsibility. It was a minute to his Cabinet and in that minute he suggested that a certain person—I might as well read it. It is as follows:—

It is recommended that approval be given to the Minister controlling the State Saw Mills—

which was himself—

to set up, within that department, an organisation to buy any timber from timber millers for resale.

There is something that looks like "G. F. Wild" at the end of it. That went to Cabinet and there is a note, "Cabinet approves. Term of appointment subject to the Minister."

No applications were called; no recommendations were made by heads of departments and no recommendation was made by the Public Service Commissioner. Cabinet made the decision at the instigation of the member for Dale. This person was appointed, not to the staff of the State Saw Mills; not to the Public Service as a temporary or permanent officer. He was given a position, and I have a document here which parades under the name of an agreement, giving this person—guaranteeing him—three years employment at a certain salary and under certain conditions.

This was an important decision in the mind of the then Minister, and the person was appointed on the 29th May, 1950, for a period of three years. Yet, in September of that year—four months later—he was placed in charge of a section of the State Housing Commission. No applications were called and there were no rights of appeal or anything else. On the 28th February, 1952, again without applications being called and less than three years from the time he was appointed to this important position which lasted for only four months, he was appointed to the permanent staff of the State Housing Commission.

How did all this happen? Frankly, I have never heard of such a procedure. All I know is—and I say this in advance—that this person is a most capable officer and one for whom I have the highest respect.

Mr. Wild: It was a good selection then.

The MINISTER FOR HOUSING: Not this procedure.

Mr. Wild: Is he still there?

The MINISTER FOR HOUSING: Yes. Immediately prior to his being picked up out of the blue and appointed to a position not appearing in any department but subject to a personal agreement between

the Minister and himself, he had been the organiser of the Liberal Party of Western Australia.

Mr. Wild: Was he appointed over somebody's head?

Mr. Lapham: Political appointments!

The MINISTER FOR HOUSING: It was an entirely new position created without going through the usual channels in connection with Government employees.

Mr. Wild: He is a good officer.

The MINISTER FOR HOUSING: Of course, he is; and the member for Dale knows perfectly well that the person, the subject of his outburst this afternoon—Mr. Hynam—is a good officer indeed; and there are many documents to establish that. I say quite frankly that I was amazed, particularly within the first 12 months of my administration of the State Housing Commission, to find whenever there was a problem—irrespective of the type of problem, or which section of people or organisation it affected—there was one man to whom the task was entrusted to unravel the issue; and invariably he was successful in that regard.

Mr. Wild: That doesn't come into the question.

The MINISTER FOR HOUSING: The member for Dale had no hesitation in promoting him to the position of technical officer, but either his memory is short, or he was completely out of touch with what was going on in his department. When we come to bandying about any word that pertains to odours, I wonder what members now think of the virtuous member for Dale who stands in righteous indignation and, on hunches and scandals, tries to make out a case to blacken a man who has been selected for the position in question.

Mr. Bovell: What did you do in 1947 in this House?

The MINISTER FOR HOUSING: That is removed from this debate entirely. This person, Mr. Hynam, was picked out by a Liberal Government to undertake a certain important responsibility in connection with building and, later on, more directly with the State Housing Commission itself. I found, amongst other things, that Mr. President Dunphy—we are now discussing a most versatile gentleman in the person of Mr. Hynam—desired that there should be a person engaged on special conciliation work for the Arbitration Court, and it was the services of Mr. Hynam he required.

This caused some consternation in the State Housing Commission, administered by a Liberal Minister, and even the then Premier came into the picture, who indicated at a conference that he regarded housing as his Government's No. 1 priority. How in the name of fortune he put the member for Dale there, I know not. The then Premier made it clear

that those associated with this problem had a great responsibility to see that everything which should be done was, in fact, done.

A report from the secretary, State Housing Commission, goes on to say—

For this reason, and for the undoubted ability and experience which Mr. Hynam can bring to material production, I urge the retention of his services.

That was in May, 1947.

Mr. May: A couple of months after that Government took over.

The MINISTER FOR HOUSING: In June, 1947, Mr. Reid, the Under Treasurer, who—if I remember rightly—was chairman of the State Housing Commission, made this observation—

The proposal to transfer Mr. Hynam to the Arbitration Court is giving the State Housing Commission a great deal of concern. I discussed the proposal with the Hon. Premier and he agrees that it is desirable that Mr. Hynam should remain with the State Housing Commission and you may wish to talk the matter over with him.

So at that time, just over 10 years ago, that was the estimation of the then chairman of the State Housing Commission and the Premier of the State as to the capabilities of Mr. Hynam in respect of housing and building materials. At the same time he was wanted by the president of the Arbitration Court but, in deference to the wishes of the then Government, Mr. Hynam was not made available to the Arbitration Court.

It is interesting to reflect that not very long afterwards a gentleman—a personal acquaintance of mine—named Mr. Schnaars was appointed to the position of conciliation commissioner. Mr. Schnaars is today, and has been for quite a period, receiving a salary in excess of that which Mr. Hynam will receive upon assuming his duties as manager of the State Housing Commission. Mr. Schnaars is on a salary of £3,020 and Mr. Hynam will take over his position as manager of the State Housing Commission at a salary of £2,702.

So it is obvious that in at least several directions Mr. Hynam received general approbation, and he was denied promotion at the hands of the McLarty-Watts Government, for which I do not necessarily criticise it, but now apparently after a further 10 years' experience with the Housing Commission and having succeeded in the various duties allotted to him, he somehow becomes unworthy of the position.

I mentioned the state of mind of the member for Dale when he was moving the motion and thought he had found a point to drive home to the Government because—I know it is exceptional—there

was no dagger—how appropriate!—in the Public Service List against Mr. Hynam's name to indicate that he had served overseas in the armed forces of this country.

Mr. Bovell: What do you mean when you say there is no dagger for people who fought for this country? Are you reflecting on them?

The SPEAKER: Order!

The MINISTER FOR HOUSING: The member for Vasse displays his ignorance. If he knows what a Public Service List is—

Mr. Bovell: You said a dagger was quite appropriate against a returned serviceman.

The MINISTER FOR HOUSING: The hon. member will find that in the Public Service List a dagger is placed against the names of those officers who are ex-servicemen.

Mr. Bovell: And you said "how appropriate." What do you mean by that reference?

The MINISTER FOR HOUSING: I think the member for Vasse is sitting a little too close to the member for Dale. My reference in that connection was to the member for Dale.

Mr. Wild: How is a member of Parliament to know if the Public Service List is right?

The MINISTER FOR HOUSING: That might be a pertinent question, but it was being asked not for the edification of the hon. member, but in the hope that he would equip himself with another argument, another drop of poison. This man, as a matter of fact, went overseas, was there for a couple of years, returned to Australia and was still under age when he arrived back on his native soil.

Mr. Wild: Good on him! I am glad to hear it.

The MINISTER FOR HOUSING: I am glad that the member for Dale was not able to make a point in that connection.

The Minister for Lands: He made an awful blue in this matter; there is no doubt about it!

The MINISTER FOR HOUSING: It is not the first time. The position of chief officer of the State Housing Commission is an exceedingly important one. I could not expect the member for Dale to know, but anyone who is familiar with the State Housing Commission will realise that it is impossible for the man who is in charge of the paper work to pay attention to the field work; and in the field there there is approximately £70,000,000 worth of assets owned by the commission.

Mr. Wild: What was Mr. Telfer doing for the three years?

The MINISTER FOR HOUSING: He found himself so busy with his office work that apart from one half day each month when he accompanies the Minister on an official inspection of the activities in the metropolitan area, he was compelled to use his Sundays and his holidays to undertake some sort of a cursory inspection of what was going on; and, as is known there is not a great deal going on on Sundays and holidays.

Mr. Wild: Why did you turn over in bed all of a sudden when you did not get the man you wanted?

The MINISTER FOR HOUSING: I think the member for Dale is still on his honeymoon or something.

Mr. Wild: You turned over in bed very rapidly when you did not get the man you wanted.

The MINISTER FOR HOUSING: Let us show some commonsense and be serious about the position. The previous Government appointed as head of the department a person who had had no contact or association with housing.

Mr. Wild: He did a very good job. You will not deny that.

The MINISTER FOR HOUSING: Of course he did. Nobody has criticised him as far as I am aware. Mr. Brownlie was taken from the Rural & Industries Bank and placed in the Housing Commission, as its full-time administrative head. I am not criticising that gentleman; I have the greatest respect for him. It might surprise the member for Dale to know that within the last week or two—since the announcement—Mr. Brownlie rang me at my office to congratulate the Government and myself upon the decision to appoint Mr. Hynam, and also on the appointment of Mr. McKenzie as administrative officer.

Mr. Wild: More likely the latter but not the former.

The MINISTER FOR HOUSING: Both. Prior to the decision being made, I spent several hours in consultation with Mr. Brownlie because of his previous association with the State Housing Commission. I also had long talks with the ex-Public Service Commissioner and with the Acting Public Service Commissioner. Unfortunately, Mr. Smith was away from his office, ill. I had a telephone call from the chairman of the housing advisory panel—he has authorised me to say this—a man who has been in that position for 10 years; and he was placed there by an Opposition Government. He too, congratulated everybody concerned, through me, on the reorganisation and on the selection of Mr. Hynam for this task. The chairman of the housing advisory panel is no less a person than the president of the Chamber of Manufacturers of Western Australia.

I am wondering who is concerned about this. What did happen? Mr. Telfer's time as Under Secretary for Housing was running out and automatically applications were called to fill the position. They were examined, a recommendation was made and submitted to me to be passed on to the Government. At that stage I became a little more than ordinarily interested. I had conferences with people in high places—the chairman of the State Housing Commission, the Under Secretary for the State Housing Commission, the Acting Public Service Commissioner, and so on.

The general feeling, upon an inspection of the applications, was that none of the applicants who were considered, had all of the requirements of the position. It was also found that two applicants—Mr. Hynam and Mr. McKenzie, because of certain provisions in the Public Service Act—technicalities if members like—were debarred from consideration. I pointed out to the Premier that there was something fundamentally wrong if there was a set-up which prevented consideration—not appointment to the position—being given to the claims of these individuals.

Mr. Wild: You admit that at that stage you did want that man.

The MINISTER FOR HOUSING: I admit nothing of the sort.

Mr. Wild: You said he was not in it and so you went to the Premier.

The MINISTER FOR HOUSING: I think it is a shocking thing that through a technicality these two officers of the State Housing Commission, whose names I have mentioned, should be debarred from consideration. I also knew from my four years' association with the State Housing Commission that there are not one or two, but many officers who work with their eyes not directed towards the clock. They will undertake any sort of duties that are not even theirs, late at night, on days that are holidays, and all the rest of it.

To give an example, I well remember the ceremony when the Premier handed over the keys of the 20,000th house out at Brentwood. I suppose there never was a day when it rained so much. Because of that, a few things went wrong at Manning. Certain of the senior officers—McKenzie and Richardson; and some members will know them personally—were in their best suits, having attended this function, but they received urgent calls in connection with what was going on. They there and then took off their shoes and socks and coats, rolled up their pants and waded around to see what they could do.

Within a few minutes almost, they were transferring families because of the flooding that had taken place. What they did was not part of their duties; and the time was far beyond 5 o'clock. What I have

just described has been the spirit and outlook of many of the State Housing Commission officers, and this explains why unbelievable results were achieved, particularly in the year 1955.

Because of this, and because of the pressure to which they were subjected by many thousands of people pressing for homes, and the pressure to which they were subjected by members of Parliament, which, of course, is their right and province, these officers had had a pretty raw and tough time over a number of years. I do not mind admitting this to anybody; and it is, of course, to be found in slightly different words, in documents laid on the Table of the House by the Premier.

I felt, and I still feel that if those people could perform these miracles in house-building and could surpass any other State in the Commonwealth so that we reached the stage where the member for Dale undertook to eat his hat if certain things were done—he knew they could not be done, but within 12 months they were achieved—there was something wrong with the situation if they could not even be considered for the higher positions in the department. So there was a conference between the Acting Public Service Commissioner and myself. His general disposition was to agree that whilst there were some very worthy officers, it could be briefly said that not one of those who had lodged applications gave the complete answer.

He therefore suggested that a person who was familiar with the work should keep his eye on the outside activities where, I repeat, £70,000,000 of public money is reposed, and at any given moment millions of pounds worth of work is proceeding. The Acting Public Service Commissioner suggested that that should be the position, and he knew, as everyone else did, that it was physically impossible for the Under Secretary, Mr. Telfer, to attend to the outside work in addition to his office duties and that therefore an administrative officer should be appointed to undertake those responsibilities.

But as the work was principally physical, it was thought that there should be a manager, which was a title the Acting Public Service Commissioner decided upon, and not myself—nothing unusual was done in connection with this matter by the Government—and so it was decided that this would be the best arrangement, and applications were called for the positions.

Under this set-up, the officers to whom I have made reference were not barred from consideration. The chairman of the State Housing Commission, Mr. Clare, the Principal Architect, and the Under Secretary for Housing went through all applications for both positions and they were in favour of Mr. Hynam and Mr. McKenzie respectively. They submitted their recommendations to the Acting Public Service

Commissioner who, in turn, recommended to the Minister for Housing that they should be appointed. The Minister for Housing submitted the matter to Cabinet and from Cabinet the papers went to Executive Council.

Is there anything irregular in any of those steps? I would say that anybody, however bitter, who says that Mr. Hynam does not know building activities, and all pertaining to them, (1) does not know Mr. Hynam, and (2) does not know anything about building activities. It is simply not true. That man enjoys not only the affection but also the regard of all sections of the building industry including the master builders, the builders' guild and the building tradesmen. He has been closely associated with, and enjoys the confidence of, the producers of building materials, of the suppliers of building materials—the merchants—and he is also familiar with all the operations that go on in the field. He is a man with a flexible mind, receptive to new ideas, new schemes and new methods.

Mr. Ross Hutchinson: Would you say that his promotion was due to merit and not to seniority?

The MINISTER FOR HOUSING: Yes, but I do not know that he was so junior in the scheme of things. I will turn up the papers.

Mr. May: Why worry? He was the best man you could have got.

The MINISTER FOR HOUSING: Out of seven applicants for the position, only two were senior to him. I do not want it to be thought that somebody picked up an office boy from somewhere and put him in this type of job.

Mr. Court: Which position was that? Under secretary or manager?

The MINISTER FOR HOUSING: Manager. For the position of under secretary there were 11 applicants of whom only three were senior to him; and I am measuring his seniority on the basis of salary. For the benefit of the member for Dale, the person who ran Mr. Hynam exceedingly close for the position was one who has been in the Public Service for only two years. I put it to members: Who of all concerned, has the greatest interest in seeing that the best man is appointed; in seeing that the best results are achieved? If a Minister is recommending a friend of his, and he is only a second rater, so what?

Positions in the Public Service are reasonably secure and permanent; but if there is a second best, or somebody worse in charge of a department and something breaks down, who is at the receiving end of any kicks? The Minister, and through him, the Government. It could cost the Government its life; and for the Government to lose its life, would mean that individual members would lose their seats.

Therefore it is of prime consideration to a Minister, above all others, to ensure that the best and most capable man offering is appointed to any particular position. That is precisely what was done on this occasion.

Mr. Court: I still cannot follow from the argument that you advance why the Government allowed the under secretary applications to go as far as they did, if they ultimately came to the conclusion that they wanted a manager instead of an under secretary.

The MINISTER FOR HOUSING: Until such time as applications are received, nobody knows the field that is offering. There might have been a miracle man, like the Deputy Leader of the Opposition, among the applicants for the position.

Mr. Court: Fair go!

The MINISTER FOR HOUSING: The answer could not be yes or no until applications had closed.

Mr. Court: But you imply from that that had Mr. Hynam been No. 1, or the only applicant for that position, you would have appointed him under secretary and not bothered about the manager's position.

The MINISTER FOR HOUSING: The position then was, as indicated previously, that he could not have been appointed even if he had been the only applicant.

Mr. Court: I cannot follow that from the proposition you put forward.

Mr. Johnson: An intelligent person could.

The SPEAKER: Order!

The MINISTER FOR HOUSING: Section 35 of the Public Service Act says that appointments to administrative positions—and there is a definition in the Act of administrative positions—must come from certain sections, and for some reason or other, what is known as the general section is omitted. Therefore, however qualified a person in the general division might be, he could not have been considered by the Public Service Commissioner or by the Government.

Mr. Wild: You are only proving what I said. You got the man you wanted finally.

The MINISTER FOR HOUSING: We are poles apart.

Mr. Wild: We are.

The MINISTER FOR HOUSING: So long as the hon. member retains the attitude of mind he has—and which incidentally, I thought he had cured himself of—we will continue to remain many miles apart. He finds all sorts of scandals such as Wandana and the appointment of the Conservator of Forests, and so on. He was parading then as the man to see that justice was done. And yet the records show, from his own papers, that he was stabbing the man in the back while he was pretending to support and have some sympathy for him in this Chamber.

Mr. Wild: What did you do finally? Didn't you put him out?

The MINISTER FOR HOUSING: Yes, but I do not come here like a hypocrite trying to protect his position.

Point of Order.

Mr. Wild: Mr Speaker, I ask for the withdrawal of the word "hypocrite". I think it is offensive.

The Speaker: The member for Dale considers the word "hypocrite" offensive and I ask the Minister to withdraw it.

The Minister for Housing: A reference to Hansard will show that I did not call the hon. member a hypocrite. I merely said that I did not come here as a hypocrite. Therefore, I do not think there is any need for a withdrawal.

Mr. Johnson: The cap fitted, so he wore it.

Debate Resumed.

The MINISTER FOR HOUSING: So we see that all the way along the line, the member for Dale, who knew nothing whatever about the position, when he concluded his term of office knew probably a great deal less than when he started. He has revealed that, and it is in the permanent records of Parliament. He proved it by his own words when he said that things had been freely rumoured around the streets. Yet he comes up here, to a place like this, and indicts the Government for having done the wrong thing, without having a clue as to what he did. That was quite evident from the clear example I gave him. He pours poisoned words upon Mr. Hynam because he was appointed the technical officer—appointed by the member for Dale and his Government.

Mr. Wild: That is not half as bad as appointing a man as building superintendent and manager, without any knowledge.

Mr. Potter: It is only one step up.

The MINISTER FOR HOUSING: I think the member for Dale hopes that if he keeps on saying that long enough, he will convince somebody in addition to himself. It is a shocking thing to say. The member for Dale, under parliamentary privilege, is actually saying that the Principal Architect, Mr. Clare, is dishonest; that the Under Secretary for Housing is dishonest; that the Under Secretary to the Premier's Department, Mr. Doig, is dishonest; and, of course, all my colleagues are dishonest. He says that this person has no qualifications, no knowledge and no ability, and that all the people who commended him, the Acting Public Service Commissioner, the ex-chairman of the Housing Commission, and the president of the

Chamber of Manufactures of Western Australia, are all dishonest. There is only one person who knows all about it, and he is the member for Dale.

Mr. Wild: You have still not explained to us why, as regards Mr. Hynam, who was No. (3) for the position of manager, you overrode the two others to secure the appointment.

The MINISTER FOR HOUSING: I did not override anybody.

Mr. Wild: You said that he was No. (3) on the list.

The MINISTER FOR HOUSING: In seniority gauged on salary. I have already told the hon. member that everybody who had anything whatever to do with it was completely of one mind—they were unanimous in connection with it. So we find that there is no substance in the motion, or in the remarks of the member for Dale. There is none in the motion because it seeks the tabling of certain papers, papers which on Tuesday of last week I offered to make available to the hon. member in the office of the Public Service Commissioner, without any strings attached. As I stated in opening, the member for Dale did not want the papers, neither did he expect that personal and confidential papers would be laid on the Table of the House. He saw a glorious opportunity to do a little smearing—I am not too sure whether it was of Mr. Hynam or of the Government through me.

So I have no hesitation whatever in asking the House to reject unceremoniously the motion submitted by the member for Dale, submitted, I emphasise, by a person who broke all of the rules in the book in order to oblige a petty organiser of his own political party; signing him up for three years for a job when he was not recommended by anybody. He talks about political preferment and looking after friends! He of all people in this Chamber standing up indicting me and this Government!

Mr. Wild: But you looked after the man Kennedy when you appointed him the Unfair Trading Commissioner.

The MINISTER FOR HOUSING: I do not know what Mr. Kennedy has to do with it; and I do not know what information the member for Dale seeks.

Mr. Wild: No, and you might not like me to say too much about it.

The MINISTER FOR HOUSING: I go further; I issue a challenge to the member for Dale to say what he likes. It is all right for an individual to go around insinuating things, but let him stand up like a man and make a definite statement.

Mr. Wild: Like you did for 3½ hours when you said all those things about the officers of the State Housing Commission and

caused an inquiry to be held by a Royal Commissioner, and then did not have the guts to give evidence.

THE MINISTER FOR HOUSING: And so?

Hon. Sir Ross McLarty: So what?

THE MINISTER FOR HOUSING: What does the ex-Leader of the Opposition want to know?

Hon. Sir Ross McLarty: Why don't you answer his question.

THE MINISTER FOR HOUSING: He did not ask a question; he made an observation.

Hon. Sir Ross McLarty: He said you did not have the guts to give evidence before the Royal Commissioner.

THE MINISTER FOR HOUSING: If he made that statement, what the member for Dale says about me personally is like water on a duck's back. There was no question appertaining to it.

Hon. Sir Ross McLarty: It was true, wasn't it?

THE MINISTER FOR HOUSING: Surely the member for Murray knows sufficient about his colleague to know how much credence he can give to anything emanating from that source.

Hon. Sir Ross McLarty: I know how much credence I could give to a lot of your statements when you were over here. You should be the last member to talk about smearing.

Mr. May: This is a private fight.

THE MINISTER FOR HOUSING: I seem to be throwing out a lot of challenges, but I would ask the member for Murray to cite one single case of where I smeared anyone.

Hon. Sir Ross McLarty: What about the members of the State Housing Commission?

THE MINISTER FOR HOUSING: Where did I smear any officer of the State Housing Commission?

Hon. Sir Ross McLarty: It was done under parliamentary privilege.

THE MINISTER FOR HOUSING: There is no need to change ground.

Hon. Sir Ross McLarty: I am not changing ground.

THE MINISTER FOR HOUSING: I say now, by way of affirmation, that the member for Murray cannot give one single case of where I have smeared and named an officer of the Public Service.

Hon. Sir Ross McLarty: I know, but you would not stand up to your charges.

THE MINISTER FOR HOUSING: That is an entirely different matter, and I notice that the member for Murray is anxious to get away from the first charge he made against me.

Mr. Wild: Will you answer the question I asked you about refusing to give evidence to support all the charges you made against the officers of the State Housing Commission? Did you refuse to give evidence?

THE MINISTER FOR HOUSING: Most certainly I did. It is on record.

THE SPEAKER: I do not think we are discussing the question of evidence before a Royal Commission which took place many years ago. The motion deals with the appointment of Mr. Hynam to the position of manager, State Housing Commission, and we should get back to it.

THE MINISTER FOR HOUSING: Notwithstanding your words, Mr. Speaker, we have been discussing other matters but, of course, we should not have been doing so. The name of Mr. Hopkinson has been bandied about by the member for Dale. I have not discussed the matter with him but I am assured by the Public Service Commissioner that Mr. Hopkinson is most concerned that his name should be so used, and he wishes to assure his principals that he has had nothing to do with this matter at all.

Mr. Wild: Who said he had?

THE MINISTER FOR HOUSING: The inference has apparently been drawn.

Mr. Wild: I have not seen the man for 12 months.

THE MINISTER FOR HOUSING: That could be so.

Mr. Wild: It is only the principle of the thing.

THE MINISTER FOR HOUSING: I am merely stating that he wishes it to be known that he is in no way associated with this slimy business—the latter words being mine.

Mr. Ross Hutchinson: I think it is natural that the gentleman should dissociate himself from it.

THE MINISTER FOR HOUSING: I am wondering who is for it.

Mr. Ross Hutchinson: Even if he were for it, he would be foolish to associate himself with it.

THE MINISTER FOR HOUSING: Of course; just as the member for Dale has been exceedingly foolish in barging in without knowing anything about it. I do not want any further interruption because I wish to conclude! Applications were called and examined in the normal manner. Certain applicants could not be considered. A review was made of those left and it was felt that none of them was a complete answer for the job. Accordingly, papers dealing with this matter were laid on the Table of the House. Recommendations were made by the Acting Public Service Commissioner, fresh applications were

called for the two new posts and the normal procedure was adopted in connection with the selection, through to the various stages of the appointment of those two officers.

For the edification of the member for Dale, and others, there are further changes contemplated in the State Housing Commission and these will result in a saving that is estimated to be at least £3,500 a year. It is felt, by those in a position to know—and at this stage I speak to those other than the member for Dale—that this will give a more efficient type of organisation than exists at the present time, having regard particularly to the changed activities of the State Housing Commission. Its operations, and manner of operation, are entirely different today from what they were several years ago. The final word I have to say is that there is nothing new or novel in a person not being under secretary as top administrator in respect of all the activities he covers.

After all, I can recall the day when I was on Christian name terms with the Under Secretary for Housing; I worked side by side with him in the Forests Department. How he qualified for the chief administrative post I know not, but he has turned out a first-rate officer. When the change was made and it was decided that the chief administrative officer was to be full-time chairman—a man who had no association with housing—he showed plenty of determination and battled through most difficult days.

In the case of the manager, there is a person who has been given a difficult job and is familiar with the requirements and has an intimate knowledge of the manner in which the Housing Commission works. The Minister for Housing must be assured that when he requires certain information, it will be supplied; he must feel without any doubt or hesitation that he is receiving authoritative information. That is why I, for one—and is this a crime?—did not look particularly favourably at the prospect of somebody coming from outside to be my adviser without having been associated with the State Housing Commission. I felt I would probably be adviser to him for a couple of years or so.

There is nothing whatever to hide in connection with this whole matter. There has been a great deal of imagination emanating from not a very high level. I have official papers with me and they can be scanned, but I have a very definite objection—as I think any responsible member would have—to personal applications and personal details, and perhaps most intimate criticisms of officers, being laid on the Table of the House—in other words, being made available to the general public. That is all. Therefore there is no warrant for members with a sense of proportion—no matter who they be—to support the motion submitted by the member for Dale.

MR. COURT (Nedlands) [6.6]: This motion is divided approximately into two parts which, in turn, are subdivided. The first part deals with the calling of applications for the position of under secretary to the State Housing Commission, and the second deals with the decision to reduce the status of the position of administrative head of the State Housing Commission from under secretary to manager. As I said, those two matters are subdivided further; in the first place into the rejection of the recommendation of the Public Service Commissioner to appoint the administrative officer of the Department of Agriculture—a Mr. Hopkinson; and in the second case the appointment of a Mr. Hynam.

The Minister seems to pin his faith to the fact that the mover of the motion should have examined these papers in the Minister's office, or in the office of the Public Service Commissioner. All of us in this Chamber know that if one examines papers under those conditions, one is morally, if not legally, bound not to use that information. It is only in the most unusual circumstances that people avail themselves of that invitation. Very often on these files there are matters of a confidential nature and if we do see them, and it is known that we have seen them, and there happen to be leakages, no matter how innocent one might be one immediately becomes suspect.

Accordingly, members of Parliament are reluctant to examine files in departmental offices, either with the Minister or with one of his officers. As far as I know, this Assembly has a very good record for observing the ethics in such matters. I have never known in the time I have been here of any accusation having been levelled against a member of a breach of confidence following on the examination of files; and Heaven forbid that that state of affairs should change! It rather intrigued me that the Minister implied from his remarks that he would have no objection to the member for Dale seeing the papers under the conditions he was invited to see them and using the information.

Mr. Ross Hutchinson: In the House.

Mr. COURT: Not only in the House, but presumably in any other way. I cannot for one moment imagine the member for Dale seeing those papers and then coming to this House and making specific statements based on that information in support of his motion. I had the experience recently in moving for the tabling of certain papers and I had to do so in the most circumspect manner, because I knew what was on the file, and it would have been wrong of me to give any indication as to what was on that file because, had the House decided not to table those papers, I would have been in a fine old mess.

The most intriguing part of the problem is the fact that the Government, with full knowledge of what it required in respect of the head of this commission, saw fit to allow the usual machinery to function in respect of applications for the position of under secretary. I could perhaps see some merit in the Minister's argument if the Government had decided that, on the retirement of the present head of that department, it wanted to change the status of that office, and accordingly decided to call for a manager, or some person by another name, and had publicly said, "We are changing the organisation of the State Housing Commission and with that in view we no longer desire to appoint an under secretary; in his place we will appoint another officer or several officers." It could be that the Government might want to expand its top administration; on the other hand, it might want to reduce it.

Had the Government done that and gone straight on with calling nominations from persons falling in that classification, its case would have been much stronger than it is today. But what happened? The usual machinery operated and, after consideration of the applicants, the Public Service Commissioner nominated to the Government Mr. Hopkinson to fill the post of under secretary. Mr. Hopkinson at that time occupied the position of chief administrative officer, Department of Agriculture.

It is at that point of time that things seem to have gone off the rails, and the Government then came to light with another proposition. The Government abandoned that proposal. Mr. Hopkinson was the recommended applicant and from all the Minister has said he was not considered to be an applicant with the necessary knowledge to fill the position envisaged by the State Housing Commission. I am intrigued as to why the Government went through that machinery. No doubt it had the knowledge then that Mr. Hynam, because of the section quoted by the Minister, would not be eligible for appointment even if he were the senior applicant and measured up to all the other conditions that the Public Service Commissioner considered necessary.

The Minister for Housing: I think that proves that the Government had no ulterior motive; it waited till it saw what was offering.

Mr. COURT: I think the reverse applies.

The Minister for Housing: That is not logical.

Mr. COURT: I feel that somewhere along the line it was overlooked that this man would not be eligible for the position, and when that came to light and it was discovered he was eligible for the appointment, another procedure was followed.

The Minister for Housing: I can assure you that it was not overlooked that he or other applicants might be eligible to apply.

Mr. COURT: Am I to understand that the Minister's proposition rests on the premise that it was decided to call applications for the post of under secretary, State Housing Commission on the understanding that if, after the applications were considered, applicants were regarded as of the right calibre and knowledge, the most suitable one would get the job?

The Minister for Transport: Calibre and knowledge of the job.

Mr. COURT: I cannot see how the Government could have expected a person of sufficient seniority to get the job in those circumstances if the Government made the last qualification necessary, namely, that he should have experience and knowledge of his work. It would be the same if applications were called for the position of under secretary, Water Supply Department, or any other department; we would expect one of the senior men in the Public Service to be the logical contender for the job.

This has happened every year or two when there has been a change in under secretaries; a man goes from one department to another and accepts the top job—not because he has had great experience in the Public Works, or the Water Supply Department, or in the Treasury, but because he is a trained administrator at that particular level. It is accepted by Governments of all colours that such men have a degree of interchangeability at that level, and normally the man who is the senior officer, if he has the right background, gets the job.

It is not always a question of straight-out ability. It is one of the difficulties in the Public Service to distinguish the man who is the more able from the one who is the more senior. We acknowledge these difficulties; they confront every Government, but on this occasion, with a full knowledge of the circumstances, the Government allowed this appointment to go through the normal channels of calling for applications for the position of under secretary.

Sitting suspended from 6.15 to 7.30 p.m.

Mr. COURT: The members of the Government front bench have flattered me by taking flight, judging by the emptiness of the ministerial seats. I did not think I was that convincing before the tea suspension.

Hon. L. Thorn: They are outside discussing the next line of attack.

Mr. COURT: I had nearly concluded what I had to say when we went to tea. My main point surrounded the rather extraordinary situation of the Government

having gone through the process of seeking an under secretary for the State Housing Commission; and then, for reasons which have not been adequately explained by the Minister, deciding to abandon that idea and substitute a manager.

That brings me to the final point I want to emphasise. In switching from the proposition of an under secretary for the State Housing Commission to the position of manager, there was a down-grading of the top administrative position in the commission. When I say down-grading, I mean by way of salary; and that normally reflects the relative merits and seniority of positions within the Government service.

The Minister for Housing: I think that to be fair you must give marks for the two positions. In other words, the job has been split.

Mr. COURT: I understood from the Minister's speech that this man is responsible for the overall management of the State Housing Commission.

The Minister for Housing: As a matter of high policy.

Mr. COURT: He is still nevertheless the senior man in the State Housing Commission outside the commissioners themselves.

The Minister for Housing: You could hardly have two equals looking after two aspects. One had to be senior.

Mr. COURT: Agreed. I would not have a bar of having two people of equal status in any form. Once that stage is reached, there is chaos unless they are two extraordinarily adaptable people. This man is the senior officer in the commission outside of the actual commissioners themselves; and I find it hard to follow the reasoning of the Minister, and he has not yet convinced me that there was not some change of heart for some reason or other after the Government had called for nominations for the position of under secretary; did not get a suitable applicant who was eligible; and decided to proceed on other lines and seek a manager so that it could obtain somebody directly associated with the State Housing Commission.

The Minister for Housing: For the reasons submitted to the House.

Mr. COURT: I feel that the member for Dale was within his rights in bringing the matter for debate in this House and in fact had a duty to do so.

The Minister for Housing: But not casting the innuendoes he did.

Mr. COURT: It is well-nigh impossible to bring forward a matter of this kind without introducing personalities. I do not think he cast the innuendoes to which

the Minister referred. The Minister himself got very heated; and if anyone cast any innuendoes, it was he himself. He became very worked up.

The Minister for Housing: Giving like for like.

Mr. COURT: I think that if it were a question of who threw the most mud, the Minister would win the competition.

The Minister for Housing: You are tremendously loyal to your colleague.

Mr. COURT: No, just expressing my views on the merits of the case.

The Minister for Housing: And with a great broad smile all over your face, too.

Mr. COURT: In conclusion, I want to say that the Minister is wrong in taking exception to any member—whether it be the member for Dale or any other—bringing a matter of this nature before the House. No one brings such matters forward because he likes doing so.

The Minister for Housing: Much!

Mr. COURT: I repeat that no one brings these things to the Chamber because he likes doing it.

The Minister for Housing: To consider that there is something wrong because a document is called a diploma and not a certificate, and to think that one has found that lies or untruths have been told is absurd.

Mr. COURT: I do not want to be side-tracked by this red herring, which was only a minor point in the argument advanced.

The Minister for Housing: But typical.

Mr. COURT: I have heard the Minister really worked up—or appear to be—and wax eloquent over matters of much less significance since I have been in this House. As a matter of fact, it is entertaining to hear the Minister get worked up over a point when really "going to town"; and to hear the Minister accuse the member for Dale of making too much of this point is rather ironical.

The Minister for Housing: He charged the Government with dishonesty.

Mr. COURT: I repeat that it is a member's right to bring these matters forward. It is undesirable that matters involving personalities should come before the House any more than is absolutely necessary, but this is a case which could not be submitted without mentioning personalities. The Minister referred to Mr. Hopkinson. Nobody regrets more than I the fact that Mr. Hopkinson's name had to be mentioned, but I think the Minister will agree that on both sides his name was referred to as little as possible. He is a fine fellow, a man with a very good record—both with regard to his war experience and with regard to his Government service; and I can imagine that this would be most distasteful to him.

The Minister for Housing: If you look at the motion you will see that there was no occasion to use his name or the position he now occupies. That reference could have been omitted without detracting from the motion in any way.

Mr. COURT: I think the member for Dale would have been criticised from the other side if, in fact, he had brought the motion forward and had not been specific on this point. I do not see how he could have brought the matter forward without mentioning names.

The Minister for Housing: All he needed to do was to mention the rejection of the Public Service Commissioner's recommendation.

Mr. COURT: Even conceding that, I do not think too much damage was done to Mr. Hopkinson by the inclusion of his name. It will be admitted by the Minister that the matter was referred to very seldom by the mover of the motion and himself. I can well imagine that it would be very distasteful to Mr. Hopkinson; and it was not the intention of the mover or of myself to bring his name into the discussion any more than was necessary. I support the motion.

HON. A. F. WATTS (Stirling) [7.38]: When this motion was first introduced I was not, to tell the truth, very interested in it. But as the debate has progressed, and particularly as a result of the Minister's observations, I must confess that I have felt obliged to say something about it. I am struck by the fact that the Minister, particularly in the concluding part of his speech, said he had nothing whatever to hide; and yet is disinclined in those circumstances to follow the course of laying the papers on the Table of the House.

I make the concession to him that in the earlier part of his remarks he did draw the attention of members to the fact that one file contained reference to an individual apparently unconnected with the actual subject matter of this debate, which if made public might cause that person unnecessarily and without justification some unhappiness.

As there is more than one file involved in this matter, and the Minister has nothing to hide, as he indicated, there are two courses open to him. One is to amend the motion so that the particular file which might cause that personal unhappiness, and which is substantially unconnected with this case, could be withdrawn from the motion.

Alternatively, as I understand the position, he could approach you, Mr. Speaker, under Standing Orders to direct that this particular paper or file be not made available to the public but only to members of this House. I refer to Standing Order No. 229 which reads as follows:—

All papers and documents laid upon the Table of the House should be considered public. Papers not ordered to

be printed may be inspected at the office of the House at any time by members and, unless otherwise ordered by the Speaker, by other persons, and copies thereof or extracts therefrom may be made.

As I understand it, these are not papers which could be ordered to be printed, if that aspect of the matter comes into it at all; and quite obviously therefore, if I am correct in my interpretation of the matter—and I honestly believe I am—it would be competent for you, Sir, at the request of the Minister, to direct not only that the one file, but all the files, if you saw fit to do so, should be made available in this House to members of this House but not to other persons. So that if you regarded it as necessary, the whole of the papers could be excluded from the public gaze and made available to members only.

Surely that is not an unreasonable proposition! If the Minister did not feel disposed to amend the motion on the lines I first suggested, surely it would have been possible to enable members of this House within the precincts of the House to have the papers made available—not to one member, but to all members who might be interested to concern themselves in the matter. Because, as the debate has proceeded—and in listening mainly to the Minister himself—I have been mystified to some degree as to why the original decision to call applications for a new under secretary, following on a decision to have an under secretary of the State Housing Commission—which decision was made by the present Minister some three years ago—was not persisted in; or, alternatively, why—if there was going to be a change in the management or head officers of the Housing Commission—that that was not considered to be desirable before applicants were called for an under secretary when the retirement of the present Under Secretary became evident.

It seems to me that that leads to the conclusion that the Government was at least most undecided in this matter. Before three years ago we had a chairman of the Housing Commission and if I remember rightly the last chairman was Mr. Brownlie. Associated with him was a secretary and I believe the last secretary was Mr. Telfer. That system had operated for a considerable number of years. To the best of my recollection, it had operated since the formation of the Housing Commission in replacement of the former Workers' Homes Board.

There was a chairman of the commissioners, who was actually the head of the Housing Commission and the Civil Service staff. There was a secretary of the Housing Commission and before Mr. Telfer we had Mr. Bond, the present Under Secretary for Works and those two gentlemen, as I understood the situation, divided between

them the administrative duties. Three years ago or thereabouts it was decided to put an end to that system. Nobody on this side of the House offered any objection that I am aware of.

It was apparently decided to make the Housing Commission like other Government departments in that respect, and, in my view, the magnitude of the task and activities of the commission justified such a change, because it was obvious that it had become a department virtually equally as important as the Public Works Department, and so it was decided to have an under secretary. Mr. Telfer, who had been secretary, I understand, of the commission became the first Under Secretary of the State Housing Commission and, as far as I know, he carried out those duties successfully and satisfactorily until the time of his retirement drew nigh.

Applications were then called for another under secretary to take his place when he retired. A recommendation was made by the Public Service Commissioner of somebody that he considered suitable, but it was not accepted by the Government. It is well within the competence of the Government not to accept such a recommendation although for the life of me I cannot appreciate, without seeing more of the matter, why a person like Mr. Hopkinson should not have been acceptable.

But I am prepared to concede that there may have been sound reasons for the Government's decision. However, in a matter of importance such as this I believe we are entitled to know what the Government's reasons were. We certainly do not know yet and the only way to form a proper appreciation of the position is to have access to the files. As I have said, the Government decided it did not want Mr. Hopkinson and it took the course required by statute under the Public Service Act and laid the papers on the Table of the House.

Had it called applications for another under secretary or had it given acceptance to another recommendation of the Public Service Commissioner, if he was prepared to make one from among the applicants, I have no doubt that this debate would not have taken place, but after this decision to change from a chairman and secretary to an under secretary, and after the lapse of a bare three years to change to another constitution, of manager and chief administrative officer—

The Minister for Housing: That is becoming like the Public Works Department, with a director of works and an under secretary.

Hon. A. F. WATTS: Yes, but previously we had the chairman of the commission and the under secretary and as far as I can see they were doing precisely the same as the manager and chief administrative officer will do. Therefore, as far as I can

see, there was no necessity to make any alteration to the system that existed prior to 1954. Other than a change of name we are back where we were.

The Minister for Housing: No.

Hon. A. F. WATTS: Or approximately where we were.

The Minister for Housing: No, for the first time there is a man with some technical knowledge at the head of the department.

Hon. A. F. WATTS: But there is no reason why a man with such knowledge should not have been appointed to the previous position. I am not disputing that it is probably highly desirable that there should be a technical person in charge of the Housing Commission. But why could he not be chairman of the commission and have a secretary instead of being manager with a chief administrative officer?

The Minister for Housing: You should read the Act.

Hon. A. F. WATTS: In the interim the Government decided on an under secretary, with no change of Minister, as I have said. All those things put together indicate, as I have said at the outset, an extraordinary change of front with regard to the type of administration that the Government wanted in the Housing Commission. I do not impute any improper motive to anybody, but I would dearly love to know what brought it about. I think in a matter of such importance as this, members are entitled to see what it is all about, although I have no ambition to make the personal affairs of anybody public.

As I have already said, I believe there are ways and means by which that can be avoided and the desire which I have, and the legitimate desire which I think many other members have, could be assisted and subscribed to. So far as I am concerned, I suggest that the Minister should give consideration to the suggestions I have made, and which I hope are worth while, so as to compose the difficulty in which he finds himself and which I to some extent appreciate; but I think I am entitled to see these papers, in the circumstances, in order to review the changes that have taken place. If the Minister will do that, this matter may be brought to a speedy and amicable conclusion but, if not, I shall have no alternative but to vote for the motion.

MR. MAY (Collie) [7.52]: I think it is regrettable that this subject is being debated tonight and, knowing the person concerned, I am convinced that the debate has not been justified. I am more than surprised that the member for Dale should have moved this motion, in view of his knowledge of the department with which the individual concerned is connected.

When the McLarty-Watts Government took office in 1947 the man concerned in this motion had been appointed to the Arbitration Court and it was well known at that time that Sir Ross McDonald, who was then Minister for Housing, submitted a request to the Government that the services of Mr. Hynam be retained in the State Housing Commission office because of his great knowledge of the housing position at that time. He had an overall knowledge of the situation which no other officer then possessed and consequently Hynam was retained by the commission to his own detriment.

I would not have squealed at that, but after two or three years when other officers in the Housing Commission became more acquainted with the situation and could probably have taken his position, Hynam was still not allowed to go to the Arbitration Court and take up the senior office to which he had been appointed before the McLarty-Watts Government took over. I think that is really the starting point of this matter. Hynam lost his position with the Arbitration Court and from that time onwards, no attempt was made to honour the debt that was due to him in regard to the position to which he had been appointed, and he was kept back over the years on a lower salary than he would have been receiving had he been allowed to go to the Arbitration Court.

All this information was available to the member for Dale, just as it was to me and I believe that when he was Minister for Housing the member for Dale should have seen that justice was done to Hynam, but no effort was made in that direction. As a matter of fact, officers were continually being appointed over Hynam's head in the Housing Commission for some unknown reason. It was not because he was not competent. Sir Ross McDonald admitted how competent he was, and that must have been the case because otherwise he would have been allowed to go to the Arbitration Court. Had he been permitted to take up that appointment he would have been in the same position as Mr. Schnaars is today.

I repeat that over the years this man has been victimised for some ulterior motive which the Minister for Housing under the McLarty-Watts Government might have had against him. There must have been some reason for it, and I have been trying to find out why Hynam was was so victimised. When the member for Dale was Minister for Housing, pressure was brought to bear on me to bring up in this House the reason why a certain man was appointed—a man who, it was discovered, was the political organiser for the member for Dale, but I refused to do it because I felt that the man concerned had been offered the position and had accepted it and, in my view, that was the end of the matter.

However, continued pressure was put on me and the member for Dale may recall that I mentioned it to him and told him that I was not prepared to bring the question up in this Chamber because I did not think any member of the Public Service should have his name dragged through this House unless for some very good and important reason or for something detrimental to the service. As far as I am concerned, the circumstances of the other applicants do not matter; I am concerned only with the fact that this man's name has been dragged through the Chamber and all sorts of things have been said in connection with his case during the debate. I do not think that should have been permitted.

I cannot understand the action of the member for Dale in moving the motion and I am sure he could have obtained any information he requires by other methods. For the life of me I cannot see why the file should be laid on the Table of the House. Not that there is something to hide, but I do not consider it is ethical. If an officer has not committed an act that is detrimental to the Public Service or the State generally, I do not think it is fair that his private life should be made public in this Chamber.

Hon. Sir Ross McLarty: Why is his private life being made public?

Mr. MAY: The hon. member knows as well as I do that one thing leads to another in this regard. All sorts of aspects are introduced. However, I am not suggesting that there is anything wrong with his private life, by any means.

Hon. Sir Ross McLarty: I know nothing that is detrimental in his private life.

Mr. MAY: Nor do I. In fact, there is much that is to be commended. I do not think that there are many Sundays that pass without him and his wife attending some institution to do something for the inmates. I am interested to know why this particular individual was kept back in the Public Service whilst the McLarty-Watts Government was in office. I do not know, but it may have been for political reasons.

Hon. Sir Ross McLarty: I know it was not.

Mr. MAY: The fact remains that he was never allowed to advance himself. The member for Dale, who, at the time was Minister for Housing, cannot deny that.

Mr. Court: I think the Minister said that he did advance.

The Minister for Housing: He changed his title.

Mr. MAY: The member for Dale said he did not know, but, in my opinion, he took the necessary action to ensure that he could not advance.

Mr. MAY: He might have changed his title, but I am speaking of his status and his remuneration. The title that a man carries is not so important as the remuneration that he receives for his services. This particular individual has never spared himself in his efforts for the State Housing Commission. What the Minister has said about him tonight is perfectly true. Either outside or within his ordinary working hours, his services have always been at the command of the State Housing Commission. His knowledge of the activities of that commission is terrific. In accordance with the agreement made between the Anglo-Iranian Oil Co. and the McLarty-Watts Government, the State Housing Commission was obliged to erect a specified number of houses at Medina within a certain time. Mr. Hynam was the officer who was responsible for those houses being erected within the time limit set.

That is only one instance of the service that he has rendered to the State Housing Commission. Now, after completing many years of excellent service, we allow his name to be dragged in disrespect through this Chamber. What is the reaction of the public? They will ask: "Who is this man Hynam? He is receiving a great deal of adverse publicity." However, the publicity that he is receiving should not be adverse. I know Mr. Hynam extremely well and I am aware of the work that he has performed for the State Housing Commission. I am personally acquainted with what he has done because he has achieved a great deal for housing in Collie.

I want to emphasise that I know what he has done and the manner in which he has performed his work. Regardless of any individual who might have been an applicant for the position of officer in charge of the State Housing Commission, I consider the Government has done the right thing in appointing this man to that position.

MR. POTTER (Subiaco) (8.4): After all is said and done the Government, and the Minister in particular in this instance, is charged with the administration of Government departments. It is on their heads and on ours as members of Parliament if they do the wrong thing. However, on this occasion I do not think they have done the wrong thing.

The member for Dale would, I think, have been better fortified if he had examined the relevant papers before moving his motion in this House. He would then have had some substance on which to base his case. I know that there is some reluctance to granting an examination of papers on a Government file. However, he could have made some attempt to examine these papers and if satisfied, there was nothing to prevent his moving that the papers be tabled at some subsequent date.

I do not know what actuated the Government in not putting the usual machinery into operation in refusing to appoint the officer recommended by the Public Service Commissioner. He is a person who has been in the Public Service for a number of years and he has given service in various departments. I know, too, the feeling that is experienced at various times by departmental officers who have probably performed a good job in many departments but who, as the member for Nedlands has stated, miss their chance of promotion as a result of certain officers being transferred from one department to another.

What the reason for that is I do not know, but there always seem to be some white-haired boys who are elevated to these high positions in the Public Service and can create something of a hierarchy so to speak. What is more, they are promoted from one department to another at extremely high salaries. I have worked with such men and I have also worked with men employed in private industry. Therefore, I know the capabilities of both types when employed in an administrative capacity.

Some of the officers are quite capable of filling these various positions and are capable of being charged with the responsibilities entailed, but as the Minister has implied, under Section 35 of the Public Service Act, there could have been quite a number of applicants for this particular position who could have been precluded from appointment. Therefore, the field from which men are to be drawn for these administrative posts could have been from outside the commission.

Whilst I was working with this particular department before its change of name, I knew of officers who used to work night after night and weekend after weekend to perform their duties. Also I have known of many officers who, after returning from country trips, have taken their files home to carry on their work there. One can well imagine, therefore, the feeling that is engendered among officers of a department when someone is appointed from outside to a position which the departmental officers felt they should rightly have.

Therefore, the Government and the Minister concerned—I am not going to discuss the merits or demerits of any particular officer, because I do not think that is our prerogative—has acted wisely on this occasion. Sometimes letters or minutes are placed on files that keep many officers down to a lower grade when perhaps they are quite competent to be raised to a higher classification. Therefore, whatever actuated the Government in creating the position of manager of the State Housing Commission, it was, in my opinion, a wise move. Also, from what I hear in various circles, I understand that the appointment of this

officer is a very popular choice. As a result, I must support the Minister in his attitude in regard to the tabling of these files.

MR. WILD (Dale—in reply) [8.12]: I am afraid the Minister did not tell me or the members of this House a great deal as to the reason why he turned over in bed one night, as I stated in my particular reference concerning him. As usual, he wanted to commence slurring me but I have been here long enough to allow such comments to act like water on a duck's back and, like him, I do not take much notice of them.

The Minister for Housing referred to a man named Barry who, during the time I was Minister for Housing, was an organiser of the Liberal Party and I was instrumental in having him appointed to the State Housing Commission. At the time, timber and bricks, to say the least, were in shockingly short supply. In that year we were, in the main, eight to nine months and sometimes 12 months in arrears with flooring supplies and other dry timbers. So, in my wisdom, I looked around for a man who, in my view, could organise the procurement for the State Housing Commission, through the State trading concerns, these necessary building supplies.

In consequence, I had a long discussion with Mr. Taylor, the then Public Service Commissioner, on the question of whether I could bring a man in from outside to perform this task. I had looked around the people with whom I came in contact and I told Mr. Taylor that I was desirous of appointing Mr. Barry to the position I had in mind.

Mr. May: What experience did he have?

Mr. WILD: He had a lot of organising ability. He had been an organiser for the Liberal Party and I had been able to observe his work. There is nothing to cavil at about that. In fact, this officer has proved to be one of the most efficient at the State Housing Commission. If the Minister did not think he was a good man, he would not have elevated him after he became Minister for Housing in 1950.

The Minister for Housing: And in the next few weeks, elevated him again.

Mr. WILD: Yes. So, apparently my selection was not a bad one. I was seeking a man for a special job and on the advice of the then Public Service Commissioner, who suggested that the only way to get one was to try outside the service, that action was taken.

The Minister for Housing: But is it not usual to contact the Public Service Commissioner before taking such a step?

Mr. WILD: I have already told the Minister that I discussed with Mr. Taylor, the Public Service Commissioner, the best

means to obtain a man to do this particular job. I wanted an officer to organise the procurement of extremely hard-to-get timber for the State Housing Commission. However, that is a very different case from a man who started to work as a boiler-maker and then years later suddenly finds himself appointed as officer-in-charge of one of the largest building organisations in Western Australia. There is not a tittle of parallel between the two cases.

Mention was also made by the Minister of the request of the president of the Arbitration Court, Mr. Justice Dunphy, for Mr. Hynam to sit on the bench of that court, but a person with undoubted knowledge of industrial law, and with ten years' experience in the shops and factories branch, does not make a good building superintendent or manager of the State Housing Commission. Every person is best fitted in the niche for which he has ability and training.

Mr. May: Why did your Government hold him back?

Mr. WILD: We did not hold him back. The Minister also said that Mr. A. J. Reid who was chairman of the Workers' Homes Board, expressed the same opinion. I have nothing personal against the officer in question. He was first appointed as the officer in charge of liaison but the name was later altered. He has knowledge of that job, has a good personality and is a good contact man. That, however, does not make him a man suitable to be in control of a big organisation. A person has to be really big in his outlook to be able to control an organisation that turns over £10,000,000 a year.

The Minister for Housing: Take Mr. Telfer, for instance. He was only a clerk in the Forests Department when I worked in it.

Mr. WILD: That makes no difference. He rose from the administrative group. At the time he was Under Secretary of the State Housing Commission there was a chairman—

The Minister for Housing: Who had nothing to do with housing prior to becoming chairman.

Mr. WILD: That makes no difference. If there is a good manager in charge of the administration, he will be prepared to listen to the technical officers under him. But in this case how can we expect the technical officers to take directions from a man who has risen in the manner I have outlined?

As the Minister has cast a slur on me in this debate, I would like to make a couple of observations on the remarks of Mr. Moseley, the Royal Commissioner inquiring into housing, when referring to the present Minister for Housing. I intend to quote his remarks when he referred to the slur cast against members

of the State Housing Commission by the present Minister in this House. Mr. Moseley had this to say—

From one point of view it should be a matter of satisfaction to the staff of the commission to realise that the statements made as to their dishonesty have come from one quarter only. On the other hand, it is not pleasant to contemplate that allegations so damaging in their nature and yet unsupported by even the flimsiest of evidence have been made by a member of the Legislature. It may well be, although I do not know, that but for the charges of bribery and corruption made by Mr. Graham, M.L.A., no Royal Commission would have been constituted. However that may be, it remains a regrettable fact that no assistance has been given to me by Mr. Graham to enable me to investigate the truth or otherwise of these charges.

The SPEAKER: Order! I ask the hon. member to resume his seat. The motion before the Chamber does not deal with the Minister for Housing or Mr. Graham, or what happened at the Royal Commission. I shall not permit the hon. member to continue reading from the report. If he were to make one or two observations from the report that would be all right, but I shall not allow him to continue reading the report. The motion deals with the appointment of officers, the rejection of the officer named Hopkinson, and the appointment of an officer named Hynam. The report which is being read deals with an inquiry which took place years ago in connection with the Minister; that has nothing to do with the motion. I shall not therefore allow the hon. member to proceed further with the report.

Mr. WILD: Might I suggest with deference that neither was the question of Mr. Barry's appointment related to the motion yet you, Mr. Speaker, allowed the Minister to go on with it.

The SPEAKER: I have given my ruling. The hon. member shall not proceed with reading the report of the Royal Commission. In this instance, the motion deals with Mr. Hynam and Mr. Hopkinson, and the hon. member will have to confine himself to it.

Mr. WILD: Very well, Mr. Speaker. If you will not allow me to proceed and read the condemnatory remarks made by the Royal Commissioner against the Minister when he made sweeping allegations against the State Housing Commission, I shall bow to your ruling.

The Minister gave no reason at all for the changed status of the position from under secretary to manager. In his own words—and Hansard will show them—when the Government did not get the man they desired, they decided to have another look. He said that when the Government

looked at the position again they found that some of the applicants were not eligible. I cannot understand senior officers of the department—with full knowledge of the Minister calling for applications for an under secretary, a post that was created by him only three years before—not being in possession of the fact that some of those officers were not eligible. The position is that when the person whom the Government desired to fill the position was not selected by the Public Service Commissioner, then, and only then, was it decided to alter the status of the position, and to call for applications for the position of manager.

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

Ayes	15
Noes	22
Majority against	7

Ayes.

Mr. Ackland	Mr. W. Manning
Mr. Bovell	Sir Ross McLarry
Mr. Court	Mr. Nalder
Mr. Crommetin	Mr. Thorn
Mr. Grayden	Mr. Watts
Mr. Hearman	Mr. Wild
Mr. Hutchinson	Mr. I. Manning
Mr. Mann	(Teller.)

Noes.

Mr. Andrew	Mr. Marshall
Mr. Brady	Mr. Molr
Mr. Evans	Mr. Norton
Mr. Gaffy	Mr. O'Brien
Mr. Graham	Mr. Potter
Mr. Hall	Mr. Rodoreda
Mr. Heal	Mr. Sewell
Mr. Hoar	Mr. Sleeman
Mr. Jamieson	Mr. Toms
Mr. Johnson	Mr. May
Mr. Lapham	(Teller.)
Mr. Lawrence	

Question thus negatived.

BILLS (2)—RETURNED.

1. Interpretation Act Amendment (No. 2).
2. Juries.

With amendments.

BILL—METROPOLITAN (PERTH) PASSENGER TRANSPORT TRUST.

To Inquire by Joint Select Committee—
Council's Message.

Message from the Council received and read notifying that it had concurred in the Assembly's resolution that a joint select committee of members of both Houses be appointed to consider the Metropolitan (Perth) Passenger Transport Trust Bill; that it had appointed a select committee of four members to confer with the committee appointed by the Assembly; and that it had given an instruction to its select committee that it inquire—

- (1) whether it is desirable to have one statutory authority to operate metropolitan street passenger

transport services; if so, whether the Bill satisfactorily achieves this purpose, or what type of authority would be best for the purpose, and under what conditions it should operate; and

- (2) whether there are more desirable alternatives.

BILL—HIRE-PURCHASE AGREEMENTS.

In Committee.

Resumed from the 9th October. Mr. Moir in the Chair; Mr. Johnson in charge of the Bill.

Clause 15—Lien on goods under hire-purchase agreement:

The CHAIRMAN: Progress was reported after Mr. Johnson had moved an amendment to insert after the word "provision" in line 22, page 16, the words "and in any case such lien shall not exceed the sum of twenty-five pounds in the case of a motor-vehicle or industrial machine nor the sum of ten pounds in any other case."

Mr. COURT: The member for Leederville seeks to place a limit on the amount of lien by which a person doing work on certain chattels can be protected. I explained to the Committee last time this Bill was being discussed that I am opposed to the principle of this clause. Even if the amendment is adopted by the Committee, it is my intention to oppose the clause as amended. A principle is involved, namely, whether we are going to upset the established understanding regarding liens. If we are going to grant liens, as the clause proposes, we might as well forget the principles of hire-purchase law and bills of sale.

The important part of the clause reads—

and the person who does the work has, before commencing the same, actual notice of that provision.

What chance the owner of the chattels has of conveying that information to the person doing the work is beyond me. In theory it could be said he might know the work was being requested by the purchaser, but it would be a remote chance that he would know. In practice, more often than not, the hirer or purchaser would take the chattel to the person doing the work and request that the work be done.

The basis of my argument last week was that the person doing the work should run the risk of the credit-worthiness of the purchaser and not be expected to be protected by a lien on the chattel. The member for Leederville has certainly broken the original wording down. However, it might be felt that the amount is so small that it is of no consequence, but in point of fact it does not matter whether it is 5s. or £500; it is wrong in principle.

Mr. JOHNSON: It is obvious that the member for Nedlands has failed to grasp the whole purport of this particular Bill. Admittedly, this is only one facet of the Bill, but it is an important one. Hire-purchase is a method of buying, and one of the purports of this Bill is to ensure that people who are buying by hire-purchase methods have a real interest in the goods which they are in the process of purchasing on terms. It is regularising that particular point. I trust that point is clear to the member for Nedlands and the Committee and the lien will fall not only on the goods but on the purchaser's equity.

To meet a difficulty which has been pointed out to me by people who are interested in the trade that it is possible to establish a lien on the goods for an amount greater than the equity, I have moved for a restriction of the amount of equity or lien which can be given, to an amount which I feel sure must be less than the purchaser's equity in the goods at any time. There is a movement of thought in relation to purchasing on hire-purchase in that the people who are in the process of purchasing the goods consider they belong to nobody but themselves. It is a legal fiction, but it is so. If this clause goes through, a purchaser must have an equity in goods which require to be repaired. I think the amendment is reasonable and fancy it will be acceptable to people in the trade. I trust it will receive the support of the Committee.

Hon. A. F. WATTS: I propose to support the amendment because, so far as I can see, it is better than the clause. I have no guarantee that the clause will be rejected, so I therefore support the amendment. I realise the difficulties impressed upon us by the member for Leederville. I fully comprehend also the ancient custom of an artificer's lien in respect of work done on a chattel as is dealt with under this clause.

However, I find it difficult to satisfy myself that the lien shall not be valid and enforceable against the vendor if the hire-purchase contains a provision prohibiting the creation of a lien by the purchaser and the person who does the work has, before commencing the same, actual notice of that provision. I do not see how the person is ever going to get it. It seems to me that the last few words of the clause destroy its earlier intentions. I am reluctant to impose on the vendor an unlimited responsibility in connection with a lien for work done on the chattel.

Mr. COURT: If the member for Leederville had spoken during the second reading of this Bill in the manner he spoke to this amendment, I can assure the Committee that I would not have supported the second reading. The hon. member

wishes to completely disregard an established method of trading and he fobs it off with a reference to legal fiction. There is no fiction about this; it is an established method. People can use bills of sale in the ordinary way if they want ownership of the chattel to go to the person who has use of it, or they can use the hire-purchase method, which is what it says; the goods are hired and used during the purchase period.

The Minister for Native Welfare: It is not over-emphasised in the sale. It is generally hidden as much as possible.

Mr. COURT: There are members who would have us believe the public are innocents abroad.

The Minister for Native Welfare: A lot are.

The CHAIRMAN: The Minister for Native Welfare will refrain from interjecting while not sitting in his place.

Mr. COURT: For the member for Leederville to say that I do not comprehend what he is trying to achieve is true, if he is trying to completely rewrite the concept of hire-purchase law.

Mr. Johnson: Trying to put in a word in respect of purchasers.

Mr. COURT: If a person uses hire-purchase law, he knows that until he completes the payments under that agreement and exercises the option in that agreement, he is not the legal owner.

Mr. Johnson: People should know, but in practice they do not.

Mr. COURT: There are lots of things people should know and do not bother to learn, but they are expected to know the law.

Mr. Johnson: And sharks make use of laws, too.

Mr. COURT: The hon. member has a distorted mind on the whole thing. It is only at this stage of proceedings that he wants to change the whole concept of hire-purchase law.

Mr. Johnson: Not completely.

Mr. COURT: In a basic concept he is trying to establish Johnson law.

Mr. Johnson: No.

Mr. COURT: I would not have a bar of it.

Mr. Johnson: You are protecting the sharks.

Mr. COURT: Nothing of the sort. This particular law is the most convenient one we have to assist people who want to purchase under this system. The member for Leederville referred to a buyer having a real interest. Of course he has. He has an interest in completing the transaction, exercising option, and then becoming the legal owner.

Mr. Johnson: We are trying to ensure he has an equity.

Mr. COURT: He has only to complete the transaction and exercise his option, which is clearly defined.

Mr. Johnson: He must have an equity at all times.

Mr. COURT: No one would deny that he should not have an equity in the chattels but it must be in accordance with established legal custom.

Amendment put and negatived.

Mr. COURT: I do not want to labour this matter as I think I have made my point clear on the question of a lien, and I hope the Committee will reject the whole clause. I oppose the clause.

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

Ayes	20
Noes	13

Majority for 7

Ayes.

Mr. Andrew	Mr. Lawrence
Mr. Brady	Mr. Marshall
Mr. Gaffy	Mr. Norton
Mr. Graham	Mr. O'Brien
Mr. Hall	Mr. Potter
Mr. Heal	Mr. Rodoreda
Mr. Hoar	Mr. Sewell
Mr. Jamleson	Mr. Sleeman
Mr. Johnson	Mr. Toms
Mr. Lapham	Mr. May

(Teller.)

Noes.

Mr. Bovell	Sir Ross McLarty
Mr. Court	Mr. Nalder
Mr. Crommelin	Mr. Roberts
Mr. Grayden	Mr. Watts
Mr. Hutchinson	Mr. Wild
Mr. Mann	Mr. I. Manning
Mr. W. Manning	

(Teller.)

Pairs.

Ayes.	Noes
Mr. Hawke	Mr. Brand
Mr. Kelly	Mr. Come
Mr. Nulsen	Mr. Oldfield
Mr. W. Hegney	Mr. Perkins
Mr. Tonkin	Mr. Bearman
Mr. Rhatigan	Mr. Owen
Mr. Evans	Mr. Thorn

Clause thus passed.

Clause 16—agreed to.

Clause 17—Removal of goods:

Mr. COURT: I move an amendment—

That after the word "purchaser" in line 35, page 17, the following words be inserted:—

of the hearing whereof the vendor shall give not less than fourteen days' notice and on the hearing whereof the vendor shall be entitled to be heard.

There are good reasons why agreements provide that the purchaser will keep the chattels at a certain address. However, provision exists for the purchaser to apply to the court for permission to remove those goods to another address, and I do not

disagree with that principle because, due to change of employment or residence, it is not always possible to keep the chattels at a particular address and there must be some machinery whereby they can be transferred. In the absence of mutual agreement, it is reasonable that the purchaser should be able to apply to some authority for the legal right to transfer the goods. However, it is equally proper that the owner should have notice of the application so that he can be heard by the local court.

Mr. JOHNSON: It is not my intention to oppose the amendment except to suggest that the Deputy Leader of the Opposition might withdraw it as it is not necessary and will only add to the excessive complications of the Bill. No purchaser would approach the court and incur the attendant expense unless he had first approached the vendor to get permission by agreement. Therefore it is certain that if the vendor disagrees and the purchaser then goes to the court, the vendor would already have had considerable notice of the matter. So the purchaser will not go to the court unless there is disagreement.

Mr. COURT: If the amendment were unnecessary, I would not bother to move it, but it is necessary. Although there might have been consultation or argument between the parties, the fact remains that the purchaser could seek the local court's permission without the owner knowing of it. I have been assured by a legal authority that there would be no obligation on the part of the court to advise the owner. Therefore, the application could go through and it would take a considerable time before the owner could catch up with the chattels or the purchaser.

Amendment put and passed; the clause, as amended, agreed to.

Clause 18—Liability for fraud, etc.:

Mr. JOHNSON: I have an amendment at line 11.

The CHAIRMAN: I was going to suggest that the Deputy Leader of the Opposition move his amendment in two parts. He can move down to the word "goods" in line 11, and if he is unsuccessful, then the member for Leederville can move to have his amendment inserted.

Mr. COURT: In view of your advice, Sir, I shall modify my original intention and move an amendment—

That all the words from and including the word "any" in line 8, down to and including the word "goods" in line 11, page 18, be struck out.

I consider the subclause undesirable. It makes it extremely difficult for the vendor to obtain possession of the goods. Speed is often important and to wait for a court

order could bring about a series of undesirable situations. I know the member for Leederville feels strongly about some of the methods used for repossession, but most of these methods are due to the fault of the purchaser both during the period of repossession and subsequently. Most of the people concerned in such cases are ones who least deserve the protection of this legislation.

In other words, it is the undesirable people who take full advantage of any chance they can get to put something over. The subclause is consistent with some of the other provisions in the Bill where we attempt to ride roughshod over contract law. The Bill contains provisions for the hirers to receive copies of their agreements and all other relevant documents. It is made a serious offence not to give them those documents. It cannot be denied that the purchaser is adequately protected, as he should be, in regard to obtaining full written details of his transaction, showing both his rights and his responsibilities.

Therefore, to legislate to cut right across the established law of contract so that a written agreement between people is not worth the paper it is written on, is something which I suggest this Chamber has no intention, normally, of agreeing to. There must be some sanctity in a contract between two individuals. I hope that not only will the Committee agree to the deletion of these words, but to the deletion of the whole of the subclause.

Mr. JOHNSON: In the minds of most of us there is something a little more sacred than contract law, or the right of goods, and that is the right of a person to have his home as his own. The attitude of the member for Nedlands is that when signing a hire-purchase contract, the purchaser should attach to it his front door key.

Mr. Court: Nonsense.

Mr. JOHNSON: The hon. member is asking for the right of the owner of goods to send his strong-arm men into any home where there has been a default of payments, and seize goods without a court order. That is contrary to all the principles of decency, justice and normal British and Australian outlook.

Mr. Court: Are you going to bring down a law to alter all the mortgages and bills of sale in this country?

Mr. JOHNSON: If challenged in any court approaching a court of equity I fancy they would be void so far as these particular provisions are concerned. I feel sure that it was never Parliament's intention that people should enter into contracts giving the right of entry to unauthorised persons into private homes. I am prepared to meet the demands of property to the extent of the amendment which is in my name on the notice paper. That amendment relates to the recovery of motor-vehicles which are stored outside

people's homes. I believe most strongly in the sanctity of the home, and the member for Nedlands desires to infringe on that.

Mr. COURT: You are romancing.

The Minister for Agriculture: It would have that result.

Mr. COURT: No.

Mr. JOHNSON: I know that people who get into trouble over hire-purchase are not always the most well off, or the most deserving. But surely their homes should be protected against invasion in this way, unless a court order is made. I feel sure that a division on this subclause would not bring many votes for its deletion.

Mr. W. A. MANNING: I support the amendment. The member for Leederville appears to overlook the fact that the owner of the goods is the vendor. He speaks of the house as being a place of sanctity. That may be so, but within that house are goods belonging to the vendor, and the question is, "Who has the right to those goods?" After all, the goods are only on hire until the purchase is completed, and if the agreement is broken, the goods of the vendor are in the home of the hirer.

Mr. JOHNSON: And they can be recovered by legal process.

Mr. W. A. MANNING: That is not always possible. Some of these people are prepared to take advantage of any point in the law. What is the use of having an agreement if on occasions like this, we take no notice of it? We might as well do away with agreements. It is of no use having a law if it is not going to be enforced. I support the amendment.

Mr. CROMMELIN: The member for Leederville said that he would give way in regard to motorcars because they were kept outside the home. These days, motor-cycles and motor-mowers can be purchased on time payment, and it is only reasonable to assume that they would be kept outside the home. So why not apply the same principle to them?

Mr. Ross Hutchinson: There is the sanctity of the backyard!

Mr. CROMMELIN: I fail to see why the member for Leederville should restrict the provision to motorcars only.

Mr. COURT: Unfortunately, in these matters the member for Leederville takes a very one-sided view. Sometimes I wonder why I put so much time into this legislation in view of what appears to be the fate of it. I have tried to arrive at a balanced approach to this problem.

Mr. JOHNSON: You have balanced it like a balance sheet, in pounds, shillings and pence, without any human value.

Mr. COURT: That is plain nonsense.

Mr. Ross Hutchinson: Why has not the member for Leederville whipped up some support from his own side.

Mr. COURT: We are dealing with a transaction between two parties; one might be a corporate body, and the other might be a corporate body also. They might be private individuals.

Mr. JOHNSON: And one might be a person and the other an accountant.

Mr. COURT: He might even be a banker.

Mr. JOHNSON: Not in hire-purchase.

Mr. COURT: The hon. member seems to overlook the fact that we have to try to produce a law which serves both parties equitably. Some of the worst people—and I am sure the hon. member would not try to protect them for one minute—are those who buy these goods on time payment with the idea of putting something over.

Mr. O'Brien: No; they want to buy them honestly, but perhaps through sickness they are unable to fulfil their obligations. The hon. member wants the vendor to be able to come into a home and take back his goods.

Mr. COURT: Apparently the hon. member does not read the papers very closely. If the vendor were to go through the process of law that the member for Leederville wants, in some cases undesirable purchasers—happily they form the minority—will have disappeared completely with the goods. They are only making the market tough for the decent purchaser. In 99 cases out of 100, where people are in arrears, negotiations are conducted and satisfactory arrangements made.

It is a well established fact—and this can be verified by the finance companies operating in hire-purchase who want to continue profitably and successfully—that a repossessed article is almost always a loss to the finance company. It is in their interests to keep a chattel in the possession of a hirer, even if they have to rearrange the method of payment. That is a commonsense approach.

If we put this provision into the Act, it will play into the hands of the very people the hon. member does not want to protect. We have done everything we can to try to protect the decent purchaser, and surely we should not try to protect the person who is trying to put something over. I hope the Committee will accept the amendment.

Mr. JOHNSON: I think it should go on record just what the member for Nedlands is trying to do. I will agree that there are bad purchasers—people who set out to gyp the people who sell goods; but anybody who is in the trade is not innocent. However, there are innocent purchasers as well as crook purchasers. There are also foolish purchasers, and salesmen who oversell and lead people into trouble.

The clauses in these contracts are such that nobody would sign one of them if they understood their implication. As regards default, it states that the hirer irrevocably appoints the company to enter by force if necessary any premises occupied by him, or of which he may be a tenant or wherein the chattels or any part thereof may be, and to seize and take possession and remove such chattels.

In this country if anyone is to enter another person's home by force, surely it must be by legal force after the due process of the law. It is a most nauseating clause to put in a contract, and to think that anyone in this Chamber should try to protect the rights of property over the sanctity of the home, makes my normally cool blood boil. I am most disappointed that anybody should ask that this clause be struck out. I am prepared to meet the difficulties which members have mentioned in regard to motorcars.

Mr. Crommelin drew attention to the state of the Committee.

Bells rung and a quorum formed.

Mr. JOHNSON: The idea supported by the member for Nedlands and the member for Narrogin that the rights of property override the sanctity of the home is completely nauseating to me, and I do not think that members of their own party would support them if they called for a division on this point.

The MINISTER FOR NATIVE WELFARE: I have not spoken on the amendment but I believe that this clause is one to which we should give great consideration, in view of the strides that have been made in hire-purchase sales in recent years. When the Act was formulated, I am sure no one visualised that there would be a thousand-and-one articles bought on hire-purchase in the average home. People on full-time employment are finding it difficult to meet their hire-purchase payments. One such man asked me to secure some adjustment of his debts with certain Government departments so that he would not lose some of his domestic appliances, namely, his refrigerator and sewing machine.

The story is that he has reared a family of eight children; there has been an unfortunate demise in the family, and though he is working full-time he is at his wit's end to retain his refrigerator and the small amount of clothing in his home, simply because the members of his family bought these articles in all good faith. Apart from this, there are thousands of people who are unfortunate enough to be out of work suffering the indignity of having their furniture and other articles removed from their homes.

Mr. Bovell: How many unemployed are there in this State?

The MINISTER FOR NATIVE WELFARE: There are approximately 3,000 who are registered. What there is throughout the Commonwealth, I would not know. Salesmen are inducing people to bring in broken-down washing machines, etc., and accepting them as deposits on goods costing perhaps £150. If we encourage this sort of thing, the future will be most unsatisfactory. This Bill will prevent that happening. If the firms knew that they did not have the protection they enjoy at the moment, they would be a bit more careful.

Mr. Court: You are making a second reading speech.

The MINISTER FOR NATIVE WELFARE: If people were as wise as the Deputy Leader of the Opposition, I doubt whether nine-tenths of this buying would continue. I know that if the member for Nedlands were handling the sales, he would do so fairly, but these firms do not think of human values but only of profits. Investors are being offered from 10 to 20 per cent. and the money is being lent out elsewhere at a higher rate.

Mr. Ross Hutchinson: Where can I get 20 per cent.?

The MINISTER FOR NATIVE WELFARE: Last week, in the papers, there was a case of two companies contesting certain money transactions; the question raised being whether they were money-lenders and whether they came under that Act.

Mr. Court: That has nothing to do with hire-purchase.

The MINISTER FOR NATIVE WELFARE: That is typical of what is happening. We should discourage this sort of thing if we are to do the right thing by our electors, otherwise the aftermath will be dreadful, and the economy of the State will suffer. I know the Deputy Leader of the Opposition will probably say that hire-purchase sales encourage mass production and that workers enjoy a better standard of living as a result, but people are being forced to take over these goods.

Mr. Ross Hutchinson: Do you want this Bill carried?

The MINISTER FOR NATIVE WELFARE: I do not want the Deputy Leader of the Opposition to succeed in amending the Bill even though I have no illusions as to what its eventual fate will be. I heard a member say that hire-purchase selling would have the effect of the wives of workers not permitting them to strike because they would lose the articles they were buying on hire-purchase. High pressure tactics in hire-purchase selling are not in the best interests of the buyers—by that I mean it is all right for the business people and country people who are educated in the pitfalls to buy goods on hire-purchase. A short while ago there was a classic example of a man buying a truck

costing £3,000 and when it was handed in the firm assessed his equity in that truck as £500.

The CHAIRMAN: Order! I do not think that has any relation to the clause.

The MINISTER FOR NATIVE WELFARE: I quote that example to show that the firms are not giving these people the service which they would have them believe they are receiving.

Mr. Ross Hutchinson: Would you like hire-purchase sales to be cut down?

The MINISTER FOR NATIVE WELFARE: I would like them to be cut by half.

Mr. Ross Hutchinson: That means you would deny these people the right to have these labour-saving devices in their homes.

The MINISTER FOR NATIVE WELFARE: In many cases they do not want them; they are forced to accept them. I have had salesmen calling at my back-door; I know how they handle the women-folk, and it is not long before they have signed on the dotted line for these goods which they imagine will give them domestic bliss.

Progress reported.

BILL—CONSTITUTION ACTS AMENDMENT.

Second Reading.

Debate resumed from the 9th October.

MR. BOVELL (Vasse) [9.29]: This Bill, which was introduced by the member for Beeloo, is, in my opinion, a backdoor method of trying to alter the franchise of the Legislative Council. I say that because I was rather disappointed that no Minister of the Government rose to secure an adjournment of the debate after the member for Beeloo had resumed his seat. If it had not been for the action of the Deputy Leader of the Opposition, the second reading could have been agreed to without any comment from the Government whatsoever.

I consider it is the Government's duty to indicate its attitude towards a proposal to make alterations to a major piece of legislation like the Constitution Act. But it would appear from the Government's silence that it is in agreement with the member for Beeloo; and, in fact, that he introduced the Bill on its behalf. It is unusual for a back-bench member supporting the Government to introduce a Bill with such a far-reaching effect.

The measure deals with two principal matters. One concerns the qualifications of a candidate for election to the Legislative Council and seeks to reduce the age to 21. At present it is necessary for a candidate for election to that House to be 30 years of age; and as the Legislative Council is essentially a House of review, I am of the considered opinion that any

person entering that Chamber should be at least 30 years of age, with some experience of life behind him. For that reason, I contend it is desirable to retain the existing provision. I believe that the status quo should be maintained, as the Legislative Council is playing an essential part in good government in Western Australia.

Hon. J. B. Sleeman: You don't believe that, do you?

Mr. BOVELL: I do, I am thoroughly convinced that the Legislative Council both before responsible government and since, has been the main factor in the maintaining of good and sane government in Western Australia, by virtue of its being a House of review. The Bill also aims at widening the franchise for the Legislative Council. If the Bill were passed it would allow a person over 21 who had resided in a district continuously for five years to be enrolled on the Legislative Council roll.

Hon. J. B. Sleeman: That is reasonable.

Mr. BOVELL: The provision also gives preference to ex-servicemen who have served overseas and to members of Her Majesty's forces overseas. There was no mention by the member for Beeloo of servicemen seeking this franchise. If the servicemen concerned desire enrolment, they already have the full qualification. I was a member of the armed services for five years during the 1939-1945 war, and it was my responsibility to deal with many air crew trainees in Western Australia and other States under the Empire Air Training scheme. During my long association with many individual members of the services, I never at any time heard one single request for any special privilege in regard to enrolment for the Legislative Council. Furthermore, as a member of the Returned Servicemen's League and of the Air Force Association, I have never heard any agitation for an extension of the franchise as sought by the member for Beeloo through this measure. I believe that members of the armed services and ex-servicemen are content with the existing conditions of enrolment for the Council.

Let us analyse the qualifications for enrolment. Those who may be enrolled are a freeholder who has a legal or equitable estate in possession situate in the electoral province of a clear value of £50; a householder within the province occupying any dwelling-house of £17 clear annual value; a leaseholder who has a leasehold estate in possession situated within the province of an annual ratable value £17 and a person whose name is on the electoral list of any municipality or road board in respect of a property within the province of an annual ratable value of not less than £17.

I would say that any person in Western Australia who has a small stake in the country is eligible for enrolment, and the

hon. member has given no legitimate reason why we should agree to his proposal. Anybody over the age of 21 who liked to show a practical interest in the community by acquiring a small parcel of land or who, as a family man, rented a house to the value of £17 a year, would be entitled to enrolment. I consider that the existing conditions are wide enough, and cannot agree to the proposals in the Bill.

In no instance did the member for Beeloo submit evidence which would lead the House to the belief that this legislation is required. It is disappointing that the Government, when one of the members of its party introduces legislation of a far-reaching kind remains silent. I oppose the second reading.

THE MINISTER FOR TRANSPORT (Hon. H. E. Graham—East Perth) [9.40]: There is no sinister reason why the Government is, or indeed should, remain silent in connection with this Bill.

Mr. Bovell: I am pleased to hear that.

The MINISTER FOR TRANSPORT: Let me inform the member for Vasse immediately that it is not my intention to discuss the various points contained in the measure. I think it is well known that the policy of the party to which I have the honour to belong is to work progressively for a full adult franchise for the Legislative Council, for which reason I think all members could assume—without a Minister being on his feet to tell them—that a Bill designed to extend the franchise, even though it did not go nearly as far as the Government and my party generally would desire, would receive the support of the Government.

I do not admit the validity of the criticism that a measure of this importance should be introduced by the Government rather than by a private member. What goes on in the Liberal Party, I know not; but it is the right of a private member, if he so desires, to introduce legislation. The member for Beeloo thought that members of the Opposition would be sufficiently realistic and democratic to agree to this proposition. Up to date it appears that his belief or hopes were ill-founded.

Many years ago, when I was sitting on the other side of the House—and indeed prior to that, when I was a supporter of a previous Labour Government—I used to speak regularly—and I am afraid at some length—against the Legislative Council and in favour of various propositions ranging from a broadening of the franchise for, to the abolition of, the Legislative Council.

Mr. Bovell: The franchise is all-embracing as it is.

The MINISTER FOR TRANSPORT: I have never been able to understand—particularly after a period when drums have been banged and flags flapped and we have allegedly fought two world wars in the

interests of democracy, and prate that we of the western nations—if I could put it that way—are the democratic countries, as against nondescript elements on the other side—why it is that we have important political parties like the Liberal Party which for some reason are afraid of what might happen if the people really had a say in electing their Parliaments, and not just a Government charged with administration but without the power to give effect to its policy, irrespective of the majority by which it was returned.

I well remember that some three or four years ago there was one of those rare occasions when I found myself in agreement with a leading article appearing in "The West Australian" newspaper.

Mr. Ross Hutchinson: It was right for once, was it?

The MINISTER FOR TRANSPORT: It declaimed very purposefully, and to the point, that in 1953 a Government had been returned by the people of Western Australia; and yet, within a few short months, the chief propositions of the newly-elected Government's economic policy were being pushed aside by an irresponsible Legislative Council—irresponsible in the sense of not representing the people, comprised of members who were elected prior to the general election at which the whole of the people of the State were committed under the law to record their votes. In other words, it was making a mockery of democracy, and yet there are persons on the other side of the House, including many who wear ex-servicemen's badges and who, in other words, undertook certain duties and responsibilities in order to fight for democracy but who, on their return to this country, are ready to fight to the bitter end to see that democracy is not put into operation.

Mr. Bovell: That is not so.

The MINISTER FOR TRANSPORT: Surely democracy means a Government elected by the people and not by a section of the people only! The ownership of property or the fact of paying a certain rental do not of themselves give any special quality to an individual, apart from what is artificially given by conservative members of Parliament. I have previously expressed the view that the greatest nitwit in the community becomes eligible to vote for the Legislative Council if he has some sort of interest in a very small piece of land, yet a Rhodes scholar, perhaps the most brilliant mind that the State has ever produced, unless he is the owner of some land or is paying tribute or rent to somebody, is disqualified.

The person who went overseas and perhaps ruined his health in the defence of his country, fighting for democracy, is denied a vote because he is not in some way attached to the land in accordance with the existing provisions of the Act,

but a methylated-spirits drinker, fortunate enough to be related to a great-aun who left him a bit of land, even though it were in the middle of the Nullarbor Plain, would be entitled to vote.

Mr. I. W. Manning: I do not think there are many returned servicemen who have not a vote for another place.

The MINISTER FOR TRANSPORT: I do not think the hon. members knows what he is talking about.

Mr. Roberts: Do you know of one?

The MINISTER FOR TRANSPORT: Do not let us bring the debate down to the level to which some members are trying to reduce it. Both the members who have just interjected know that in my position as Minister for Housing—if in no other way—I have association, directly or indirectly, with many hundreds of people who are seeking for the first time in their lives to take part in business transactions that will allow them to record a vote for another place so that they may play their part in this so-called democracy of ours.

Mr. I. W. Manning: Why did you not tell us that instead of getting personal?

The MINISTER FOR TRANSPORT: In what way was I personal?

Mr. I. W. Manning: Slinging off.

The MINISTER FOR TRANSPORT: I was decrying the attitude of those who, for some reason best known to themselves, although they are ex-servicemen, seek to deny fellow ex-servicemen the right to vote in their own State for their own Parliament. Surely it is fundamentally wrong that an election should be held and that a Government having appeared on the hustings and stated a programme to the people, and having been returned with a considerable majority, should then be rendered ineffective by another place!

If democracy means anything, it must mean that a Government so elected should be given an opportunity to give effect to its programme, yet we, in association with members in another place, or a certain proportion of us, seek to make it impossible for democracy to work. We allow to exist a situation where the efforts of a Government endorsed by the people are stultified. There is talk of hasty legislation and mention of a House of review and so on. That may have been the intention in the old days, but all of us who are realistic and have some knowledge of the process at the present day know that there is a party attitude—I criticise no one for it—displayed in another place in a manner very similar to that which pertains in this Assembly.

I am surprised at the attitude of Liberal members, and indeed Country Party members, in this Parliament in regard to this question because I can recall vividly the utterances to which they gave expression and how the power of the Press was

brought to bear when, for a short period, the Labour Party had a majority in the Federal Senate while a non-Labour Government was in office in Canberra. Because the Labour Senate was able to interfere with the legislative programme of the Menzies Government it was subjected to a great deal of criticism.

Hell was let loose at about that time and many of those sitting opposite me at this moment joined in the commotion. However valid their criticism may have been, it could not apply with nearly the same force as could be applied in this case because, after all, the Senate of the Commonwealth was elected on an adult franchise. In my view, it is still wrong in principle that there should be a second Chamber, of whatever composition, capable of preventing a Government from governing in the real sense. Here it is not a question of endeavouring to overcome impasses created by a democratically elected second Chamber. We have not yet reached that stage. In this instance, we have a Government—or a supporter of that Government—fighting for the right for certain people to vote. Fancy it being necessary, in the year 1957, for organisations, individuals and parties to fight for the right to vote on behalf of any section of the community.

Mr. Bovell: There are some Legislative Councils which are appointed legislatures.

The MINISTER FOR TRANSPORT: Shame upon them!

Mr. Bovell: That is the case under one Labour State Government.

The MINISTER FOR TRANSPORT: That may be so, but what we determine in this State has effect primarily in Western Australia only. Let us put our house in order and we will then be in a position to point an accusing finger at New South Wales, Victoria or any other State with the exception of Queensland—

Mr. Ross Hutchinson: In the sphere of electoral legislation, would you not say that all your actions are designed eventually to eliminate the Upper House?

The MINISTER FOR TRANSPORT: I do not know what steps, other than Bills introduced from time to time for that purpose, this Government has taken in that direction. I do know, however, that there are such democrats on the other side of this Chamber—they have their counterparts in another place—that they refuse to allow the question to go to the people of Western Australia by way of referendum.

The SPEAKER: I draw the Minister's attention to the fact that this Bill does not deal with that proposition but with extending the franchise of another place and I think the debate should be confined to that subject.

The MINISTER FOR TRANSPORT: I think that would be a good idea.

Mr. Ross Hutchinson: My point is that if you extend the franchise of another place to make it the same as that of this House, it will lead to the elimination of another place. Is that not largely your aim or hope?

The MINISTER FOR TRANSPORT: No. By and large, it would enable the Government to govern. In the Commonwealth sphere where there is adult franchise for both Chambers, the occasions are rare on which there is a Government of one political colour and a majority of the opposite political colour in the other House.

Mr. Ross Hutchinson: That is so, but I was trying to get you to agree that your actions are designed ultimately to abolish another place.

The MINISTER FOR TRANSPORT: If that be so—I do not necessarily make any comment on that statement—let us deal with this legislation first and when we have a popular vote for another place the Parliament of that day will decide what steps should be taken in that regard. After all, the position in Western Australia is to a great extent that if there is a Liberal-Country Party Government, the Legislative Council, as now constituted, becomes virtually a rubber stamp. There are exceptions to that, but it is in effect a rubber stamp—

Mr. Ross Hutchinson: Very big exceptions.

The MINISTER FOR TRANSPORT: I do not concede that, but when the people elect a Labour Government, the Legislative Council becomes a House of obstruction. Accordingly, it is either that or a rubber stamp, depending on the circumstances in this Chamber, and therefore it is worthless. It is either a rubber stamp or else it prevents the duly elected Government from governing and in neither case do I think it is anything but an anachronism in this enlightened age.

Mr. Ross Hutchinson: I believe that your Government would be much more careful about the legislation it introduces if it were not for another place.

The MINISTER FOR TRANSPORT: If that were correct, surely it would be a good thing, and Governments of any colour might become a little more responsible than they are at the moment.

Mr. Roberts: At the moment.

The MINISTER FOR TRANSPORT: Yes. Surely to allow to exist a body which can frustrate a Government and the will of the people is not desirable! Unless it can be shown that a Bill which seeks to extend the franchise is grossly unfair, it is to be commended. By "grossly unfair" I mean,

for instance, if a Bill were introduced providing that all financial members of the Australian Labour Party—but none of any other political colour—should be entitled to vote; that would be grossly unfair, even though it would, in fact, extend the franchise of another place.

However, no charge can be legitimately made against the principles contained in this measure. If we acknowledge certain things which, deep in our hearts, we all know to be true, we must agree that all the people of Western Australia should be entitled to a say in the election of members to their own State Parliament. I hope that all members opposite will not be led astray by the member for Vasse but will do a little original and fundamental thinking in regard to this measure.

Mr. Ross Hutchinson: Would you agree to a proposition that all people should have a right to vote for another place under a universal franchise but on a proportional representation basis?

The MINISTER FOR TRANSPORT: I would certainly be prepared to examine that. I would be prepared to have a look at that suggestion. I look forward to the member for Cottesloe giving notice of his intention to introduce a Bill in the course of the next few days. It would be examined with all sympathy. However, whether we like it or not, we have the proposition of the member for Beeloo before us at the moment, and I hope and trust that the members in both Houses will support it.

HON. A. F. WATTS (Stirling) [10.11]: I would like to have a few words to say on this measure introduced by the member for Beeloo. I am just going to tell the Minister, who has resumed his seat, that while I am prepared to concede to him a complete and honest belief in the sentiments that he has expressed, I expect him to concede the same complete and honest belief to me in the sentiments that I am about to express, because he showed, in the course of his remarks, some disinclination to do so, not in regard to myself personally, I admit, but in regard to other members sitting on this side of the House.

For my part, I believe in what is known as the bicameral system of government. That is to say, I believe that there should be two Houses of the legislature. I submit that the best examples of successful government, with satisfaction to the people, and on what I can safely call a democratic basis, have been those where the Parliament has been conducted under the bicameral system and not the least conspicuous among those. I would suggest, is the Parliament of Western Australia. In the course of his remarks the Minister indicated that when the Government of his political complexion is in office, the

Legislative Council is merely an obstruction, and when the Government of representatives of this side of the Chamber is in office, the Council is merely a rubber stamp.

I strongly disagree with both those sentiments and I think that an examination of the facts would disclose that they are entirely untenable. I well remember when I sat in a seat approximately where the Minister is now sitting for a period of 5½ to 6 years and of having come to the conclusion that the Legislative Council was an obstruction to the Government of which I was a member, because I venture to suggest that another place made as many amendments to the greater portion of the Bills introduced then as it has done in any similar period when the Government of the party to which the Minister belongs has been in office. Without any question in my mind, I would venture to say that the Legislative Council has not obstructed the present Government—if "obstructed" is the proper word; I am merely using it because the Minister did—any more than it obstructed the Government of which I was a member, and it was no more a rubber stamp to that Government than it has been to any other.

I will go a little further. Our late friend, Hon. John Wilcock, once observed, in the course of a speech that I heard him make at a public meeting, that the industrial legislation in Western Australia was, in his opinion, the best in the Commonwealth.

Hon. Sir Ross McLarty: I thought he said it was the best in the world.

Hon. A. F. WATTS: He might have said that, but at least it was the best in the Commonwealth. That, I do not doubt, was a statement made by an hon. gentleman of whom we all had a high personal regard and it was entirely meant. If that were so, the whole of that legislation had been passed by our bicameral system of government, to wit, the Legislative Assembly and the Legislative Council in the net result. So there is little or nothing, to date, to indicate that the bicameral system of government practised in this State has failed or that it is in any way more undesirable than it is anywhere else.

I would suggest that, in the Commonwealth sphere, the Senate, which is elected on the same sort of franchise as the House of Representatives has become the rubber stamp of the House of Representatives. One has only to read the debates of the Senate or to attend that Chamber, as I did on one occasion, to find out that the passage of legislation through it can become a farce.

The Minister for Transport: Don't you think you could tell now who will vote for and who will vote against this Bill, in another place?

Hon. A. F. WATTS: I might be able to in regard to this Bill, but I could not do so with any other, and I think that has been pretty clearly demonstrated in that Chamber in the last few years. I might be able to have a rough guess in regard to this Bill and it might be accurate, but I would not like to try in regard to any other Bill because I have had some very considerable shocks in the last month concerning the passing of legislation through the second reading or other stages in another place.

Mr Heal: I hope you will have some shocks in this instance.

Hon. A. F. WATTS: Perhaps I will. It will only be a further indication that the Legislative Council is not an obstruction to the hon. member's Government or to the one to which I belong.

Mr. Andrew: What about the Bill?

Hon. A. F. WATTS: The Minister put the other argument forward, apparently in an endeavour to establish that there was need to do so, and so perhaps I might endeavour to make some reply to his observations and that is what I am seeking to do. If the hon. member will leave me to arrive at my destination in the best possible way I will do so, but I do not want to be sidetracked.

So it is pretty well demonstrated that the bicameral system of government is one we should stick to. The Minister referred to a referendum. History tells that there was a referendum held on this subject in Queensland and as a result the electors decided, by a majority, that they wished to retain the Legislative Council. Shortly afterwards, however, the Government of the day decided to abolish the Legislative Council.

The Minister for Transport: An all-important thing! Shortly afterwards a general election was held when this was a prime issue.

Hon. A. F. WATTS: The referendum was held on a specific subject and the electors had duly recorded their votes, whereas a general election campaign is a matter which involves half a dozen other things as well and perhaps even more than that. It certainly does not confine itself to one subject.

The Minister for Transport: And when the Liberals got back into office, they made no attempt to reinstate the Legislative Council.

Hon. A. F. WATTS: As I understand it, they may make some attempt. I hope my facts are right in this instance as they were at the beginning, but I understand that it had been officially decided to pension off the members of the Legislative Council in order that they might be induced to vote for their own abolition, notwithstanding the result of the referendum that had been held previously, and I also understand that some of them are still drawing the pensions.

Hon. J. B. Sleeman: That is not correct.

Hon. A. F. WATTS: I would like the hon. member to verify his denial of my statement because I am fairly certain that it is correct. However, I started off by saying that I hoped that I was as correct in this as I was in the first place. Nevertheless, I think the hon. member will find that this is substantially correct. Let us now come a little nearer to home. All these proposals that have been brought forward in recent times to amend the franchise of the Legislative Council have, I am convinced, been brought forward mainly with objective of finally abolishing the Legislative Council. I do not believe that that is going to improve parliamentary government in Western Australia—

Hon. J. B. Sleeman: Can you tell us why a Liberal Government wants the Legislative Council out in New Zealand?

Hon. A. F. WATTS: —and because I do not think it is going to improve parliamentary government in Western Australia, I am not enthusiastic about this Bill. In looking at it a little more closely for a moment or two, I have not yet grasped the reason why it is necessary to amend Section 20 of the Constitution Acts Amendment Act dealing with the qualifications of members of the Legislative Assembly, which is part of this measure because, except for one aspect, there is as much difference between the existing Section 20 and the proposal in this Bill as there is between Tweedledum and Tweedledee. The proposal in the Bill states that the person "has, since attaining the age of 21 years, resided in Western Australia for not less than two years during the period of five years immediately prior to such election."

The proposition in Section 20 of the existing Act reads, "and shall have resided in Western Australia for two years previous to such election." I want to know why this alteration is being sought. I want to know what type of subjects we are going to submit to the Legislative Council that cannot be submitted now under this proposition, when a person has resided in Western Australia for not less than two years during the five years immediately prior to the election, instead of residing in Western Australia for two years immediately prior to the election, because the difference is that he could have lived outside of Western Australia for two years and 11 months, but provided he has been here for two years and one month he can stand.

In those circumstances he might have as much interest in Western Australia as to have virtually no interest at all. I want to know the reason why we are asked to consider a proposition of this nature. Surely the existing provision in the Constitution Acts Amendment Act concerning the merits of the Legislative Assembly in that a person having to reside in this State for two years is sufficient, without

having to reside in this State for two years during the five years immediately prior to the election.

Mr. Jamieson: Did you not hear my introductory speech?

Hon. A. F. WATTS: I did not hear it and not having obtained a copy of it, I was unable to study it.

Mr. Jamieson: It could be the first two years of his life immediately prior to the election.

Hon. A. F. WATTS: The Constitution Acts Amendment Act reads, "and shall have resided in Western Australia for two years previous to such elections." In the hon. member's Bill the words are, "two years during the period of five years after attaining the age of 21 years." It also reads, "two years in a period of five years immediately prior to such an election." The only part of the Bill that is clear to me is that he could have lived out of Western Australia for two years and 11 months or a little longer and still have complied with this proposal.

I cannot see any justification or need for an amendment to the section at all. As a matter of fact, very similar considerations apply to the amendment to Section 7 of the Constitution Acts Amendment Act which only seeks to tinker in much the same way with the qualifications of a member of the Legislative Council, the major alteration being that a person can become a member of the Legislative Council after attaining the age of 21 years, instead of 30 years under the present provision.

If that were the only amendment to the Bill I would have no particular objection to it. As far as I am concerned, if the electors want to have the same in respect of Legislative Council members—that is, those who have attained 21 years of age—they can do so. I have not discovered any virtue in the provision that they must be over 30 years of age. If there is any virtue in that age limit, it has not been greatly apparent to me. That is the only amendment, the purpose of which is obvious in the amendment to Section 7 of the Act.

Mr. Bovell: It was considered that a person attaining the age of 30 years would have more experience in life.

Hon. A. F. WATTS: That might have been the original reason. I do not regard that as any virtue, because it is purely a House of review irrespective of what the mature age may be. I understand from the interjection of the member for Cottesloe that there must be some differentiation of franchise between one House and the other if we are to avoid making a rubber stamp of one, which I say the Senate in this country has become because the members are elected on a similar franchise.

That is the underlying reason why the difference has arisen. I contend there has to be some difference in the franchise if

we are to preserve a system which has operated here extremely satisfactorily, and all the evidence points to its having produced legislation in this State well above the average of other communities of a similar character to this.

Mr. Bovell: The Senate was designed as a State House.

Hon. A. F. WATTS: It is no more a State House or a House of review. Therefore it is worthy of considerable criticism from time to time. It was in 1948 or 1949 that legislation was introduced to confer the franchise of the Legislative Council upon certain persons who were ex-members of the armed forces. In principle it was accepted by both Houses, but unfortunately there were in the same measure, if I remember rightly, other proposals to widen the franchise which resulted in the defeat of the measure in the Legislative Council, if it was not defeated in this House. I am not certain of the position, but I do recollect that such a Bill was introduced and received a considerable measure of support. It was defeated because of other proposals in the Bill which could not be supported by those who were prepared to give consideration to conferring the franchise upon ex-members of the forces, particularly those who had seen foreign service.

The same will be the position in regard to this Bill. We cannot subscribe to the principles of the measure because although it contains one paragraph that might be made deserving—it would require amendment—there are three or four others which are quite unnecessary, or alternatively totally undesirable. As far as I am concerned, I cannot support this measure.

Mr. O'BRIEN: I move—

That the debate be adjourned.

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

Ayes	21
Noes	14
Majority for	7

Ayes.

Mr. Andrew	Mr. Marshall
Mr. Brady	Mr. Molr
Mr. Gaffy	Mr. Norton
Mr. Graham	Mr. O'Brien
Mr. Hall	Mr. Potter
Mr. Heal	Mr. Rodoreda
Mr. Hoar	Mr. Sewell
Mr. Jamieson	Mr. Sleeman
Mr. Johnson	Mr. Toms
Mr. Lapham	Mr. May
Mr. Lawrence	

(Teller.)

Noes.

Mr. Ackland	Sir Ross McLarty
Mr. Court	Mr. Nalder
Mr. Crommelin	Mr. Roberts
Mr. Grayden	Mr. Watts
Mr. Hearman	Mr. Wild
Mr. Hutchinson	Mr. I. Manning
Mr. W. Manning	

(Teller.)

Motion thus passed; debate adjourned.

BILL—ELECTORAL DISTRICTS ACT AMENDMENT.

Second Reading.

Debate resumed from the 9th October.

THE MINISTER FOR TRANSPORT
(Hon. H. E. Graham—East Perth) [10.25]: The Bill introduced by the Leader of the Country Party contains three principles. The mover took a total of less than 10 minutes to introduce the measure, not that I am judging the value of its contents by the length of the remarks he made.

Mr. Ackland: He set a fine example.

The MINISTER FOR TRANSPORT: I feel that in agreeing with that interjection I am incriminating myself. The amendment deals with the disposition of the fraction after a certain procedure has been followed in order to determine the quotas in the metropolitan area, and subsequently the country districts. It is interesting to observe that when the 1947 legislation was introduced, something along the lines of what is sought by the Leader of the Country Party was then in existence, and therefore the Opposition which was then the Government was responsible for a situation which, in any event, apparently the Country Party section did not like.

The Act lays down that if there is any odd fraction in excess, then the benefit shall be given to the metropolitan area. The Leader of the Country Party wants the benefit to be given to the country districts. To be accurate, previously it was left to the discretion of the commissioners as to what was done with the fraction in connection with the seats to make up the 50. Under the existing legislation, forgetting the seats in the North-West which are in an entirely different category, and which if included would give greater emphasis to the point I am making, the fact that the country seats are weighted on the basis of two to one on a numerical basis, as against the metropolitan area, surely does not entitle the former to something additional.

I can well appreciate the concern because of the gradual drift of the population; if not a drift in some cases, then a rapid growth of the metropolitan area as against either the slow growth or static position in country districts. Because of that fact, the ever greater proportion of population resident in the metropolitan area has some effect on the ratio of rural to metropolitan seats. After all is said and done, elections are participated in by persons. Whilst we have conceded, and not all of us agree with, the formula that is employed at present, the main consideration is the rights of people to be able to exercise an influence; in other words, broad acres should not be the determining factor, and neither should the location of an elector.

The fairest method is surely one vote, one value. Within the borders of the States that is the procedure followed under the Commonwealth electoral law. Strangely enough, I did not hear complaints or criticisms from either within the State or beyond, with one possible exception, of the procedure that is followed by the Commonwealth. Somehow in our own State parliamentary set-up, this sort of thing seems to have become a fetish.

There is an anti-country outlook on the part of some metropolitan people, and perhaps conversely an antagonistic feeling against the metropolitan area on the part of country people. That is a very bad state of affairs on which to base an argument or proposition. A few people on occasions speak along those lines. I recall, and I hope I am not doing an injustice by saying this, the president of the Farmers' Union talking about the people in the metropolitan area being parasites. That achieves exactly nothing, except perhaps the very reverse of what is intended.

Mr. Ross Hutchinson: Do you agree with the population area formula for the breakdown of the petrol tax?

The MINISTER FOR TRANSPORT: That is an entirely different matter. The basis of allocation of funds can be any of a hundred different methods, but this measure concerns the right of the people, the electoral community of Western Australia.

Mr. Ross Hutchinson: The same thing applies to the rights of people in regard to the break down of the petrol tax, although I realise it is not quite comparable.

The MINISTER FOR TRANSPORT: It is a fundamental right. I want to know why if I live in East Perth or Victoria Park, my vote is worth only half as much as if I lived a couple of miles further up the track, say, in the electorate of the member for Dale.

Mr. Court: If you follow that to its logical conclusion, you will find the present system does what you set out to achieve in your remarks; it protects the rights of people.

The MINISTER FOR TRANSPORT: It is obvious that we have different conceptions as to what are rights. If there is some change necessary in connection with the Electoral Districts Act, there are some things more fundamental than those contained in this Bill, because the Government of the day felt that it was—I hope that I am not doing it an injustice—best to declare the metropolitan area following certain lines. That does not mean, either at that time or now, that that was a proper definition of the metropolitan area.

Mr. Bovell: It was Parliament that did it, not the Government.

The MINISTER FOR TRANSPORT: No, the Government with a majority here and in the Legislative Council; and because of the benefits it bestowed on a Government of that colour. I venture to suggest the division lists were very definitely on a party basis in both Houses.

Mr. Bovell: They were not.

The MINISTER FOR TRANSPORT: I am referring to this particular point.

Mr. Bovell: The second reading was passed with the support of one of your members—the member for North Perth.

The MINISTER FOR TRANSPORT: That could be so.

Mr. Bovell: I should have said a former member for North Perth.

The MINISTER FOR TRANSPORT: As the present provision was put in the Act by a Government of which the Leader of the Country Party formed part, I cannot see any warrant for altering the present arrangement.

The second proposition is to give a working margin of 20 per cent. instead of 10 per cent. when fixing the quota of electorates. Admittedly, it does have some effect. For instance, the electorate of the member for Murchison—and he represents the Murchison very effectively—because of the existing formula, had to be extended to within one mile of the heart of Kalgoorlie in order to pick up sufficient people to give him the numbers to come within the limits as laid down then in the Act. I think I am right in saying it was a 20 per cent. margin previously, but at the instigation of the Liberal-Country Party Government, in 1947, it was reduced to 10 per cent., which it is at the present time. The reasons submitted in 1947 which convinced the majority of Parliament would probably be the reasons today, and I do not think a reference to the speech by the Leader of the Country Party in introducing this measure, would give any reason why there should be a departure.

The third amendment seeks to restrict redistributions to intervals of not less than 10 years. Superficially this might appear to have some merit in giving members an opportunity to become familiar with their districts and the districts to become familiar with the members, but if there is in a number of different localities a tremendous movement of population, be it increase or decrease, surely it is necessary that something should be done about it. If there were some terrific gold find, as happened some 60 years ago, I venture to suggest in a very short time there would be many thousands of people where previously they could be counted on one's fingers.

It would mean that the electorate would be entitled—notwithstanding that the quota was, say, 4,500 and contained 15,000 or 20,000 people, as well it might—to no

more representation. Surely that is unfair! It ties up to my remarks on an earlier Bill. Whilst we might agree to this 10-year provision—and I am not suggesting the Government does—it will be operative so long as there is a Labour Government, but if by some mischance there were a Liberal-Country Party Government occupying the Treasury Benches—

Mr. Ross Hutchinson: Good chance.

The MINISTER FOR TRANSPORT: — with a majority in this Chamber and in another place, and in a position to gain some political advantage; and if after four, five or 10 years of its being passed there had been a movement of population to give an electoral advantage, I have no hesitation in hazarding a guess that a Bill designed to delete the figure 10 for the purpose of inserting a lesser period would receive the unanimous blessing of the non-Labour members of both Houses. Therefore, this will not be a matter of quota so far as rival parties are concerned, nor a matter of quota if an electorate becomes well-nigh denuded of electors and has the same representation as it had when it had a full quota and another electorate is bursting at the seams with an excess of electors. Whilst I have spoken a bit longer than the Leader of the Country Party did in introducing the measure, I will ask the House to vote against the measure.

MR. BOVELL (Vasse) [10.37]: As explained by the Leader of the Country Party and the Minister for Transport, the Bill contains three proposed alterations to the Electoral Districts Act. The first one would give any surplus fractional quota to the country districts. I must say that I was surprised at the Minister's statements in drawing a comparison between the Commonwealth system of equal voting and the present State system. We have an entirely different Government from that of the Commonwealth, and I do not know what the Minister's colleagues, who come from the North-West, would think of the position if, under the State redistribution, we had a situation similar to that relating to the Commonwealth. How would the North-West fare?

As a matter of fact, I would say that the three electorates of the North-West—Kimberley, Pilbara and Gascoyne—including the electorate of Murchison and the electorate of Geraldton, would comprise one electorate. These electorates are all represented by members supporting the Government. Whilst they are all supporting the Government, I would not agree to any—at the moment anyhow—restriction of representation from the North-West. If ever a district wants representation it is the North-West and yet the Minister, in his own words, condemns the

system which gives the North-West the representation it enjoys today in the State Parliament.

Mr. Ross Hutchinson: He was speaking with his tongue in his cheek.

Mr. BOVELL: The members concerned are singularly quiet, but if they analyse the position they will see it is not in the best interests of the State of Western Australia to have a scheme—as I understand the Minister advocated—similar to the Commonwealth, where electorates are approximately the same numerical strength.

The Minister for Transport: Just as well I made my own speech and did not leave it for you to make it.

Mr. BOVELL: I am commenting on what the Minister had to say. The second provision deals with the redistribution of seats at intervals of not less than 10 years. Here again the Minister quoted the Murchison coming within one mile of the town hall at Kalgoorlie. I would say—I am not replying to the Minister but want to make some comment on what he said—that if a gold rush was experienced or perhaps oil was discovered and there was a flight of population to one area, Parliament would still be functioning and any amendments necessary could be made in accordance with conditions which applied at that particular time.

The third amendment, would prevent an election being held until 1962. I see the purport of the Leader of the Country Party, as we have had two redistributions in the past few years, and perhaps it would be in the best interests of good and stable government to allow for a period during which electorates may be static. I feel the Bill is worthy of consideration, and I support the second reading.

On motion by Mr. Owen, debate adjourned.

House adjourned at 10.42 p.m.