

Legislative Council

Tuesday, 6th November, 1956.

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

ASSENT TO BILL.

Message from the Lieut.-Governor and Administrator received and read notifying assent to the Geraldton Sailors & Soldiers' Memorial Institute Act Amendment Bill.

JURY ACT SELECT COMMITTEE.

Report Presented.

Hon. A. F. Griffith brought up the report of the select committee, together with a typewritten copy of the evidence and correspondence referred to in the report.

Ordered: That the report and recommendations be printed.

On motion by Hon. A. F. Griffith, resolved—

That the consideration of the report be made an Order of the Day for the next sitting.

BILL—SUPPLY (No. 2), £18,500,000.

Second Reading

THE CHIEF SECRETARY (Hon. G. Fraser—West) [4.37] in moving the second reading said: This is a Supply Bill to apply out of Consolidated Revenue the sum of £14,500,000, and from moneys to the credit of the General Loan Fund £4,000,000 to the service of the year ending the 30th June, 1957. I move—

That the Bill be now read a second time.

HON. C. H. SIMPSON (Midland) [4.38]: I do not wish to unduly take up the time of the House in discussing this Bill, as I know it is one of those measures which must be passed in order that the task of government may be carried on. However, in view of the fact that taxing measures are being placed before us, we have a right to ask the Government how soon the

Budget can be presented so that we will have some idea of what the Government intends to do with the money which it has asked us to approve, in addition to the taxing measures it has asked us to sanction.

The Budget is very late this year; and, while it is admitted that it does not come under discussion in this House, we at least do have some fair idea of what the Government has in mind when the Budget has been submitted, and we can with a clearer conscience approve of the measures which are brought down to provide for the Government the money which it asks us to sanction. After all, the Government is spending a great deal of money—at this stage I am not saying rightly or wrongly—and it is a recognised function of both Houses to keep a watchful eye on expenditure to see that the money so received is being used in the best interests of the State; and to ensure that economies are being exercised where, perhaps, the money position is difficult.

At present I do not wish to say any more on the Bill which, I realise, must be passed. With the reservation that it is the duty of the Government to provide us with an account of its stewardship, in the form of a Budget at the earliest date possible, I support the second reading.

On motion by Hon. J. Murray, debate adjourned.

BILL—CITY OF PERTH SCHEME FOR SUPERANNUATION (AMENDMENTS AUTHORISATION).

Second Reading.

HON. G. E. JEFFERY (Suburban) [4.42] in moving the second reading said: In 1934 the City of Perth inaugurated a superannuation scheme for its employees, and the scheme was gazetted as an Act in 1937. In 1954 it was found necessary to introduce some amendments to the Act, and at the time it was thought they would prove satisfactory. Unfortunately a couple more minor amendments are required at this stage, and I am assured that they will be the final ones necessary to make the Act perfect in its operation.

I am proud to introduce this measure because the superannuation fund was introduced by the City of Perth in appreciation of the efforts of its salary and wages employees. These amendments meet with the approval of both the master and the employees, and they are intended to show the employees of the Perth City Council a further measure of appreciation for their services.

Briefly the amendments are, firstly, to cover the position of a wages employee who, through years of good service, is elevated to the salaried staff. At the present time there is no provision under which payment can be worked out on his retirement in order to give him the full benefit of his years of service.

The second amendment is introduced so that his years of service can be recognised in the method of arriving at the amount of superannuation that he is to receive. At present 1/60th of the average salary of an employee is set aside to the aggregate of 40/60ths, which is 40 years of service. The position is that employees can aggregate more than 40 years of service.

A man entering the service at 18 years of age and retiring at 65 aggregates 47 years of service, and it is the desire of the Perth City Council that his superannuation shall be 47/60ths of his average salary over the years rather than the present maximum of 40/60ths. In rare cases an officer, because of some unusual ability that he may have, is retained on the staff until he reaches the age of 70. In that case he can aggregate 52 years of service, and it is the desire of the Perth City Council that he be rewarded accordingly, but there is a safeguard that the maximum amount of superannuation that can be paid is £12 per week. It would not matter if the 47/60ths worked out at £15, the maximum he could receive would be £12.

I have a letter here over the signature of the Town Clerk of the City of Perth and I shall read it to the House as it will make the position even clearer than I have done in my few words. He says—

The City of Perth is contemplating amendments to its Superannuation Fund Scheme and these amendments include a provision which is designed to clarify the superannuation benefit for employees who are contributing to the section of the Superannuation Scheme relating to wages employees and who are subsequently transferred to the salaried staff.

The present scheme does not provide any superannuation allowance for the period of contribution as a wages employee prior to the date of transferring from the wages staff to the salaried staff, if such transfer takes place before the age of 65 years.

The amendment is designed to provide a formula which will grant a pension to the employee in proportion to the period employed as a wages employee prior to his transfer to a staff position. After transfer, of course, the provisions will continue the same as for other members of the salaried staff.

A further amendment is also drafted to overcome the disabilities in the present scheme which exist particularly in respect to members of the staff who join the fund at an early age. In order that you may appreciate this position the following explanation is made:—

The superannuation benefit for any salaried officer builds up each year on a formula which provides that an

amount equal to 1/60th of his average salary for the year is set aside to provide superannuation benefits, and the maximum amount that any officer may receive under the present conditions is 40/60ths of his average salary. This means that any employee who has a longer service than 40 years receives no superannuation benefit for any period of service in excess of 40 years. It will therefore be appreciated that any youth employed by the Council, who contributes to the Superannuation Fund Scheme from the age of 18 years until the age of 65 years, that is for 47 years, should, in the opinion of the present Council, be able to receive a maximum pension of 47/60ths of the average annual salary instead of the maximum of 40/60ths now provided for and, if he should remain in the service of the Council until he is 70 years of age, he should receive 52/60ths on the same basis.

It may thus be seen that the present limitation to 40/60ths could be quite unfair to an employee who may finally achieve 52 years of service with the Council.

It should also be appreciated that the Superannuation Fund Scheme already provides limitations in respect to the maximum or total pension which any officer may receive. The Scheme sets out that, in no case, may an officer receive more than £12 per week, and the Council considers that this is a sufficient restriction and that there is no need to impose a further limitation of 40/60ths which may well be a disadvantage to an officer who would require the accumulation of the total years of his service and still be within the maximum superannuation benefits provided for under the scheme.

I move—

That the Bill be now read a second time.

On motion by Hon. H. K. Watson, debate adjourned.

Hon. SIR CHARLES LATHAM: May I ask that the letter be laid on the Table of the House so that members may have an opportunity of reading it?

The PRESIDENT: Will the hon. member lay it on the Table?

Hon. G. E. Jeffery: Yes, Mr. President.

BILL—NURSES REGISTRATION ACT AMENDMENT.

Second Reading.

Debate resumed from the 31st October.

HON. J. G. HISLOP (Metropolitan) [4.50]: On the face of it, this is quite a simple measure which, as far as I can

understand it, has two ideas. One is that it will permit young women to commence nursing at an earlier age, and the other is that they shall be able to receive their certificates before the age of 21. As far as I can see, with the multiplicity of alterations there are to the Act, that is what the Bill sets out to achieve. But the interesting feature of it comes in the last few lines of the statement made by the Chief Secretary when introducing the Bill. He said that the measure was designed to permit of an increase in the number of those applying to be nurses.

The Chief Secretary: Did I say too much?

Hon. J. G. HISLOP: Not nearly enough. The Chief Secretary said that the Nurses' Registration Board considered that the proposals in the Bill could be the means of obtaining more girls for the nursing profession and that would assist in relieving the shortage in Western Australia of trained nursing staff. Unfortunately, I think that is a pious hope. I do not believe it will achieve the objective that the Nurses' Registration Board is after, or even achieve the desires of the department that there will be an extra supply of nurses for the hospitals in the country districts. In fact, it indicates to me a paucity of ideas in relation to the training of nurses, a paucity of ideas that has continued over a period of years without any alteration.

It seems to me that the whole of the thinking in regard to the training of nurses is completely covered by giving nurses a certificate which is accepted in every State of Australia. I will admit that that is a very laudable intention; but it gives the problem a Federal character.

During the early stages of the war there was a genuine attempt on the part of the Commonwealth Government to introduce a Federal measure to make conditions and salaries of nurses uniform throughout the Commonwealth. This failed for many reasons, one of which was that the nurses were so divided in their organisations and the Commonwealth Government felt that it could only be a wartime measure; and so nothing was achieved.

The situation has altered considerably since then, because the nursing profession in almost all the States has become a unified body, and therefore it could be possible for a Federal move to be made in the matter of the registration of nurses. If that were achieved it would be possible to alter radically the whole system of the training of nurses but so long as that is not possible, Bills of this nature will be put before us from time to time.

The next effort might be to reduce the age still further. Recently, at a conference in Hobart, the student nurses' movement stated in regard to this question, that in its opinion 17 years was far too young an age for girls to enter the profession. There are those who have had daughters who

have entered nursing training at 17 years of age and who have reported unfavourably about it. I have asked matrons of hospitals whether it is possible for them to take girls of this age into hospitals and put them into ward where the shock of nursing and medical treatment will not be too great. I have been told repeatedly that that is not possible.

I frankly believe that it could be made possible, although the utter reluctance of senior staffs of hospitals to make any nursing change is so evident that one feels that the statement that it cannot be done is just further evidence of the total necessity to have a complete review of the methods by which nurses are trained.

At Government House the other night, I was most interested to listen to one of the first scholars of the Florence Nightingale Memorial Association Committee, Miss Molesworth, who gave a most capable and, in fact, erudite lecture on nursing. But again she had to base her lecture on the accepted principles of nursing training throughout Australia.

They really are these: that so far as the nurse is concerned, she must travel up all the way with any medical changes that take place from day to day and therefore be ready, as a nurse, to meet any medical or surgical necessity that might arise; and that any further efforts to provide nursing staff must be made by putting people on a level lower than nurses and calling them assistant nurses or, as we did a few years ago—and as I said at the time, stupidly—by instituting the order of nursing aides.

Neither of those levels of nursing appeals to girls, and so we are left with this continued shortage of nurses. One of the greatest difficulties that the State has, and does not appreciate, in regard to the supply of nurses is that the loss of potential nurses does not occur during training but before training starts. The number of girls deterred from entering the profession because of the high standard of the examinations which are now expected of them is very large indeed.

Hon. J. M. A. Cunningham: Hear, hear!

Hon. J. G. HISLOP: We have forgotten the principle of nursing. In days gone by, when a girl wanted to become a nurse she desired to work in a hospital care for patients and make them comfortable. Instead, we now insist that a nurse become a technician; and until those two factors are realised by the department, or anyone else, we will not obtain the necessary nursing staff, irrespective of the number of Bills of this type introduced in Parliament.

Let me give the exact parallel in the medical profession. We start off being trained basically as medical practitioners. We are given our degrees of Bachelor of Medicine or Bachelor of Surgery. Without any idea that we will be trained as specialists in any particular branch we are

given an overall general knowledge, and from there on we can decide which route of specialisation we will take according to where our interests might lie. Some of us foolishly become physicians; others wisely become specialists in other branches of the profession and so on.

The Chief Secretary: What about those who become politicians?

Hon. J. G. HISLOP: They are most unwise; I can assure the Chief Secretary of that. Suppose we reversed the position and we said that these people had to be trained to be specialists at the university. We would then need to have medical practitioners trained so that they would all become surgeon physicians; all become biochemists, and all the rest of the special sides of the profession. Because of the extreme knowledge that would be required there would not be one left at the finish.

To bring the absurdity into another direction, suppose we decided that I, as a consultant-specialist-physician were the doctor, and the man in the suburbs were the assistant doctor, or the doctor's aide, what appeal would there be in building a profession of that sort?

The answer is quite simple. Those in the nursing profession must realise that in the face of all the advances of medicine they cannot train these girls all to be specialists. They have to devise what might be called basic nursing certificates, and from there on allow the girls to specialise in whatever field they might wish. They could be trained in administration to take charge of a ward; they could be trained as sisters to take charge of clinics and so on. They could do as they do now—take midwifery courses or something of that sort.

We should make them basic nurses and train a girl in the elements of nursing which would not give her any right to take charge of an institution, a ward or anything of that sort. If that were done, we would attract to the nursing field a large number of girls who are not being attracted to it now.

We know how the Nurses' Registration Board is struggling with this matter of examinations. They have now adopted an objective form of questions, and only the other day we had the prospect of even the Minister refusing to lay on the Table of the House the examination papers for nurses in medicine and general nursing. The reason is that they are building up a series of questions which can be used as a standard; so that, as far as I know, even the tutor nurse herself does not know what questions were asked a fortnight ago.

Hon. Sir Charles Latham: Did the Minister refuse to lay the papers on the Table of the House?

Hon. J. G. HISLOP: Yes; he said it was against the principle of the department to do so. I know the principle that is involved, and I did not press for them to be

laid on the Table. I am merely giving an example of the foolishness in our methods of training nurses. We should strive to turn out a basic nurse and let her specialise from there on. That is the only way we will get a supply of nurses; not by this method of taking a girl of 17 and trying to bring her up to a high standard of technical skill. The sooner the authorities concerned realise that, the better it will be for all concerned, because we are getting into tremendous difficulties with the diminishing number of nursing staff available.

I would suggest to the Government that instead of introducing measures like this, which are also foolish in many other regards, certain possible lines of training be set down. There are girls of whom I know—and I dare say other members are also aware of similar cases—who would enter the nursing field tomorrow were it not for the examinations that they would have to pass.

Nursing is something which can demand of a girl a tremendous sacrifice because, in addition to working her normal hours—and even though she does get a certain amount of time off duty—she is expected to study after having done a full eight hours. Those girls have very little chance of any social life. If members had come into contact with nursing as much as I have, they would appreciate that every nurse realises she has not the same opportunities for social life, or the possibilities of meeting a potential husband as the rest of the young girls of the State, because she has to devote so much of her time to her work.

We must divorce the theoretical work of the nurse from the practical. We have had the prospect of girls sitting for examinations after they have been working on night duty. Some of them have even come back from leave to attend lectures. Until we have a complete reorientation of our ideas about nursing we will not get the staff we require.

One of the most interesting things I witnessed in the United States of America was explained to me by Matron Sleeper of the Massachusetts general hospital. She was trying to show me the reasons why some girls give up nursing during the early stages of their careers. So many of the trained nurses who are administering hospitals are accused of losing the lay touch, and only administering from the point of view of the person already trained. The result is that they are out of touch with the psychological, and possibly the mental, view of the young nurse entering the hospital.

Some little time ago I was told by a matron that some of her staff were leaving because they did not want to do this, that or the other. I had an opportunity of seeing a few of them, and I found that they were each leaving for a totally different reason. They were completely unhappy in their surroundings and there was nobody

on the administrative staff who could adopt their viewpoint; because of that they were leaving the nursing profession.

I was told by Matron Sleeper that she had a similar experience in the Massachusetts general hospital. If I remember rightly, it was a relative of hers whom she had asked to train as a nurse with the idea of her becoming one of the executives of the nursing staff and eventually taking the matron's place. To the utter dismay of the matron, however, after some time at the hospital this girl came along and said, "I am leaving; I cannot stick it any longer." The matron asked why, and the girl replied that they did not know how to treat the nursing staff in that institution. Matron Sleeper spoke to the girl and eventually persuaded her to continue her training. But a few months later she again came along and said that this time it was final; she was submitting her resignation.

I asked the matron what she did, and she said that this had taught her a good deal and it led to her appointing a lay counsellor as a kind of liaison between the trained staff and the probationer. It was the counsellor's job to act as a buffer between the probationer and the trained staff. If a member of the trained staff accused a probationer of doing something or other, the accusation had to be made in front of the lay counsellor. In that way the probationer felt that she had somebody in the hospital who appreciated her point of view; somebody who would be prepared to stand up for her under certain conditions.

In the United States, girls entering the nursing profession pay an apprentice fee. When starting their training they pay a small sum of about two dollars into the hospital. That amount is divided into quarters, and threequarters of it is given to a committee of the nurses to arrange for their own entertainment during their training at the hospital. A quarter of the amount is held by the matron or lay counsellor whose task it is to see that when the probationers enter the hospital they appreciate the meaning of nursing; it is then possible for them to make themselves at home in the institution. Every endeavour is made to bring out the personality of the girl concerned, if that is at all possible.

If a girl were shy and retiring and they felt that she would be better fitted for nursing if she had some extra activity such as dancing, it is quite possible that they would arrange for her to attend a dancing school. If a girl was not a good mixer, a means would be found for her to express herself, and tickets would be purchased for any particular activity or hobby which she might care to follow. This attempt to bring out the personality of the girl did much good in that hospital, and eventually Matron Sleeper did away

with the position of lay counsellor. I instance this merely to give members an idea of what is possible in the maintenance and supply of nursing staff.

I was most interested when I visited the southern parts of America—particularly Carolina—to find that they had made a decision to employ as administrators—ward sisters, clinic sisters and so on—only those who had done an extra nursing course; that is, the course above the basic nursing course. These girls would have had training in personnel control, psychology and administration, and various other aspects which would be useful in their new sphere.

At the Presbyterian Hospital in Charlotte, North Carolina, they told me that since they had introduced this scheme their turnover in domestic staff had almost ceased, and their turnover in probationer staff had also diminished greatly. So there is a tremendous field to be explored here. It is a necessary field because of our difficulties in being able to obtain nursing staff.

We will not be able to obtain that staff until we adopt the viewpoint of the probationer entering hospital. She must be permitted to lead a social life, and her theoretical experience must be divorced from her practical experience. Not all girls can be trained to be technicians but they can be trained to be nurses. When we have investigated these things there will be no need for measures of this kind to be introduced.

HON. G. BENNETTS (South-East) [5.12]: I would like to support the remarks made by Dr. Hislop. A couple of weeks ago I visited the hospitals throughout my district; and, as Dr. Hislop pointed out, because of the girls having to sit for examinations it is most difficult to obtain nursing staff in our hospitals. At one place there were a couple of young girls of about 18 years of age who would have taken up nursing, and the matron said that they were a most suitable type for the profession; but their education prevented them from passing the necessary examination and so obtaining the qualifications required of them. From that hospital I went to another which is perhaps the best-run hospital in the State.

Hon. Sir Charles Latham: That must have been Bruce Rock.

Hon. G. BENNETTS: No; it is a hospital in which there are more double-certificated nurses than in any other part of the State. This is so only because of the amenities provided in that hospital. The board that manages the institution gives great consideration to the provision of amenities and other facilities for the girls. Anything that they may require within reason is supplied to them.

Hon. J. G. Hislop: Do you mean Lake Grace?

Hon. G. BENNETTS: No. The girls in that hospital thought they would like a Kelvinator refrigerator in which to keep their supplies. The board immediately provided them with that facility. Every quarter, a certain amount of money is paid in by a few companies for amenities to be provided for the girls in this hospital. That is one method by which to obtain nursing staff. If we are prepared to provide them with amenities, and give consideration to their comfort and point of view, we will certainly be able to get the necessary number of nurses.

I have also been told that a certain number of girls of the age of 17 years are not able to stand up to the requirements of the hospital; that the average girl at that age is not stable. She is of a nervous type and liable to break down, and is unsuitable for that sort of work. This matter was brought under my notice by the matron, and I think it is only by visiting district hospitals that one can learn something of value about such matters.

HON. F. R. H. LAVERY (West) [5.16]: I support the Bill, but I want to mention a phase which was referred to by Dr. Hislop, and which is causing tremendous dissatisfaction in regard to the training of nurses in this State. I refer to the abominable position in which nurses on night duty find themselves when they have to start duty at 10 p.m. and carry on until morning, have their breakfast, attend lectures, have a little rest, and then get out of bed to attend further lectures during the day. Is there any member in this Chamber who would like to do that kind of thing? As Dr. Hislop said, when examinations are in progress, a girl has to carry out the tutor sister's instructions and be prepared to go on duty at night and still lose half a day's sleep on account of having to take those examinations.

It is high time that a protest was made to the Medical Department in no uncertain manner on behalf of these girls. I would impress upon members and upon the department that this is one of those things that is causing dissatisfaction among trainees. They do not enjoy social life in the normal way as other girls do, and are bound to do their work and attend lectures when they should be enjoying some rest. It is too much to expect a girl to do night duty and attend lectures during the day.

HON. J. M. A. CUNNINGHAM (South-East) [5.18]: I support the ideas put forward by Dr. Hislop. I feel that not enough thought is given by those who could help to solve the problems of nurses and of the nursing profession generally. It has always been a wonder to me that there is so much difficulty in recruiting girls for nursing, and in training and holding them when, during the war, this was one of the most attractive jobs offering in the whole of the services.

Hon. E. M. Davies: We could not get any trainees.

Hon. J. M. A. CUNNINGHAM: We could not get enough. There were nearly ten times the number of jobs offering, and I do not think that in the R.A.A.F., for instance, the girls engaged in nursing had to do anything like the stringent examinations that have to be taken by trainees today. Admittedly those girls were not considering nursing as a career, but only as a temporary job. But I believe that one of the reasons so many girls undertook that work was that it was attractive at the time. The conditions and the remuneration were good. Why there is always some reluctance on the part of those speaking for the girls and the profession as a whole to mention remuneration, I do not know.

Hon. J. D. Teahan: They have a reluctance to speak for themselves, too.

Hon. J. M. A. CUNNINGHAM: That is so, and they do not have sufficient advocates. This should be made one of the most attractive professions from the financial point of view, because there are so many other jobs which are more attractive on that side and on the social side.

In Kalgoorlie there is a very large hospital which has always a big number of girls under training. I know for a fact that those girls have to knuckle down and slave to make the grade. We have a wonderful matron there, who secures a very high percentage of passes, and I consider that the big percentage of well-trained girls to be found in that hospital is a result of her interest. But the hours they have to work, the limitations placed on their activities, and the time they must give to their studies in spite of night duties, almost preclude them from having a normal social life.

Consideration might well be given by the Government to compelling the department to reconsider its whole outlook on the nursing profession. It seems to me that we should not have to sell nursing to them at all. The thought of nursing appeals to them, and there are many in my district who come to me for advice concerning what they have to do in order to become nurses. They are sent to the matron for the information, and a few days later their parents come along very wroth about the whole matter. The girls have been told that they must have reached a certain standard before they can make application, and it is impossible for them to attain that standard. A parent will state "My girl is crazy about nursing but has not a hope of passing the examination."

Hon. Sir Charles Latham: Is that an educational standard?

Hon. J. M. A. CUNNINGHAM: The point is that we want girls as nurses, not teachers.

Hon. Sir Charles Latham: They must have some educational standard.

Hon. J. M. A. CUNNINGHAM: A girl of that age, who has gone through a State school or has been educated at a private school, has a fairly average education, but she is not regarded as being suitable to take on a job for which she probably has a peculiar flair. I believe an aptitude test would be far more valuable than an educational test at that time. Probably her educational standard could be improved at the same time as she received her practical training, if she desired to fit herself for higher positions.

A revision of ideas concerning the nursing profession is long overdue. Girls want to enter this calling, but there are two things that prevent them. One is the high fence of the educational standard demanded and the other is the unattractive financial prospects. If we could materially improve those two conditions, I believe there would be no dearth of applicants. All the girls would probably not make the grade even then. Some, despite having passed an aptitude test, might find that after a few months of practical work they were unfitted for the job. They might be physically unsuited, being unable to stand the rigours of the work. On the other hand they might find it just down their alley.

Admittedly a great number of girls leave the profession at a certain age through marriage, but there would always be a sufficient number offering for service if the job were made attractive. Anything that Dr. Hislop cares to bring forward in this House to make nursing a more attractive profession will receive my whole-hearted support.

HON. H. K. WATSON (Metropolitan) [5.25]: I would like quite a bit more information before being prepared to agree to the second reading of this Bill. It is a question on which we have not a great deal of knowledge, apart from Dr. Hislop, and he has fully and eloquently set forth the case for the nurses and the difficulty of attracting girls to and keeping them in the profession.

What prompts me to query whether we should pass the Bill is the fact that the West Australian branch of the Royal Australian Nursing Federation is most anxious that it should not be passed. I feel that the views of a professional body which is so vitally affected by a measure of this kind are entitled to the utmost respect.

The Chief Secretary: What is the reason they do not want it passed?

Hon. H. K. WATSON: The members of that body take the stand that it would cause disadvantages to the patient, to the nurse, to the hospital, and to the profession. They suggest, and I think with quite a bit of force, that at 17 years of age a girl, and for that matter a boy—and I think we would do well to remember that there is full equality of sexes so far as

nurses are concerned—cannot possibly appreciate the physical, mental and social problems of people he or she has to nurse, and that particularly applies when patients are being prepared for major surgery.

So far as nursing is concerned, it is suggested that at 17 a girl is emotionally unstable; and that at the age of 20, as a State registered nurse, she is ill-equipped to carry the burden entailed, because she has no legal standing and yet has to deal with legalities concerning dangerous drugs, the giving of anaesthetics, attempted suicides, illegal operations, and so on. Matters of life and death are in her hands. She must not make a mistake, and yet she is still a minor.

The Chief Secretary: But she would lose you or me.

Hon. H. K. WATSON: She might lose the Chief Secretary.

Hon. Sir Charles Latham: He can only speak for himself.

Hon. H. K. WATSON: Then, too, I think that the view of the ward sisters is one which merits consideration. I have discussed this with some ward sisters and have found them invariably supporting the view of the federation. I would remind the House, Sir, that while your duties in presiding over members are in the main tranquil—though we get a bit obstreperous at times—the ward sister has to look after a tribe—I use the word for want of a better one—of young trainees, and there is a limit to the powers of endurance of a ward sister. In addition to general supervising, she has to look after a crowd of teenagers, and that is quite an exacting task.

I understand that one thing that has been made very evident today—even with the existing Juniors—is an extreme lack of regard for private or public property. I am informed that it is astonishing to see how little regard the juniors show for property. Dr. Hislop could probably enlighten us in that regard, but it has been suggested that even broken thermometers at the Royal Perth Hospital cost something like £3,000 or £5,000 per year to replace.

Hon. F. R. H. Lavery: But they have to pay for what they break.

Hon. H. K. WATSON: I understand that they do not have to pay the full cost. I would suggest that while we are considering the general phases of the nursing profession we should have a close look at the particular purposes of the Bill. In view of the fact that such a responsible body as the Royal Australian Nursing Federation is most concerned that the law should remain as it is and that the Bill should not be passed, I would like to hear some further reasons why we should agree to it before I will give the measure my support.

HON. L. A. LOGAN (Midland) [5.31]: The measure seeks to amend the Act so that girls of 17 years of age may commence

training not only for general nursing but also for midwifery, tuberculosis, infant health and mental nursing. Members should give some consideration to what effect beginning their training at 17 years of age will have on the girls who enter this profession. It may be asked what difference six months would make in this regard, but I believe that six months in the life of a girl of that age could make a great deal of difference. As one who, over the last four years, has heard every complaint one could possibly hear from nurses, I think I know something about the question.

We know that the conditions of nurses today are far superior to what they were even four or five years ago, and I do not think it is the general conditions which are keeping nurses out of the profession or causing them to leave it. I believe that the present trend is due more to the fact that insufficient study is being given to the psychology of these young girls. If a bit more commonsense was applied in handling them many more of these girls would finish their training, even if they left the profession afterwards.

We find that only two girls out of a school of 14 completed their training, and so I think it is time a study was made of the reasons for trainees leaving their schools. I am convinced that inquiry would show that their leaving is on many occasions due not to the conditions under which they work but the general approach of the staff sisters, tutor sisters and sometimes even the matrons. Some nurses today are living under conditions, from a staff point of view, equal to those at any hotel in Perth, although they have to reach the position of staff nurse or matron before that applies to them, and early in their nursing life the conditions are not quite so good.

One of the troubles, in my view, is that the prospect of examinations frightens most of the girls, especially when they are not in a physical condition, after months of night nursing, to face examinations. It has been said that girls with two days off per week do not actually have that time off as they have to return to the hospital to listen to lectures, and that applies throughout their 3½ years of training. A city girl with two days off every week can go home, and probably the home influence is very valuable to her, but the country girl is put to considerable expense—probably more than she can afford—if she wishes to visit her home and so, unfortunately, she does not get the same amount of home influence as her city counterpart. At 17 years of age a girl who leaves home to train as a nurse needs home influence as much as does the girl of 15 or 16, working in some other job, but living at home.

Those, I believe, are some of the reasons why so many girls are leaving the nursing profession. Insufficient thought is being given to what they leave behind them when

they begin training. I understand the Government, in order to overcome the difficulty of getting nurses, wants to reduce the age for commencement of training to 17 years, and there is some merit in the idea, inasmuch as a girl who leaves school and wants to become a nurse has about 18 months to wait before she can commence training. In that time, unfortunately, many of them take other jobs with the result that they remain in those positions and forget their former vision of becoming nurses.

As has already been pointed out, the Australian Federation of Nurses has said that in its opinion 17 years is too young an age for the commencement of training. I might add that some matrons have also told me that they share that view. A member interjected that some matrons are too old, and perhaps that is so. They may have lost the understanding necessary for the training of young girls. The sisters whose responsibility it is to train the girls have also said that 17 is too young an age, so who are we to believe: the hospital board whose job it is to run the hospital from the administrative side, or those who are responsible for the welfare of the girls? —

I think the only possible conclusion is that we must take notice of what the Nurses' Federation, the matrons and the tutor sisters say. I intend to be guided by them and by the knowledge I have gained, having one daughter already trained as a nurse and another who has commenced her training in the last few months. I repeat that psychology comes into the picture, and I know that had my wife and I not used psychology on both our girls they would have been lost to nursing today.

It is a common thing for nurses, within three or four months of commencing their training, to say, every time they come home, that they intend to give nursing away, and if the parents do not react in the right way to that statement, in goes the resignation. Fortunately we were able to advise our girls in the right manner and I am certain they will remain in the nursing profession. That is what I mean when I say that psychology is necessary, when dealing with nursing trainees, on the part of matrons and tutor sisters at hospitals. If we can get the senior nursing staff to have a better understanding of the problems of these young girls much of the difficulty will be overcome. As the matrons, tutor sisters and Nurses' Federation do not think the present position should be disturbed I intend to oppose the second reading.

HON. R. F. HUTCHISON (Suburban) [5.40]: I do not think 17 years is too young an age for a nurse to commence her training as there is not much difference between a girl of 17 and a girl of 18 years of age. I am convinced that one of the main troubles is that the hospitals place these young people under

too much mental and physical strain and expect too much of them. I have known girls to become panic-stricken at examination time simply because they were too tired, bodily; and as we all know, when too tired physically one cannot study. In spite of that, these girls are expected to do an immense amount of work and study.

I agree that the period of waiting between when a girl leaves school and when she is allowed to enter her nursing training is bad for many of them, being a time of suspense. We have been told that some of the matrons are too old, and I agree with that. They have the old professional ideas which are completely divorced from the outlook of the youth of today. I know some very fine women in the nursing profession but I believe the old hospital ideas tend to remove much of the incentive for young girls to become nurses.

Girls today are not prepared to put up with the petty tyrannies that nursing trainees had to submit to a few years ago. There are very poor conditions in many hospitals and little attention is paid to the comfort of nurses during their periods off duty. I repeat that the examinations are too hard and that too much is expected of young girls who are physically tired out. A girl of 17 years of age entering the nursing profession should be treated as a girl of that age and should not be expected to cram in as much study during her first year as in the following years of her training. I feel that an extension of the training period would be an improvement, in regard to the question of examinations.

I agree with a great deal of what Dr. Hislop has said, especially in regard to his suggestion that there should be a lay person, more or less in the form of a liaison officer, appointed to act between the person who is over the girl and the girl herself, because when she starts her nursing career she enters an entirely new atmosphere.

As far as I am aware, the main trouble is that girls have often been too tired to carry on their studies. Those in charge expect a young nurse to perform night duty for longer periods than those worked by a man or a boy. Often she has to work for a fortnight on night shift, which is a longer period than that worked by the ordinary man or youth. Also, probationers should not be placed on important cases, but the sisters should be allotted that duty.

There is a tendency to place too much responsibility on young shoulders when nursing such cases. In a hospital today everything is left to the nurse, and that should not be. Members of the medical profession should take good care that such things do not happen. The argument that 17 years of age is too young for a girl to commence her training cannot be sustained.

Hon. L. A. Logan: You apparently know more than the matrons and the nurses.

Hon. R. F. HUTCHISON: I know as much as the matrons and the sisters so far as the training of girls is concerned. I know that some of the matrons are extremely overbearing, and the attitude that they adopt towards young nurses is entirely wrong. Nurses have never been treated well enough. I am going to support the Bill because we are very short of hospital staff. Further, I do not believe in the practice of girls being made glorified domestics and being obliged to perform all the rough and dirty work.

I hope I have expressed a woman's opinion on this question that 17 years is too young for a girl to take up nursing; and I hope that, on the contrary, I have proved that it would be an advantage. Nevertheless, girls who are accepted for training at that age should be treated according to their ability.

HON. C. H. SIMPSON (Midland) [5.49]: In view of what has been said, I want to clear the air by pointing out that the Bill merely seeks to reduce the age of a girl on entering the nursing profession to commence her training from 17½ to 17 years. On the face of it, that may not seem a very great reduction; but it will be remembered that years ago the age of girls on entry to the nursing profession was 18 years. The department, finding that there was a shortage of nurses, asked the Minister to introduce a Bill to reduce the age from 18 to 17½ years of age. There was not a great deal of objection to that Bill. It was duly passed; and the qualifying age for a girl starting her training was fixed at 17½ years. We now find, in a fairly short space of time, that we are asked to reduce that age again from 17½ to 17 years.

I questioned several experienced nurses on this subject, and I was surprised at their hostile reaction. The secretary of the Nurses' Union, who has recently been the tutor sister at the Royal Perth Hospital said that a certain amount of latitude could be granted in regard to a girl commencing her training at 17½ years because when she reached the age of 20½ years, after completing her three years' training, she might wish to take a holiday for about six months; or she might have had broken time or time off because of sickness. Therefore she would probably be 21 years of age when she could be regarded as being a qualified registered nurse and take on all the responsibility that a registered nurse is expected to assume.

However, it was considered that it was quite a different matter if the age of a trainee was to be reduced by a further six months. This would mean that a girl, if she had no broken time and was reasonably smart and finished her training within the allotted time, would have to wait a full 12 months before she could be registered

as a nurse and before she could undertake legally the responsibility required of a nurse.

The tutor sister also added that younger girls of, say, 18 years of age were apt to be emotional, immature and unstable; and although the training they received tended to vest in them a sense of responsibility, 21 years of age was quite young enough for them to assume those arduous responsibilities to which Dr. Hislop has referred.

That is all that is in the Bill: the question of whether we should reduce the age of girls on entry to the nursing profession from 17½ to 17 years, or whether we should reject the Bill and leave the age at 17½ years as it is now. I know that there has always been trouble in keeping up a full complement of nurses in any hospital. Various methods have been adopted to solve this problem. For example, many married nurses have been persuaded to rejoin the profession. It was found that there was a great wastage of girls who commenced their training but retired shortly afterwards. It was then decided to apply vocational tests and the number who fell by the wayside was considerably reduced. However, these tests are by no means infallible.

When my daughter entered the nursing profession a few years ago, she and her friend decided that after leaving college they would go through training together. This friend of hers was the daughter of a doctor and a former hospital matron, but she was regarded as being unstable after she had been put through the vocational test. She then went to Adelaide and started her nursing training there, and she is now a double-certificated nurse. That shows that the vocational test is not infallible; but, according to the departmental records, at least it has weeded out numbers of girls who probably were not mature enough to commence their training.

It must be borne in mind, too, that several factors influence this practice of making a start in the nursing profession at an early age. In the last few years many young male migrants have entered this State. Most of them have been single men and a great many have been very acceptable types. Nurses, like other girls, become involved in sentimental exchanges, following which they generally enter into matrimony. There is nothing unusual about that. However, in a measure it has been the cause of many nurses retiring from the profession at a reasonably early age. Nevertheless, we must not forget that that position might right itself, and there will be a greater fund of married nurses to call upon in years to come.

Great efforts have been made to make conditions for nurses attractive, and on the whole they are reasonably attractive at the present time. Therefore, there would be very few lost on that account. That is

getting right away from the question which is before us, however, which is: Shall we reduce the age at which nurses should commence their training from 17½ to 17 years when we know that those who should be well informed on the subject are very hostile to such a suggestion and strenuously oppose it? I am willing to accept the opinion of these people who are extremely concerned about conditions relating to hospitalisation, the health of the community and related matters, and I intend to vote against the Bill.

HON. SIR CHARLES LATHAM (Central) [5.55]: I cannot understand why the Bill has been drafted in the way that it has, because if I had been asked to draft it I would have merely said, "Every person who has attained the age of 20 years," since apparently that is all it means. The Bill proposes to delete the words "has attained the age of 21 years, and" in Subsection (3) of Section 5 of the Act and after the word "having" in line 2 of the same subsection, to insert the passage, "since attaining the age of 17 years, commenced and."

That subsection of the Act then goes on to read, "and is certified as having completed the prescribed course of training as a nurse in a hospital or training establishment, together with systematic instruction in theoretical and practical nursing . . .". Apparently she is going to be in exactly the same position as the girl who is qualified at the age of 21 years.

I do not know why the Bill is not drafted to strike out the words, "twenty-one" and to insert the word "twenty." All the amendments that follow in the Bill are exactly the same. I think it is only bamboozling us by trying to make it appear more difficult than it actually is. I am not qualified to express an opinion as to what age a girl should be on entering the nursing profession. There are some girls who, at 17 years of age, are very brilliant; but would they join the nursing profession with the few attractions it has today or take up other professional work?

There is no doubt, however, that we should aim at obtaining the best type of nurses that we can to care for those people who are sick. Hospital practice today aims at keeping patients in hospital for as short a period as possible and turning them out well. I think the members of the nursing profession hold that as their aim, and I am sure it is a very sound practice.

I know that during my lifetime great advances have been made towards more rapid cures, and we must have reliable members of the nursing profession to carry out the instructions given by doctors, because a great responsibility lies with the medical advisers. Therefore, I have to ask myself whether we should

lower the age at which girls who have had three years' training may become registered and qualified nurses from 21 years to 20.

Hon. C. H. Simpson: The Bill seeks to reduce the age of girls, on entry to the nursing profession, from 17½ to 17 years of age.

Hon. Sir CHARLES LATHAM: But that is not actually the effect of it, and in that case I think we should leave the position as it is. I do not think we should have any difficulty in obtaining young girls to take up this profession if conditions were made attractive for them. It is not merely a question of salary. It is a question also of giving them work that they like, and ensuring that they are treated in the same way as other girls who are trying to become qualified in the nursing profession.

I am reluctant to reduce the age below that already existing. I can remember the time when a girl could not commence her training in the nursing profession until she was 21 years of age. I agree that some girls and boys are very proficient at an early age, but they are not all like that. Unfortunately we are not all made alike; if we were we would be equal in everything. I do not want to vote against the second reading, but I feel inclined to accept the advice that has been given. Some advice was given to us by Dr. Hislop on this matter. Whilst I do not always follow what he says or believes in, I have in this instance to follow his advice.

HON. A. R. JONES (Midland) [6.11]: I do not intend to say very much on this measure. One point has exercised my mind, and I would ask the Chief Secretary to refer to it in his reply. I do not know very much about the methods of training nurses. I would like to know whether if this Bill were agreed to and a young girl applied to enter the nursing profession, she would have to report for training at 17 years of age or whether she could defer her training to a later stage.

To a great extent I agree with what Mrs. Hutchison has said: Some girls are ready to take on training at 17 years of age, whereas others cannot do that. It would be entirely a matter for the parents, after weighing the pros and cons, to decide whether or not their daughter was sufficiently advanced in her outlook as well as in years to take up the profession.

That is the only point I would like the Minister to answer—whether it would be incumbent on a girl after having made application to become a nurse to report for training at 17 years of age, or whether she would have the option of waiting until she was 18 years of age.

Whilst I do not know very much about the training of nurses, I have knowledge of one case concerning a niece of mine.

She went through her training and was quite satisfied with the treatment she received. She did not worry about the hours of duty. She lived at Forrest House during her training and thought the whole training was jolly good fun. She passed her examination quite successfully.

I know of another case concerning a girl who, to my mind, would have made a very good nurse indeed. She had everything that was wanted except the practical experience. She failed in her preliminary examination because she could not answer correctly questions relating to the Health Act, the size of rooms, the number of cubic feet of air space, the height of ceilings, etc., which were absolutely irrelevant to the nursing profession.

Yet another scatter-brained girl of the same age and in the same course passed through her examination with flying colours because she could answer the questions asked. I certainly would not like her to nurse me if she were to pass her final examinations. In the opinion of those who knew both these girls, it was considered that in one case the girl would have made a fine nurse; and in the other, the girl, if she should pass her final examination, would be merely taking the opportunity of attracting some young doctor into a proposal of marriage. If the Minister would reply to the point I have raised, it would influence the direction of my vote.

HON. E. M. HEENAN (North-East) [6.51]: It seems strange to me that there should be such opposition to the proposal to reduce the age of entry to the nursing profession to 17 years. Surely the Government received good advice from those concerned before submitting the Bill to Parliament! After a girl leaves school she has to embark on some career or other. A lot of girls today between the ages of 15 and 17 go into employment in shops, offices and other avocations. They become settled in those positions and have no desire to make a break to enter the nursing profession.

I subscribe to the belief that if the age of entry for the nursing profession is lowered to 17 years, more young girls will embark on this training. It is realised that a boy or girl of 17 can enrol to study medicine, law, or the teaching profession. Education in these days is of a high standard. As far as I know, there is nothing to prevent a boy or girl, after passing the leaving or matriculation examinations, from entering, embarking or enrolling to study the dental or medical professions.

Hon. Sir Charles Latham: Not many of them reach that standard of education at 17 years of age.

Hon. E. M. HEENAN: My word they do! It is the common thing for girls and boys to pass their leaving examination at 17 years of age. After that they can embark

on studies of medicine and other professions, yet arguments have been raised that girls are too immature at 17 years of age to start training in the nursing profession. To me such argument is entirely untenable. I, for one, am surprised at any objection against the proposal contained in the Bill and I hope it will be passed.

HON. E. M. DAVIES (West) [6.7]: I support the second reading of the Bill. I am surprised to hear all the opposition that has been raised against this measure. Over the years opportunities have presented themselves to young women to occupy positions that they did not have the chance to apply for in years gone by. I have in mind the fact that only those who could continue with their education to a much higher age than the present school-leaving age could enter the nursing profession.

Quite a number of young women who were naturally adapted to the nursing profession entered domestic service because there was no opportunity for them to engage in other forms of employment. We have only to examine the position to see how many girls do enter domestic service at the present time. There are too many opportunities for them to take up other occupations. As a consequence they obtain employment and, before reaching 18 years of age, they are earning a fair salary. To change over and take up nursing at that age is something they are not prepared to agree to.

The lowering of the age for entry to 17 years will be very beneficial. There is ample demonstration of that in the number of young women who are entering into the service of hospitals as nursing aides. They are doing this because they are interested in the nursing profession, not because of the salary that is paid. They do so because they desire to enter the nursing profession eventually.

Hon. Sir Charles Latham: They are qualifying as nursing aides.

Hon. E. M. DAVIES: Of course they are qualifying. They would be qualifying if they were to enter training as nurses at 17 years of age. At present they cannot become trainee nurses at 17. All that this measure provides for is a reduction of the age of entry to 17. I fail to see the difference between a woman of 20 and one of 21 years.

Hon. Sir Charles Latham: The difference is one year.

Hon. E. M. DAVIES: I would like to refer to points which have been dealt with in the debate and which were not relevant to the Bill. Certain reasons were advanced as to why it is not possible to obtain young women for the nursing profession. I do not know that such a position applies to a great extent. It might in some country hospitals but not in metropolitan hospitals with training centres where a number of

applications to enter the nursing profession have been made. When we hear of the amenities that should be provided for trainee nurses, no one in this House would deny that it is desirable to supply them.

Mention has been made of the point of view of some matrons. I would like to put to members the view of one matron. A large number of trainees leave parental control to go into the nursing profession. They become a charge under the direction of the matron. She has to see that they are under the same control that was exerted by their parents.

During their training they are told that if they go out in the evenings they must return at a certain time, and if they do not they have to explain to the matron. On occasions trainees may desire to attend social functions, and if they wish to return to the hospital later than usual they can ask for permission from the matron. A number of young women do not like to be put under this restraint. We heard some of the arguments raised on their behalf.

I would ask members to put themselves in the position of the matron. She has to take charge of the girls and to look after them properly, the same as they are looked after at home by their parents. Because of that, some of the trainees say that they are under too much restraint and they feel dissatisfied with their supervision. A fair resume of the position was given by Mr. Logan.

If it is a question of a young woman being dissatisfied with her training, it is for her parents to advise her that if she decides to continue in this noble profession she will have to study for some time; and surely she should be expected to give up some social life. I feel that 17 years is a mature enough age to enable trainees to start in the nursing profession; although they may finish their training before they reach 21, there is nothing to say they cannot be engaged in a hospital because by that time they are fully trained nurses.

Those who leave the profession do so mostly for matrimonial reasons. There is nothing unusual about that. Some nurses who marry still give the benefit of their services to the general public. There are others who desire to travel. A girl who has been trained in the nursing profession is able to do this and to make use of that training in hospitals in other parts of the world. By doing so she is enabled to gain a far better and varied experience in the service.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. E. M. DAVIES: Before tea I was referring to the fact that certain nurses left Western Australia to enter matrimony or to travel. I feel that may be the reason why some people are under the impression there are a number who leave the profession. Over a period of years, I have no

known a great number of nurses who have left the profession during their time of training. There have been one or two, of course, who were not suitable for the profession, and they preferred to resign rather than continue.

I believe the reduction of the age to 17 years will be an inducement for certain young women to enter the profession. At that age they will not have obtained other employment and reached the stage when they have become somewhat satisfied. Nor will they be earning a salary which is at all considerable.

The facilities offered for trainee nurses today are very much greater than they were during the period when their mothers were training, because today we have tutor nurses and tutor sisters. In the time of their mothers, these facilities did not exist and they had to depend on the lectures given by doctors, who had to try to make arrangements between their medical calls to pass on the necessary tuition to the young women engaged in the nursing profession.

Today we have tutor nurses, and a tutor sister is able to take classes and endeavour to impart knowledge of that profession in a way in which it can be absorbed far more easily by the nurses. I do not mean to say this has taken precedence over lectures given by doctors, because I know that is very essential, and that many doctors do give a great amount of their time voluntarily to delivering such lectures. I support the second reading of the Bill.

THE CHIEF SECRETARY (Hon. G. Fraser—West—in reply) [7.34]: I want to thank members for having taken part in this debate. There are one or two queries I wish to answer. Mr. Jones wanted to know whether 17 was the only age at which girls could commence training. I can tell him very definitely it is not. That is the minimum age. They cannot enter before the age of 17, but they can at any time after.

I have been rather surprised at the general tone of the debate; and if I had not known otherwise, I would have gained the impression, by listening to the various speakers, that this is something the Government is putting forward from its point of view. That is not the position at all. Admittedly the Government is putting forward the view, but it is neither the sponsor nor originator of the ideas contained in the Bill. Therefore I am surprised at some of the comments I have heard in connection with the measure.

I would like to know whether Dr. Hislop is submitting his version or that of the B.M.A. because there is quite a difference in the two attitudes. It is amazing to me to hear complaints coming from members who have discussed these matters with matrons, with nurses in charge, and with

doctors. I want to emphasise the fact that the reduction of the age from 17½ to 17 years originated from the Nurses' Registration Board. It was sponsored by that body, as a result of a resolution which was carried requesting the Government to do this.

Let us see who constitutes the Nurses' Registration Board, as its constitution makes me query whether Dr. Hislop is putting forward his own impressions or those of the medical profession. The constitution of the board is as follows:—The Commissioner of Public Health, who is chairman—it might be said he is departmental; the Inspector General of the Insane—again it might be said he would put forward the departmental point of view; and two medical practitioners nominated by the B.M.A.—and one would naturally expect the doctors to be representing the B.M.A. I want to know whether the views expressed by the Nurses' Registration Board, upon which there are two representatives of the B.M.A., is the opinion of the doctors in the city, or whether Dr. Hislop is putting forward the opinion of the doctors in this city.

Let us go further. There are two senior registered nurses on the staff of a nursing training school or hospital, and they ought to know the nurses' version of what is required. One of these nurses must be trained and experienced in midwifery nursing and infant welfare nursing. There are also a general trained nurse and a mental nurse. In spite of that representation, we have members here giving us the opinions of individual matrons or nurses against the considered opinion of this body.

Hon. Sir Charles Latham: Is that body responsible for this Bill?

THE CHIEF SECRETARY: The Bill has been introduced as a result of a resolution passed by the Nurses' Registration Board on the 26th May. So it is rather astounding to find that the representatives of all these people are so much out of touch that they passed this resolution. It is a remarkable attitude that we have arrived at when we cannot accept the opinion of this organisation, the membership of which includes two special representatives of the B.M.A. I am sorry Dr. Hislop is not here, as I would like to know whether he put forward his own opinion this afternoon or the opinion of the medical profession.

Hon. H. K. Watson: The views I gave were the considered views of the Australian Nurses' Association.

THE CHIEF SECRETARY: I understand there are two or three associations.

Hon. H. K. Watson: They have all merged.

THE CHIEF SECRETARY: There is also the student association, but we have had no word from them. I cannot understand the federation sending out views like that

and not attempting to get them placed before those representing them on the board.

Hon. A. F. Griffith: Does the board represent the organisations you referred to?

The CHIEF SECRETARY: I cannot say whether it was elected by them.

Hon. A. F. Griffith: Does the board represent these associations?

The CHIEF SECRETARY: Naturally the nurses represent the nursing profession.

Hon. F. J. S. Wise: It is the parent body.

Hon. Sir Charles Latham: In all probability the department drafted the whole thing.

Hon. A. F. Griffith: Is it the examining body?

The CHIEF SECRETARY: The examination paper is not put forward by the Public Health Department. It is submitted by the Nurses' Registration Board. So it would honestly be thought that if there were anything wrong with it the Nurses' association would have taken it up with those representing them on the Nurses' Registration Board.

Hon. C. H. Simpson: I believe they did.

Hon. L. A. Logan: The two senior nurses do not necessarily represent the association.

The CHIEF SECRETARY: It would be a remarkable thing to find that the nurses on this board did not represent the ideas of all nurses.

Hon. Sir Charles Latham: Would you make the file available before we go into Committee?

The CHIEF SECRETARY: I do not know whether I can or not. If it is possible I will make it available, but at the moment I cannot go any further than that. I only wanted to correct what was a wrong impression: that this Bill was put forward by the Government. That is not the position, as it has been put forward at the request of the Nurses' Registration Board, a board which is representative of the B.M.A. and the various phases of the nursing profession.

Hon. H. K. Watson: What do the university professors think of it?

The CHIEF SECRETARY: I do not know whether they agree with the hon. member, so I cannot answer. It is not my intention to take the Bill into Committee tonight, but I want to get the second reading completed. The Committee stage can be taken later.

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

Ayes	.....	14
Noes	.....	10
Majority for	.....	4

Ayes.	
Hon. G. Bennetts	Hon. A. R. Jones
Hon. E. M. Davies	Hon. F. R. H. Lavery
Hon. G. Fraser	Hon. H. C. Strickland
Hon. J. J. Garrigan	Hon. J. McI. Thomson
Hon. W. R. Hall	Hon. F. D. Willmott
Hon. R. F. Hutchison	Hon. F. J. S. Wise
Hon. G. E. Jeffery	Hon. J. D. Teahan

(Teller.)

Noes.	
Hon. N. E. Baxter	Hon. R. C. Mattiske
Hon. J. Cunningham	Hon. H. L. Roche
Hon. L. C. Diver	Hon. C. H. Simpson
Hon. Sir Chas. Latham	Hon. H. K. Watson
Hon. L. A. Logan	Hon. A. F. Griffith

(Teller.)

Pairs.	
Ayes.	
Hon. W. F. Willesee	Hon. G. MacKinnon
Hon. E. M. Heenan	Hon. J. Murray

Question thus passed.

Bill read a second time.

BILL—OIL REFINERY INDUSTRY (ANGLO-IRANIAN OIL COMPANY LIMITED) ACT AMENDMENT.

Received from the Assembly and read a first time.

BILL—BETTING CONTROL ACT AMENDMENT.

Second Reading.

Debate resumed from the 30th October.

HON. L. C. DIVER (Central) [7.50]: The Bill sets out to do several things. Provision is made in it to amend Section 14 so as to deal with off-course bookmakers, in an attempt to make them record all betting transactions. In the second part of the amendment it is proposed, after endeavouring to lock the door on improper betting transactions, to allow a bookmaker to make a bet on his own behalf as the backer of a racehorse.

Consequently, I am of the opinion that, whereas in the first part the Government puts a padlock on the door, in the second part it virtually places a nail in the middle of the door and hangs the key on it to allow the bookmaker to unlock the door so that he may continue to do something that is undesirable. Certain deletions should be made to this amendment, and I understand that Mr. Murray has placed on the notice paper amendments to that end.

The Bill then goes on to deal with on-course turnover and the bookmaker on-course. It sets out that on-course bookmakers may be permitted to make bets on their own behalf, which is something which is not allowed by racing clubs at the present time. Bookmakers are allowed to lay-off on the course but not to make bets on their own account on the course. In order to show just how impossible it is for Parliament to make laws to deal with the fraternity with whom we are endeavouring to deal, I propose to read some evidence that was given at an inquiry held by the Trotting Association into the running of a horse known as Minstrel King. For the past few nights

that the House has been assembled we have been dealing with legislation in an endeavour to cope with people who, we think, are carrying on businesses in an improper manner.

In this instance the Government has created a close preserve for individuals who, I will say, are second to none in our community for getting out of their commitments. After I have read these extracts from the Minstrel King inquiry, every member of this House and of another place, as well as the public, will know how difficult it is to make laws to deal with off-course betting.

These extracts, I might say, are a print from a tape recording of the evidence, so I think I can say they are factual. The name of the Commissioner of Stamps is mentioned by one witness; and before I proceed, I want to say without any reserve that I will need 10 times more evidence than there is here to convince me that the Commissioner of Stamps said the things that it is claimed, by one of the witnesses before the inquiry, were said by him. I feel that members will agree with me that the Commissioner of Stamps is a man of such character that he would not lower himself to be mixed up in an improper way in such an affair.

I shall read the evidence of the inquiry from the time when Schrader senior was called before the stewards, and when Godwin was giving evidence. Schrader is the father of the driver of the horse, and Godwin is a registered off-course bookmaker. Before I commence reading, I point out that Mr. Gallop is the chairman of stipendiary stewards of the Trotting Association. The transcript states—

Schrader, Snr.: There is nothing much I can ask Mr. Godwin, except to explain the betting to you.

Godwin: Well, gentlemen, Mr. Schrader rang me up on the telephone and he asked me would I put some money on a trotter for him. I said, "Who are you?" and he said, "My name is Harry Schrader" and I said, "Oh yes, that's alright I will do the business for you, providing that you put your money in." I said "I don't even know you." Schrader said "That's alright." I said, "Who sent you to me." He said, "Oh nobody in particular, but I have heard you are a good man to do business with." Schrader said "So, if I come along and put the money in, you will do the business for me."

Gallop: Mr. Godwin, before you go any further, what night was this?

Godwin: It was not a night at all. It was a Saturday.

Gallop: Saturday, the 18th August?

Godwin: No, I think it was before that. It was the first time he rang me up. It is going a long way back now.

I think that was on the 11th. Anyway, I am not sure what particular day it was. He rang me up on the Saturday morning of the first day that he got me to back this horse and I said, "Well it's alright if you put your money in, it will be alright." He came along later in the day—somewhere about lunchtime—and he gave me the money and he gave me £185 I think it was. He told me he wanted £140 straight and £45 a place. I said, "Alright!" "What do you think about it?" He (Schrader) said "It will be a good price." I said, "Do you think a man should field it?" He said, "Oh, I don't know, I think it will be a good price." He said, "I am only frightened of one horse" and I could not even tell you the name of that. So I said, "Alright, that will be alright." So I gave the business direct to another bookmaker to do; confirmation of that can be obtained from the Treasury sheets. I don't know whether you have already seen that—I presume you have.

The following week, I think it was the following week, he rang me up again and he said, "I want you to put some money on that horse again for me." I was cracking jokes. I said, "He didn't run too good." He said, "Oh, well, I am going to back it. Will I come in and see you?" I said, "Alright." He came in and he gave me £75 to put on the horse. He told me that the horse had worked well during the week. He could not understand its run. I said, "It didn't run too good, it fell down a hole when it was supposed to go." He said "Well I am going to have all I have got on it. £75 straight out and if you want to be on it, be on it." He said, "It won't get beat out of a place." So as a protection to myself and the punt, I had £50 each way myself. I gave it to the man to do. He had £30 straight out and £20 a place with C. Waywood of Collie, £30 straight out and £10 a place with Oates at Kalsoorlie, he had £10 straight out with Veale and £20 straight with Glasdon, a tenner each way with Derby and £20 straight out and £10 a place with MacIntosh and £10 straight out with Shaw, which comprised £130 straight out and £50 a place; prior to the running of the race, not long to it—10 to 15 minutes before—somewhere around that, a fellow rang up and had a tenner with me. I said, "This is pretty good." "I am going to get the backwash of it before the race starts." I said to my fellow at the office, "You had better jump into the car and put £30 on it for me. That will protect me." He went up town and put £42 straight out on it, which I have already given you the vouchers for, furnished them, and

that's about all I can say about that. All this business can be found on the sheets at the Treasury, there is nothing wrong with it. The fact that there was a bet written in my sheets and rubbed out and a terrible mouthful has been made of it, which I will say more about directly, has got no bearing on the case whatsoever regarding this fellow backing this horse. I don't know the fellow from a crow. I have only met him a couple of times in my life. This fellow, Schrader, and I don't suppose if I didn't see the man again after a couple of months time I don't think I'd even recognise him.

I don't think there is any slightest thing about it at all and I can't honestly see what the man is doing here at all. As regards the rubbing out of the bet, Mr. Gallop, that you found in my office, it was a most infinitesimal thing and you have got me black-guarded over it. It was a very very wrong doing on your part. I went to the Treasury and asked Mr. Byfield about the bet. He said, "Mr. Godwin, you are one of our best clients. We have never found anything wrong with your business." He also said to me, "We are positive that the horse was backed and there has been no malpractice in any way that you have tried to defraud us." He said, "Nevertheless, Mr. Gallop has brought this matter to our notice. You have erased, which is not allowed according to law." I said, "I admit it." He said, "I have to fine you." I picked up last night's and this morning's papers and I am very sorry I did not plead not guilty and defend it, and I would have had a few words to say."

Gallop: Well, Mr. Godwin, as far as we are concerned, we were inspecting your betting sheets to confirm a bet that Mr. Schrader had told us that he had had with you and on inspection of those bets, we found that from our point of view, that there had been an alteration. Just why you altered it is best known to yourself.

Godwin: I did furnish those notes straight away. I came in to see you the following day and left a statement of the bets. Mr. Gallop, I thought you might have rung me to let me explain the situation of the rubbing out and give me an opportunity to explain the situation.

Gallop: Well, as far as we were concerned, Mr. Godwin, we were only concerned with the bet as far as Mr. Schrader is concerned, and we checked the sheet at the Treasury and found that it had been erased.

Godwin: Did you find the distribution of the bets? Didn't you see the Treasury sheets and follow the bets through on both nights?

Gallop: I don't think that has anything to do with it, Mr. Godwin, because we could not find on your sheet the fact that the previous week the £185 had been entered up. We could not understand why you put the £75 on one night and didn't enter the £185 the previous night.

Godwin: £185 the first night was what the man had on the horse. That was entirely his own business. I wasn't interested. I gave the amount to Mr. Healy to put the money on. He put it on entirely. The next week there was a difference. The £75 would never have been entered in the betting the next week. There was no necessity to write it in at all and if I had not written it at all, there would not have been any trouble at all. As I said the previous week, I handed it on to another man to do the business, but I intended to do the business myself this week but I thought "on second thoughts, well, no, I'll be consistent, I'll give the business to Healy to do again," which I did. The only reason I rubbed it out and put the £75 was purely and simply as an entry because this man's bet was different. I could not make an entry of £125 and £50, because that was not the man's bet. The man's bet was £75 and I had £100 on it, and it would not balance in my settling. It had to be of £75 and crossed off in cash. He didn't have to be crossed off £175 or he didn't have to receive the amount of money accordingly, and I explained that to Mr. Byfield and he was perfectly satisfied.

Hutter: Mr. Godwin, those things are beside the point. It just happens to be, as far as you are concerned, a coincidence that we think the horse was pulled up and the bet was altered in your sheet.

Godwin: Where did you think the money came from that was put on the horse?

Hutter: We didn't know the money was put on the horse. All we have got is your word for it.

Godwin: You mean to tell me that the Treasury sheets that are at the Treasury are fictitious?

Hutter: I never said that, for one second, but with your rubbing them out, "Yes!"

Godwin: There is evidence that £185 was put on the horse one night and £125 the next night, registered at the Treasury before the race and there is the cash vouchers to say so.

Gallop: Mr. Godwin, does your name appear on them all?

Godwin: No. It doesn't. No.

I might mention that Mr. Hutter is one of the stewards.

The PRESIDENT: I hope the hon. member will connect this statement up with the Betting Control Act.

Hon. L. C. DIVER: It is an integral part of it; because by the time I have finished reading this statement, I think it will become obvious to everybody that we require further legislation than we already have on the statute book to deal with these individuals and to control them.

The PRESIDENT: Very well.

Hon. L. C. DIVER: The statement continues—

Hutter: You get nothing out of this transaction whatever?

Godwin: No. nothing whatsoever, but if I wanted to field the horse I would field it and I was going to field it the second night.

Hutter: Did you give Mr. Schrader a ticket to say that he put £75 on the horse.

Godwin: It wasn't necessary. Other customers don't get tickets. And another thing about it is, that I didn't want every Tom, Dick and Harry in the office knowing the man's business.

Gallop: This is the position, Mr. Godwin. It was a cash bet that Mr. Schrader had with you. Is that right?

Godwin: Yes, he made it cash.

Gallop: You didn't give him any ticket for his cash?

Godwin: No. There was no need to give him a ticket. Every clerk in the shop would have known if I had given him a ticket and it would have been on the duplicate and everything. The bet was recorded and the man's money was paid in.

Hutter: You never give anybody a ticket?

Godwin: Oh, yes! The people that go through to the back of the shop to make a cash bet get a ticket, but this man came and saw me at my office. Never went into the shop.

Gallop: Mr. Schrader, Snr. is there any further questions you would like to ask Mr. Godwin?

Schrader, Snr.: No. There is nothing further I can say. Only I had the bet with Godwin. It's a bet and that's all about it. The money was on and you can't do more than that, Mr. Gallop.

Gallop: To put it this way Mr. Schrader. First of all, the £180 was put on on the 11th August on this horse by you to Mr. Godwin the book-maker.

Schrader, Snr.: Yes, there is not the slightest doubt about that.

Gallop: And not on any betting sheet can I find a record of the names mentioned. On August 18th, £75 of yours and (to Mr. Godwin) how much of yours Mr. Godwin?

Godwin: There is nothing written about mine on the sheets. There was, until I rubbed it out.

Gallop: Well, £75 of yours, or there is supposed to be £75 of yours and some money of Mr. Godwin's set out on this sheet (sheet produced) that is supposed to have gone on Minstrel King and yet there is only one entry, with either of your names mentioned and that is Mr. Schrader, under the name of Harry, and the bet is changed.

Schrader, Snr.: Mr. Godwin said he passed it on to Mr. Healy. Can't Mr. Healy be brought to confirm it?

Godwin: That has all been confirmed and written down. Every bet. Where does this £42 come from (holding up starting price cash ticket for this amount).

Gallop: Mr. Godwin, we would not know.

Godwin: I gave it to a clerk in my office to go up to the town to put it on and I gave him the money out of my pocket.

For all I know, part of the £42 might have been his money—pointing to Schrader—part of the money he gave me. There was £42 placed on the horse. It didn't come out of thin air. It was not put on a horse that wasn't trying. I don't know anything about Minstrel King. I would not know if it was a horse or a donkey. You have inspected the previous sheets and seen the bets that were made on behalf of the horse because Mr. Byfield told me you asked him. That was the first question I asked him. Did Mr. Healy put £185 on Minstrel King one night and £125 the second night just for the sake of putting it on? Somebody must have told him to put it on.

Gallop: Well, Mr. Godwin, as far as we are concerned until you came in, Mr. Healy's name had not been mentioned in the inquiry.

Godwin: It was mentioned in the statement I made there.

Gallop: Mr. Schrader's mention is of Mr. Godwin and as yet as far as we are concerned, we have not been able to find any authentic bets with Mr. Godwin's name mentioned.

Schrader, snr.: As far as I am concerned I placed my bet with Mr. Godwin and I expected to collect from Mr. Godwin. I don't know what he did with the money after. He told me after he gave it to Mr. Healy and Mr. Healy must have the bets somewhere. The bets are there.

Godwin: The bets have all been made and backed back. There is the proof of the bets there. There is where I have read them out to you. Mr. Healy's placed the bets, and there is the man he has done the business with prior to the race and everything.

Hutter: Mr. Godwin, you don't know Mr. Schrader at all and yet on the sheet that was rubbed out you have £75 "Harry".

Godwin: £75 straight out with this gentleman here—Schrader.

Hutter: What name?

Godwin: I can't remember, but I think I put down "Harry".

Hutter: That is the name here and yet you didn't know the man?

Godwin: No, and do you want to know the reason why I put it down as "Harry"? So every clerk can't gig at the business and run away at the back of the shop on other telephones and start backing it.

Hutter: I think I would get more trustworthy clerks if I were you.

Godwin: There is a lot of other fictitious names put in books to deter clerks too.

Schrader, Snr.: I don't know, gentlemen, as far as I am concerned I gave the money to Mr. Godwin and I expected to be paid by Mr. Godwin. I don't know what he has got in his book. I backed the horse with him and to protect me I think Mr. Healy should be called as far as I am concerned. This man placed the bet with Mr. Healy and I think we should look at Mr. Healy's books.

Godwin: I gave Mr. Healy the business to do because he has access to doing these jobs much more than I have and he caters for doing them. I don't do these things when they are big. I don't mind them if they are small. I have not got the different facilities for doing them like this other chap has. I gave the business to Healy because I knew that he could place it and if it wins you get your money and that is the finish, and I have already had mine, and that is the thing in a nutshell.

Gallop: And no entry was made in the first day?

Godwin: No. If I had been forced to make an entry with reference to either of those bets, Treasury would have taken my licence off me, but I am not forced to enter them. I have to pay turnover tax on them. I put the £75 down but I need not have done, and I gave Treasury 17s. 6d. for nothing.

Gallop: Well, Mr. Schrader did the business with you as a bookmaker.

Godwin: That is quite right. It is no difference to a fellow walking up in the ring and giving it to a fellow and he collars on to 3 or 4 other chaps to do the business and finances them. What is the difference? He won't get the money off the 3 or 4 other fellows. He will look to the fellow that he gave the money to.

Gallop: Well, of course, the other chaps he gave it to would not be registered bookmakers and we know you are a registered bookmaker.

Godwin: And I gave it to a registered bookmaker to do the business.

Hutter: Do you always do that Mr. Godwin?

Godwin: No. I pass hundreds and hundreds on to Healy to do. Plenty of them at the racecourse. My sheets will show that the same thing has happened not once but 500 times.

Gallop: Mr. Godwin—what I can't understand is how I could go up to your sheets and find on the 11th August that you had £185 on Minstrel King.

Godwin: You could not. But you could walk up to Mr. Healy's and see it.

Gallop: We are not concerned with Mr. Healy. You brought Mr. Healy into it. Mr. Schrader has claimed the bet was with Mr. Vic. Godwin.

Godwin: The same thing happens. Say a fellow with a trotter walks up to Tom Smith and asks him to put on £50 for a win and £100 for a place on so and so up in the ring.

Hutter: He would have tickets for it to start off with.

Godwin: There are the tickets here. (Godwin displaying the £42 worth of tickets, straight out in small amounts).

Hutter: That is only for a small amount of the bet and there is no guarantee that that is connected with Mr. Schrader.

Godwin: It must be for Mr. Schrader. I can't bet with myself.

Gallop: I don't know. I can't possibly see why a fellow can't have £75 on with a bookmaker.

Godwin: He has had it on and I have relayed it to somebody else. There is £42 of it. Plus another £125. Mr. Chairman, where would these fellows that have got these bets recorded in their books get them from if they didn't get them from the fellow that done the business.

Gallop: Well, Mr. Godwin, for myself I can't understand how a registered bookmaker such as yourself accepts a bet and doesn't record it. Listen, Mr. Godwin. If one of the men up in our ring took £25 off a punter in here and

walked straight over to another bookmaker and laid it off without recording it, he would not be standing up there for very long.

Godwin: Well, the Betting Control Board doesn't ask us to record it.

Gallop: As far as I am concerned, Mr. Godwin, the bet was given to you as a bookmaker.

Godwin: Yes, that is quite right. I am not denying that.

Gallop: What rues there are for off course betting regarding this business I don't know.

Godwin: I have been rubbing them out ever since I have been in the business and I said to Mr. Byfield I have been doing this and I took him up 6 months sheets where I had been rubbing out bets. Some fellow would ring up and want 4 straight and 6 a place and then want to change it to 5 each way or have 200/3 a double and then change it and I have always rubbed it out. I have done it in pure ignorance and never any sign of any mal-practice.

(Godwin asked to retire.)

Gallop (to Mr. Schrader Snr. and Jnr.): Have you any further evidence that you would like to produce at this stage?

Schrader, Snr.: I don't know what these bookmakers are doing to me but all I know is that I had the £75 bet with Godwin and it was a bet. I would like to explain the driving of this horse to you.

Hutter: Your son Jim has already explained the driving of this horse very ably.

Gallop: Are there any further questions?

(Schraders asked to retire.)

Gallop (to Schraders Snr. and Jnr. recalled) Schrader Jnr.: The Stewards have considered their evidence and going on their observations of your driving, and particularly over the concluding stages of this race, and they are going to disqualify you and your pacer, Minstrel King for a period of twelve months.

You have the right of appeal to the Committee of the W.A.T.A. on behalf of yourself and your horse. Schrader, Snr.: The stewards consider you are guilty of improper practices in connection with the racing of the horse Minstrel King and are going to disqualify you for a period of twelve months. You have the right of appeal to the Committee of the W.A.T.A.

(Exit Schraders Snr. and Jnr.)

CASE RE-OPENED.

Gallop: Mr. Schrader Snr. and Mr. Schrader Jnr., the Western Australian Trotting Association's Committee have

granted you permission to have your case, the Minstrel King case, re-opened to produce further evidence. Now will you explain to the Stewards just what the further evidence is?

Schrader, Snr.: Yes sir, Mr. Gallop. Let me start like from the start. Now on the Saturday night I said to you that I had backed Minstrel King with Mr. Godwin, which I definitely did. It is quite true and when you told me you had access to his books, I thought "Oh well," I thought it was quite okay. But I honestly thought that when you went to Mr. Godwin to check his books that you would find my bets there in the books. I know it's there. I was not worried one instant and when I came here at the first enquiry you said to me that there had been an alteration in his book and that you could not find there were any other books concerned. Well that was the first time I knew Mr. Godwin did not put the money on himself. I expected him to put the money on and I naturally thought he was doing the business. I did not expect him to hold the money and didn't think he would put it on with other people and that the bets would be there in his books and that would naturally clear me. After you had told me that there had been an alteration I went up to see Mr. Godwin and Mr. Godwin informed me then that he passed the bets on to Mr. Healy, so now gentlemen all I can do is bring Mr. Healy along and ask him to substantiate that Mr. Godwin had passed the bets on to him and that he had placed the bets for me. I would not have been paid by Mr. Healy, but I would have been paid by Mr. Godwin. But I actually thought—I honestly thought—those bets would have been in his book and they would have cleared me and that is all I can say. There is no more.

Gallop: Mr. Schrader—when did you go and see Mr. Godwin?

Schrader, Snr.: We were here on the Friday and I am pretty sure it was on Saturday morning.

Gallop: What Saturday would that be?

Schrader, Snr.: You remember you held the first enquiry and you adjourned it from the Tuesday to the Friday?

Gallop: Yes.

Schrader, Snr.: And then on the Saturday after I went up and saw Mr. Godwin and he told me that he had not put the bets on himself but gave them to Mr. Healy. That is the first I knew of it.

Gallop: Well, Mr. Schrader, you were aware of that incident before our last enquiry—why didn't you call Mr. Healy then?

Schrader, Snr.: I wanted to call Mr. Healy. I said to Mr. Godwin "Why don't you bring Mr. Healy down with you. Don't you think we should bring him down?" He said, "It is not necessary. I have got all the bets which Healy has placed." I wanted to bring him down. He said it was not necessary. That is all I can say, Mr. Gallop.

Gallop: Would you like us to call Mr. Healy? Is he outside?

Schrader, Snr.: He is outside, Mr. Gallop.

(Enter Mr. Healy.)

Gallop: Mr. Healy—will you draw up a chair, please. Mr. Healy—during the course of the enquiry into the performance of Minstrel King some betting transactions came up and your name was mentioned and Mr. Schrader has asked the Committee of the W.A.T.A. to re-open his inquiry and he has requested that you be called as his witness. I'll ask Mr. Schrader to ask you some questions.

Schrader, Snr.: Well, I want Mr. Healy to tell these gentlemen that Mr. Godwin has passed my bets on to you on Minstrel King. Will you tell these gentlemen where you placed it and the rest of it.

Healy: I know where all the money and I have the tickets where the money was placed, and here are the two sheets, Mr. Chairman.

Gallop: I will just have to have a look at them.

Healy: That is the first night and that is the second night.

(demonstrating)

Gallop: Mr. Healy, have you any record of the bet being recorded in the name of Mr. Godwin?

Healy: No, but Mr. Godwin rang me.

Gallop: You have no record of it in Mr. Godwin's name at all?

Healy: No, that is the record that we have got there. Mr. Godwin rang me up and asked me would I put the money on.

Gallop: And you claim that you worked the commission?

Healy: I do.

Gallop: For Mr. Godwin?

Healy: That is correct.

Gallop: Mr. Hutter, would you like to ask any questions?

Hutter: No.

Gallop: Well, Mr. Healy, from this document that you have before us . . .

Healy: The Betting Control Board's copy, not mine!

Gallop: Yes. Well, the only information that you have of the bet from Mr. Godwin to yourself is verbal.

Healy: No, there it is there. What one are you talking about?

Gallop: On the 18th.

Healy: It is not written down.

Gallop: No.

Healy: Oh, one lot is written down as cash. Now—I'll tell you what happened. This is it here (demonstrating). Why it was not written down Mr. Chairman there was I have had a difference with Mr. Byfield in regard to the paying of tax on these things and I have had instructions from Mr. Ken Hatfield, that when I have commissions to work, I was not to write down the commission and I was to contest the fact of whether I had to pay the turnover tax on that or whether it had to be repaid again by those people who I have backed it back with. So that was the reason for that at that time. I think you will find out from Mr. Byfield that that was a fact and that I eventually had to pay it. I contend that if a man asks me to do something, I have not got to write it down. I have to work the commission and prove the commission. Therefore, I avoid paying the tax myself, because it was something that was asked for me to do.

Gallop: Any further questions you would like to ask Mr. Healy, Mr. Schrader?

Schrader, Snr.: No, all I wanted to prove was that I did back the horse. I can't do anything more than to ask these gentlemen to prove that I have backed the horse.

Gallop: Now, Mr. Healy, the previous week on the 11th you did record £140 straight out and £45 for a place on "Minstrel King"—Is that correct?

Healy: That is correct.

Gallop: And on the 18th?

Healy: I didn't record it. For the simple reason I think you will find in between those two times—I don't know the exact date—Mr. Hatfield and myself went to Mr. Byfield about recording of the facts of commissions. See I sometimes have £1,000 to place, well it is too much money to handle and I have to place it in Sydney and Melbourne and I went to Mr. Byfield. He said if you have got a commission to work direct, you are not entitled to pay the commission. So then it appears they altered that, after I went down there, and some I didn't pay and

some I did. So I said "Well"! He said, "Whatever you do now, it will be altered very shortly and you will have to pay on everything you handle." And that is the reason why the original bet was not down, as it was a test case between Mr. Byfield and the Crown Solicitor. I am not sure whether I paid it on that or not—I might have eventually—but I did not on some of the commissions I worked for other people. I will not pay turnover tax on them. But seeing Mr. Byfield said to me, "If, as you say, I am going to pay eventually on everything I handle," I said, "Oh, I'll forget about it in the future." That was the conversation I had that brought about this business.

Gallop: Well, it appears in this instance, Mr. Healy, two people have worked the one commission, namely Godwin and yourself. There have been two commissioners. We can tell you, at this stage as far as the £75 is concerned that the only record we have of this bet is on Mr. Godwin's sheets, and that bet has been erased. There is no record on any sheets of you having received a bet from Mr. Godwin on the 18th of August or vice versa.

It will be noticed that Mr. Byfield's name appeared throughout that report, but I have very grave doubts whether he entered into the conversation at all. I do not think there is any need to read any more of the report to prove conclusively to this House that there is no question that transactions of that nature were responsible for that portion of the Bill that sets out to try to stop bookmakers taking a bet and not recording it, and so avoiding paying tax on it. When individuals keep these transactions in their heads and do not record them, how on earth can anyone trace them?

The evidence shows how bookmakers in distant places are shot at. In the case I have been discussing it was anticipated that the horse would be a winner, and consequently the poor bookmakers at Collie and Kalgoorlie had money laid off on them so as not to cramp the odds that were laid on the course, and the big bookmakers would reap the benefit.

I intend to move another small amendment in an endeavour to help the Government to try to stop this unsavoury business. The idea will be to see if we can obtain the co-operation of the Betting Control Board by its delegating to those of its officers who attend race meetings the power to go to the premises of the club officials when they find a case of this nature occurring, and to go to the bookmakers in the metropolitan area on that very night and get their duplicate betting sheets, and thus obtain the records of any of the transactions that the men carrying on doubtful practices had engaged in. I trust that the Chief Secretary will agree to such an amendment.

It is most difficult to enact legislation when we are dealing with individuals of this type who have been far shrewder over the years than ordinary business people, and whose records have been of such a nebulous character that nothing can be pinned on them.

There is another step that should be taken as regards off-course bookmakers. There should be someone who goes regularly to their shops to inspect them, and it should be made compulsory, when bets are being entered, for tickets to be written out in sequence with no blanks. A responsible member of the Government has stated the facts as he sees them, but it is obvious that the bookmakers have not shown a very large net income simply because the situation at present lends itself to improper practices on the part of these men, designed to indicate that their income is not as great as it really is by the recording of bets here and there, but incompletely. What happens to the money they receive is their business. I have no doubt that that is what is happening at present, and that makes it all the more difficult for the Government.

There is another aspect of the matter that I will deal with when we are discussing the Bill to amend the Betting Tax Act. It is something that does not relate to this measure. I do not patronise races frequently, but for 35 years some of my relatives have been associated with the game and I know something of the ruthless tactics that are employed.

The Chief Secretary: Your relatives would not be on the seedy side.

Hon. L. C. DIVER: I think the whole game is crooked and that is why I do not patronise it. It is ridiculous to talk of a select committee tracing the ramifications of the game as it simply would not be in the race. Probably the Chief Secretary will slate me, when replying, but I can take what is coming to me. I think I have said sufficient about this unsavoury business of off-course betting to show that so long as we have to do with the human element in this regard we will get nowhere.

I do not want to whip a tired horse, but it is obvious that unless the impersonal totalisator ultimately comes the present system will ruin itself. The big operator will ruthlessly destroy the smaller man and prey on him by laying off hot money. I support the second reading but trust that when the Bill is in Committee we will succeed in having it amended.

On motion by Hon. R. C. Mattiske, debate adjourned.

BILL—STATE GOVERNMENT INSURANCE OFFICE ACT AMENDMENT.

Second Reading.

Debate resumed from the 31st October.

HON. J. G. HISLOP (Metropolitan) [8.48]: I cannot bring myself to make a long speech on this question because, in

the main, while one could discuss insurance in a wide manner, I believe this measure is essentially a question of political viewpoint—a matter of whether one believes in socialisation or not. Does one believe in the Government entering into private industry or does one believe that the Government should restrict itself to certain activities of a social type?

During the years we have been in this House many of us have held the definite view that there is no need for an extension of Government service in fields of this nature. I have heard or read all that has been said about the present measure, and heard or read a good deal of what was said during the debate on a similar Bill last year, and I feel that most of it is completely irrelevant to the point of whether we believe the State Government Insurance Office should extend its operations into the general insurance field. This is a question of politics; and from my political viewpoint, I do not believe there is any necessity for the Government to extend its activities in this way.

In my view there are many activities which the Government could well get out of, with great benefit to Australia, and here I refer not only to our State Government but to the other State Governments and to the Federal Government also. I think we are beginning to rely too much on Government activity; and, if one wishes to deal with the question of inflation in relation to this activity, one might well say that surely one of the basic causes of inflation is that there is too much money for free spending in Government hands and too little in private hands, and yet that order of things is increasing.

Generally, when one reads the words of those who advocate the extension of this type of insurance one meets the story that there is a widespread call for an increase in the activities of the State Government Insurance Office. I will not bore the House with a lot of figures which I have seen and read and which have been supplied to me, because there does not appear to be anything to be gained from them except the knowledge that the rate of increase of the private companies has exceeded that of the State Government Insurance Office. Until the people of this State are thoroughly imbued with the necessity for socialisation, I think that type of thing must continue, and I therefore do not believe there is any need to accept the statement that there is an urgent cry for such an extension.

Another factor of which one reads is that the private companies have such large reserves and pay excess profits on the capital invested and not on the capital as it exists today. We are fortunate to

have private companies with large reserves, because they are the only sort I would like to insure with—

Hon. Sir Charles Latham: They must have reserves to maintain their stability.

Hon. F. R. H. Lavery: Would you have any fear in regard to the State Insurance Office?

Hon. J. G. HISLOP: I have the fear that the taxpayer might have to foot the bill under some circumstances. One of the most obvious examples of the value of reserves was the San Francisco fire, as in that instance the British insurance companies were regarded very highly because they could meet their obligations, and that was only possible because they had started hundreds of years before and had accumulated such large reserves that they could stand up to a catastrophe of that nature.

It is no use having an insurance company which can just show a balance on its year's activities when times are reasonably good and when no great disaster has occurred, but which cannot stand up in times of catastrophe. I like to feel, when insuring my small measure of possessions on this earth, that I am dealing with a company which could meet a catastrophe.

The Chief Secretary: Are you implying that the State Government Insurance Office could not?

Hon. Sir Charles Latham: Don't you think it might have some difficulty?

Hon. J. G. HISLOP: I cannot answer both sides. I am certain that a State Government Insurance Office run by a general manager or manager, without a board to determine policy, must be left in the hands of the Government of the day in regard to policy; and therefore I can imagine conditions arising under which, in order to placate a section of the community, a Government of either colour could say to the State Government Insurance Office, or its manager, "I think you should take undue risks in this particular case."

Hon. F. R. H. Lavery: You do not believe that.

Hon. J. G. HISLOP: I do; and if we use our imaginations without bias we can imagine that that could happen not only under the present Government but under one of opposite political colour also.

The Chief Secretary: It could not happen here.

Hon. J. G. HISLOP: There have been many disasters in this world through people accepting that slogan.

The Chief Secretary: You know that no matter what Government is in power the policy of that office is the same.

Hon. J. G. HISLOP: I thought the day had arrived when I could not be astonished at anything, but apparently it has not.

The Chief Secretary: Point to one instance of a Government in this State having altered the policy of that office.

Hon. J. G. HISLOP: Under the local authorities legislation they are coming close to being self-insurers. They have not great reserves under that measure, but are close to being self-insurers. I have often wondered why a board of reputable citizens was not appointed to assist the general manager of the State Government Insurance Office and remove it from politics altogether. That would have been a much sounder scheme.

One could talk for a long time on insurance companies and their value, but we come back to the question of whether we believe in the extension of this Government activity; and frankly, I do not. Suppose we allowed the State Government Insurance Office to expand to the limit of business conducted by other offices; is it thought that we could regard all that competition as being perfectly fair and open? Even if we attempted to do that with the utmost degree of honesty of purpose, I think there would still be a possibility that competition by the Government office would not be completely fair.

Even under the school insurance scheme, which is a very wise one, the Government has opportunity to use its education officers in the collection of premiums, the handling of claims and so on, whereas private companies would find great difficulty in asking school teachers to act in that way in a voluntary manner.

The Chief Secretary: They do not act in that way.

Hon. J. G. HISLOP: No, but I am showing what could happen. When we read what has been put forward in favour of the measure we come to this terrible word "profit." It seems to have become a sin to make a profit, but I do not know how the world would exist without profits. What would a company do if it did not make a profit?

Hon. A. F. Griffith: What would its policy-holders do?

Hon. J. G. HISLOP: Without profits an insurance office would build up no reserves. If it wanted to attract further capital, surely it would have to make a profit! If each member here decided that life should be altered so that no one made a profit, but only sufficient to live on day by day, and we all altered our charges accordingly, it would not be long before the whole financial structure of the place would fall to pieces.

Hon. Sir Charles Latham: The world would be at a standstill.

Hon. J. G. HISLOP: Nothing would or could proceed. Yet many people regard the making of profits as a terrible thing.

The Chief Secretary: No one has suggested that people should not make a profit.

Hon. J. G. HISLOP: The Chief Secretary should read some of the speeches made by members in another place and he would find that they have charged the private insurance companies with being profit-making institutions. I am surprised at such statements. Insurance companies certainly help to build the cities. If we consider the possibility of the State Insurance Office building being the only one built by an insurance company, I wonder what our city would look like?

Private insurance companies have built beautiful and imposing edifices and have assisted to stabilise the economy of the State. Once they have done that it helps to attract capital from overseas, because the investors of such capital would not invest their money in an area which was likely to prove unstable. There is no doubt that stability in the insurance world is an important factor in attracting capital to any State or country.

However, all this is completely by the way, because the questions that I have to ask myself are: Do I believe in extending the activities of the State Government Insurance Office? Or do I believe in the extension of socialisation? Frankly, I believe in neither, and therefore I oppose the Bill.

On motion by Hon. A. F. Griffith, debate adjourned.

BILL—PROFITEERING AND UNFAIR TRADING PREVENTION.

In Committee.

Resumed from the 1st November. Hon. W. R. Hall in the Chair; the Chief Secretary in charge of the Bill.

Clause 34—Books of account and records to be kept and preserved (partly considered):

Hon. H. K. WATSON: My proposed amendment ceases to be important in view of the fact that a previous amendment was not carried.

The CHAIRMAN: You do not intend to proceed with it?

Hon. H. K. WATSON: No.

Clause put and passed.

Clause 35—Trial of offences:

Hon. H. K. WATSON: I move an amendment—

That the words "two years" in line 3, page 22, be struck out and the words "six months" inserted in lieu.

A period of six months, during which time a prosecution may be lodged, is the ordinary limitation that is provided in the Justices Act, and there is no reason for

an extension of the time in this Bill. This clause refers to offences and does not limit the period over which investigations may continue. I remember that last session an attempt was made to extend the time provided in the Health Act, but it was then maintained that a period of six months was provided in the Justices Act and that that time should be adhered to.

The CHIEF SECRETARY: I hope the Committee will not agree to this amendment. Most complaints under the Justices Act are obvious, but a complaint made under this legislation may not be obvious for quite a long period, and if the time fixed were only six months many people would escape prosecution as a result.

Hon. N. E. Baxter: It might be a question of the commissioner being too slow.

The CHIEF SECRETARY: It is not a question of that at all. Very often it takes a long time to gather evidence to prove an offence.

Amendment put and a division called for.

The CHAIRMAN: Before the tellers tell, I give my vote with the noes.

Division taken with the following result:—

Ayes	.....	13
Noes	.....	14
Majority against	.....	1

Ayes.

Hon. N. E. Baxter	Hon. J. Murray
Hon. J. Cunningham	Hon. C. H. Simpson
Hon. A. F. Griffith	Hon. J. M. Thomson
Hon. J. G. Hislop	Hon. H. K. Watson
Hon. Sir Chas. Latham	Hon. F. D. Willmott
Hon. L. A. Logan	Hon. A. R. Jones
Hon. R. C. Mattlake	(Teller.)

Noes.

Hon. G. Bennetts	Hon. R. F. Hutchison
Hon. E. M. Davies	Hon. G. E. Jeffery
Hon. L. C. Oliver	Hon. H. L. Roche
Hon. G. Fraser	Hon. H. C. Strickland
Hon. J. J. Garrigan	Hon. J. D. Teahan
Hon. W. R. Hall	Hon. F. J. S. Wise
Hon. E. M. Keenan	Hon. F. R. H. Lavery
	(Teller.)

Pair.

Aye.	No.
Hon. G. MacKinnon	Hon. W. F. Willesee

Amendment thus negatived.

Clause put and passed.

Clause 36—Punishment for offences:

Hon. H. K. WATSON: I do not intend to move the amendment standing in my name on the notice paper, but I would like the Chief Secretary to explain this clause to the Committee because I cannot see the purport of it, particularly in relation to Subclause (3). I want the Chief Secretary to give a considered and lucid explanation:

of the clause; and if he cannot do so, I suggest that he should consult the Parliamentary Draftsman in an endeavour to find out what it does mean.

As I understand the position, Clause 36 relates only to the punishment for offences. In the wording of Clause 35, it is not an offence to make unfair profits. Nowhere in the Bill is it stated that it is an offence to make an unfair profit or to engage in unfair trading or unfair methods of trading. The Bill sets out to control such abuses, but they are not defined as offences. What is defined as an offence is when a person refuses to produce balance sheets, etc. Are we to understand that for such an act a person is liable to a fine of double the amount of excess profits which might be certified by the commissioner?

The CHIEF SECRETARY: No explanation that I can give would satisfy the hon. member.

Hon. J. Murray: You do not need to provide an explanation with a ruthless majority.

The CHIEF SECRETARY: That is enlightening, coming from the hon. member. Every time there is a majority in this Chamber, it is said to be a ruthless one. The clause means what it says. Where a person has made an unfair profit or has engaged in unfair trading, he can be fined double the amount of the unfair profit he has made. That is plain enough. No further explanation is required.

Hon. N. E. BAXTER: Reading this clause in conjunction with Clause 35, a person who fails to comply with any provision of the Act is to be fined £500 or imprisoned for a term not exceeding six months. If that is to be the penalty for a small offence like failing to comply with a direction for the production of books and accounts, it is far too severe.

Hon. Sir CHARLES LATHAM: Under the Bill, unfair trading does not appear to be an offence. There is no provision in the Bill to indicate what is an unfair profit or what are unfair trading methods. Under Clause 35, if a person has been directed to produce certain documents and refuses to do so, it becomes an offence. I would refer the Chief Secretary to the wording in Clause 36 (2) and (3). If the clause is to be effective it should be re-drafted by setting out the penalty for unfair trading or unfair profits. If the clause is passed in its present form it will not have the desired effect.

Hon. L. A. LOGAN: I would ask the Chief Secretary to clarify Clause 36 (1). This says that the punishment for an offence against the Act is a maximum penalty of £500. Then it is stated in Subclause (3) that the court may impose on the convicted person a fine not exceeding an amount equal to twice the amount

of the unfair profits. What would happen if the unfair profits were £1,000? Under this provision the convicted person could be fined £2,000; yet in Subclause (1) the maximum penalty which may be imposed is £500.

Hon. H. K. WATSON: I want to emphasise the point raised by Mr. Logan. The clause is quite silent as to whether the further penalty contained in Subclause (3) is to be in addition to, or in substitution for the penalty provided under Clause 36 (1).

Hon. A. F. GRIFFITH: The Chief Secretary should give us some explanation of the meaning of this clause. In Subclause (3) a reference is made to the court. Which court is referred to?

The Chief Secretary: There is only one, the Supreme Court.

Hon. H. K. WATSON: I would ask the Chief Secretary to view this request seriously. Forgetting the political issues and looking at the drafting, I consider that this clause should be referred to the draftsman as to the meaning. Other members have the same problem of trying to understand it.

Hon. E. M. HEENAN: There is no ambiguity in the meaning. It is quite obvious, as the Chief Secretary states, that the clause means what it says. Subclause (1) makes £500 the maximum penalty for an offence. Subclause (3) provides that if the commissioner certifies that as a consequence of the offence, the trader has made an unfair profit, the court may impose an additional fine, not exceeding twice the amount of the unfair profit. As Mr. Logan said, if the unfair profit is £1,000 the court may impose a fine of £2,000. It is obvious that, as in taxation matters, there is an additional fine which can be imposed as a consequence of the offence.

Hon. A. F. Griffith: Which court may impose the fine?

Hon. E. M. HEENAN: There is no ambiguity. I agree the penalty may appear to be severe.

Hon. Sir CHARLES LATHAM: The objects of the Bill are to prevent unfair profit-taking, unfair methods of trading, and unfair methods of trade competition. It further authorises information being obtained in relation to those three matters. Nowhere in the Bill is it stated that those matters constitute an offence, and if the Bill is passed in its present form many legal arguments will arise over Clause 36.

Hon. J. G. HISLOP: The heading of Clause 36, "Punishment for Offences," should be inserted after Clause 36 (2) and the difficulty would be overcome. Subclauses (1) and (2) could be included in

Clause 35, and Subclauses (3), (4) and (5), could be renumbered (1), (2) and (3). Clause 36 (1) and (2) should belong to Clause 35. Then there would be a new heading for Subclauses (3), (4) and (5).

Hon. L. A. LOGAN: I ask the Chief Secretary for some clarification. Mr. Heenan has endeavoured to give it, but has not made the position clear. The maximum punishment is £500. Does that mean a maximum of £500 for every type of offence which may be committed under this Bill? There are six offences set out in Clause 35. Does it mean that a person would be liable for a maximum of £500 for every offence committed? If that is not the position I cannot reconcile Subclauses (1) and (3).

Hon. H. K. WATSON: Dealing with the point raised by Mr. Heenan, I wish to say that the position is not comparable with the Income Tax Act, which declares a person who has evaded income tax, which is an offence. This Bill does not declare making unfair trading profits to be an offence. The only offences under the Bill are more or less trivial ones for not complying with the direction of the commissioner. It seems ridiculous that there is a penalty in Subclause (1) and a further penalty in Subclause (3).

Hon. J. M. A. Cunningham: If a defendant supplies all the information needed he cannot be fined.

Hon. H. K. WATSON: That is so. It only relates to offences in the ordinary course of the word where the Bill declares an act to be an offence.

The CHIEF SECRETARY: Members know there are offences for which one can be fined and the court will also award other damages. A person is fined for the offence he is charged with; and if he is charged with unfair profit making, he will have to make restitution to double that amount. It is ordinary law carried into effect.

Hon. N. E. BAXTER: I do not think we should drop the matter. Not only profits are involved, but also simple offences. The Committee has overlooked the fact that in an earlier part of the Bill the commissioner is given the powers of a justice of the peace under the Justices Act, 1902, to hold inquiries and determine the result of those inquiries. Then apparently he cannot impose a fine but has to go to the Supreme Court.

The CHIEF SECRETARY: Perhaps I should make a correction. I think I said the Supreme Court, but under the Justices Act it is any court.

Hon. H. K. WATSON: I submit that if this goes to any court, we should make it clear that this penalty of £500, imprisonment for six months and double the profits should be imposed by the Supreme Court and not a Court of Petty Sessions.

The Chief Secretary: He will have the right of appeal to the Supreme Court.

Clause put and a division called for.

The CHAIRMAN: Before the tellers tell, I give my vote with the ayes.

Division taken with the following result:—

Ayes	....	....	....	....	14
Noes	....	....	....	....	13
Majority for					1

Ayes.

Hon. G. Bennetts	Hon. R. F. Hutchison
Hon. E. M. Davies	Hon. G. E. Jeffery
Hon. L. C. Diver	Hon. H. L. Roche
Hon. G. Fraser	Hon. H. C. Strickland
Hon. J. J. Garrigan	Hon. J. D. Teahan
Hon. W. R. Hall	Hon. F. J. S. Wise
Hon. E. M. Heenan	Hon. F. R. H. Lavery

(Teller.)

Noes.

Hon. N. E. Baxter	Hon. J. Murray
Hon. J. Cunningham	Hon. C. H. Simpson
Hon. J. G. Hislop	Hon. J. M. Thomson
Hon. A. R. Jones	Hon. H. K. Watson
Hon. Sir Chas. Latham	Hon. P. D. Willmott
Hon. L. A. Logan	Hon. A. F. Griffith
Hon. R. C. Mattiske	

(Teller.)

Pair.

Aye.	No.
Hon. W. F. Willesee	Hon. G. MacKinnon

Clause thus passed.

Clause 37—Service of documents:

The CHAIRMAN: I would point out to members that in line 8, page 23, the letters "fi" have been omitted from the word "certificate." The question is that I instruct the Clerks to make the correction.

Question put and passed.

Hon. H. K. WATSON: I move an amendment—

That Subclause (2), lines 17 to 26, page 23, be struck out.

These provisions are a new departure so far as the service of documents is concerned. There is already ample provision in the ordinary law, including the Interpretation Act, 1918, and there is no reason why the ordinary rules should not be obeyed.

The CHIEF SECRETARY: I hope the Committee will agree to allow these words to remain in the Bill. There is ample protection, because the certificate as to service purporting to have been signed by the person certifying as to service is in absence of proof to the contrary sufficient proof of the service of the document. There is ample safeguard there.

Hon. A. F. GRIFFITH: I am surprised that right through this Bill there has not been the slightest desire on the part of the Chief Secretary to co-operate in any of these amendments. Now we come to a simple thing like this where the service of

documents is an accepted thing. There should be some desire on the part of the Government to give way at least in this regard.

The Chief Secretary: I have given way quite a lot.

Hon. A. F. GRIFFITH: The Chief Secretary has given way only when the House has forced him to.

The Chief Secretary: That is not so.

Hon. A. F. GRIFFITH: I appeal to members of the Committee to allow the normal set-up for the service of documents as provided in the Interpretation Act to apply. I hope the subclause will be taken out.

Amendment put and negatived.

Clause put and passed.

Cause 38—agreed to.

Clause 39—Decisions made and directions issued have effect according to tenor:

Hon. H. K. WATSON: This is a rather unusual clause. I move an amendment—

That after the word "Act" in line 7, page 24, the following words be added:—

or upon any question of law arising under this Act.

The CHIEF SECRETARY: I do not know exactly what the hon. member is driving at, and for that reason I cannot accept the amendment.

Hon. H. K. WATSON: The position of appeal under this measure is peculiar, and I want to ensure that on any question of law—as distinct from any question of fact or determination of the commissioner—arising under the Act there shall be a full right of appeal just as there is in respect to any person convicted of an offence against the legislation. Whether it be an offence against the measure or some question of law arising out of any of the 41 provisions of the legislation, nothing in the measure should prejudice a person's right of going to the court.

Amendment put and a division called for.

The CHAIRMAN: Before the tellers tell, I give my vote with the noes.

Division taken with the following result:—

Ayes	....	....	....	....	13
Noes	....	....	....	....	14
Majority against					1

Ayes.

Hon. N. E. Baxter	Hon. R. C. Mattiske
Hon. J. Cunningham	Hon. J. Murray
Hon. A. F. Griffith	Hon. J. M. Thomson
Hon. J. G. Hislop	Hon. H. K. Watson
Hon. A. R. Jones	Hon. P. D. Willmott
Hon. Sir Chas. Latham	Hon. C. H. Simpson
Hon. L. A. Logan	

(Teller.)

Noes.

Hon. G. Bennetts	Hon. G. E. Jeffery
Hon. L. C. Diver	Hon. F. R. H. Lavery
Hon. G. Fraser	Hon. H. L. Roche
Hon. J. J. Garrigan	Hon. H. C. Strickland
Hon. W. R. Hall	Hon. J. D. Teahan
Hon. E. M. Heenan	Hon. F. J. S. Wise
Hon. R. F. Hutchison	Hon. E. M. Davies

Pair.

Aye.	No.
Hon. G. MacKinnon	Hon. W. F. Willesee

Amendment thus negatived.

Clause put and passed.

Clause 40—agreed to.

Postponed Clause 9—Administration:

The CHAIRMAN: Clause 9 was postponed after the following amendment had been moved by Sir Charles Latham and amended:—

That after the word "Minister" in line 10, page 7, the words "and subject also to the provisions of Subsection (2) of this section" be inserted; and the following be added to stand as Subclause (2):—

For the purposes of this Act the Governor shall appoint to advise the commissioner an Advisory Council of four persons comprising—

- (a) a representative of the Chamber of Manufactures;
- (b) a representative of the Chamber of Commerce;
- (c) a representative of the Retail Grocers' Association;
- (d) a representative of the industrial trade unions;
- (e) a representative of the Farmers' Union; and
- (f) a person nominated by the Minister to represent the general public.

Each member of the council other than the person nominated by the Minister, shall be selected by the Governor from a panel of three names submitted by each of the organisations referred to in the last preceding subsection.

Each member of the council shall hold office during the Governor's pleasure.

The council shall meet whenever summoned by the commissioner but not more than one month shall elapse between each meeting.

The number of members necessary to constitute a quorum shall be five and the commissioner shall

be the chairman of and preside at each meeting of the council but shall have a deliberative vote only.

The CHIEF SECRETARY: I move—

That the amendment be amended by striking out all words in proposed new Subclause (2) after the word "comprising" in line 4 and inserting in lieu the following:—

(a) Two representatives representing the organisations known as the Chamber of Manufactures, the Chamber of Commerce and the Retail Grocers' Association.

(b) Two representatives nominated by the Minister to represent the general public, one of whom shall be a farmer.

(3) Each member of the Council other than the persons nominated by the Minister shall be selected by the Governor from a panel of six names submitted conjointly by the organisations referred to in the last preceding subsection within such time as the Governor appoints, or if no such panel is submitted each member of the Council other than those nominated by the Minister shall be such persons as the Governor thinks fit.

(4) Each member of the Council shall hold office during the Governor's pleasure.

(5) The Council shall meet whenever summoned by the Commissioner but not more than one month shall elapse between each meeting.

(6) The number of members necessary to constitute a quorum shall be three and the Commissioner shall be chairman of and preside at each meeting.

Hon. Sir CHARLES LATHAM: I cannot agree entirely to what the Minister proposes. I agree that he can reduce the number to four instead of six. It would be unfair of the Minister to have all the powers of nomination that he desires by his amendment. I move—

That the amendment on the amendment be amended by adding at the end of paragraph (a) of Subclause (2) the following words:—"to be selected from a panel of four."

Sitting suspended from 10 to 10.42 p.m.

The CHIEF SECRETARY: I must oppose this amendment because it only duplicates what already appears in Subclause (3). If members will read Subclause (3) they will find that provision is made for a panel of six names to be submitted to cover the three organisations.

Hon. Sir Charles Latham: We can strike that out.

The CHIEF SECRETARY: There is no need to strike it out. It is simpler the way it is drafted. The hon. member could move to delete "six" and insert "four" when we get to Subclause (3).

Amendment on the Chief Secretary's amendment on the amendment put and negatived.

Hon. Sir CHARLES LATHAM: Two representatives of the Chamber of Commerce, two of the Chamber of Manufactures, and two of the Retail Grocers' Association will be all right. I do not want a farmer included. I move —

That the amendment on the amendment be amended by inserting after the word "representatives" in line 1 of paragraph (b) the words "one to be."

The CHIEF SECRETARY: That is not the amendment on the notice paper. I am prepared to meet Sir Charles's wishes; but to arrive at what is required the clause will have to be postponed for further consideration.

Hon. Sir CHARLES LATHAM: I ask leave to withdraw my amendment on the Chief Secretary's amendment on the amendment.

Amendment on the Chief Secretary's amendment on amendment, by leave, withdrawn.

The CHIEF SECRETARY: I ask leave to withdraw my amendment on the amendment.

Hon. H. K. WATSON: As a matter of convenience, when the Chief Secretary is redrafting the proposed amendment, to meet the point which Sir Charles endeavoured to cover, I think the wording should be altered to read "Delete the word 'six' in line 4 of proposed new Subclause (3) and insert in lieu the word 'four'".

The Chief Secretary: We will examine that on redrafting.

Amendment on amendment, by leave, withdrawn.

On motion by the Chief Secretary, further consideration of Clause 9 postponed.
New Clause 30:

Hon. H. K. WATSON: I move—

That the following be inserted to stand as Clause 30:—

Any person making a complaint in respect to unfair profit taking, unfair methods or trading and unfair trade competition or other incidental matters under this Act shall lodge such complaint in writing, duly signed, and clearly showing his or her full name and address, and in addition shall lodge with the Commissioner or a duly

appointed officer as a guarantee of his bona fides, the sum of ten pounds in respect to each complaint. If after adjudication of the case, the charge is found proved, then such deposit shall be refunded to the complainant, but if the charge is proved groundless, or dismissed, the deposit so lodged shall be forfeited to the Crown.

The CHIEF SECRETARY: I hope the Committee will not agree to this proposed new clause as it would prevent anyone making a complaint to the commissioner.

Hon. H. K. WATSON: It would prevent frivolous complaints.

The CHIEF SECRETARY: Yesterday a lady brought me a little tube about half an inch long, containing a prescription which she had got from a doctor and had made up by a chemist, who charged her 29s. 6d., although the little tube was only half full. I think anyone but those in the trade would have thought it was an overcharge but, in fact, the substance was cortisone, which is very expensive. Under this measure that lady might take her complaint to the commissioner in good faith.

Hon. Sir CHARLES LATHAM: If a genuine mistake of that sort was made I do not think the Crown need take the £10. At all events, if £10 is too much let us alter it to £5, which would still prevent frivolous charges being laid.

Hon. C. H. SIMPSON: An estimable resident of our town was a grocer and under the old price-fixing law the local policeman's wife used to see what the prices were according to the list and every two or three days ask the grocer the price of a dozen things. If he charged one half-penny too much for something she sent a complaint to the prices commissioner.

If a person made a general complaint in regard to a store, that store should be protected by the complainant having to lodge £10 with his complaint, following which if his complaint were found to be justified he would be entitled to have that amount refunded to him. Something along those lines should be provided to prevent people lodging trivial complaints.

Hon. A. F. GRIFFITH: This savours of the old price-fixing days. The argument put forward by the Chief Secretary is ludicrous. If the Committee does not agree to this clause anyone will be able to lodge a complaint over the telephone and have it investigated. If that is the way the Chief Secretary is thinking, woe betide us. We should get down to a basis which will be achieved if we carry out the real intention of this clause.

New clause put and a division called for.

The CHAIRMAN: Before the tellers tell, I give my vote with the noes.

Division taken with the following result:—

Ayes	13
Noes	14

Majority against 1

Ayes.

Hon. N. E. Baxter	Hon. J. Murray
Hon. J. Cunningham	Hon. C. H. Simpson
Hon. J. G. Hislop	Hon. J. M. Thomson
Hon. A. R. Jones	Hon. H. K. Watson
Hon. Sir Chas. Latham	Hon. F. D. Willmott
Hon. L. A. Logan	Hon. A. F. Griffith
Hon. R. C. Mattiske	(Teller.)

Noes.

Hon. G. Bennetts	Hon. G. E. Jeffery
Hon. E. M. Davies	Hon. F. R. H. Lavery
Hon. L. C. Diver	Hon. H. L. Roche
Hon. G. Fraser	Hon. H. C. Strickland
Hon. W. R. Hall	Hon. J. D. Teahan
Hon. E. M. Heenan	Hon. F. J. S. Wise
Hon. R. F. Hutchison	Hon. J. J. Garrigan
	(Teller.)

Pair.

Aye.	No.
Hon. G. MacKinnon	Hon. W. F. Willesee

New clause thus negatived.

New Clause 38:

Hon. L. C. DIVER: I move—

That the following be inserted to stand as Clause 38:—

The Commissioner shall in each year prepare an annual report of his proceedings under this Act during the preceding year disclosing therein the result of the operation of this Act except such information as by this Act is required not to be published or in the opinion of the Commissioner should be kept confidential and this report shall in each year be laid on the Table of both Houses of Parliament by the Minister within fourteen days of its receipt.

The CHIEF SECRETARY: The length of this proposed new clause is the only objection I have to it. I suggest that it might read as follows:—

The commissioner shall in each year prepare an annual report and this report shall in each year be laid on the Table of both Houses of Parliament by the Minister within 14 days of its receipt.

Hon. N. E. Baxter: Which would mean nothing!

The CHIEF SECRETARY: Everything means nothing to the hon. member. There is another point, namely, that the Minister may receive the report when the Houses of Parliament are not sitting.

Hon. L. C. Diver: It could be amended to read, "within 14 days of Parliament meeting."

The CHIEF SECRETARY: An alteration to the clause is definitely required.

Hon. A. F. GRIFFITH: I have not much comment to make on this proposed new clause, except to point out that Sir Charles

has a further amendment on the notice paper which proposes to limit the operation of the legislation to the 31st December, 1957. Therefore, the provision contained in this new clause will apply for only one year. This could mean that we would have a report being represented which could lie on the Table of the House for six months, and if Sir Charles Latham's amendment is agreed to this will amount to nothing and the Bill will go by the board anyhow.

New clause put and passed.

New Clause 41:

Hon. Sir CHARLES LATHAM: I move—

That the following be inserted to stand as Clause 41:—

This Act shall continue in operation until the thirty-first day of December, one thousand nine hundred and fifty-seven, and no longer.

If this clause is agreed to it will give us an opportunity to review what takes place during the year and if it is found that the legislation has proved to be satisfactory any necessary amendments can be made during next session, but if it proves to be unsatisfactory the Act can be repealed.

The CHIEF SECRETARY: I hope the Committee will not agree to this amendment. A limit of 12 months would not give the proposed legislation a fair chance to operate because by the time it is proclaimed and the necessary machinery is put into operation some months will have elapsed.

Hon. A. F. Griffith: Do you think the Bill will give anybody a fair chance?

The CHIEF SECRETARY: I am surprised that the hon. member is defending those people who believe in unfair trading and in making excess profits. I am sure the Committee desires to give the legislation a fair chance to operate. I would agree to the duration of the Act being limited to the 31st December, 1958, and, if amendments are required next year, they can be brought forward.

Hon. G. Bennetts: You would not get a good man to take the job of commissioner for 12 months only.

The CHIEF SECRETARY: Yes; that is quite so. As I have said, I would agree to the Act being limited to the 31st December, 1958.

Hon. Sir CHARLES LATHAM: Mr. Bennetts interjected that nobody would take the job of commissioner for only 12 months. However, there is no doubt the commissioner who will be appointed will be a civil servant. If this Bill is passed I anticipate that it will come into effect automatically because the date is

not to be fixed by proclamation. All the necessary machinery to put the Act into force will be ready by February. This legislation should be given a trial for one year within which it can be seen whether any injury will be done to the business community. I am not prepared to alter the date to 1958.

Hon. A. F. GRIFFITH: I refer to the remark made by the Chief Secretary about my defending people making unfair profits. No one in this House has been given any indication as to which particular section the legislation is aimed at. The Chief Secretary was asked on many occasions during the debate as to whom the Bill was aimed at.

The CHAIRMAN: This clause refers to the time limit, and I hope the hon. member will connect his remarks to that phase.

Hon. A. F. GRIFFITH: If the Minister is permitted to make a charge in this House, in fairness I should be given permission to defend myself.

The CHAIRMAN: The proposed new clause deals with the time limit and not with the making of any charge. The hon. member may proceed.

Hon. A. F. GRIFFITH: There is no reason for this Bill to remain in force longer than December, 1957. If the Government finds that the legislation is necessary it can introduce a continuance measure.

Hon. C. H. SIMPSON: I support the amendment. This is only experimental legislation and we do not know of all the implications. We have been assured most vehemently by the sponsors of the Bill that it seeks to achieve certain objectives. The Chief Secretary has intimated that he is prepared to accept a term of two years and the Premier in another place made the same remark.

Already the Government has accepted many of what have been described as savage amendments. The Chief Secretary stated that if amendments were introduced to make the Bill workable they would be accepted, but although many amendments were put forward to overcome some of the difficulties, they were not accepted. In this instance the Government should give us the opportunity of reviewing the legislation in a year's time. As this legislation is more or less guess-work, we should have the right of review in December, 1957.

The CHIEF SECRETARY: I move—

That the new clause be amended by striking out the word "seven" in line 4 and inserting the word "eight" in lieu.

Hon. A. R. JONES: I oppose the amendment for the reason that it makes the position worse by 12 months.

Hon. L. C. DIVER: When we were discussing other portions of the Bill I said that I hoped this legislation would come up for annual review. I said what I meant; consequently I support the proposed new clause. If this Bill becomes law and is carried out in the terms envisaged, the Government need have no fear about not receiving my support for a continuance measure. If it is not carried out in the terms envisaged, it is my bounden duty to see that provision exists to enable amendments to be made.

Amendment put and a division called for.

The CHAIRMAN: Before the tellers tell, I give my vote with the ayes.

Division taken with the following result:—

Ayes	....	....	....	13
Noes	....	....	....	14
Majority against				1

Ayes.

Hon. G. Bennetts	Hon. G. E. Jeffery
Hon. E. M. Davies	Hon. H. L. Roche
Hon. G. Fraser	Hon. H. C. Strickland
Hon. J. J. Garrigan	Hon. J. D. Teahan
Hon. W. R. Hall	Hon. F. J. S. Wise
Hon. E. M. Heenan	Hon. F. R. H. Lavery
Hon. R. F. Hutchison	(Teller.)

Noes.

Hon. N. E. Baxter	Hon. R. C. Mattiske
Hon. J. Cunningham	Hon. J. Murray
Hon. L. C. Diver	Hon. C. H. Simpson
Hon. J. G. Hislop	Hon. J. M. Thomson
Hon. A. R. Jones	Hon. H. K. Watson
Hon. Sir Chas. Latham	Hon. F. D. Willmott
Hon. L. A. Logan	Hon. A. F. Griffith
	(Teller.)

Pair.

Aye.	No.
Hon. G. MacKinnon	Hon. W. F. Willesee

Amendment thus negatived.

New clause put and passed.

Schedule—agreed to.

Title:

Hon. L. C. DIVER: I move an amendment—

That all words after the word "to" in line 1 be struck out and the words "Control and Regulate Unfair Trading and Unfair Profit" inserted in lieu.

That amendment is consequential in the previous amendment to Clause 1.

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

Bill reported with amendments and an amendment to the Title.

House adjourned at 11.33 p.m.

*Don't alter in 1957 as v. -
that I move an amendment -
that the word "seven" in line
4 be struck out and the word
"eight" inserted in lieu*