

discourage and decrease gambling? His answer will help me a good deal in coming to a conclusion as to whether or not I can vote for the second reading of the Bill.

On motion by the Chief Secretary, debate adjourned.

House adjourned at 6.7 p.m.

Legislative Assembly.

Thursday, 10th October, 1946.

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

QUESTIONS.

LAND SALES.

As to Basis for Prices.

Mr. McLARTY asked the Premier:

1, In view of—

(a) the fact that the 10th February, 1942, was the time of the fall of Singapore and a general feeling of insecurity resulting in land sales being depressed, and

(b) the fact that since that time the purchasing power of the Australian £1 has depreciated,

does the Government consider that values at the 10th February, 1942 should now continue to be taken as the basis for sales consented to by the Sub-Treasury?

2. If not, what action has the Government taken, or will it take, to have this altered?

The PREMIER replied:

1, No.

2, A case was presented by me at the Premier's Conference asking for the date to be as at September, 1939, or to allow for this State at least a 15 per cent. variation on 1942 figures. I understand the matter is being considered by the Commonwealth Government.

RAILWAYS.

As to Wheat Haulage and Use of A.S.G. Engines.

Mr. SEWARD asked the Minister for Railways:

1, Is he aware that all wheat transported by rail in this State has been diverted to the flour mills, thus depriving stock owners of wheat to feed stock?

2, Is he aware that the wheat transported by the railways has fallen from 6,000 odd tons a week to a little over 3,000 tons a week?

3, Is this shrinkage caused by—

(a) lack of rolling stock?

(b) by the refusal of the employees to use the Garratt engines?

4, Of the Garratt engines on hand, how many are today—

(a) in actual use;

(b) in sheds or yards and not being used?

5, Have the alterations to make them serviceable as recommended by the Royal Commissioner been effected to any of the Garratt engines? If so, how many?

6. Is he aware that owing to the shrinkage in the amount of wheat being transported by the railways, countries to the north of Australia are faced with a flour famine?

7, Does he know that some of the flour mills have had to stop work through the lack of wheat to grist?

8, In view of the near approach of the harvest, what steps is the department taking to—

(a) Increase the rate of wheat haulage sufficiently to enable it to transport the present minimum requirements of 6,000 odd tons a week, and to provide—

(b) the barest requirements so as to permit of the transport of the desirable minimum of 15,000 tons of wheat per week?

The MINISTER replied:

1, No. A proportion of the wheat available is being allocated for stock feed and action taken by the Government is expected to increase this amount.

2, Quantities of wheat hauled each week have varied considerably. For the week ending 7th September only was the tonnage of wheat hauled as low as 3,000 tons. A very appreciable increase in the quantity of wheat hauled is expected by the beginning of next week.

3, Reasons (a) and (b) are contributing factors.

4, (a) Six; (b) Nineteen.

5, No.

6, No.

7, Yes.

8, (a) Action has been taken to step up rail haulage immediately. (b) Every effort is being made to meet requirements. All available labour is being concentrated on the repair of rolling stock and of locomotives in particular.

BUTTER, MEAT AND EGG CONTROL.

As Stabilisation Contributions, Etc.

Mr. SEWARD asked the Minister for Agriculture:

In view of the inability of producers to obtain full details as to the amounts paid into, and the disposal of—

(a) contributions made to stabilisation schemes in the butter and meat industries;

(b) surpluses accruing to certain disposals authorities such as the Australian Egg Committee,

will he make representations to the Commonwealth Government with a view to having a full audited balance sheet, accompanied by a general review of the work of each authority, made available to producers? If not, why not?

The MINISTER replied:

(a) The Commonwealth Dairy Products Equalisation Committee Ltd. issues an audited balance sheet and statement of accounts each year. A scheme to stabilise

prices within the meat industry is under discussion, but has not yet been determined.

(b) The Controller of Egg Supplies has issued an audited balance sheet and statement of accounts each year; that for the year ending 30th June, 1946, will be available shortly.

ORANGES UNSHIPED.

As to Effect on Local Market.

Mr. SEWARD asked the Minister for Agriculture:

1, Is it a fact that a large consignment of oranges destined for Singapore was left on the Fremantle wharf recently?

2, If so, what was the reason for leaving them behind?

3, Is he aware that the oranges concerned had to be sold on the local market, which, owing to the size of the consignment, depressed prices to such an extent that the growers sustained a loss on the oranges?

4, Will he take steps to prevent such a happening in the future?

The MINISTER replied:

1, No.

2, A consignment of oranges was refused an export permit under the Commonwealth Fresh Fruit Regulations on 3rd September on account of immaturity.

3, No. The consignment would not have been sufficient to depress seriously prices on the local market.

4, See No. 2.

EMPLOYMENT.

As to Persons Registered and Unplaced.

Mr. LESLIE asked the Minister for Works:

1, What was the number of persons registered for employment and unplaced at the end of—

(a) July, 1946,

(b) August, 1946,

(c) September, 1946?

2, What is the number of ex-Servicemen included in the figures for each of the above periods?

3, What is the number of boys (under 18 years of age)?

4, What is the number of ex-Service-women included in the figures in each case?

5, What is the number of other females including girls under 18 years of age, in each case?

The PREMIER replied:

The following figures have been supplied by the Deputy Director of Labour and National Service:—

(1) (a) 2,727, (b) 2,540, (c) 2,170.

(2) (a) 1,905, (b) 1,760, (c) 1,505.

3, Unavailable—figures not recorded separately.

4, (a) Six, (b) ten, (c) three.

5, (a) 36, (b) 34, (c) 34.

BILLS (2)—FIRST READING.

1, Plant Diseases Act Amendment.

Introduced by the Minister for Agriculture.

2, Traffic Act Amendment (No. 2).

Introduced by Mr. Hill.

MESSAGES FROM LIEUT.-GOVERNOR.

Messages from the Lieut.-Governor received and read recommending appropriation for the purposes of the following Bills:—

1, Country Areas Water Supply.

2, Comprehensive Agricultural Areas and Goldfields Water Supply.

BILL—BOOKMAKERS.

Second Reading—Amendment Defeated.

Order of the Day read for the resumption from the 2nd October of the debate on the motion—

That the Bill be now read a second time. to which an amendment had been moved by Mr. Watts as follows:—

That all the words after the word "That" be struck out with a view to inserting the following words:—

"in the opinion of this House the second reading should not proceed until after a Royal Commission has inquired into and reported upon the question of betting in Western Australia on and off the course, including—

(a) the proposals in the Bill;

(b) whether in lieu of the proposals in the Bill a State-wide totalisator operated and controlled by a trust responsible to the Government would be a more desirable proposal; and

(c) what could be done to minimise betting, and what amendments to existing laws would best contribute to that end;

and that such Commission should have for its chairman a judge or magistrate, and include four other members of whom two should be persons versed in matters connected with betting, and the other two representative of those organisations which are opposed to betting being legalised."

THE MINISTER FOR MINES (Hon. W. M. Marshall—Murchison—on amendment) [4.38]: I do not propose to accept the amendment as moved by the Leader of the Opposition. Usually when the hon. member offers some contribution to a debate, he rests his argument upon what may be termed sound and logical premises. On this occasion, however, I feel that he has drifted from that particularly sound principle which is generally peculiar to him. Right throughout the hon. gentleman's contribution, he so handled the situation as to imply that it was urgently necessary that, before the Bill passed, it should be referred to a Royal Commission. To a very extensive degree he pleaded ignorance of the ramifications of starting-price betting as we know it.

Mr. Doney: Who is not ignorant of its ramifications, anyhow?

The MINISTER FOR MINES: When I was introducing the Bill, I prefaced my remarks by stating that the principles contained in the measure were not foreign to the Chamber. On three previous occasions a very similar Bill, differing in detail no doubt, but in principle exactly the same, was introduced. The first was brought down in 1935, the second in 1936, and the third in 1938. So I put it to the Leader of the Opposition, who was a member of the House on all three occasions, that it seems remarkable and strange that, 11 years after the first Bill was introduced and although he has given a decision on a similar measure three times, he should now discover that further information is required before we can give consideration to another Bill embodying the same principles.

I put it to the Leader of the Opposition that it would be an insult to his intelligence to suggest he has learnt nothing in 11 years.

I am not prepared to subscribe to such an accusation. I hold the hon. gentleman in much higher esteem. But it is a strange fact that on three previous occasions the Leader of the Opposition, though present, never disclosed any lack of knowledge of the ramifications of starting-price betting and never deemed it necessary to seek any inquiry. So we must look in some other direction to find what impelled the Leader of the Opposition to move for a Royal Commission on this occasion. Let me say that there is no subject that has been more before the public than the one contained in the Bill under discussion. Almost every day, and at least once a week, it has been brought under our notice by virtue of the penalties imposed on those indulging in illegal betting. Almost weekly there have been letters in the daily Press both for and against the legalisation of betting.

I am also aware that, like myself, other members have constantly received correspondence on this matter. In fact, it has been before every Parliament in the Commonwealth for many years past. The subject was never allowed to be submerged from the public gaze. Constantly, almost daily, but undoubtedly weekly, it was brought to our notice through Press propaganda and through correspondence both to the papers and to members of Parliament. So it is of little use at this late stage arguing that it is a subject which has been so submerged that only now has it appeared on the political horizon and thus requires a Royal Commission to inquire into it. As you know, Sir, there have been Royal Commissions on this subject one after the other right throughout the Commonwealth. I do not think one State has experienced a protracted period during which its Parliament has not been called upon to appoint a Royal Commission to inquire into the matter.

If my memory serves me well, there have been three Royal Commissions in South Australia since 1933; but betting is legalised there. So it is no use members arguing that we require any further investigations or any particular inquiry in this State, having regard to the fact that we have constantly had brought under our notice all that has happened in other States and have been able to make personal observations of what is occurring in this State. I know members who argued that if we closed down

shops we would succeed in stamping out S.P. betting. We have closed the shops, but have we succeeded in stamping out betting?

Mrs. Cardell-Oliver: You have not tried.

The MINISTER FOR MINES: Then there were those who argued that if we imposed more severe penalties—for instance, imprisonment of those convicted of illegal betting—we would stamp it out. Well, we have been gaoling them, but is there any diminution of illegal betting? I venture to say there is none and that records and inquiries made in other States show that no matter how heavy the penalty we will never succeed in suppressing it. They have never succeeded elsewhere in stamping out illegal betting. It has been driven underground.

Hon. W. D. Johnson: Surely that is where it should be!

The MINISTER FOR MINES: I cannot catch the hon. member's interjection.

Mr. SPEAKER: Never mind interjections; address the Chair.

The MINISTER FOR MINES: The hon. member will have an opportunity to express his viewpoint on the subject. What I am stating are actual facts. If the hon. member wants a complete digest of the recommendations of the South Australian Royal Commission that ultimately led to the legalising of betting premises in that State, I have it here. Strange to relate, the unseemly factors that applied in South Australia prior to the legalising of betting are now being experienced in Western Australia. They tried there exactly the same methods that we have been trying; but what I want to know from those people who say, "You can stamp out betting by law" is this: Where is the country that has succeeded in doing it?

Mr. Seward: What did they do with Wren in Victoria?

The Minister for Lands: When he became a millionaire!

The MINISTER FOR MINES: It is particularly easy for members to criticise, but what I want them to do is to show me the people who have succeeded in stamping out betting.

Mr. Doney: Nobody on this side of the House has ever asserted it could be stamped out by law.

The MINISTER FOR MINES: I do not know whether members on that side of the House did or did not, but the implication is constantly there, because frequently we receive the interjection, "Stamp it out!" Where have they succeeded in doing that?

Mrs. Cardell-Oliver: You have not tried.

The MINISTER FOR MINES: I would like to know what information, not now known to us, a Royal Commission could give this House, and what recommendations it could make that are not already known to us.

Mr. Doney: How do we know what the recommendations of a Royal Commission would be, until we see its report?

The MINISTER FOR MINES: Had the hon. member interested himself in the subject he would know that Royal Commissions have inquired into this matter, where precisely the same position existed in other States as now exists in Western Australia. The investigations, ramifications and findings of those Royal Commissions are available to us and we can get all the information we wish from those records. Following the inquiries of Royal Commissions that investigated the matter, betting has been legalised in all States with the exception of Western Australia.

Mr. Abbott: Where has it got them?

The MINISTER FOR MINES: Two States have legalised betting off the course as well as on the course. As is well known to you, Mr. Speaker, because you were in my company on one occasion when we visited the Eastern States, we found—not to our surprise—that in the States where betting was legalised on the course but not off the course, the prevalence of illegal betting was astounding, and even in certain youth clubs there were commission agents operating. I gave this House a full digest of the opinions of Mr. Kent-Hughes, Mr. Tunnecliffe and the Commissioner of Police in Victoria, where betting is legalised only on the course, but because they desire to carry on a hush-hush policy about off-the-course betting, there is no justification for our following in their footsteps.

The best example of what can happen was given by the Leader of the Opposition. Dur-

ing the war period racing ceased in South Australia and in 1941 illegal betting was negligible there. The Leader of the Opposition gave us that information as his own contribution. In 1945, when racing recommenced in that State—they did not legalise off-the-course betting—illegal betting was again prevalent. It is common in every State where betting is legalised on the course but not off the course. It is little use members talking about stamping out illegal betting or satisfying the community by legalising it only on the course. I do not wish to do an injustice to those holding views different from my own, but having regard to the attitude of the Leader of the Opposition on three previous occasions—no action having been taken then to submit those matters to investigation by Royal Commissions—I am beginning to feel that the move now is really to provide a soft spot on which some members might fall. The Government, in its desire to do something in the matter, has given Parliament an opportunity to say what its wishes are.

Each and every member has been given opportunity to make a declaration on the proposals submitted in the Bill. I think the amendment of the Leader of the Opposition is for the purpose of evading—if members wish to do so—the responsibility of making a declaration, by way of voting, in this matter. Apart altogether from that, there have been many investigations and inquiries dealing with this subject where precisely the same conditions were operating, and the reports of those commissions are available to us. They are accessible to any member who is sufficiently interested to obtain a digest of the evidence, and the recommendations of those commissions. Over and over again the Leader of the Opposition stressed the fact that after betting had become legalised the volume of money involved and the number of bets lodged each year increased. He based practically the whole of his argument on those facts.

I subscribe to the accuracy of the figures used by the Leader of the Opposition. They are true in every particular, as far as those reports are concerned. The volume of betting did increase, but the Leader of the Opposition knew, when he moved his motion, that the premises upon which he rested for the accuracy of the figures were not sound. He knew that during 1933, when the board

in South Australia gave its first half-yearly report, that was a depression period, that 400,000 breadwinners were unemployed throughout Australia, while thousands of others had only part-time work and thousands more, who were unemployed, did not register. Could it be expected that in any field there would be found at that time an amount of money equal to that to be found in 1945 when every man and woman, young and old, had enjoyed years of constant employment with good rates of pay, when men were returning from the Army with hundreds of pounds of deferred pay and accumulated savings for which they could find no outlet, because goods of almost all classes were rationed and there were restrictions even on the consumption of alcoholic liquor? They could not spend their money freely—

Mr. Watts: All that had not happened in 1938.

The MINISTER FOR MINES: The Leader of the Opposition concluded with these words, "There you have it. In 1945, compared with 1933, betting had increased three and a-half times." That was the basis of his argument.

Mr. Watts: In 1938 it had increased nearly as much.

The MINISTER FOR MINES: I replied to the hon. member when he made his statement. Those are the two years that he availed himself of when making his comparison and he argued that it had increased $3\frac{1}{2}$ times. Is that a fair basis?

Mr. Watts: It was up three times in 1938, which was before the war started, and that was when they imposed the extra taxation that decreased the volume of betting.

The MINISTER FOR MINES: The Leader of the Opposition knows full well that during the years 1930 to 1933 the purchasing power of the community shrank by 50 per cent.

Mr. Watts: You come down to 1938 and I will listen to you.

The MINISTER FOR MINES: I am coming to 1938. Members who were in this House at the time know full well that it was not until 1934 or 1935 that new money was again available to any degree to the community and thereby eased the position. About 1936 the Governments of the day, particularly the Commonwealth Government—or

the Loan Council as I may describe it—commenced to make loan funds available for the purpose of carrying out national works. Therefore, as the Leader of the Opposition quite truthfully said, over successive years an ever greater volume of loan money was in circulation and the position so eased as to increase the purchasing power of the people. They had more money to spend. Quite obviously the more money there is in the pockets of the people the more liberal will they be in each and every direction, according to their respective tastes.

So the Leader of the Opposition was quite correct in his statement, but take the period from 1938 to 1945 and let members consider the increase! That shows clearly and concisely that with all the restrictions upon expenditure in other than essential directions and with the people's purchasing power increasing to a greater degree than ever before in the history of the Commonwealth—and with no avenue for the expenditure of that money—naturally a greater volume went through the betting ring, and most decidedly a larger number of bets was on record. Let me put the position another way, and see whether the Leader of the Opposition and those who subscribe to his views will agree. Let us assume that similar conditions applied in 1933 as in 1945. Let us agree that the spending power of the people in 1933 was equivalent to what it was in 1945.

Then let us run down the scale until we get the same conditions applying in 1945 as we had in 1933. What would be the picture then? There would be a general decline in the volume of money invested and the number of bets recorded. How can the hon. member use that as an argument against legalising betting now? Only because of economic circumstances was he able to present the picture he did. I will turn the scales round for him, and I hold there is no thinking member of this Chamber that will not admit that the volume of money available for betting purposes would be decreased enormously, because the purchasing power of the people was at its lowest ebb in the history of the Commonwealth. So the figures quoted do not present a fair comparison by any means.

There is another point. During my stay in Adelaide I personally investigated the legalised shops where betting off the course was transacted. Although it is on record—

the particulars can be perused in the report of the Royal Commission that dealt with betting in South Australia—that there was a given number of shops or premises in which betting was indulged in that were known to the police, I say quite frankly that, as the South Australian Commissioner of Police, Brigadier General R. L. Leane, told me—he is the man who ought to know the position—it was based on mere assumption. The number quoted was the nearest they could get to it, so that when it is stated that in Adelaide there were known to be 300 or 400 shops engaged in betting in 1943—

Mr. Watts: The number was 643.

The MINISTER FOR MINES: The exact number of shops does not matter. What I am getting at is that the Commissioner of Police in South Australia, who was responsible for that part of the report, admitted he was merely basing his figures on assumption and that the total he gave was the nearest he could get to it. As a matter of fact, the number may have been three times the total mentioned, but the police did not know. Therefore the Leader of the Opposition and others holding views similar to his will realise that the figures in that part of the report represent merely a matter of calculation as to the number of premises known to the police, in which betting was going on. They said that betting was going on in 29 private homes with telephones attached to them. There could have been 50; but they knew of 29. They said that approximately 600 nit-keepers were employed by the bookmakers to watch for the police. The number so employed could easily have been 1,200.

It was pointed out that the bookmakers had accumulated a reserve fund of £200,000 and were spending that much a year in employing nit-keepers to watch for the police and to encourage other methods of law-breaking. I make the point that there is nothing embodied in the report, as submitted by the Commissioner of Police, that can be accepted as other than approximate. Proof that that was the extent of betting in evidence when legalisation of such transactions took place, could not be established. We could only say that represented all that was going on as known to the police at the time. In these circumstances the Leader of the Opposition was hardly on sound grounds regarding his argument. There are one or two other matters I wish to deal with. Cer-

tain people believe, because they have not studied the position, that when reference is made to the volume of money turned over by the bookmakers—I refer more particularly to the figure mentioned by the Leader of the Opposition, which represented a colossal sum of approximately £9,000,000—

Hon. N. Keenan: For South Australia.

The MINISTER FOR MINES: Yes. Such a figure certainly sounds phenomenal when mentioned as the money handled in 12 months by the bookmakers. When reference is made to 22,000,000 bets the figure looks colossal. People are led to believe that that £9,000,000 is all new money. It is not; it is far from that. As a matter of fact, the amount of new money involved might not be more than £1,000,000. It is doubtful whether it would be because the same money is constantly changing hands within the pool.

Mr. Doney: How otherwise would you compute the investments, seeing that the money is spent for that particular purpose?

The MINISTER FOR MINES: The picture is not nearly as staggering as it has been painted.

Mr. Doney: I quite understand the point you are making.

The MINISTER FOR MINES: It certainly does not mean that everyone who makes a bet puts new money into the pool each time.

Mr. Doney: We realise that.

The MINISTER FOR MINES: As I pointed out, the same money is constantly being turned over. The same applies to betting. There are some men and women who, unfortunately—

Mrs. Cardell-Oliver: Then why encourage them?

The MINISTER FOR MINES: —go to the races and have bets on every event. Other people do not adopt that attitude but bet only on the big events every now and then.

Mr. Seward: But winners do not as a rule reduce their betting.

The MINISTER FOR MINES: I think it will be admitted, whether we accept the figures quoted as accurate or not—I have pointed out that they are based on assumption—that after legalisation had taken place in South Australia the number of betting

shops registered did not equal the total known to the police to have operated previously. To that extent legalisation imposed restrictions upon the volume of betting. Other restrictions were that juveniles were not permitted upon betting premises and any person under the influence of liquor was not allowed to bet. Furthermore, little boys on butchers' and bakers' carts were not allowed to run a commission system, and betting in private houses had to cease. I assure the Leader of the Opposition that whatever fears he has with regard to this legislation policing itself, he can disabuse his mind in that regard. This Bill when it becomes an Act will police itself. People will not take the risk of betting illegally when provision is made for lawful betting.

Mr. Doney: They have always done it.

The MINISTER FOR MINES: At any rate, that was the experience in South Australia, and the Commissioner of Police there told me that the change effected was so great that there was practically no illegal betting.

Mr. Watts: The board says there is black market betting going on.

The MINISTER FOR MINES: Yes, and for what reason?

Mr. Watts: It is still in progress.

The MINISTER FOR MINES: The reason is that they did not open the shops again. Let us assume we legalised betting in Perth and then, after a year or two, we decided to start racing again with betting on the course only. What would happen in Perth? Illegal betting would be rampant in no time. The same position has arisen in South Australia. The reason why I cannot support the amendment moved by the Leader of the Opposition is, firstly, because he suggested a State-wide totalisator.

Mr. Watts: I do not suggest that at all, but an inquiry into the matter.

The MINISTER FOR MINES: There are several reasons I can give him against such a proposition. I think the Royal Commission recommended a State-wide totalisator for South Australia, but the evidence in support of it was based upon that tendered by Mr. Pullman. In fact, it is known in Adelaide as the Pullman scheme, although I understand it was copied from one formulated by somebody else. When I

was in Adelaide, I interviewed Mr. Pullman in his office and had a long talk with him. I know that was what, ostensibly, they had in mind but, when the recommendation was gone into fully, it was realised that a State-wide totalisator was an impracticability. It just would not work.

Hon. N. Keenan: Who told you that?

The Minister for Education: It is obvious.

The MINISTER FOR MINES: It is obvious, as the Minister for Agriculture said.

Mr. Doney: None of these betting matters is obvious.

The MINISTER FOR MINES: It may be quite all right where the big crowd is, but try to apply it to isolated centres and see what happens! Let each little centre have its own totalisator and it will be found that a person will lose money, even if he wins now and again. There must be the volume of money and the people with differing opinions as to the chances of a horse before a totalisator will prove to be a possibility. That is why effect was not given to the recommendation in South Australia. After further investigation, the Government found that it was impracticable.

Mr. Doney: Has it ever been tried and found to be a failure?

The MINISTER FOR MINES: No. What I want the member for Williams-Narrogin to get a grip of is that the totalisator was recommended and that it was intended to make it lawful; but after the matter had been gone into the Government found that it would not work and therefore dropped the idea and legalised shops. The Government had no intention of legalising shops when it appointed the Commission, but found there was no alternative after the inquiry.

Mr. McDonald: Was that in 1933?

The MINISTER FOR MINES: Yes. I do not think the Leader of the Opposition gave serious consideration to the personnel of the Commission which he suggests in his amendment. It is here that I see more danger in the amendment than anywhere else. His proposal is that the Commission should have for its chairman a judge or a magistrate—to which no exception could be taken—and that it should include four other

members, two of whom should be persons versed in matters connected with betting. Can the Leader of the Opposition give me any idea of a person versed in betting who is not a partisan? I point out to the Leader of the Opposition the great danger there is in this suggestion. It might be thought, if the amendment were carried, that the Government could decide on two persons versed in betting. It could do so, and quite easily. I know some very big bookmakers. They are off-the-course bookmakers.

The Minister for Lands: They would be well versed in betting.

The MINISTER FOR MINES: Yes, thoroughly well versed. Do not forget that, to the outside public, if these men were appointed—having regard alone to the fact that they would be two persons known to oppose the legalisation of betting—a perfect tribunal would be set up. What I want to impress upon the House is that there are many of these bookmakers operating off the course who are opposed to the legalisation of betting.

Mr. Rodoreda: Plenty of them. They would have to pay then!

The MINISTER FOR MINES: They have a virtual monopoly and do not want this Bill. They have more than one shop and carry on a lucrative business. They are not molested. Let us assume that we appoint them.

Hon. W. D. Johnson: Are they operating within the law?

The MINISTER FOR MINES: No. No more than are the bookmakers in Melbourne.

Hon. W. D. Johnson: If you know where they are, why are they operating?

The MINISTER FOR MINES: I do not know. Is the hon. member ignorant of their locality?

Mr. SPEAKER: Order!

The MINISTER FOR MINES: If there is any pimping to do, the hon. member can do it. I will not.

Members: Hear, hear!

Hon. W. D. Johnson: I am not the Government.

The Minister for Lands: The Government is not a pimp, either!

Mr. SPEAKER: Order!

The Minister for Lands: We have a police force for that work.

Mr. SPEAKER: Order!

The MINISTER FOR MINES: Mr. Speaker, I am tired of this professedly unsophisticated individual who says that, "If you know, you should do this." He knows full well who the individuals are.

Hon. W. D. Johnson: But we are not the Government.

The MINISTER FOR MINES: We are not the Government! As a matter of fact, I understand the hon. member is a horse-breeder. He is a potential manufacturer of gambling.

Members: Hear, hear!

The MINISTER FOR MINES: He breeds the wherewithal for people to gamble on. He goes to the racecourse and indulges in betting illegally himself.

Mrs. Cardell-Oliver: That is not true.

The MINISTER FOR MINES: It is.

Mrs. Cardell-Oliver: It is not.

Mr. SPEAKER: Order!

Mrs. Cardell-Oliver: It is a sport.

The MINISTER FOR MINES: If the member for Subiaco does not know anything more about other subjects than she does about betting—

Mrs. Cardell-Oliver: I know more about betting than you do.

The MINISTER FOR MINES: —she will not be an acquisition to the social activities of this State. Where are we to get two individuals versed in betting who could be guaranteed to be honest while being partisans?

Mrs. Cardell-Oliver: Why? Is it a non-party measure?

The MINISTER FOR MINES: The member for Subiaco is not opposed to the legalisation of betting.

Mrs. Cardell-Oliver: You are a—

The MINISTER FOR MINES: Not at all! The hon. member has never uttered one word, to my knowledge, in condemnation of betting on the course.

Mrs. Cardell-Oliver: Your knowledge is so small as to be negligible.

The MINISTER FOR MINES: I think I can remember when the hon. member advocated the legalisation of betting on the course.

Mrs. Cardell-Oliver: That is not true.

The MINISTER FOR MINES: It may not be. I will say this for the hon. member, that some of the associations and organisations of which she is a member are not altogether hostile to the legalisation of betting on the course.

Mrs. Cardell-Oliver: Tell us what they are.

The MINISTER FOR MINES: But they are hostile to the legalisation of off-the-course betting. One law for the rich; another for the poor!

Mrs. Cardell-Oliver: Be honest! Name the organisations.

The MINISTER FOR MINES: How is the Government to decide upon the appointment of two persons versed in betting? One must bear in mind the remainder of the amendment, which says "and the other two representative of those organisations which are opposed to betting being legalised." I do not know whether there is 100 per cent. unanimity amongst those organisations upon betting on the course. I know some ministers of religion who will suggest that it is not so harmful to bet on the course, but who are definitely opposed to the legalisation of betting off the course. There are other ministers of religion altogether opposed to betting, whether on or off the course. Others, again, are quite indifferent as to whether we legalise betting both on and off the course. As the Lord Bishop of Adelaide said, he was not interested; he did not care; he did not think it would do any good, but did not think it would do any harm; what he wanted was the right kind of public opinion created. When we get down to bedrock, we find it impossible to give effect to the amendment. It would put the Government in an invidious position. Personally, I do not know where the Government could get two persons versed in betting who would be impartial.

Mr. Doney: You cannot escape that difficulty no matter what the question is.

The MINISTER FOR MINES: I therefore contend that the amendment, as framed, is impossible and for that reason I strongly oppose it. It is little use our agreeing to the appointment of a Royal Commission on

that basis, when we know full well that, if it were appointed, the Government would be placed in an invidious position.

Mr. Watts: Why not amend the amendment yourself, if you do not like that part of it? I thought you were altogether opposed to the holding of an inquiry when you started to speak.

The MINISTER FOR MINES: I am suggesting that I am not prepared to accept this particular amendment. I told the hon. member I was opposed to it when I started to speak.

Mr. Watts: You are opposed to an inquiry altogether, not to the personnel of the commission.

The MINISTER FOR MINES: I am opposed to an inquiry because there are many reports of Royal Commissions available to us on this subject. I have here a report which I venture to suggest would be thought to be a report on S.P. betting in Western Australia, if a member picked it up innocently and read it. In my opinion, the amendment is impracticable.

MR. DONEY (Williams-Narrogin—on amendment) [5.27]: The Minister, particularly at the commencement of his remarks, exhibited a certain amount of warmth. I think he felt that his good faith in the opinions that he has been expressing has been called into question by the Leader of the Opposition and some others; but I would like to inform the Minister—and I know it to be right—that no-one in this House impugns his bona fides in any matter he deals with in this Chamber. He has, as a matter of fact, created for himself a unique position in that respect. I therefore hasten to inform him that there is not the slightest ground for any warmth. I would like to tell him, nevertheless, that he has made an unimpressive job of his opposition to the proposal set out in the amendment.

The Minister for Lands: That is one way of patting him on the back wrongly.

Mr. DONEY: All right! The Minister for Lands may make his speech by-and-by.

The Minister for Lands: You are very generous!

Mr. DONEY: I would like to recall to the Minister for Mines, if he does not go out of the Chamber too quickly, that he said the

South Australian Royal Commission recommended a totalisator somewhat on the lines mentioned by the Leader of the Opposition, but that, after further inquiry and upon consideration, the South Australian Government decided against it. I ask you, Mr. Speaker, what kind of Government could that be, to appoint a Royal Commission comprised of a man, or men, in whom obviously it had the completest faith; and yet, when that Commission brought in its findings upon a matter of this kind, the Government—for goodness knows what reasons—decided not to make use of them. So I point out to the Minister and to the House generally that an argument based on that information is absolutely no argument whatever. He did not say on what grounds the recommendations respecting the totalisator had been turned down, but merely that the Government declined to accept the recommendations.

It might quite easily be that a Royal Commission might be appointed here, but since most of us have some idea of who would be appointed—it would not matter indeed who was appointed from the judiciary in this State—we can, I think, rely upon the good faith of whoever might make the inquiry to bring in a finding in keeping with the best interests of the public. The Minister said that the Leader of the Opposition was ignorant of many of the principles of betting. I have no doubt that he is. I am, too, and so is everyone here, and that includes the Minister who has just concluded his speech. There must be a tremendous lot that the Minister does not know about betting, and never did. There is no one here who knows quite as much about betting as do the bookmakers. No man—not even the Minister—knows everything about betting and all its ramifications. We do know this, however, that it must be a particularly involved matter, and the Government has found it impossible to make it amenable to the laws of the State.

I suppose there is no one topic more in the public mind than this. It seems to me to become all the more necessary, so little do we know, that we should be informed upon it by a man—or a body of men—who is in a position to get from interested sections just exactly what they know about this important subject. The Minister also said that it was not until right now that the Opposition saw fit to make a political matter of the subject of betting. I point out to him

that that certainly is not our fault; it so happens that the Bill has just been brought down and, as a result, it is only now that we can deal with it. I do not think this is a political matter. Anything that we might urge against this Government in regard to the control of betting could equally be alleged against Governments of another political colour that previously occupied the Treasury bench. There is no particular allegation against the present Government.

The Minister criticised the Leader of the Opposition for the comparison he drew with the South Australian figures dealing with the amounts bet and the number of bets made in 1933, 1938, in particular, and 1945, giving the figures appertaining to the intervening years, of course. The Minister, to my mind, made a sad mess of that. He pretended that the comparison was made between 1933 and 1945. It is admitted that there were unusual economic circumstances obtaining during the years 1933 to 1936, but by 1938 the position had improved and that might well be regarded as an average year. The point is that from 1938 to 1945 the increase was in just about the same ratio as it was in the years 1933 to 1938. So the Minister can draw little satisfaction, surely, from his remarks on that point.

The amendment has my warmest support because it supplies what the Bill lacks, namely, a sane and entirely logical approach to the problem under discussion and, what is more, an approach that will bring before this Chamber for discussion all phases of betting from the points of view of both the opponents and the supporters of betting. The Minister would insist on saying that members on this side of the House were constantly asserting their belief that the Government should be able to correct the present position by the enforcement of our laws. The Opposition made no such assertion. I personally say that gambling, when looked upon as a human ailment, is not completely curable. It certainly cannot be stamped out altogether under the type of civilisation to which we are conforming today. Equally certain, is it that neither compulsion nor licensing as set out in the Bill, will stamp it out. Nor will education stamp it out except, perhaps, at the end of a century of consistent, intense and well-planned endeavour by public bodies.

The Premier: Do you think it is an inherent trait, or is it simply due to environment?

Mr. DONEY: I think at the commencement it is inherent. I think that without any assistance from environment—that is, the habits of one's companions and so forth—the desire to get some spice from life by taking risks would prevail over any of the kindlier intentions with which we might have been born. I say too, that it is relatively easy to demonstrate that betting, as a business, does not pay, but I entirely agree with the Premier that that is a vastly different thing from eradicating the gambling instinct. It is probably the fact that it is an instinct and not just an habitual practice that makes it ineradicable. No-one, not even the Minister, knows at the moment just what type of legislation the findings of a Royal Commission, if appointed, would suggest, but I am inclined to the idea that we would find ourselves trying to confine the practice of betting within the scope of what might be described as two clearly set out parallel lines, and that thereafter we should courageously police those lines and, as opportunity offered, narrow them.

The Minister, however, does not see things that way at all, but seems to think that the appointment of a Royal Commission is predestined to failure because the commission appointed in South Australia did not have its findings even given a chance to succeed. I call the Minister's attention once more to the fact that that is a pretty puerile argument for a man of his experience to offer to this House. The Leader of the Opposition also pointed out very clearly that there was, from 1938 to 1945, an increase of, I think, 150 per cent., but I am a little uncertain about that, I must confess. It is not my intention to speak at any length on this matter. I actually rose to move an amendment on the amendment. I propose to add, after the word "Bill" in paragraph (a), the words "and what would be the—

Mr. SPEAKER: Order! It is not possible for the hon. member to do that at the present time. All we have before us is an amendment to strike out certain words. Until that is dealt with, I cannot accept any further amendment. The hon. member may move his amendment later, if we get that far.

Mr. DONEY: Very well.

MR. McDONALD (West Perth—on amendment) [5.40]: I do not propose to traverse the merits or demerits of this Bill, or those of any other proposal to deal with the prevalence of betting on or off the racecourses. I intend to confine my remarks to the question of whether or not it is desirable to hold an inquiry into what steps, if any, should be taken in the way of new legislation, or otherwise, to deal with the large extension of betting that has occurred in this State as well as in other parts of Australia. The Minister commenced by suggesting that the Leader of the Opposition was not so ignorant of betting as he endeavoured to make out. In other words, he rather flattered the Leader of the Opposition by attributing to him a large knowledge of betting in all its ramifications. I rather think that the Leader of the Opposition, like myself, knows very little of what goes on at racecourses and in betting shops. I do not suggest that as a virtue on my part; it is simply that these things have no particular appeal to me. So we can take it that the Leader of the Opposition is genuine when he says that he does not know much about betting, and I think, that other members are in the same position. The curious feature of the whole matter is that the Minister is in the same position too because, when introducing the Bill, he said, "I am not au fait with the transactions of bookmakers." On a previous occasion, he did, I think, inform the House that he had never made a bet in his life. But in saying that I might be doing him an injustice.

Be that as it may, we have here the curious spectacle of a Bill, to deal with betting, being introduced by a Minister who is, presumably, the most experienced and competent of the Cabinet to undertake the task, but who prefaced his speech, when introducing the Bill, by the admission that he knew nothing about it, and that was followed by the candid admission of the Leader of the Opposition that he knew nothing about it either. I do not know, but those admissions seem to me to form all the foundations for an inquiry by someone who does know something about the subject, or could find out something about it. The Minister referred to three prior Bills that had been introduced between 1933 and 1938 to deal with this matter. Those three Bills failed to become law in any shape at all. I imagine that if the Government, or private

members, had tried three times in the last decade or so to bring into being some measure to deal adequately with betting in this State, and had failed on each occasion, the best thing to do now would be to have some inquiry made by those who know all about betting with the idea of formulating some measure that might be acceptable to Parliament and the people at large of the State.

The existence of three prior unsuccessful attempts to legislate on this matter is firm ground on which an inquiry should be supported. Apart from that, the member for Guildford-Midland moved in this House in 1936 for the appointment of a Select Committee to inquire into betting. The motion was carried by this Chamber. The hon. member felt that the matter had reached a stage when an inquiry should be held. His suggestion was that it should be held by a committee of this House. He thought that those who had views for or against any particular move dealing with this matter should be heard, so that the committee could then advise members what course it thought would be best for this Parliament to take. That motion received the approbation of the House, but it was subsequently amended to propose a joint committee of both the Legislative Assembly and the Legislative Council. That failed to become an accomplished fact, if my memory is right, because of some doubt in the mind of the Council whether the expenses which members there would have to be paid for their inquiries might not cause them, as the Constitution then stood, to forfeit their seats.

The Premier: That Bill did not reach there.

Mr. McDONALD: It was a motion for the appointment of a Select Committee that was passed in this Chamber, and was amended to request that the Legislative Council should also appoint members from its Chamber to take part in the inquiry. So far as I can recollect, the matter failed in another place through some question as to how far the receipt of expenses by the members of the committee might not occasion the forfeiture of their seats. For that reason the matter went by the board. It is very interesting to look back at the report dealing with the motion moved by the member for Guildford-Midland. I find that the motion for the 1936 Bill to be referred to a Select Committee of this Chamber was carried by 29 votes to 10. The Minister for Mines was

one of the 10, but in a democratic country and being in a small minority he must be taken to have been undoubtedly wrong.

The Premier: You always regard a vote taken in this Chamber in that way, that you are wrong?

Mr. McDONALD: I do on this occasion. In the list of names of those who took part in the division on the question of an inquiry being held to guide this House as to what kind of legislation could best meet the state of affairs regarding betting, I find many eminent people. The names of those on the affirmative side included every member of the Government in this House at that particular time. We find on the Government side a determination and opinion at the end of 1936 that this matter obviously demanded an inquiry before any legislation should be proceeded with by this Parliament.

The Minister for Lands: They must have been easily led astray in those days by the hon. member.

Mr. McDONALD: I think they were just as tough then as they are today; perhaps they were a little more so. They had a Bill before them on two occasions in the preceding two or three years, and I presume they knew as much about the question as they do now seeing that eight years has elapsed since the matter was last before the House. This House, as I have said, decided that an inquiry was a proper and desirable thing. In 1938 the same course was not followed, and now in 1946 a similar motion was moved, the only difference being that the inquiry should be by independent outside people in regard to this Bill. The reasons for an inquiry appear to me even stronger today than they did in 1936. It is for the House to decide whether it should somersault on the views it expressed in 1936, or maintain a certain consistency in dealing with legislation of this kind.

For eight years, from 1938 to 1946, the Government has left this matter alone. No legislation to deal with starting price betting has been brought down by the Government, so clearly the matter has not been regarded as one of urgency. It is true there have been some imprisonments ordered by magistrates, and that magistrates have been acting entirely properly in carrying out the law they are sworn to administer. Apart from that, the position is no worse than it

has been for the past eight years; in fact it seems to me to be very much better. In 1942, the effect of the Bill brought down by a private member of the Legislative Council and passed by this House, was to close betting shops. When those shops were closed the situation was subsequently improved for the better so far as starting-price betting in this State was concerned. I mention that to show that from the point of view of urgency there is nothing to stop us from ascertaining by proper inquiry what kind of legislation would best meet the circumstances in our State and would be best fitted for the approval of Parliament. I therefore offer no objection to the amendment moved by the Leader of the Opposition. When it comes to the second reading of the Bill I, with other members, am prepared to cast a vote.

Like many other members, I do not know a great deal about this subject, notwithstanding that I spent many hours reading about the conditions in the other States and countries. If there were a report as a result of a competent inquiry, I would take that into consideration, and in the light of that report would determine whether my present opinion should be modified or not. There are matters to be inquired into. Let me take one alone, the totalisator, as an alternative system. There are not an inconsiderable number of people in this State, well qualified to speak, who are strongly of opinion that if we were to legalise betting in any form it should be through the totalisator. They would seek to eliminate from betting any element of personal profit or any incentive on the part of people to popularise starting-price or other betting. The Minister said that in 1933, after an inquiry which had recommended the totalisator system for South Australia, it was found to be impracticable and was therefore dropped. Instead of that, the authorities there legalised betting shops by the legislation of that year.

I should like to refer to the debate that took place in the South Australian Parliament at the end of last year, that being something like 13 years after the year when the Minister said the totalisator had been found impracticable in South Australia. In the South Australian "Hansard" of the 7th November of last year, when the Lottery and Gaming Bill was before the House of

Assembly, the Leader of the Opposition, Mr. Richards, who was also Leader of the Parliamentary Labour Party of South Australia, in opposing the Bill brought down by the Government, said—

The Labour Party believes that if betting facilities are to be established they should be in the form a totalisator instead of betting shops. The totalisator is much more satisfactory for all concerned, and at the proper time I propose to move that such a facility be provided.

The Minister for Education: Imagine a totalisator at Derby or Hall's Creek or Salmon Gums! That is too silly for words.

Hon. N. Keenan: Racing men do not think so.

Mr. McDONALD: I am prepared to believe that the Leader of the Labour Party and of the Parliamentary Labour Party in South Australia is too silly for words, but he has with him a lot of other silly people who hold the same opinion.

The Minister for Education: I put it to you it is nonsense to talk about a totalisator at Derby or Hall's Creek.

Mr. SPEAKER: Order! The member for West Perth has the floor.

Mr. McDONALD: If I were an authority I could give an informed opinion to the Minister for Education and would be glad to do so but, as I have already said, I am not an authority, only a humble person seeking guidance as to what is best to be done. Silly though Mr. Richards may be, only a few months ago in the South Australian Parliament he said that it was not merely his opinion but the policy of the South Australian Labour Party that there should be totalisators instead of betting shops. I am not saying whether he is right or wrong or—

Hon. N. Keenan: Or who is silly.

Mr. McDONALD: —whether other people are silly, nor do I say that the opinions expressed in our neighbouring State are worthy of being regarded with very much consideration, but there is the opinion that has been expressed in the South Australian Parliament after all their experience of betting shops that they should get out of such shops and put in totalisators in South Australia in place of those other establishments. I therefore say in all humility that I would like to hear a bit more from Mr. Richards

about the policy of the South Australian Parliamentary Labour Party in favour of totalisators. Between now and half-past seven this evening I shall not have much opportunity to learn what his views are.

Mr. Smith: What happened when he moved his amendment?

Mr. McDONALD: I have not gone through that; I merely happened to see this particular point: The motion was not carried.

Mr. Smith: I know.

Mr. McDONALD: Instead of that, the South Australian Parliament closed all betting shops in the metropolitan area, and made certain stringent provisions in regard to the opening of betting shops in country districts. I will not deal with them because they belong to the discussion on the Bill. I suggest that if an inquiry were held the opinions of people like Mr. Richards, after the South Australian experience, would be well worthy of investigation.

Mr. Smith: He may know as little about this matter as you say you do.

Mr. McDONALD: I should say that from the length of his speech—I read a certain amount of it—he must know a great deal about it.

The Minister for Lands: Generally the man who knows least makes the longest speech.

Mr. McDONALD: From the length of my speech it will be evident that I do not know much about this subject. The Minister for Mines was in very good voice today. I say entirely in a spirit of admiration that I could not help thinking that vocally an eminent member had been lost to the profession of bookmakers. That is only by the way.

The Premier: You have heard some, have you?

Mr. McDONALD: Yes. The Minister, as I was pleased to note, converted himself as his speech went on. No merit I am afraid can be attached to the Leader of the Opposition for that. The Minister started off as an opponent of any inquiry and finished up, so far as I could see, as being agreeable to one, but having some quarrel with the personnel proposed by the Leader of the Opposition. The very small objection with which the Minister concluded can be readily

removed. I do not regard the personnel of the body making the inquiry as being of any great importance so long as we have a judge or magistrate as chairman. In fact, I would be quite agreeable to an inquiry being made by a judge or magistrate alone, which in some ways might be preferable. I hope that, at a suitable stage, some member will be prepared to move, in order to test the opinion of the House, that the inquiry be limited to a judge or magistrate without the addition of other personnel, with which idea the Minister does not seem to be entirely in agreement.

There are arguments of some substance, even on the prior decision of this Chamber, in favour of an inquiry by some authoritative and responsible person. In view of the experience in South Australia, it would be of great advantage in particular to hear something of what is now thought there, because that State has had some experience of its legislation of 1945 under which the betting shops in the metropolitan area were closed. I feel that we would be justified in supporting some satisfactory form of inquiry. If arrangements to that end are not made, I am prepared to vote now on this Bill, subject to anything that might be said by any other speaker to prove that my present views are wrong. If an inquiry be held, I shall be prepared to consider the report, and if I find that my present views, in the light of the evidence adduced, are not sound, I shall be prepared to reconsider the attitude I should adopt in the interests of the people generally on a measure of such importance. I strongly suggest that an inquiry would be well worth while.

THE MINISTER FOR EDUCATION

(Hon. J. T. Tonkin—North-East Fremantle—on amendment) [6.3]: This is a debate upon which one enters not with any degree of enthusiasm, but rather as a duty to the House as well as to the people generally. That duty is to present the facts as they exist so that, when a decision is made, it can be reached without prejudice or bias and entirely upon the merits of the question.

In dealing with this matter, there can be no middle course. I can find nobody who advocates a continuance of the existing state of affairs under which people are being imprisoned for doing off the course the self-same thing that is being done on the course with no more legal authority.

Mr. Watts: It is not possible now to convict people for betting on the course?

The MINISTER FOR EDUCATION: I do not know anyone who will defend the position as I have stated it. There are two ways open to us, one to endeavour to regulate and control betting and the other to endeavour to suppress it. The amendment of the Leader of the Opposition proposes to defer a decision upon the question, but no matter how long it may be deferred, sooner or later a decision must be made.

Mr. Watts: Hear, hear!

The MINISTER FOR EDUCATION: Sooner or later we must determine to endeavour, either to stamp out betting, or to regulate and control it. Fortunately we have evidence from places where both these courses have been attempted. Therefore it remains for us merely to examine the degree of success that has followed the efforts that have been made. In 1938 a Bill was introduced into the New South Wales Parliament, which Mr. Heffron, then Leader of the Opposition, described as a policeman's Bill. It was the dream measure of the anti-gambling squad and, if it had been written by that squad, it could not have been written better. Penalties up to £500 were provided for making a bet and the onus of proof was placed on the accused. Those were the outstanding features of the Bill.

Before this legislation was introduced a Royal Commission of inquiry sat in New South Wales, and the Commissioner of Police gave sworn evidence that, in connection with the suppression of illicit betting, people had no respect for the gambling and betting laws because they did not regard such laws as being right. However, when the Bill was subsequently introduced into the New South Wales Parliament, the Commissioner of Police assured the then Premier that the measure gave the police all the power they needed to suppress illegal betting. Now let us see how they got on. In 1937 the number of prosecutions for illegal betting in New South Wales was 4,414. In 1938, the year in which this legislation was passed, the number was 4,734. In the following year the total fell by 1,000, but members should bear in mind that that was the first year of the war, and considerable action was taken by the Commonwealth in the way of cutting off facilities, taking away telephones and

preventing the sending of information by telegraph—action that tended to reduce betting.

In 1940, with the same conditions prevailing, the prosecutions numbered 3,726; in 1941 the number was 3,805; in 1943, it rose to 5,698 and in 1944 there was a jump to 8,462. Yet the Commissioner of Police had assured the Premier that the legislation under which these prosecutions were launched gave him all the power that was necessary to deal with illegal betting. When I recall that this legislation provided for a penalty up to £500 for making a bet, and that the onus of proof was placed upon the accused, members will appreciate that it was a measure deliberately designed for the suppression of illicit betting. These figures prove more eloquently than I or anyone else could do in words just what success has been obtained as a result of the legislation in New South Wales.

Mr. Abbott: Why was that so?

The MINISTER FOR EDUCATION: I have a cutting from a recent issue of the "Sunday Times" as follows:—

Arrested in Huge S.P. Raid.

Sydney, Saturday.—Police arrested 111 men for S.P. betting in a Manly social club today in a record raid.

Three men were charged at the Manly police station with illegal betting and 108 with being on unlicensed premises.

Mr. Seward: What was the penalty in those cases?

The MINISTER FOR EDUCATION: We have to be realistic. New South Wales is a State where the Government deliberately set out to pass legislation that would give the police all the power they needed. And look at the result! There were fewer than 4,000 prosecutions before the Bill was introduced and in 1944, the latest year for which I have been able to obtain figures, the total was 8,462.

Mr. Abbott: Why was that?

The MINISTER FOR EDUCATION: Because it is impossible to prevent people from betting.

Mrs. Cardell-Oliver: No, because the Commonwealth did not co-operate.

The MINISTER FOR EDUCATION: We have to take a realistic view of the problem confronting us. If the member for

Subinco would advocate that we do in this State what was done in New South Wales and in Queensland, could we expect to have any better results or could we expect the position to go from bad to worse? Members can pick up the "Daily News" of any Friday and see quoted therein the prices of horses to run on the following day. Reference is made to bets, not of a few shillings, but running into thousands of pounds. The newspaper can get that information and it is remarkable how close those published prices are to the prices that actually are obtained on the day of the race. Surely this must be well known to the people in Victoria. Yet we find the volume of betting there so tremendous as almost to dwarf the activities carried on in Western Australia. If members advocate that we should attempt to do what has been done in New South Wales and Queensland, how can we hope to meet with any better success? Therefore the problem is to decide which method ought to be adopted in order to deal with the situation more effectively.

Let me make a brief reference to the suggestion that it would be practicable to run a totalisator throughout the State. Members who have seen the farce of the jam-tin totes at some of the small country courses will realise how impossible it would be to run totes in districts of low population density. When there is a race meeting at places like York, Northam, Beverley or Pinjarra, special trains are run for the purpose of conveying people there and the horses are taken for the people to see but, for all those facilities, very often the wagers on the tote on certain races are so few as to make it farcical. This occurs where all the facilities are provided.

Now let members try to multiply that example by providing tote facilities, not in one particular town on a race day, but in all the towns, so that people everywhere may have these facilities for betting. How could such totes possibly be run satisfactorily? I could mention a hundred towns offhand where the mere cost of staffing would represent far more than the money in the pool to be divided amongst the investors. It is all very well for members to grasp at the idea that the system will work in the country because the totalisator is operated in the metropolitan area, but it is an astounding fact that no race club or totalisator company has essayed

to instal these facilities, notwithstanding the wonderful profit returned to the designer.

Hon. N. Keenan: Your evidence given before a Commission would be very valuable.

The MINISTER FOR EDUCATION: We are already in possession of the facts. The amendment by the member for Katanning represents the easy way out for a number of members who do not want to face the question now. Whether an inquiry be held or not, the question will have to be faced by Parliament sooner or later.

Sitting suspended from 6.15 to 7.30 p.m.

HON. N. KEENAN (Nedlands—on amendment) [7.30]: I have listened with care, as I hope everyone else in the House has done—so far as the acoustic properties of the Chamber permit—to what has been said in the course of this debate on the amendment moved by the Leader of the Opposition; and I gather that the members who oppose the amendment, and who I have no hesitation in saying are opposing it quite honestly, may be classed in two groups for convenience sake. One group consists, as has been asserted here tonight by the Minister for Mines and Railways and by the Minister for Education, of those who insist that there is an inherent right in the citizen at large to wager on the result of horse-races whenever he feels inclined to do so and wherever he may be when he feels inclined to do so. Their argument has been repeated here again tonight. Put very shortly, it is this: If it is lawful to bet on the result of races by horses on a racecourse, it should be equally lawful to bet on the result of races by horses no matter where a person may be.

The other group consists of those who assert that wagering, or betting, is not capable of being eradicated and that consequently the best we can hope to do is to control it, at least to the extent of making it appear to be orderly. Both of those groups believe that no further inquiry is necessary. They accept what they take to be ascertained facts, sometimes on gossip, of which we have had a considerable amount from the Minister for Mines, of various friends of his in the Eastern States, sometimes from inherent knowledge, which seems to be possessed by the Minister for Education. Whatever the reason may be, they are quite satisfied that the facts of this

matter are wholly ascertained and that there is no necessity for any inquiry to be made and certainly no necessity for the inquiry that is asked for by the amendment of the Leader of the Opposition.

But the question which all of us have to ask ourselves is, are they right either in the views which they possess, or in the fact that they consider those views rest on ascertained facts? I am aware that those who assert the right of the citizen at large to wager on the result of horseraces whenever he feels inclined and wherever he may be, call in aid the fact that the common law of England does not make any game unlawful, or betting on any game unlawful, or betting in any place unlawful. But although that is quite correct as a statement of law, the fact is that the common law arose and came into force at a time when social conditions were entirely different from what they are today and entirely different from what social conditions were only a few centuries after that common law came into existence. For instance, 600 years ago, in the reign of Richard II, the Parliament of England had to pass statutes for the purpose of restraining the wide limits of the common law. It passed a statute which not only proclaimed certain games to be unlawful, but also prohibited betting on the result of those games in any public place.

Right down the centuries, the Parliament of England has passed more and more legislation which has to a greater and continually greater extent restrained the wide range of the common law, the object being, beyond any question, not to eradicate betting but to minimise it. I can assure the Minister for Mines that his forefathers were almost as wise as he is and knew perfectly well that it is impossible to eradicate betting. What they did endeavour to do was to minimise it, to bring it within certain recognised bounds, to prohibit betting in certain places where betting would either constitute a grave nuisance—as, for instance, on the public highways—or where betting would lead to a great increase in the volume of betting, as, for instance, in common gaming houses, or, in the light phrase we use nowadays, betting shops, because betting shops are nothing more or less than common gaming houses, which as everyone in this House knows are specially mentioned in our Criminal Code for the purpose of enabling the law to be enforced.

Mr. Graham: A racecourse would come in that category.

Hon. N. KEENAN: I will deal with that in a moment, if the hon. member will give me grace. No statute law passed by any Parliament of England, and no statute law passed by any Parliament in any part of the British Parliament, has ever made betting on racecourses unlawful. What has happened is this: At certain times certain Legislatures in parts of the British Empire have prohibited betting except in a certain form on the racecourse. That has happened in this State when at one time we prohibited betting on racecourses except in the form of the totalisator. But betting, per se, has never been prohibited in any part of the British Empire by any statute passed by any British Parliament, or any Parliament of the Empire. Therefore, it is perfectly correct to say that betting is lawful on the racecourse except to the extent that some statutes have provided that the only form of betting to be allowed was betting through the totalisator.

That is the explanation why betting on racecourses has been tolerated, or at any rate allowed to be carried on, without any interference by the law, because a racecourse comes within that class of place which by the practice of all the centuries has been recognised as a place where betting may be carried on and will do the minimum of harm with the greatest avoidance of nuisance. So much, therefore, for those who allege that the citizen at large should be entitled to wager on the result of horse-racing at any time and at any place because wagering on horse-racing is allowed on the racecourse.

I now turn for a moment to the views of those who allege that you cannot possibly eradicate betting and that therefore all you can do is to govern it or regulate it, to use the word generally used so as to make it present an appearance of decency; because it is only an appearance as anyone who has had any experience knows. It is only that the paint on the door is all right. The evil, the real harm it does, is just as great as ever it was before this regulating took place; and that is what this Bill would, in my opinion, allow to continue. But I do not ask the House to take my opinion any more than I think the Minister for Education is entitled to ask the House to take his.

If I do possess an opinion strong enough on the matter, I am quite prepared to go before a Royal Commission or any other approved board of inquiry and give the reasons for that opinion, and it would be for that authority to determine whether those reasons are valid and should be accepted or whether they are illusory. Even the most friendly critic of the character of the Australian people is fully justified in saying that a large section of that people is addicted to gaming in excess. I read in a newspaper some time ago—and unfortunately I have not been able to find it for the purpose of bringing it here—that the amount that passes through the totalisators and in the direct relation of the public to the bookmakers in one year in Australia is computed at £70,000,000.

The contribution of South Australia, as we know from official documents, is reputed at £11,000,000; but naturally South Australia is eclipsed to a very high degree by Victoria, New South Wales and Queensland, which are far richer States. However that may be, the fact is that that sum is stated to be a conservative estimate of what passes through the totalisators or through the books of bookmakers off the course and not on the course. That sum was arrived at, if I may explain, by taking the known figure of what passes through totalisators and adding to it an estimate, which is admitted to be a rough one—for the data is not easy to get—of what private individuals hand over to private bookmakers. When this House had before it recently a Bill which was entitled “A Bill to Amend the Totalisator Duty Act,” the Premier, in the course of the debate on that Bill, informed the House, as it was his duty to do, that the totalisator took off 13½ per cent. of the amount passing through it as a kind of rake-off or toll; and he further pointed out—

Mr. SPEAKER: Order! The hon. member is not in order in discussing that debate on this question. The Standing Order says that no member shall allude to any debate of the same session upon a question or Bill not being then under discussion.

Hon. N. KEENAN: Then, allow me to express my opinion without citing my authority. I state, as is obvious, that if 13½ per cent. is taken off as commission or

rake-off or whatever we may choose to call it, then eight times or under eight times the passage of that money through the tote will mean that the whole lot is absorbed by the machine. That is only a matter of arithmetic; and also, I presume, of no controversy is the fact that the totalisator treats its clients far more generously than do bookmakers. Therefore if the totalisator takes 13½ per cent., it is only fair to assume that bookmakers take at least 20 per cent.

Mr. Rodoreda: They take 100 per cent.

Hon. N. KEENAN: They would if they could.

Mr. Rodoreda: They do in the course of the year.

Hon. N. KEENAN: There must be some winners, and they do not take 100 per cent. in the case of a winner. It is fair to assume that bookmakers take 20 per cent., and if we take an average of what passes through the totalisator and what passes through the bookmakers' books and put it at 16½ per cent., it will be seen that in six times in one single year—

Hon. J. C. Willcock: In a single day, perhaps, if there were six races.

Hon. N. KEENAN: Not that amount. But in one single year there would be lost—and not repeatedly circulated, as the Minister for Mines said—there would be absolutely lost to the gambling public in Australia £10,000,000. That is lost in every year, on the figures I have put before the House, which are available for any member to examine with a view to seeing whether they are correct. That money is spent not to produce anything of benefit to Australia or the community but simply to enrich a few people and keep a very large number in a state of enjoyment of all the amenities of our social life to the highest possible degree.

Mr. Smith: It continues to circulate.

Hon. N. KEENAN: If that argument were sound, it would justify a burglar who goes into a house and steals something and circulates it in the best possible way by giving some to his friends, some—though very little in that direction probably—to his wife, and a lot to the publican. So he circulates his loot, and therefore the hon. member would say to him, “Good luck, to you, my lad. You are circulating money.” However, that argument does not stand.

Mr. Smith: Some of yours do not stand, either.

Hon. N. KEENAN: I put it to the House whether it is not the absolute duty of all of us—and I feel sure that the member for Brown Hill-Ivanhoe feels it incumbent upon him—not to do anything or to take any step which may possibly lead to an increase of this already huge waste. Is that not so? Is there anyone here who will contradict my statement that that is the duty that lies on all of us; not to take any step which may lead to an increase of this colossal waste? The figures cited by the Leader of the Opposition have proved—unless they are refuted on inquiry; and of course he has asked for that inquiry—that there is a huge increase in this colossal waste.

Mr. Rodoreda: A huge unknown increase. There is no basis to start off from.

Hon. N. KEENAN: No basis?

Mr. Rodoreda: No.

Hon. N. KEENAN: It seemed to me that he had a very sound basis.

Mr. Rodoreda: He did not know what was going on under the lap before they started.

Hon. N. KEENAN: What was carried on under the lap would be merely an unknown increase. It would not be a decrease but an unknown increase. I put it to this House: Could there be any more potent argument, any greater justification for an inquiry on our part than the fact that it is possible that the provisions of this Bill, if the facts of the Leader of the Opposition are correct, will accomplish that very nefarious result? There has been no other part of the world where legislation of this character has been indulged in before an inquiry was held into the effect of such legislation, and I do not except what has happened elsewhere, in Russia and Japan, or any place else. Of course we could use them to illustrate what happens elsewhere, but that would not be dealing with our own conditions.

We must have a knowledge of our conditions that is beyond question, and is not hearsay such as would be scouted in any police court such, for instance, as somebody saying, "Mr. So-and-so whispered something to me." We should have absolute evidence from those who purport to know about these things. Their knowledge must be tested when given so that their evidence may

be relied upon. Such testimony has been given in other places. A Royal Commission was appointed in England in 1932 to inquire into betting and also into lotteries. It was appointed to deal with cash shop betting. That is only another, and perhaps more flattering term, for the common gambling house or betting shop of the Minister for Mines. That Royal Commission found that,—

The establishment of cash betting offices would be undesirable as it would make betting easier and would tend to increase its volume.

Has not that finding been amply demonstrated by what has happened in another State as a result of the inauguration of these cash betting offices? Even in what is sometimes called the distressful isle—which is by no means distressful at present—a joint committee was appointed for the purpose of investigating whether betting shops should be allowed or not. That committee reported that the total result of the gambling craze in the betting shops constituted a curse which was demoralising, disorderly, uneconomical and thriftless. The committee practically exhausted the English dictionary to find words to express its views. Let us come nearer home to a place always admired by the Minister for Justice and some others in this House—Queensland. It is almost the Mecca of certain members! In 1938 that State appointed a Royal Commission to inquire into this very question. That Commission went all over Australia, except apparently this State, because it travelled as far as South Australia. It examined the system that had then been commenced in that State, which is the one for which the Minister for Mines has some admiration, and found as follows:—

The present facilities for off-the-course betting in South Australia have created a state of affairs which is deplorable and gives rise to social evils. We find that betting premises, as they exist today, have an undue influence on juveniles and inculcate a desire to bet when they become adults.

I propose to mention only one more inquiry and that is the one referred to at length, by quotation, by the member for West Perth. I refer to the debate that occurred the other day in the South Australian Parliament when all members, on both sides of the House, condemned this system of licensed betting shops, and in which the Leader of the Labour Party

announced that part of the programme of his movement was the abolition of betting shops and the substitution for them of a State-controlled totalisator. In spite of that we were told that it had been a success and would be introduced here as a result. That is challenged, and we want to have that challenge heard. Surely it is not too much to ask all members of this House, with the exception of the few who are wedded to this scheme, to support the challenge and say, "Let us see if these are facts. If it is true, as has been suggested, that Mr. Richards, the Leader of the Labour Party in South Australia, is silly and does not know what he is talking about, and if it is true that that legislation has produced a delightful state of affairs, both morally, ethically and economically, then let us adopt it, but let that be a finding of some proper tribunal and not merely the opinion of one or other member of this House."

Included in the motion of the Leader of the Opposition is a proposal, if it be desirable to do so, to establish State-controlled totalisators. That proposal has been ridiculed by certain members as being wholly impracticable. Nowadays it seems to be the fashion to tell the House what we have been told by other people, so I do not hesitate to say that I have been told by those who are fully conversant with the handling of totes, that there would be no difficulty in this suggestion. It is quite true that there would be a number of places so small that they could not have a tote. It is equally true that today in those small places there is no room for a bookmaker. Marble Bar was cited as an instance. I do not know the population of that town—it may be very small and there are a certain number of other mining settlements where there are possibly not more than 10 or 20 adults—but it would have no tote, and there would be no bookmaker there either.

Mr. W. Hegney: There is room for a bookmaker in Marble Bar.

Hon. N. KEENAN: Then he must be living on himself.

Mr. W. Hegney: No, he is not.

Hon. N. KEENAN: I am told that if there is not sufficient population to keep a bookmaker, there would be enough to allow the carrying out of a scheme under which some person, charged to act for the State totalisa-

tor, would telephone any wager that was made, and if the telephone message came through before the hour that the race was run, it would be recognised, and if not it would not be. The result would be that there would be no bet unless it was received before the race started, and a race never starts before the advertised time. According to my information there is no difficulty in devising means for carrying out the operations of a State totalisator. I do not wish that to be accepted. Again I say I would like it to be inquired into, and if it is correct, if those who have informed me will come forward and prove it to be correct, no doubt the commission will accept it. On the other hand, if it is incorrect, the commission will throw it out. Nowhere else in the British Empire has legislation of this character been put on the statute-book without inquiry, in that particular place, by a properly constituted tribunal—either a Royal Commission or some other tribunal fully authorised to make the inquiry. I know of no reason why we should not follow that course here.

MR. ABBOTT (North Perth—on amendment) [8.2]: I do not want to add much to the debate, except to make a few comments on the position taken up by the Minister for Education. He pointed out that an Act to do away with betting off the course has been passed in New South Wales and that it has not proved to be satisfactory. He also pointed out that an Act had been passed in South Australia to legalise betting off the course, and that that Act had not been satisfactory; so we have two opposite propositions both of which have proved to be unsatisfactory, yet we are asked to give a decision on this matter without any further inquiry. To my mind that does not seem logical. The Minister for Mines suggested that a number of commissions had already been held. That is so, but as far as I can ascertain no commission of inquiry has been held into the operation of those two Acts which set up the opposite propositions. There has been no commission or inquiry as to why the Act was a failure in New South Wales, or why that in South Australia failed.

Before we are asked to vote on a matter of major importance, such as this, we should be fully informed on every aspect of the question. I think it will be generally agreed

by members that everything should be done to discourage betting but, on the other hand, we do not want a situation such as exists today, with an unsatisfactory betting law under which people are being put in gaol from week to week because they will not recognise or obey the law of the country. It must be admitted that that position is wrong, and very unsatisfactory. If the matter comes to an issue now, I am prepared to give my vote. I have already voted on a similar Bill on another occasion and at present I see no reason why I should change my point of view. On the other hand, I would be pleased to have before me the results of an inquiry into the failure of the two Acts I have mentioned, before I again have to make a decision. Therefore I will support the amendment. I would prefer that the inquiry should be by a single judge or magistrate, as considerable expense will be entailed should it be otherwise, and in my view it will be necessary that, if a commission is appointed, evidence should be taken in each of the other States.

HON. W. D. JOHNSON (Guildford-Midland—on amendment) [8.5]: The question before the House is to strike out certain words, for the purpose of inserting other words to provide for an inquiry to take place before the subject-matter of the Bill is debated. I support the striking out of those words because I believe this question calls for a thorough investigation from this State's point of view. There has been a change in the atmosphere of betting in Western Australia in recent times. I believe that the change of occupant of the position of Commissioner of Police has had an effect in that regard. I know also that the attitude of magistrates has changed within recent times and that the penalties imposed are different today from what they were some time ago. The volume of betting in my electorate is less today than it was before those recent changes took place. I want to know why there has been that reduction. In my own electorate, where betting is fairly rife, I am told there has been a noticeable reduction in its volume. I want that investigated. It seems strange to me that such a Bill should be introduced at this stage, just when some reform is noticeable in the administration of the law relating to betting. I have already referred to the fact

that there seems to be more vigour in the enforcement of the law by the Police Department.

Mr. Graham: Of the traffic regulations!

Hon. W. D. JOHNSON: There has also been a totally different attitude manifested on the part of magistrates on some benches. I have raised this matter time and time again, and would like to know how it is that the interpretation of the law governing betting is so different in one court, as compared with another. I cannot understand why the penalty imposed in one court should be a nominal one, and that imposed elsewhere comparatively vicious. That is something that you and I, Mr. Speaker, should have explained to us, because we are responsible for making laws and for seeing that they are justly and equitably administered. There is no doubt that the law that is evaded by those indulging in street betting has been administered differently in one place, as compared with another, in the matter of punishment. I cannot understand that, and neither can you, Mr. Speaker. Surely we want to be educated in that direction so that we may ascertain where we have failed in our legislation, where it is faulty, or where we have failed in our administration and enforcement of the law we have promulgated.

Parliament has a definite responsibility, but all said and done Parliament is limited almost to expression of opinion. We cannot administer the law; it is the Government of the day that is called upon to administer the law. I believe that within recent times there has been a change of attitude towards this question by the present Government. Because of this change and for the reasons I have outlined, we do want an inquiry and we do want to understand this question. The Minister for Education referred to remote places like Hall's Creek, but there is a big difference between those places and places adjacent to the metropolis, and we want more information than we have in order to determine whether the people are really anxious to have betting facilities provided, or whether it is just a minority that desires to influence public opinion in favour of its point of view.

All these things call for inquiry, and Parliament cannot make the inquiry. When any doubt arises as to the effect of a problem on community life, it is the way of the Em-

pire to be cautious about the introduction of legislation. The practice is not to attempt legislation until it is thoroughly understood from the point of view of the community. In order that we may make no mistake the Empire policy is to provide for Royal Commissions and other bodies to make investigations. We want an investigation into this matter, and therefore I am supporting the striking out of the words indicated in the amendment.

MR. GRAHAM (East Perth—on amendment) [8.12]: There appears to be a keen desire on the part of quite a number of members to avoid the responsibility of facing up to this issue. The issue, of course, is whether betting shall be legalised or not. I submit that such a question being entirely moral and ethical is certainly not one to be submitted to a tribunal, irrespective of whether that body consists of an individual or a number of persons. There is room for a difference of opinion regarding the ways and means of giving effect to our moral convictions. On the question of whether betting in all its various forms is to be barred, and whether this can be achieved without its being driven underground, as I feel sure it would be, or alternatively, whether betting should be legalised, there is room for a vast difference of opinion as to the best means to be employed to give effect to the expressed wish.

I feel that discussions as to the relative merits of betting by means of licensed book-makers as against State-owned and controlled totalisators are apt to confuse the issue. We are in a position to and as a Parliament should decide whether betting is to be a lawful act in this State or, save for one or two minor exceptions, remain illegal as it is at present. Every member of this House knows perfectly well what the problem is. We are confronted with it practically every day, through the Press, through utterances in Parliament, through happenings in the Police Court, through information given over the broadcasting system, from the pulpit and from public bodies expressing their opinions and so forth. This argument has ranged around the moral aspect. I will concede that there are economic ramifications attending these problems, but all the arguments have been based upon the moral or ethical aspect.

This is the pre-election session of Parliament and probably whatever attitude we adopt as individuals—if we do adopt an attitude—will be likely to offend certain of our constituents, but if all questions that come before us are to be determined according to the amount of pressure brought to bear by certain groups, very little indeed will be achieved. If courage is required to face up to such a controversial issue as betting has become, we ought to be prepared to show courage. This problem has become more controversial probably than is warranted, owing to the fact that Parliament in the past, for various reasons, has been unwilling to deal with it.

I venture to say that every member, apart from being aware of the farcical situation that exists at present, is confident in his own mind that something must be done to meet the situation. The difference of opinion lies in the form that that "something" should take. If we are going to become moralists, if we are going to adopt the attitude that the great bulk of the people should not be permitted to do something that only a select few are able to do at present, I do not know how far it will get us. I wish to make my position perfectly clear. I have never been on a racecourse or a trotting ground, and for this I have no particular reason other than that betting has no attraction for me. I am not interested in following horses or backing them. However, many people are interested in horseracing, which is a form of relaxation from which they derive pleasure and enjoyment, and when so many thousands indulge in that form of recreation, who am I to deny them?

Some people pretend that a terrible evil attends betting transactions or gambling in any form but if there were any sincerity behind their pretensions they would seek to close down the racecourses. If it is morally wrong and economically disadvantageous for betting transactions to be indulged in, I cannot see that it makes any difference if those transactions do take place at the scene of the sport or contest. One might go further. I have myself indulged in a small way in gambling on the stock exchange, because that is a form of gambling. I invested a few pounds—I did not have any more to invest—in a certain goldmine. I was not interested in the goldmining industry. I had never seen a goldmine, neither had I consciously ever spoken to a miner.

Yet I put my humble £20 into a certain proposition in the hope or expectation of getting back £50, £60 or even more. I could have got £60 in return, but was a little too greedy and accordingly lost the lot.

In exactly the same way one can invest money in a bet. It might be possible to double or treble the investment; on the other hand, as often occurs, the money is completely lost either on the first essay or on some subsequent occasion. If there is something terribly wrong in gambling, let those who advocate that there should be a complete shutdown of S.P. or off-the-course betting start with the people who form the centre or nucleus of gambling. After all, if there were no race meetings there could be no betting on horses. Some people, including I understand the member for Subiaco, who apparently has the facility to do so, attend racecourses for the purpose of betting. There is nothing particularly wrong in doing so. But if some person who cannot attend a race meeting, or does not desire to do so, wishes to do exactly the same thing in another locality then that becomes a social evil and it must be exterminated. I suggest that this is an application of the old adage, one law for the rich, another for the poor.

Very many people residing in remote districts are of course unable to attend a race meeting, should they so desire. Even if we admit for the moment that something which is moral on a racecourse is immoral if done elsewhere, there are people who because of the nature of their employment cannot attend race meetings, notwithstanding that their homes may be in close proximity to the course. This vice, as some people regard it, appears to be inherent in the average person and particularly in the average Australian. No matter how we moralise, no matter what legislation we pass, there is no chance whatever of completely removing this so-called evil of betting, gambling, wagering or whatever it might be termed. Therefore we have the present glaring situation.

I can only speak of the metropolitan area, where crowds of from 20 to several hundred people may be found gathered around some picket fence or up some lane indulging, as everybody knows, in betting, putting their few shillings upon their fancy on a racecourse. Then follows the ludicrous procedure of trying on a Monday morning per-

sons who are charged with a breach of the Traffic Act or regulations. That was never intended. I can park my car outside my home for 24 hours, whether the street be wide or narrow. It may in some small measure impede the even flow of traffic, yet I am not proceeded against. If, however, one person stands for five minutes in the street taking bets he is arrested on an obstruction charge and finds himself incarcerated for a week or a month, according to the whim or fancy of the personnel of the bench.

It has been suggested that an inquiry should be held as to the great disparity between the penalties imposed by the various courts trying these cases. Of course, there is usually a minimum and a maximum fine for breaches of the law. It demonstrates my point that this is a question depending upon the particular outlook of the person, or persons comprising the bench for the time being; the penalty will be light or severe according to their whim. There is nothing peculiar about that. My general attitude to this measure is not to argue upon it, because it is all theoretical, but to support it. Attempts have been made to deal with this problem in different ways in various parts of Australia, without quoting attempts made outside our own country, apparently without arriving at any satisfactory results. I am prepared to support the Bill for the licensing and control in this State of betting both on and off the racecourse. We must feel our way by a system of trial and error.

Let us try this system and see how it turns out. If, after a period, we find flaws in it that it is not possible to rectify, in other words, if there is something inherently wrong in it, then we can try something else. As I view the Bill, while we might disagree on certain details, at least there will be some semblance of commonsense which does not exist at present. Those who take bets and those who make bets will have some idea of where they stand. At least it will be possible to apply the law with the greatest rigour imaginable to those who offend against it. I believe that it might take several years to test the system. Then, as I stated before, we can consider the whole matter again. In the old days hotels were poor kinds of places in the main; they had poky rooms called parlours, dirty, dark and dingy; so, until the S.P. bookmakers, or off-the-course bookmakers, were driven out

into the streets, it can be said that by and large their premises were similar to the hotel premises I have mentioned.

If Parliament agrees to the licensing of betting establishments, I can see no reason why these establishments, which will come under the control of a betting authority, should not gradually reach the standard of accommodation provided by hotels at present, with carpets on the floor, comfortable chairs and good furnishings. So people will be able to make their bet in as much comfort as people can now have a drink in the parlour of a hotel. But to enable that to be done there must be a controlling authority. It has been said that all kinds of terrible economic consequences might result if we encourage or induce people to gamble by providing these facilities. I agree that that might be so, but exactly the same argument was used with regard to the provision of better facilities for those frequenting hotels. We all know of certain matters with regard to drinking. We might as well have a Royal Commission comprised of an individual or of a group of people to decide whether or not men should be allowed to drink and whether or not women should be allowed to smoke.

The Premier: Whether women should be allowed to drink, too.

Mr. GRAHAM: Yes, one to cover both of the sexes. There might be a fund of information gained by a Royal Commission into both the matters I have mentioned. Basically this is a moral or ethical question and every man and every woman, according to conscience, makes his and her determination. No matter what evidence is supplied to us, we will still have to face up to the position as to whether or not we are going to attempt to suppress betting either in all or some of its forms; or whether we are going to do something to legalise, but at the same time, control the sport. Very many people feel that it is a sport. As I stated before, they derive quite an amount of pleasure from betting.

I wonder whether those who oppose the legislation for off-the-course betting or those who seek to defer a determination of the matter by means of a Royal Commission—which naturally means that there would be no opportunity to deal with the situation during the life of the present Parliament—do not hold some particular brief for the

interests of the racing clubs; whether there is not a feeling at the back of their minds that if too many facilities are provided in the metropolitan area, the racing clubs, for instance, will suffer as a consequence. I feel, however, that if proper consideration is given to the question, probably the opposite would be the case. It is impossible to assess within anything like reasonable limits how many betting transactions are made every week-end through starting-price betting; but if certain premises were licensed and if the controls which we would impose were rigidly enforced and if there were, as is proposed in the Bill, a tax imposed on all betting transacted, I feel—and it is only a guess—that it could be so arranged, even with a humble tax, that the amount of money raised would result in a return to the racing clubs of an amount greater than the admission payments they receive at present. It would make up very definitely for loss of attendances and probably would pay more than double the amount received by way of admission prices at present.

If we grapple with this question somewhat on the lines I visualise, I can foresee a tremendous revenue drawn from every corner of Western Australia, which would accrue to the racing clubs and which would be sufficient to reimburse them completely for any loss they might sustain as a result of a falling off in attendances. Bearing in mind what I have already stated, that in view of this assured income the clubs would experience no loss of revenue, it would be possible for them to eliminate admission charges altogether and derive all their revenue from bets made both off and on the racecourse. As a consequence of that, I feel that the great majority of people in the metropolitan area who are interested in following horses or in betting or in having a gamble or whatever we may like to call it, would prefer to go to places where there are cool, green lawns and where they are able to see the horses in action and to line up at the bar and have a drink if they feel disposed. They would prefer to go where they are out in the fresh air and sunshine, with an opportunity of mingling with many friends and buying hot dogs for themselves and enjoying a hundred and one other things that go with racing. People would prefer to do that rather than confine themselves within the four walls of a place known as a licensed betting shop.

Mr. Seward: You honestly believe that!

Mr. GRAHAM: I honestly believe that, for this reason: At present the average person who wishes to have a certain amount of fun with a few shillings, is handicapped because of the financial restrictions on attending a race meeting. By the time he had paid the outrageous charge for travelling, whether by means of rail transport or taxi cab or any other means, and met the admission charge and bought his race book and had his 5s. bets, there would be nothing left to meet his ordinary commitments. Those who oppose licensing can find no particular fault with those many thousands of people who are able to call a taxi and go to the best places and make heavy plunges. There is nothing wrong with them; but it is a different story when it comes to the small man. Let me tell members that the average working man likes to be in the lounge seats at the theatre just as much as does the person with plenty of money; but because of circumstances he is compelled to occupy the front stalls, the very cheapest. In the same way, if he desires to follow horses, he is compelled, through economic circumstances, to attend the betting shops rather than go to the racecourse where everything would be far more to his liking.

After all, those people who bet in S.P. shops are just as much human beings as those who come from the more aristocratic parts or have the means to attend racecourses. I do not know that any average Australian would prefer the squalor and filth that appear to go with betting shops, or with betting shops as they were, to the better conditions on the racecourse. In any event, although I realise that what I visualise would not occur overnight—it would take quite a number of years—there would at least be a tendency in the direction I have indicated. If it is possible to attract our people out of these gambling dens into the open spaces, into the sunshine and fresh air, that is a step that all of us should welcome. I stated earlier, and I repeat, that sooner or later—and I feel the time is now; the problem has been asking to be dealt with for very many years—we must shape up to our responsibilities.

Obviously the proposed Royal Commission would be stacked in one direction only. Apart from the independent judge or magistrate, there would be two members representing organisations opposed to betting, so

when it was proposed to legalise betting on or off the course, we know where their votes would go. Then there would be the other two; those well versed in betting. If they were bookmakers operating on the course only, they would want betting legalised there and definitely not off the course. So we know what the position would be: Betting on the course, no betting off the course! If the S.P. bookmakers operating in the metropolitan area—and of course we do not know officially whether they are bookmakers or not in the metropolitan area because the only breaches with which they are charged are against the Traffic Act and regulations, though unofficially we are aware of a few of them—were doing nicely, they would not want any open competition against them as would probably be the case if there were licensing of premises.

So we must rest assured that if the amendment were carried and a Royal Commission were appointed its findings would still be against betting off the course, and probably two of the constituent parts of that Royal Commission would be against betting on the course as well. I say, notwithstanding the remarks of the member for Nedlands, that betting, as he admitted, is still illegal when done through a bookmaker on a racecourse. The fact that it has been the custom for many centuries to permit that, without any action being taken, does not, however, in any way solve the question. Betting is still illegal on racecourses and we have to determine that issue. If this Parliament—and I appreciate that attempts have been made—had been doing its job, it would have done something definite and specific about this matter many years ago.

Mrs. Cardell-Oliver: It has tried.

Mr. GRAHAM: Yes, unsuccessfully. Therefore Parliament, as such, did not do its job. A minority was prepared to take steps to deal with the position. So long as there is a genuine attempt made to deal with the problem, I am not going to argue very much on the details, but no member of this Parliament who is conscious of his duties will allow the present deplorable and disgraceful conditions to continue. Today the law is being circumvented and subterfuges are being used in the charging of people; we are making use of all sorts of devices to prosecute offenders, and we are worrying people who are indulging in some form of enjoyment or

relaxation that we know practically every member of the community participates in. We know that very few people miss certain horseraces, and we also know what happens every Saturday. In addition, we have the experience of what happens in other States, where the problem is identical, and where they have the same type of people, with the same characteristics as those of Western Australians. Therefore let us deal with the situation now.

If we pass the second reading of the Bill we can later argue about the details of it, but I feel we would be quite safe in agreeing to the Bill in toto, and making some amendments to it, if necessary, after we have seen how it operates. But I would not allow any further delay in dealing with the matter. I hope the suggested amendment, following the deletion of certain words, or any other amendments seeking to delay a decision being made by Parliament on this important social question, will be defeated, and that we will be able, in the short time open to us, to get down to the task of discussing in detail the provisions of the Bill, which is an honest attempt to deal with an unsavoury question, and one that lends itself to influence and pressure groups of all descriptions, but one which, nevertheless, cannot be ignored. I am disappointed that there appear to be indications that certain members seek to side-step the issue instead of facing it.

Amendment to strike out words put and a division taken with the following result:—

Ayes	19
Noes	21

Majority against	..	2
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AYES.

Mr. Abbott	Mr. North
Mr. Berry	Mr. Owen
Mr. Brand	Mr. Perkins
Mrs. Cardell-Oliver	Mr. Seward
Mr. Hill	Mr. Shearn
Mr. Johnson	Mr. Thorn
Mr. Keenan	Mr. Watts
Mr. Mann	Mr. Willmott
Mr. McDonald	Mr. Doney
Mr. McLarty	

(Teller.)

NOES.

Mr. Coverley	Mr. Read
Mr. Fox	Mr. Rodoreda
Mr. Graham	Mr. Smith
Mr. W. Hegney	Mr. Styants
Mr. Hoar	Mr. Telfer
Mr. Holman	Mr. Tonkin
Mr. Kelly	Mr. Willcock
Mr. Marshall	Mr. Wise
Mr. Needham	Mr. Withers
Mr. Nulson	Mr. Wilson
Mr. Panten	

(Teller.)

Amendment thus negatived.

MR. McDONALD (West Perth) [8.48]: The Minister for Mines, when speaking on the amendment earlier today, referred to one law for the rich and another for the poor. I am not keen on the word "poor" because I feel that in this country we have, happily, few people who can be described as poor in the sense that the word is used in some other countries. Nor do I very much like the word "rich" because there are not many people in this State who can be described as rich in the way the word is used in other countries. But I am going to use the Minister's word "poor," because that is how I approach this legislation. I approach it as legislation affecting the interests of those whom the Minister calls "the poor." Betting does not matter very much to people who are what is called "rich" or who have large incomes. It is a matter of great social consequence for those who are in the low income group. Betting is an undesirable feature, even as it applies to those in the higher income groups, but there it is not so serious.

We should approach this legislation from the point of view of betting being an interest or relaxation on the part of those in receipt of the basic wage or less, and should inquire of ourselves whether indulgence in it by those in such economic circumstances is good for the State. We should inquire of ourselves whether this legislation is likely to be of benefit or otherwise to those on lower income standards. The present law in this State is founded on the principle, whether it is right or wrong, that betting in general—I will leave out racecourse betting for the time being—is anti-social in its character, and it is therefore condemned by law and is the subject of penalties that are imposed on those who conduct the business of betting with those who desire to bet on races. That has been the law since this State was founded, and it remains the law today.

For eight years, since 1938, there has been no move on the part of the Government to alter that law. The only alteration to it came, as I said earlier today, from a private member's Bill introduced in the Legislative Council, a measure which, admittedly, has almost entirely closed the betting shops in this State and has led to starting-price betting being conducted, in the main, in the streets and lanes, and on footpaths. Today such betting is conducted under conditions that do not favour either the indulgence in

betting by punters or the conduct of the business by the starting-price bookmakers. I agree with the observation, made by the member for Guildford-Midland, that so far as one can learn starting-price betting has diminished in this State over the last two or three years, quite apart from war conditions.

Although I do not want it to be taken as authoritative, I have been told by a man who thought he knew something about the matter of which he was talking, that the starting-price betting problem would largely solve itself if allowed to remain under existing conditions, because it is not attractive from either the punter's point of view or that of the bookmaker. That state of affairs has come about since the introduction of the legislation to which I have referred. Therefore we approach this subject not in an atmosphere of crisis, but in a more favourable atmosphere, as something which I believe today is being minimised. No one could speak authoritatively on that point unless we had an inquiry to find out what the conditions are. I am simply reflecting what is being conveyed to me, and I was interested to hear this evening that similar representations have been made to the member for Guildford-Midland. This Bill has really been brought about by the fact that magistrates have decided to inflict terms of imprisonment on those convicted of having operated as starting-price bookmakers. They have been perfectly right in following that course. Their duty is to administer the law and if they discover that fines are not a deterrent the next step is to impose the severer penalty of imprisonment. I believe the fact that imprisonment has been ordered by magistrates from time to time has precipitated what some Press writers have declared to be a condition that demands to be remedied. I do not think the urgency is as great as has been claimed. In fact, it is less today than it has been for many years.

I do not think imprisonment is a proper penalty for those guilty of the offence of starting-price bookmaking or betting. That is my personal view. I do not think public opinion in general supports gaol as a deterrent to starting-price betting. I am therefore prepared to agree to any amendment of the law that would eliminate gaol as the penalty, leaving a fine as the deterrent. If the urgency that is said to have arisen in the

last few months exists at all, it relates purely to the fact that imprisonment has now been imposed in certain cases. If that is so the urgency can be removed by a simple amendment of the law under which the penalty for illegal betting would be a fine—increased perhaps—but not imprisonment. Therefore the position is less urgent today than it has been for many years, and I think it is more satisfactory now as to the volume of starting-price betting.

The subject of Press comment and discussion by the general public is really the matter of imprisonment which, as I say, could be rectified by a simple amendment to the existing law. I will refer briefly to the position in one or two other countries, because, as has been said by the member for East Perth, though there has been debate on this subject from time to time over a number of years, England has never been prepared to legalise starting-price betting on the scale proposed under this Bill. True, in England it is either legal or tolerated that betting may be carried on by telegram, telephone or letter to a bookmaker in an office to which the public has not access. Apart from that, S.P. betting in England is illegal.

Hon. J. C. Willcock: But the people in England bet heavily on football matches.

Mr. McDONALD: Yes, by means of football pools, but we have actually authorised lotteries as a State instrumentality and so we have gone a step beyond England in that respect. England has never gone to the extent of legalising and recognising by law that betting is something that may be carried on everywhere or in the way in which this Bill proposes. One of the reasons for this is that given by the Royal Commission in England in 1932, which was quoted by the member for Nedlands.

Of all the Australian States, none except Tasmania and South Australia has legalised S.P. betting. Whether their experience of the existing law has been altogether happy or not, the fact remains that, in Queensland, New South Wales and Victoria, neither the opinion of Parliament nor the opinion of the people so far has led to any legalisation of S.P. betting on a general scale. I have not been able to obtain much information about Tasmania. In that State there are about 100 bookmakers who are licensed, and the bookmaker has an office or a club to which people may resort for the

purpose of betting. Sometimes a number of bookmakers band together and have one set of premises or a club in which all conduct their operations. In smaller towns no doubt a bookmaker may join with one or two others and have an office to which clients may resort to carry on betting operations with him, or a bookmaker may have an office of his own. Whether the Tasmanian system has operated well or not is a matter on which I have been unable to obtain information. I am not aware of any inquiry having been held or of there being any record to show whether S.P. betting has increased or decreased as a result of the legalising of betting to the extent it has been legalised in that State.

The example of peculiar interest to us is that of South Australia. The procedure in that State is well known to members from the debate that has already taken place, but I wish to make a few quotations because, in South Australia, betting legislation has been taken seriously. It has been a matter, not only of frequent debate in Parliament, but also of reports by the Betting Control Board established in 1933 and of the Royal Commission on betting in 1938. So, from that State, we are able to get some authentic information as to the benefit or otherwise of legalising betting in the way proposed under this Bill. Ever since the South Australian Parliament authorised the setting up of betting shops on a principle very similar to that outlined in the Bill before us, the whole procedure of that Parliament has been a retreat from what it did in 1933. When Parliament desired to retreat, it found that it had created something, as so often occurs and is bound to occur under this Bill. By legalising bookmakers and betting premises, vested interests had been set up. A class of men had been created who had undertaken this occupation with the full approbation of the law.

Hon. J. C. Willecock: But that was shut down on during the war.

Mr. McDONALD: That is so.

Hon. J. C. Willecock: Surely that destroyed any vested interests!

Mr. McDONALD: But there was a difficulty which is very much greater than the difficulty confronting us today where no interests exist which we should regard as vested, because all those who conduct a

bookmaking business, with the possible exception of those who do so on the race-course, are men who do so knowing it to be illegal and liable to be penalised from time to time in our courts of law. Under this Bill, we would set up vested interests and create a class of men, perhaps with family obligations, and after we had told them that they had the full approval of Parliament to acquire premises and put their assets into the business, we would find it difficult to retrace our steps if experience suggested we should do so.

Mr. Fox: It need not be a vested interest.

The Minister for Mines: What about the vested interest in the liquor trade?

Mr. McDONALD: A license for a hotel is granted only from year to year and it may be refused at the end of any year, but I have yet to learn that the liquor trade is not a vested interest.

Mr. Fox: That is, of course.

Mr. McDONALD: This would be exactly similar. There is to be an annual license for the bookmaker and for his premises, just as a license is granted to a hotel.

Mr. Fox: The bookmaker's license would not be transferable.

Mr. McDONALD: We know that a hotel-keeper's license is not transferable except with the approval of the Licensing Court. I have no doubt that bookmakers' licenses under this Bill would be transferable in proper cases, though not as a matter of right, but if a man as a licensed bookmaker had acquired premises, costing perhaps £2,000, I am sure provision would be made by which, if he died or wanted to leave the business, he might transfer the premises to somebody else.

But what has been the experience in South Australia? I do not intend to repeat the figures which have been quoted here tonight of the immense increase that has taken place in betting operations in that State from the time of the first licensing of betting shops in 1933 until the present day. The story of South Australia, however, has been one of retreat from the principle of licensing betting shops, and the great retreat was made last year when Parliament decided that, from then on, no license would be issued for any betting shop in the metropolitan area, and the

metropolitan area of South Australia comprises one-half of the population of the State.

Hon. J. C. Willcock: That would destroy the vested interest of those engaged in the business.

Mr. McDONALD: Happily for the South Australian Parliament, the vested interest existing there had been destroyed some two or three years before by the Commonwealth National Security Regulations.

Hon. J. C. Willcock: That is what I said.

Mr. McDONALD: National Security Regulations, under cover of war requirements, destroyed those vested interests, just as they destroyed many other interests, and nobody complains of that. So the South Australian Parliament was in the happy position of having had that difficulty largely removed for it by the Commonwealth; but we will not be in the same happy position, I hope, because if we create vested interests I hope it will be unlikely that our ability to dispose of them will be assisted by the incidence of any war. In addition to the closing of betting shops in the metropolitan area of South Australia, it was provided by the Act of last year that no betting shops should be opened in the country areas until, first, the approval of the local authority had been given to the premises and, secondly, there had been in every case a public inquiry conducted by the board, after due notice to the people in the area and affording an opportunity to everybody concerned in that area to be heard either for or against the granting of a betting shop for that locality.

So it is a long way from the law of 1933 and the high hopes with which the South Australian Parliament entered on that legislation in that year to the position in which South Australia finds itself today and the measures Parliament has had to take in order to retire from its 1933 position and acknowledge in 1945 how far it had been disappointed in what it had expected and hoped to do. I wish to make reference to the report of the South Australian Royal Commission of 1938, because I think it well worth bearing in mind. I shall read a few extracts from the commission's report. It says—

We find that the amount expended by South Australians in betting is beyond what is reasonable. A large number of people lose

money which they cannot afford to lose. A large amount of money which was spent in betting could and should be profitably applied to legitimate channels of trade. On mid-week race days much time is wasted by bettors to the detriment of industry.

The commission referred to the fact that prior to 1933 bookmakers considered they were fully justified in betting contrary to the law. The commission's report states—

Now it is admitted by Mr. Lewis, the bookmakers' representative, that if restrictions unduly limited their profits, some bookmakers would undoubtedly resort to illegal betting.

In other words, the bookmakers served notice that if the terms of the legislation were regarded by them as unduly restrictive of what they thought was their fair income from betting, they would indulge in illegal betting. The report goes on to say—

We conclude that betting is very widespread. Many more people are betting. The predominant cause is the existence of betting premises which furnish complete facilities for supplying bettors with betting information and enabling bets to be made during the progress of race meetings.

The South Australian Parliament again addressed itself to the problem created in that State in the debate which took place on the amendment to the legislation at the end of last year. I, like many other members, have received a circular which contains references to the statements made in that debate and I think it proper that some mention should be made of them. The Premier, Mr. Playford, said in Parliament at the end of last year—

I believe there is no public demand for the reintroduction of betting shops in the metropolitan area. There is tremendous public opposition to it.

The Leader of the Opposition, Mr. Richards said: Parliament has to face the problem associated with betting shops, which is created.

Mr. Dale, Adelaide, said: Tonight I stand here to express sorrow and regret that I voted for the measure.

That is, the measure for the opening of betting shops.

Mr. Christian said: It is recognised and freely admitted by every member who has spoken, and by the public generally, that betting shops are not good for the community.

Mr. Shard (Prospect) said: Parliament in its wisdom introduced the greatest curse ever inflicted on the people of the State, the betting shops. I frequented betting shops, and say without fear of contradiction that all the bad things members have said in this debate are not bad enough.

The Hon. N. Brookman said: At all costs we must avoid the re-establishment of betting shops.

The Hon. E. H. Edmonds said: Practically every speaker on this measure has decried the betting shop system and everything associated with it. One of my objections to it is that we undoubtedly created in the minds of our people, particularly the younger generations, the desire to bet.

Speaking in the South Australian Parliament on the 25th October last year, the Premier, Mr. Playford, said that apart from the moral aspect betting was detrimental economically to the community and that the betting shop system in the country had undoubtedly killed every athletic sport that was in existence, whereas athletic clubs should be encouraged. The Leader of the Opposition, Mr. Richards, on the same occasion said—

I am not satisfied because a recognised evil is prevalent, it is necessary to put the cloak of respectability on it by legislation simply because there are undesirable attempts to defeat the laws we have made.

Now, Mr. Speaker, the Minister for Education made some remarks tonight about the prevalence or the increase of betting in New South Wales, in spite of what he described as very oppressive legislation. I want to analyse for a moment what he said. The increase of prosecutions in New South Wales to which he referred, in spite of the oppressive legislation, simply meant there had been an increase in the volume of betting. That is what he meant. By this Bill we propose to legalise bets off the course. From the experience of South Australia and from our own commonsense, that is bound to mean an increase in the volume of betting. Many people in this State do not indulge in starting-price betting because they know it is illegal. They do not want to participate in a breach of the law and do not bet because they can only do so usually under conditions distasteful to them, down a side lane or on a footpath or under conditions like that.

It is, I think, very obvious that if we say betting can be carried on with the full approval of Parliament, that it is to be quite respectable and bookmakers are to be licensed by law, many people who would not bet now will find no difficulty or no impediment in betting under the conditions which would be created by this Bill. So I think that, as the Royal Commission found in South Australia, the result of this Bill would be a vast increase in the volume of betting and the number of people who bet.

If the volume of betting increased so greatly in New South Wales, as the Minister for Education in his very interesting figures suggested, under conditions where legislation was repressive of betting, I think it is reasonable to anticipate that under legislation in this State that will favour betting, the increase in betting will be in a much greater ratio than in New South Wales in the years quoted by the Minister for Education. Rightly or wrongly, I am one of those who find the greatest reluctance in granting approval to indiscriminate betting. Today our circumstances are these: Betting is prohibited by law and we say, as a Parliament and as a people, that it is something which is anti-social, something which we are not going to countenance and I think that is how the position should remain.

Mr. Fox: If you adopted that attitude with regard to everything anti-social, we would be with you.

Mr. McDONALD: Let us try to do what we can; and if we are attempting to put down something which is anti-social, do not let us reverse the policy and treat it as something which is in the public good. We will not stamp out betting, any more than we will stamp out many other anti-social things. We are all agreed upon that. But because we cannot stamp out these things, because they will always exist to some extent while human nature is what it is, and while education is still limited compared to what we hope it will some day be, that is not to my mind a reason for granting approval and setting the seal of this Parliament's approval on a practice simply because we cannot stamp it out.

If we pass this Bill, illegal betting will continue; there will still be people who are not licensed bookmakers but who will conduct illicit betting in roads, on footpaths, in lanes and in any place where they think they may be able to escape the attention of the police. We shall still have that. In Tasmania they still have it; in South Australia they still have it. The extent of illegal betting in South Australia is something which is not clearly established, but it looks as though it is still there in very large volume, and it has been there in very large volume side by side with betting shops for a period of years.

Mr. Needham: There will always be breaches of all laws.

Mr. McDONALD: Of course! If this Bill would remove illicit betting outside licensed betting shops; if it would reduce the volume of betting, something might be said for it. But, as I see the matter, we will still retain the evil of illegal betting and will add to it a further anti-social feature of our community life; namely, the attraction and encouragement of a section of the people to indulge in betting who do not do so now and would never do so without the encouragement of this legislation.

I want to say a word about the matter of racecourse betting. I see a great deal in the suggestion so frequently made that it is not logical to allow or tolerate betting on the racecourse and to pursue it in the courts and through the police when it is outside the racecourse. But, as the member for Nedlands said, betting on the racecourse has been tolerated for many years. It is the least harmful method of betting.

Mr. Fox: S.P. betting was tolerated for many years, too.

Mr. McDONALD: It may have been tolerated in the very old days and not pursued by prosecutions, but in those days it had very small dimensions. It was, I think, negligible. In my young days in the courts we never used to hear of it.

Mr. Fox: It was very much in evidence on the Goldfields. Shops were open more than they have ever been at Fremantle.

Mr. McDONALD: It might have been on the Goldfields; but as far as I know, the volume of S.P. betting in the early days—I speak of 20 to 30 years ago—was very small. But from those days it has grown to very great dimensions and has become something in the social life of the people which is of extreme importance. More than that, it has been growing year by year and has been doing so for many years past. As far as I am personally concerned—and these are my personal views only—I would confine racecourse betting to the totalisator because the totalisator is something in which the element of personal profit is removed. I would appoint no new bookmakers on the racecourses. I would allow those who hold licenses to drift out of the business at the expiration of a period of years.

I would not be unreasonable with men who have been tolerated for so long on racecourses but would, at the earliest possible

moment, confine betting on racecourses to the totalisator, where the conditions are superior and where, if any money is to be made, it is made for the community and not for the individual. So broadly, I think, if we look at the experience of South Australia, we have the strongest warnings against following the practice of that State in licensing betting shops, and I feel that if we licensed betting shops, we would only add a social difficulty to the one that is already with us. I would prefer to see the present law remain, with the possible elimination of the penalty of imprisonment. If necessary, we could increase the fines. I prefer to see betting remain something which is regarded as not for the good of the community, which is not be countenanced, which is to be frowned on, and which is to be lessened by every means we can adopt. I am not frightened of betting being driven underground, as has been mentioned tonight, because as some members said that is very probably the place where it ought to be. I am not going to bring betting into every home and say to every child, "Parliament has said that on your reaching the required age of 18 years you may go and bet, that there is nothing wrong with betting and your weekly pay can go to the bookmaker." That is what is proposed here.

Mr. W. Hegney: You can do that now.

Mr. McDONALD: But we do not do it now. There are tens of thousands of people in this State who do not bet.

Mr. Fox: This would not induce them to bet.

Mr. McDONALD: It was found in South Australia that it did, and that one of the great difficulties in the system there was the increase of juvenile betting. It stands to reason that young people who might otherwise feel that it was furtive or undesirable to go down a lane to bet, would feel differently if they saw betting shops licensed with the approval of Parliament.

Mr. Needham: You could make it illegal for a juvenile to bet.

Mr. McDONALD: There is a limitation to the permission granted to juveniles, but that limitation cannot be imposed beyond the age of 21.

Hon. W. D. Johnson: We have evidence of the one but not of the other.

Mr. McDONALD: I do not want to see people, even of the age of 21 years and upwards, encouraged by this House to regard betting as something that is the equivalent of a healthy pastime. My objection, in short, is this: We will have all our present troubles with a new one added, and one which South Australia found to be very hard to remove. I prefer to see, possibly with the removal of the penalty of gaol, a system under which we say to the people in unequivocal terms, "You may bet if you wish, but we believe it is against your interests and those of the people to do so. If you do bet it will be in the knowledge that we disapprove of it and that it is against the law. If S.P. bookmaking continues to exist, as it will, it will be under difficulties because it will be against and not assisted by the law, and fines, to operate as the fullest possible deterrent, will be imposed."

Mr. Fox: And you would still make it respectable for a "bookie" to operate on the racecourse.

Mr. McDONALD: I have tried to deal with that aspect. I would not mind if betting were abolished altogether. I do not want to be dogmatic about the racecourses because I have many friends who think it quite reasonable and pleasurable to have a bet on the racecourses. Some have a bet outside the racecourses, but I am endeavouring to approach this matter in a realistic way. I would look on the complete removal of betting on the racecourses as a long-term objective, and in the meantime I would seek to limit the racecourse betting to betting on the totalisator.

I appreciate the views of members who believe that this matter can be better controlled by a Bill of this description, but I think all the evidence is against it. The evidence is that we would be taking a retrograde step and repeating in this House what members, or many members of our sister Parliament in South Australia have, after their experience, bitterly repented, even as late as last year. So, in the absence of any other information and in the light of all that I have been able to find out by some not inconsiderable investigation into the matter, I feel that my vote should be cast against the second reading of the Bill.

On motion by Mr. Seward, debate adjourned.

BILL—ANATOMY ACT AMENDMENT.

Second Reading.

Debate resumed from the 8th October.

MR. MANN (Beverley) [9.36]: I have looked up the parent Act, and I feel that the Bill is quite in order, although it does strike me as rather extraordinary that we should have to send bodies for dissection from this State to South Australia, for the purpose of training students. However, I have discussed the matter with the Minister and understand the reasons for the measure. Rather than delay the House any further, I support the second reading.

Question put and passed.

Bill read a second time.

In Committee.

Bill passed through Committee without debate, reported without amendment and the report adopted.

BILL—LEGAL PRACTITIONERS ACT AMENDMENT.

Second Reading.

Debate resumed from the 8th October.

MR. McDONALD (West Perth) [9.40]: I agree with the Minister as to the general principle contained in the Bill, and am prepared to support the second reading. As explained by the Minister, the main idea is to assist Servicemen, who are now undergoing training at the University, with a view to obtaining the Degree of Bachelor of Laws and subsequently entering the legal profession. The intention is to enable them to serve one of their two years of articles concurrently with the last year of their four-year course at the University. This will reduce their period of training from six years to five years.

While in general it is not desirable to shorten the period of training for any skilled occupation, we have to remember two things about the Servicemen, firstly that they will have learned a great deal in the university of life, which is of great importance to a lawyer, as it is to many other people, and which might well compensate for the reduction of one year in the course; and secondly, as mentioned by the Minister, these men will

incur a liability for sustenance granted by the Commonwealth during the last two years of their training period. That will be a debt to be repaid afterwards, and it is not desirable that they should enter upon their occupation, when qualified, with too great a liability. I understand that the Bill is supported by the Barristers' Board, which is always jealous of the qualifications of those admitted to the law in this State, and by the Faculty of Law at the University. The member for Geraldton made reference to reciprocity, and in doing so raised an important question.

From inquiries I have made I do not think this Bill will make the opportunity for reciprocity between Western Australia and other States any less favourable than it is today. At present we have reciprocity as to legal practitioners with South Australia, New South Wales and Tasmania, but not with Victoria or Queensland, nor is there reciprocity with England. Reciprocity between the States of Australia and between Western Australia and England is a matter that is overdue for inquiry and I know that some members of the Barristers' Board hope, as I hope, that it will be investigated in the near future and an endeavour made to ensure that practitioners qualified in this State will be able to practise in all the States of Australia, and in England. I understand that this Bill will not cause the present position in that regard to deteriorate. There are one or two aspects of the Bill that require some further examination from the point of view of drafting. I do not think the Bill was drafted by the Crown Law Department, but that it was submitted to the Minister for his approval and, while I may be wrong, it might be necessary to amend another section of the Legal Practitioners Act.

In addition to that, I am not quite sure that the wording is suitable to carry out what is wished to be done by means of this Bill. While I am prepared to support the second reading I will ask the Minister to defer the Committee stage until the next sitting, to allow me time to consult the Faculty of Law at the University and some members of the Barristers' Board, in order to find out whether the phraseology of the Bill is entirely satisfactory. It may well be so and that my apprehension is not justified, but I would like to be sure on that point.

HON. N. KEENAN (Nedlands) [9.46]: I desire the Minister to give the House an assurance that he has been advised that reciprocity will not be affected if this Bill becomes law. Nothing could be more important to the profession than the right of reciprocity, and if, as is proper, his department negotiates with the English law authorities for reciprocity with England, we do not want to have it marred by any loosening of the regulations governing the education of our legal profession, which might be treated with hostility by the authorities at Home. Even if we do not go as far as England, we must look to the other States of the Commonwealth. Many of us remember the time when the other States did not grant reciprocity with Western Australia. When I first came here there was no reciprocity between Victoria and Western Australia, or New South Wales and Western Australia, and it was only obtained when we were able to show that our standard was as high as theirs. I wish the Minister to give a direct assurance that he has been advised by the proper authority that, if the Bill is passed, the reciprocity that we have obtained will not be endangered.

The number of men affected by the shortening of the training period cannot be very great and we must not allow the whole future of the profession to be endangered if, in fact, it is to be endangered by this measure. Then there is the matter referred to by the member for West Perth; is it correct to say that this Bill has not been approved by the Crown Law Department? If that is so, it is a serious matter. The Minister should not bring such a Bill forward in this House unless it has been approved by that department. That matter should be cleared up by submitting it to the Crown Law Department so that we may be advised of the position. The principal point, however, is that I want to be assured with respect to the safeguarding of our reciprocity.

MR. SEWARD (Pingelly) [9.51]: We have been informed that the Bill has been approved by the Barristers' Board and in this Chamber it has received the support of two members of the legal profession. I regard it from the layman's point of view. The intention is that the law students' term of practical experience is to be shortened

in that two of those years are to be concurrent with the academic instruction they will receive. I hope that whatever is done will in no way interfere with the adequate practical experience so necessary for legal practitioners. One of the greatest difficulties with regard to young men in the profession is the lack of experience. They may be brilliant from the scholastic point of view and may pass their examinations with flying colours. When, however, they come to deal with the practical difficulties of clients, trouble often arises from the fact that they lack experience. From that point of view I regard the Bill with a certain amount of suspicion.

I hold that under existing conditions the practical experience gained by young legal practitioners is by no means too long and I would like an assurance that if the Bill be passed we shall not detract from the effectiveness of these young men as legal practitioners. It would seem that the intention is to concentrate more upon the academic side than upon practical experience. I have known of instances where due to lack of experience upon the part of their legal advisers the interests of clients have suffered severely. I recognise the obligation to give young ex-Servicemen who are law students the advantage that is suggested, but I cannot help viewing with suspicion the encroachment upon the practical experience that is required of the ordinary law students.

THE MINISTER FOR JUSTICE (Hon. E. Nulsen—Kanowna—in reply) [9.54]: Dealing first with the points raised by the member for Pingelly, the Bill applies only to a comparatively few ex-Servicemen. As the Act stands now, the Barristers' Board has power to discriminate along the lines indicated in the Bill, but any such discrimination has to have general application to all law students, seeing that the board has no power to differentiate in favour of any one section of those students. In South Australia a number of ex-Servicemen served their articles of clerkship concurrently with their academic studies. One of our Crown Law officers did two years of his articles concurrently with his studies, so that the proposal in the Bill is not new. The course has been followed elsewhere in Australia.

The reason for legislating for the benefit of the ex-Servicemen concerned and enabling them to qualify a little sooner than would otherwise be possible, is that the young men have practically wasted five years. They are now five years older from the standpoint of studies than they would have been had they gone direct from school to the University. They will be in the vicinity of 30 years of age before they can qualify. In order to shorten the course for them, the proposals embodied in the Bill have been placed before members. There is also the point with regard to subsistence. If the young men do one year of practical experience concurrently with their studies, that will save single men £500 and married men about £750.

Those were the considerations that influenced the University of Western Australia and the Barristers' Board in endorsing the proposals embodied in the Bill. With regard to the question of reciprocity raised by the member for Nedlands, I made inquiries and was told that the position will not be affected. I give the hon. member my assurance that I will make further inquiries and report the result when the Bill is next before the Chamber. Personally I do not think there will be any danger from that standpoint.

Question put and passed

Bill read a second time.

BILL—FISHERIES ACT AMENDMENT.

In Committee.

Resumed from the 3rd October. Mr. Rodoreda in the Chair; the Minister for the North-West in charge of the Bill.

Clause 2—New sections:

The CHAIRMAN: Progress was reported on an amendment moved by Mr. Abbott to insert in Subsection (3) of proposed new Section 5A a new paragraph as follows:—

(e) One shall be appointed to represent persons who are not commercially engaged in fishing or the fishing industry, to which an amendment had been moved by Mr. Seward to strike out the word "shall".

Amendment on amendment put and passed.

Mr. SEWARD: I move—

That the word "may" be inserted in lieu of the word struck out.

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

Mr. SEWARD: I move an amendment—

That in proposed new Subsection 5C the words "during the pleasure of the Minister" be struck out with a view to inserting other words.

The proposed new subsection sets out that the members of the committee shall hold office during the pleasure of the Minister. I do not desire to impute anything against the present Minister, but as we know, Ministers change. We have had experience of Ministers who have been dogmatic.

The Premier: When was this?

Mr. SEWARD: I am not even referring to Ministers in Western Australia!

The Minister for the North-West: I agree to the amendment.

Amendment (to strike out words) put and passed.

Mr. SEWARD: I move an amendment—

That the words "for a period of three years" be inserted in lieu of the words struck out.

Amendment (to insert words) put and passed; the clause, as amended, agreed to.

Clauses 3 to 7, Title—agreed to.

Bill reported with amendments.

House adjourned at 10.2 p.m.

Legislative Council.

Tuesday, 15th October, 1946.

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

QUESTION.

SUSPENSION OF MEMBER.

As to Expunging Record from Minutes.

Hon. C. B. WILLIAMS: I wish to ask a question without notice. As I was expelled from the sitting last Thursday and, as I claim, wrongfully expelled, is it the intention of the House to apologise to me? The House did not take into consideration Standing Order 415. Is it the intention of the House to rectify the wrong done to me and expunge the record from the minutes? I ask you, Sir, whether I am in order in asking this question? The record is in the minutes and if I were wrongly expelled then I have a right to have the record amended. I leave it to you, Mr. President, and to the members of the House.

The PRESIDENT: I rule that the minute must remain.

Hon. C. B. WILLIAMS: You do wrong. I move—

That the House dissents from the President's ruling.

I am not pleading guilty or not guilty. I was called to order.

The PRESIDENT: Will the hon. member please resume his seat? The only way in which he can achieve his object is to give notice.

Hon. C. B. WILLIAMS: Very well; that suits me. If you, Mr. President, decide to allow the wrong to continue, I will speak on it later.

BILL—FACTORIES AND SHOPS ACT AMENDMENT (No. 2).

Introduced by the Honorary Minister and read a first time.

BILL—ROAD DISTRICTS ACT AMENDMENT.

Second Reading.

Debate resumed from the 10th October.

HON. A. THOMSON (South-East) [4.38]: I feel that I must oppose this measure and I will give my reasons for so doing. Mr. Loton who introduced the Bill informed the House that the Gnowangerup Road Board had made application for permission to erect or to purchase a building