number of borrowings is undertaken by charitable and similar organisations. However, the amount of duty involved is of a minor nature and it is desired to encourage these bodies in the community projects they undertake. Therefore, provision has been made in the Bill for the Treasurer to grant exemptions.

In thus concluding my explanation of the many provisions contained in this measure, I advise members that they are submitted in conformity with the undertaking given to review the operation of the new receipt duty provisions; and the main purpose of these amendments is to remove inequities and difficulties encountered during the initial period of operation of the provisions which, in the main, were introduced in the previous session of Parliament.

I commend the Bill to members.

Debate adjourned, on motion by The Hon. F. J. S. Wise.

House adjourned at 10.53 p.m.

Legislative Assembly

Tuesday, the 14th November, 1967

The SPEAKER (Mr. Hearman) took the Chair at 4.30 p.m., and read prayers.

SITTINGS OF THE HOUSE

Closing Days of Session

MR. BRAND (Greenough — Premier) [4.37 p.m.]: With your permission, Mr. Speaker, may I remind the House that we decided to sit at 2.15 p.m. tomorrow, and also at the same time on the following Wednesday, with the possibility of sitting at 11 a.m. on Friday, the 24th November.

BILLS (3): INTRODUCTION AND FIRST READING

1. Alumina Refinery Agreement Act Amendment Bill.

   Bill introduced, on motion by Mr. Court (Minister for Industrial Development), and read a first time.

2. Reserves Bill.

   Bill introduced, on motion by Mr. Bovell (Minister for Lands), and read a first time.

3. Public Works Act Amendment Bill.

   Bill introduced, on motion by Mr. Ross Hutchinson (Minister for Works), and read a first time.

QUESTIONS (5): ON NOTICE

NORTH DIANELLA SCHOOL

Complaints against Teaching

1. Mr. TOMS asked the Minister for Education:

   (1) Has he been made aware of some dissatisfaction by parents of children attending the North Dianella (or Dianella Heights) State School at the lack of progress being made by their children, particularly in the subject of mathematics?

   (2) How many applications have been made by parents to have their children transferred to other State schools?

   (3) Following an inquiry reported to have been made, when will the research and curriculum officer visit the school and discuss the matter with the interested parents?

   Mr. LEWIS replied:

   (1) A section of parents expressed dissatisfaction during second term. A senior district superintendent investigated and reported that these complaints were unfounded, that very satisfactory overall progress was being made and that courses in mathematics were properly planned to ensure that senior pupils would be well-equipped to pursue sound secondary courses.

   (2) Three.

   (3) A departmental officer is to attend a parents and citizens' association meeting before the end of this year to talk on educational developments in curricula content and teaching techniques.

WATER SUPPLIES AND SEWERAGE

Use of Plastic Pipes and Fittings

2. Mr. WILLIAMS asked the Minister for Water Supplies:

   (1) What experiments and/or research are being conducted in this State to utilise new materials —for example, plastics, P.V.C., etc.—in water reticulation, fittings, sewerage lines, and connections?

   (2) In what areas are these being carried out?

   (3) When did they commence?

   (4) What plastic, P.V.C., etc., fittings have been approved for use?

   (5) Are other States, C.S.I.R.O., and private concerns conducting experiments and research; if so—

      (a) which States;

      (b) what knowledge has the department of these experiments and/or research?

(6) Is it considered that acceptance of fittings, etc., made from these materials would—
(a) reduce;
(b) increase,
the total cost of water reticulation, sewerage lines and connections: and if, in either (a) or (b), by approximately what percentage?

(7) When is it likely that a decision will be made either to accept or reject fittings, etc. made from plastics, P.V.C., etc.?

Mr. ROSS HUTCHINSON replied?

(1) Much work on an experimental basis has been carried out. Some of the main examples are the following:—
(a) Water reticulation of a significant suburban area using 6-inch and 4-inch P.V.C. piping.
(b) Plumbing installations on a group of State Housing Commission houses involving the use of materials such as P.V.C., polypropelene, and high density polyethelene, as well as the more conventional materials, such as copper, which are used in lighter gauges than formerly.
(c) A number of installations of plastic soil lines in Government buildings of various sorts.
(d) Use of pitch fibre pipe for sewers.
(e) Re-lining with butyl rubber of an old service reservoir which had been leaking.
(f) Reconditioning of main sewers—both plain P.V.C. and fibre glass wrapped P.V.C. have been used.
(g) Lining of wet wells of sewerage pumping stations with P.V.C.
(h) Use of epoxy resins as protective coatings for concrete sewers and other concrete installations.

(2) The use of plastic materials is not restricted to any area. Generally experimentation is carried out in co-operation with other Government departments wherever suitable buildings are being erected. An example is the 6-inch and 4-inch diameter water mains referred to in question (1), which have been laid in Coolbellup.

(3) Approximately 10 years ago.

(4) A wide range of fittings made of various plastics including P.V.C. and polypropelene have been approved.

(5) Yes.
(a) All States.
(b) There is a regular exchange of information between the States as to the approvals or otherwise of plastic materials. Furthermore, at the 13th biennial conference of Engineers representing the authorities controlling water supply and sewerage undertakings in Australia, held in Adelaide last month, one of the discussion items was "The Use of Plastics in Water and Sewerage Works."

(6) When new fittings have been accepted and approved their sale is on a commercial basis and their use depends upon their economy. It is not practicable to generalise on percentage savings.

(7) Many decisions to reject or accept fittings, etc., made from these materials have already been made and continue to be made on a day-to-day basis.

ABATTOIRS

Supervision of Health Inspectors and Veterinary Surgeons

3. Mr. JAMIESON asked the Minister for Agriculture:

(1) What is the total number of abattoirs licensed with the Department of Public Health in Western Australia?

(2) What proportion of these abattoirs have a health inspector or veterinary surgeon in attendance during killing—
(a) regularly;
(b) occasionally?

(3) What is the maximum number of abattoirs that any health inspector has to attend during killing?

(4) What statistics are kept and where are they published of the number or proportion, say, per annum, of killings of animals either completely condemned or having organs condemned?

(5) What statistics are kept showing the reason for these condemnations and where are they published?

(6) Are condemnations done on the basis of visual examination of the beast only, or are laboratory tests also used as a regular routine to assist in determining the cause of the diseases?

(7) What is the number of visits, if any, being paid annually by the Commissioner of Public Health as the chief of this service to any or all of the State's abattoirs?

(8) What records of observations, recommendations, and/or orders for improvements are kept of such visits and how often are they being checked?

(9) What checks, if any, are made to ensure that proper hygienic standards of killing and storage of carcases obtain in all abattoirs?

(10) How do the standards of carcase evaluation of meat for local consumption compare with those adopted by the Department of Primary Industry for export meat; if different, what steps, if any, will be taken to ensure uniformity?

(11) What laboratory facilities, if any, are attached to the abattoirs in Western Australia and how are their services utilised in disease control?

(12) What records, if any, do they issue of the result of their work?

(13) What is the incidence of salmonellosis in—

(a) carcases;

(b) staff at the abattoirs;

(c) butchers, especially those handling both pets' meat and meat for human consumption;

and what change in incidence, if any, has occurred during the last five years?

(14) What use, if any, is made by the Department of Public Health to trace back to farms and their inhabitants diseases found in beasts, at the time of killing, of the kind known to affect both man and animals?

Mr. NALDER replied:

(1) Nil—all are licensed by local authorities.

(2) (a) 70 per cent. approximately.

(b) 30 per cent. approximately.

(3) Five.

(4) Quarterly returns are submitted by local authorities and consolidated reports shown in the Commissioner of Public Health's annual report.

(5) As for (4).

(6) Laboratory tests are used where necessary to establish diagnosis.

(7) The chief inspector has the responsibility of carrying out abattoir inspections. He has made 144 visits to abattoirs this year.

(8) Records are maintained on departmental files appropriate to the various abattoirs. Action taken is checked at the next visit.

(9) Regular checks are made by local authority inspectors in all abattoirs in meat branding areas.

(10) Standards are the same in abattoirs licensed for export. A code of practice of meat inspection will shortly be introduced to all abattoirs.

(11) The Agriculture Department Animal Health Laboratory and the Public Health Laboratories are obtaining specimens regularly from abattoirs for the investigation of disease.

(12) Reports are sent on individual items to persons concerned.
Reports appear in the annual reports of the Department of Agriculture and the Commissioner of Public Health.

(13) (a) Some carcases condemned because of septicaemia would have been the result of salmonellosis infection but no differentiation between the causes of septicaemia is normally made.

(b) None notified.

(c) None notified.

No change in incidence seen.

(14) The proposed amendment to the Brands Act now before Parliament is designed to assist trace back procedures.

LAND

South-West Land Division: Sulphur Deficiency

4. Mr. YOUNG asked the Minister for Agriculture:

(1) Are there any areas known to be sulphur deficient in the South-West Land Division?

(2) If "Yes," what is the estimated area?

(3) Where are these deficient areas situated?

(4) If the use of double or triple strength superphosphate will result in a further sulphur deficiency in these areas, is the department making representation to the superphosphate distributors to see that a sulphur-based dressing is available for these deficient areas?

Mr. NALDER replied:

(1) Yes.

(2) The area where sulphur deficiency could occur has not been estimated.

(3) In the wetter districts, many sandy soils are known to be affected. In the wheat belt the deficiency has been demonstrated on some sandy soils and some areas of red brown, sandy loam. The Department of Agriculture, the C.S.I.R.O., and the fertiliser

companies, are all closely examining the need for sulphur, and how best to supply it.

(4) The use of double superphosphate or triple superphosphate is not recommended for sulphur deficient areas. In such areas ordinary superphosphate (22 per cent. P_2O_5) is expected to supply enough sulphur. On some sandy soils in high rainfall districts where sulphur additions are essential, best results are obtained if some or all of the superphosphate is applied in late winter or early spring.

MIDLAND WORKSHOPS

Tradesmen and Apprentices: Resignations

5. Mr. BRADY asked the Minister for Railways:

(1) How many tradesmen left the Midland Workshops for the year ended the 30th June, 1967?

(2) What was the reason given for leaving?

(3) How many apprentices finished their apprenticeship and resigned?

(4) How many prospective apprentices resigned within three or four months of employment, and before apprenticeship indentures were finalised for the years ended the 30th June, 1964, 1965, 1966, and 1967?

Mr. O'CONNOR replied:

(1) 174.

(2) In most cases no reason was given. Reasons, where given, were as follows:—

(a) to take up duty in another Government department;

(b) to obtain a higher total wage;

(c) to seek wider experience.

(3) Nine.

(4)

The 30th June, 1964	7
The 30th June, 1965	9
The 30th June, 1967	14
The 30th June, 1966	3

QUESTIONS (4): WITHOUT NOTICE

CLOSE OF SESSION

Bills to be Introduced

1. Mr. TONKIN asked the Premier:

Relating to the advice which the Premier tendered to the House this afternoon that members should be prepared to sit at 2.15 p.m. tomorrow, can the Premier indicate how many new Bills he expects to introduce before the close of the session?

Mr. BRAND replied:

Each of the Bills of which notice was given earlier today are really minor Bills. There is an amendment to the Alumina Refinery Agreement Act to be introduced by the Minister for Industrial Development. I should say that, including the Bill which proposes to set up a parliamentary tribunal to assess salaries and allowances, there will be another five minor Bills for this House. There are no more major Bills of any sort to be introduced this session.

NORTH DIANELLA SCHOOL

Complaints against Teaching

2. Mr. TOMS asked the Minister for Education:

Relating to part (3) of the question which I asked the Minister today, is he, or is his department, of the opinion that the matter which has been raised came through the local parents and citizens' association? That is not the case. He has indicated that an officer will be going out to the school to address the parents and citizens' association, but the complaints did not come from it.

Mr. LEWIS replied:

That may be so, but I think that three parents have applied for permission to send their children to another school. This feeling as to the standard of education provided out there is comparatively widespread; because generally the department does not receive so many requests. The department considers that if a departmental officer addresses the parents and citizens' association, and not the individual parents, it will be a means of disseminating information as to what the department does. This may be one of the reasons for the issue of the booklet on education which deals with the courses in the first three years. The matter under discussion seems to concern the senior primary pupils. Nevertheless, there is a great need for the parents to be informed.

Mr. Toms: That will be allright if the particular parents attended.

Mr. LEWIS: If the parents are not members of the parents and citizens' association, I will see that they are informed in another way.

SCHOOL TEACHERS

Exmouth: Housing Accommodation

3. Mr. LEWIS (Minister for Education): I wish to correct an answer which I gave to a question asked by the member for Gascoyne last Wednesday.

The particular question he asked was—

> Do married teachers have to pay the full economic rent for the houses that have been allotted to them at Exmouth?

My reply was, "Yes."

I have been informed by my department that the particular officer who gathered the information to assist me in my reply confused the term "economic rent" with the term "fair rent." I am now able to say that the department pays the full economic rent, but the teacher pays—as a deduction from his salary—a portion of that rent. The portion paid by the teacher is referred to as the "fair rent." The house, No. 216 Carpenter Street, Exmouth, costs the department $17.40 in rental per week, but the teacher pays only $10 of that amount.

KARDINYA DISTRICT

Zoning

4. Mr. TONKIN asked the Minister representing the Minister for Local Government:

(1) On what date was the new district of Kardinya zoned?

(2) When was the zoning made absolute by the Metropolitan Region Planning Authority, the Town Planning Board, and the Melville Council?

(3) Has any new subdivision in the zone been approved by the Town Planning Board and the Melville Council?

(4) If "Yes," on what date?

(5) Is the draft plan for the locality which was prepared by the Metropolitan Region Planning Authority correct?

Mr. NALDER replied:

(1) On the 16th November, 1966, the Metropolitan Region Planning Authority resolved to transfer from the urban deferred zone to the urban zone the area bounded by Kardinya Road, Windelya Road, Ellis Road, and Torquil and Albert Roads.

(2) (a) In the *Government Gazette* dated the 25th November, 1966.

(b) and (c) Final Ministerial approval was given on the 9th November, 1967—yet to be gazetted.

(3) Yes, one—subject to conditions yet to be carried out.

(4) The 5th October, 1967.

(5) The plan prepared was purely a draft plan for guiding future development.

DRIED FRUITS ACT AMENDMENT BILL

Second Reading

Debate resumed from the 8th November.

MR. NORTON (Gascoyne) [4.50 p.m.]: This is quite a small Bill and one which I feel should have been introduced before this. It has three objects: Firstly, to alter the method of voting for the election of members of the board; secondly, to alter the method of appointing a deputy; and, thirdly, to add a new section 13A to deal with casual vacancies.

The old method of voting was complicated and expensive. As the Minister said, the Act made provision for polling centres to be established wherever members of the association lived. It also made provision for a person more than seven miles from the booth to vote by post. However, it must be realised how expensive it would be to open a number of polling places and staff them for a comparatively few voters; because no doubt, the members are scattered all over the Darling Range.

The other portion of the electoral section of the Act sets out the method of counting the votes. As a mater of fact, section 9, paragraphs (e) and (f), relate to counting. Paragraph (e) refers to our State Electoral Act, and paragraph (f) refers to the Commonwealth Electoral Act. The paragraphs read as follows:—

> (e) When one vacancy is to be filled and there are more candidates than one, the procedure at the count of votes shall be in the manner provided by the Electoral Act, 1907-1940.
>
> (f) When more than one vacancy is to be filled and there are more candidates than vacancies, the procedure at the count of votes shall be in the manner provided by the Commonwealth Electoral Act, 1918-1940, for a Senate election.

We all know how complicated is the counting for the Senate.

The Minister has indicated that the method of counting votes will now be the same as is adopted under the compulsory fruit-fly baiting scheme. This method is a very simple one and it is the one which is contained, with the exception of a few words, in this Bill. However, the Minister did not give us any idea as to the procedure which would be adopted as far as regulations are concerned. The conditions and rules of voting are to be provided by regulation.

Mr. Nalder: This will be done on the preferential system—the ordinary 1, 2, 3, in order of preference.

Mr. NORTON: The Minister did not explain that in his speech, and it is one of the points I want cleared up. I notice that the amendment in this Bill differs from the provision in the Marketing of

Eggs Act in that the words "by regulation" have been omitted. The proposed new section 9 reads—

> The elections of representatives of the growers to be appointed to the Board shall be held in such manner and at such times as are prescribed.

Under the Marketing of Eggs Act, these are prescribed by regulation. The Minister may prescribe the method of voting under that provision, but if such method were to be prescribed by regulation, such regulation must come before the House and could be challenged if members thought it necessary. It could also be amended by a motion of both Houses. Therefore I feel the addition of the two words "by regulation" would be an advantage, because it would make it definite as to how the method is to be prescribed.

The next amendment relates to the appointment of deputies and is a minor amendment. Under the present provision, the Governor appoints a deputy on the recommendation of the Minister, and under the amendment the appointment will be made by the Minister. This is merely cutting out one procedure; and these deputies are appointed only for the unexpired period of the previous member.

Mr. Nalder: Or if a person goes away.

Mr. NORTON: Yes; or becomes ill and is unable to attend.

Mr. Nalder: That is right.

Mr. NORTON: The third amendment—it is one which is contained in practically all Acts of this sort—sets out how a casual vacancy may occur. It indicates that a casual vacancy may occur if a person dies or resigns. He may be removed from office by the Governor because of a physical incapacity or by resolution of the board if he absents himself without leave for a certain number of meetings.

This protection is quite worth while; and, in fact, the whole Bill will place the Act on a better footing and it therefore has my support.

MR. NALDER (Katanning—Minister for Agriculture) [4.56 p.m.]: This Bill has been introduced because of advice given to the Minister by the Electoral Department, and in an effort to streamline the Act and make it more workable. The member for Gascoyne has outlined the inconvenience involved, and the expense incurred, under the present set-up, and it is felt that these things are quite unnecessary. We have had plenty of experience of the method of election of board members when dealing with other boards, and there is no reason at all why this Act should not be streamlined.

Mr. Norton: It will all be postal voting, too.

Mr. NALDER: Yes. A letter with the ballot paper enclosed will be sent to those who are qualified to vote and it will only be necessary for the recipient to record his vote and post it back to the Chief Electoral Officer. When the election closes and the votes are counted, the information will be made public. As a matter of fact, I think in almost every case the announcement is made the day the election is held, and, of course, it appears in the Press.

The member for Gascoyne referred to the authority to make regulations. I will have this matter investigated and if it is felt necessary that the two words to which he referred should be included, I will request that this be done in another place, if that is satisfactory to the honourable member.

I thank him for the comments he has made. I think this Bill will prove to be a definite advantage. The board itself is quite happy about it. Members have discussed it at their meetings and are quite prepared to support it, and I commend it to the House.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by Mr. Nalder (Minister for Agriculture), and transmitted to the Council.

PETROLEUM ACT AMENDMENT BILL

Second Reading

Debate resumed from the 8th November.

MR. KELLY (Merredin-Yilgarn) [5.2 p.m.]: This is only a small measure, but I wish to make some references to it. As it now stands, the parent Act allows the renewal of a permit to explore an area; that is, the area of land covered by the renewal is the same as the area initially granted. The Bill before the House aims at giving the Minister power to request the relinquishment of some portion of a permit to explore. Naturally the portion concerned would be a smaller area than that which was originally granted. Once this measure becomes law, it will be competent for the Minister to divide the area in whatever manner he sees fit.

The principle contained in this part of the amendment follows the lines of principles which already exist in other sections of the parent Act. In those sections, a similar type of action is possible.

It is interesting to consider some of the actions of Wapet in this connection. The company had a big portion of land in Western Australia to explore over a period of time. In 1954, after consultation, the company saw fit to request the Govern-

ment of the day to allow it to relinquish 108,000 square miles. It was a voluntary request as far as the company was concerned. Of course, this was a big portion of country which the company had held for quite some time. The principle which the Minister is now reading into the Act is one which was accomplished on a voluntary basis at that time.

In connection with the relinquishment of some of the area held under permit to explore, I think this will have the effect of enabling the Government, through the Minister, to advertise the relinquished areas. Accordingly, interest will be created for other companies or other individuals to carry out exploration on the areas that would be resumed.

There is one matter which strikes me particularly in connection with the legislation. I assume the Minister intends to give the company the right of choice of an area that will be relinquished. I consider that has an important bearing on the future position of a piece of ground—or pieces of ground in the case of a number of permits to explore—being treated in a similar manner. If given the right to relinquish certain areas, it could be easily understood that a company would naturally relinquish the areas it had prospected and found to be barren or disappointing. Naturally, the company would hold on to an area that had not received much attention. This is easily understandable, because the method of exploration is very costly; and, in addition, the company would be quite within its rights if it were able to retain the area on which neither a great deal of work had been carried out nor a great deal of expense had been incurred.

If the Minister is going to advertise for reallocation only areas of land which had been well prospected, I think it would be incumbent on him or the department to make a very frank statement that the land had been thoroughly tried. This statement should be made when the land is advertised, or when applications are considered, for reallocation. To some extent it would aid not only the intending company but the State if a resume of the work carried out could be made available to the persons likely to make a second bite at the cherry; that is, when it comes to exploring an area that has already been turned down by one company.

I do not think there is anything else in the legislation on which I wish to comment. I support the second reading, because it is important for the Minister to be able to act in this way. Undoubtedly the legislation will be of benefit in cases where a number of permits are held but where little work has been carried out on them. I should think this position could apply in quite a number of cases. I support the second reading.

MR. BOVELL (Vasse — Minister for Lands) [5.8 p.m.]: I thank the member for Merredin-Yilgarn for his comments on the legislation. As I said the other evening when I was discussing the offshore Bill, as a former Minister for Mines the honourable member has had the advantage of going to the United States of America and other countries to see at first hand the conditions which apply. It was during the time he was Minister for Mines that the oil prospects in Western Australia were most encouraging.

The honourable member has referred to Wapet. I want to say that this is an excellent company and it is most co-operative. I agree with the member for Merredin-Yilgarn that its action in surrendering areas of land voluntarily was most commendable.

In regard to the areas which are to be relinquished under the agreement, I understand the honourable member's remarks in relation to the prospecting which has gone on and the arrangements between the Minister and the company. I will convey those remarks to the Minister in charge of the legislation and ask him to study them. The question raised concerns the reallotment or readvertising of land which may have been tested and tried. It does not seem advisable that some company, in all innocence, should go in and think it is prospecting on country which has not been prospected previously. I think the comment made by the member for Merredin-Yilgarn is timely, and certainly I shall draw the attention of the Minister for Mines to this point.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by Mr. Bovell (Minister for Lands), and passed.

BRANDS ACT AMENDMENT BILL

Second Reading

Debate resumed from the 8th November.

MR. SEWELL (Geraldton) [5.13 p.m.]: The measure before the House is entitled, "A Bill for an Act to amend the Brands Act, 1904-1966." One of the main features of the amending legislation concerns the provision in the present Act whereby sheep owned by a farmer or a grazier and running on his property have to be branded with his registered brand. Under the amending legislation, the owner will not be compelled to brand such stock which are running on his property, but he must brand any stock which are removed from the property. In addition, stud sheep will not have to have their wool branded if they carry a stud-breed mark. I am sure that

anyone who knows anything about stud sheep will approve of this amendment; that is, not putting a woolbrand on sheep which are stud stock.

The Bill also provides for the branding of pigs. I consider this is one of the most important parts of the amending legislation. As the Minister explained, pig-branding is done by tattooing and is something new in this State. This method has much to commend it, because it will assist in tracing and controlling any disease that might break out in the pig industry. The Minister gave us this information when he introduced the Bill and I am sure it is absolutely correct. We know that at various times the pig industry has been smitten with a dreaded disease which is known as swine fever.

The Bill also provides that no swine which are 10 weeks old, or more, shall be removed from any property until they have been tattooed on the forequarters. In other parts of the Bill, certain matters in connection with the parent Act are clarified. When passed, the legislation will assist in the control of stock in the State by bringing the Brands Act up to date. I support the measure.

MR. MITCHELL (Stirling) [5.15 p.m.]: I wish to say a few words on the Bill because it introduces a new conception into the methods of branding stock in Western Australia. The avowed intention of the Farmers' Union, as I read it in the newspapers, is to endeavour to do away with the woolbranding of sheep so that we in Western Australia can give a certificate to the effect that no wool in Western Australia carries any brand or branding material. When that will come to pass, of course, is another matter. However, as the member for Geraldton said, by this Bill we will do away with the necessity to woolbrand sheep whilst they remain on a farmer's property.

I have always been of the opinion that if sheep stealing is as rampant as many people believe it is—and there is some evidence that it is quite a serious problem to the sheep industry in Western Australia—the best way to counteract it is by a very good woolbrand. However, people who advocate the removal of the provision for the branding of sheep say that the number of convictions that have been recorded as a result of a woolbrand on sheep is so few that woolbranding is not worth while.

Many people, of course, use a woolbrand for identification purposes, and will continue to do so until such time as this type of branding is prohibited. Permission is given to use a plastic tag, but many farmers do not agree with this means of identification. They believe it is not a good idea to identify sheep in this way; but, possibly, with the progress of time the tags will improve and will be more successful.

In my opinion the Bill is wrongly worded in some respects as I believe it does not state what is intended shall be done. As I read the Bill, only sucker lambs accompanied by their mothers can be sent off a property without being branded. Of course, we know that up to date sucker lambs up to the age of six months have been permitted to be sold without being branded or earmarked; but in the Bill, in two places, it is stated that sucker lambs shall not leave a property unless they are branded or are accompanied by their mothers. I would like some expression of opinion from the Minister in this regard.

As we all know, thousands of lambs go to the Midland abattoir every week and they are not accompanied by their mothers, and they carry no brand, earmark, or other identifying mark of any description. But it is clearly stated in two places in the Bill that sucker lambs without a brand shall not, unless accompanied by their mothers, leave a property; and I think that is getting away from the intention of the Bill and what has always been the practice. I have often disagreed with the idea that good woolly sucker lambs should be permitted to be sold without being woolbranded, but many people believe that they should not be branded because it is likely to cause bruising of the meat. However, if a farmer has shorn sucker lambs still running with the mothers they have to be branded immediately they are shorn.

I do not know what difference tagging will make, because sheep are just as easy to identify with the wool on as off; but if the branding is going to bruise the meat with the wool on, it will certainly bruise the meat more with the wool off. I think we should have a look at that aspect because there is a good deal of confusion about it.

In the Bill there is provision for branding or tattooing pigs over the age of 10 weeks for the purpose of identifying them where disease is discovered. I believe that is a good and worth-while provision, because it will enable the department to trace the owners of diseased pigs and this, in turn, will enable the properties concerned to be identified.

I support the Bill; and, as I said earlier, it provides for a new conception in the woolbranding of sheep. I only hope it does not have any harmful effects and will not increase the incidence of sheep stealing. So far as I am concerned, I would continue to brand my sheep on the property as a means of identifying them in case they became mixed up with any of my neighbours' flocks. However, when the time came that woolbranding was prohibited I would find some other means of identification.

We have a set standard for the earmarking of cattle, and I believe it is right that we should use earmarks which are quite legible. However, here again I see

some conflict inasmuch as a farmer can earmark or firebrand his cattle, whichever he prefers. If he decides to earmark, that is accepted as a brand; and I cannot see why earmarks for sheep should not be accepted in the same way as a means of identification. There does not seem to be any reason why a farmer should use both an earmark and a woolbrand on sheep, as it is not necessary for a cow or a bullock to be earmarked and firebranded. It seems wrong that the earmarking of sheep is not accepted as proof of identification of ownership.

Admittedly with so many sheep changing hands it would be difficult to keep track of the different earmarks, but the same thing applies with cattle. Therefore I am a little puzzled as to how, in one instance, earmarking is accepted as proof of ownership, but in the other instance it is not. I am convinced the contents of the Bill have the support of the farming community because they place the position of branding on a better basis. I support the measure.

MR. NORTON (Gascoyne) [5.23 p.m.]: By and large this appears to be a good Bill, but there is one point I wish to bring to the Minister's notice—I refer to the earmarking of lambs in pastoral areas. In those areas mustering is usually done—that is, for the purpose of shearing—at only one period of the year unless the sheep are mustered for some other reason. Once shearing takes place they are left in the paddocks until next year and usually marking takes place only at shearing time. It is possible by that time the lambs will be 12 months' old, and they are virtually hoggets before they are armarked. If it becomes mandatory to earmark lambs immediately they become six months' old, a severe hardship will be placed on a number of pastoralists throughout the State. As a matter of fact, I do not think the proposition will be practicable in many instances.

I believe some discretion should be permitted in regard to this provision so that it will not be applied to the pastoral areas. It would be quite easy to put this clause into effect in the South-West Land Division, where the sheep are concentrated in small areas and are easy to muster, but where the sheep have to be mustered over a five or six mile square paddock the job is not so easy.

On some stations sheep have to be mustered by trapping—that is, the pastoralist shuts off the drinking water and makes the sheep come into the nearest water points and when they are in the yards another lot of points are shut off to trap other sheep. I would like to have the Minister's idea on this matter to see what can be done.

Mr. Nalder: Can you suggest some other proposal that might help in this situation? I can assure the honourable member that with this situation allowances are always made.

Mr. NORTON: I could suggest that this provision apply to the South-West Land Division only; but now that division has been extended into some of the station country, particularly around Wubin, and south of there, it would make the position rather difficult. In the old days the South-West Land Division did not extend so far out, but now I cannot see how I could confine the provision to that area, unless we can provide for certain places to be exempt.

I must admit that until just now I had not studied the Bill closely, although I picked up, from what the Minister said in his introductory speech, that lambs had to be marked before the age of six months. I would like the Minister to have another look at the provision to which I have just referred.

MR. GAYFER (Avon) [5.27 p.m.]: Generally, I support these amendments to the Brands Act, particularly the one which provides for the recognition of plastic tags as a means of identification, because these tags are being used more and more throughout the State, and particularly throughout the agricultural areas. The member for Stirling said he could not get used to the idea of plastic tags, but I can assure him and other members that they are a great advantage in sheep rearing.

I agree with that part of the Bill which deals with the tattooing of pigs. This is a definite improvement and will enable diseased pigs to be traced to their original owners, and the tattooing will be a means of identifying the properties from which they have come. Therefore, I support that provision.

That part of section 11 of the Act which states that no sheep can be removed from a run without the consent in writing of the inspector is to be deleted. At present, if a mob of sheep are reported to be incorrectly branded, or not legibly branded in the saleyard, they are sent back to the owner's run, because a brand cannot be used in the saleyard. It can be used only on the run. Before those sheep can leave the run to come back to the saleyard they have to be inspected by an inspector and he has to issue an order in writing that they are free to travel to the saleyard.

That provision is being deleted and this, I believe, is a good move, because the ultimate destination of those sheep is more than likely to be a place where an inspector is located. Also, nobody would take sheep from his run on a second occasion unless the sheep were properly branded. In all respects I think this provision is quite an improvement on the one which is now in the Brands Act.

Some amendments which were made only last year—1966—have been deleted

by the provisions of this Bill, but there is one I do not quite understand. I think it might be a misprint. I draw the Minister's attention to page 4, clause 8, line 16, where it states that the owner shall earmark his sheep with his registered brand. I think the word "brand" should read "earmark" as it is in the principal Act; because an owner cannot very well earmark his sheep with his registered brand.

Mr. Nalder: The interpretation in the principal Act states that a brand can be an earmark. That covers the position.

Mr. Hawke: Would the Minister mind speaking up?

Mr. GAYFER: With that clarification I will let the matter rest. I support the Bill.

MR. NALDER (Katanning—Minister for Agriculture) [5.30 p.m.]: I know that the amendments to the Brands Act are of interest to many people in the country. The Bill alters the principle of compulsory branding of sheep, and it also seeks—as several members have mentioned—to include pigs.

This is a new procedure, but it is very necessary, as I said when introducing the Bill, and helps to identify pigs that have gone for slaughter and have been found to be diseased. This amendment will enable the Department of Agriculture to trace the property from which the diseased pig originally came; it will give the department an opportunity to see how the disease was caused; and it will enable it to recommend ways and means for the prevention and the eradication of the disease from the property in question.

The member for Gascoyne has made a point which is worthy of consideration. I do not think we need worry too much about the interpretation of this legislation. There are always cases where it is not possible for people to carry out, to the letter of the law, the provisions of an Act of this nature. The member for Gascoyne made the point that it might not be possible to muster all the animals, to yard them, and to carry out the necessary tailing and earmarking. But if the lamb still has his tail on, it would be obvious to the inspector that there could be certain reasons why the animal had not been tailed or earmarked, and if these reasons were sound no action would be taken.

Mr. May: Why not make provision for it?

Mr. NALDER: If we start to make provisions for every eventuality we will be here for months and months.

Mr. May: What is wrong with that?

Mr. NALDER: There would also be the possibility of misinterpreting the provisions. It is a matter of plain common sense. If the owner of the stock is not able to muster and tail them for some good reason, no action will be taken.

Mr. May: It then depends on the inspector.

Mr. NALDER: Not at all. It is merely a matter of common sense. With his background and farming experience, the member for Collie must know that in a paddock of the size referred to by the member for Gascoyne—he spoke of one about five miles by four miles—it is not possible to obtain a 100 per cent. muster; we must expect that at least a percentage of the stock in the paddock will not be brought into the yard. On that basis there will be a number of lambs which will miss being tailed. It will be obvious to the inspector when he sees those lambs with their tails on that they have been missed for some reason or other.

Action is not taken against a person who has accidentally missed 50 or 100 lambs, because this sort of thing is likely to happen. This applies under the present Act, and we do not intend to alter it. The policing of this legislation will be done as it was previously. I see no reason to depart from the previous situation, which has proved satisfactory. Accordingly, I do not think there is any necessity to make provision for a person who has missed a few lambs in his mustering operations.

You, Mr. Speaker, must know that it is not possible to get a 100 per cent. muster on every occasion. If it is 12 months before the next muster, no difficulty will be experienced. However, when stock are offered for sale, or taken from the property, the situation must be checked. It is obvious that an inspector with a knowledge and background of farming would be aware of the position.

I now want to refer to the remarks made by the member for Stirling. I made reference to this matter when introducing the legislation, and on checking I find there has been a mistake, as I see it, in the preparation of the Bill. I promise that the matter will be attended to in another place. When introducing the Bill I said, at page 1897 of *Hansard*—

> In clause 8 the amendment provides that all sheep over the age of six months, except stud sheep, must be earmarked or bear a registered tattoo in the ear. Sheep under the age of six months must be similarly marked if they are to leave the property—this does not apply to sucker lambs when accompanied by their mother or lambs not shorn for slaughter.

We do not intend to alter that part of the legislation at all. This matter must have got past the officer inspecting the legislation, and I will have it cleared up with an appropriate amendment in the Legislative Council.

There is no intention whatever to demand that lambs which are to be taken for slaughter shall be branded if they have their wool on. If they are shorn, however, it is a different proposition altogether.

When lambs have their wool taken off, it is difficult to identify them, and if they are shorn and leave the property it will be necessary for them to have a brand mark as outlined in the legislation.

Mr. Gayfer: But if they have their wool off they must be branded.

Mr. NALDER: Yes.

Mr. Gayfer: Do you mean to say that you cannot pick a lamb that has its wool off, but you can when it has its wool on?

Mr. NALDER: It is possible to identify breeds such as Dorset Horns when they have their wool on, but it is a different proposition altogether when the wool is taken off. It is considered necessary to brand a lamb that is taken off the property, away from its mother, when it is shorn. If the lamb is sent to the abattoir for slaughter with the wool on, there is no need to brand it.

Mr. Gayfer: But you would not know the ownership by the wool on the beast.

Mr. NALDER: This has applied ever since the Act has been in operation. If the honourable member does not know the situation, I suggest he have a look at the legislation.

Mr. Gayfer: It does not alter the fact that the wool will not identify the sheep.

Mr. Kelly: Does this cover sheep sent to abattoirs only, or those sent to market as well?

Mr. NALDER: The member for Stirling referred to lambs being sent from a property for slaughter. Lambs which are under the age of six months and which go for slaughter may go without being branded provided they have their wool on. If they have been shorn they must have a brandmark when they leave the property. This has been the position all along.

Previously, under the Act, one was not allowed to use a tag for identification purposes, but it will be permitted under this legislation. That is why the matter has been clarified in the amending Bill.

Mr. Hawke: You can sometimes be misled by a brand!

Mr. Brand: No fear!

Mr. NALDER: As I have indicated to the member for Stirling, I will have the matter checked, and if the position is as he and I see it, I will ensure that an amendment is included in another place.

Question put and passed.

Bill read a second time.

In Committee

The Deputy Chairman of Committees (Mr. Crommelin) in the Chair; Mr. Nalder (Minister for Agriculture) in charge of the Bill.

Clauses 1 to 7 put and passed.

Clause 8: Section 28 amended—

Mr. GAYFER: I draw attention to the wording "earmark the sheep with his registered brand" contained in proposed new subsection (1) (a) (i). To make this sound a little more intelligible why do we not include the word "earmark" instead of "brand"? I appreciate that the definition of "brand" covers "earmark," but it would be more appropriate if a registered earmark were mentioned. I have just bought a set of registered earmarks, and I see no reason why "earmark" should not be specifically mentioned. It is referred to when dealing with cattle, and it would not hurt the Bill if it were included to cover sheep.

Mr. NALDER: If the honourable member insists, I will have no objection to this being amended in another place. I would, however, refer the honourable member to section 4 of the Act where the interpretation of "brand" is given as—

> The permanent impression of any letter, sign, or character branded upon any stock, including any earmark, fire-brand, wool brand, and tattoo-mark.

It will be seen that "earmark" is covered by the interpretation of the word "brand." But I will have this matter attended to in another place.

Mr. Gayfer: Why don't you do it here?

Mr. MITCHELL: While we are talking about the earmarking of sheep, I would point out that when cattle are earmarked it is an accepted brand, and there is no necessity for a firebrand. I cannot see why sheep should be earmarked and woolbranded as well. When the earmark of a particular property is used it is a more permanent record than a tag, a brand, or anything else.

I cannot see why there should be two brands on sheep and only one on cattle. I admit there can be difficulties. I might have a lot of sheep with a dozen different earmarks and it might be sensible to require a woolbrand before they are sold. However, I cannot see why a flock of sheep bearing an owner's earmark should not be permitted to be sold without a woolbrand.

Mr. NALDER: Anyone who has had experience in the selling of sheep in saleyards must appreciate the fact that when 10,000 sheep are involved it is easier to identify the flock or pen of sheep that are branded as well as earmarked. Sheep on adjoining properties after a period of time look the same colour and, if shorn at the same time, have the same appearance. If there is no brand on these sheep and they get mixed up in three or four other pens, with sheep bearing only earmarks, it would be difficult to identify the different sheep. When sheep are to be sold, it is easier to sort them out, should a mix-up occur, if they are branded. In connection with sale sheep, I think a brand is a must. That is why both the Farmers' Union and the Pastoralists and Graziers'

Association have accepted this proposal as being an improvement on the position in the past.

There has been much criticism that the brand fluid used today is not permanent. If sheep are branded on the floor of the shearing pen on a wet day, it is almost impossible to identify the brand after they have been released. Immediately it is intended to remove sheep from a property or to sell them, it is incumbent upon the owner to brand those sheep for identification purposes. When sheep are handled by dealers, if there is a mix-up it is a matter for the owner or the agent to satisfy himself that the sheep belong to him.

A lot of thought has been put into this proposal. It has been suggested that later on we might do away with woolbrands altogether. However, that is something which will develop as time goes by. I think all adjoining owners know the various earmarks, and, if there is a mix-up with the sheep, adjoining owners are usually notified by telephone. However, in the saleyard it is difficult to identify sheep that have an earmark and no brand.

Clause put and passed.

Clause 9: Section 29 amended—

Mr. MITCHELL: I would point out to the Minister something which I think he has apparently overlooked in connection with the branding of shorn lambs. If sucker lambs cannot be branded on the wool because of bruising, how much more will they be bruised if branded when shorn? It is possible for a lamb to die shortly after it is branded. The brand shows on the flesh of the sheep through the skin, no matter how careful one is. We should eliminate the need for sucker lambs to be branded, provided they are taken straight off the mother. Under the old Act sucker lambs could not be sent to the market unless they were branded immediately after they were shorn. I consider that sucker lambs taken straight from their mothers could be sold without a brand.

Mr. NALDER: I can see some advantage in allowing a shorn sucker lamb to be taken from a property direct to the abattoirs for sale. However, there is no guarantee that if these lambs are taken from a property to a saleyard they will be bought for immediate sale. They could be bought by a dealer for resale to a farmer later on. The position at the Midland saleyards is that sucker lambs are selling at prices much below those of two or three months ago, and hundreds of farmers are purchasing them, taking them back to their properties, feeding them on peas, and bringing them into the market at a later stage when the prices improve. That is one of the reasons why sucker lambs should be branded after they are shorn.

Very few shorn lambs are immediately sold for slaughter, because of the possibility of bruises. So the suggestion that if a lamb is branded it will be bruised applies only if a lamb is shorn and slaughtered immediately. If shorn lambs are taken away from the property there must be some form of identification other than the earmark. I think this provision covers the situation reasonably well. If amendments become necessary at a later stage, no doubt they will be presented to Parliament. I suggest we allow the situation to apply as outlined in the Bill.

Clause put and passed.

Clauses 10 to 14 put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

Third Reading

Bill read a third time, on motion by Mr. Nalder (Minister for Agriculture), and transmitted to the Council.

PUBLIC WORKS ACT AMENDMENT BILL

Second Reading

MR. ROSS HUTCHINSON (Cottesloe—Minister for Works) [6 p.m.]: I move—

That the Bill be now read a second time.

This is a small Bill to amend section 32 of the Public Works Act. From time to time property owned by the Government is available for leasing. These properties can be divided into two basic types—

(1) those which are acquired by the Government for public works and which are not immediately required for the purpose for which they have been obtained; and

(2) those buildings and public works which are on Crown land or reserves which are for some special purpose, for example, school houses.

If buildings on land mentioned in the second category are no longer required for the purpose for which they were originally constructed, they can be leased. However, in the case of many reserves, the land may only be used for the purpose for which it is reserved under the Land Act.

Crown Law officers advise that as the Land Act takes precedence over the Public Works Act, such land must be leased under the powers contained in the Land Act. It is considered that leasing of such buildings should be determined by the Public Works Department, and the Lands Department subscribes to this view. There is little doubt that the present procedures entail unnecessary formalities, and all that is required is a simple lease issued by the Public Works Department.

The existing problem can best be explained by examples. Premises situated in Marine Terrace, Geraldton, previously used as launch pilot quarters, but which are no longer required for that purpose, were to be leased to the Order of Buffaloes. However, the Crown Law Department advised that as the land was contained within a reserve which was not vested in any body or person, the only way in which it could be leased at present was by the Governor, pursuant to section 32 of the Land Act, giving such a lease or by making a special vesting of the land in the Minister for Works with power to lease, and even then apparently it could be leased only for the purpose for which the reserve had been created. In addition, in section 32 of the Land Act, there is a provision that any leasing for a period exceeding more than one year must be made by applications called for by notice in the *Government Gazette*.

A similar disability exists regarding local authorities which may have properties on reserves vested in them and desire to lease such properties for a purpose other than that for which the reserves were originally created. For instance, the Pingelly Shire Council wishes to lease reserve 5004 in the Pingelly townsite for a purpose other than that for which the reserve is vested in the council. The vesting order provides that the site can be used only for a road board office, and the council now wishes to lease this property to the Department of Fisheries and Fauna for the purpose of an office.

The Lands Department has advised the local authority that these offices cannot be leased or used for any purpose other than that stated in the vesting order. It is considered it is reasonable in this case for the local authority to be allowed to lease these offices, and the Government agrees that subject to ministerial approval these properties should be able to be leased as desired.

As mentioned, the proposed amendments are the result of consideration by both the departments involved to obviate difficulties and delays caused by the present rather cumbersome administrative methods necessary to lease land reserved for a special purpose. These new methods will facilitate future leasing of such property. I commend the Bill to the House.

Debate adjourned, on motion by Mr. Tonkin (Leader of the Opposition).

RESERVES BILL

Second Reading

MR. BOVELL (Vasse—Minister for Lands) [6.5 p.m.]: I move—

That the Bill be now read a second time.

A Bill of this nature is introduced towards the close of every parliamentary session, as it is necessary to obtain parliamentary approval to alterations to "A"-class reserves, and certain other lands. A number of submissions are contained in this Bill and I will proceed to explain, in detail, the particulars in relation to each excision.

The first provision contained in clause 2 deals with an excision from Class "A" Reserve No. 6862, near Albany. This reserve, adjacent to Oyster Harbour at Emu Point, contains about 114 acres 3 roods 31 perches and is vested in the National Parks Board of Western Australia. It is set apart for the "Protection of Boronia."

The area of approximately 2 acres 1 rood 38 perches proposed for excision in the south-eastern corner was at one time low lying and timbered with paperbark but has now been reclaimed by the Public Works Department in connection with the establishment of the Emu Point boat harbour and parking area.

The Emu Point (Albany) Reserve Board, which will have control of all the reclaimed land along the foreshore, is planning the construction of a toilet-ablution block to serve the boat harbour and launching ramp, and has selected a suitable and convenient site on the portion which it is proposed shall be excised from Class "A" Reserve No. 6862. The National Parks Board has agreed to cede the area involved, as it is totally unsuitable for the growth of boronia. This clause provides for the excision described in order that it might be added to Reserve No. 22698 under the control of the Emu Point (Albany) Reserve Board.

The next provision relates to the release from trust and sale of Albany Lots 312 and 315. These lots, containing a gross area of 3 acres 1 rood 18.6 perches, are held in fee simple by the trustees of the Public Education Endowment. They were formerly included in Class "A" Reserve No. 11373 which was cancelled in 1960 when all lots in this former reserve—except lots 312 and 315—were released by the trustees to the Education Department for the purposes of the Albany Senior High School site and sports grounds.

Lots 312 and 315 are located some distance from the school and although they were at one time used by the school authorities as experimental agricultural plots, they are no longer required by the Education Department. As the lots are low-lying and very wet they are not suitable as a leasing proposition and the trustees desire to avail themselves of an offer to purchase for $1,600 submitted by the Town of Albany which would use the land for public utility purposes such as parks, gardens, and sporting purposes. This clause therefore seeks parliamentary authority to remove the existing trust and authorise the trustees of the Public Education Endowment Trust to sell the land freed and discharged of all trusts.

Clause 4 of the Bill refers to an excision of portion of Class "A" Reserve No.

24363 at Binningup Beach. This reserve, comprising an area of 1 acre 1 rood 28.6 perches, is set apart for the purpose of "Water Supply," the land having been surrendered to the Crown for that purpose by the subdividers of the adjoining freehold land at the direction of the Town Planning Board.

The Shire of Harvey, in which authority the reserve is vested, has found that the portion proposed for excision is too steep for laying water mains, and the owner of Lot 96 adjoining has agreed to exchange a strip of similar width containing about 17.6 perches from along the southern boundary of that freehold lot. The Public Works Department has been consulted and raises no objection to the exchange proposal. Parliamentary approval is accordingly sought to excise the area concerned in order that it may be exchanged for a similar strip of 30 links in width to be made available by the registered proprietor of the freehold Lot 96 adjoining.

The next provision concerns Class "A" Reserve No. 8519 at Broome. This reserve is set apart for the purpose of "Recreation" and is vested in the Shire of Broome in trust for that purpose. It contains 4 acres 0 roods 32 perches. The Broome Shire Council has advised that the reserve is too small for team sports and the site is rarely used. An alternative area for recreational purposes will be obtained by the shire. A town plan for Broome townsite is pending, and the local authority is anxious to have this area available for commercial purposes when the planning scheme is finally accepted.

The Broome Shire Council has also requested that Lot 135, included in this reserve, be regazetted as a site for the construction of a new administrative block including offices, library, and council chambers. As the plans for the development of Broome townsite indicate the use of this recreation reserve for its gazetted purpose is no longer viable, parliamentary approval is sought to its reclassification as of Class "C" in order that the Governor-in-Executive Council might have the necessary authority to decide the future disposition of the various lots contained therein.

Clause 6 relates to an excision from Class "A" Reserve No. 22674 near Busselton. This reserve, which is situated west of Busselton on the Locke Estate, comprises 132 acres 2 roods 26 perches and is set apart for the purposes of "Camping and Recreation." It is vested in the Shire of Busselton.

The Public Works Department has requested a widening of the Locke Swamp ocean outlet drain which passes through this Class "A" reserve and the Shire of Busselton raises no objection. The existing reserve is not sufficiently wide to protect the drain and allow access to the floodgate structure. This clause seeks parliamentary approval to excise a strip 30 links wide and approximately 14 chains in length, comprising 1 rood 27.3 perches, which is to be added to the existing drain reserve, together with other widenings from Crown land to the south.

The next provision refers to an excision of portion of Class "A" Reserve No. 11379 at Collie. In 1936 the Trustees of the Public Education Endowment leased Collie Lot 973, containing one rood, which is part of Class "A" Reserve No. 11379, to Joseph Stephens of 21 Venn Street, Collie, for a term of 99 years. This lessee erected a residence on the lot and in 1965 requested the trustees to allow him to acquire the freehold in lieu of the existing leasehold tenure.

The trustees have agreed to accept $350 for the land and this clause seeks parliamentary authority to the excision of lot 973 from the reserve to the intent that the land be freed from all trusts and sold in fee simple to the lessee. The remainder of the reserve, after the proposed excision, will be approximately 11½ acres.

Sitting suspended from 6.15 to 7.30 p.m.

Mr. BOVELL: Before the tea suspension I had just concluded explaining the need for the excision of portion of Class "A" Reserve No. 11379 at Collie. The next proposal in the Bill seeks excision from Class "A" Reserve No. 1203 at Cottesloe. This reserve, containing 4 acres 2 roods 19 perches, is set apart for the purposes of "Recreation," and is vested in the Town of Cottesloe in trust for this purpose with power to lease. The North Cottesloe Surf Life Saving Club Incorporated is the registered proprietor of the contiguous Lot 19 of 24.7 perches, with a frontage to Marine Parade.

The surf club is at present undertaking the construction of new surf club premises on the beach side of Marine Parade involving considerable financial commitment. The new building is expected to cost approximately $46,374, plus architects' and engineers' fees.

Grants from the Lotteries Commission, the Tourist Development Authority, and the Cottesloe Council total $17,630, and a loan of $20,000 from the council has also been arranged. However, these amounts fall short of the ultimate cost involved and the club is desirous of selling the existing Lot 19 to provide the necessary funds.

The area of Lot 19—24.7 perches—is not large enough for the construction of a building which would take best advantage of this most desirable position, and the club has requested that an additional strip of about 11 feet in width abutting the northern boundary be made available in order that it might be consolidated with the existing lot and so enable a larger and more attractive site to be offered for

sale, thereby increasing the potential value.

The portion requested by the club is part of Class "A" Reserve No. 1203 and this clause seeks parliamentary approval to the excision of about five perches—which would be contained in the 11-foot strip. The Cottesloe Town Council has no objection to this proposal.

Clause 9 of the Bill refers to a proposal to make an excision from Class "A" Reserve No. 20195 at Geraldton. This reserve, fronting Eliot Street, Geraldton, is set apart for the purposes of "Park and Recreation" and is vested in the Town of Geraldton. The contiguous Reserve No. 27530, classified as of Class "C" was gazetted in May, 1965, for the purpose of a "Caravan Park" and is also vested in the Town of Geraldton. It is known as the Separation Point Caravan Park. In 1966, the Main Roads Department finalised the position of the ring road in this locality resulting in the area of the caravan park site being reduced.

The Town of Geraldton has requested that a small section, containing 3 roods 10 perches, of Class "A" Reserve No. 20195, be added to the caravan park to compensate for the loss of area occasioned by the ring road alignment. This clause seeks parliamentary approval to the excision of 3 roods 10 perches in order that it might be added to the existing Reserve No. 27530 for "Caravan Park."

The next proposal is for an excision from Class "A" Reserve No. 12083 at South Kalamunda. This reserve, comprising in the aggregate 412 acres 1 rood 31 perches, is in three separate areas for which individual Crown grants have issued. The whole of the land is held in fee simple in trust by the trustees of the Public Education Endowment, who have been approached by the State Electricity Commission to sell the northern portion of Kalamunda Lot 111—now surveyed as Lot 1 to contain 1 acre 2 roods 37.6 perches—for the purpose of a substation.

The commission is prepared to pay the trustees $6,600 for the area, and this represents full current market value. The proceeds of the sale will be invested by the trustees in authorised trustee securities and held for the purpose of the Public Education Endowment Act, 1909.

This clause seeks parliamentary approval to the excision and the discharge of all trusts so far as Lot 1 of Kalamunda Lot 111 is concerned, in order to facilitate the sale to the State Electricity Commission of Western Australia.

The next provision is for the reclassification and change of purpose of Class "A" Reserve No. 2077 at Mosman Park. This reserve, comprising Mosman Park Suburban Lots 69, 70 and 71, and containing 3 acres 1 rood and 9 perches, was set part for the purpose of "Public Utility" in 1892. In 1899 the purpose of the reserve was changed to "Recreation," and it is currently vested in the Town of Mosman.

A special interdepartmental committee, convened to discuss the future use and planning of certain reserves and Crown land within the boundaries of the Town of Mosman has supported a detailed submission by the Mosman Town Council that Reserve No. 2077 is no longer suitable for the purposes of "Recreation" for the following reasons:—

(a) it is situated on Stirling Highway which is the major vehicular traffic access from Perth to Fremantle and development into playing fields would provide an extreme traffic hazard;

(b) if established for recreational purposes, the area would attract its own traffic and parking demands;

(c) the levels of the land demand considerable earth moving for the creation of playing fields;

(d) there is available, other tracts of vacant Crown land in the southern and eastern portions of the district which are more readily adaptable for recreational purposes both from a traffic density viewpoint and economical development.

The Mosman Town Council has submitted, and the special committee agrees, that this area could with advantage be developed for multiresidential purposes, by which use it would alleviate a pronounced demand for residential accommodation to serve the rapidly-expanding Port of Fremantle and its associated industrial complexes. Public transport services and public utilities are already established to serve the envisaged multiresidential development.

The State Housing Commission, represented on the special committee, also agrees that the area would be more suited to high density residential use such as flats or other form of similar buildings.

This clause provides for the reclassification of Class "A" Reserve No. 2077 as of Class "C" and for its change of purpose to "Housing."

Clause 12 seeks an excision from Class "A" Reserve No. 1759 at Nunijup, near Tenterden. This reserve, containing about 262 acres, is set apart for the purposes of "Water" and is under the control of the Shire of Cranbrook. The Nunijup Progress Association is anxious to provide and develop recreational facilities for the local community, and to arrange vacational swimming classes for children attending the district schools. Certain improvements have already been effected by the association to this end.

The Public Works Department, which is interested in the reserve as a source of water supply, has raised no objection to the excision of the area proposed to be set apart for "Recreation" purposes, and the Shire of Cranbrook fully supports the intended use. This clause seeks parliamentary authority to the excision of 39 acres 1 rood 9 perches to the intent that such area be set apart as a separate reserve for "Recreation."

The next clause in the Bill deals with an excision from Class "A" Reserve No. 22240 in Perth. This reserve, between the Government Domain and the former Chevron-Hilton Hotel site, is set apart for "Public Buildings" and contains 4 acres 2 roods 32 perches. Portion of it is currently used as a car park on a monthly tenancy basis.

Following exhaustive investigations by a committee appointed for the special purpose of reporting on various suggested sites for a concert hall, this committee has submitted a unanimous recommendation that the former Chevron-Hilton Hotel site—of 2 acres 3 roods 15 perches, together with about 2 roods 25.4 perches of the adjoining Class "A" Reserve No. 22240—be set apart for a concert hall. The total area of the site will be approximately 3½ acres, subject to survey. The dimensions of the proposed area will be—

Frontage to St. George's Terrace:

	ft.	in.
ex-Reserve 22240 ...	50	0
Former Chevron-Hilton site	230	0
Total frontage .	280	0
Depth—St. George's Terrace to Terrace Road	574	2

Certain aspects of the proposal to build the concert hall on this site will require further study, but it is important that the land be readily available when the time arrives to proceed with construction. This clause seeks parliamentary approval to the excision for this Class "A" reserve of the area described in order to facilitate its eventual use, together with the contiguous former Chevron-Hilton site, for the purposes stated.

The next provision relates to excisions from Class "A" Reserves Nos. 3412 and 25446 at Powlalup, 10 miles south of Kirup townsite. This area, I presume, would be in your electorate, Mr. Speaker. Class "A" Reserves Nos. 3412 and 25446 lie respectively south and north of the Blackwood River at its junction with Balingup Brook, and together form a square 40 chains by 40 chains. The former contains some 68 acres, whilst the latter comprises about 92 acres.

These reserves are surrounded on 3½ sides by land purchased by the Forests Department for pine planting and, for adequate access and effective fire control, it is deemed advisable that the areas proposed for excision be under the control of that department, which is the ultimate objective of this clause.

Reserve No. 3412 is not vested, and the portion proposed for excision being very steep is not used for camping. The section of the reserve north of the Balingup-Nannup road provides for camping sites when required, and this will be retained.

Field reports indicate that in the case of Reserve No. 25446, its value for the purpose for which it was reserved has declined to the point where it no longer represents the normal habitat of flora and fauna, and fires have led to deterioration of the remaining timber.

The Fauna Protection Advisory Committee of Western Australia, in which the reserve is vested, has no objection to the proposal to excise the area concerned, particularly as the Forests Department has agreed to release about 50 acres of its own land, of which 46 acres will be added to Reserve No. 25446. In addition, there is a considerable area of Crown land along the river foreshore which will also be added to the reserve in the overall adjustment of boundaries.

Apart from the area to be released by the Forests Department for addition to Reserve No. 25446, that department has also agreed to cede land for two essential widenings along the Balingup-Nannup road in this immediate locality.

This clause seeks parliamentary approval to the excisions from Class "A" Reserves Nos. 3412 and 25446, in the manner described, to allow exchange of areas with the Forests Department which will facilitate safer and more efficient management of the valuable pine plantations adjacent.

The next clause deals with an excision from Class "A" Reserve No. 15962 at Quairading. Class "A" Reserve No. 15962 at Quairading, is set apart for the purpose of "Park Lands and Recreation" and is vested in the Shire of Quairading. The reserve comprises 2 acres 1 rood 9 perches.

The W.A. Fire Brigades Board is engaged in future planning for sites for fire brigade purposes in country centres, and after close investigation has selected portion of this class "A" reserve as being most suited for the purpose.

The Shire of Quairading has been consulted and favours this site, which contains 1 rood 2.9 perches. This clause provides for excision from Class "A" Reserve No. 15962 of Quairading Lot 298 in order that it might be set apart as a separate reserve for the purpose of a "Fire Station."

The provision in clause 16 relates to the excision of portion of Class "A" Reserve No. 11290 at Rocky Gully. Class "A" Reserve No. 11290, situated one mile west of Rocky Gully townsite and comprising

approximately 170 acres, is set apart for the purpose of "Camping Ground and Resting Place for Travellers and Conservation of Indigenous Timber and Flora" and is vested in the Shire of Plantagenet.

The Shire of Plantagenet has carried out exhaustive investigations in an endeavour to locate a suitable site for cemetery purposes around Rocky Gully, and has found this area to be the most suited with relative freedom from stone, and it is well drained, with a depth of naturally dry soil.

As Rocky Gully is now an established centre of substantial agricultural development, some 50 miles distant from either of the closest towns, the local authority is anxious to have a cemetery established to serve local requirements. The 5-acre site for cemetery purposes will not immediately abut Muirs Highway but has been set back slightly more than three chains with a short road access provided.

This clause seeks Parliamentary approval to the excision of a total of 5 acres 1 rood 13 perches from Class "A" Reserve No. 11290. Of this total excision, five acres surveyed as Hay Location 2285 will be reserved for "Cemetery" purposes and the balance will provide road access thereto.

The next clause in the Bill relates to an excision from Class "A" Reserve No. 12071 at Roebourne. Class "A" Reserve 12071 at Roebourne is set apart for educational endowment and is held in fee simple by the trustees of the Public Education Endowment. The area comprised in the reserve is 22 acres 3 roods 28 perches. The portion of the reserve which it is proposed to excise comprises 12 half-acre lots surveyed as Roebourne Lots 278 to 289, inclusive, and totals six acres.

The Public Works Department desires to acquire these 12 lots in order to implement an effluent disposal scheme for the nearby Roebourne School, hostel, and native reserve, and the Shire of Roebourne supports the proposal. The trustees have agreed to make these lots available for this public work free of charge as the Roebourne School will benefit from the effluent disposal scheme.

This clause seeks Parliamentary approval to the excision of Roebourne Lots 278 to 289, inclusive, from the reserve and for the revestment of the land in Her Majesty the Queen as of her former estate so that it might be set apart, together with other contiguous land, as a new reserve for the purpose of "Effluent Disposal."

The next provision deals with the cancellation of Reserves Nos. 3355, 8615, 8650, 8651, 20357, 21904 and 23894 at Serpentine, and reservation as one composite "National Park."

These seven Class "A" reserves, totalling in area approximately 1571 acres, are set apart for various purposes including "Park and Recreation," "Park Lands" and "Park, Recreation and Conservation of Flora and Fauna." All are vested in the National Parks Board of Western Australia. The board has requested all these reserves be amalgamated into one composite reserve, gazetted as a "National Park" to be known as the Serpentine National Park, and vested in the board.

The existing Class "A" status of the land will be restored simultaneously by the operation of this clause upon cancellation of the existing reserves, and parliamentary authority is sought to effect the change in purpose of the various reserves to "National Park" under one composite reserve (No. 28862).

The final clause refers to an excision from Class "A" Reserve No. 9868 at Yanchep. Class "A" Reserve No. 9868 at Yanchep is set apart for the purpose of "Protection and Preservation of Caves and Flora, and for Health and Pleasure Resort" and is vested in the National Parks Board of Western Australia. By the operation of section 11 of the Reserves Act, 1960, an area of 11 acres 0 roods 30 perches was previously excised from Class "A" Reserve No. 9868 to provide a site for forestry headquarters and residences for forestry employees.

In view of greatly expanded afforestation operations, provision is required for a larger headquarters establishment for control of up to 40,000 acres of plantation in the Yanchep locality. Approximately 30 houses could be required with office, maintenance workshop, and associated buildings.

Extension of the present site, on which four houses are erected, is undesirable from the national park aspect as it abuts on the highly developed area of public recreation and on a cave which may be developed in the future.

In exchange for the area of approximately 37 acres proposed for excision, the Forests Department has agreed to relinquish for inclusion in Class "A" Reserve No. 9868 an area of about 441 acres of State Forest No. 65 adjoining the eastern boundary of the reserve, subject to parliamentary approval.

The National Parks Board of Western Australia supports the proposed exchange. This clause seeks parliamentary approval to excise the area described in order that it might be set apart as a separate reserve for the purpose of a forestry headquarters site and vested in the Conservator of Forests in trust for that purpose.

That completes the details, and these are comprehensive. I will make available to the Leader of the Opposition a copy of my notes for the information of members opposite who are interested in this matter. As the areas concerned might be in their electorates, I will make available

these notes, together with the lithos which have been marked and which show the full references.

A full explanation of all the proposals contained in the Bill has been given, and I hope the House will agree to the proposals. I will also make a copy of my notes available to the Government Whip, who can circulate the information to members on the Government side, and return the file to me later on.

Debate adjourned, on motion by Mr. Kelly.

STATE FORESTS

Revocation of Dedication: Council's Message

Message from the Council received and read notifying that it had concurred in the Assembly's resolution.

COUNTRY TOWNS SEWERAGE ACT AMENDMENT BILL

Returned

Bill returned from the Council without amendment.

LICENSING ACT AMENDMENT BILL

Council's Message

Message from the Council received and read notifying that it had agreed to amendments Nos. 1, 2, and 4 made by the Assembly, and had agreed to No. 3, subject to a further amendment.

ANNUAL ESTIMATES, 1967-68

In Committee of Supply

Resumed from the 9th November, the Deputy Chairman of Committees (Mr. Crommelin) in the Chair.

Vote: Legislative Council, $56,500—

MR. W. HEGNEY (Mt. Hawthorn) [7.52 p.m.]: On a previous occasion during the Address-in-Reply debate I made certain remarks regarding the advisability of bringing about changes in the Constitution. On this occasion I propose to enunciate some points of Labor policy which, I am sure, will be shared by many who do not subscribe to the Labor platform.

Before I proceed with the matters which I propose to raise in this regard, I wish to express my great pleasure at the action of the Commonwealth Government in deciding, even at this late hour, that the Australian High Court is to be the final court of appeal in all Australian cases. In this connection I would like to read an extract which appeared in *The West Australian* of the 7th September. It relates to a statement made by the Commonwealth Attorney-General, Mr. Bowen. The report is as follows:—

> Appeals to Privy Council Limited
>
> The High Court of Australia will replace the Privy Council as the final court of appeal in constitutional and many other cases.
>
> Attorney-General Bowen announced the change in the House of Representatives today and said it was a first step towards making the High Court the final court of appeal for all Australian litigation.
>
> The government's decision to close most avenues of appeal to the Privy Council will sever one of Australia's most important ties with Britain.
>
> Federal senior ministers said the move was significant and carefully considered.

Further on the following appears:—

> Mr. Bowen told the House of Representatives today that the government believed the change was consistent with the growth of Australia as an independent nation.
>
> He gave no indication when the amending legislation would be introduced, but it is expected to come before parliament next year.
>
> Mr. Bowen said several Commonwealth countries, including Canada, India and Pakistan, had abolished appeals to the Privy Council.

The leading article of *The West Australian* of the 8th September contains the following:—

> A Colonial Hangover
>
> Having made a sensible decision to abolish appeals to the Privy Council in disputes involving the constitution and Commonwealth laws, the Federal government should not retain any longer than is constitutionally necessary the archaic right of appeal to London for demarcation of Federal and State powers.
>
> As Federal Attorney-General Bowen says, the government's proposal is consistent with the growth of Australia as an independent nation. From that standpoint alone, there are good reasons for Canberra to drop Privy Council appeals altogether, as Canada, India and Pakistan have done and for the States to do the same in matters under their jurisdiction.

Finally, the leading article states—

> This is one matter in which the States and the Commonwealth should have no trouble in walking a common path. With Britain, they should cut through the constitutional formalities as quickly as possible to stop giving jurists on the other side of the world the final say in Australian legal matters.

I quite agree with those sentiments, and I make bold to suggest to the Government that at an early opportunity it should make necessary arrangements through legislation, and other means, with the British

Government to ensure that as far as the Western Australian Government is concerned, the High Court of Australia will be the final court of appeal.

Although I understand that the Victorian Government has been rather impetuous in deciding it will retain this archaic practice, I sincerely hope Western Australia will show a more progressive attitude and will combine with other States for the purpose of following the lead given by the Commonwealth.

I have already indicated that I urge constitutional reform. I am not alone in this agitation, because many people outside are strongly in favour of radical alteration to both the Commonwealth and State Constitutions. I understand, through the Minister for Justice, that the State Government will give consideration to the proposal I have just mentioned, and I sincerely trust that before long the alteration will be implemented.

This brings me to a question that has been asked by many folk: Is Australia over-governed? I think that is a very pertinent question. Although I could just about quote the statistics from memory, I have looked them up and have ascertained that there are no fewer than 709 members of Parliament in Australia.

In the Senate in the Commonwealth there are 60; in the Upper House, or Legislative Council, there are 60 in New South Wales; 34 in Victoria; none in Queensland—and I propose to make reference to that later—20 in South Australia; 30 in Western Australia; and 19 in Tasmania; which makes a total of 223 in the Upper Houses and Senate. In the Legislative Assembly, known for many years as the Lower House, although I do not know why, there are in the Commonwealth (House of Representatives) 124; 94 in New South Wales; 66 in Victoria; 78 in Queensland; 39 in South Australia; 50 in Western Australia; and 35 in Tasmania; making a total of 456, and a grand total in both Houses in all States of 709.

Regarding Governors, we have one Governor-General of the Commonwealth, and one Governor in each State, making seven representatives of the Queen for one nation.

I would like briefly to refer to the origin of the set-up of the State Governments. Without my expanding the matter, we all know that New South Wales was the mother State established around 1788, followed by Victoria and South Australia in the 1830s. A nominee Legislative Council was established in Western Australia in 1832; and at Moreton Bay—now known as Queensland—in 1859.

On each and every occasion the emphasis was placed on a Governor because the colonies were separated and one was entirely foreign, as it were, to the other. A Legislative Council was set up in each State or colony and, later on, an elective Chamber known as the Legislative Assembly was established.

Over the years, although the States have continued to grow and expand, the same old attitude and practice has been adopted. I say without hesitation that the time has arrived when the people of Australia should be governed by one House in each State and one House under the Commonwealth Constitution.

I am not going into details as far as this State is concerned; suffice to say that over the years I have agitated for the abolition of the Legislative Council in accordance with the Labor Party policy. There was a time when the Legislative Council was called a House of review and was intended to check hasty legislation. It was intended as a non-party House; but no-one will argue the point as to the situation today. Even during this session, measure after measure has gone from this place to another place, as is the usual term, because we are not supposed to mention the Legislative Council in this Chamber. Back comes a message in regard to each Bill; and we know the type of message. Usually it is a case of an "i" has been dotted or something like that.

However, so far as I am concerned, the second House merely puts a rubber stamp on what the Legislative Assembly has done, or it indulges in frustration in regard to legislation which is passed by the representatives of the people. I am not speaking now from the political aspect. I am merely stating facts. The situation is the same whether the Liberal Party has the majority in the Senate or the Legislative Council, or the Labor Party has—and we have never had it in this State. I have had the experience as Minister, and other Labor Ministers have had exactly the same experience, of having been elected by the people of the State to carry on the Government and pass legislation; but what has happened? The legislation has been passed in this Chamber and then it has been peremptorily rejected in another place.

For the benefit of the newer members I can quote at least one instance from memory. I had the honour to introduce an amendment to enable the State Government Insurance Office to engage in all kinds of insurance; it extended its franchise. But what happened? Five times it left this Chamber and was rejected in another place.

That is only one instance, but numerous examples would be found on reference to *Hansard*. They indicate that the Legislative Council has not been a House of review, but a House of frustration. As a matter of fact, a report appears in this morning's paper of a statement made by Mr. Holt. I am not criticising Mr. Holt or Mr. Whitlam; I am merely submitting my view in regard to the advisability and desirability of abolishing second Chambers in all States of Australia. Under the

heading of "Bombing Pause Opposed," Mr. Holt is reported as follows:—

> The Labor Party regards the Senate, not as a house of review, but as a political instrument to frustrate the government.

The implication in that statement is that when Liberal senators had a majority, they did not frustrate the activities of the Labor Government. Of course they did; and I have just stated that the Upper House in this State has been a House of frustration instead of a House of co-operation; and this situation will continue.

To further my point, I would like to refer to the action taken by the founders of Australia. I mentioned this matter when speaking on the Address-in-Reply debate, so will not expand on it now. The founders of the Commonwealth looked around for an appropriate constitution, and moulded it more or less on the American system, with the idea that States like Tasmania, Western Australia, South Australia, and, to a certain extent, Queensland, would not be dominated by the two richer and stronger States. The Senate was to be mainly a House of review, and was designed to protect the weaker States. I do not recollect the situation myself, because I was only a lad, but I understand that everyone in those days agreed with that idea.

But what happened? It was not long before the members of Parliament from the different States collaborated and discussed their views and soon after the Labor Party and Liberal Party were founded. Ever since that time, the Senate has been as much a party House as is the House of Representatives.

I have here the 1958 *Report of the Constitutional Review* set up by the Commonwealth Parliament. It contained a mixed bag of representatives. It did not consist of representatives of only the Liberal Party, Labor Party, or Country Party. All parties were represented, although I will not quote the personnel. To explain my point, I quote pargaraph 31 on page 7, as follows:—

> 31. The Commonwealth body politic has been profoundly affected since Federation by the emergence and entrenchment of nationally organized political parties with sufficient strength individually or in combination to form and maintain a government. In particular the evolution of political parties has upset the speculations of many of the Founders as to how the Senate would function. The Senate has for many years been as susceptible to party political influences as the House of Representatives and proceedings in the Senate usually find party divisions corresponding to those in the House of Representatives. The history of deadlocks between the two Houses is, for example, one of conflicting policies of the national parties. The loyalty of senators to their parties has been largely reponsible for the sublimation of the original dual conception of the Senate as a States House and a House of review.

Nothing could be nearer the truth. No-one on the other side of the Chamber—and certainly no-one on this side—will contest that opinion of the committee. Therefore the position will continue while there are two Houses of Parliament—whether State or Federal—where one will act as a rubber stamp or will frustrate the wishes of the elected representatives of the people.

Under the heading "Senate Election is No Place for Guesswork," the leading article of *The West Australian* of the 16th October, contained among other things the following:—

> As it is, the Senate election next month promises to be dull. Under proportional representation, both the government and the opposition face an extremely difficult task to win. If either side is to control the Senate in its own right after June 30, it must win three-two in five States.
>
> Effective government is handicapped when elections preoccupy parliament in two years of a three-year term. It is further prejudiced by an electoral system which keeps the numbers in the Senate at or near deadlock.

That is quite true. Whether the Labor Party is in a majority in the Senate or whether the Liberal Party is in a majority in the Senate and in a minority in the House of Representatives, I do not think any member of Parliament, State or Federal, is so simple as to think it will not adhere largely to party affiliations.

My final point in regard to this matter can be applied and should be applied to both State and Federal Parliaments. I am not going to quote the provision in the Commonwealth Constitution which provides for deadlocks. All members know the setup, and the cumbersome and tortuous method that is written into the Commonwealth Constitution for the purpose of dealing with deadlocks. It is almost impossible. It finishes up with a meeting of both Houses. The more one reads it, the more one thinks it should be scrapped and something practicable put in its place.

What happens in our Parliament? What happens if the Legislative Assembly passes legislation and the Legislative Council decides to reject or substantially amend it, and insists on its amendments? Messages are passed between both Houses by a certain procedure and, eventually, if a

conference is desired it is arranged. Managers who have been appointed by both Houses meet at the conference and unless they come to a unanimous decision, the legislation is rejected. I have had that experience more than once. The system is futile and outmoded.

While there are two Houses of Parliament in Australia—the Commonwealth Parliament and the respective State Parments—I suggest very serious consideration should be given to writing into our Constitution the provisions of the British Parliament Act of 1911, which was amended in 1949. I think it was Lloyd George who introduced the British Parliament Act in 1911. It was at a time when the House of Lords thought it was high and mighty, but he clipped its wings considerably through this measure which provided that the House of Lords could not thwart legislation passed by the House of Commons for a period longer than two years. By the amendment of 1949, the period was reduced to one year. Now the Labor Party of Britain finds itself being frustrated and is taking steps to reduce the period of one year to six months.

I think there should be something written into our Constitution along these lines. If the Legislative Assembly passes legislation in a certain period and the legislation is continually rejected or substantially amended to the extent that the Legislative Assembly cannot agree with the alterations, then the legislation should automatically become law after a certain period. This is the reasonable attitude these days.

I have quoted the number of members of Parliament in the different States. There are 80 in this State. On the 15th August this year I asked a question in order to ascertain how many more representatives exist in the State. I asked the Minister representing the Minister for Local Government—

> What is the total number of—
> (a) mayors;
> (b) presidents;
> (c) councillors;
> at present holding office in the local government districts under the provisions of the Local Government Act?

Just from memory, I mention that there are 146 local government districts. The answer I received was as follows:—

> (a) mayors 18, including one lord mayor.
> (b) presidents 123.
> (c) councillors including presidents, 1,319.
> Note: These figures apply to the 30th June, 1967. There are three shires administered by commissioners.

That will give an idea of the number of members and representatives that must be involved in the different parts of the Commonwealth, as it gives the figures for the whole of the State of Western Australia.

While I am speaking on local government, I want to refer to the necessity to alter the system of voting for the municipal elections which operates under the Local Government Act. I would say that this system went out of date with the Victorian age, at the latest. Again I am speaking from memory, but I think I am right in saying that when the Labor Government was in office some time ago efforts were made to extend the franchise for municipal government to provide for adult franchise.

However, the powers that be—that is those who were against the democratic principle—decided that the dual system of voting on a restricted franchise should operate. For many years past, I have not been able to understand why those responsible—including the Liberal Government which I am not criticising strongly in this regard—could continually refuse to extend adult franchise for municipal and shire elections. This attitude is beyond my comprehension. I know a stock argument is used to the effect that the taxpayer should have the main say in deciding how his money is to be spent.

Let us look at this argument. It is possible for a person of 21 years of age to vote in an election, and this is done. Let us take the Premier of the State and consider his constituency of Greenough. Everyone over the age of 21 who is not otherwise legally debarred is entitled to a vote. The party to which the Premier belongs appointed him to that office; and the same applies to Mr. Holt, the Prime Minister of Australia. They are elected on the adult franchise basis. However, when it comes to a shire councillor being elected in Mukinbudin or Bungulluping, the voters have to be ratepayers.

Mr. Gayfer: That is fair enough; it is their money.

Mr. W. HEGNEY: I am glad of that interjection, because it prompts me to make a further point. Do not those people who are adults but who do not own property pay taxes?

Mr. Gayfer: Yes.

Mr. W. HEGNEY: They pay taxes to both the State and Commonwealth Governments. Many of them own motorcars and motorbikes, and pay taxes to the local authority.

Mr. Rushton: One does not have to be a landowner to vote.

Mr. W. HEGNEY: I did not say it was necessary to be a landowner. I said the provision in the Local Government Act is outmoded and long overdue for radical alteration and amendment.

I suggest that instead of the Government continuing to agree to give a person eight votes at an election, the principle of

one vote should be adopted. As a matter of fact, I voted for Tom Wardle at the municipal elections recently.

Mr. O'Neil: How many votes.

Mr. W. HEGNEY: I had two votes and I used them, because I was not going to allow somebody else to have the drop on me. The person who followed me had one vote and another person I knew had four votes.

Mr. J. Hegney: I had three votes.

Mr. Jamieson: Tom did well out of this Chamber.

Mr. W. HEGNEY: The honourable member has more votes because he is living at City Beach. The important point is that the Act should be altered to provide for adult franchise for local government elections. Although it may take years, the time will come when that principle will be followed.

I wish to mention another radical alteration which I consider should be made. I am not speaking particularly to members of Parliament or to the general public on this matter. I am speaking more to the junior chambers of commerce, the young liberal club, and Labor youth clubs, and other organisations like that. Some of these young chaps are thinking, whether or not they belong to the Labor Party. Quite a number of Liberal Party lads have different ideas to those held by the older stodgy liberals, present company excluded.

My point is that the Government should give very serious consideration to reducing the adult age from 21 to 18. This should be done by stages. The age of 21 was the number which was drawn out of the hat countless years ago when education was not compulsory and, indeed, only open to the privileged few. At that time, the ruling classes followed the principle of preventing the masses from acquiring any education at all. What do we find today? There is the University, high schools are dotted throughout the length and the breadth of the country, and there are technical schools, debating societies, and organisations such as those to which I have just referred. The people connected with these various organisations are doing quite a lot of thinking.

Many boys and girls are educated to the Leaving standard at least, whereas some years ago many of us just managed to receive primary education or less. The emphasis now is on parents making sacrifices to enable their children to attain the Leaving standard, as I have said. Nobody can tell me that these youngsters will be immature and will not know how to vote.

In all three parties we know that there are those who are referred to as the donkey vote. These are the votes cast by adults. Why not encourage young people to take an interest in the Government of their country? This could be done by extending the franchise by reducing the age to 18. It may be said this is something that would be too radical and revolutionary to achieve in one strike. However, the time has arrived when serious consideration should be given to that alteration to our Constitution.

I think it is a sign of old age to start talking along these lines, but I have heard old people say they will not know who to vote for because their minds are not made up. All members on both sides of the House have had experience in canvassing and have met countless people who say their minds are not made up. All those who have handed out cards at polling places will know there are many people who will want to know who is who. I do not know how they manage to sort it out, but they register a vote.

As I mentioned in reply to the member for Avon, the young people of 18 years of age pay rates and taxes. They are subject to the laws of the country the same as are adults of 81 years of age. They are not given any concession in regard to motorcars and, indeed, very often they have to meet an additional impost if they are under 24 years of age. They pay income tax the same as anybody else. Many young men of 18 years of age drive tractors, are tradesmen, or in other ways are doing a man's work.

Mr. Gayfer: I did not interject on the question of age.

Mr. W. HEGNEY: What is more, under the laws of the country, a youth of 18 years of age can be conscripted to go to the other side of the world. He is old enough to carry arms. If he is old enough to carry arms and mature enough to act in the defence of his country, he is entitled to vote to elect the representatives of that country. That is my opinion.

I wish to refer to another matter which I have mentioned on previous occasions. I make no apology for referring to it again. The matter is the office of the Governor of Western Australia. I notice a member of Parliament in Tasmania has taken up the matter in that State. I know that many people consider the office is outmoded. Some short time ago, I asked questions of the Premier in connection with the cost of the Governor's residence. While speaking on cost, I would like to mention briefly that in the Estimates the item "Governor's Establishment" shows an expenditure of $62,000-odd, and the estimated expenditure is $68,500.

I do not intend to read all of the details, but I asked a question as regards salary, allowances, travelling expenses, staff, including gardeners, upkeep of the gardens, and incidental expenses, including the cost of motor transport, driver, and so on. I also asked what other labour was employed and by whom were the relevant expenses paid. The last question I asked was in regard to the aggregate cost to the Gov-

ernment for the upkeep of the establishment for the year ended the 30th June, 1967.

I have just mentioned that the cost for last year, according to the Estimates, was $62,000 and yet, according to the answer I received to the question I asked, the expenditure incurred was $94,356. There is a big difference between the figure stated in the Estimates and that in the reply given to the question I asked of the Premier. I suggest the cost is out of all proportion to the unnecessary duties involved. As far as entertainment is concerned, it is not worth the cost involved, and Cabinet—the Government of this country—can, and no doubt does, entertain important visitors from overseas. I see no reason why Western Australia, or Australia, cannot follow the lead given by Canada where there is one Governor-General and not one Governor-General and half a dozen Governors.

Take the Governor's Speech. Nobody would say that the Governor compiles his Speech for the opening day of Parliament. Whether a Labor Government or a Liberal Government is in office, the Speech is compiled, in the first place, from suggestions made by the permanent heads of the different departments, and those suggestions are vetted by the Ministers responsible who submit the proposals to the Premier and in due course the Speech is compiled. I think the position could well be met by the appointment of an administrator; and, if that were done, the ceremonial work could be carried out by him and all this unnecessary cost would be obviated.

It must be recognised that there has been a distinct change in late years, and even in late months, in the relationships between Australia and England. I have with me a few newspaper extracts which I think should be referred to. The first is to be found in yesterday's paper and it refers to a statement by Lord Chalfont in Amsterdam. The heading is "We Don't Want Second Best, Says Chalfont," and the article reads—

> Lord Chalfont, Britain's chief Common Market negotiator, said yesterday that none of the suggested substitutes for membership of the market was anything more than second best.

Australia, apparently, would be the second best. But the article goes on—

> In The Hague, Lord Chalfont has told a meeting of the European Movement in the Netherlands: "There has been no change of policy or attitude. We are part of Europe. Our future is in Europe."

Then, on the 20th September, Mr. McEwen, during the Capricornia by-election, said, among other things—

> Nobody knew better than the people of north Queensland of the value of the massive military strength of the United States, which had saved Australia in the World War.
>
> The British shield was going and it was clear that no matter what the will of Britain would be it would not have the power to protect Australia in the future.

On the 27th September last, Sir Alexander Downer, a former member of the Commonwealth Liberal Government, and now the High Commissioner in London, had this to say—

> Britain's obsession with entry into Europe was an unhappy spectacle for people who believed in close relations with Australia, the Australian High Commissioner in London, Sir Alexander Downer, said last night.

He then went on—

> It is not a very happy spectacle to see the Britain of 1967 obsessed with the spectacle of Europe, a Britain that is withdrawing not just from east of Suez, but back from the Mediterranean and into Europe proper."

Sir Alexander Downer asks Britain to think again, because on the 12th October, among other things, he said—

> Sir Alexander said Anglo-Australian relationships were declining in three ways.
>
> With Britain's application to join the European Common Market, Australia and other Commonwealth countries were threatened with the loss of their free entry, or preferences, in the British market.
>
> Secondly, Australians realised the heavy burdens of global defence of the British taxpayer, but was disappointed at Britain's abandonment of the east-of-Suez policy.
>
> Thirdly, if British restrictions on investment remained for more than a temporary period Australia would undoubtedly attract investment from elsewhere.

On the 20th October, Mr. McEwen gave warning to dairymen, by the following Press article:—

> "There is only one really big butter importing country and that is Britain," he said.
>
> Mr. McEwen said the dairy industry would be in a serious position if Australia was unable to export an unlimited quantity of duty-free butter to Britain.

Another statement was reported on the 23rd October. It is by a writer by the name of Jonathan Aitken and, under the heading of "Australian Visitors," it reads—

> On a lower, but no less important level, perhaps the most irritating recent action by the British government is the extraordinary application of the

> Commonwealth Immigration Act restrictions to young Australian Visitors. For generations young Australians have come here for "working holidays," and have been admitted easily and freely.
>
> Now, in a laughable attempt to show that the Commonwealth Immigration Act was not really intended to apply only to coloured immigrants, Australians, Canadians, and New Zealanders are subjected to lengthy interrogations about their money, jobs and accommodation.

Nobody can deny that the relationship between Australians going to England and the British people are not changing. I have here another quote from *The West Australian* of today's date, under the heading "Deportation Threat for Australians." Part of that article reads as follows:—

> Hundreds of Australian men and women in Britain could face deportation from Britain under the same laws which led to Tasmanian John Lockhart Brownlie spending 36 days in gaol.

Those statements I have quoted were made by people who do not support the Labor Party. They were right on the spot and they show the change in the trend. Therefore I think it is time some action was taken by the Western Australian Government in connection with it.

As a matter of fact, the other day I asked a question regarding the area of Government House, and I was told that the area of the whole establishment is six acres. There is a house or garden party held there once in every 10 years or so, and I think it is a bit outmoded to have six acres of land locked up to serve only one or two families. New offices galore are being erected in St. George's Terrace and I think it is time the gardens of Government House were thrown open for the benefit of the people.

I am strongly opposed to excising portions of "A"-class reserves for certain purposes, but rather than have six acres set aside as they are at Government House, I think it might be possible for the Government to excise a few acres to allow the town hall to be built alongside the new concert hall. That suggestion may be impracticable but it is one which I think should be considered.

Having mentioned those matters of constitutional reform—and they are expressions of my own views—I would like to mention that although I am not a betting man myself—I have a flutter only now and again—I have had the opportunity to peruse the report of the Royal Commission held recently into certain newspaper articles on the Totalisator Agency Board, and some of the statements made in the report are hair-raising and far-reaching in their implications.

Mr. Rushton: You have read it all, have you?

Mr. W. HEGNEY: Did the honourable member say he had read it all?

Mr. Rushton: I said, "Have you?"

Mr. W. HEGNEY: I will deal with it and if the honourable member wants to ask me any questions after that he may do so. I propose to read only a couple of recommendations tonight, but I certainly think the recommendations and the statements made are such as to warrant serious consideration by this Chamber. I think the report and the recommendations vindicate the claim which the Leader of the Opposition has consistently made that the law was not being observed. Anyone who read the report and the recommendations made by the Royal Commissioner would agree that the claims made by the Leader of the Opposition and, to an extent, by other members of this Chamber—although they did not engage in as much debate as did the Leader of the Opposition—have been completely vindicated.

Amendment to Reduce Vote

In the circumstances, and in the public interest, I am compelled, reluctantly, to move an amendment to the Estimates. I move—

> That the vote be reduced by $500.

I do this as a means of censuring the Government for the following reasons:—

1. Allowing the breaches of the Totalisator Agency Board Betting Act to continue unchecked for a period of almost seven years.
2. Giving wrong advice on the matter of these breaches to His Excellency the Governor.
3. Giving false information to Parliament through the Premier, the Deputy Premier, the Minister for Lands, and the Minister for Police.

I now propose to read two of the recommendations of the Royal Commissioner. They are as follows:—

> (a) that the present system by which agents of the Board are permitted to loan moneys to punters for betting and to act as agents for punters in establishing and maintaining their deposit accounts, be discontinued.
>
> (b) that the present system by which the Board itself, or through its agents, allows the practice known as *split betting*, be discontinued.

I have copies of my amendment, and the reasons for moving it, which I shall distribute among members for the purpose of greater accuracy.

MR. TONKIN (Melville—Leader of the Opposition) [8.44 p.m.]: The report of the Royal Commissioner, to which the member for Mt. Hawthorn referred, is now before some members, but, unfortunately, not before all members. It raises a number of questions, and the two recommendations which have been read are in respect of

the two matters which I have, without success, been endeavouring to urge the Government, over a period of seven years, to have discontinued.

The most important aspect of this matter at present is that it will be possible to prove that the Treasurer, the Deputy Premier, the Minister for Lands, and the Minister for Police, on a number of occasions gave false information to the Chamber, and some of them gave wrong advice to the Governor.

In 1963, in Great Britain, a Minister of the Government, called Profumo, was obliged to resign. The reason for his resignation was not because he had an affair, but because he lied to Parliament. I quote from the *Parliamentary Debates*, volume 679, the speech of the present Prime Minister. He said—

> What concerns us directly is that the former Secretary of State for War, faced with rumours and innuendos that could not be ignored chose deliberately to lie to this House, and in circumstances in which this House allowed freedom of personal statement without question or debate on the premise that what is said is said in good faith.

In the last few days there has been a debate in the Commonwealth Parliament regarding false information given to the House. Following that there appeared a statement in the *Australian* newspaper which was reproduced in *The West Australian*, and I quote—

> The principles of parliamentary supremacy and ministerial responsibility as he knows were not invented last month.

That has reference to the fact that Ministers, when they give information to Parliament, should do it with a sense of responsibility. I quote from the Act of Settlement as follows:—

> The laws of England are those of the people thereof and all the Kings and Queens who shall ascend the throne of this realm ought to administer the Government of the same according to the said laws and all their officers and Ministers ought to observe them respectively according to the same.

Halsbury's Laws of England, third edition, at page 232 states—

> The Crown is bound to observe the law both by Statute and the terms of the Coronation Oath.

at page 232 states—

> There is no act of the executive for which some officer or Minister of the Crown is not responsible, and for which he may not be made liable either to punishment upon an impeachment or in a court of law in the case of tortious or criminal acts or, in the case of bad advice given to the Crown, to censure or loss of office.

In the course of my speech I shall have no difficulty in showing that the Government gave bad advice to the Governor on several occasions.

There was an occasion in New South Wales in 1932 where the Premier, J. T. Lang, was doing something which was in contravention of the law, and the then Governor, Sir Phillip Game, wrote to him on the 12th May, 1932, as follows:—

> It appears to me that the terms of this circular direct Public servants to commit a direct breach of the law as set out in Proclamation No. 42. I feel it my bounden duty to remind you at once that you derive your authority from His Majesty through me and that I cannot possibly allow the Crown to be placed in the position of breaking the law of the land.

Next day the Governor wrote again—

> If the Ministers are not prepared to abide by the law then I must state without any hesitation that it is their bounden duty under the law and practice of the Constitution to tender their resignation.

As they did not tender their resignation he dismissed them, and he did so because they would not observe the law.

For seven years this Government has failed to observe the law in circumstances which I think I can prove. The Government was making no attempt to ascertain whether in fact the law was being obeyed or not. One can only characterise its attitude as one of indolent nonchalance with regard to the whole matter.

One of the two questions with which I propose to deal is that of credit betting without a deposit, when the law requires there shall be a deposit. Let me refresh the memories of members in connection with this aspect. Section 33 of the Totalisator Agency Board Betting Act states—

> the Board, or any of its officers, agents or employees shall not accept a bet unless made—
>
> (ii) by letter sent through the post or by telegram or telephone message received at a totalisator agency, . . .
>
> unless—
>
> (i) the person making the bet has, before . . . established with the Board in accordance with this Act a credit account sufficient to pay the amount of the bet and has maintained the account up to the time of making the bet and the bet is charged against that account.

We will now see what these Ministers have said in turn. On the 12th November, 1963, recorded in *Hansard* on page

2619, we find the following question asked of the Premier:—

> Is he aware that because the chairman of the Western Australian Totalisator Agency Board is allowing the board's agents to accept telephone bets without requiring the establishment of adequate credit accounts the board's agencies are common gaming houses?

The Premier replied:

> No. I am informed that proper credit accounts are established.

Who informed the Premier that proper credit accounts were established when, in fact, they were not, as the Royal Commissioner has found. According to the Royal Commissioner these credit accounts are a fiction and a sham. Later on the Premier wrote the following letter to The Hon. A. R. G. Hawke, who was then Leader of the Opposition:—

> Further to my letter of the 17th February, I advise that a legal opinion now to hand from the Solicitor-General states *inter alia* that subject to an investor's establishing a deposit account in accordance with the regulations, it is lawful for an agent of the Board, by way of a private arrangement with the individual investor, to advance moneys on behalf of the investor in order to keep the latter's deposit account in funds. An agent in his private capacity may continue to do anything which he is permitted by ordinary law to do unless he is prohibited from so doing by Statute, and there is nothing in the ordinary law or in the Act to prevent the agent, in his private capacity, from lending money to anyone, including an investor.

The important thing there is that the advice of the local Crown Law Department officers was "subject to an investor establishing a deposit account." The Premier went on to say—

> I have been given to understand that all clients of T.A.B. agents have established proper accounts and that the procedures laid down in regulations Nos. 21, 22, and 23 are being properly carried out.

Who gave the Premier to understand that nonsense, when in effect it was not true at all, as will be proved a little later, and has been proved by the Royal Commissioner?

If we look at page 62 of the Royal Commissioner's report we find reference to this very matter. This refers to a case of betting between Madden and McMahon, and this is where it was shown that Madden had not established any deposit account at all but was permitted to bet. I will not go into the details of the case, because it is here for members to read. I quote now from page 62 where the commissioner says—

> I would certainly not be prepared to hold that any loan or guarantee arrangements were current between McMahon and Madden at any time, and indeed my view is that if it were suggested to Madden that McMahon was loaning him money with which to bet he would be very puzzled.
>
> Owens in his case obtained the facts from Madden and they are accurately reported in the allegation. Furthermore, in view of the fact that the system of betting as practised was contrary to the regulations, I do not consider it unfair to refer to it as illegal.

Further down the commissioner refers to a letter from the board to McMahon in which it is said—

> A matter of even greater concern is that you have been accepting investments from Mr. Madden on credit without having first established a deposit account on his behalf.

Mr. Rushton: But he also referred to some good points in connection with the board.

Mr. TONKIN: I am talking about the evidence supplied to Parliament; that nobody was betting without a deposit account. On page 63 the commissioner says—

> Furthermore, it is clear that Madden was and is a citizen of integrity, who always did and no doubt always will pay up for his gambling debts. In these circumstances, it was easy for the betting operations between backer and agent to drift into straightout "Credit. settle-on-Monday arrangements."

We were assured nobody was betting without a deposit account. The commissioner goes on—

> Indeed, apart from the fact that the transactions here did not occur on a racecourse, I can see no difference between the method here and the ordinary 'nod' method of betting as practised on the course.

There was a fair case of betting without a deposit. Now we turn to page 69, and I quote the commissioner:

> However, looking at the matter more generally, there appears to have been no real attempt by the Board through its inspectors, to make any check on this system of deposit accounts. I appreciate that Maher stated in his view that "it was not important" to do this, but if that is so, it (the Board) is certainly leaving itself open to the criticism that the deposit account system was in fact fictitious.

I take it Mr. Maher is the agent who, through the Minister for Police, gave the Premier to understand, and the Premier

gave Parliament to understand, that no-one was betting without a deposit or credit account; and yet the commissioner here states that there appears to have been no real attempt by the board through its inspectors to make any check on this system of deposit accounts; and he quotes Mr. Maher as saying that it was not important to do this.

How on earth was anyone associated with the T.A.B. in a position to assure the Premier and, through the Premier, Parliament, that no-one was betting without a deposit account; yet those were the assurances that were given?

Now I come to some statements which were made to Parliament. No, they were not made to Parliament; they were made to me by way of letter by the Acting Premier on the 28th August, 1963—

> Dear Mr. Tonkin,
>
> Further to your letter of the 23rd August, the answers to the questions raised in paragraph two thereof are as follows:
>
> (1) Mr. Bowman applied to open a Deposit Account at Agency 75 on the 19th January, 1963;
>
> (2) The amount lodged was £53 4s. 9d.

The Royal Commission has proved that both of these statements were untrue—and Bowman never had a deposit account at all, nor did he deposit £53 4s. 9d.

Let us turn to page 81 of this report. This is what the commissioner has to say—

> I add that Maher states that the information contained in this letter came from either verbal or written instructions conveyed to him by Kelly. Without in any way trespassing into the sphere of bookkeeping or commercial practices, in my opinion some of the statements in this letter do not agree with the facts as given in evidence, namely:—
>
> (a) Kelly in his evidence, stated that he kept no deposit account so far as Bowman was concerned.

Kelly was the agent with whom Bowman was betting. The acting Premier told me that Bowman applied to open a deposit account at agency 75 on the 19th January, 1963. The agent told the Royal Commissioner he had no deposit account for Bowman at all. The commissioner goes on—

> (b) So far as the loan account having a Credit balance of £53/4/9, that amount was never deposited by Bowman, but was merely a balance struck at the end of the day's betting operations between Bowman and Kelly.

So the statement made by the acting Premier that Bowman lodged, £53 4s. 9d. was not a true statement. I want to know: Are members of Parliament, the representatives of the people, expected to accept statements which are contrary to fact when they are endeavouring to establish a position. If I had got the truthful answers I would have been able to prove beyond doubt that the law in this respect was being contravened; but instead I got answers that were not true.

The next example of this kind of thing we got from the present Minister for Lands who, for a short time, was acting Minister for Police. I refer to *Hansard* of 1961, page 2538. Mr. Bovell said—

> I desire to assure the House that the Board is endeavouring to put as much money as possible on the on-course totalisator.

Let us have a look at page 133 of this report where the commissioner says—

> The third matter which causes me real concern is the question as to whether the Board's policy of split betting has any legal justification. As I understand Counsel for the Board's submission, this justification is contained in the Totalisator Agency Board Betting Act, Section 20, subsection (i) (b). The Section reads as follows:—
>
> "Notwithstanding anything contained in any other Act or law to the contrary, it shall be lawful in accordance with this Act—
>
> (b) for the Board to retain any such bets and not to transmit them, where the bets are so lodged or so received after the prescribed closing time for the acceptance of the bets on the horse race in respect of which the bets are made or if in the opinion of the Board it is impracticable for the Board to so transmit the bets;

Whatever may be the meaning of the first part of that sub-section, Counsel for the Board argued before me that the last words of the sub-section, namely—"or if in the opinion of the Board it is impracticable for the Board to so transmit the bets"—provided legal justification for split betting. He submitted that all that occurred in what may be described as the early stages of the negotiations between Board and/or agent and the punter, was an 'invitation to treat' and the deal was not concluded or the contract was not made until it was too late in fact for the money to reach the on-course tote.

From a practical point of view I have some difficulty in seeing how an invitation to treat is in point. As I understand Maher's evidence, all

bets over eight units which are received before the closing time for a race are messageable, i.e. the agent is required to inform the Board of those bets and the Board places the money on the on-course tote.

On the legal side I am fully conscious that this matter was not argued fully before me, as all Counsel took the view, and I think rightly so, that the task of a Commission of this nature was in the main a fact-finding one and was primarily not concerned with matters of law.

Despite that, I think I would be failing in my duty if I were not to say that on the arguments presented to me I am unable to see legal justification for the Board's policy of split betting.

Split betting was this: an arrangement was made between certain punters, who, in the main were owners, that if they wagered, say, $200, the board would put only $100 on the tote and field the other $100 as a bookmaker. Yet we have the assurance from the acting Minister for Police that the board was putting on the tote all the money that it was practicable to put on, when it was doing nothing of the sort.

That sort of thing went on for seven years; and I kept pointing out that people were betting without deposit accounts; that money was being withheld from the tote contrary to the law. I wrote to the Chairman of the Western Australian Turf Club; I wrote to the Chairman of the Western Australian Trotting Association; I wrote to every member of the T.A.B.; and I wrote to the Governor. Of course, the Governor's hands were tied, inasmuch as every time he referred complaints to the Government it gave him wrong advice assuring him that all money practicable was being put on the tote; and assuring him nobody without a deposit was betting, when, in fact, that was not true at all. Betting without a deposit was rife and the board was deliberately withholding money from the totalisator.

Confirmation of that fact can be found in this statement made by Mr. Maher and published in *The West Australian* of the 12th February, 1964—

> We do not send money to the course for a particular horse if in our opinion the money will unduly depress the dividend.

In other words, he was manipulating the tote; he was determining the dividend. He had money which he could have sent to the course, but if he felt it would affect the dividend, he would not send it. Whilst that was going on, we were being given assurances in Parliament and the Governor was being told that all the money that it was practicable to put on the tote was being put on the tote.

It is incredible that year after year these false statements should be made in Parliament, in letters, and to the Governor, in order that the board could continue to carry out two practices which now, thanks to the Royal Commission, are likely to be stopped.

That brings me to the point as to how we got this commission. I do not want members to run away with the idea that the Government suddenly decided the operations of the T.A.B. should be investigated, because this Royal Commission was not appointed to investigate the T.A.B.; this Royal Commission was appointed to investigate the *Daily News*, and, it was appointed with very restricted terms of reference.

Although the Royal Commissioner—I say this with due respect to him—found there was no scandalous situation, I have no hesitation in saying if he had not been so restricted in his terms of reference and he could have inquired into the T.A.B., without the slightest doubt he would have found a scandalous situation. But the terms of reference were deliberately restricted to limit the field of inquiry; and, as far as I can judge, there has never been a Royal Commission of this nature anywhere else. I quote from page 7 of the report—

> I was informed by Counsel for the W.A. Newspapers that as far as their researches went this Commission was unique in that it was appointed primarily to enquire into the truth, accuracy and fairness of a number of articles that were written by a newspaper—the "Daily News".
>
> While accepting that view, it must be borne in mind that in substance the task of this Commission has been very little different from any other Royal Commission which has been sparked off by allegations made by a newspaper.

The commissioner accepted the view that this inquiry was unique. I say we should be very grateful to the *Daily News* because, due to its articles, the Government was forced to appoint a Royal Commission.

As a result of that Royal Commission there were only two recommendations. One was that this system of credit betting—which is a sham and a fiction—should be discontinued; and the other recommendation was that the T.A.B. should stop split betting, and should put the money on the totalisator. The Royal Commissioner kept on emphasising that he was not required to look into the legal aspect. However, he went as far as he could in using words to the effect that he could find no legal justification for what was being done.

I think the story is well told if we read some of the questions I asked of the present Minister for Police, and the answers which he gave to me. I will first of all

deal with questions and answers on the matter of keeping money off the tote. On the 5th September, 1961, I asked the previous Minister the following question:—

> (1) Was it not the spirit and intention of paragraph (b) of subsection (1) of section 20 of the Totalisator Agency Board Betting Act that as much of the money invested with the board on local races as it was practicable to place in the totalisators on the race courses would be placed in those totalisators?

The Minister replied—

> Yes, but that the board be the sole judge as to what is practicable or otherwise.

Listen to this, Mr. Deputy Chairman (Mr. Mitchell) in view of what the Royal Commissioner said—

> It is the policy of the board to place as much of the money received as is possible on the on-course totalisators.

Whoever told the Minister that—if anyone did tell him—was not speaking the truth, because it was not the policy of the board to put as much money as practicable on the tote. Mr. Maher said it was the board's policy not to put the money on the tote if it would unduly depress a dividend. From the evidence given before the Royal Commission, the board was not concerned about putting as much money as possible on the tote, because it did not inquire from the agencies the amount of money they held for investment after a certain time. Only certain bets—at first $5 and subsequently $10, I believe—were subject to a message.

It could not be established that that answer was truthful, and that the board was putting as much money on the tote as was practicable for it to put on. On the 9th October, 1962, I asked the present Minister the following question:—

> (1) As no time has been prescribed for the purposes of section 20 (1) (b) of the Totalisator Agency Board Betting Act, 1960, has the board retained bets lodged and received by it under section 20 (1) (a) of that Act and not transmitted them to a totalisator on a racecourse within the State as required by section 20 (1) (a) of that Act?

The Minister replied—

> (1) Yes. In answering this question in the affirmative it is pointed out that section 20 (1) (a) of the Totalisator Agency Board Betting Act 1960 merely makes it lawful for the board to accept bets and transmit such bets to a totalisator on a racecourse within the State.

The next question I asked was—

> (2) If "Yes" to No. (1), then has the board formed a general opinion as to the circumstances in which it is impracticable for it to so transmit such bets, and if "Yes", then when was such opinion formed and how, and in what terms was such opinion recorded and what were the criteria of impracticability upon which such opinion was based?

Part of the Minister's reply was as follows:—

> (2) Yes. The opinion that it was impracticable to transmit all bets received to a totalisator on a racecourse was formed prior to the board first commencing operations on the 18th March, 1961.

I will now deal with some of the questions and answers regarding credit betting. The first question was as follows:—

> Is he aware that Bowman's credit bets continued to be accepted by the T.A.B. after he had been charged in the court and up to the time that he was imprisoned despite the fact that his wife had informed the board through an agent that he had no money and his cheques were valueless?

The answer was—

> No; but I understand that on 30th March, 1963, the agent cashed two cheques for £35 and £40 respectively, for the backer and that both cheques were dishonoured.

The next question was as follows:—

> What does he propose to do to ensure that the conduct of the T.A.B. in regard to credit betting conforms to the undertaking given to Parliament when the Bill was being discussed, viz., that "credit betting off-course in totalisator regions will no longer be legal, and bets will be possible only in cash or against cash deposits or winnings held by the T.A.B."?

Now, I would like members to listen to this answer—

> As the level of true credit betting has dropped by some 70% since the T.A.B. has taken over and further restrictions could lead to an increase in the worst form of betting—that is, unrestricted telephone betting with illegal bookmakers—I do not propose to do anything further.

But now that the Royal Commission has made a pronouncement, the Minister proposes to do something further. So what I failed to accomplish in seven years of pointing this out to the Government and

to the Governor, the Royal Commission—thanks to the *Daily News* articles—has achieved. What excuse can the Government offer? Is it any more illegal today than it was seven years ago? Is the situation any different? If it should be corrected now, it should have been corrected at the inception. But no! If one follows the pronouncements of the chairman—who seems to have the Government mesmerised—one can get the complete picture of what really has been taking place. I will quote an article which appeared in the *Daily News* on the 25th September, 1962. This is what Mr. Maher is reported to have said—

> A telephone bettor does not have to hold a credit balance at the TAB credit centre to bet with an agent, nor does he have to wager only in his own district any more. Any telephone betting he may do with his agent will follow a personal arrangement over credit.

That is precisely what has gone on but, as pointed out by the Royal Commissioner, with no legal justification. To give further proof that people were betting without deposits—and to show that the information conveyed by the Premier and the Minister was not correct—I will quote from a document which was lodged with the Supreme Court in connection with a case known as Roy Alva and Pearl Stirling *versus* the Totalisator Agency Board, as follows:—

> At no time did ROY ALVA STIRLING establish a Credit Account with the First Defendant of the kind provided for in Section 33 (b) of the aforesaid Totalisator Agency Board Betting Act 1960 and amendments thereof.

That was admitted by the solicitor acting on behalf of the T.A.B. Yet we are told by the Premier of the State that he has been given to understand that no-one is betting without a deposit account. Given to understand by whom? On what evidence? Just imagine accepting that sort of thing for seven years in the face of the persistent questioning from me!

By the courtesy of the Premier we were given the opinion of the Crown Law Department, and by the courtesy of the Minister for Police I was furnished with a copy of Parker and Parker's opinion to the T.A.B. I want to say quite unequivocally that Mr. Maher, the chairman of the board, knew that his system of credit betting did not comply with either opinion. Apparently the Government made no attempt to check both opinions.

I propose to read Parker and Parker's opinion; and let me say that when the Royal Commissioner was appealed to with regard to having this opinion submitted, the T.A.B. claimed privilege and declined to put the opinion in. Why? Because if it had gone in, it would have been a simple matter to show that the T.A.B. was not operating in accordance with that opinion. The commissioner refers to it in his report and says that although technically he had to agree with it, he could not see why the T.A.B. refused to put it in. It reads as follows:—

> After a consideration of Sections 17, 33 and 34 of the Act, and regulations 13, 20, 21 and 23, we have reached the following conclusion.
>
> There does not appear to be anything in the Act or any of the Regulations to prevent an agent for the Board lending money to a bettor for the purpose of establishing or maintaining his credit account; but the money would have to be lent in cash or by cheque "paid by the Bank" before the bet is accepted; and before accepting the bet the agent would have to perform some overt act, which amounts to a recording of the deposit in the trust account he keeps on behalf of the Board and an acknowledgment of receipt of the money, i.e. the making out of a receipt in the name and on behalf of the Board.
>
> Mr. Maher asked if it would be sufficient for the agent to make out a cheque in favour of the Board. The answer is no, for reasons which appear above.

Yet Mr. Maher followed that procedure even though his legal advice was that it could not be done legally. Whilst he was doing that year after year he was being defended in this House by Ministers supplying false information. This report continues—

> If the agent lends the money to the bettor to open a deposit account he must ensure that an application in writing signed by the applicant has been received by him on behalf of the Board before he accepts any bet.
>
> A bettor could not do more than maintain his credit account with money borrowed from an agent. By this we mean that he could not increase it above the amount deposited by him before the beginning of the race meeting.

Of course, that was subsequently altered by amendment passed in this House that a credit account could be established during the course of a race meeting; but at the time Parliament was informed that the amendment had been introduced just to simplify the procedure.

I think I should draw the attention of members to some salient parts of this report to which I have not yet referred. On page 18, the commissioner has this to say—

> In conclusion although the Board may have been aware of the tendency of agents generally to break down bets,

there is no evidence to suggest that it ever became cognisant of the fact that Owens, Pearton or Burdge (on occasions other than the Sangster affair) actually made use of this practice.

The facts here are really common ground and can be stated in general terms with only a minimum of reference to particular cases.

It is the policy of the Board to encourage people to bet with it and not to use avenues of illegal betting which may be available. In pursuance of this policy the Board made known that it would be prepared to 'split' the bets of investors who desired to have reasonably substantial wagers on a particular horse. Just precisely how it made this known is not altogether clear, but in an article in "The West Australian" of the 10th March, 1964, and headed "The Problems in the TAB System of Betting", there is a reference to the practice. In addition Maher referred to the fact that members of the Board were members of the respective committees of the racing and trotting clubs and would no doubt spread the glad news. I suppose one is entitled to infer that in the racing community news does travel fast. Finally, by an operating instruction issued to all agents on the 9th September, 1965, split betting was explained and made generally available.

Split betting means that part of the bet shall be placed on the tote and the balance fielded as a bookmaker. Did the Government know that was going on when it was giving assurances to the Governor and to me that all the money it was practicable to place on the tote was being so placed? What a situation! It is absolutely incredible! This was being done by an instruction of the board when the Act provides that all the money it is practicable to place on the tote shall be so placed.

All the efforts I made to force the Government into a realisation of that failed. I even obtained the opinion of a Q.C., told the Minister I had the opinion, and invited him to write to this Q.C., and I said if he did not support the opinion I had received I would pay the cost. However, there was no action, because the Government did not want to take any action. It was not interested.

My time is running out so I will read some of the correspondence which passed between the Governor and myself as a last attempt on my part to have the position rectified; as I could not get any redress in Parliament. I was met with false information from time to time, with no attempt on the part of the Government to do anything, and I felt I had to make it clear to His Excellecy that if the Minister was not obeying the law the Crown was not obeying the law and Her Majesty was being placed in the position of breaching her Coronation oath and that, in the circumstances, there was an obligation upon him, just as there was on the Governor of New South Wales when he took action against the then Premier of that State for the self-same thing; that is, to ensure the Crown was not put in the position of not observing the law.

On the 15th June I received a letter in reply from Colonel Burt in which he said—

Dear Mr. Tonkin,

His Excellency, the Lieut. Governor desires me to refer to your letter to him dated 1st May, 1961 concerning the activities of the Totalisator Agency Board.

His Excellency's Ministers have carefully examined the points raised by you and have advised him that the Totalisator Agency Board is not acting contrary to Law.

If you have a competent legal opinion to the contrary, it would be appreciated if you would make it available and Ministers will examine the matter further.

On the 16th February, 1966, I wrote the following letter to His Excellency—

Your Excellency,

Having drawn public attention to the failure of the Government to enforce the betting laws in this State where a public authority (the Totalisator Agency Board) is involved in serious breaches, it is my duty to bring the matter officially before you as the Government's inaction has the effect of placing the Queen in a position of breach of Her Majesty's coronation oath.

The Totalisator Agency Board Betting Act (1960) section 33 (b) provides as follows:—

> "The Board or any of its officers, agents or employees shall not accept any bet that is made by letter or telegram or telephone message on any horse unless—
>
> (1) the person making the bet has established with the Board in accordance with this Act a credit amount sufficient to pay the amount of the bet and has maintained the account up to the time of making the bet and the bet is charged against that account."

Section 37 (b) provides penalties of £100 or three months' imprisonment; £200 or six months' imprisonment; and not less than six months nor more than twelve months' imprisonment without the option of a fine for the first, second and third offences respectively if any person having the management or control of or being

employed in any capacity in connection with any totalisator agency accepts a prohibited bet.

Unless the Minister who introduced the Bill was dissembling it was the intention of the Government to prohibit credit betting as is evidenced by his statement to Parliament (Hansard No. 2 of 1960, page 1615):—

> "I think it can fairly be claimed that this legislation, if it is accepted by Parliament, will bring about a measure of social reform in that the existing incentive to promote off-course betting under the present law will largely disappear and the substitution of betting against deposits held by the T.A.B. for credit betting at present made possible by legislation of this Parliament in off-course betting shops sited to tempt wage earners within their doors will, I hope, result in money required for providing essential family needs being spent for such purpose and not for payment of losing credit bets.
>
> "A substantial drop in turnover through the off-course totalisator as compared with off-course betting shops has been allowed for, because credit betting off-course in totalisator regions will no longer be legal, and bets will be possible only in cash or against cash deposits or winnings held by the T.A.B."

That is what the Minister said when the Parliament was requested to pass legislation, but as soon as it became operative the board made its own arrangements. The letter continues—

> It is clear that sections 33 and 37 were drafted by the Crown Law Department to give effect to the Government's intentions of preventing credit betting.
>
> However, at least one high-ranking officer of that department holds the view that the draftsman failed miserably.

Then I went on to quote what occurred in a case where an employee of the T.A.B. was being charged with some offence. I followed up by quoting some statements made by Mr. Maher from time to time in connection with this, one of which is as follows:—

> "Mr. Maher asked if it would be sufficient for the agent to make out a cheque in favour of the Board. The answer is "no" for reasons which appear above.

That is a quotation from a legal opinion which I read previously. In my letter to His Excellency I went on to say—

> There is abundant evidence that credit betting, which does not conform to the above-mentioned requirements, is being carried on by the Board.

The Royal Commissioner has proved the truth of that statement. My letter continues—

> In addition to such evidence the following statements made by the Board's chairman (Mr. J. Maher) and the Board's investigation officer (Mr. Byrth) clearly indicate that the law is not being observed. Mr. Maher in a circular to all agents said:
>
> > "All concerned should know the policy of the Board in regard to telephone credit betting is in no way changed and the Board is still very much opposed to the granting of unrestricted credit.
> >
> > "Agents are advised that should they assist telephone clients by keeping their accounts in credit, such accommodation should be strictly limited in regard to both time and amount."
>
> Mr. Maher stated in evidence before A. G. Smith, stipendiary magistrate, in the Queen against Ronald Claude Burden, at page 18 of the depositions:
>
> > "No writing at all is necessary for the establishment of a credit account with an agent. We do not insist on that, put it that way. We do not insist on any writing at all. The credit account can be established by the bettor saying to the agent: 'I am going to bet on credit with you'."

In view of the legal opinion from Parker and Parker that the bettor had to apply and lodge the money, Mr. Maher then made the statement that no writing was necessary and all that had to be done was for the bettor to say to the agent, "I am going to bet on credit with you." Whilst that evidence was being given in the court we were being given an assurance in the Parliament that no-one was betting without a deposit account.

I repeat it is absolutely incredible that we should have the Premier and three of his Ministers prepared to accept information which has now been proved to be completely false, and, further, to present that information to Parliament. Why, it undermines the very foundation of democratic government and the right of the representatives of the people to point out to the Government what is not being properly observed, with the expectation that the Government will have the situation investigated and will give truthful information in reply to the points raised! However no attempt whatsoever was made to check this information. So we have the statement of the Royal Commissioner that these credit accounts were a fiction and a sham. Is it any wonder I did not give up in my endeavours to ensure that the law should be observed?

I have not at any time requested anything else. The point I kept taking was that was what the law said but it was not being obeyed. If the Government has some other ideas it would have got the law altered by Parliament, but it accepted the statements given. The worst part was that His Excellency the Governor was misled by the wrong advice given to him by the Government. I am wondering what His Excellency will think—after he reads the report of the Royal Commission—about the advice which his Ministers gave him on these questions.

I recommend to members that they read the report. If they do they will find through its pages many references to illegal betting and to the illegal withholding of money from the totalisator. These aspects were laid down in the initial Statute, and they were supposed to be observed by the board, but the Government made no attempt to ensure they were observed.

In closing I say it was a good thing that somebody in the *Daily News* had sufficient responsibility to appreciate that things were not right and that some steps should be taken, and so we saw a series of articles which resulted in a Royal Commission. There is not the slightest doubt that if the articles had not been written there would not have been any inquiry, and Mr. Maher would have gone merrily on his way assisted by the Government, in the way he has been assisted all along. It is a shocking example of irresponsibility.

One wonders what a member of Parliament is able to do, to prove the points he is making. Members are no doubt aware that for seven years I have not let up pointing out that the practices referred to were not in accordance with the law, but I got absolutely nowhere. Now a Royal Commission has established that neither of these practices had legal justification. I venture to say that if the Royal Commissioner had been empowered to inquire into the legal aspect, then his words would have been much stronger than the ones he used. I consider the Government—if ever a Government deserves censure for its irresponsibility in connection with any matter—is deserving of censure for the way in which it has handled this question.

MR. CRAIG (Toodyay—Minister for Police) [9.48 p.m.]: It is appropriate that I should have something to say at this point of time, in case members might be misled by some of the views that have been expressed by the Leader of the Opposition. I was somewhat surprised—in fact, I was shocked—when the member for Mt. Hawthorn moved the amendment. As we all know, he is an authority on constitutional matters and the like. He spent about 40 minutes in speaking on this particular subject, and then about two minutes in moving the amendment. I suppose some members opposite expected that I would follow him in speaking to the amendment, and that the Leader of the Opposition would then have the opportunity to develop this subject further and to reply to the points which I had made.

This is playing with politics on the part of the Opposition. I feel it is making a political football out of the Totalisator Agency Board.

Mr. Graham: What sort of politics are you playing?

Mr. CRAIG: The honourable member was not in the Chamber when the amendment was moved.

Mr. Graham: Yes, I was.

Mr. CRAIG: Over the years he has not contributed anything to the debates on the T.A.B. In the six years I have been Minister for Police, I cannot recall the member for Mt. Hawthorn making any contribution to debates in this Chamber on the T.A.B. or on betting. I regret to have to say this, because I have a lot of respect for him, but it makes me think that on this occasion he is acting as a front for his leader.

The Royal Commission was appointed as a result of certain allegations which appeared in the *Daily News*, to the effect that there was an off-course betting scandal. I shall not rehash all the matters which have been raised by the Leader of the Opposition, because they have been inquired into fully by the Royal Commission.

In the course of his remarks he said the Royal Commission did not go far enough. The other evening I was surprised to learn, during the course of a debate on television with the Leader of the Opposition that he was the instigator of these articles which appeared in the newspaper. If that is so, he had every opportunity to inform the journalist concerned, Mr. Owens, of the points he wanted to raise in the articles. I feel that the articles did cover practically everything which the Leader of the Opposition had objected to in the past in regard to the operations of the T.A.B.

The report of the Royal Commission is very satisfactory to all concerned—even to the Leader of the Opposition. Naturally all members will get some satisfaction out of it, because it is claimed the articles were responsible for the change of attitude by the Government towards certain features of the operations of the board particularly in regard to credit betting. The Government is gratified to learn there has been no scandal.

The Leader of the Opposition quoted at length from various sections of the report and I wish to do the same for the purposes of the record. The report covers many pages, but in my view the conclusions and recommendations which appear on the final page should be mentioned by me at this stage. They are as follows:—

Conclusions and Recommendations

1. On reviewing all the evidence led before me I find that there has been no scandalous situation in the operations of the Totalisator Agency Board.

That was what the Leader of the Opposition had been trying to point out for seven years—that there had been a scandal in the operations of the board. To continue—

2. However, some matters referred to in the articles have been shown to be of sufficient weight to justify investigation, and the evidence led before me has disclosed aspects of the Board's operations which, although not scandalous, are in need of review.
3. Accordingly, my recommendations are—
   (a) That the present system by which agents of the Board are permitted to loan moneys to punters for betting and to act as agents for punters in establishing and maintaining their deposit accounts, be discontinued.
   (b) That the present system by which the Board itself, or through its agents, allows the practice known as split betting, be discontinued.
4. If it be considered desirable to have telephone credit betting in the future, then that function should be performed by the Board itself in the manner suggested in Chapter XIII. There should be no other method or device used for credit betting.

The Government has already acted upon those recommendations.

I wish to quote further from the report, because the Leader of the Opposition stated that the Premier and his Ministers, including myself, have misled the House with information given to him in reply to questions he has asked. I say the Leader of the Opposition himself misled the Press in certain of the allegations which have been made. I refer to the report.

Mr. Tonkin: Be careful; read it properly!

Mr. CRAIG: The following appears on pages 128 and 129 of the report:—

> Firstly, as between the most reputable and reliable of informants some misunderstanding concerning the precise information actually given to the reporter did arise. An example of this is found in the Bowman case, which provides a rather graphic example of how a version of the facts given by word of mouth, can become distorted.

The Leader of the Opposition made great play of the Bowman case, and so I turn to page 78 of the report which contains the following:—

> Truth, Accuracy and Fairness of the Allegation:
>
> It needs only a cursory look at the facts to see that the allegation here does not comply with the criteria which it is my duty to apply. Owens' source of information here was Tonkin, who interviewed Bowman while he was in gaol and also saw his (Bowman's) wife. A careful perusal of Tonkin's evidence indicates that there are no facts stated by him at all to justify the allegations contained in the last paragraph of the article.
>
> Owens himself agreed with this, but stated he must have become confused regarding the way Tonkin told it to him.

Mr. Tonkin: Why not finish the quote?

Mr. CRAIG: I shall go on. I interpolate to say how often we have been misled by the Leader of the Opposition in the way he has told a story to us. To go on—

> Be that as it may, the sting in the article is obviously the last paragraph and when I look at it as a whole, I am unable to say that it is either truthful, accurate or fair. In fairness to Owens, I add that he was perfectly entitled to assume that information given to him from such a reputable source would be accurate. It does seem unfortunate that somewhere along the line Owens either misunderstood or misinterpreted what he was told. I add finally that Owens, when he was giving his evidence, apologised to the Board for this error.

I took this opportunity to draw attention to that section of the report for certain reasons. I feel that members have much doubt in their minds—and this has been evident from time to time—as to what is the attitude of the Leader of the Opposition towards the T.A.B. Does he agree with the operations of the T.A.B.?

I have been trying to find out for the last six years. I posed the same question on the television interview, but I still got no answer. The Leader of the Opposition is now talking to his deputy, and I therefore pose the question to him again so that he can reply by interjection if he wants to: Does he agree with the operations of the legal form of betting through the T.A.B.? There seems to be silence.

Mr. Tonkin: What legal form?

Mr. CRAIG: Silence from him, and that is typical.

Mr. Tonkin: May be your question was.

Mr. CRAIG: I will ask him another question. He can answer by interjection if he feels so inclined. Does he prefer a

return to the type of betting that was in existence before the introduction of he T.A.B.?

Mr. Tonkin: No.

Mr. CRAIG: In the light of that answer, I say that the Leader of the Opposition must agree that the present legalised system is acceptable.

Mr. Tonkin: I agree that if the T.A.B. would operate in accordance with the law, I would have no criticism.

Mr. Hawke: It is the Minister's job to ensure that the T.A.B. carries out its operations in accordance with the law.

Mr. CRAIG: The board has operated in accordance with the law.

Mr. Tonkin: No, it has not.

Mr. Jamieson: Don't tell us that nonsense! Now you are talking claptrap.

Mr. CRAIG: Hello! Here is little Sir Echo again! The board has operated in accordance with the law, on advice given the Government by its legal advisers.

Mr. Tonkin: No, it has not.

Mr. CRAIG: The Government's legal advice, of course, came from the Crown Law Department. The board's advisers were Parker and Parker. Here let me say that the commissioner did not dispute the findings of Parker and Parker in this connection.

Mr. Tonkin: He was not shown the report.

Mr. CRAIG: The Government had nothing to hide and did not hesitate to make this legal opinion available to the Leader of the Opposition to use as he so desired. The only information we had back from him in return was that he had received legal advice from a Queen's Counsel. He told us he had obtained this advice, but he did not offer to make it available to us—not on your life!—despite the fact that I asked for it. He said we were courteous enough to provide him, the Leader of the Opposition, with our information, yet he would not lay his cards on the table.

The Leader of the Opposition has made this a political football, and he still wants to kick it around despite the fact that we have had an exhaustive inquiry into the board's operations by a highly qualified judge. But no, he is still not satisfied! He wants to rehash certain features of the evidence to suit himself.

I would like to quote from page 127 of the report. Under the heading "Overall Administrative Lack of Responsibility" is the following:—

> Thus far I have looked at one side only and that of course is the debit side. Turning to the credits, the evidence indicates that the Board, starting from scratch, and indeed on some views starting from behind scratch, has built itself up in a period of six years into a flourishing and profitable organisation, which has provided a service for off-course punters, and has given a desperately needed blood transfusion to the racing industry, an industry which provides employment for many and enjoyment for millions. Also, it must not be forgotten that it has contributed largely to State finances. That mistakes have been made is not surprising, indeed it would be surprising if they had not been made, but on the whole the Board can well be satisfied with its progress and present position.

That, I feel, is a good summation by the commissioner of the way the board has functioned in the past, and I cannot help but feel that the public as a whole will, as a result of this exhaustive inquiry, gain the knowledge that there is no scandal at all in connection with the operations of the board. I feel sure that members of the public know only too well that they prefer this type of legalised betting rather than the type which the Leader of the Opposition knows more about than I do, because this board came into being in my first year in Parliament.

I would also say that the Leader of the Opposition had every opportunity to air his views to the commission. He can smirk! This suggests he feels he did not have this opportunity, but I say he did, because practically every case referred to in this report was spoken of by him at some stage in our parliamentary sittings. He spoke on practically every one, and if he was confident of his views at the time, why did he not express them again to the commission?

The commission's line of inquiry or investigation was not restricted in any way at all. The commissioner himself was anxious to iron this whole matter out, and I think he has done so. I cannot help but feel—and I have said this before in this Chamber and outside it—that this question of the T.A.B. is, for some reason or other, a big obsession with the Leader of the Opposition. I thought that when the commissioner gave his findings, they would have been accepted by the Leader of the Opposition; but this is not so.

We have the evidence again tonight that he wants to be persistent about it and I presume that he is going to continue in this way. On what grounds, I do not know; but it is most significant to me —and I think it is significant to many other members—that his obsession is not only against the T.A.B., but also against the chairman (Mr. Maher). The cause of this, I do not know. The Leader of the Opposition says that it is because Chairman Maher has misled his Minister. I say that this is not so. I think we must give Mr. Maher full credit for the way the board has been established and operated.

The commissioner himself, as I quoted a moment ago, gave full credit to the board for the most difficult task it had

when it came into being. He said it started behind scratch and if it had not been for the ability of Chairman Maher, it would not be in its present satisfactory position.

There is no reason for me to dwell at length on the amendment of the member for Mt. Hawthorn. It would have had a lot more weight had it been moved by the Leader of the Opposition himself. Why he had to pass the buck to one of his members, I do not know; and I—

Several Opposition members interjected.

Mr. CRAIG:—cannot help but feel that members opposite are not united on this. I cannot be convinced that they conscientiously think and believe in this amendment. I therefore have no hesitation at all in opposing it.

MR. FLETCHER (Fremantle) [10.8 p.m.]: I support the amendment. By way of introduction I would say that I have no doubt many people are associated with horseracing purely because of the love of horses and the thrill of racing, whether or not they bet. Let me say still further that there would be a diminution in the support and interest in the sport if money was not associated with it. I am convinced that if everyone associated with the industry was as straight and splendid as the horses themselves, I would have greater respect for this so-called sport of kings.

I support the amendment also because it is the only available method to Her Majesty's Opposition to make known to the public that the Leader of the Opposition has been vindicated. The inquiry vindicated our leader. His persistence has at last been rewarded, despite the misrepresentation of his motives, including the implication by the Minister who has just resumed his seat that the Leader of the Opposition had some ulterior purpose.

I know the Minister hoped that the persistence of the Leader of the Opposition would act to his political detriment; that it would destroy his image. It has not, because he has been proved right. The Government relies on the hope that the public could not care less; but fortunately a great many people do care.

The Leader of the Opposition contributed to the cleaning up of the too-easy credit betting. Initially I took only a superficial interest in this matter, but subsequently I have seen more and more evidence in my electorate to justify the stand of the Leader of the Opposition. I have seen worried wives and mothers as a result of credit betting being available too easily to their husbands and sons. I am aware that one person went to gaol because he had easy access to credit; and I am also aware of another young country boy who was given credit to wager beyond his means.

Betting can be a disease, and the fact that this Government has condoned credit betting has contributed to the downfall of many people. I do not want to appear self-righteous in my criticism of this system of betting. It is the last impression I want to give to those who desire to indulge in this dubious sport. It is their own business, as long as it does not hurt anyone else; but this Government has made it possible for many to hurt those near to them, because they have had easy access to credit.

I hope that at last this easy credit will no longer be available, and that members of the public are at least a wake-up to the fact that the Leader of the Opposition was responsible. Some people in the past may have misunderstood the object of the Leader of the Opposition, but the inquiry has revealed that the Government, through the medium of the board, has condoned credit betting.

Let me hark back, as the Minister did, to his introduction to this place, and the inception of the T.A.B. Many new members opposite will not have the unsavoury memory I have of Ministers rubbing shoulders with individuals like Peat and Berry. These are merely names to some people, but I remember very well the association of these unsavoury individuals with certain Ministers opposite who thought they could use them to the detriment of the Leader of the Opposition who was subsequently proved to be correct. The Minister for Works has probably forgotten them, but on inquiry from other Ministers he will ascertain details of the incident to which I am referring. These individuals attempted to malign and even destroy our leader by imputing all sorts of improper motives to him in relation to S.P. betting.

Mr. Ross Hutchinson: What motives?

Mr. FLETCHER: Those people were proved at a subsequent inquiry to be liars and their word worth nothing.

Mr. Ross Hutchinson: What were they saying? What were the motives?

Mr. FLETCHER: The Minister for Works asks the motive. He would know what it was, and so would the Premier, and another ex-Minister who is no longer in this House, but is overseas. He also would remember the particular incident to which I allude and how these people were used at that time. Many members on this side of the Chamber will never forget that unhappy situation. Members opposite used these individuals for political purposes, in an attempt to malign the Leader of the Opposition, to Labor's detriment.

As I have said, subsequently they have been proved to be liars. Since coming into Parliament I have found that all is considered to be fair not only in love and war, but also all is considered to be fair in politics. I say that without attempting to be self-righteous. Some holds should be

barred, particularly in relation to the character assassination I have mentioned. I have watched Ministers opposite defend the breaking of the law by the Totalisator Agency Board by permitting non-existing credit to be extended to bettors. Ministers knew that our leader, through his respect for the law, would question, oppose, and criticise. This he did to a great extent, but the Government decided to take no action regarding credit betting, in the hope that it would make our leader appear to have a cranky obsession, as the Minister just called it. There was nothing cranky in what the Leader of the Opposition alluded to in this respect.

On occasions, I regret to say that this attitude was encouraged amongst the public by medium of the Press. This is another subtle form of political assassination. I have stood by watching helplessly as this sort of thing has gone on. Other members have felt this, too. To contradict the Minister, let me say that I have never been ashamed of the stand taken by our leader, even though I knew much of it brushed off to our detriment. He knew it, too; but he still continued with the fight on the basis of knowing that ultimately we would all be vindicated. This situation went on until a *Daily News* journalist revealed the bad features associated with the management of the T.A.B. and agencies.

As I have said, I have seen Ministers opposite evade, distort, and give replies which were not related to the questions asked by our leader. I will not call them liars, but, to put it another way, the replies were not the truth. The Government used to condone the now proven maladministration of the T.A.B. The Government tried to confine the recent inquiry to the *Daily News* articles only. Fortunately, it spilled over into a broader inquiry. It could not have done otherwise. The inquiry was broadened to include issues raised by our leader.

The report is now available but, unfortunately, not many members of the public will have access to it. If the Government has its way, the public will certainly not know because it is too close to an election. The report will conveniently find its way, I suspect, into some hard-to-find pigeonhole if the Government has its way.

The Leader of the Opposition has quoted from the report and from the commissioner to the effect that betting without credit was indulged in. The commissioner made this statement, yet the Minister says that was not the position. As I pointed our earlier, we on this side of the House are concerned that credit was granted to people without standing, and this could cause them to get into economic difficulties.

Before coming to this Chamber, I thought members of Parliament were incapable of many of the human frailties which I have subsequently seen demonstrated for political expediency. I hold this view as a result of my observations from this side of the House. The other evening I referred to the shortage of memory which had been exhibited by Ministers. My remarks are found on page 1910 of *Hansard* No. 15. In relation to the Esperance land agreement, I said—

> The Ministers concerned demonstrated a very convenient loss of memory.

The DEPUTY CHAIRMAN (Mr. Crommelin): Order! I cannot allow the honourable member to quote from *Hansard* remarks which were made on Esperance land development; that is outside the scope of the motion.

Mr. FLETCHER: Very well, I will not quote; but I will say that the other evening I mentioned the convenient shortage of memory, the evasion of issues, and the prevarications indulged in by Ministers in that connection. Over the years, I have seen them indulged in in relation to the issues I have just mentioned. Ministers have given truths, half-truths, and evasions, simply because they knew the Leader of the Opposition would fight back. The Government hoped it would destroy his public image. Instead, it affords me satisfaction to stand here now and say that our leader has been vindicated. The amendment is justified, if only to make the position known by debate in this House. As I have said, prior to becoming a member of Parliament, I used to think parliamentarians were superhuman.

Mr. Ross Hutchinson: Does that include yourself?

Mr. FLETCHER: No; I have already said I do not wish to appear self-righteous, and I repeat that remark. The other evening, I admitted to my own share of frailties quite frankly to the member for Avon during the debate. We should follow the advice of Robert Burns who said that if only we had the ability to see ourselves as others see us, perhaps we would be more humble. I keep that in mind in case it applies to myself. I do not know whether other members take this attitude, but I hope they do.

I am concerned that our public image is not enhanced by the behaviour of the Government. I like to think that people respect us. I do everything possible to ensure respect, and I do not like to see an image pulled down.

I would like to relate an incident which occurred this morning. A lady telephoned me to ask about acquiring a State house. I hope you will consider it pertinent, Mr. Deputy Chairman (Mr. Crommelin), but I said in phone conversation that many people do not have a high regard for parliamentarians. Forgive me for phrasing it this way, but I said others

think they have the ability of Jesus Christ. Neither is true. I know my limitations in what I can achieve in attempting to acquire a State house or a house, for Fremantle constituents. That is what I told the lady. I mention this to illustrate that many people consider parliamentarians enjoy a greater status than is actually the case.

It hurts me to see Ministers opposite evading issues, when the truth could be given just as easily. Instead, they use methods which are aimed at destroying our leader's image, and the image of the Labor Party. Surely the Government image is suffering enough on a Federal basis. In that Parliament an immature Minister tried to protect his Government's image by pretending he was not aware of particulars relating to the people who were carried on V.I.P. aircraft. Another maladroit Minister subsequently produced particulars which the immature Minister alleged did not exist. I do not like lies at any time, and I particularly do not like them when they are indulged in for political advantage.

I support the amendment for the reasons I have stated. I believe that members of Parliament should set an example of absolute rectitude to those they represent. As I said earlier, I may not be successful, but I at least try. I do not want to lecture members opposite. I say in all sincerity that I do not like what has been happening.

Mr. Brand: It sounded to me a bit like a lecture.

Mr. FLETCHER: I hope it does not.

Mr. Brand: What did you mean?

Mr. FLETCHER: I am supporting the amendment in the only way which is open to me. I have not had much time to prepare a case. I can understand that the Premier does not like it.

Mr. Brand: You said you tried to be honest, but don't you give others credit for trying?

Mr. FLETCHER: Irrespective of what the Premier says, I deplore the massacre of our public image in regard to the V.I.P. flights I have mentioned, and certainly in regard to Ministerial behaviour in this State, particularly in relation to the T.A.B. The actions of the Ministers I have been referring to have done nothing to enhance the status of parliamentarians. Credit betting has been condoned by them when we on this side of the House have not condoned it. If for no other reason, the amendment is justified on those grounds; that is, on grounds of the evasions, half-truths, and distortions which have been indulged in. For years I have watched the members opposite and, as a consequence, I have formed my opinions. I have much pleasure in supporting the amendment moved by the member for Mt. Hawthorn.

MR. HALL (Albany) [10.27 p.m.]: I consider the amendment moved by the member for Mt. Hawthorn is quite commendable. It certainly gave the Leader of the Opposition the opportunity to voice his disapproval of the misguided statements which have been made to him in answer to questions.

I think the basic principle is that the House has been misled by statements made in answer to questions asked by the Leader of the Opposition. The fundamental principle is that if the House has been misled, so have the people of the State. The Leader of the Opposition has pressed on further with the subject of the T.A.B. so that it can be aired completely before the people of Western Australia. The people will know the attitude of a Government which gives misleading statements and fractures a principle of government.

I would like to quote a definition of the word "principle." As I said in my opening remarks, principle should be a fundamental of government. Government involves sovereignty because of Her Royal Highness, Queen Elizabeth II, and everything in connection with government should be based on good principles. I refer briefly to the episode of exposing the Governor-General to the ridicule of trying to carry out his duties when, in all probability, he has not been presented with the truth. I would like to give the following definition of the word "principle":—

> A source of origin—that from which anything proceeds—fundamental substance or energy—ultimate basis or cause—A fundamental truth—a comprehensive law or doctrine from which others are derived, or on which others are founded—a general truth. A fundamental assumption—a maxim.

When we come into the House we take the oath of allegiance. It reads as follows:—

> No member of the Legislative Council or Legislative Assembly shall sit or vote therein until he shall have taken and subscribed the following oath before the Governor, or before some person authorised by the Governor to administer such oath:—
>
> > I, A.B., do sincerely promise and swear that I will be faithful and bear true allegiance to Her Majesty Queen Victoria, as lawful Sovereign of the United Kingdom of Great Britain and Ireland, and of this Colony of Western Australia. So help me God.

So the giving of misleading information to the Chamber would fracture the oath and would bring us into ridicule. I have an article taken from the *Sun Pictorial* of the 1st November, 1967, which is comparable with the case before the Committee this evening. The article refers

to the Prime Minister of Australia, and is headed, "Holt Denies Charges: To Quiz Howson." This would be comparable with the attempt of the Leader of the Opposition to get the Minister for Police to bring Mr. Maher to heel. The article states—

> "I have not wilfully or wittingly misled this Parliament," the Prime Minister, Mr Holt, said yesterday.
>
> Mr Holt was replying in the House of Representatives to a Labor no-confidence motion on V.I.P. planes.
>
> The Opposition Leader, Mr Whitlam, moved the no-confidence because of the "untrue and misleading information" given Parliament.
>
> The charge was made against Mr Holt, the Treasurer, Mr McMahon, and the Minister for Air, Mr Howson.
>
> Mr Holt admitted that he was "troubled" by Mr Howson's statement that V.I.P. passenger lists were not available.

That would be comparable with the misleading statement given to our Minister for Police who brought certain statements to Parliament.

Therein lies the fundamental principle that we should have the truth given to us at all times. I am sure the Leader of the Opposition has enjoyed the publicity that has been given to this matter recently. It is very acceptable publicity from the point of view of the people of the State, because the whole matter has been brought to light and many people have said to me, "I was not interested in the T.A.B. report before, but it has at least revealed a principle and has opened the eyes of the public to what has gone on."

The Leader of the Opposition has tenaciously and vigorously followed this matter through from its inception to its culmination tonight. This gives him an opportunity to indicate the misleading statements that have been made to the Chamber.

I support the amendment on the ground that it fractures the principles of Parliament when misleading statements are given to members.

MR. DAVIES (Victoria Park) [10.34 p.m.]: We become rather accustomed in this Parliament to the use of sneer and innuendo when members of the Government are answering criticism that has been raised by the Opposition. I feel that tonight the Minister hit an all-time low in the remarks he made. I will not deal with those remarks at any great length because they were put forward in a haphazard sort of fashion; the Minister was all over the place in his attempt to follow different lines at different times. The reply he gave was most incoherent.

I must, however, comment on a couple of the points the Minister made. The first point was that the Leader of the Opposition had passed the buck to the member for Mt. Hawthorn by getting him to move the motion tonight. That was a most dastardly statement to make; it was completely untrue; and I can only believe that the Minister said what he did in an attempt to belittle the Opposition.

Having been in the House for a number of years, the Minister cannot tell me that he was not aware that the Leader of the Opposition had no other method of getting this matter before the Chamber. The Minister knows it would have been impossible to bring it forward by means of a private member's motion; it could only be brought before Parliament when the Revenue Estimates were being debated, and that was when the member for Mt. Hawthorn moved it.

Mr. Craig: But the Leader of the Opposition has done this before. He moved an amendment along the same lines on the Police Vote.

Mr. DAVIES: The Minister is making it worse for himself by suggesting that the Leader of the Opposition deliberately did this. The Minister is fully aware that the Leader of the Opposition did not have the report when he spoke on the Revenue Estimates. It would have been impossible for him to get the matter before the House other than in the manner in which it was moved. It was grossly unfair for the Minister to make such an unjust statement; but it was only another instance of how the Government attempts to belittle Parliament. The Minister showed a great deal of cheek and arrogance when he suggested to Parliament that the members of the Opposition were not behind the Leader of the Opposition in this matter.

Mr. Craig: Are you?

Mr. DAVIES: We are 100 per cent. behind the Leader of the Opposition. I am sure the Minister would not be able to find one member on this side of the House who would not be right behind the Leader of the Opposition in this matter. The Minister was cheeky and arrogant to suggest that the support we gave our leader was only half-hearted.

Mr. Burt: Where are all your members?

Mr. DAVIES: Where are the members from the front bench opposite?

Mr. Graham: We are all here.

Mr. DAVIES: There seems to be great concern that there are not more members in the Chamber. I do not know what can be done about it, but when I was in the dining room an hour ago I noticed there were more members enjoying supper than there were listening to the attack being delivered by the Leader of the Opposition.

This again demonstrates the arrogance of the Government. It does not matter what we have to say in these important matters, the Government knows it has the numbers and that it will use them.

We can talk for hours, until we are black or blue in the face, but the Government has the numbers to defeat any move we might make.

Ample evidence was given to the Chamber tonight that the Government is prepared to use its numbers. If the Government feels it is in such a strong position, and that there is no justification for the criticism being levelled against it, why did not more of the Government supporters rise to speak to the amendment? I am the third speaker on this side of the House. I sat for a long while waiting for someone on the other side to rise and speak, but to no avail. So no matter what we say, the Government will use its numbers to defeat our amendment; the Government will give no explanation except the rambling explanation given by the Minister for Police.

There are a couple of other points raised by the Minister on which I would like to touch. The Minister asked what the Leader of the Opposition's attitude was in regard to the T.A.B. He knows the Leader of the Opposition's attitude very well. His policy is that of the Australian Labor Party, democratically formed in its various councils. The attitude of the Leader of the Opposition is the same as that which was announced and headlined on the front page of *The West Australian* during the last election.

As I mentioned recently when discussing the question of State aid to independent schools and comparing our policy speech with the policy speech of the Government, the Press headlined that the Government was supporting State aid and that "Labor Now Favours Keeping Bet Shops." So the Minister cannot claim that we have not made our position clear. All the Leader of the Opposition has sought to do is to ensure that the Totalisator Agency Board Betting Act is applied as it stands. He does not want it forgotten altogether; he merely wants the law applied as it was formulated by Parliament.

I should have thought this would be abundantly clear even to the Minister for Police, because the matter has been under discussion for seven years, and this has been the sole objective of the Leader of the Opposition; anyone could see that. Despite what has happened, and despite the evidence put before the Government, no positive action was taken by the Government. I am sorry to say that it took bigger guns than those possessed by Parliament to bring the matter to light. It would seem that the Press is more important than Parliament, because it was able to force the Government into taking some action, even though the Government tried not to appoint a Royal Commission to inquire into all the aspects of the T.A.B. To justify itself the Government appointed a Royal Commission to inquire only into the articles that appeared in the Press.

The Minister for Police mentioned that the Leader of the Opposition would not co-operate with him and make available legal opinions that he had received. All I can say is that the Minister was obviously not listening to the Leader of the Opposition when he supported the motion tonight, because I distinctly heard the Leader of the Opposition say that he had obtained the opinion of a Queen's Counsel and had advised the Minister for Police accordingly. He invited the Minister to seek an independent opinion of the same Queen's Counsel, and if this were not in accord with what the Leader of the Opposition claimed, he—the Leader of the Opposition—would be prepared to meet all the expenses involved.

So it is complete rubbish for the Minister to say he could not get any co-operation from this side of the House. All the guns and ammunition we had were constantly placed before the Government, which continued to take no notice of what we said.

The Minister for Police also said that the Royal Commissioner could have brought down other findings. Naturally he could have done so if he had found differently. But, by the way the Minister spoke he seemed to indicate that the Royal Commissioner could not find anything wrong with the T.A.B., even though he was in a position to make whatever inquiries he wished.

The point of the matter is that the Royal Commissioner was confined to fairly close limits by the terms of reference set down by the Government. There was not the slightest doubt that the Government considered the terms of reference very closely in order to restrict the inquiry of the commission to the *Daily News* articles, and those articles alone. There is not the slightest indication that the Government tried to restrict the scope of the Royal Commission. The Minister knows as well as we all do that nobody could come before the Royal Commission and give evidence which was outside the terms of reference. So we have a Minister of the Crown making another totally unfair statement.

The last point I want to make on the Minister's comments is that he believes the Leader of the Opposition has only done this because he has an obsession in regard to the chairman of the board. The Minister has no evidence whatever on which to make such a statement. Never, during his entire questioning and talks, has the Leader of the Opposition attacked the chairman of the board as a person or as a member of the community. He certainly attacked the decisions made and the manner in which the Act has been implemented. He also attacked the advice given to the Government and to the Governor. But he has never attacked Mr. Maher personally; I am certain the Leader of the

Opposition holds no malice against this man with whom he worked very closely when he was a member of the Cabinet.

In summing up the statements made by the Minister tonight in reply, I think we can say he is hiding behind the skirts of his advisers, the Crown Law Department, and Parker and Parker, solicitors. He has taken refuge for everything he did, in the fact that it was based on advice given to him by these people. I have said before that from lawyers one can get advice any way one wants; and quite obviously in this case they knew the type of advice the Minister wanted and the Minister took their advice and never queried it. Anyone with an ounce of brains, on reading the Act and taking note of evidence before the Parliament would at least be able to get some inkling that something was wrong. Obviously the Minister never queried the advice given to him.

The Leader of the Opposition, when he spoke earlier this evening, quoted Judge Wyndeyer, an eminent Australian judge, who said that Ministers of the Crown are liable in law for the advice they give, whether it be given to them by the heads of their departments or the Crown Law Department. The Minister for Police is the Minister responsible, and he must hold himself responsible in this instance. There is not the slightest excuse for his not doing so.

The debate tonight is not, as the Minister said, to try to vindicate the Leader of the Opposition. We do not have to vindicate him any further as the Royal Commissioner has done this. The debate tonight is not to propose any change; all we are asking is that the law as it stands at the present time be applied. We are also asking that the recommendations of the Royal Commissioner be applied, which means the law as it stands at present will be applied. We are not saying, "You are wrong and we are right." There is no justification for wasting the time of Parliament on that sort of thing; we are expressing our disappointment at the attitude of the Government.

It is sad to think that we have sunk to such a low level. Parliament is supposed to be the supreme body in this State —the body which the member for Fremantle said everybody looks up to; the body which the Minister for Industrial Development, the Premier, and other Ministers have said at times should be beyond reproach.

When we raise complaints in Parliament we expect to get a fair and just hearing. However, the Royal Commissioner's report proves that we do not; and it also proves that the Government is not concerned with applying justice. Tonight it has taken this motion quite capriciously. I saw the smirks and giggles and heard it said, "Here goes Tonkin again." The evidence brought forward, the letters read out that were signed by the Premier and the Deputy Premier, and answers to questions given by the Minister for Police and the Minister for Lands have all proved to be wrong. The evidence of the Royal Commission has proved them to be lies.

The motion has been treated capriciously as though the whole of Parliament is a joke. It will be a sad day for Western Australia if we follow the Federal Parliament and are subjected to half-truths as Federal members were in regard to V.I.P. flights. Is this the coming trend of politics these days? In *The West Australian* this morning the Johnson Administration in the United States of America is accused of misleading the public.

It seems that any means are justified in order to keep a Government in office. There has been ample evidence of this tonight; and apparently it is happening in the United States of America and has also happened in regard to V.I.P. flights in Canberra. Talk about the credibility of the Australian Federal Government; the credibility of the Western Australian Government is just as much in doubt. It seems to me the trend is to confuse the public by giving them a half-truth in order that they will not inquire any further. This seems to be all that is required.

Allowances can be made for genuine mistakes. Earlier this session the Minister for Works quoted to me some figures in regard to work that had been carried out. I happened to chance upon a question asked last year which showed the figures given by the Minister for Works were completely wrong. I asked him how he justified those two statements and he admitted an error had been made. This is all we want—we want the Government to admit that errors have been made. We do not get any great satisfaction out of it, but we believe we are here as representatives of the people to obtain the truth for them.

How far is this sort of thing going? Every edition of the *Daily News* carries the word "final"; the only difference is that in one case there is a small star below the word "final" to show that it is an early final. It is taking liberties with the English language when it says it is a "final" and another edition comes out afterwards. The copy I have here was on my desk at 3 p.m. and I checked it with a later edition. There are a number of differences in the two papers, but both have the word "final" on them.

Mr. Hawke: The first is the semi-final.

Mr. DAVIES: They both carry the word "final," but one has a star underneath that word which indicates it is an earlier edition of the paper. It is a worrying trend; but surely to goodness we can be expected to set a standard so that people will look to Parliament as the place where the truth will be spoken and where the

Government will be truthful when answering questions, whether it be a Labor Government or a coalition Government. Let there be no doubt that at all times, and irrespective of circumstances, the truth will be told. That is all we ask. If that is the position we can expect the public to look up to us; but whilst the proceedings in Parliament are prostituted in the way they have been we can expect to drop away down in standing in the community. This is happening day by day.

I wholeheartedly support this motion, although it is a sad day for Western Australia that the motion has been treated so capriciously. I am sorry the Government has not admitted that mistakes have been made. All the Government has to do is look at the evidence in the Royal Commissioner's report to know that mistakes were obviously made. It should say, "we do not wish to find a scapegoat and we will not sack anybody, but we will apply the findings of the Royal Commissioner's report." Had the Government said this, it would have stood high in the eyes of the public. Instead it has dropped away down.

As I said before, the manner in which this motion has been treated is a disappointment to everybody. I could have bet —I am not a betting man and know very little about it—London to a brick that the Minister would have quoted page 78 of the Royal Commissioner's report. If one likes to read it that way, page 78 could reflect on a statement made by the Leader of the Opposition. The Leader of the Opposition was aware of this and knew it was going to be one of the first things mentioned by the Minister for Police. My leader's conscience is clear about the whole matter and he was expecting it to be raised.

It must have been a great disappointment to the Government to find that in the Royal Commissioner's report of some 150 pages, there was only one slight suggestion that on one occasion the evidence given by the Leader of the Opposition was astray. The fact remains that the commission is over, and all I want Parliament to do is acknowledge that mistakes have been made; that the matter will be put right; and that Parliament will assume its proper standing in the community.

MR. JAMIESON (Beeloo) [10.57 p.m.]: In supporting this amendment I would like to indicate my regret that this Chamber of the Parliament has reached what is possibly an all-time low. Not only has one Minister been involved in this unfortunate affair, but there are four others. Two can possibly be excused on the ground that they were answering, in good faith, questions asked of the Minister for Police. The two Ministers concerned were the Deputy Premier and the Minister for Lands. However, there is no excuse for the Premier or the Minister for Police for the part they have played in this matter.

The Minister for Police should have known—I would say he did know—that there was something amiss when this matter was drawn to his attention. If he had not been so darned lazy he would have ferreted out what was wrong. There is no doubt about his inability to administer his own department. His weakness and laziness have brought about this situation; and it has reflected on the Premier, because he became involved in the showdown. The Premier was culpable because he did not say to his Minister, "It is time you sorted this out."

Nobody in this Chamber can deny that if it had not been for the persistency of the Leader of the Opposition, some of the things that were being done by the T.A.B. for some time past would be continued. Nobody had the courage to change the system that had been followed by Mr. Maher in his efforts, no doubt, to chase figures. The unfortunate thing is that people like Mr. Maher get into this sort of position. He is a good man in financial circles. I have a lot of respect for the work he did with the Treasury while there and subsequently for what he did with Chamberlain Industries. However, even there he went a bit astray. You may recall, Mr. Deputy Chairman (Mr. Crommelin), that the Government of the day had to get Magistrate Smith, who was on another Royal Commission, to inquire into the affairs of Chamberlain Industries, because Mr. Maher, due to his keeness to achieve something which was not practicable at that time, was not adopting the right procedure.

The same thing has happened again. Mr. Maher is a man of outstanding accounting ability and he set out to get figures beyond the capability of the turnover in the T.A.B. of Western Australia. He has used every means possible to achieve this, including misinforming the Minister. Compared with this set of circumstances the Profumo affair was of little significance. He was involved in an affair with some woman who was, in turn, supposed to be involved with a Russian. Some kind of leak in security could have occurred, but this was never proved.

In the other more recent case, of course, we have the admission finally on the part of the equivalent of the Premier and the Minister to the effect that they had found out and now realised that much of the information they denied Parliament and had told Parliament was not available had, in fact, been available. Wrong information may have been given, but deliberate questions were asked of the Minister for Police. The Minister referred these to his adviser and, in this case, this was the Chairman of the T.A.B.

The Minister was wrongly advised. He was given incorrect information to supply to Parliament. This is not good enough.

We are entitled to better treatment; the public of Western Australia is entitled to better treatment; and the Premier is entitled to ensure that his Ministers give correct information. The Premier should know, and if he does not, his Deputy Leader of the Liberal Party would know, that the chairman should be in a position to give the information. Come hell or high water, the chairman would want to increase his turnover and this is clearly emphasised by his action in opening up the T.A.B. for any little race meeting in order to obtain further dollars to add to the ever-mounting total.

What I am saying is factual. We have only to refer to the reports to ascertain that the comparative turnover in this State is far higher than that in any other State. The turnover is out of all proportion, because it has been forced up. When this legislation was introduced we believed that the Minister's object was to curb betting, but this suggestion is laughable in the extreme, because it has done nothing of the kind. It has increased betting and given people every opportunity to bet, whether or not they have the money to do so; and this has caused many hardships and heartburnings in the community.

It is obviously to the credit of the Leader of the Opposition that he persisted for so long. If it had not been for his efforts, Owens would no doubt not have written his story; unless he had had a lead from various people. Perhaps he would never have written it if blood had not been thicker than water and a relative had not become involved. However, when he collated all the information he received and put it into a story and wrote it, it became somewhat sensational, to the extent that the Government, whether or not it wanted to, had to appoint a Royal Commission.

It has been suggested that the information was exaggerated or that a mistake had been made. Never was it clearly indicated who had made the mistake. However, as the Premier would well know, any stories by people associated with gaming are very often exaggerated. They exaggerate the amount they win, but never the amount they lose. They exaggerate all manner of things which take place on the turf and with matters associated with the turf. It is, as the member for Victoria Park said, part of their nature, and it is one of those things with which we must live.

However, we should not have to put up with false statements being foisted upon this Parliament by Ministers. We should get the truth. But we have not been told the truth. The truth has been mishandled by two or three people along the line. Finally, I would say that the truth has been mishandled in this Parliament by the Minister for Police, and if anyone should be expected to tell the truth in Parliament, it is surely the Minister for Police! If he does not, how can we expect the truth from any other Minister?

The Minister did not have to give us the information. There are all sorts of ways of getting out of answering questions. Mr. Maher did not have to frame the answers the way he did. He could have said that the information was not available, and could possibly have been a little more truthful than to make the statements he did. This matter is very important and is not just a case of the Opposition making a smart-aleck attempt to do something. If we had not taken the matter up at this juncture we would have been liable for censure for not having taken the Government to task for its failure to do something to live up to its responsibility as a Government. If we had not taken this action we would have deserved the censure not only of the public at large, but also of the Press, and everyone who is associated with what is supposed to be a good, clean, and open Government. It has not been on this occasion. It has been far from clean. It has been dirty. It has hidden behind the truth, and this does the Minister no good, Mr. Maher no good, and, above all, it certainly does the Premier no good.

MR. GRAHAM (Balcatta—Deputy Leader of the Opposition) [11.8 p.m.]: My contribution will be restricted to a few short minutes only. The principal purpose for my rising is because of the attitude of the Minister for Police, who endeavoured to promote the thought that the Leader of the Opposition was hell-bent on some hobby of his and that the supporters of the Opposition were leaving him to his fate; in other words, we did not share his views and outlook.

I want to emphasise that all of us on this side feel strongly in regard to this matter. We commend our leader. Any lesser person would have given up long ago, but he was prepared to persist when it appeared that all odds were against him. Eventually the Government was forced into the position of appointing a Royal Commission, albeit a sort of shandygaff affair. It was not appointed to investigate the T.A.B. and its malpractices, but to investigate certain articles appearing in the *Daily News*.

As has already been said, it is only because of the persistence of the Leader of the Opposition, and his refusal to be put off, that at long last some corrective action is being taken. He has been proved completely right in the substance of his allegation, and the Government has been proved completely wrong. I have said on other occasions, but unfortunately it is necessary to repeat it, that this Government has been in office too long.

Mr. Davies: Hear, hear!

Mr. GRAHAM: As a consequence, it has become arrogant and contemptuous of anyone and everyone. All that matters to the Government is the Ministers and those who so loyally support them. The Opposi-

tion has no rights whatever. All that matters in this Parliament is the numbers.

So it does not matter if the replies to questions are falsified; it matters little to the Government if the replies are given in such a manner that a common sense reading of them leads to a conclusion far removed from the true situation. None of the finer points that should exist in a Parliament exist here. One can place a question on the notice paper, have it postponed for several days, and then find—before Parliament has met again—that an answer to the question appears in the daily Press. I suggest that is contempt of Parliament; and it has been amply demonstrated with regard to this matter. The Government and its spokesmen would say anything at all. Anything is good enough to fob off the Opposition.

However, almost completely singlehanded, the Leader of the Opposition has proved to be more than a match for the wiles of the Government—backed and abetted by certain officers. That does not do the Government any good; because even if, initially, there were some doubts and reservations, and perhaps a confidence well-founded that the right thing was being done and practices were being followed in accordance with the law, surely after matters had been raised on so many occasions—chapter and verse being quoted—these people, who are not fools altogether, should have had a second look. I venture to suggest they did have a second and a third look, yet they preferred to go the way they did because they were being protected by the Government.

Probably, a great deal of this stems from the fact that Ministers have been derelict in their duty. That is to say, instead of applying themselves to their work and becoming as familiar as they should with their departments—I speak from experience, and it is necessary for a Minister to work for hours without limitation in order to keep up with the activities of his departments—Ministers have time to travel from one end of the State to the other unveiling plaques to themselves, whether on a public convenience or something else. With respect to that matter, if one cares to go to the north-west one can see on a public convenience a plaque with wording to the effect that the convenience was opened by a Minister.

It is my intention when speaking to the general debate on the Estimates to say something more with regard to this neglect of duty on the part of the Government. Because of that neglect we are being fobbed off with all sorts of answers. I suggest the Minister should have pleaded guilty with regard to the charges contained in the motion submitted by the member for Mt. Hawthorn. He did not seek to deal with the proposition that the Government was putting it over the Opposition and putting it over the public, but rather to argue the merits of this point *versus* that point, and the observations of the Royal Commission in connection with actual incidents.

The Minister refused to face up to the fact that certain false information had been given to this Parliament and through this Parliament to the Press and the public. Also, unfortunately, that false information was given to His Excellency the Governor. That is a shocking state of affairs. In common with the member for Albany and the member for Fremantle, I regret to say that the prestige of Parliament in this State is being lowered because of the attitude and the arrogance of this Government.

Everybody knows that there has only to be a breath of scandal in the mother of parliaments and immediately, without any prompting, the Minister or Ministers in question resign. But here in Australia, whether in the Commonwealth sphere or in our own State, because of the security and safety in numbers, the Ministers of the Government could not care less with regard to their behaviour and what goes on. Of course, the Ministers are backed up by numbers. We saw this happen with the Prime Minister recently, and we see it now with the Minister defending himself in spite of a proposition which was completely indefensible. What is stated in the amendment cannot be contravened.

Enough of this for this evening. I have already indicated that I intend to give some attention to this matter at a later date. I trust that my few remarks tonight have removed entirely any thoughts or suggestions on the part of the Government members that I am, or anybody else sitting on this side of the House is, in any way removed from the attitude of our Leader who has put the Government on the spot; who has faced adversity and almost insurmountable difficulties but has kept on fighting, year after year, until ultimately he has been proved to be correct.

It has been proved that this Government has been a party to a proposition to keep us in ignorance, no doubt hoping and trusting that this state of ignorance would continue in perpetuity.

Amendment (to reduce vote) put and a division taken with the following result:—

Ayes—18

Mr. Bickerton	Mr. Jamieson
Mr. Brady	Mr. Kelly
Mr. Davies	Mr. Moir
Mr. Evans	Mr. Norton
Mr. Fletcher	Mr. Rhatigan
Mr. Graham	Mr. Sewell
Mr. Hall	Mr. Toms
Mr. Hawke	Mr. Tonkin
Mr. W. Hegney	Mr. May

(Teller.)

Noes—24

Mr. Bovell	Mr. Lewis
Mr. Brand	Mr. McPharlin
Mr. Burt	Mr. Marshall
Mr. Court	Mr. Mitchell
Mr. Craig	Mr. Nalder
Mr. Dunn	Mr. Nimmo
Mr. Durack	Mr. O'Neil
Mr. Gayfer	Mr. Runciman
Mr. Grayden	Mr. Rushton
Mr. Guthrie	Mr. Williams
Dr. Henn	Mr. Young
Mr. Hutchinson	Mr. I. W. Manning
	(Teller.)

Pairs

Ayes	Noes
Mr. Curran	Mr. W. A. Manning
Mr. Rowberry	Mr. O'Connor
Mr. J. Hegney	Mr. Elliott

Amendment thus negatived.

Progress

Mr. DAVIES: I move—

That the Deputy Chairman (Mr. Crommelin) do now report progress and ask leave to sit again.

Motion put and negatived.

Committee Resumed

MR. DAVIES (Victoria Park) [11.21 p.m.]: There are many matters which should be brought before the Government on an occasion such as this. It does not need any stretch of imagination to find the many items which should be broached. Sometimes it is hard to know where to start.

We on this side think that the Government has been playing fast and loose on a number of issues, but I do not think a worse example of playing fast and loose could be cited than the question of the State basic wage. I do not know how long the ordinary working man in the State will be able to take the punishment which has been meted out to him on all kinds of pretences by the Government. It is quite apparent that the Government's approach to the basic wage is one of the most disgraceful in industrial history.

The Government has long wanted its own way and it has used its numbers in the Parliament to obtain all its own way. The net result has been that the last restraint on prices has now been removed; there is no basic wage. The Federal Court has told the unions that they need not bother to present themselves for an increase until the 6th August next. As a result of all this, as I have said, the last restraint on prices has been removed. The manufacturers do not fear that an increase in the price of a product will be reflected in the basic wage, because that wage is no longer to be paid. Whether it is a basic wage or a total wage, it will no longer be assessed on need. In fact, it will be assessed on the capacity of industry to pay.

Of course, this is much more difficult to prove to an arbitration court, whether Federal or State, than the older basis of need, which basis was fixed under the Harvester judgment of 1914.

Let us look at what has happened to the basic wage in the State. First of all, I should perhaps make reference to the alterations which were made to the old Arbitration Court, as we knew it. It had an employers' representative, an employees' representative, and a judge. This was not good enough for the Government. In particular it felt that the judge was giving decisions which were not very favourable to employers. One point which I have brought up on a number of occasions, and which has never been denied by anyone in the Parliament, was that Justice Nevile, who was in charge of the Arbitration Court, was considered not to be an impartial judge. Since this statement has never been denied in the Parliament, I can only assume it is a fact. I consider this is a reflection on the judiciary, but it must have been the Government's attitude because it has never been denied it wanted Justice Nevile off the Arbitration Court.

To achieve this, the Government went the long way around and appointed an Industrial Commissioner with a number of assistants. The members of the Arbitration Court were pensioned off. This action cost something in the vicinity of $24,000. However, that did not mean a thing, because the Government achieved its ends. The Government had virtually rewritten the Arbitration Act.

After a considerable amount of fighting by members of the Opposition, and after representations from the trade union movement had been brought before Parliament the net result was that the court still had discretion in regard to the fixing of a State basic wage. I suggest the Government hoped, through the way the court had been constituted, that there would be no further basic wage adjustments. However, the Government was very disappointed indeed.

I have had a few harsh things to say about the Chief Commissioner, Mr. Schnaars, at various times during my relatively short parliamentary career. However, I must give him full credit for the manner in which he attacked the problem of the basic wage, and for the very sound judgments which he brought down. On every occasion he gave his reasons for making a necessary adjustment in accordance with the cost of living. Strange as it may seem, on almost every occasion the other members of the commission agreed with Mr. Schnaars. It soon became obvious to the Government that one of its plans had gone astray. It was not going to see any cessation to the basic wage adjustments which it hoped would be forthcoming when the court was constituted in a different manner, and as the position had been on an earlier occasion when a different judge of the old Arbitration Court had decided that a basic wage was no longer necessary.

Mr. W. Hegney: You mean the basic wage adjustments.

Mr. DAVIES: Yes, that is right. I would like to digress to say that on that occasion it was claimed by the employers and the Government that this would be a great thing for the State of Western Australia, it would stabilise prices, there would be no increase in the cost of living, and we would enter something of a wages utopia. This proved to be completely wrong. Although no basic wage adjustments were granted, prices continued to rise, the cost of living continued to rise, and the only person who suffered was the working man.

I would like to return to the point I was making before I digressed. The Government must have been sorely disappointed to find the Industrial Commission was going to continue to make basic wage adjustments. Doubtless it said to itself that if this were going to happen, it would have to do something about it, and the only way action could be taken was to set up a basic wage in accordance with its wishes. Accordingly, the Industrial Arbitration Act was amended to provide that the basic wage in this State should be the same as that set for Federal employees.

As everyone knows, this action was taken last year at a time when the Government must have been well aware of the great likelihood of a total wage being applied. The total wage application had been made before the Federal Court on a number of occasions and it was freely rumoured that the next time a total wage application was made, it would be granted. I think this was accepted by both employers and employees, although with a great deal of apprehension on the part of the latter.

I suppose it is history now, but we all know that from the 1st July this year the Federal Court abolished the basic wage. Many arguments were put forward in connection with this far-reaching decision and through the evidence put before it, the Federal Court said it felt that this was the proper decision. This is open to argument and is still being argued on appeal at the present time. I should say that it has been argued on appeal, but no decision has been arrived at to the best of my knowledge.

The point remains that the Government was faced with the fact that the Act provided the State basic wage must be the same as the Federal basic wage. However, it was then confronted with the fact that there was no Federal basic wage. This, of course, was extremely upsetting to quite a large section of the community. We wondered what was going to happen. But before we have a look at what happened subsequent to the Federal court's decision, we have to retrace our steps and have a look at the reasons for the Government writing into the Act the provision that the State basic wage shall be the Federal basic wage. It claimed that the main reason for this was it would be penalised by the Grants Commission if it were not done.

Of course I think members will recall that the Grants Commission, in its No. 33 report for 1966, mentioned in several places that the State had not been penalised by the Grants Commission, because although the basic wage being paid to some sections of the State's employees was higher than that paid in some of the other States, the employees in this State were not receiving service pay and other allowances as high as those in the other States, so the total wage applying in this State was still below the total wage of the standard States. So in fact we had not been penalised at all.

When we were debating the matter I believe the Minister said that applied to the year just ended and we should wait until we saw the report for the following year. I have the report—No. 34 for 1967—for the following year, and nowhere in that report does the Grants Commission state that Western Australian is now better off because of the basic wage that has been adopted. In one place it mentions that we are on this standard, but it does not state whether this is desirable. In fact, on reading some of the statements in the report it would appear that the basic wage was the last factor taken into consideration by the Grants Commission.

I cannot locate it at the moment, but I recall that in one part of the report—I think it was in regard to the railways—it was stated that the State had not suffered any adverse adjustment by the Grants Commission because, once again, the wages in Western Australia were still below those being paid in the standard States. So the story about the Grants Commission giving an adverse adjustment because of our basic wage policy has proved to be a tissue of lies. There is nothing in either of the reports I have referred to that would justify such statements being made, and so it is apparent we were hoodwinked once again.

I then recall the Government saying there were so many Government employees on this higher wage that it had to get them onto a Federal basis. This is also poppycock, because all the members of the Civil Service have been on the Federal basic wage for quite a long while. An agreement on that basis was reached some two years ago, because the Civil Service went onto the Federal basic wage, and so the semi-Government and quasi-Government instrumentalities such as the M.T.T., the Fremantle Harbour Trust, the Midland Junction Abattoir, the State Electricity Commission and similar bodies also went onto the Federal basic wage.

It did not stop there, either, because the railway officers have much the same method of wage fixation as was adopted by the Civil Service Association, and they, too, have gone onto the Federal basic wage. So it is fairly safe to say that almost every salaried officer in Government

departments and every salaried officer in semi-Government instrumentalities is now being paid on the basis of the Federal wage. So if we leave all those employees out of our considerations and take cognisance of what the Grants Commission said —or, more importantly, what the Grants Commission did not say—we can see that the fixing of a lower basic wage was obviously done to meet the requirements of the private employers of this State.

Bit by bit the facts are emerging to show that it was another confidence trick put over by the Government. However, the Government is now in an extremely awkward position in view of the fact that the Act says the State basic wage shall be the same as the Federal basic wage, but there is no Federal basic wage so the matter had to be taken to the court to be argued and for some obscure reason a grant was made; but it was not the $1 grant that had been made according to the decision of the Federal court; it was the 60c increase, which still left Western Australia slightly in front of the Federal basic wage.

However, if members look at the figures for the quarter ended the 30th September, 1966, when the last basic wage adjustment was made in the State court, it will be found that the basic wage was subsequently frozen on the 16th November, 1966. For the quarter ended the 31st December, 1966, the rise in the cost of living in this State was 15c as against an Australian average rise of 32c. This was the lowest increase in the whole of Australia and would indicate that the fixing of the basic wage had steadied prices. But if we look at the history of basic wage adjustments, we find that for the quarter ended the 31st December, each year, the increase in the cost of living was very small indeed. In fact, I can recall that in recent years there was a downward adjustment for the quarter ending on the 31st December on one occasion.

Then, three months later, on the 31st March, 1966, there was a 35c increase in the cost of living against an Australian average of 12c, and this was the second highest increase in the whole of Australia. So although there had been no adjustment since the 16th November, 1966, in that quarter we showed the second highest increase in the cost of living for the whole of Australia; that is, 35c as against an Australian average of 12c, but still no adjustment was made to the basic wage.

The figures for the quarter ended the 30th June, 1967, were awaited with a great deal of interest, because we had been led to believe that the rises in the cost of living would be stabilised. But what did we find? An increase in the cost of living of 45c; the second highest increase, once again, in the whole of Australia. So since the basic wage has been frozen, for three quarters there has been an increase of 95c, with no adjustment being made to the basic wage paid to the working man in this State.

Of course, from the 1st July, 1967, the Federal court made an adjustment of $1 increase in the total wage irrespective of the male or female rate and said it was the standard set for the unions that would come before the court. The court also stated it was a rate granted to both male and female employees for equal work of equal value. Subsequently the State court was in quite a quandary, because it had to obey the law, but there is no standard it could set. The Arbitration Court had done away with the Federal basic wage and the Act provided that the basic wage had to be the same as the Federal basic wage, but no compliance could be made with the Act.

That still could not be applied. The commission apparently got around the Act the best and only way it could. It knew there would have been a riot had there not been some adjustment to the basic wage, which had been frozen since November, 1966, so the commission had to accept this as the last wage—it considered it to be the basic wage—and placed a 60c loading on male and female wages.

But this does not meet the bill at all; and I want to know what the Government proposes to do about it, particularly as the law cannot be applied. The law says that something must be done, and it is impossible to do what the law says.

The Government has made no attempt whatever to alter the Industrial Arbitration Act to bring it into line with the decisions given by the Federal commission. No attempt has been made to go back to the State basic wage. The people of the State are entitled to an explanation from the Government as to its intentions.

The Treasurer said tonight that so far as he knew there are only about five more Bills to be introduced. I do not know whether amendments to the Arbitration Act are included in the Bills to be introduced, but I think the Government can look to serious discontent within the trade union movement if it is left in the air as it is at the moment.

How can a commission which the Government has appointed apply a law when it is impossible to do so? The Government has a bounden duty to make its position and its intentions clear in this regard. I can only hope and expect that we in our policy speech next year will offer a return to adjustments of the State basic wage, which the Liberal-Country Party coalition has continued in New South Wales. Premier Askin still maintains the State standard; he still sticks to the State basic wage and cost-of-living adjustments, and there is no reason why it should not be done in this State.

I have detailed some of the increases in the cost of living while the basic wage has been frozen, and it is apparent that the freezing of the basic wage does not have the slightest effect on reducing the cost of living. As I said before, the last restraint on price-fixing has been removed with the removal of the State basic wage.

I think that the trade union movement as a whole is entitled to be very angry at the manner in which the Government is dealing with this question. I believe it was as far back as July that the State Industrial Commission gave its decision, and there has been ample time for the Government to consider its position and bring down the necessary amending legislation.

The Government is asking the Commission to do something which is impossible, and the Government is pretending that the present position does not exist. To my way of thinking the Government is burying its head in the sand; it is merely reckoning that the present position is good enough. It would appear the Government is confident in the fact that it can continue to put this sort of thing over the working man, but I assure members of the Government that the trade union movement is becoming increasingly restive over this question of the basic wage; it feels that it is high time the Government indicated what it intends to do in the matter.

The only way to keep down the cost of living is to restore basic wage adjustments. The Government has had an opportunity to prove its policy, and it has been found wanting. Both in 1953, when the basic wage adjustments were suspended, and in the last three quarters, when the cost of living has gone up, the working man has been penalised, and the Government has not been prepared to do anything about it.

Members of Parliament are inclined to get rather far away from reality; generally speaking, they are able to live reasonably comfortably on their salary—at least I do—and they tend to forget that there are men on $30 and $32 a week trying to keep a home together, raise a family, and give their children a good education.

I have plenty of such people in my electorate, and I admire them for the manner in which they continue to struggle on. But the fact remains that they cannot give their families all they would like—or all that we would like—to give them. On many occasions it is necessary for the wife to go out and work, and this brings with it its own problems which the Government appears to completely ignore. The Government seems to be quite happy in saying that there is no unemployment in this State, irrespective of the wages being paid.

I am very happy, though rather amazed, to hear the Government announce that it will apply the principle of equal pay for work of equal value. This is a fairly nebulous statement so far as I am concerned, because the Government has not made its position clear at all. The Opposition has battled for 10 years in this matter, and the Government has now finally decided that there is some justice in the principle of equal pay for work of equal value. The Government has decided to introduce this principle as from 1968, but that is about as far as it has gone in the matter.

The Government has given no details of the manner in which it will be applied; nor has it indicated how the various positions will be assessed; and no information has been given as to whether the semi-Government departments, such as the M.T.T., the S.E.C., and the railways, will follow the lead which is apparently to apply to members of the Civil Service Association.

The Government has said it will have the Arbitration Act examined to see whether it is possible for the Industrial Commission to deal with this question. This is a complete about-face of the Government's attitude in this Chamber over the years. The Government has, in the past, said that it cannot do anything in this regard; that it is up to the Industrial Commission to take action. I have stood here and indicated that the unions have been to the Industrial Commission and the commission has said that it has not the power to deal with this matter. I have told the Government this and it has replied that the Industrial Commission is wrong; that the Government cannot do anything; that it is up to the commission to act.

Now the Government is talking about examining the Industrial Arbitration Act to see whether it has the right to take this action. It is a very belated attempt and one that does little credit to the Government. It seems to me that the Government is clutching at straws and is trying to seek favour with the section of the community concerned—those who want equal pay for work of equal value.

If this is the Government's attitude I think it will be disappointed, because I am sure there will be no vote in this for the Government. I say this because the Australian Labor Party has already offered this principle—we have long believed in it—and we have made clear what action we will take in the matter, but we have not had any support in the past from the bodies which favour such action.

Accordingly the Government will be seriously disappointed if it is taking this action merely to curry favour with a particular section of the community. Let the Government make an announcement as to how this principle will apply. Why does not the Government give details as to how it will be applied and the method by which the jobs will be assessed?

Let us have during this session of Parliament the necessary inquiry into the Industrial Arbitration Act to ascertain the powers of the commission. The commission has made its position quite clear. The Government knows full well what are its

responsibilities and what are those of the commission. Is the Government waiting until after the next election before deciding whether or not the Industrial Arbitration Act is to be amended? Is it frightened to bring down amendments to the Act because this is the pre-election session of Parliament?

The Government knows that something has to be done, so why not take action now? I see the Minister for Industrial Development looking at the clock. He is purported to be a man of action. Can he not get his colleagues to take some action in this regard? There is no justice to the workers; and, after all, 99.9 per cent. of the people of this State are workers.

There is the belated question of equal pay for the sexes, and there is the very important question of the quarterly adjustment of the State basic wage to be determined. The Government is doing nothing about these matters. These are two of the many things which have been brought before the notice of the Government, and which will be brought before its notice by the vote at the next election.

I regret I do not have my notes with me in speaking to this debate. It looked earlier as if the general debate on the Annual Estimates would collapse. I notice the member for Roe has been on tenterhooks for three weeks to make his maiden speech, and I feel sorry for him, although I am sure he will make his speech in a very favourable manner. The fact remains the general debate nearly went through this evening without any further contributions. I was fortunate to get the call, and the Premier in a petulant mood refused to allow progress to be reported.

The fact remains that many of the items which I will deal with very briefly now will be dealt with at length when the individual items on the Estimates are brought forward, because I will have more time to study them. The Minister for Education and the Deputy Premier are munching away, and some people have rightly called them the munching Ministry. They probably need the nourishment, and generally they appear to munch chocolates or peanuts.

Mr. Lewis: Perhaps you would like us to throw you a peanut or two.

Mr. DAVIES: I would be happy to assist. They are big boys and they need the nourishment. I warn them to watch out for the sugar intake, because diabetes is liable to attack them at their age.

Mr. Nalder: I am glad you are concerned about our welfare.

Mr. DAVIES: It is not a very genuine concern. I do want to express some concern with regard to the position which has arisen in relation to children. I certainly treat very seriously the matter of the children who are no longer able to attend the various specialised institutions. They are children loosely referred to as slow learners. This has been a great source of worry to quite a large section of the community.

It must be a great tragedy to the parents to find that children of this type have been born to them. We know that parental love will not permit the parents to acknowledge that their children are anything but normal.

Mr. Rhatigan: Are you speaking from experience?

Mr. DAVIES: Fortunately, no. I have had a lot to do with the various groups concerned with these children. On many occasions I have said that I hold the greatest admiration for the teaching staff of the various schools who show such great patience and love for these handicapped children. After contact with these children I become very dejected, and I have every sympathy for their parents. The parents must be devoted to the children, because the children are of their flesh and blood. Although the children are deficient, deformed, or mentally retarded, the blood ties remain and very often the parents will not admit the children are as bad as they are.

Until recently there has been no problem in obtaining some kind of education for handicapped children. I, together with other members of this House, have pressed the Government to provide more facilities for them. By bringing this matter into the open, perhaps the parents will also be prepared to bring their children out into the open. The large number of children who have some type of mental deficiency is rather astounding. For the most part such children will not be admitted to the Claremont institution. If they are not admitted into the specialised schools of the Government then the only place for them is a private institution; or the families concerned have to keep the children at home.

I do not think any Government can take credit for the manner in which the various institutions to care for slow learning children have been established. The Government can take some credit for assisting the institutions after they have been established. People like Dave McGillivray and Gladys Newton, who was honoured by the Government for the part she played in the teaching of slow learning children, and the parents of such children have been largely responsible for establishing the institutions. It seems that only after the parents themselves have taken action, the Government—Labor or Liberal-Country Party coalition—really takes any interest. Once the families concerned have taken the initiative then, I am pleased to say, the Government has been forced into the position of providing some assistance.

Although the assistance given by the Government has been limited, and although the training which these children can absorb is also limited, they have been

able to make remarkable strides in what they do. They have become house trained; they have learned to dress themselves; and they are able to look after their own basic daily requirements. The girls, and I understand the boys also, have shown a considerable degree of aptitude for domestic work and for the general chores of the household.

Although the State Government in the past has been happy to go along with the arrangement whereby the slow learning children's groups raised the considerable amount of finance required, and the Government then paid a certain subsidy, it has become apparent in the last 12 months or so that the Government is now becoming more selective in regard to children who can attend the various centres.

I asked a series of questions in this House on this matter, and speaking from memory I was given to understand that these children are tested both physically and mentally over varying periods. If they do not come up to certain standards they are refused admission to the Spastic Centre, the slow learners' centre, and similar centres. This seems to be reasonable, and in theory it looks to be a sound explanation. However, after I made further inquiries I found that the children who had been attending these centres for periods of five years or more and had adapted themselves were suddenly discovered to be untrainable, and it was decided that no further use would be served by keeping them at those centres.

I do not know in what detailed manner the various children are assessed, but it seems more than passing strange to me that children can go to these centres for such long periods and then suddenly, because the centres are overcrowded, they can no longer attend. So standards are set and the children who cannot pass do not go back any more. This is morally wrong. Imagine the hardship, apart from the heartburning, that this must impose on parents who have handicapped children to care for for the whole of their lives. These parents are worried about the future of their children, who are a great burden in many ways. It is a relief to these parents when the children are taken off their hands for a few hours of the day, in the morning, in the afternoon, or both, in order to be given some kind of training.

As I have said, I have been amazed at the aptitude some of these children have shown for the training given. Having been relieved of the children on week days for at least a few hours, the parents now find they have to have the children for 24 hours a day because there is just nowhere else for them to go. I asked the Minister if there was any place to which these children could go and he said, "Yes, they can go to a place in Como on the riverfront." According to an article in *The West Australian* newspaper, this place turned out to be a converted stable. The Minister said the group there would take up to 15 children in each morning and afternoon session; and the Government felt this was a real substitute for the training the children had received at the various centres.

On inquiry I found out that there are something like 40 children attending this converted stable, which is not big enough for the number of children who want to go there. The place is being run on a shoestring. The group is doing exactly what it did on a previous occasion when the Government was not interested in running schools. The group is getting its own centres going. Because the group found that some of the children are rejected from the school, it is now trying to start day centres. There is supposed to be one day centre to look after 15 children.

I understand approaches have been made to the Government, but these have been far from satisfactory. These children are capable of being trained, but they have nowhere to go. I understand that at Pyrton, the new hospital at Bassendean for mentally deficient children, which is probably one of the best in Australia, there are about 12 children. I believe there is a staff of about three for every child. I do not know if this is so, but the rumours I heard could be true. However, I understand it is a fact that there are about 12 children at this place at the present time.

I think the Government has a moral responsibility to help these unfortunate parents who are afflicted with handicapped children—spastics and mentally deficient children. The Government is responsible for providing day shelters where these children can receive some training and so take them off the hands of their parents for a while.

On one occasion I think the Minister indicated that it was not the responsibility of the Government to run a child minding centre to help parents. If the parents took the children and abandoned them at the gate of the asylum and said to the Government, "You do something about it," what would the Government do then? The Government should realise that it is getting off lightly because of the fact that the parents keep these children.

There is another subject on which I must speak and it is one that has received a considerable airing in the Federal Parliament. I refer to the Swan Cottage Homes. It has been suggested that the matter was raised only for political purposes and that the chairman of the board was being personally attacked and that there was nothing at all wrong with the homes apart from politics. I want to say that this has not been my experience. Over the years I have had a great many complaints from a number of the residents

at the homes. Whether you believe me or not, Mr. Deputy Chairman (Mr. Mitchell), for the most part I have been able satisfactorily to explain to the people who have come to me the reason for any action that has been taken. I have been able to get these people to abide by the decisions that have been made; and I have tried to point out that for the most part these decisions have been made for the best.

Although the Swan Cottage Homes are not within my electorate, I have received a number of complaints. The last complaint referred to the rises in regard to various units. In regard to a double unit, the rise was 75c per week, while for a single unit the rise was 50c per week. The chairman of the board sent to each resident a closely typed roneoed letter. He started off by asking the residents to sit down quietly and carefully read the letter through. In this he asked them to realise how lucky they were to be residents of the Swan Cottage Homes.

Mr. Jamieson: Was he comparing them with Siberia?

Mr. DAVIES: There are different views on these homes. Most of the people concerned are pensioners and they were distressed that they had to pay an extra 50c per week for a single unit and an extra 75c per week for a double unit. These people were worried because they came into the units on the understanding that there would not be any further amounts to pay. Some of them have paid up to $2,400; and one woman had a written contract saying she could reside there for the rest of her life without paying any more money.

This contract was witnessed and stamped. Subsequently—I understand at the direction of the Commonwealth Government—it was not desired that these agreements which offered a refund under certain conditions, should be entered into, because refunds should not be made. It was said that the amount paid was a donation to a charitable organisation and not a payment to get into a unit; and it was found to be undesirable to issue this type of agreement. Instead the chairman of the board issued a roneoed letter on grey paper saying that payment of such and such a sum would allow a person to reside in a unit for the rest of that person's life for—and then a blank space—so much a week. All of these letters contained the word "nil" in the blank space.

I obtained several legal opinions as to whether these letters would be binding. Incidentally, I obtained opinions from lawyers of various political faiths, and in each case I was told the letters would be binding and that the tenant need not pay any additional amount. Because of the services provided them, some of the tenants felt they would like to pay more. However, other tenants do not take part in the social club or in various other activities at the centre, and they do not want to use the medical centre. These tenants told the board they did not want to pay any additional amount, and they were, in turn, told that they were expected to pay.

Correspondence ensued between the tenants and the board and many of the tenants, some of them advanced in years, became very worried about the position. In fact, on two occasions medical attention was required after the chairman had given a little lecture as to the responsibilities of the tenants living at the centre.

I know many of the people on the board and I felt that good sense would prevail and that they would realise eventually that the people did not want to pay the money, many of them because they could not. I thought the position would be allowed to drop. However, the chairman of the board is not of that nature, and he kept coming back again and again to the point, and I received many more complaints from a new type of person. These people had not complained previously, but they felt that undue pressure was being brought to bear on them and they were not in a position to pay. They felt they were being treated unjustly; and I believe they were, too, in view of the documents and agreements they had which indicated they could reside in the units for the rest of their lives for no payment at all.

I rang the chairman on one occasion. He did most of the talking, because he was in a hurry to catch a plane for Canberra. He said I could rely on him to see that justice was done, and that these people had nothing about which to complain. He then shot through to Canberra. After I had received further complaints, I again phoned his office and asked that he ring me back, but up to date I have heard nothing further from him.

However, a very strange thing occurred. At 9.30 the Saturday morning after Senator Cant had raised the matter in the Federal House on an appropriate occasion dealing with the homes for the aged, I received a telephone call. I was asked by this person where he could get in touch with Senator Cant. I replied that as the Senate had sat the previous day, I imagined that Senator Cant would still be in Canberra. He then told me that I had no right to enter into the matter. I asked him what he meant by this, and he asked me whether I had seen page 15 of the morning's newspaper, to which I replied that I had not got that far.

I asked the caller his name, and he said it was D. Anderson, that he came from the Eastern States, and was connected with a number of newspapers. He was allegedly very distressed because Senator Cant had in the Federal Parliament raised the matter of the Swan Cottage Homes. In-

cidentally, I want to draw the attention of members to the fact that these are the only homes which have been mentioned. It has been suggested that the Methodist Homes have been included, but to the best of my knowledge neither Senator Cant nor Senator Tangney mentioned them.

This fellow Anderson told me that because the homes were outside my electorate, I had no right to interfere. I asked him in what way I was interfering, and he said that I was getting Senator Cant to raise the matter in the Federal Parliament. I told him that that was complete nonsense and that I had passed on, at the residents' request, various items of information to Senator Cant, and that I would continue to do so.

The DEPUTY CHAIRMAN (Mr. Mitchell): The honourable member has another five minutes.

Mr. DAVIES: I believe I have every justification for doing so. Mr. Anderson then said that because the homes were outside my electorate I should not be interfering and should deal only with people in my electorate. I then told him he came from the Eastern States, but that he thought it was all right for him to talk to me. He then entered on a long tirade about the rights and wrongs of people interfering, and ultimately I am afraid I was a little cross with him and gave him a few home truths as I knew them.

I then told him that because he had doubted my right to interfere, I would raise the matter in the State Parliament, and that I would be good enough to send him a copy of the speech if he would give me his address. He told me he came from Sydney and did not think it would be convenient. I told him we had regular postal contact with Sydney and that if he gave me his Sydney address I would contact him. He then said he would not give me his Sydney address, but would give me his box number in Canberra. He was then absent from the phone for a considerable time, and when he returned he told me to write to him care of Mr. J. Button, 5th floor, M.L.C. Building, Canberra, A.C.T. I promised to contact him, but told him that to me he was fairly suspect. He was a stranger from the Eastern States, and yet he knew how to get on to me to discuss the matter. He was reluctant to give me his Sydney address, and did not know his box number in Canberra.

I then asked him from where he was ringing, and he told me he was at a friend's place. I pressed him for the number, but he would not give it to me. I told him that as he doubted me, if he would give me his phone number, I would contact a number of people concerned and he could interview them personally. He still declined to give the phone number.

When a man will not give his Sydney address, cannot remember his Canberra box number, tells me to write to him care of somebody else, and will not tell me his phone number, he becomes suspect. However, the fact is that pressure is still being brought to bear on residents at the homes.

Mr. Jamieson: You have since found out that that was the address of a lawyer, haven't you?

Mr. DAVIES: Yes. I checked in the phone book and ascertained that Button is listed as a solicitor.

I am worried about this situation because the Government gives these people a considerable amount of money each year. According to answers to questions I asked, the amount granted to the Swan Cottage Homes since they were established is approximately $34,000; but the member for Beeloo was informed, in answer to questions he asked the other day, that the amount is something like $19,000. We will get that matter ironed out in due course. The fact remains that the Government does allocate money in various ways for many services. No balance sheet is published by the Swan Cottage Homes.

I understand that information is supplied to the Public Health Department. I have the annual report of the homes, but there is no statement as to finance, apart from the fact that a certain amount of money has been raised by the ladies auxiliary, street appeals, a booklet, Christmas cards, and socials.

Incidentally, the Government subsidises chiropody services. One of the stipulations at the home is that unless the extra money is paid by way of rent or maintenance charges, or whatever it is called, each week, the tenant concerned is not permitted to use the chiropody service. Any pensioner is supposed to be allowed to make use of this service because it is subsidised by the Government. Surely the Government is not going to be a party to these pressures under which the tenants are expected to toe the line as directed by the chairman of the board. The use of the chiropody service should certainly not enter into the matter.

This is something which requires pretty close investigation by the Government and would call for the withdrawal of the subsidy if it is found there is discrimination at the homes. I know of one lady at least who has been refused treatment because she is not paying these extra charges. It is all very well to do things in the name of charity and Christianity, but a very close watch must be kept on the way money is disbursed by the Government.

The DEPUTY CHAIRMAN (Mr. Mitchell): Order! The honourable member's time has expired.

Progress

Progress reported and leave given to sit again, on motion by Mr. Young.

PETROLEUM BILL

Receipt and First Reading

Bill received from the Council; and, on motion by Mr. Bovell (Minister for Lands), read a first time.

ADJOURNMENT OF THE HOUSE: SPECIAL

MR. BRAND (Greenough—Premier) [12.22 a.m.]: I move—

That the House at its rising adjourn until 2.15 p.m., today (Wednesday).

Question put and passed.

House adjourned at 12.23 a.m. (Wednesday).

Legislative Council

Wednesday, the 15th November, 1967

The PRESIDENT (The Hon. L. C. Diver) took the Chair at 4.30 p.m., and read prayers.

QUESTIONS (4): ON NOTICE

CALISTA SCHOOL

Additional Classrooms

1. The Hon. F. R. H. LAVERY asked the Minister for Mines:
   (1) In view of the two subdivisions and sale of residential land by the Government at Calista, and as at least 230 to 250 new homes will be completed by Easter, 1968, has the Education Department made any provision for extra classrooms to the Calista Primary School to meet this urgent situation?
   (2) Can he advise what plans are envisaged?

   The Hon. A. F. GRIFFITH replied:
   (1) Two classrooms were recently completed. The department is keeping the situation under close review and extra classrooms will be provided as the need arises.
   (2) Forward planning will be possible when details of the number of school-age children are available. In the meantime, the use of demountable rooms may be necessary.

COUNTRY SEWERAGE SCHEMES

Expenditure and Losses

2. The Hon. S. T. J. THOMPSON asked the Minister for Mines:
   (1) What was the total amount spent by the Public Works Department at the 30th June, 1967, on deep sewerage in each of the following towns:—
   (a) Pingelly;
   (b) Narrogin;
   (c) Wagin; and
   (d) Katanning?
   (2) What was the loss on each of these schemes during the last financial year?

   The Hon. A. F. GRIFFITH replied:
   (1) Capital cost to the 30th June, 1967:

Pingelly	$76,010
Narrogin	$354,476
Wagin	$191,090
Katanning	$285,724

   (2) Net loss for year 1966-67:

Pingelly	$2,655
Narrogin	$13,715
Wagin	$3,706
Katanning	$6,595

MEDINA SCHOOL

Attendance, Teachers, and Classrooms

3. The Hon. F. R. H. LAVERY asked the Minister for Mines:
   (1) How many pupils are attending the Medina Primary State School?
   (2) How many teachers are allocated to this school?
   (3) How many classrooms make up this school?
   (4) (a) What number of other rooms are in use; and
   (b) for what purpose?
   (5) Are there any plans for extension to the school?

   The Hon. A. F. GRIFFITH replied:
   (1) 810.
   (2) Headmaster and 21 assistants.
   (3) 18 permanent classrooms, 1 demountable room.
   (4) (a) 1 small general purpose room in main building.
   (b) classroom teaching.
   (5) Additional permanent classrooms are not necessary as other schools will be established in the area in the future.

APPLECROSS SENIOR HIGH SCHOOL

Hall and Change Rooms: Provision

4. The Hon. F. R. H. LAVERY asked the Minister for Mines:
   (1) Is the Minister aware that the Applecross Senior High School Parents & Citizens' Association has raised and spent over $50,000 on amenities for the school?
   (2) In view of the fact that the provision of a hall to this school has been under departmental review since the 16th May, 1961, and also