

life of me I cannot perceive any urgent necessity for passing this measure. If the Bill passes the second reading, I shall move an amendment to provide for the right of appeal. I am glad to see that certain amendments made by this House in earlier Bills have been recognised by the Government and are incorporated, wholly or partly, in the present measure. The board under the Bill will include two officials who probably have never had to work land. They may have ideals as to land development, but they have no practical experience of the best method of working certain classes of country. Certainly they will have the assistance of a practical man with local experience. When the board report to the Minister, a copy of the report should be immediately furnished to the landowner affected. The Bill provides that on application the owner may obtain a copy of the report; but he does not know when the report is submitted. Therefore, the moment it is sent in, a copy should be mailed to him. Within 30 days of his receiving that copy he should have the right to appeal, and to put up his side of the case as against the report. He may see in the report various mistakes, and may be able to advance reasons in opposition that will be satisfactory to an independent tribunal. Britishers generally recognise the principle that a man should not be condemned unheard. Under the Bill the owner is entitled to go before the board, but he ought to have the right of appealing from a board possibly impressed or obsessed by the clamours of some local coterie who desire the expenditure of large amounts of Government money in the district irrespective of whether the expenditure will repay the State or not. We must recognise that under this measure a considerable amount of public money may be placed in jeopardy; and there is the risk that later on we shall be asked to enact further taxation measures in order to relieve a strained condition of the country's finances. I personally see no necessity whatever for the Bill. I regret that it has been introduced, and I shall oppose the second reading.

Hon. J. J. HOLMES: I desire to move the adjournment of the debate, and ask permission to make an explanation. I am quite prepared to go on—I have no desire to hold up any business—but I understand it is the wish of the Leader of the House,

who is not well, that the discussion should not proceed further to-day. Accordingly I move—

That the debate be adjourned.

Motion put and passed.

BILL—FORESTS ACT AMENDMENT.

Received from the Assembly and read a first time.

House adjourned at 5.53 p.m.

Legislative Assembly,

Tuesday, 27th September, 1927.

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

BILL—FORESTS ACT AMENDMENT.

Read a third time and transmitted to the Council.

BILL—HOSPITALS.

Recommittal.

On motion by the Minister for Health, Bill recommitted for the purpose of further considering clauses 2, 8, 27, 33 and 38; Mr. Lutey in the Chair, the Minister for Health in charge of the Bill.

Clause 2—Interpretation:

The MINISTER FOR HEALTH: I move an amendment—

That a new subclause be added as follows:—“‘Hospital fund’ shall mean a fund intended for the provision of hospital service for its contributors, and established and main-

tained by means of contributions made in accordance with regulations approved by the Minister."

During the discussion in Committee the Leader of the Opposition and the member for West Perth raised the point that there was nothing in the Bill defining "hospital fund"; and, further, that under the Bill as printed if anybody contributed 5s. or a guinea towards a hospital, he could demand the 20 per cent. reduction in charges for hospital treatment. Of course the Health Department knows exactly what "hospital fund" meant, but probably the average man does not. I consulted the Parliamentary Draftsman, who said that although not essential, probably it would be better to have this definition inserted in the Bill.

Hon. Sir JAMES MITCHELL: The Minister is reluctant to admit that his Bill was not perfect. Evidently what we said about it the other night was quite right. There can be no doubt about that. Of course we knew that the Minister knew what was meant by "hospital fund," but then we have to consider, not what the Minister knows, but what is printed in the Bill. With this definition in the Bill, members of organisations maintaining hospital funds will pay 20 per cent. less than other people for their hospital treatment. That is perfectly right. We ought to recognise the work done by friendly societies and other organisations in contributing to hospital funds. I wish it could be more general. These comparatively small contributions by the many do make it possible for the few who are unfortunate to receive proper medical attention. My sympathies go out to the Premier in a matter of this sort, because he has a self-willed, enthusiastic, and sometimes misguided Minister proposing a clause he has to back. The Minister, however, is to be applauded this time for a little sweet reasonableness.

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

Clause 8—Power to close a public hospital or to abolish the board:

The MINISTER FOR HEALTH: In Committee the member for West Perth asked me to get an explanation of this clause. He thought someone as well as the Minister should have control. I have consulted the Parliamentary Draftsman in the matter, and have now agreed to make the necessary amendments in this Chamber rather than

have them made in another place. I move an amendment—

That in line 2, after "may," the following words be inserted:—"by leave of the Supreme Court or any judge thereof."

Hon. Sir James Mitchell: That is giving away power.

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

Clause 27—Power of local authorities to expend revenues on public hospitals:

The MINISTER FOR HEALTH: I move an amendment—

That the following subclause be added:—
3. Any loan heretofore raised by the Municipality of Collic or the Katanning Road Board for the purposes mentioned in this section or any of them is hereby validated notwithstanding that the said municipality or board may not have had legal power and authority to raise such loan or that any of the relative provisions of its local government Act were not complied with.

This is for the purpose of validating an agreement entered into between the Government on the one hand, and the road board of Katanning and the Municipality of Collic on the other. In both cases the Government found all the money, and it was agreed that the local authorities should pay the interest and sinking fund on one half over a period of years. A vote of the rate-payers was taken, and they declared themselves in favour of it, although neither local authority had power to provide the money for buildings.

Hon. Sir James Mitchell: This is retrospective legislation.

Mr. THOMSON: I am afraid the department has been misinformed as regards Katanning. No vote was ever taken there. Under the Health Act the district was so widened as to enable the local authority to levy the money required. I understand that negotiations are going on between the road board and the Public Works Department as to certain charges that have been levied by the latter. I believe one charge is for supervision. The Government have given Katanning an up-to-date hospital, and I do not think the people have any intention of repudiating their responsibilities.

The MINISTER FOR HEALTH: I am sorry I made the mistake about Katanning. A vote was not taken in both places, but in the case of Katanning the boundaries were extended under the Health Act and the money raised by that means.

Mr. LINDSAY: Other road boards may require to have their action validated in the same way. The Wyalkatchem Road Board have done the same thing as the Katanning Road Board. The interest and sinking fund were guaranteed for the building of nurses' quarters, and the ratepayers are now paying additional rates on that account. This action should also be validated.

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

Clause 33—Cost of relief to constitute a debt:

The MINISTER FOR HEALTH: I move an amendment—

That in line 2 the words "a contributor to" be struck out, and "a person entitled to the benefits of" inserted in lieu. This amendment is to bring the clause into conformity with the definition in Clause 2.

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

Clause 38—Regulations:

The MINISTER FOR HEALTH: In Committee certain words were deleted from this clause, and something will now have to be inserted to take their place. If a hospital committee or board adopted the regulations drafted by the department, there would be nothing under the Act to show that they possessed regulations that were legal. If they took any action and were questioned as to the validity of such action, they might find that their regulations could be declared ultra vires. It is, therefore, necessary to insert something in this clause to give a legal standing to the committee or hospital board which adopts the by-laws of the Health Department. I therefore move an amendment—

That the following subclauses be added:—
3, A Board may, of its own motion, by resolution adopt the whole or any portion of such by-laws. 4, Such resolution shall be published in the "Government Gazette," and thereupon shall operate with the same legal effect for all purposes as if the by-laws or portion so adopted had been passed by the Board and duly brought into effect as provided in this Act.

The principle reason for this amendment is to prevent the unnecessary expense of again publishing regulations in the "Government Gazette" in full. Under the Health Act any local health authority can adopt by-laws and carry resolutions, and all that is required is that the resolution adopting the by-laws shall

be gazetted. It is desired to follow the same system in the case of hospital committees or boards.

Hon. Sir JAMES MITCHELL: This amendment gives boards power to select such portion of the by-laws as they please, or they may accept the lot. Suppose the Minister told a board who had selected some of the by-laws that they must adopt the lot, what would be the position?

The Minister for Health: No one set of by-laws can be drafted to suit the whole of the hospitals in the State, because they are financed and controlled on varying lines.

Hon. Sir JAMES MITCHELL: Of course. How will the public know what by-laws control a hospital if the by-laws themselves are not published? Will the by-laws be posted up in the hospital?

The Minister for Health: Yes, and copies will be furnished to every subscriber to the funds of the institution.

Hon. Sir JAMES MITCHELL: People ought to know what the by-laws are. No doubt, however, many of the laws passed for the control of the people remain unknown to and even undreamt-of by the people. Were it not so, the minds of the public would be constantly disturbed. However, the amendment is an improvement, since under it the Minister will not have an excuse for forcing all the model by-laws down the throats of boards. In adopting the amendment we shall not weaken the authority of the boards.

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

Bill reported with further amendments.

BILL—EMPLOYMENT BROKERS ACT AMENDMENT.

Second Reading.

THE MINISTER FOR WORKS (Hon. A. McCallum—South Fremantle) [5.11] in moving the second reading said: There is no necessity for me to go at length into the principles underlying the Bill, because I did that in 1925 and the personnel of the House has hardly changed meantime.

Hon. Sir James Mitchell: East Perth has changed.

The MINISTER FOR WORKS: The House knows the reasons that prompt the bringing down of the measure. This Bill

is considerably more moderate than the previous one. If hon. members compare the two Bills, they will see how the passage of the years has mellowed me. The first important alteration is not a matter of principle but merely one of convenience. The existing law provides that licenses shall be issued by the licensing court. That was quite right when licensing courts operated throughout the State as district courts, but now that there is only one licensing court the position arises that that tribunal may not visit a particular district for a twelvemonth. Thus applications are held up; and, moreover, this work is entirely foreign to the other work done by the court. Therefore the present Bill suggests that any police magistrate sitting in petty sessions shall have power to deal with applications for employment brokers' licenses. The necessity for the change will be recognised, as the existing procedure is indeed cumbersome. In connection with applications this Bill gives the court wider powers than those now obtaining. One is that the magistrate may refuse to register the business premises or offices of any licensed broker if they consider such premises unsuitable. The matter will then be referred to the court which will decide as to the suitability or otherwise of the premises for the business. There have been complaints that pokey little back rooms are selected for the carrying on of the business of employment brokers. It will be generally admitted that the person who holds an employment broker's license occupies a position of trust and responsibility. The employer relies upon him to select a suitable employee, and employees have to depend largely upon the broker's word as to the positions they go to take. The court may refuse an application if in their judgment the applicant is not of good character or fit to carry on the business. The change will, I think, prove beneficial, and seems essential to a business of the kind. Under the present law a municipality may object to the granting of a license, and the Bill extends the same power to road boards. I do not think that at present there are any employment brokers' licenses operating in road districts; but with the work now being done, there is a possibility of the establishment of such offices in road districts, and therefore it is sought to place road boards on the same footing as municipalities in this respect.

Mr. Mann: Are there any employment brokers' offices outside the metropolitan area?

The MINISTER FOR WORKS: Yes; at Kalgoorlie, Geraldton and Bunbury—in fact, quite a number of them. It will be remembered that the last Bill made for a State monopoly of the business. As I pointed out at the time, that is strictly in accordance with the decision of the Labour Branch of the League of Nations. The Labour covenant set out that there should be labour exchanges in the countries that were parties to the Peace Treaty, and the former Bill was in conformity with that decision come to at Geneva. The last Bill, however, failed to pass. I then had protestations from hon. members opposite, as well as from numerous members of another place, that they agreed that the principle of charging the worker money for getting him a position was wrong, and that if the Government would but tighten up the control of registry offices and say the worker was not to be charged any fee for being found a position, that the employer only should be required to pay, legislation to that effect would pass without difficulty. Any number of hon. members opposite made that statement.

Hon. Sir James Mitchell: Who said that?

The MINISTER FOR WORKS: If the hon. member wants it, I will quote him the list of members from "Hansard."

Hon. Sir James Mitchell: I do want it.

The MINISTER FOR WORKS: The object of the Bill is to let hon. members opposite have their own way. They said they did not agree that the worker should be charged a fee. They added that if there was to be any fee, the employer should be called upon to pay it. Of course, the principle was established when it was decided at Geneva by the International Labour Conference. That body is not controlled by Labour men or Labour Governments. It is comprised of two-thirds anti-Labour organisations, and yet a body with such a large proportion of anti-Labour representatives decided that Labour exchanges should be free. It is generally recognised that to ask a worker to pay in order that he may get a position is immoral and wrong.

Hon. Sir James Mitchell: It is far more immoral when he cannot get a position, and that is what we are confronted with now.

The MINISTER FOR WORKS: That was the point generally recognised by the

Geneva Conference, when they arrived at that decision, and since then a number of the nations who are parties to the Peace Treaty have given effect to the decision.

Hon. G. Taylor: But that is not the position in Australia.

THE MINISTER FOR WORKS: That is what I am trying to establish. There is no limit to the fees that may be charged to the employer and the employee, so long as they are charged the same amount. We know, however, that that is not done. The files of the department are full of complaints that have been made to the effect that the employers have very seldom paid the fees.

Hon. G. Taylor: That was my contention. It is the employee that has to pay.

THE MINISTER FOR WORKS: Usually the worker cannot get a job unless he puts his money down. While we are aware that those in charge of registry offices enter up in their books the charges against the employers, we are also aware that the fees are very seldom collected from them. The position, therefore, is that the worker has to finance the registry offices and he is really keeping them.

Mr. Heron: The worker has to pay to get his job, and then has to go to the Government for a railway pass in order to get to it.

THE MINISTER FOR WORKS: That is so. Seeing that many members opposite said that they considered it wrong that the workers should be called upon to pay in order to get a job, I have introduced the Bill. The great bulk of the workers have to pay half their first week's wages as the private registry offices' fee although some of them have to pay a quarter of their first week's wages.

Hon. Sir James Mitchell: That is far too much.

Hon. G. Taylor: It is scandalous.

THE MINISTER FOR WORKS: Many of the positions do not last long enough to return to the worker sufficient to cover his fee to the registry office. Some last only a day or so.

Hon. Sir James Mitchell: Whose fault is that?

THE MINISTER FOR WORKS: It is largely due to misrepresentation. When I introduced the Bill last session, I gave members a long list of complaints under that heading. They were taken from reports in the hands

of the department, and the details I quoted were taken from the official files. Those particulars may be found in "Hansard." I have not gone over that ground this time, but I think there was sufficient in the speech I delivered on the last occasion, to convince members as to the real position. The Bill I am now presenting to the House provides that the employee shall not be charged any fee, but a fee may be charged to the employer. The employment broker must send to the office of the Minister a list of the fees to be charged, and the Minister may disapprove of any of those charges. He may specify what he considers a proper charge.

Mr. Thomson: That is very sweeping.

THE MINISTER FOR WORKS: But it shows how I am prepared to protect the employers! If I were to hand the employer over to the private labour exchanges, body and soul, telling those in charge of the businesses that they could levy what they liked upon the employers, hon. members would say that I was making the employers finance the business of the private employment brokers. On the other hand, I am anxious to protect the employers.

Mr. Thomson: Yes, you are!

THE MINISTER FOR WORKS: I want to see that reasonable charges are levied. If hon. members are willing to allow employers to be fleeced by the brokers, well and good. I shall not raise much objection if that is their desire.

Hon. Sir James Mitchell: We know no section, but serve all fairly and properly!

THE MINISTER FOR WORKS: If the employer is to be protected, I know of no better way than that outlined in the Bill. If the employment brokers' businesses are to be conducted along present lines, and fees are to be charged, the Bill will provide some control over them.

Mr. Davy: You do not suggest regulating the licensing fees for publicans!

THE MINISTER FOR WORKS: No.

Mr. Davy: Well, why not?

THE MINISTER FOR WORKS: That is a little different. I would not like to regulate all the prices for whiskies, beers and so on. Under the Bill we are dealing with one matter, the business of men being provided with jobs. That does not entail any long scale of fees relating to different avenues of business, but simply to the one matter of finding employment.

Hon. Sir James Mitchell: Why not have one clause in the Bill reading, "I shall do everything?"

The MINISTER FOR WORKS: The Bill provides that the list of fees must be shown prominently in the employment brokers' offices so that employers may know what charges are to be levied. When I moved the second reading of a Bill dealing with this matter last session, I placed before hon. members a long list of complaints we had received regarding misrepresentations made by the private employment brokers to employees.

Mr. Thomson: Let us have some later particulars. The complaints you referred to are two years old.

The MINISTER FOR WORKS: I can give later complaints.

Hon. Sir James Mitchell: But you get them on both sides! The employers say that it is represented to them that men are capable of doing certain work and later the employers find that they are not.

The MINISTER FOR WORKS: Quite so.

Hon. Sir James Mitchell: Then what is the use of that sort of information?

The MINISTER FOR WORKS: We ask for power to limit that sort of thing. I have given instances of girls, let alone men, being sent to the country on the strength of misrepresentation. They have been sent to employers who had no idea that they were coming. In other instances, the broker himself was not to blame because the employer had not supplied him with information and had so misrepresented the position.

Mr. Lindsay: There is the other side of the question. It is human nature, after all.

Mr. Mann: The same thing can be said of the State Labour Bureau.

The MINISTER FOR WORKS: I do not think it can be said of the Labour Bureau that the officers have indulged in misrepresentation. I want to safeguard against the abuses that are going on in connection with this business.

Mr. Mann: I do not think they are as bad as you suggest.

The MINISTER FOR WORKS: I believe members have no doubt whatever that grave abuses do occur.

Mr. Mann: I doubt it.

Mr. Heron: I can bring proof within half an hour. Way, twenty men were sent to the ore job.

The MINISTER FOR WORKS: I gave dates and facts last session, and when we reach the clause dealing with that phase, I will give members of the Committee more recent instances and will supply all the necessary details. The Bill provides that if false statements have been knowingly made by a broker or an employer, he shall be liable. If deliberate misrepresentation is made by false statements to an employee, it is wrong.

Mr. Thomson: Do you suggest that is done to-day?

The MINISTER FOR WORKS: I know it is done.

Mr. Lindsay: What is the object?

The Minister for Mines: To secure the fee. What do you think it would be?

Mr. Thomson: But cannot the employment broker's license be cancelled?

The MINISTER FOR WORKS: I have not that power.

Hon. G. Taylor: That sort of thing is done.

Hon. Sir James Mitchell: You should have the power to deal with them.

The MINISTER FOR WORKS: I do not know that it should be a matter of cancelling the license, so much as of prosecuting them. When private employment brokers take advantage of men and women, boys and girls, they should be heavily penalised.

Mr. Thomson: The court has power to refuse to grant these licenses.

The MINISTER FOR WORKS: I am aware of that fact. The hon. member must have forgotten the instances I gave when I previously placed this legislation before the House. I then quoted cases where licenses had been refused by the court. The main difficulty is to prove the cases against employment brokers. Another difficulty is to find the employee once he goes out into the country. A further difficulty is that those concerned destroy the documents. Either the document that the registry office has sent to the employer or that sent by the employer to the registry office to authorise the engagement of a worker, is destroyed. The Bill provides that such documents must be preserved for six months and the registry offices must keep them so that they shall be open for inspection by an officer under the Factories and Shops Act.

Hon. Sir James Mitchell: Good God, how many inspectors will you want?

The MINISTER FOR WORKS: Those officers will be able to ascertain whether the complaints are justified or not.

Hon. Sir James Mitchell: You will want dozens of officials.

Mr. Mann: Why not give the power to the police?

The MINISTER FOR WORKS: The existing Act comes under the jurisdiction of the Chief Inspector of Factories, and the police remit cases to him for investigation. The Chief Inspector does this work now.

Mr. Mann: Surely he has not as effective machinery for dealing with these matters as is at the disposal of the Police Department.

The MINISTER FOR WORKS: Yes, I think so. Such matters have always been attended to by the Chief Inspector of Factories, unless it has been a matter relating to a prosecution that the police themselves have dealt with. I have briefly outlined the provisions of the Bill. The fundamental alteration relates to the question of fees. We are not breaking any new ground in that respect. There are many countries throughout the world that have gone to the full extent of saying that the labour exchanges shall be entirely free to the worker, and the Bill that I suggest is a moderate one. Members on the Opposition side of the House, as well as members of the Legislative Council, pledged their word when they said they would support a Bill to relieve employees of the necessity of paying anything to secure a position, for they regarded that practice as wrong. Apart from that, there is not much alteration proposed in the Bill. It will be agreed, therefore, that the Government are quite moderate in their request on this occasion, in bringing forward a Bill dealing with present-day arrangements. In view of the fact that Opposition members protested so strongly that they were in favour of tightening up the control of employment brokers' businesses, and assured me that they would support a Bill with that end in view, and that their objection to an earlier Bill was on the ground that they would not support a measure that spelt State control entirely——

Mr. Thomson: That is what the present Bill means, too.

The MINISTER FOR WORKS: The hon. member should not talk nonsense! It means nothing of the sort. Always when we adopt a course that has been suggested by others, there are to be found members who will accuse us of some ulterior motive, and will talk about the nigger in the wood pile.

Mr. Thomson: There is one in Clause 12.

The MINISTER FOR WORKS: That is not so.

Hon. Sir James Mitchell: If there were a job behind all this, it would be all right.

The MINISTER FOR WORKS: If members have any objection regarding the fees, I will consider any proposal they may bring forward. If the member for Katanning (Mr. Thomson) has anything to bring forward I will consider it, because he represents interests that I am trying to protect. Certainly the Government will not get much support from the people I refer to.

Mr. Thomson: I know you would protect them all right!

The MINISTER FOR WORKS: It is because I believe the provision is right, that I have included it in the Bill. We should fix the fees and not allow the private employment brokers to charge what they like. I move—

That the Bill be now read a second time.

On motion by Mr. Davy, debate adjourned.

BILL—WORKERS' COMPENSATION ACT AMENDMENT.

Second Reading.

THE MINISTER FOR WORKS (Hon. A. McCallum—South Fremantle) [5.31] in moving the second reading said: This is a small Bill containing only two principles. Under the existing law, when a worker is certified by a medical man to be suffering from one of the diseases mentioned in the third schedule and the employer disputes the certificate, he can send the worker to another doctor for examination. If the two doctors do not agree, the Act provides for an appeal to a referee, and from the referee there is an appeal to a medical board of three doctors. This procedure has caused much delay and irritation and a good deal of ill-feeling on both sides. The Bill provides that when an employee is certified to be suffering from one of the diseases mentioned in the third schedule and the certificate is disputed by the employer, the reference shall be made direct to the medical board. The board will be constituted of the medical officer in charge of the Commonwealth Laboratory at Kalgoorlie as chairman, one doctor appointed by the worker and one doctor by the employer. Provision is made for the board to sit and decide the matter and their decision shall be final. The object is to get in one step what at present requires three steps. If either party is dissatisfied, an appeal is made and it goes to the medical board.

Hon. Sir James Mitchell: Would not the doctor pronounce when he made his annual examination?

The MINISTER FOR WORKS: When the miners pass through the hands of the doctor in the Commonwealth laboratory at Kalgoorlie, he might pronounce upon their cases. I am anxious to have it clearly understood that not only to conduct an examination by X-ray for phthisis and particularly for tuberculosis but also to read the film requires special training.

Hon. Sir James Mitchell: But my point is that that doctor will be the judge and will provide the only evidence before the board.

The MINISTER FOR WORKS: That would not be so. A worker in a mine or in any occupation, if he felt that he was suffering from one of the diseases specified, might go to any doctor, who would certify if he was so suffering. The worker then would submit his claim to the employer and the employer might dispute it and send the man to another doctor. If the two doctors differed the loser would appeal to a referee.

Mr. Davy: How could the employer dispute it without sending the man to a doctor?

The MINISTER FOR WORKS: He could not do so.

Mr. Davy: The employer must get the man examined.

The MINISTER FOR WORKS: Yes; if he is not prepared to accept the other doctor's certificate.

Mr. Davy: You will still allow the employer to do that?

The MINISTER FOR WORKS: Yes.

Hon. G. Taylor: And if there is then any appeal, it will go direct to the medical board.

The MINISTER FOR WORKS: That is so.

Hon. Sir James Mitchell: There can be no objection so long as the board are free.

The MINISTER FOR WORKS: The board, under this measure, will be similar to the board that operates in Broken Hill, where the legislation is similar to ours. The object of the amendment is to eliminate delay and secure a quick decision by three competent men. Once the three doctors have dealt with a case, the decision should be accepted as final. Under the existing law, if the decision of a doctor is not accepted, the case reaches the medical board sooner or later. Whoever loses the appeal

to the referee goes to the board. We merely wish to enable the parties to go straight to the board. To that I do not think there can be any objection. I know it will meet with the approval of the men engaged in the mining industry, who are anxious to get quicker decisions. When a man is kept in a state of suspense awaiting a verdict, he becomes upset and irritable.

Hon. G. Taylor: What delay has occurred?

The MINISTER FOR WORKS: One worker had to wait for seven or eight months.

Hon. G. Taylor: That is too long.

The MINISTER FOR WORKS: That delay was due to objections being raised to certain medical men acting. There have been a good many delays, a number of which have extended over months.

Mr. Corboy: The objection in the case you mentioned was that the medical man with which the decision rested was also the referee.

The MINISTER FOR WORKS: That is not so; a man who sits on the board cannot be a referee also. There was an objection that one of the doctors, who had qualified in one of the other States, had not qualified here by the requisite term of residence.

Hon. G. Taylor: Delays of weeks, much less months, are long enough for men to wait.

The MINISTER FOR WORKS: That is so. The second principle of the Bill deals with the hospital charges. When the Bill was introduced, the amount for medical and hospital charges was not limited.

Hon. G. Taylor: Was it not fixed at £100?

The MINISTER FOR WORKS: No; but I ultimately agreed to the limit being fixed at £100. Every member of the House thought that the £100 was to cover medical attention and all costs connected with it.

Hon. G. Taylor: That is so.

The MINISTER FOR WORKS: The Act, however, is not definite and the insurance companies are disputing that it covers the sustenance of a patient in hospital. They argue that if a patient was at home he would have to feed himself, and that being in hospital he cannot claim, under the £100, the cost of his food. The Crown Law Department deny that the companies' contention is sound, but it is desirable to make clear our intention by legislation rather than

force the question into the courts for decision.

Mr. Davy: There is a decision in New Zealand to that effect.

The MINISTER FOR WORKS: Is their Act the same as ours?

Mr. Davy: The decision is that medical expenses do not cover sustenance.

The MINISTER FOR WORKS: I have a letter forwarded by an insurance company to a patient in the Perth Hospital that explains the attitude of the companies. It states—

We enclose you our cheque and vouchers for £5 5s., being three weekly payments to 7th June, 1927. Kindly receipt the vouchers and return same to us. We require to know the following:

I emphasise those words, "we require."

(1) What arrangements have you made with the Wyalcatchem hospital to liquidate your debt to them, namely, 30s. per week for your board? (2) The same remarks apply to the hospital in which you now find yourself. We will not pay for your board and lodging in either of the hospitals. In both instances they will be short paid, and they will then be in a position to writ you for the recovery thereof. Further, we require a certificate of the medical officer attending you as to your fitness. We will not make any further payments until this is forthcoming. Please deem this communication of much importance, and furnish us with your replies immediately.

When the Bill was before us we included the cost of ambulance or conveyance of any description to the hospital and even the services of a specialist.

Hon. Sir James Mitchell: Did that provision originate in another place?

The MINISTER FOR WORKS: I do not think so. For a considerable time the insurance companies paid the hospital expenses, including sustenance, and naturally charged for it in the premiums they demanded. Now, however, they are seizing on this point, notwithstanding that they have increased their premiums.

Mr. Corboy: They are providing us with another argument for establishing an office that will not raise the premiums.

The MINISTER FOR WORKS: We want it made perfectly clear that maintenance whilst in hospital is included in the £100.

Hon. G. Taylor: That is as it should be.

The MINISTER FOR WORKS: I am not proposing to increase the £100. I am not suggesting an extensive review of the Act. There are several provisions that I should like Parliament to review, but it

would be well to have longer experience of the Act before bringing down any alterations. The Act was entirely new; we had nothing to guide us, and before we suggest wider amendments, we desire to have greater experience of the working of the Act. Consequently we are submitting just these two principles which, though very important, are not contentious. I move—

That the Bill be now read a second time.

On motion by Hon. Sir James Mitchell, debate adjourned.

BILL—CONSTITUTION ACT AMENDMENT.

Second Reading.

Debate resumed from the 22nd September.

HON. J. CUNNINGHAM (Honorary Minister—Kalgoorlie) [5.45]: The Bill will in a small measure broaden the franchise of the Legislative Council. It is as well to remember that we are frequently reminded that the government of this State rests entirely on the will of the people. That is quite wrong when one takes into consideration the number of people who are registered as electors on the Legislative Assembly roll, as against the privileged few exercising the franchise for the Legislative Council. The number of electors enrolled for the Legislative Assembly is 160,000 as against 50,000 for the Legislative Council. We expect the people of the State to observe the laws as enacted by Parliament and at the same time we deny to at least 100,000 electors of this Chamber full citizen rights. I remind the House that during the last 20 years the State has expended large sums of money on the education of the young people. In 1907 the amount spent on education was £168,763. In 1921 the figures had doubled, being £334,132. In the year just closed the amount had increased to the very substantial sum of £647,061. The point is that the Government of this country, for the purpose of providing up-to-date and efficient education for our young people, have expended these large sums of money, and therefore we are entitled to claim to have attained a high state of efficiency with reference to education in comparison with what was the position 20 years ago. These big sums of money have been spent with a view to bringing about greater efficiency. The

young people have been trained to do an additional amount of thinking, and in that way they have become qualified for a high standard of citizenship. That being so it is surprising to find members of this House prepared to deny to those people even a small measure of liberalisation in respect of the Legislative Council's franchise, a liberalisation that will be brought about if the Bill succeeds in passing not only this House but the Legislative Council. When we hear remarks such as I have already referred to, that the government of the State rests upon the will of the people, we are prepared to challenge that statement. The government does not rest upon the will of the people in spite of the big expenditure for the purpose of bringing those people to a state of greater efficiency. We find members of this Chamber prepared to deny those people, on whom we are spending so much by way of education, the right of full citizenship. The position is more astounding when one takes into consideration the existing qualifications for another place. We find that an Asiatic, irrespective of his nationality, provided he becomes a naturalised British subject in this State, and is the happy possessor of a freehold property of a clear value of £50, is entitled, not only to be registered as an elector, but to exercise the franchise on election day.

Mr. Latham: That may have been an omission when the Act was passed.

Hon. J. CUNNINGHAM: Omission or no omission, it is a privilege granted by the State in years gone by. In addition we find that the Constitution provides that an Australian aboriginal, one of our everyday garden variety of niggers, provided he also is the possessor of a similar freehold qualification, is entitled to enrolment and to become an elector for the Legislative Council. As we all know, an Australian aboriginal is not entitled to become an elector for the Legislative Assembly, nor are Asiatics entitled to the franchise for the Lower House, whether naturalised or otherwise.

Mr. Latham: Let us give them the franchise.

Hon. J. CUNNINGHAM: We find that so far as the House of privilege is concerned, they are not only entitled to enrolment as electors, but they are entitled to exercise the franchise whilst at the same time we have at least 100,000 electors who are denied that right. The astonishing part of it is that the members of the Opposition are

prepared to stand up in this Chamber and ask that this condition of affairs be perpetuated, that the educated Australian be refused the right to claim to be enrolled and to exercise the franchise for the Legislative Council, whilst the Asiatic and the aboriginal native possessing a £50 freehold qualification shall be entitled to continue to vote for the Upper House.

Mr. Latham: You are rather unfair in making that comparison.

Hon. J. CUNNINGHAM: It is part and parcel of the Constitution. It may not be generally known, but it should be made known, because it has been stated by the Leader of the Opposition that there has been no request made by the community outside of Parliament for an alteration in the franchise of the Legislative Council.

Mr. Latham: You did not get a mandate at the last election.

Hon. J. CUNNINGHAM: My friend can say what he likes, but his matter was placed prominently before the electors at the last Legislative Assembly elections.

Mr. Latham: And your numbers were not increased by even one.

Hon. J. CUNNINGHAM: My friend was not prepared to face the issue. His party stands for stagnation. They are not prepared to do anything in the direction of bringing about an alteration of the Constitution in the direction of broadening the franchise of the Legislative Council.

Mr. Latham: We want this House to be put in order first.

Hon. J. CUNNINGHAM: Whenever this matter is brought up for discussion, members opposite refer to the need for a redistribution of seats. That is made the stalking horse with the object of warding off any success that may be possible in connection with the passing of the Bill.

Mr. Latham: Let us first put in order the House over which we ourselves have control.

Hon. J. CUNNINGHAM: I am not surprised at an earlier interjection made by the hon. member to the effect that the matter was not discussed at the elections, and that the Government received no mandate from the electors. His desire is simply to smother up the position. He refuses to keep pace with the progress that is being made in the other States of the Empire.

Mr. Latham: New South Wales for instance.

Hon. J. CUNNINGHAM: May I direct the attention of the House to the fact that

out of all the self-governing nations of the Empire, there are only four in which the privilege qualification obtains, and those four are in Australia. Outside of Victoria, South Australia, Western Australia and Tasmania, all the other second Chambers in each and every one of the self-governing nations within the Empire are either nominated or partly nominated or elected on an adult franchise.

Mr. Latham: Each of those States has had good Labour Governments.

Hon. J. CUNNINGHAM: Irrespective of the class of Government whether Labour, National, Liberal or any other colour, the intelligence of the people prevails as it is going to do in Western Australia. We cannot for ever keep educated and intelligent people in the background. When we call upon a community such as we have in this State to obey the laws of Parliament, those people are entitled to claim to have a full voice in the framing of those laws.

Hon. Sir James Mitchell interjected.

Hon. J. CUNNINGHAM: There is also a law against interjections, and that law is continually being broken by the hon. member.

Hon. G. Taylor: That is for the Speaker to say.

Hon. J. CUNNINGHAM: As I was saying, we expect the members of our intelligent community to observe the laws of the State and the people in turn have every right to demand a voice in the framing of the laws. To-day they are denied that right and our friends opposite desire that that state of affairs shall continue with the view of safeguarding a privileged few and neglecting the needs of the many. It is my intention to support the second reading of the Bill, because we have reached a stage in the political history of Western Australia when it is essential to do something in the direction outlined in the Bill, in order to keep pace with the progress made elsewhere. During 1923 when responsible government was ceded to Southern Rhodesia, a provision of the Constitution was that the Legislative Council be elected on manhood suffrage. There is no privilege qualification there, and I believe that that is the newest Constitution in any of the self-governing dominions within the British Empire. Shortly after the termination of the war the Government of New Zealand introduced amending legislation to provide

for an elective Legislative Council in that dominion. The second Chamber there has always been nominated and the legislation that has been enacted is now awaiting proclamation. Is it necessary to remind the House that during recent years legislation was enacted in conservative old England, under which it was provided that women, on reaching 30 years of age, should enjoy the franchise? I might also refer to the Union of South Africa, where the country is working under a new Constitution. There eight of the 40 members of the Senate are nominated by the Governor-in-Council. The remaining 32 are elected on the adult franchise qualification. In these circumstances no apology whatever was required from the Premier when he presented the Bill to Parliament. A similar Bill has been introduced on many occasions during the last 10 years. All we are asking for in the present Bill is what already exists under the South Australian Constitution. Tasmania is looked upon as a rather conservative State, but there provision has been made since the termination of the war for returned soldiers to exercise the franchise for the Legislative Council. That was done as the result of the amending of the State Constitution. Although we have made repeated attempts in Western Australia to broaden the franchise for the Upper House, we have been unsuccessful up to the present. When the community generally realise that a white man in this State is not placed on the same plane of equality as a naturalised Asiatic or an Australian aboriginal, they will be amazed.

Mr. Thomson: The white man is on an equality.

Hon. J. CUNNINGHAM: When the people realise that, they will wake up. I believe they already appreciate the urgent need for the alteration proposed in the Bill. I support the second reading of the measure.

MR. THOMSON (Katanning) [6.3]: I listened with a great deal of interest to the speech of the Honorary Minister (Hon. J. Cunningham), who dealt extensively with the money spent upon education during the past few years. A Government that did not make progress, with such expenditure on education, would not occupy the Treasury bench for long. I cannot agree with the statement of the Honorary Minister when he said we

debar the white citizen from exercising the same privileges as are granted to an Australian aboriginal or an Asiatic. The Honorary Minister drew the long bow! He endeavoured to convey to the House and to the people at large that we give special consideration to the Asiatic or the aboriginal, provided he has the property qualification. There would be some soundness in his arguments if his statements were correct, but they are not. His speech would convey the impression to the outside public that our Constitution provides that an aboriginal or a Chinese or any other foreigner can come here and, by becoming naturalised, may gain special privileges compared with those enjoyed by our own people. In my opinion foreigners who come here and are naturalised, are granted a very special privilege when they are permitted to become part and parcel of this bright Commonwealth of ours. The Honorary Minister referred at length to our educated people and said that it was the desire of intelligent persons to have a voice in the making of our laws. He said they were demanding that right. At times I feel that members opposite speak with a certain amount of hypocrisy.

Hon. H. Millington: Is it hypocrisy to say that a nigger, provided he has property, is as good as a white man?

Mr. THOMSON: No, I am not saying that.

Hon. H. Millington: That is what you are saying.

Mr. THOMSON: If the hon. member will wait, he will appreciate what I mean. I wish to deal with a phase that the Honorary Minister and other members have referred to. I repeat my statement when I say that the assertion made by the Honorary Minister (Hon. J. Cunningham) and other hon. members was incorrect when they said that we gave special privileges to foreigners who became naturalised.

The Premier: Of course we do.

Mr. A. Wansbrough: The privilege is theirs.

Mr. THOMSON: Just as it is the privilege of other citizens, if they possess the same qualifications. Therefore I say that the hon. members I refer to have been deliberately misleading the House.

Mr. SPEAKER: Order!

Mr. THOMSON: The Honorary Minister said that, in view of the large amount of money we had spent on education, the will of the intelligent people had to be acceded

to and he claimed they were demanding a voice in the making of our laws. It is on that point that I say there is a certain amount of hypocrisy in the statements of hon. members opposite. If there is any one section of the community that absolutely denies the right to work to other sections, it is that represented by members sitting on the Government side of the House.

Mr. Wilson: Don't talk nonsense.

Mr. THOMSON: Only recently the State was threatened with the serious dislocation of our services along the water-front at Fremantle. Why was that? Simply because the workers there said that the officers employed by the Harbour Trust should belong to the Clerks' Union. It did not matter that they were members of the Civil Service Association; they were ordered out and told to join the Clerks' Union.

Mr. SPEAKER: Order!

The Premier: What has that to do with the Bill?

Mr. THOMSON: In my opinion those hon. members are not consistent in their contentions regarding the franchise, seeing that they absolutely coerced sections of the workers to do certain things before they were permitted to earn a living. I mention that point by way of comparison.

The Premier: There is no comparison about it.

Mr. THOMSON: Some members say we are not extending to our people the privileges they are entitled to. In my opinion the conditions applying to the government of our State are as satisfactory as any in operation throughout the Commonwealth. Government members claim that they have a mandate from the people to introduce certain legislation, because it was prominently before the people during the last election. If I say that, before proceeding with a Bill such as that before us, we should put our own house in order, I suppose I shall be accused of side-tracking the main issue.

Mr. Panton: That is so.

Mr. THOMSON: No doubt that would be the attitude of hon. members opposite.

Mr. Panton: Well, discuss the Bill before us now.

Mr. THOMSON: It suits hon. members opposite to adopt that attitude, but if ever a Government were returned on what might be called a truly undemocratic vote, it is the present Administration. Before I conclude I hope to prove that they cannot claim a

mandate from the people, in view of the votes cast.

The Minister for Mines: You cannot establish that on the votes cast

Mr. THOMSON: Yes, I can. Any fair-minded man, who is prepared to discuss the matter calmly and reasonably, will agree that the difference between the votes cast for Government members and those for Opposition members was so small that, taken in conjunction with the rotten condition of the rolls, it could not warrant the Government in saying they had a mandate from the people. In saying that, I do not cast any reflection upon members from the goldfields, or other hon. members representing particularly small electorates. It is the fault of the Government in not introducing an equitable redistribution of seats Bill. In my opinion an equitable redistribution was laid down in the 1923 Bill that was introduced by the Leader of the Opposition when he was Premier.

Mr. Panton: That Bill was defeated by your own side!

Mr. THOMSON: I like that. Members opposite said they were responsible for its defeat by voting against it to a man!

The Premier: I rise to a point of order. I do not like interrupting any hon. member during his speech, but the debate, to a certain extent, has largely dealt with the question of the redistribution of seats. I submit that a general discussion on the question of a redistribution of seats for this House has nothing to do with the Bill. Unless referred to for the sake of comparison, it is out of order. I suggest that to continue quoting the personnel of this House as the result of the last election, the number of electors in the various constituencies, and so forth, is to turn the debate into one respecting the need for a redistribution of seats in this House, and that is irrelevant to the Bill.

Mr. SPEAKER: There can be no question but that the debate has become more and more centred upon the need for a redistribution of seats Bill for this House. That is strictly irrelevant. The House is dealing purely and simply, on its own merits, with the franchise of another place. Whilst references may be allowed, to discuss a redistribution of seats Bill, or any arguments or facts regarding the necessity for such a Bill in this House, is strictly out of order.

Mr. THOMSON: I accept your ruling, Mr. Speaker, for I have no intention of embarking upon a discussion regarding the

need for a redistribution of seats Bill. I merely wish to establish the point that the Government have not a mandate from the people, as certain members have claimed. In order to do that, I had to make reference to the phase to which exception has been taken. It has been claimed in this House that the members of the Legislative Council are elected on an undemocratic franchise. Therefore one cannot help referring to the position of members in this House. One hon. member here drew attention to the number of voters on the rolls for Assembly constituencies, who were not on the Legislative Council rolls. That was the reason advanced for the introduction of the Bill by the Premier. I believe this is the fourth time he has introduced such a Bill.

Mr. E. B. Johnston: The fourteenth time!

Mr. THOMSON: At any rate, I congratulate the Premier on his persistency. There is an old saying about the continual dripping of water wearing away a stone.

Mr. Panton: But water does not affect fossilised stone.

Mr. THOMSON: Possibly continued efforts may have some result in the future.

Sitting suspended from 6.15 to 7.30 p.m.

Mr. THOMSON: Before tea I was discussing the attitude some members had adopted in claiming that they had a mandate from the people to introduce this legislation. I maintain they have no such mandate. We went to the country and we have returned with practically no alteration. Still, if we had had a proper redistribution of seats, there may possibly have been changes in the personnel of the House.

Mr. Wilson: You are on dangerous ground again.

Mr. THOMSON: I am not. Anyhow, it is the Speaker's privilege to rule me out of order if I transgress. I am justified in pointing out that the Government's claim to have a mandate for this amending of the Constitution cannot be substantiated. I have had prepared a comparative statement of the seats that were contested in the elections of 1924 and 1927. In 1924 the Government received 41,774 votes, whilst the votes cast against them numbered 56,466. In 1927 the Government secured 64,361 votes, including the preference votes, while the total votes cast against them numbered 76,149. So the Government had an absolute minority of 1,784 of the effective votes cast

Mr. Withers: What about the uncontested seats?

Mr. THOMSON: Giving them in, giving the Government the fullest possible number of votes they could have got in those electorates, the Government are not entitled to claim that they have a mandate for this amending legislation. There were nine uncontested seats, with an aggregate total of 16,862 persons on the rolls. The Opposition secured 23 seats with an aggregate of 76,145 votes, or an average of 3,310 votes. The Government won 18 contested seats with an aggregate of 64,361 votes, while they secured nine other seats uncontested. The average effective votes cast in the election was a little over 72 per cent. If we give the Government the full benefit of that 72 per cent., equalling 12,140 votes cast in the contested electorates, the Government and their supporters will admit that I am treating them very liberally. That would bring them up to an aggregate of 76,501 votes, giving for their 27 seats an average of 2,833 votes as against the 3,310 average for the Opposition seats. On those figures the Government have an absolute majority of only 352 votes. It shows how evenly balanced were the votes secured by the opposing parties. Yet the Government claim that the election results gave them a mandate to amend the franchise of another place!

The Minister for Mines: Would you not give us the benefit of even one vote in the six seats Labour did not contest.

Mr. THOMSON: I have given the hon. member's party the number of votes won in the contested seats and all the votes in the uncontested seats and have worked it out on an average. I am not going to quibble about one or two votes. I am submitting this report to show conclusively that the Government had not a mandate to amend the franchise of another place. The Honorary Minister for Water Supply (Hon. J. Cunningham) made an eloquent speech, but in my view did not put forward any very convincing arguments in support of amending the Council's franchise. Some electorates are a little unfortunate in their representatives. I remember when an ex-member for Fremantle used to talk of hanging people to lamp posts. Now we have in the Chamber a member who talks of revolution. He has said in the House that history proves that in every revolution that has occurred involving the uprising of the people, those people have desired some reforms of legislative en-

actment. I move about a good deal, but certainly I have not heard any murmurings of revolution, or of any keen desire to upset the Government because our legislative enactments respecting the Council provides for certain conditions of citizenship. Surely those conditions are quite fair! The Bill before us might be described—I do not say it offensively—as a cunningly devised scheme to upset the franchise of another place. The Council's franchise is a fairly liberal one, extending to a householder or a leaseholder of a property having a clear annual value £17, and the holder of a lease or license from the Crown of an annual rental of not less than £10. It cannot be said that it is not a fair and liberal franchise. It might be said of the Bill that it goes half-way to abolishing another place. During the recent elections it was frequently stated that the present Government were most moderate and reasonable in their legislation. But that is not the fault of this Chamber; for that we have to thank another place. To the Council belongs the credit for the moderation of some of the Bills brought down by the Government. Only to-night the Minister for Works, moving the second reading of a Bill to amend a Bill he brought down in a previous session, said he was very much more moderate than on the earlier occasion. He certainly was not moderate when he brought down the first of those two Bills, for he then devised, and with the aid of his majority carried through this House, a Bill involving the abolition of employment brokers throughout the State. However, it was reserved for another place to preserve the rights of that section of the community. It has been frequently stated in the House that the Government stand for the privileges of the people. We may well pause when we contemplate the trend of legislation brought into being by a certain section of the community in other parts of the Commonwealth. Take the city of Sydney, where the lodger, with no responsibilities for the payment of rates and taxes to the municipality, has been given a vote, in consequence of which certain people have been able to get control of the finances of that city. If one may judge by the statements that appear in the Press, the affairs of that municipality are not being conducted in a manner at all creditable to the people.

Mr. Sleeman: What a terrible thing!

Mr. THOMSON: The people that have to pay the rates and taxes in the municipi-

pality are outnumbered by thousands of others that have absolutely no stake in the country and no responsibility in the city. That is the policy of the Government here. It is of no use members arguing that we are introducing the bogey of the abolition of the Council. That is the avowed policy of the Labour Party and has been for many years. Members have been quite frank about it. During the recent election I heard a Minister say that, if they were returned to power, they would regard it as a mandate from the people to amend the Legislative Council franchise. I congratulate the Government on their efforts to carry out their pledge, but as one who does not believe in the abolition of the Council, I refuse to permit it to be done without raising my protest against the method adopted. Let me read the clause containing the proposed amendment:—

The following paragraphs are added to the said Section 15:—"In this section the term 'dwelling-house' means any structure of a permanent character, being a fixture to the soil, which is ordinarily capable of being used for human habitation, and includes part of a building when that part is separately occupied as a dwelling."

It would be quite possible to read a very broad interpretation into that amendment.

Mr. Sleeman: Are not the occupiers of such dwelling-houses as much entitled to a vote as are Asiatics?

Mr. THOMSON: If they have the same qualifications as the Asiatics, about whom the hon member seems so concerned, he need have no fear that their names will be recorded on the Council rolls. Just before the recent election, a considerable number of men, armed with their cards for enrolment, were sent to various electorates. That was the first working tool provided for them by the Government.

The Minister for Health: That statement is absolutely incorrect.

Mr. THOMSON: It is useless for the Minister to say it is incorrect.

The Minister for Health: It say it is incorrect.

Mr. THOMSON: It has been admitted that men were sent to various districts, and did not have tools with which to do their work.

The Minister for Health: Did they have cards supplied by the Government?

Mr. THOMSON: They were supplied with cards.

The Minister for Health: You said they were supplied by the Government, which statement I contradicted.

Hon. Sir James Mitchell: Well, who supplied them?

The Minister for Health: The member for Katanning supplied some and you supplied some, too.

Hon. Sir James Mitchell: I could not print them. You print the cards.

Mr. THOMSON: I understand that over 600 men were sent to various electorates just before the election, and they arrived there only just in time to qualify them to be placed on the respective rolls. In a large State like Western Australia the Government, if they so desire, have an opportunity to send large numbers of men into certain districts just before an election. It would be quite possible—and one is justified in making the statement in view of what has happened—for a large number of men to be placed in a district with dwelling-houses answering the definition of "any structure of a permanent character being a fixture to the soil and ordinarily capable of being used for human habitation." There is no limitation in the definition to the meaning of "human habitation." If a man erected the four corner posts for a tent and the two posts to carry the centre, he would be justified in claiming a vote for the Council.

Mr. Panton: Some of the best men in Western Australia have lived for years in such a habitation.

Mr. THOMSON: I have lived in such a habitation.

Mr. Panton: I was not referring to you. I was referring to some of the best men in Western Australia.

Mr. THOMSON: If a man were living permanently in such a habitation, there might be less objection, but it is our duty to view the amendment in the light of its possible misuse.

Mr. Chesson: You always impute a motive.

Mr. Panton: According to you there must be a lot of crooks in the State.

The Minister for Health: When you have an evil mind, you think evil.

Mr. THOMSON: It is difficult to think anything else, especially when we recall the methods adopted in connection with nomadic voters at the recent election. If that had not occurred some of us might have regarded this Bill with greater favour.

The Minister for Health: Of course!

Mr. THOMSON: I admit that anomalies exist. Some members have made a great song about the provision in the Constitution that no aboriginal native of Australia, Asiatic or person of the half-blood shall be entitled to be registered except in respect of a freehold qualification. If members had been sincere in their desire to prevent aborigines and Asiatics from having a vote, why did they not bring down an amendment to delete that provision? I am confident that 99 per cent. of the members would have supported an amendment to that effect. It sounds well to argue that we are denying the right to our own people and extending it to Asiatics, but we are not denying the right to our own people. If a man is paying the modest sum of 6s. 6d. a week by way of rent—and I defy any member to say that he can get a habitation either in the metropolitan area or in a country district for that amount—

Mr. Sleeman: You know that in some country districts men are paying less than that for their habitations.

Mr. THOMSON: Yes, on some of the timber mills. If the timber workers are truly desirous of securing the vote, surely there is nothing to prevent their paying 6s. 6d. per week rent!

Mr. Withers: Give the landlord a few pounds extra for getting the franchise!

Mr. THOMSON: In the eyes of some members it would be a dreadful thing if any one gave the boss anything at all. According to them the employer has no right to live. It would be a dreadful thing to give the landlord 20 pence per week more in order to qualify for the vote. That is the value the hon. member would have us place upon a vote for the Council.

Mr. Withers: Another 4s. 6d. a year.

Mr. THOMSON: For 4s. 6d. a year the hon. member does not think it worth while to have the vote.

Mr. Marshall: Would the worker be any more intelligent if he paid it?

Mr. THOMSON: If he did not have more intelligence than has the member for Murchison, I should be sorry for him. So the question resolves itself down to this that 4s. 6d. is the sum for which we are threatened with revolution if the people concerned are not given a vote for the Council. It is amusing to hear the threats that have been uttered, but we are here to state our views. Many members are anxious about what they term the downtrodden worker who is denied a vote

for the Legislative Council, but do they consider how inconsistent they are when they deny their fellow workers the right to live unless they contribute to the funds of their unions? They compel men to pay so much per week before they are permitted to earn a living for themselves or their families.

Hon. G. Taylor: Fifty-two shillings a year.

Mr. Withers: The unions also provide that the workers shall get a living wage.

Mr. Panton: God help the workers but for the unions.

Mr. THOMSON: God help many of them. I am only showing how unfair these members are in their comparisons, and their desire to see that their fellow workmen have the right to vote for the Legislative Council. At the same time they debar them from the right to earn their living unless they contribute towards political funds and organisations. I also drew attention to the position that occurred recently at Fremantle, where a section of men who are members of the Civil Service Association—

Mr. SPEAKER: The hon. member must not enter into a discussion on that subject. If I remember rightly he was called to order when he first referred to the matter.

Mr. THOMSON: I am only drawing attention to the position. I have no desire, Sir, to flout your ruling. I am trying in my own way to show the insincerity, from my point of view, of many members.

Mr. Panton: You do not suggest it is from anyone else's point of view.

Mr. Withers: That is how we regard it.

Mr. THOMSON: Every member speaks from his own point of view. If members opposite would set their own House in order, particularly as regards the Legislative Assembly and their action in debarring men from an opportunity of earning a living unless they contribute to certain political and other funds, something might be said about another place.

Mr. Sleeman: You keep religiously away from the other point of view, that of men being debarred from work because they belong to unions.

Mr. THOMSON: If I were permitted to do so, I would be prepared to debate that with the hon. member. I could quote cases on the other side to show that man's inhumanity towards man has denied people the right to work.

THE SPEAKER: The hon. member must confine himself to the subject, and other members must cease from interrupting. Every member has a right to be heard in silence when he is on his feet. If there is anything objectionable in his utterances, the Speaker's attention must be called to it. I ask the hon. member to confine himself to his subject, and not to wander off upon irrelevant tracks.

MR. THOMSON: I have almost concluded my remarks. I think the present provisions are liberal. One of the claims that is constantly being made in the Arbitration Court for higher rates of pay, is due to the statement that house rents have increased.

HON. G. TAYLOR: And the cost of living.

MR. THOMSON: I venture to say that no single householder in the metropolitan area can assert that he is not eligible to have his name placed on the rolls for the Legislative Council. The present conditions are liberal. I think I have proved that in what I have said about the total number of votes cast at the last general election. I have proved that the Government have not had a mandate to amend the franchise of the Legislative Council, and I therefore intend to oppose the second reading of the Bill.

HON. W. D. JOHNSON (Guildford) [S.5]: It is difficult to raise a discussion on a Bill of this kind, and it is proving more difficult than ever so far as we have gone this session. The Leader of the Opposition remarked that the Bill had been brought forward on many occasions and had been introduced by Premiers. The unfortunate part of it is that Premiers who have introduced it have never been able to get the Bill passed. The Leader of the Opposition said it was a hardy annual, and that he did not know whether it was worth while debating it. I have heard him speak upon a Bill of this kind on different occasions, but never yet has he been guilty of debating it. He has talked all round it. He has talked into it something that is not there, and, having placed in the Bill something that was not there, he proceeded to say it should not be there.

HON. SIR JAMES MITCHELL: And what are you doing?

HON. W. D. JOHNSON: We know that the hon. member and those associated with him fully appreciate the position they find themselves in. They are not prepared to

get up and say definitely, "We are going to silence the voice of the people." It would be very dangerous for people who claim to be representatives of the community to use their position in Parliament to say that the people's voice should be silenced. In order that they may do this without saying it, they misrepresent the Bill, and endeavour to convey that it means something that is not contained in it. They say, "We must oppose the Bill," not because of what it contains, but because of what they have attempted to read into it.

HON. SIR JAMES MITCHELL: Tell us what it contains.

HON. W. D. JOHNSON: It is purely a Bill to perpetuate the property qualification. In that respect I do not like the Bill. The Government submitted to the people at the last election the matter of reforming the Legislative Council on the basis of the retention of the property qualification. They said, however, "We are going to be logical in regard to the property qualification; we are going to put it on a natural foundation." They introduced the Bill, as they introduced one previous to the last elections, to perpetuate the property qualification, but to remove from the statute-book, if they could, the ridiculous property qualification that we have been attempting to understand ever since it was introduced. It has always been a matter for conflict of opinion as to what is really meant by this so-called £17 qualification, or something of that kind.

MR. CORBOY: And even the courts said it meant £13.

HON. W. D. JOHNSON: There has even been a difference of opinion in the courts as to what was really intended by the legislature. The legislature on that occasion, as it is attempting to do on this occasion, tried to defeat the measure, and no doubt by the introduction of all kinds of amendments arrived at something it did not itself intend, and which was never intended at the time the debate began. We have had numerous illustrations of that sort of thing in this Chamber, of Bills being introduced, of all kinds of amendments being made, of the Bills being finally passed in a shape beyond all recognition. Members then found that the Bill contained many provisions that were not intended, and which would never have been agreed to had they been submitted in a definite form beforehand. The £17 qualification, and the other qualifications which have been read, were purely guess-work. They

represented something that had been arrived at after debate, due possibly to some kind of compromise. They were based on no solid foundation. There is nothing to justify the £17 qualification. If we are going to have a property qualification, we must have it based on some qualification. The Premier states that this qualification is going to be maintained, but that it is going to be maintained on a solid foundation of household suffrage. The Leader of the Opposition says there is no reason for a Bill of this kind, that the people do not want it and have not asked for it, and that, because he has not met anyone in a train or elsewhere who has agitated for Legislative Council reform, he is of opinion that it should never have been introduced. That is incorrect. Many tens of thousands of people have been deeply concerned about the qualifications of voters for the Legislative Council. Many thousands desire to express their opinion as to the class of men who should be elected to that Chamber, but they have been denied that privilege. They rightly claim that the time has arrived when further consideration should be given to the franchise of that Chamber.

Mr. Griffiths: Make the voting compulsory for both Chambers.

Hon. W. D. JOHNSON: Surely we are justified in reviewing the world generally and finding out where it is trending. Has it not become the public policy throughout the nations of the world to find out whether better progress would not be made, whether humanity could not be made more happy, and whether more peaceful conditions could not be established, if the community in general were given a greater voice in the management of the affairs of the nation? This question is not limited to matters of great national importance. In smaller responsibilities, where the question of citizenship arises, where individuals are called upon to express their views and to take a certain part in the development of industry and the progress of the country, these questions are occupying the minds of some of the best brains of the world. Efforts are being made to ascertain whether the world could not be made better and brighter for the people in it if they were given a greater voice in the general management and control of affairs. What is being done to-day in regard to industry? Is not the world concerned from one end of it to the other with the question as to how it can obtain

greater peace and greater continuity of production, by giving those who are more directly concerned in production, namely the workers in industry, more voice in the control and management of industry? Why do we read so much about profit sharing, the bonus system, consultative boards, and all the other methods that are being tried and advocated in different parts of the world, so that greater responsibility may be placed upon the units who contribute towards the progress of industry? Why did we send a mission from Australia to America? It did not do much good, but we sent it. Why did we send it? Merely to ascertain whether American progress was due in any way to the reform of industry from the point of view of giving the worker a greater share in the general management of production. We know that in Australia some of the best brains connected with industry are giving very close attention to that question, to see whether some better method could be adopted within the Commonwealth in the way of giving the worker greater responsibility in connection with the essential features of industry apart from the actual production of industry. Therefore we find that even in industry there is a general desire, a growing tendency, to give the worker greater representation, or in other words to give the people greater responsibility in order to obtain greater consideration and more loyalty in regard to production and progress. Again, it is not long since we were reading, in regard to the Mother of Parliaments, about reform of the House of Lords. I am prepared to admit that a rush was made by the Government of the day for the purpose of trying to stifle or silence the people's demand for reform of the House of Lords. The Government sought to introduce something that was not the kind of reform required by the people, with a view to silencing the voice of the people for a few more years. The attempt proved a failure, but the very fact that the Government introduced the proposed reform, and the further fact that it caused a great deal of comment from all political parties and from some of the greatest minds of Britain, are evidence that the British people have protested against the qualification for the House of Lords and the powers that House holds, imposing limitations upon the British people generally in matters affecting the family and home life of the country. The Premier, when introducing the Bill, stated

—quite correctly—that Western Australia is not keeping abreast of democratic progress as evidenced in other parts of the world. The Premier did not go into details when expressing that view, but the hon. gentleman was absolutely sound. Take the Imperial conference. What is the Imperial conference called for, what are its aims and ambitions, and why does Mr. Bruce eulogise its work mostly? The answer is, because the Dominions, which previously had no voice in general matters of Imperial concern and Imperial progress, are to be given an opportunity to voice their opinions on Imperial questions and are actually to be consulted. Mr. Bruce is proud of the fact that Australia is to have a greater voice in the Empire's councils than obtained previously to the establishment of the Imperial conference. Taking the matter from a broader aspect, there is the industrial side, to which I have already referred. In the trend of the world, and even from our own point of view, there is a desire on the part of this section of the British Dominions to have a greater say in large Imperial questions. The trend of the times is to give the people themselves more control over matters that concern their welfare.

Mr. Davy: And you want to abolish the second Chamber.

Mr. Corboy: Not necessarily. In the Federal sphere there is adult franchise for the Senate.

Mr. Davy: But your party advocate the abolition of the Upper House.

Mr. Lambert: What does the Bill say?

Hon. W. D. JOHNSON: I shall not touch the question of abolition. I shall deal with that question before sitting down, but at the proper time. I do not want the member for West Perth to attempt—he will not succeed in the attempt—to get me on the track along which he travels and on which he stays. I would not care if the hon. member ever got off abolition and dealt with the Bill. He deals with abolition to cover up his vote, when he records it, against the proposal that the voice of the people shall be heard in matters of the general government of this country.

Mr. Davy: I do not cover up everything as you are doing.

Hon. W. D. JOHNSON: The question is a simple one. The qualification should be altered from that to which I have already referred into one of household suffrage. The

reason is that a house in one part of Western Australia gives the qualification, but that the same house, with the same people living in it, when removed to another part of the State becomes disfranchised immediately. People may be qualified in one part of Western Australia but if they remove to, say, the timber mills, some of the best producing centres in the State, they immediately lose the qualification to vote for the Legislative Council. This is not a question of giving the people the vote at all. It is a question of giving the house the vote. A two-roomed house in West Perth—if there is one—will have the vote because of the population surrounding it. But take the same house, or one twice as big, and remove it to another part of the State, and it immediately becomes disfranchised. Who lives in the house does not matter at all, provided they occupy it and are British subjects. Indeed it is asserted that they need not even be British subjects. However, I am not versed in that aspect of the subject; but if an Asiatic has a vote to-day, why should we want to take it from him? I resent the suggestion that members associated with the Labour Party desire to disfranchise anyone. If the Asiatic has become domiciled here, has attempted to establish himself as an Australian citizen, then, provided he conducts himself in a way that qualifies him to attempt to live up to the Australian standard, we say he should have the rights of citizenship. What we complain about is that the member for West Perth (Mr. Davy), for example, would extend that consideration to the Asiatic but would deny it to the Australian-born, who has to defend the property of the community as a whole, including Asiatic voters. It hurts hon. members opposite to know that they are in the sad position, when voting against the Bill, of denying to the Australian-born that which has already been granted to and enjoyed by Asiatics in our midst.

Mr. Thomson: That is not a correct statement.

Hon. W. D. JOHNSON: It is not denied, and I suppose the member for Katanning (Mr. Thomson) is the greatest culprit in that regard. He is the most Conservative member who speaks in this Chamber. He has less consideration for the Australian than has any member whom I have heard speak on the Bill. The man out in the bush, developing this country under the most difficult conditions, is undoubtedly doing greater work for

the State than the vast majority of our people are doing in the cities. However, I do not want to follow the member for Katanning. He makes me tired. He is not worth answering.

Mr. Thomson: No, and that is why you do so.

Hon. W. D. JOHNSON: Why do we maintain the £17 franchise? Why do members opposite rise to defend it? Why do they not tell us where it comes from, and why it is £17 instead of £19 or £15? Why is 17 selected as the proper figure? Why should it not be some larger figure? Where has it come from? What is it based on? Who authorised it? Those are things we want to know. We on this side are asking for an alteration of the amount of £17 because that amount is based on nothing, comes from nowhere, and has no foundation and no common sense. We want to maintain the property qualification, but we want to get it on the natural basis of household suffrage. The leading article in this morning's "West Australian" put forward some extraordinary ideas and indulged in some peculiar reasoning. I smiled when reading it, because if ever there was a struggle to string together a few words on the Bill, it was in that leader, which was largely on the lines of speeches delivered by Opposition members here. The leader said that the Premier had stated there were three times as many electors on the Assembly roll as on the Council roll. The leader went on to say the Premier forgot to point out that Menzies had 65 times the voting power of the Canning electorate. However, there is no connection between the two things. After all, the people of Menzies have a vote and the people of Canning have a vote; true, not on the same basis, but nevertheless those people are voters and can go to the ballot-box, although 17,000 go at Canning and 266 at Menzies. They all have the right to go to the ballot-box.

Mr. Davy: It is no pleasure to go there.

Hon. W. D. JOHNSON: When they go, the 17,000 Canning voters have the same vote as possibly they would cast, from the aspect of policy, at Menzies. In point of fact, one can claim that from the policy aspect the Canning people would vote in the same way as the Menzies people, for the simple reason that the member for Canning and the member for Menzies advocate the same policy. Therefore, although there are 266 voters at Menzies and 17,000 at Canning, the total

number, 17,266, all cast the vote and have the right to go to the ballot-box for the purpose of voicing their opinions. The Premier has pointed out that there are three times as many people on the Legislative Assembly roll as on the Legislative Council roll, and he maintains that two-thirds of the number have not a vote of any kind for the Upper House. They cannot voice their opinions there in any shape or form. They are absolutely and definitely denied the Council franchise. There is no comparison between the two positions.

Mr. Davy: They are both bad.

Mr. Marshall: One is worse than the other.

Hon. W. D. JOHNSON: Another point raised had reference to redistribution of the Assembly seats. Members opposite have contended, and "West Australian" leading articles have endorsed the contention, that the time is ripe for a redistribution of seats and for rectifying such anomalies as that existing between Canning and Menzies. I say most definitely that I do not like the proposal, and that members of this party do not like it. We believe a redistribution of Assembly seats to be necessary. But the point is that the Assembly cannot put the Assembly right.

Mr. Latham: You had an opportunity, and you could not put the matter right.

Hon. W. D. JOHNSON: It ought to be put right, because the Legislative Council has the final say in all legislation.

Mr. Davy: You defeated their attempt; you voted against their amendments.

Hon. W. D. JOHNSON: It is evident that they were right; otherwise I would not have been on their side. However, that does not alter the fact that it is not this Assembly that can put the Assembly right; that can only be done by the Assembly plus another place, which has the biggest final say.

Hon. G. Taylor: The plus will have something to say on this Bill, too.

Hon. W. D. JOHNSON: Of course, but the point I want to make is that when speaking about redistribution of seats members opposite always try to convey to people not posted on the subject that the Assembly, if it liked, could set its own House in order and then proceed to tackle the Legislative Council. That is not so. We can propose, but the Legislative Council will dispose of a Redistribution of Seats Bill.

Hon. G. Taylor: That is not so.

Hon. W. D. JOHNSON: In other words, the Bill that leaves this Chamber, or as it has to be ultimately adopted by us, will be as desired by the Legislative Council. They can amend the Bill as they desire.

Mr. SPEAKER: Order! I ask the hon. member not to discuss a redistribution of seats Bill.

Hon. W. D. JOHNSON: I will connect up my remarks now. As the Legislative Council will have the right to amend a redistribution of seats Bill, and as the members of the Upper Chamber have the right to discuss, dispose, direct and dictate regarding distribution, they themselves should be qualified to do it.

Mr. Richardson: That cuts both ways.

Hon. W. D. JOHNSON: If a redistribution of seats Bill—

Mr. SPEAKER: Order! I must ask the hon. member to resume his seat. I have called other hon. members to order for discussing a redistribution of seats Bill or the possibility of one being introduced. The question under discussion refers only to the franchise of another place, and I ask the hon. member, except by bare references and as brief as possible, not to refer to a redistribution of seats again, but to confine his remarks to the Bill.

Hon. W. D. JOHNSON: I thought I was doing so, because, after all, when we appreciate the fact that the Legislative Council has the final say regarding a redistribution of seats, we should ask that body to become more representative of the people. The Bill before us will tend to make the Council more representative of the people who will be concerned in a redistribution of seats in this Chamber. The Council, if the Bill be agreed to, will be more representative of the people who will be subject to the dictation of the Council regarding a redistribution of seats in this Chamber. Therefore, before the Council have the right to dictate regarding redistribution for this Chamber, the people who will be concerned should have a greater voice regarding the election of men who will be able to dictate to this Chamber.

Mr. Davy: But that argument cuts both ways.

Hon. W. D. JOHNSON: That may be so.

Mr. Davy: It is so.

Hon. W. D. JOHNSON: I am different from the member for West Perth (Mr. Davv.)

Mr. Davy: Thank Heaven, that is so.

Hon. W. D. JOHNSON: I do not care which way it cuts, provided the voice of the people is behind those who are doing the cutting. I object to members elected on the property qualification on a £17 basis, doing the cutting of people's rights, seeing that they do not represent the voice of the people. When the Legislative Council is more representative of the people, the members of that Chamber can do as much cutting as they like, because they will then be able to claim that the people's voice is behind them.

Mr. Davy: What, 65 to one!

Hon. W. D. JOHNSON: To-day the Council has not the voice of the people behind it because the Chamber is not representative of the people.

Mr. Davy: You want 100 to one!

Hon. W. D. JOHNSON: Even with household suffrage, the members of the Legislative Council will be qualified to speak only on behalf of a proportion of the people, and not on behalf of all those concerned in the election of members to the Assembly. Then we will still have an anomaly, because members of the Council will be able to dictate, although they are not fully representative of the people. A condition precedent to the introduction to a redistribution of seats Bill must be the reform of the Legislative Council, in order to make that Chamber qualified to deal with the question of the people's representation in the people's Chamber. I believe the Council should be elected on the basis of adult suffrage before becoming qualified to dictate in that regard. At the last general election the electors gave a direction that the reform should be limited to household suffrage and the Government were definitely elected on that basis. We must accept that position.

Mr. Davy: You are amusing!

Hon. W. D. JOHNSON: There will never be a redistribution of seats Bill unless we have a Bill for the adult suffrage passed by the Legislative Council.

Mr. Davy: Now we know where you stand.

The Premier: If there are five men left in Menzies, we will carry on.

Mr. Panton: And I will gladly represent those five.

Hon. W. D. JOHNSON: Now hon. members know where I stand. I was elected definitely on that understanding. I made it clear to the electors of Guildford that I was prepared to more seriously realise the

right of the people of Menzies, limited though their numbers, compared with the enrolments for Guildford, and preferred to trust them to safeguard the welfare of Guildford than to trust the Legislative Council with a similar task. I told my electors definitely there would be no redistribution of seats in the Assembly under existing conditions. I made that clear, notwithstanding that Guildford is one of the largest constituencies in the State. I wanted the people to understand that Guildford would never be affected by a redistribution of seats Bill until the Legislative Council was reformed on a basis making it more representative of the people.

Hon. G. Taylor: Then the Guildford people must be quite satisfied with the present Legislative Council!

The Minister for Mines: But they have no vote for the Council.

Hon. W. D. JOHNSON: The Guildford people are just as anxious as is the member for Mount Margaret (Hon. G. Taylor) for a redistribution of seats, but they want it in a straightforward way. They do not want any jerryandering by the Legislative Council. They want it done by people who are responsible to the people, and they want the voice of the people to direct the redistribution instead of the voice of those elected on a limited property qualification, which appeals so much to the member for West Perth (Mr Davy).

Mr. Davy: Why should that not be done by an independent commission, uninfluenced by political considerations?

Hon. W. D. JOHNSON: I am quite prepared—

Mr. Davy: No, you are not.

Hon. W. D. JOHNSON: — to submit it to an independent commission representative of the people, provided the report of the commission will not be tampered with by the property qualified interests of the Upper House.

Mr Davy: All right, we can pass a measure to that effect.

Hon. W. D. JOHNSON: I do not think it could be done without an amendment to the Constitution. We could not deny the Legislative Council their right to exercise their will regarding the consideration of the report of an independent commission. It must be remembered that the members of the Legislative Council are the all-powerful, mighty people regarding the government of

this State. The administration of affairs is in the hands of this House, but the government of the State, by way of legislation, is controlled by the Legislative Council and the member for West Perth knows that is so.

Mr. Davy: I know nothing of the sort.

Hon. W. D. JOHNSON: He not only knows it, but rejoices in it.

Mr. Panton: Which is worse still.

Mr. Davy: Thank God for the Legislative Council!

Hon. W. D. JOHNSON: I can give the hon. member an illustration in support of what I say, and I do not require to go beyond last week.

Hon. G. Taylor: Is that the reason for the prosperity of Western Australia?

Member: Prosperity in spite of the Legislative Council.

Hon. W. D. JOHNSON: It is said by Opposition members that the Bill is for the abolition of the Legislative Council.

Mr. Latham: No, it is a means to an end.

Hon. W. D. JOHNSON: The Bill may prove to be the means towards the ultimate abolition of the Upper House. Suppose the people desire, and decide in favour of, the abolition of the Legislative Council, and members receive that demand in the same way as they regard the proposal for adult suffrage. If the people express their desire along those lines, why should it not be done? Why should the member for York (Mr. Latham) or the member for West Perth (Mr. Davy) say that the voice of the people should not be listened to? Who are they to say that? What right have they to say that the people's desire to abolish the Legislative Council shall not be fulfilled? What right have they to stand in the way of the people's rights? If the people want it, why should they be denied what they want? What is the use of talking as they do?

Hon. G. Taylor: Like the people in Queensland.

Hon. W. D. JOHNSON: Surely hon. members realise that events are tending towards that end. I am prepared to admit that it is some distance off, but the member for West Perth knows full well—he is too close a student of the subject not to know it—that the time is approaching when all Legislative Councils will be abolished. As a matter of fact the second Chamber has been abolished in Queensland and that may be taken as an indication that we cannot stay the hands of the clock.

Mr. Latham: And the people in Queensland said that they did not want the Council abolished.

Mr. Richardson: It was not abolished at the will of the people at all.

Hon. W. D. JOHNSON: It was done with the concurrence of the people.

Hon. G. Taylor: The Council was abolished in defiance of a referendum.

Hon. W. D. JOHNSON: The Labour Government of Queensland have appealed to the electors time and again since then. The members of the Opposition there said that they would restore the Legislative Council, but the Government, who had abolished the Council, were returned stronger than ever.

Mr. Thomson: Thanks to the jerryman-dering of the electorates.

Hon. W. D. JOHNSON: They were returned as the result of the vote of the people. The elections there are conducted on an adult franchise, and everyone has a vote. The result is that successive Labour Governments have been returned with ever-increasing majorities. Even though members may argue as to how it was done, the fact remains that that result was achieved. There is no strong comment against the non-existence of the Legislative Council in Queensland, and in other parts of Australia there is growing up a sentiment against the property qualification Chamber. We must bow to the inevitable. The member for West Perth, who is a young man, will live to see it, and so shall I. At present we have no mandate to go to the extent of the abolition of the Council. The leading article in the "West Australian," to which I have already referred, stated that the Premier claimed he had a direct mandate from the people. So he had, so far as he could go.

Mr. Davy: Under the present system of distribution of electors.

Hon. W. D. JOHNSON: The Premier received his mandate in a most pronounced fashion, but he cannot claim, as the leader writer of the "West Australian" stated, that he has a mandate for the abolition of the Legislative Council. As a matter of fact, the Premier did not advocate that from one platform. Not one member elected on the Government side of the House advocated the abolition of the Legislative Council.

Mr. Latham: But your platform includes a plank to that effect.

Hon. W. D. JOHNSON: The member for York can talk about the Labour platform as

much as he likes. He has no regard for planks of platforms at all. He can go on one platform to-night and jump to another platform to-morrow night. Members of the Labour Party do not do that. They appeal directly to the people and definitely declare to them what they are going to do. In most definite language from platforms and in literature issued during the campaign, we told the people that if we were elected with a majority, we would re-introduce a Bill regarding household suffrage for the Legislative Council.

Mr. Latham: And we said we opposed that proposal and we were all re-elected.

Hon. W. D. JOHNSON: And that is why you are where you are. We said we would reintroduce it, and consequently we were elected by a majority. It would be of no use saying we were elected on the basis of the abolition of the Council. We have no authority from the last election to attempt anything of the kind. But we have authority to reintroduce this measure. And we are fortified by this fact: that prior to the election we introduced this measure, had it debated and made it prominent, while we made it even more prominent and more definite during the election campaign. If there be any way of getting a mandate from the people, undoubtedly the Premier has obtained it. We have members in Opposition and a leader in the "West Australian" ridiculing the idea of our having received a mandate. If every member of a given party appeals to the people on a party issue and definitely states with one voice what will be done if he and his colleagues are elected, then if they are elected that result comes as nearly as may be to a mandate. But when, having accomplished all that, we introduce a measure, we are told that we did not definitely place it before the people and that we ought to go and get a mandate. Even when we have got a mandate, members opposite say it is not worth anything. Therefore we cannot understand members of the Opposition and the Press when they claim that, although the Government by speech and by literature definitely went to the people, declaring in favour of this Bill, and were elected by a majority, still the people have not declared for a reform of the Legislative Council. The time has arrived when we must take this seriously.

Hon. G. Taylor: I do not think you gave it a moment's consideration.

Hon. W. D. JOHNSON: The hon. member, of course, does not represent anyone or any particular thought. Like the member for York, he has no definite opinions. Indeed he can jump to an even greater extent than can the member for York. He can change his views as the weeks change, and if that be not fast enough he can change them as the days change. So we do not expect much from the member for Mt. Margaret. His solicitude for the welfare of the people, their ambitions, their right to voice their own opinions, has disappeared in recent years. In his youth, when he was capable of giving a true reflection of Australian opinion, I heard the hon. member wax eloquent over liberal franchises and household suffrage. One of the finest speeches he ever made was in support of the total abolition of the Council. I rather think we heard that speech on an occasion when the Council mutilated a redistribution of seats Bill. If it was not on that occasion, it should have been, for the redistribution of seats Bill that the hon. member was then supporting was mutilated by the Council. They dictated to the Chamber with which the hon. member was associated, this Chamber, and ultimately this Chamber had to bow to the decision of the Council. Knowing the hon. member as he then was, his vigour, his love for the people, his desire to serve them, I can quite imagine how he felt, even if it was not on that occasion he put his views into vigorous expression. But to-day all is changed and he no longer stands for the voice of the people.

Hon. G. Taylor: At all events, I am not a carpet-bag politician.

Hon. W. D. JOHNSON: To-day he believes in class privilege, in property qualification, in all those advantages to the few that he once claimed for the many. I want to remind members that to-day the Federal Constitution is under review. Why? Because it has outlived that which the people of Australia once believed was necessary. The Constitution that was framed years ago was framed as nearly as possible to the then desires of the people. Even Mr. Bruce realises that it is not to-day as the people of Australia now desire it, and so he has appointed a Royal Commission. The members of that Commission are not going to the propertied people of Australia to decide what the National Constitution shall be. Instead they are going to the common people, taking the voice of the people. And,

strange to relate, those people down in the timber mills and those delving in the mines, those doing the essential work, the work that is worth while, it is those that will be consulted by the Commission as to the Federal Constitution. It is the big National problems of Australia that those people are to have a voice upon. But when it comes to the Legislative Council of Western Australia, the common people are denied an expression of opinion, denied a vote, and we find members, young men like the member for West Perth (Mr. Davy), condoning that sort of thing, supporting it. It is a sad day for Australia when we find the Asiatic getting the vote, and the Australian-born denied it; one section taking the right of full citizenship that is denied to other sections, denied by the votes of such members as we have heard speaking to-night. It is a reflection on the education of the people of Australia. The member for Kalgoorlie (Hon. J. Cunningham) has rightly drawn attention to that fact. Why are we educating our children? Is it not that they might become capable citizens, capable of understanding, through the best education the State can give them, those problems of life reflected in our legislation? Why go to the expense of educating them, if we are to say to them, "Although you have the education and the qualification of citizenship, although you are better qualified than the men who originally voted for the Council by virtue of the fact that your education has received more attention than theirs, although you have this great advantage, your education shall not be used, you shall not have a vote, you shall not have full citizenship, except for one section of Parliament. You shall vote for the Legislative Assembly; but for the other section, the mighty section having the greater power, for that House you and all the other educated young Australians shall be denied a vote!" The time is opportune to go into this question, and it is essential that we should do so, essential from the world's point of view, from the Australian point of view and from the Western Australian point of view. I support the second reading with all my heart. I do not wish to preach revolution; we have too much sense for that; but nevertheless it is a fact that to secure reform we must first get the people discontented. Possibly the reply to the accusation that the people do not exercise their votes for the Council to the extent they are qualified to do is that it is because a number

of people take no heed of the Council, or are disgusted with it because it is not the voice of the people that is heard in that Chamber. So, many electors refuse to take part in the elections, because other people with just as much right to a vote are denied that privilege. Possibly if we make the Council more representative and place it on household suffrage, the true natural foundation of a property qualification, we shall have more people on the roll and more exercising their voices at election time.

MISS HOLMAN (Forrest) [8.53]: After the very eloquent address by the member for Guildford I feel a little diffident in rising to say a few words. But since the timber workers have been referred to so frequently in the debate, I should be lacking in my duty if I did not say something on their behalf. We have been told time and time again by members of the Opposition that the timber workers do not want the vote, have never asked for it, and that nothing has been heard of their desire to get it. I should like to ask members of the Opposition what they think we are here for? Are we not here to voice the opinions of our electors? Do members of the Opposition want our electors, my electors of Forrest, to come to Perth, swarm around the House and shout, "We want the vote!" Is it not the proper thing for the electors to send in their views through their representatives? Are we not supposed to have from our electors any mandate at all to speak on their behalf? Yet when we ask for the vote for our electors, we are told they do not want it and that nothing is ever heard of their desire to get it! I have been interested in looking over some of the speeches made in the course of the debate. The Premier, in moving the second reading of the Bill, said that those who went to fight for their country did not require to have a property qualification. And we have members of the Opposition saying that some did not go to fight, that they knew a good few who did not go to fight. I venture to say that those who did not go are not those who are being refused a vote to-day. I can speak for the timber workers in that regard and say that out of a union of about 4,000 members, 2,000 went to fight for their country. They are the men to whom we refuse the vote to-day. Yet I suppose if another war were to break upon us to-morrow, another 2,000 members of that union would go to the front.

Mr. Latham: They would go without the property qualification.

Miss HOLMAN: And you would let them go.

Mr. Latham: I would not stop them if it suited them. I would not interfere with their rights.

Miss HOLMAN: That is it! It is their right to go and fight for their country if it suits them, but their right is not to have a vote for the Council, because it does not suit members opposite. One member said he was afraid that in the Forrest electorate very little interest was taken in the Council, and therefore the people down there did not bother about being enrolled. Then the member for Avon (Mr Griffiths) chipped in, put in his little bit, saying there were hundreds there who were eligible to be enrolled, but had not taken the trouble. I must ask the pardon of the House for inflicting upon members a few figures. I had to get them out to answer the member for Avon. I have a centre called Dwellingup. There are there 83 dwellings, 152 people on the Assembly roll, and 27 on the Council roll. We are asking for the vote for the 83 householders. Even that would be only 50 per cent. Then there are Hoffman and Hoffman Landing. In the two places we have 74 dwellings. I will tell members when my electors are paying enough rent to claim the vote. We have not come to any yet. On the Assembly roll in those two places are 148 voters, and there are four on the Council roll. We are asking for the vote for the 74 householders. At Holyoake we have 130 dwellings and at Holyoake Landing we have 31 more. In the three centres around that district there are 412 electors on the Assembly roll and 19 on the Council roll. Jarrahdale is a fairly big place. There we have 154 dwellings and 27 voters on the Council roll. At Jarrahdale and Jarrahdale Landing there are 390 voters on the Assembly roll. At Marrinup we have 46 dwellings, 124 voters on the Assembly roll and seven on the Council roll. Mornington Mill contains 175 dwellings and there are 377 names on the Assembly roll for the Mill and Landing and only 11 on the Council roll. Nanga Brook has 74 dwellings and Nanga Brook Landing 26 dwellings, and together there are 228 names on the Assembly roll, while there are two on the Council roll. Pindalup has 34 dwellings and there are 83 names on the Assembly roll and one name only on the Council roll. At Pindalup there are two persons paying more

than 6s. 6d. per week rent, namely, those at the boarding house and at the post office. The railway mill at Dwellingup and the landing have 108 buildings, and on the Assembly roll are 259 names and on the Council roll five. At Wellington there are 43 dwellings, 80 names on the Assembly roll and six on the Council roll. At Whitaker's Mill and Landing there are 86 dwellings, 153 names on the Assembly roll and none on the Council roll. At Wuraming, where the best mill houses are to be found, 19 people are paying more than 6s. 6d. a week rent.

Mr. Lindsay: That is cheap house rent.

Miss HOLMAN: I shall deal with that in a moment. Wuraming Mill and Landing have 73 dwellings and there are 138 names on the Assembly roll, whilst there are no names at all on the Council roll. The totals for the places I have enumerated are 2,544 names on the Assembly roll and 109 on the Council roll. We are asking for the franchise for 1,084 out of the 2,544. The member for Toodyay remarked that the people on the mills were enjoying cheap rent. The houses are very cheap, too, but they would be dear at any price. Because those people do not pay more than 6s. 6d. a week rent, it is not to be supposed that they are not penalised to a far greater extent than that. The member for Katanning (Mr. Thomson) said that if the timber workers were so anxious to get the vote, surely they could pay 6s. 6d. a week rent. That is a very intelligent remark for anyone to make! The people living there are not enjoying proper amusement, they are sometimes without medical service and with practically no nursing service. They have to pay 50 per cent. and sometimes 100 per cent. more than town prices for the stores they consume and the clothing they wear, and they have many other inconveniences to put up with. Yet the hon. member says they ought to pay more rent for the houses they occupy than they are asked to pay. I should like the hon. member to put himself in their position. Has he ever had to live in the bush under such inconveniences? Has he ever had to think of children growing up and has he ever been under the necessity to send them away in order to get better education and thus maintain two homes? In such circumstances would he offer more rent than he was compelled to pay?

Mr. Thomson: I suppose they could get clothing delivered by Roan's or Foy's at city prices.

Miss HOLMAN: In some instances, if they attempted to deal outside the mill stores, they would be blackballed off the job.

Mr. Thomson: That is not correct; that was stopped long ago.

Mr. J. H. Smith: Of course it was.

Miss HOLMAN: At one place it happened last Christmas. I should like to know whether members opposite who represent South-Western constituencies have been asked to support a Bill of this kind. I do not think they can deny that they have been asked. The timber workers are responsible for much of the prosperity of the State and for much of the railway revenue, and they are assisting to build up the country. Doubtless they suffer inconveniences through living in bad houses and, though they have low rentals, they suffer enough in other ways, and it is a crying shame that members opposite should stand in their places and say that such men are not entitled to a vote for the Council.

MR. DAVY (West Perth) [9.6]: I must confess that the tone of this debate and the general atmosphere of the House on both sides do not convey the impression that anyone is taking the Bill very seriously.

Mr. Panton: Would you have us with a gun in each hand?

Mr. DAVY: It is not very long ago since a similar Bill was introduced into this House, and the Government did not even bother to ascertain whether they had the necessary majority to carry it, and it was lost. In the following session they introduced a similar Bill and, after a great effort, they managed to get the necessary constitutional majority to squeak it through. I cannot believe that members on the Government side really feel the wild enthusiasm for the Bill that they have orally expressed. I cannot believe that the tears and the voices with which they have advocated this measure were really as genuine as they pretended to be. Taking the Bill by itself and regarding the proposals quite outside of any surrounding circumstances, I might have felt inclined to support it. At present the Constitution, as it deals with the franchise for another place, contains many anomalies and might well be brought up to date. During the recent election I was questioned by constituents at my meetings, and I told them

I would be in favour of a measure of reform for the Council franchise subject to certain conditions. The first condition was that we should put the franchise of this House in order. During the campaign the Premier sought to excuse himself for going to the country on a distribution of seats that from one end of Australia to another has been declared a public scandal by saying that he was not going to alter the distribution until the franchise for another place had been liberalised.

The Premier: And which public scandal, if it is a public scandal, we inherited from your party and your Leader.

Mr. Latham: And you have not tried to rectify it.

Mr. DAVY: Inherited it, largely because of the efforts of the present Premier when he was Leader of the Opposition—

The Premier: Not at all.

Mr. DAVY: And the members sitting behind him.

Mr. Latham: The Premier did not resist the inheritance.

Mr. DAVY: An attempt to bring about a redistribution he fought with unparalleled zeal and determination.

Miss Holman: What about your own members?

Mr. DAVY: It does not matter about them.

Mr. Marshall: We had 18 members against your 32.

The Premier: Eighteen to 32 and you say we defeated the Bill.

Mr. DAVY: And the whole 18 on one occasion held up the House for a day and a night to prevent the Bill being carried.

The Premier: That would not prevent its being carried.

Mr. DAVY: I quite agree, but that does not matter. The hon. gentleman alongside whom I have the honour to sit at least made an attempt to secure a redistribution of seats, and the Premier, after three years of office, went to the people without having lifted one finger to alter what was acknowledged to be a scandal. That is the way the Premier endeavoured to get over the difficulty.

The Premier: You look serious now.

Mr. DAVY: Whether I look it or not, I am serious, and I think I have the views of most of the people in the State supporting me.

The Premier: I like a member talking about the distribution being a scandal, when

you will deny three-fourths of the people any vote at all. It is positively ridiculous to adopt that attitude. The scandal consists in three-fourths of our people having no vote for another place.

Mr. DAVY: That is not true.

The Premier: It is true.

Mr. DAVY: It is not true, as the Premier well knows.

The Premier: It is true.

Mr. DAVY: The position is that the vote for another place at present is the perhaps somewhat unskilfully designed household vote, and therefore we get only one vote for a family. The Premier himself, in seeking to amend the Constitution, intends to leave that position still existing.

The Premier: Because the people will not go with me. I would go all the way but for the opposition I am receiving from you and your supporters.

Mr. DAVY: The Premier is receiving and is going to receive less opposition from me than perhaps from some other people. I have told him that I am in favour generally of the principle of his Bill, but until he puts in order the franchise whereby the Government of the State is returned to office—

The Premier: That is mere side-tracking.

Mr. DAVY: It is not side-tracking.

The Premier: Mere evasion.

Mr. DAVY: It is neither evasion nor side-tracking. The thing of pressing importance is to ensure that those who hold the reins of Government in this country shall be determined by the voice of the people.

The Premier: The pressing thing is that every citizen should have the vote. You face the issue now! Do not evade it!

Mr. DAVY: The Premier has never found me afraid to face any position.

The Premier: It is sheer evasion to talk like that.

Mr. DAVY: I propose to develop my argument in spite of the fact that the Premier wishes to make five or six speeches while sitting in his seat, in addition to the speech he made when moving the second reading of the Bill.

The Premier: The hon. member himself made a particularly good attempt a while ago.

Mr. DAVY: I did offer a few interjections, but not in a voice to drown the member who was on his feet.

The Premier: Because the member on his feet had the stronger voice.

Mr. DAVY: Anyhow the Premier cannot drown my voice. The pressing need of the country is to ensure that the Government should genuinely represent the will of the people.

The Premier: So it does.

Mr. DAVY: The member for Canning represents 17,500 electors. No doubt the hon. member is perfectly tired of being made an example.

The Premier: Now we are going to get redistribution again. You will not face the Bill.

Mr. DAVY: While the member for Canning represents 17,500 electors, the member for Menzies, who sits next to him in this Chamber, represents only 265 electors. Consequently it is impossible to get a true expression of the will of the people on the question who should be Premier and who should hold the reins of Government.

The Premier: One hundred and fifty thousand people have no vote at all.

Mr. DAVY: The Premier keeps on parrot-like saying that 150,000 people have no vote for another place. I repeat that it is no true.

The Premier: It is true.

Mr. DAVY: There may be 150,000 less on the roll.

The Premier: That is the only guide we have.

Mr. DAVY: It is not the only guide. We know that, whereas for the Legislative Assembly there is compulsory enrolment, there is none for the Legislative Council. I know of my own knowledge that in my own constituency there are scores and scores of people who are entitled to be on the roll for the Legislative Council, but they are not upon it.

Mr. Heron: There are any number of people in the State who have five votes.

The Premier: And up to 10 votes.

Mr. DAVY: There are some who have only one vote.

The Premier: But there are many with ten.

Mr. DAVY: I am in favour of wiping out plural voting. I would be in favour of this Bill at the proper time, but the proper time would be when the Premier brings down a Bill to put the other matter in order.

The Premier: The proper time!

Mr. Thomson: The proper time and the proper place.

The Minister for Justice: It is a question of precedence then?

Mr. DAVY: No. From time immemorial, in the civilisation of which we are the descendants, it has been understood that the thing of the utmost primary importance was the House of Commons, or, in our case, the Legislative Assembly; and that that House which determines who shall govern the country shall first of all become democratic before it endeavours to alter the Constitution of the community.

The Premier: Pure nonsense!

Mr. DAVY: Perhaps it is pure nonsense, but it is the way I view it. There is another reason why everyone who holds the views I do should vote against the Bill, and it is that the Premier is the Leader of a party which has as one of its planks the abolition of the second Chamber. Everyone is entitled to his views upon the matter, but any person who desires to have the laws of the country made by one House differs from me. That is all. I think the Premier would be willing to admit, and I think he did admit it when the Bill was brought down two years ago, and lost because the Premier did not get a sufficient majority to carry it, that his object is to abolish another place. Incidentally he still has no bigger majority than he had then. He had a majority of 27 against 23, and that is all he has now, in spite of the allegedly overwhelming majority of the last election. He has not gained a single seat.

The Premier: I did not lose one, either, which is more than most Governments have been able to say after three years.

Mr. DAVY: One might suggest it was a kind of fifty-fifty thing. The Premier leads a party which has as one of its planks the abolition of the Upper House. When he brought down this measure before, I recollect that members of the Government freely admitted in this House that their only desire in amending the Constitution was that they might the more readily abolish the Upper House.

The Premier: Members of my Government?

Mr. DAVY: The Premier himself a week or two ago, when an interjection was made, said that he was afraid, worse luck, that object would take a long time to achieve. Perhaps he was only joking. If he was joking he was doing so at the expense of a plank in his own platform, to which he is committed, and which he must at all times

maintain. Perhaps the platform of the party the Premier leads is also a joke to him.

The Premier: It does not provide for the support of another party when it suits them.

Mr. DAVY: I do not know what that remark means.

The Premier: I mean at election time. It does not concern another party except at election time.

Mr. DAVY: I still do not know what the Premier means, although he has repeated his interjection. The platform of the party the Premier leads provides for the abolition of the second Chamber.

The Premier: For its reform first.

Mr. DAVY: He wishes us to believe that when by interjection or his remarks in the House he supported that plank in his platform, he was only joking.

The Premier: Oh no! I did not say any such thing.

Mr. DAVY: Perhaps not, but it seemed to everyone on this side that he did.

The Premier: I did not say I was joking.

Mr. DAVY: Then the Premier was not joking when he indicated that this measure was intended to be a step towards the abolition of the Upper House.

Voices from the Gallery: Never mind about that; give us work.

Mr. SPEAKER: If there is any disorder in the galleries, I shall have them cleared.

Mr. DAVY: That being so, how can the Premier expect any member on this side of the House to support a Bill, even though he would be willing to do so, when it is made clear that its intention is merely a step towards the abolition of another place? Some two years ago I justified the retention of the Upper House on a ground that is readily admitted by students of governmental institutions and of human nature. It does not matter how sensible a section of people may be, they are always likely to become a little cranky for a short time. If we have two places to decide the same issue, one after the other, we are eliminating the possibility of crankiness affecting the measure to be passed, because it is not probable that the two places will synchronise with their crankiness. I am strongly in favour of two Chambers in every Legislature. I have very little more to say on the subject. This Bill leads to all sorts of anomalies. Had these been adequately dealt with, it might readily have achieved the support of everyone in both Houses. It leads to the aboriginal having

the right to vote for another place if he has a piece of land. It leads to the Asiatic, the aboriginal native of Australia, Asia or Africa—

The Premier: I will include them all if you will support the Bill. We can rectify that in Committee.

Mr. DAVY: I am not going to make a good Bill for the Premier.

The Premier: You tried hard to make a good Bill of my colleague's measure the other night.

Mr. DAVY: When the Premier, or one of his colleagues, in all sincerity brings down a measure, and there is some reason for carrying it, I am sure that every member on this side of the House will do his best, according to his intellectual limitations, to assist in improving it and making it a good piece of legislation.

The Premier: Join with us in Committee and we will see what we can do.

Mr. DAVY: If we reach the Committee stage, although I am opposed to the Bill being carried at present, I am prepared to use my best endeavours to improve it in every particular. If a bad piece of legislation is put upon the statute-book it is better that it should be less bad than bad.

The Premier: I can only have your support in Committee if you will support the second reading.

Mr. DAVY: Whether the Premier wants my support or not, if I see defects in the Bill, however bad it is, I shall certainly endeavour to remedy them in Committee.

The Premier: You will not remedy the real evil in Committee, or attempt to do so, that is, the franchise.

Mr. DAVY: I do not think I have any chance. I have always found, to my sorrow, since sitting on this side of the House—my only fate so far—that suggestions from this side have not been so readily accepted as one would expect. It has not always been that one's criticisms of clauses have been regarded as honest and proper criticisms. There is too much tendency to regard anything coming from anywhere else but from immediate supporters of the Ministers as having some nigger in the wood pile, so to speak. I say that, although I am in favour of reforming the Constitution for the two reasons I have already indicated, I shall vote against the second reading of the Bill. The first reason I gave was that it is a piece of hypocrisy to talk about reforming the Upper House while the Lower House is

elected on such a ridiculous and scandalous basis as now exists; and the second one is, and it is candidly admitted by the Government, that this so-called measure of reform is merely a step in the direction of abolishing another place.

The Premier: The hypocrisy consists in denying the votes for another place.

On motion by Mr Marshall, debate adjourned.

BILL—POLICE ACT AMENDMENT.

Second Reading.

Debate resumed from the 22nd September.

MR. MARSHALL (Murchison) [9.28]: I wish at the outset to compliment the Minister for Justice upon introducing this Bill and upon the matter contained in it. The time is overdue when members of the police force should be able to obtain redress for dismissals or punishments that are meted out to them, and when they should be no longer denied the opportunity to find out why those punishments are inflicted upon them. I believe that up to the present, outside denial of promotion, most members of the force were able to ascertain the real reason for any punishment inflicted upon them, and also the measure of that punishment through fine, disrating or otherwise. But unfortunately even the present measure does not provide for giving redress to a member of the force who finds himself in a position of seeing junior officers promoted over his head.

The Minister for Justice: There is no provision for that in the Public Service.

Mr. MARSHALL: In connection with the Public Service there is a classification board.

The Minister for Justice: Classification refers to positions, and not to individuals.

Mr. MARSHALL: What is the difference between a classification board and a Public Service Appeal Board regarding officers into positions where their remuneration increases?

The Minister for Justice: The Arbitration Court deals with the conditions of public servants.

Mr. MARSHALL: I suppose we all accept an increased responsibility accompanied by a proportionate salary increase as in the nature of promotion.

The Minister for Justice: It is not called promotion if the Arbitration Court increases an officer's pay.

Mr. MARSHALL: I would not be dissatisfied with it.

The Minister for Justice: It is not promotion when a margin is given for skill.

Mr. MARSHALL: I venture to suggest that when the Minister obtained Ministerial office, he regarded it as promotion. In the Public Service, whether this is or is not on all fours with the question of promotion, dissatisfied officers can appeal to the classification board and in a sense secure what is called promotion.

The Minister for Justice: An officer cannot secure a job that another officer is holding.

Mr. MARSHALL: I quite agree with that in the sense to which the Ministers want to restrict the debate. But the classification board give every departmental officer what he is justly entitled to in connection with promotion.

The Minister for Justice: No.

Mr. MARSHALL: Very well. If that is the Minister's attitude, we will let it go for the time being. However, when men are suffering under even a mistaken idea of having been badly or unjustly treated, it does not tend to produce efficiency and enthusiasm or smooth working in a department. Junior officers are passed over other men's heads without these men even knowing the reason why. In the light of these facts it is probably a matter of astonishment to hon. members generally that the efficiency of the Western Australian police has attained its present standard.

The Minister for Justice: No.

Mr. MARSHALL: I know of several cases where officers have proved beyond a shadow of doubt that they have not received justice, in the sense that promotion due to them was denied them. The most marvellous aspect of the discussion is that the Commissioner himself, when returning from a conference of police commissioners held, I think, in New South Wales during 1924, recommended, and recommended urgently, the appointment of a promotional board.

Mr. Mann: That was the unanimous decision of the conference.

Mr. MARSHALL: Yes. The Commissioner treated the matter as urgent.

The Minister for Justice: Will you accept the Commissioner's present opinion?

Mr. MARSHALL: I want to submit some evidence showing why the Commissioner changed his views. I am not too enthusiastic about his recommendations, but I have here, culled from reports presented to Parliament, particulars of cases tried by the board to which the Minister agreed. Mr. Evan Thomas, the Government's own representative, recommended the inauguration of a promotional board. All of a sudden, for some reason unknown to anyone outside the police force, the recommendation was turned down by the Commissioner in 1926.

Hon. G. Taylor: It is well known why.

Mr. MARSHALL: That may be so, or may not. The only happening between 1924 and 1926 to cause the Commissioner of Police to change his views, I shall refer to later. I believe the Commissioner to be conscientiously endeavouring to administer the police force of this State to the best of his ability. The present Minister for Justice recommended a board to go into all ramifications of the police force as to grading, promotions and so forth. The board in question recommended a batch of promotions, I think to the number of six or seven.

The Premier: You mean the promotional board?

Mr. MARSHALL: No. It was recommended that the men in question should be immediately promoted. In order that they might be given reasonable treatment the Minister—I think in 1925—decided that a temporary board should be inaugurated to try the cases. The results from the board of inquiry were not on all fours with the Commissioner's desires. They revealed a little too much.

The Minister for Justice: No.

Mr. MARSHALL: Yes. There is no getting away from it. The Minister need not press that aspect. We must go on reports laid on the Table of the House by the Minister himself. Probably members in general have not had time to delve into them very deeply. However, the board's recommendations, together with the whole of the evidence given before the board and all matters transacted by them, were laid before Parliament in 1925 or 1926. Some of the cases disclosed were such glaring miscarriages of justice that, seemingly, the Commissioner does not want any further investigation into the subject. Why does the Minister refuse to the police this statutory authority? It exists in South Australia.

Hon. G. Taylor: And in New South Wales.

Mr. MARSHALL: And in Victoria.

The Minister for Justice: Why should the police be specially given a promotional board when the whole of the Public Service is denied it?

Mr. MARSHALL: I quite agree with the Minister that every departmental officer should consider himself as honestly deserving of promotion. However, if there is a body of men that can do the State untold injury through their labouring under an impression of injustice, it is the police. The police should be entirely free from all interference by any particular individual. Therefore the Minister is a trifle hard in not allowing the promotional board to secure statutory authority under this measure.

The Minister for Justice: Not as a general practice. If there is any question of disrating, it will be gone into.

Mr. MARSHALL: It is no use the Minister saying that. The promotional board which was brought into temporary existence found disabilities that had existed for many years. Sergeant Teehan, for instance, had been denied promotion for 10 years. Eventually he secured it one month before reaching the age of 60. Incidentally, the denial of promotion cost him about £800 in pension money. Does the Minister say that is not an injustice?

The Minister for Justice: There were no vacancies at that time. It is 10 years ago.

Mr. MARSHALL: Take the case of Sergeant J. J. Wilson.

The Minister for Justice: I do not know of it.

Mr. MARSHALL: Of course the Minister does not know of it. The Minister has not gone into the subject, and I do not blame him for not having done so.

The Minister for Justice: How do you know these things?

Mr. MARSHALL: The information is obtainable from authentic sources. Possibly the Minister has not read the Police Department's reports which he himself laid on the Table. If he has read them, he has read the cases which I have quoted.

The Minister for Justice: I do not remember all the individual names.

Mr. MARSHALL: They are not the only cases.

Hon. G. Taylor: They are only the glaring cases.

The Minister for Justice: Sergeant Wilson, it was stated, had not taken promotion that was offered him, because his health would not stand it.

Mr. SPEAKER: Order!

Mr. MARSHALL: It has been stated by an hon. member who contributed to this debate that certain officers who received promotion refused to accept it. I do not know whether the Minister knows any case of that kind.

The Minister for Justice: Yes. There was one the other day.

Mr. MARSHALL: There must have been personal reasons in that case.

The Minister for Justice: Yes. The man wanted to stop in the metropolitan area.

Mr. MARSHALL: There we have a case in which an officer is doing remarkably well in his position and does not accept promotion when it comes to his turn. The Minister puts that forward as an argument why efficient and ambitious officers—

The Minister for Justice: I do not put it forward as an argument at all.

Mr. MARSHALL: Then why did the Minister use the case as an illustration? Why did the Minister introduce that matter as an argument against a promotional board? He deliberately says that certain officers, having received promotion, refused to accept it and went to a lawyer. If the Minister did not mean his statement as an argument for preventing efficient officers from rising in the service, what does it mean?

The Minister for Justice: You said that.

Mr. MARSHALL: The Minister himself made that remark to the member for Mount Margaret (Hon. G. Taylor) when speaking.

The Minister for Justice: Well, I will not interrupt you any more.

Mr. MARSHALL: Provision already obtains in Queensland, New South Wales, Victoria and South Australia, for dealing with matters relating to promotion. I think it is the Victorian Act that provides for a board dealing with nothing else but promotions. There it is appreciated that the greatest punishment that can be inflicted upon an officer is to withhold from him promotion that should be his. No punishment could be more drastic than that. Nothing could be more punishing than to see junior officers promoted over the head of another man who has passed all the necessary examinations and against whom there is no black mark. I want to inform the Minister that there were several other glaring cases disclosed as the

result of the small inquiry he granted regarding promotional matters. In 1913 a circular order was gazetted directing members of the force to take note that unless they passed certain promotional examinations, they could not expect to receive promotion.

The Premier: That was departed from.

Mr. MARSHALL: Yes, some years afterwards a new regulation was promulgated providing that officers possessing special qualifications could be promoted without the necessity for passing promotional examinations.

The Premier: That was a subsequent regulation.

Mr. MARSHALL: That is so. The final stage is that after November next, according to a still later regulation, there will be no further promotional examinations and officers will be promoted just as the present board deem fit. The remarkable feature about it is that the Commissioner of Police argued that no promotional board was necessary because there was already a board comprising all the inspectors from Geraldton to Albany, plus, I think, the Commissioner himself. He pointed out that the inspectors themselves constituted a board to deal with promotions. The Commissioner argued that that was sufficient. To-day the whole personnel of the board has been changed, and three individuals comprise the board, one of them being the Commissioner himself.

The Minister for Justice: Is it not right that the man who takes the responsibility shall be on the board?

Mr. MARSHALL: He must have some representation on it.

The Minister for Justice: He must be on the board himself.

Mr. MARSHALL: I agree. He must be on the board himself or be represented directly. The present board must have been suggested by the Commissioner, and approved by Cabinet. The inspectors from Geraldton to Albany have no say regarding promotions. Inspector O'Halloran is the second man on the board, yet he is engaged principally in dealing with weights and measures and the liquor traffic. He is one of the three officers who is to have the say as to who shall be promoted to do duties with which Inspector O'Halloran will never be associated any more.

The Minister for Justice: That is not the position.

Mr. MARSHALL: Inspector O'Halloran's job so far as the police force is concerned

is finished. He is now associated with the Licenses Reduction Board and the Licensing Court, and he also controls the Weights and Measures Act. In that position Inspector O'Halloran is a valued officer. But I do not know that his present position warrants him in having a say regarding the promotion of officers with whom he will not come in contact.

Mr. Mann: He has a very judicial mind.

Mr. MARSHALL: I am not talking of his qualifications.

The Minister for Justice: Who is in a better position to judge than a man who has had 35 years' experience in the police force, and knows the whole personnel?

Mr. MARSHALL: I am not saying he is not a good judge.

The Minister for Justice: Yes, you are.

Mr. MARSHALL: During the debate the Minister indicated his objection to the suggested board by interjecting, "Whom could you get to judge?" Now the Minister says what better judge could we get than Inspector O'Halloran.

The Minister for Justice: I asked whom we could get to judge outside the service.

Mr. MARSHALL: Let the Minister be consistent! In an interjection to the member for Mt. Margaret (Hon. G. Taylor), he asked whom we could get to judge and, in fact, he challenged the suggestion of the hon. member that it would be possible to deal with matters relating to promotion by way of a board. No one, the Minister suggested, could be secured who could decide regarding alleged injustices in connection with promotions in the police force. Now the Minister says we have got such a man in Inspector O'Halloran.

The Minister for Justice: I have already pointed out that I asked where, outside the service, could we get a man who would be able to judge.

Mr. MARSHALL: Could the Minister get a more suitable man than the Chief Justice?

The Minister for Justice: Do you think he could devote time to deal with small matters regarding promotions in the police force?

Mr. MARSHALL: Perhaps not, although in New South Wales a judge occupies that position.

The Minister for Justice: Not the Chief Justice.

Mr. MARSHALL: I did not say the Chief Justice carried out those duties. At the same

time I do not know that such work should be beneath the dignity of the Chief Justice.

The Minister for Justice: But there are other matters of greater importance that the Chief Justice should deal with.

Mr. MARSHALL: Perhaps so, and I do not say that the Chief Justice should undertake the duties. I merely replied to the Minister's interjection.

The Premier: You know that in New South Wales there are three grades of judges. There are judges of the Supreme Court, of the District Court, and of the Equity Court.

Mr. MARSHALL: But here we have four judges, and I do not know that there is any discrimination between them.

The Premier: But in New South Wales there are three different grades of judges.

Mr. MARSHALL: I do not deny that that is so. What I want to get at is, how will the dignity of a Supreme Court Judge be smitten if he sits to deal with appeals from police officers regarding promotion seeing that we have a judge in the Arbitration Court?

The Minister for Justice: The first would deal with personal motives, whereas in the second instance it is a matter of principle.

Mr. MARSHALL: What is the difference if a Supreme Court judge sits on a board to deal with promotions or sits on the reclassification board.

Hon. G. Taylor: Not a bit of difference.

The Premier: The Reclassification Board deals with salaries.

Hon. G. Taylor: But where does the wounded dignity come in?

The Minister for Justice: There is certainly a difference in degree.

Mr. MARSHALL: I can see no harm resulting to the dignity of a Supreme Court judge should he be asked to give a week of his time to deal with promotions in the police force.

The Minister for Justice: The trouble will be that there will be appeals all the time.

Hon. G. Taylor: An officer would have to pass an examination before he would be able to appeal.

Mr. MARSHALL: The Minister makes statements that his past utterances condemn. He asks how we could secure evidence and then suggests it would be almost impossible to inquire into the qualifications of the police officers. Is not that what the Minister meant? I do not wish to do the Minister an injustice, but I assumed from

his interjections that he was under the impression we could not get evidence sufficiently clear for a board to determine whether there had been any injustice done to an officer. If the Minister adopts that attitude, why did he inaugurate the temporary promotional board to deal with such cases? I wish to emphasise one point by again referring to the boards that exist in other States. For some time boards there have been dealing with such matters, and yet the Minister suggests that we could not furnish evidence here that would clearly point to injustices regarding promotions in the police force. Evidence could be adduced to show whether an officer had been dealt with unjustly. That evidence could be procured from the senior officers or from personal files which disclose details regarding any mistakes made by officers. I suggest that the member for Perth (Mr. Mann) was always chary regarding his file.

Mr. Mann: I had it removed!

Mr. MARSHALL: I believe the hon. member was responsible for getting one regulation removed. I understand it was for his benefit that the regulation was set aside and another framed enabling men with special qualifications to be promoted without the necessity for passing examinations. I do not know that there was any justification for it in his case.

Mr. Mann: I think there was.

Mr. MARSHALL: I have mentioned the case of third-class Sergeant Metcalf. He discovered that officers were being promoted over his head and he could not secure any redress. He appealed to the promotional board. I want to tell the Minister that the evidence regarding Metcalf was not at all nice. It showed that the man's personal file had never been placed before the promotional board. I do not think any member would challenge the probity of Inspector Duncan.

Hon. G. Taylor: He is one of the whitest men in the State.

Mr. MARSHALL: That is so. Immediately Inspector Duncan discovered the position, and found out that the promotional board, of which he was a member, had never seen Metcalf's personal file, he made inquiries. The Commissioner of Police said that the reason he had not furnished Metcalf's file was because that officer was lacking in initiative, in animation and in many other respects.

The Premier: Did the board hear his case?

Mr. MARSHALL: Yes.

The Premier: Then why did not the board call for the file?

Mr. MARSHALL: Metcalf thought his file had been placed before the board.

The Premier: But why did not the board call for the file?

Mr. MARSHALL: I do not know; I am not responsible for the board's actions. Naturally Metcalf thought the file would be sent to the board when he appealed. He was not aware that the board had not seen his file until some time afterwards. The officer concerned is one of the best rifle shots in the State, yet he is said to lack animation and ability. He has now been promoted to the grade of second-class sergeant and is looking after the Central Police Station in the city, doing a first-class sergeant's work. This is the man who, until he had an opportunity to go before a tribunal which would give him a fair deal, had to sit back. Again, take Sergeant Lean, who did not get promotion for twelve years. He was appointed only two months before he reached the retiring age.

The Minister for Justice: Because there happened to be no vacancy. They could not make a vacancy just because he was qualified for promotion.

Mr. MARSHALL: I appreciate the Minister's attitude on the matter, but I really think that after he goes more fully into it, as I suppose he will do before replying to the debate, his attitude will change a little. It is on record that several men have been unfairly treated, and in view of the fact that there are other boards existing in other States, boards giving reasonably good results, I hope the Minister will have prepared for him a digest of the evidence that was placed before that provisional promotional board. If he does that, I am sure he will modify his views, having had the experience that many of us have had, that of battling in the industrial life, knowing that if one ventured to express certain opinions it would mean instant dismissal. Of course that cannot happen in the Police Department, where provision is made for appeals against such treatment. I have here a good deal of matter that I can deal with when in Committee. I do not propose to elaborate any further on the second reading. Once the Minister gets a grip of what has really

happened, and sifts it out for himself, I am sure he will be reasonable enough to accept the amendment proposed by the member for Mt. Margaret. I will reserve further remarks for the Committee stage.

On motion by Mr. Richardson, debate adjourned.

House adjourned at 10.4 p.m.

Legislative Council,

Wednesday, 28th September, 1927.

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

QUESTION—TAXATION DEPARTMENT REPORT.

Hon. E. H. HARRIS asked the Chief Secretary: 1, On what date is it estimated that the annual report of the State Commissioner of Taxation will be available? 2, Will he quote the whole of the figures embodied in Table D: "Analysis of Income Tax Assessment for the year ended 30th June, 1926-27"?

The CHIEF SECRETARY replied: 1, About the middle of October. 2, Yes.

QUESTIONS (2)—ELECTORAL.

Permanent Registrars.

Hon. E. H. HARRIS asked the Chief Secretary: Should the Electoral Act Amending Bill, now before the House, become an Act, what is the estimated number of electoral registrars that will be permanently appointed?

The CHIEF SECRETARY replied: This matter will be considered when the occasion arises.

Council Enrolments.

Hon. E. H. HARRIS asked the Chief Secretary: 1, Relating to the Legislative Council elections in the years 1924 and 1926 respectively, what was the—(a) total net enrolment for each province as at the closing of the rolls preceding the elections; (b) number of claim cards posted by the Electoral Department to non-enrolled qualified persons for each province; (c) approximate number of enrolments effected as a result of the activities of the Electoral Department in posting claim cards to non-enrolled persons? 2, When forwarding claim cards to non-enrolled persons were they posted to freeholders and ratepayers only, or likewise to leaseholders, Crown lessees, and householders? 3, Is it the intention of the Electoral Department to again take the same action in preparation of the Council election of 1928?

The CHIEF SECRETARY replied 1 to 3, A return giving the information has been prepared, and is now laid on the Table of the House.

QUESTION—LOTTERIES.

Hon. C. F. BAXTER (for Hon. V. Hamersley) asked the Chief Secretary: 1, Do the Government authorise all the lotteries which are carried on by persons selling tickets for them in the streets and elsewhere? 2, Do the Government receive any revenue or tax on the amounts collected by means of such lotteries? 3, If so, what is the amount or percentage?

The CHIEF SECRETARY replied: 1, No; but no objection is taken when they are for charitable or worthy objects. 2 and 3, No.

BILL—BREAD ACT AMENDMENT.

Reinstatement.

HON. E. H. GRAY (West) [4.35]: I move—

That the order of the day for the second reading of the Bread Act Amendment be reinstated on the Notice Paper for this day week.