Mr. ROSS HUTCHINSON: I think that one must have the greatest regard to the whole series of questions asked, and answers given, concerning the site. I do not intend exhaustively to pursue each question and each answer; but I would say to the Minister that, in view of the sharp division of opinion that exists, and the anomalous situation that has been revealed by the questions and answers, further thought should be given to the matter of the proposed site.

I would like the Minister to have a close look at the matter, and, after he has replied to this debate, to give the question of the site further consideration to see whether or not the difference of opinion that exists can be resolved. It is a vital question; and, if he cannot resolve the difference of opinion that exists, I suggest that he call in some outside expert opinion to adjudicate in the matter.

With the Bill, I find very little fault. I think its aims and objectives are admirable; and, with one or two minor amendments to the constitution of the council, I feel sure that it will prove to be a great instrument in combating the disease. I support the measure.

On motion by Mr. Potter, debate adjourned.

House adjourned at 10.18 p.m.

Legislative Council

Wednesday, the 15th October, 1958.

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

LOCAL GOVERNMENT BILL.

Standing Orders Suspension.

On motion by the Hon. H. C. Strickland (Minister for Railways) resolved:

That so much of the Standing Orders be suspended so as to enable the second reading stage of the Local Government Bill to be commenced at this sitting.

QUESTIONS ON NOTICE.

STATE BUILDING SUPPLIES.

Sales Organisation for Overseas Orders.

1. The Hon. J. MURRAY asked the Minister for Railways:

In relation to overseas orders for karri wagon scantlings and mine guides—

(a) Do State Building Supplies rely on sales organisation set up by other members of the Sawmillers' Association for quota of orders for above lines?

(b) If answer to (a) is "No," what other sales organisation has the State Building Supplies set up?

The Hon. H. C. STRICKLAND replied:

(a) No, but State Building Supplies do co-operate to some extent with other sawmillers in overseas marketing.

(b) The following are active and long standing agencies:—

United Kingdom and Continent—Antony Gibbs & Sons Ltd., 22 Bishopsgate, London, E.C. 2.

South Africa—Wm. Cotts & Co. Ltd., 417 Smith Street, Durban.

New Zealand—C. & A. Odlin Timber & Hardware Co. Ltd., Cable Street, Wellington, N.Z.

Nos. 2 and 3: These questions were postponed.

Jarrah and Karri Prices, and Karri Stock on Hand.

4. The Hon. J. MURRAY asked the Minister for Railways:

Will the Minister inform the House—

(1) The price per load, quoted, or received by State Building Supplies for sawn jarrah and karri, respectively, for the years 1955, 1956, 1957, 1958 in—

(a) New South Wales;

(b) Victoria;

(c) South Australia?

(2) What is the total stock of karri on hand—

(a) small scantlings and boards;

(b) large sizes?

The Hon. H. C. STRICKLAND replied:

(1) On Eastern States markets, State Building Supplies are in competition with other sawmillers and work on quotations, tenders and price lists which are constantly varied. It is just not practical to give the information in the form as requested but current wholesale South Australian and Victorian price lists are available if required.

(2) It is considered inadvisable to give specific information on current stocks at any particular time as this is of considerable value to competitors and prospective clients.

LANCELIN CRAYFISH PROCESSING WORKS.

Present Capacity, etc.

5. The Hon. L. C. DIVER asked the Minister for Railways:

(1) What is the capacity, in either cooked crayfish and/or crayfish tails, of the present processing works at Lancelin?

(2) Are these works fully occupied during the crayfish season?

(3) If the answer to No. (2) is "No," what is the reason?

(4) Are any live crayfish carted by road from Lancelin to Fremantle for processing?

(5) If the answer to No. (4) is "Yes," is it a fact that, apart from sick and dying crayfish, which are not exportable, the actual losses on arrival at Fremantle last season were 22,000 lb. from Ledge Point, and 15,000 lb. from Lancelin?

(6) Is it a fact that because the Minister for Fisheries allowed the road cartage of live crayfish from Lancelin both of the factories have either gone into the hands of a receiver or closed down through lack of sufficient supplies to operate?

The Hon. H. C. STRICKLAND replied:

(1,) (2) and (3.) As this is a privately-owned concern, no information is available.

(4) Yes.

(5) Yes. Heavy mortality occurred during December and March owing to high temperatures.

(6) The Fisheries Department has no control over the disposal of crayfish after it is caught.

No. 6: This question was postponed.

BILLS (2)—REPORT.

1, Cattle Trespass, Fencing, and Impounding Act Amendment.

2, Legal Practitioners Act Amendment (No. 2).

Adopted.

LONG SERVICE LEAVE BILL.

Second Reading.

Debate resumed from the previous day.

THE HON. H. K. WATSON (Metropolitan) [4.39]: A year ago this House agreed to the third reading of a Bill which would have provided all employees in Western Australia with 13 weeks' long service leave for every 20 years of service, and with pro rata leave for lesser periods of service.

In another place the Government stopped that Bill from reaching the statute book and, in doing so, it caused tens of thousands of employees to have their long service leave delayed; in fact, quite a number of people were deprived of it completely. In April last, the Arbitration Court of Western Australia inserted in a majority of the industrial agreements operating in this State, a long service leave clause. That clause, as inserted by the Arbitration Court in the various awards, was almost identical with the provisions of the Bill to which this House gave a third reading 12 months ago.

There is room for a difference of opinion as to whether the Arbitration Court was acting within its power when it did what it did, in granting long service leave in the exercise of its ordinary jurisdiction of settling industrial disputes. Be that as it may, the provisions so inserted and granted by the Arbitration Court, applied only to persons who were covered by awards. It left many thousands of employees still uncovered. I may mention that although many thousands of employees were left uncovered as a matter of law, many employers, nevertheless, of their own volition, decided that, so far as they were concerned, there would be no discrimination between employees who came under an award, and those who did not.

Many employers decided that the long service leave provisions, on the principles which had been granted by the Arbitration Court, would be applied to all employees regardless of whether they did or

did not come under an award. This Bill is designed legally to cover all employees who are not covered by an award and who are not legally entitled to enforce a claim to long service leave as granted by the Arbitration Court.

The measure also proposes to place on the statute book provisions for long service leave, as I have indicated, in similar terms to the Bill to which this House gave a third reading 12 months ago. In his second reading speech, the Minister explained that the Bill probably covers 8,000 further employees; but, in indicating the class of employee that is covered, namely workers who are workers under the Shops and Factories Act and are not covered under any award—poultry dressers, paint manufacturers and the like—the hon. Minister did not expressly mention that the measure would also cover executives and their assistants.

In his second reading speech the Minister explained that the Bill was rather a bulky measure, which it is. I have studied it pretty carefully, and, whilst it is essentially a Committee Bill, there are a couple of points which I think are worthy of mention at this time. I notice that the measure proposes to include, as workers entitled to long service leave, all domestic employees. It seems to me that that is carrying things too far. I can well understand that domestic employees who work in a hotel, or in a boarding-house, might be covered by the Bill—they are employees in the ordinary sense of the word. But when it comes to including the ordinary household domestic, I submit the Bill is going too far. It is going too far in submitting the householder to the obligations of long service leave in respect of any companion who may be employed or engaged in his house; and, incidently, it is making the householder liable to have his home inspected during the day or night time by an inspector under the Factories and Shops Act.

Then again the Bill seeks to include, as employees, taxi drivers who are working on their own account. That also seems to be a radical departure from the very basis of the measure which has its foundation on the relationship of master and servant. As it stands at the moment the measure seeks to declare that a taxi driver who is plying for hire and reward, and who has leased his taxi from an owner for rental or a specified share of the takings, is entitled to long service leave from someone; just who that someone is, is not at all clear to me.

I can see quite a number of complications arising if that clause is left in the Bill. The Minister made reference to the fact that although a provision for what is known as offsetting appears in the long service leave provisions as granted by the Arbitration Court, it has not been included in this Bill. To quote the Minister's explanation that provision reads as follows:

> An employer shall be entitled to offset any payment in respect to leave hereunder against any payment by him to any long service leave scheme, superannuation scheme, pension scheme, retiring allowance scheme, provident fund or the like, or under any combination thereof operative at the 1st day of April, 1958.

That is a provision which is in the long service leave award as granted by the Arbitration Court, but which does not appear in this Bill; and the explanation is that the Minister understands the unions are to attempt to have the clause removed from the agreement, and it has therefore been omitted from the Bill.

The Minister has told us that the Government considers the clause is too embracing and could act to the detriment of employees. But I would submit this: Unless this offset provision is inserted in the Bill the employee's last position could be considerably worse than the first. The principle of the offsetting clause is in respect to schemes which are already in operation and the amount for which the employer is liable in respect of long service leave may be offset against any superannuation fund or long service leave fund already in existence.

I submit that unless such a provision is inserted in the Bill we will leave the employer in this position: If he wants to save himself from the effect of what is virtually a double payment for long service leave we will leave him no alternative but to cancel the superannuation scheme, pension scheme or provident fund altogether; and if that were done, I would say in 99 cases out of 100 the loss to the employee would be very much more substantial than the equivalent of long service leave.

I would explain to the House that all these pension funds and schemes invariably have a provision in them that the contribution to such a scheme shall be made only so long as the employer feels disposed. It is purely a voluntary scheme and the employer, under the terms of the scheme, is empowered to discontinue his contributions and wind up the scheme as and when he feels disposed. If we are going to deny the employer the right of compensation with respect to a fraction of the scheme and leave him no course to achieve his desire—he may have to skittle the whole scheme—we may find that an employee—whose normal participation might well be £1,000, and whose long service leave equivalent might only be £200—is in peril of losing his total prospective benefit. So that the employee may receive the benefit of most of the full entitlement

which he might receive under these provident funds, I trust that when the Bill leaves this House it will contain a provision that an offset may be effected.

The only other point which I think merits reference at this stage is in respect to the jurisdiction regarding determinations and enforcements of all matters arising under this Bill. A worker or an employer who feels that he has any claim under the Industrial Arbitration Act—one against the other—may go to any Court—to the Local Court, Supreme Court or Arbitration Court. He has a choice as to where he shall go. I feel that the rights and liabilities of all employers and employees who are covered by this Bill should be of such a nature that they may be ascertained and determined wherever necessary by any court. The proposal is, at the moment, to limit them, in the main, to the board of reference which is constituted under the Bill or, failing that, the Arbitration Court.

I submit there is no reason at all why, in just the same manner, if a man has a claim under the trespass Act or any other Act, he may pursue that claim in any of the courts. Therefore, in respect to this Bill, the determination and the enforcement of the rights and liabilities of persons affected by the Bill should come under the jurisdiction of any court and not be restricted simply to the Arbitration Court or to the board of reference. In other words, the right to go to the Arbitration Court or the board of reference should be in addition to and not in substitution of the ordinary civil rights which are the right, liberty and prize of every citizen.

As I have said, the Bill is one to be dealt with in Committee and my further discussions on its detailed provisions will be reserved until that stage. In the meanwhile, I support the second reading of the Bill.

On motion by the Hon. H. C. Strickland (Minister for Railways), debate adjourned.

NATIVES (STATUS AS CITIZENS) BILL.

Second Reading.

Debate resumed from the previous day.

THE HON. G. C. MacKINNON (South-West) [4.59]: I intend to oppose the second reading of this Bill, and do so mainly on two basic grounds. It would appear from the speeches we have heard in favour of the Bill—and they have been very few—that the basis of the Bill probably emanates from the report of the Commissioner of Native Welfare. One thing I am reasonably sure of is that it does not emanate from the thinking of the Minister, for I thought his speech on the native problem was a good one. I am quite sure, also, that if he had been able to hand that speech to the Crown Law Department officers and asked them to draft a Bill on it, the measure presented to us would be vastly different from the one we have. I did not think that his speech accorded, in any respect, with the Bill; although I thought it was a good speech.

The measure seems to be based on the premises set out at page 2 of the departmental report where it states that our first duty is the basic one of giving the natives equal legal status with ourselves, thus legally placing their feet on the first rung of the ladder to social and economic equality. It is obvious from the remarks of the hon. Mrs. Hutchison that she is firmly convinced that is the first step to be made towards improving the lot of the Australian aboriginal. But I do not think anyone who has made any study of the matter of citizenship rights, or racial integration, can believe that the first step in making a citizen out of nomadic peoples, is the summary granting of citizenship rights; or, as the hon. Mr. Willmott suggested, throwing citizenship rights to people as we would throw a bone to a dog.

The first basic essential is that a people must be established as having a stable economic life. I do not care where we go, or to what country we go, we cannot transform any people into citizens in the full sense of the word unless they are established as stable citizens, having a stable existence and an economic life, and being able, in some measure, to participate in and enjoy that life. That is the basis. As the hon. Mr. Lavery told us last night, when he quoted a letter, citizenship rights are the middle, not the beginning.

Almost all of the general philosophical remarks at the beginning of this report are based on the premises that our first duty is the basic one of giving them equal legal status. In my opinion, our first duty is to give them the means to make a living; the means to eat and the means to enjoy, in some form, the life which they would perforce lead as citizens.

I have had some experience of people—not only coloured people—in extremely adverse circumstances. I have myself been in the position of being hungry, and I have seen bodies of well-educated men in the same position. I have seen men die through sheer hopelessness; virtually turn their faces to the wall and die, just as we hear of natives dying as a result of pointing the bone. I have seen groups of men do shocking things in extreme adversity.

There is no shadow of doubt that citizenship as such, is not a basis for a manner of life; for a full life. The basis for a full life is a suitable economic existence. Until people are given such an existence, or the means to attain it, then

to talk of citizenship rights in the way the Bill speaks of them, is just wishful thinking; starry-eyed dreaming.

There is not a great deal of point in people like this, or any other people for that matter, being put on a higher standard than that to which they have been accustomed for many years, and just being given an income. The hon. Mr. Willmott said he would like to hear the hon. Mr. Wise on this subject. Of course, he was only echoing the thoughts of us all, because there is probably no-one in the House who has a better or more widespread knowledge of the matter than has that hon. gentleman. I can quote his words where he said that money is a curse to the native, but that there are places where the employment of natives is contingent on their being paid certain wages, and he goes on to elaborate on that point.

The Hon. F. J. S. Wise: When did I say that?

The Hon. G. C. MacKINNON: On the 30th August, 1933. It is a speech, made on this problem, which is well worth reading. Albeit there is a problem in that area, as indicated by the speech of the hon. Mr. Wise as recorded in Hansard of 1933, and in the report of the Royal Commission at that time—Mr. Moseley was the Royal Commissioner—it is different from what it is in the South.

To return to the point I was dealing with a moment ago, just as we cannot throw citizenship to a people and say, "There you are; you have equal legal status," so we cannot expect a satisfactory legal result if we just come here and pass a law to say, "Every native shall be employed at a given place and shall receive a certain wage," because, as the hon. Mr. Wise has said—I have no doubt he will elaborate on this and point out that what he said applies in certain circumstances; and that is fair enough—in many circumstances money is a curse to the native.

I do not wish to re-read the speech or the parts of the report, which deal with the question of what the natives do when they get money. In some areas, in those days, the natives had reached the point where they could, with some degree of reasonableness, handle a certain amount of money. But I must reiterate that the prime requisite of any move to improve the lot of these people, is that they must, to start with, be given a basic and stable foundation.

That, of course, would necessarily demand the establishment of an educational qualification as has been outlined by the hon. Mr. Willmott, but we cannot leave it at that. We could not hope to produce a responsible citizen by taking any child, whether it be white, black or brindle, educating it to the age of 15, and then throwing it into an unsympathetic environment to battle and scratch for itself in the best way it could until it reached the age of 21. Of course, there may be the exception. There may be the native who can overcome the handicap of living for years in a humpy and sleeping on the floor and wearing other people's cast-off clothing. But there are not many with the necessary attributes to overcome obstacles of that sort.

So there is that transitional period between the time a child leaves school and has finished its training, and the time it finally has to establish itself in the community by overcoming all the obstacles that have been presented to it in the past. Therefore, long before we deal with a Bill such as this we must evolve some method of dealing with the education of these children. Then we must have its corollary; that is, a method of satisfactorily dealing with the establishment of these people in industry, trade or commerce; whether it be in the pastoral industry or any other field. I submit that there are many ways by which this could be done.

Today we find that a large percentage of the labour force is employed by Government or semi-Government instrumentalities and perhaps we should provide that a proportion of those employees should be coloured. They should be assimilated into trades so that they can take up apprenticeships, for example, in order that they may eventually establish themselves, marry, and settle down in our community. In short, they should be allowed to gain for themselves a stable and economic life which is the basis of satisfactory citizenship. They must be given an opportunity to adhere, in all respects, to the many restrictions which are placed upon us and which we, of course, do not always realise are placed upon us, because we have grown up with that knowledge. As one great jurist said; "Our freedom to swing our arms stops just short of the next fellow's nose." It has taken us a long time to learn that.

From a perusal of this report by Royal Commissioner Moseley, in 1933, I should say that he inquired very thoroughly into the native problem. He had no doubt in his mind that the natives in the North had a remarkably free existence. He was referring to their mode of life while working on stations. Out of a total of 100 odd there was a work force of probably 58. In the wet season they could go "walkabout" if they so desired, and generally they could come and go, to a large extent, at their pleasure. Mr. Moseley referred to the fact that they were happy in their work. Of course even at that time, Mr. Moseley mentioned in his report that there were, perhaps, some odd places where they were not so happy.

In dealing with housing, the Royal Commissioner pointed to cases where homes had been built for natives, but that very often the natives were happier in their bush shanties.

The Hon, H. C. Strickland: That was a quarter of a century ago.

The Hon. G. C. MacKINNON: I agree, and yet in some of those areas, from what I have been told by people who know the district well, those conditions still apply today, because we must bear in mind that the Minister in his speech left no doubt in our minds that he, at any rate, did not consider the native in the North constituted the grave problem that we are led to believe he is. The Minister made that point very clear. This Bill proposes to take a people, without any preparation whatsoever, and grant them citizenship rights. Can they eat citizenship rights? By granting each one of them a piece of paper does it give him the ability to take a motorcar to pieces and put it together again? Does it teach him a trade? Does it make him acceptable to every union in the country? Does it make it easier for him to dress his children, provide them with a reasonable standard of living and have them educated sufficiently so that they may learn a trade?

The Hon. A. F. Griffith: Does it make it easier for him to get work?

The Hon. G. C. MacKINNON: Does it make it easier for him to obtain any type of work where he knows he can stabilise himself and be in a position to plan ahead?

The Hon. L. C. Diver: There are thousands that would not want to work even if they could get it.

The Hon. H. C. Strickland: And there are those who do.

The Hon. A. F. Griffith: They can get citizenship rights.

The Hon. H. C. Strickland: No, not like the hon. member enjoys here.

The Hon. G. C. MacKINNON: I believe—and this point has been raised in the House—that had they been encouraged to apply, and had the application for citizenship not been belittled, many of the natives could have been granted their citizenship rights. However, before we accept a Bill as sweeping as this, which is designed to grant automatically citizenship rights to all natives, we must establish in industry and in our community all who are eligible to possess those rights.

The Minister, by interjection, and by means of a little three-cornered speech, indicated that he believes there are quite a number of natives who have reached the stage where they could accept and enjoy stable economic conditions. No doubt they would fulfil the condition that they were literate and were able to recognise and accept a stable economy. If that be so, by all means let us draft a Bill to grant those natives citizenship rights. This is the point where I revert, for a moment, to the remarks I made concerning the Minister's speech. The Minister did not put forward a case for this Bill, but for one that would follow very closely along the lines he has just indicated by way of interjection.

In other words, there are a number of natives who have reached the stage where they can be granted citizenship rights. Therefore, we should accept a nucleus of natives who have established themselves in our society, and having recognised that nucleus, we could add to it. However, this measure, in itself, without an additional Bill to cover the employment of these people—

The Hon. H. C. Strickland: You are battling for excuses!

The Hon. G. C. MacKINNON: No, I am not. The Bill I am advocating would give them a chance to obtain their learning both in the schools and in the various trades, and unless legislation of such a nature is introduced this Bill is quite useless.

Another great disability is that the Bill will perpetuate racial discrimination. I do not see how we can overcome this problem. Some natives will have to carry a card to show that they are not citizens, while others will not have to carry cards. I have only heard the Minister and the hon. Mrs. Hutchison speak from the Government side.

The Hon. H. C. Strickland: Give the others a chance.

The Hon. G. C. MacKINNON: They have had as much chance to speak as four or five other hon. members.

The Hon. H. C. Strickland: You adjourned the debate.

The Hon. G. C. MacKINNON: They could have stood up to speak to this measure. We have heard how natives should be placed on an equal footing with whites. I am interested to find out how we will overcome the problem of having two classes of citizens—those who carry citizenship certificates, and those who do not.

The Hon. H. C. Strickland: Under the existing law that is done.

The Hon. G. C. MacKINNON: That will be done if this Bill is passed. There would be many natives classed as citizens who would not understand the laws of this country. It would be a grievous hardship to grant them citizenship under those conditions. It would be too much to expect a child under the age of 18 to comply with the laws under which we live as adults. That is one reason why the existing law makes a distinction between children and adults.

We all realise that through lack of education, opportunity for advancement and integration, a distinction is made between the responsibility of a white citizen and that of a native in the commission of crimes. The Bill completely disregards

this fact. It seeks to bring all natives over-night under the full force of the laws which apply to whites.

The Hon. H. C. Strickland: And protect those natives who cannot live up to them.

The Hon. G. C. MacKINNON: The native mother is just as fond of her child as any other mother. We know there are laws governing child welfare and they are administered by officers of that department. Under this Bill, all natives will be classed as citizens without having been provided with training in our way of life and without anything being done for them when they are taken out of their bush humpies. Native children living under these primitive conditions can be taken away from their parents by child welfare officers.

The Hon. H. C. Strickland: Just as that law applies to whites.

The Hon. G. C. MacKINNON: But the whites have had an opportunity to be educated. The natives have not been educated or trained for trades. If the Bill is passed they will all become citizens, and child welfare officers will be able to deprive native mothers of their children in many instances. That is extremely unjust.

The Hon. H. C. Strickland: That cannot be done without the case going through court.

The Hon. G. C. MacKINNON: I am aware of that. If the grounds for taking away children from their parents apply in respect of one type of citizen, they will also apply in respect of another type, namely the native. Thus overnight native mothers could be separated from their children if the law was strictly enforced.

The Hon. H. C. Strickland: Only if the native mothers were not looking after their children. That applies to all classes of citizens.

The Hon. G. C. MacKINNON: I want to reiterate my views on this matter. As a first step it is essential to establish some method for improving the lot of the natives. I am fully convinced that when we bring down a citizenship Bill it must not be in the form of the Bill before us, and it must not be one to confer citizenship rights on persons who are descended from the original inhabitants of Australia. It must be a citizenship Bill purely. Unless we can bring down a citizenship Bill which contains the necessary qualifications for citizenship—be they black, white, or brindle—we will be chasing rainbows. It is no good saying to all natives that they are to become citizens, and to end the matter there.

I want to mention one other matter. It is the custom in this House for hon. members representing the Goldfields to support loyally any matter which remotely touches their area. The native problem is very obvious in that area. In the Eastern Goldfields subdistrict there is a population of 2,000 nomadic natives. According to the report I have, there are 2,200 natives in the North Central subdistrict, 3,000 in the North-West subdistrict, and 10,000 in the Northern subdistrict. Before any decision is reached on this Bill, hon. members representing the Goldfields and the North-West should put forward their views, because the problem is a real one in those areas.

The Hon. H. C. Strickland: I have expressed my views.

The Hon. G. C. MacKINNON: In the South-West, the problem appears to be mainly related to caste natives.

The Hon. H. C. Strickland: Related to whites.

The Hon. G. C. MacKINNON: From what I understand, in the North it is apparently related more to the full-bloods. There must be a marked difference between the two. That was what the reports indicated a long time ago.

The Hon. L. A. Logan: We should leave them alone.

The hon. G. C. MacKINNON: We have not left them alone. The problem seems to have been aggravated and extended.

The Hon. H. C. Strickland: In the South-West.

The Hon. G. C. MacKINNON: Surely throughout the whole of Australia; and so I sincerely hope that those people, who live in areas where they have relatively close contact with the natives, will give us the benefit of their knowledge before this measure is continued with. As I have said, I am opposed to the second reading.

THE HON. E. M. HEENAN (North-East) [5.31]: I had made up my mind to contribute a few remarks on the Bill prior to hearing the supplication of the hon. Mr. MacKinnon, and I am glad that I will be able to fulfil his request for someone from the Goldfields to speak on this matter—

The Hon. G. C. MacKinnon: Thank you.

The Hon. E. M. HEENAN: —although I have not such an intense knowledge of the subject as to pose in any way as an authority. It is worth recording that Clause 9 of this Bill makes the following proposition:—

> On and after the coming into operation of the Natives (Status as Citizens) Act, 1958, a native has the same rights, privileges, and immunities, and is subject to the same duties and liabilities, as a natural born subject of Her Majesty, except if and while he is declared to be a protected native.

Now, as I see it, that is the major provision in the measure and it is one on which a lot of well-meaning people differ. Several speakers have already pointed out, and I would like to reiterate, that this problem is one of our own making and therefore, in all fairness and justice, we are called upon to make a very earnest effort towards a solution. This State was founded on the 1st June, 1829, and here we are in the year 1958. Over 100 years have passed, and we, as a white community, have been responsible for this tragic problem which now confronts us.

I think it can be said, in fairness, that over the years efforts have been made from time to time to alleviate the problem, but I think we must all be convinced that past efforts have done nothing but end in failure. As the Minister pointed out in his most interesting speech when introducing the measure, the problem is getting worse from year to year, and undoubtedly it has reached the stage where some drastic remedy is needed. It is a truism, that drastic cases need drastic remedies to correct them and surely this is such a case. In many ways one can agree that the provision in Clause 9 is a very far-reaching and radical one. After all these years, we now propose to bestow full citizenship rights on all the natives. Every native child that is to be born in the future will be an Australian citizen just like any white child.

The Hon. F. D. Willmott: Until they are declared protected.

The Hon. E. M. HEENAN: As was stated in that interjection, until those rights are taken away from them. I can see nothing wrong in that because from time to time citizenship rights are taken away from our own people. One has only to read the morning paper to see where people who flout the traffic laws are deprived of their driving licences for life, while others who commit more grievous offences are sentenced to gaol for varying periods of time. Others who flout the Licensing Act are deprived of the right to enter hotels to buy liquor. Therefore there is nothing so extraordinary in this provision. It does seem to me that, although we now propose taking a step which will be fraught with many dangers and which may not, for many years, achieve all that is hoped, the time has arrived when a start must be made; and I congratulate the Government that has shown the fortitude and the courage to introduce a measure such as this.

The report of the special committee on native affairs is well worth reading. I was impressed by the personnel of the committee, which, I believe, was a representative and capable one. Some hon. member pointed out that the Commissioner of Police and others could have been on the committee; well, possibly they could have been, and possibly they could have assisted the committee in its investigations and added other points of view. However, I am convinced that the committee which compiled this report has given the problem earnest and careful consideration, and their views must be studied with care. We cannot brush them aside. For instance, on page 9, dealing with the question of citizenship, there appears this paragraph—

> The majority of submissions made to this Committee favoured the granting of immediate and total citizenship to natives. The following is a typical viewpoint:—
>
> > Citizenship is a right and not a gift; . . . citizenship therefore is a right to which the aboriginal people are entitled and which ought not to be denied them. Here I should quote Article 31 of the Universal Declaration of Human Rights to which Australia is a signatory: "Everyone has the right to take part in the government of his country directly or through freely chosen representatives." Article 2 of the same Declaration says: "Everyone is entitled to all the rights and freedoms set forth in this Declaration without distinction of any kind such as race, colour and . . . national or social origin, property, birth or other status."

If any notice is taken of this report, it surely indicates that it is our responsibility to grant citizenship to all people, irrespective of race or colour, who are born in Australia.

We have, in recent years, engaged in an active immigration policy, and from time to time there have been reports in the Press of the disgraceful behaviour of certain immigrants who have arrived here from European countries. But we eventually grant them full citizenship rights and they become integrated in the community. They learn our ways and are subject to our laws, and one has only to see the second generation of such families to see how wise it was to grant citizenship to them. We on the Goldfields have examples before our eyes all the time of Italians, Slavs, Greeks, and others—they have come to Australia and they were hewers of wood, carters of water, and clearers of our farm lands—who have children who are now taking their place in the business and professional world, and who are intermarrying and becoming admired and respected citizens in every way.

The Hon. G. C. MacKinnon: Are there many natives employed in mines?

The Hon. E. M. HEENAN: Not a great number.

The Hon. F. R. H. Lavery: There are some.

The Hon. J. D. Teahan: There is nothing to bar them, though.

The Hon. E. M. HEENAN: No, there is nothing to bar them. But they are employed, mostly, on the stations and on the fettling gangs. Only the other day at Menzies, I was speaking to two splendid specimens who were engaged on a fencing contract. They appear to carry out most of that type of work in the Goldfields areas.

I know there are problems associated with this question and the Minister did not disguise that fact. There is perhaps no certainty that the measure will be an unqualified success, but surely, basically, it is a proper proposition to give these people citizenship rights! Surely it is our obligation! Surely it is incumbent upon us, who have created the problem, to educate these people and do everything possible to raise them to adequate standards! Have we done that in the past? I do not think anyone could conscientiously say that we, as a nation, have done our best for these people. I think we have failed in our treatment of them, so far. We must realise that our efforts in the past in this matter have been in the wrong direction and that we should now accept the proposals of people who have made a conscientious study of the subject and who suggest that this is the way to go about it.

I am gravely concerned about the problem of drink. It is a question that the Government and those concerned in the administration of our laws will have to handle with the utmost circumspection, tact and wisdom—

The Hon. G. C. MacKinnon: You do not believe the report in that regard?

The Hon. E. M. HEENAN: I will come to the report shortly. We do not have to wait for the impact of citizenship rights on natives, to be confronted with a grave problem in regard to alcohol in this country. I believe that in Australia generally it is indeed a problem, although possibly not of the gravity of that with which we are dealing here. Alcoholism in Australia is a problem that will call for very serious thinking in the near future. We have recently heard the name of Namatjira mentioned, in a way which conveyed to me that there is a glaring illustration of the fact that natives cannot handle drink.

When I read the report in the Press, concerning Namatjira—that unhappy and unfortunate episode—the thought occurred to me that surely there were other people who should have shared the blame for what occurred, or who should have taken a larger share of the blame than that unfortunate aboriginal. What about the hotelkeeper who, knowingly, allowed this man to fill up a taxi with bottles of rum, wine and so on? What about the police who, perhaps, should have known what was going on?

The Hon. F. D. Willmott: They could not prevent him buying it.

The Hon. E. M. HEENAN: We see, among our own people, unfortunate men from time to time under the influence of liquor, yet being provided with liquor as long as they have money with which to buy it. Our licensing laws will have to be altered radically and policed differently if a great number of people, apart from natives, are to be saved from the ravages of excessive drinking. At page 10 the report says—

> A most experienced authority on this subject, when asked—
>
> > Do you feel that the existing laws could handle any liquor problem which might result from full citizenship?
>
> replied—
>
> > Those natives who want drink already get it, so that many of the problems associated with drink are already with us. Natives under the present conditions if they want drink are obliged in many instances to take the cheapest and worst type of alcohol. I feel on the whole that the existing laws could probably handle most of the problems arising from liquor.

I agree with that, although I do not know who the authority quoted was. At present, when natives buy drink they get it surreptitiously. They have to give some worthless individual money with which to buy it, and he buys the cheapest form of drink that he can obtain for them. There are many cheap wines on the market and, of course, anyone who drinks knows that if one drinks an excessive quantity of wine or spirits the result is terrible; and that is what the natives are getting. They have been educated to think that the only drink is wine, and cheap wine at that. Possibly, when they are granted citizenship rights, their drinking habits will improve.

My view is that the hotelkeeper, who serves liquor to anyone who has already had a reasonable amount to drink, is not fulfilling his duty as a licensee. Anyone who would serve bottles of wine or other liquor to these people to take away in large quantities must be prevented from doing so. There is much to be done in educating our own people in the matter of sensible drinking and I hope that, later on, we may have an opportunity of making some comprehensive amendments to our liquor laws in that respect. Speakers who have opposed this measure hold the view that the present is not an opportune time for the Bill. We have had since 1829 to do something about this question, and, if the time is not now opportune, it never will be. That question is also answered in the report, on p. 11, where we read—

> Throughout our history, whenever anyone has proposed a reform giving more benefits or freedom to certain

individuals, there has always been someone else at hand to say: "They are not yet ready for it." Examples have been the freeing of slaves, the introduction of universal education, the enfranchisement of women, etc.

The viewpoint of this Committee on this argument is perfectly expressed in the following quotation from Lord Macaulay (though we imply no particular reference to politicians, and do not intend the term "slavery" to be taken literally).

> Many politicians of our time are in the habit of laying it down as a self-evident proposition, that no people ought to be free till they are fit to use their freedom. The maxim is worthy of the fool in the old story, who resolved not to go into the water till he had learned to swim. If men are to wait for liberty till they become wise and good in slavery, they may indeed wait forever.

To sum up then, the members of this Committee believe that the legal status of natives in Western Australia should not be inferior in any way to that of other members of the community. We feel that to continue to withhold full citizenship from the native minority is un-Christian undemocratic and un-Australian.

We are satisfied, too, that the importance of achieving full civic status has assumed such proportions in the minds of many of the people most concerned—the natives themselves—that supplementary efforts to improve their general outlook (including those recommended in this Report) have little chance of real success until they gain that standing.

I wish once again to applaud the Government and the people responsible for bringing forward this measure. They have been roundly criticised for doing it, although I am prepared to concede that the remarks of speakers such as the hon. Mr. MacKinnon and others have been made in all good faith, and not simply through prejudice. I am sure their views have been put forward in the belief that theirs is a conservative approach—perhaps I should have said a cautious approach—to the subject. I would remind members that nothing great is ever achieved without facing risks, and unless one takes a chance one will never get anywhere.

This measure, if agreed to, will impose many obligations on the people of Western Australia as a community. Some unhappy situations are certain to arise from it but, as long as anything is fundamentally right—

The Hon. F. D. Willmott: Do you think this Bill is fundamentally right?

The Hon. E. M. HEENAN: It is fundamentally right. The people who are born in a country surely have a greater claim to it than intruders.

The Hon. J. Murray: You do not believe that, do you?

The Hon. E. M. HEENAN: I do really and conscientiously believe that our native population have a longer standing and better claim to this country than we have. We say that possession is nine points of the law. Those people had possession of this country and we, by force of numbers, took it from them. They had first possession of it, and surely that gives them some priority! However, it is an academic question that does not get us anywhere.

As I was saying, it is my belief that if this Bill is fundamentally right it will eventually turn out for the best. The Act will have to be wisely administered; the liquor question will have to be carefully handled by the police and hotel keepers, and our licensing laws will have to be reviewed. If we get somewhere with this legislation in the next 10, 20 or 30 years, we will have achieved something, whereas in the past very little has been achieved. I support the second reading.

THE HON. C. R. ABBEY (Central) [6.1]: I should like to examine some of the statements made by speakers in support of the Bill. I have had considerable experience with the employment of natives on my farm, and I am afraid that several speakers, in support of the measure, have been carried away by the case they were presenting, and did not entirely do it justice. One of the speakers to whom I have referred, made the statement that all life was hell for the natives.

That statement bears close examination. In general natives find a great deal of happiness in the life they lead, particularly those who live in the country areas. There they are in an environment to which they are accustomed, and they are doing work to which they are accustomed—shearing, clearing or anything that has to do with the land. Natives understand that work and they enjoy doing it. Under those circumstances I have not found the natives to be lazy. They may find some ways of avoiding particular jobs they dislike; but that is something which we all do at times.

Given the first essentials—and I know that on a number of farms in my province they are given those essentials—such as work, housing and good food, and encouragement to enjoy the sports of the district, they are good citizens. In Beverley, York, Northam and similar centres, many natives are good footballers, and sports of all description. The statement that they are unhappy, and that all life is hell to them is quite without foundation.

The Hon. A. F. Griffith: Camouflage!

The Hon. C. R. ABBEY: I know that they are happy with their lot so long as those first essentials are provided for them—housing, work and food. Of course, they will provide their own food if they have the work.

It seems to me that the case put forward for natives to be granted citizenship rights when they have attained a sufficient educational standard is the only realistic approach to this problem, and one which hon. members in this House, and in another place, should examine very closely. I am quite sure there are many natives in this State who have no idea that there is a debate concerning them taking place in the Houses of Parliament in Western Australia.

The Hon. L. A. Logan: And many of them do not care.

The Hon. C. R. ABBEY: Yes; I doubt very much whether many of them care.

The Hon. G. E. Jeffery: Unfortunately there are a lot of white people like that, too.

The Hon. C. R. ABBEY: That is so. One hon. member also said that the whites needed to show tolerance. I know from personal experience that natives are shown a great deal of tolerance. I know of a stud breeder who has employed one native for many years, and he enjoys very good conditions. Without doubt, if that native desired citizenship rights his employer would support his application. But to my knowledge the native has no desire to obtain citizenship rights. His children are well fed and well educated and, if the suggestion that a certain educational qualification automatically entitled them to citizenship rights was adopted, that man's children would automatically become citizens of this State. I feel sure they would appreciate such an action.

Another speaker in support of this Bill said that the natives were slaves. That idea went out many years ago, if ever such a state of affairs existed in Australia. I feel certain that the person who made that statement did not really believe it. It is certainly not correct, and to my knowledge that state of affairs has never existed. Many country communities are endeavouring to assist the natives to obtain a decent status. They are trying to provide them with reasonable houses, but I think that the committees concerned are getting insufficient help and encouragement from the present Government, otherwise we would see springing up in our midst many native communities all suitably housed. I stress the words "suitably housed."

If the Government were to assist these committees in the country centres to help the natives, we would see them living in their own little communities, as they love to do, adjoining the country townships and taking part in the community life of the district. If that were done their lot would be much happier; their children would be able to attend the schools freely, as they wish them to do, and they would be able to take part in the sporting activities in the district.

If we turn to the 1934 report of the Royal Commissioner (Mr. Moseley), who investigated native affairs at that time, we find he made this statement, which I imagine was applicable to the North—

> A native will not work unless he is forced to do so.

That may be the position in the pastoral areas, although I have been led to believe that even there, given suitable work, the natives will do a good job. In fact, many white people up there say that the natives are necessary for the carrying on of business in the North—the running of properties and so on—and they have attempted to raise the status of the native, but not by such sweeping changes as these. Probably I will be called to account on that score, but that is my belief.

The Hon. A. F. Griffith: You have a right to express your belief.

The Hon. C. R. ABBEY: I have had other personal experiences with the natives, and so I am not just speaking out of the air when I talk of these things. I know of instances where natives have been placed in very good homes, but prematurely, as this Bill is premature, and they have done a great deal of damage to those homes. Considerable sums of money have had to be expended on repairs. I think that the same thing might happen if this Bill became law.

Of what use is it putting a native family into a house before the natives are prepared and know how to look after their houses? Of what use is it to put them there and then have to turn them out? Of what use is it to grant citizenship rights to natives en masse before their standard is sufficiently high to enable them to appreciate it?

THE HON. J. G. HISLOP (Metropolitan) [8.12]: Every now and again hon. members of this House are called upon to discuss a vital problem, with the details of which they are not thoroughly immersed. Yet, as thinking citizens, we must decide which way we shall vote. My knowledge of the native is not an extensive one, although I have seen natives on many stations in the North-West, and I have lived on those stations and have seen the natives at their various occupations. I have resided in houses in the South-West where natives are employed as house girls and, like other citizens, I have given the matter considerable thought.

My real interest in the problem comes from my desire to delve into the various civilisations in the world, not only those that exist today, but also those which

existed in the past. The question of whether one group of citizens can survive an attack by an invading group of citizens is a matter of considerable interest when one delves into the history of the various peoples that have populated this earth. I think we must look at this problem in much the same way. I believe that a person who looks at the problem from the point of view of sheer idealism can do as much harm and create as many problems as the person who looks at the matter as being one of no interest. So, between the two there must be some realism in an approach to this problem.

I think it was Eleanor Dark who wrote a book called "The Timeless Land." In that book she wrote as if she were speaking the thoughts of Bennilong when he sat on the high cliffs overlooking Sydney and watched the oncoming ships of the stranger to the shores. I wonder, if we looked at this problem in the same way, whether we could work out for ourselves what the natives really want; or have we attempted to design our legislation on the basis of what we desire the natives to be? Between those two thoughts there is a very big gulf.

Sitting suspended from 6.15 to 7.30 p.m.

The Hon. J. G. HISLOP: At the tea suspension I was stating that, in my opinion, in a measure of this kind the idealist can do as much harm as the person who exhibits no interest in the problem, and yet offers his views. I feel that plans placed before us in regard to this native problem rather suggest to me that they have been devised by minds that could be described as, I think it was the Tahitians described Robert Louis Stevenson, namely, "Tusitala," a teller or spinner of tales. They are best described in that fashion rather than as people who have their feet close to the ground in regard to the problems of the natives of this State.

In making that severe criticism I believe this is like all the other problems that come before the House. An attempt is made to cover the whole area by one solution; and I do not think that is possible. We have a problem here which has at least quadruple aspects. The problem of the full blood is entirely different from that of the half caste; or the caste of any kind. I sincerely believe that the problems of the North-West, and those of the southern portion of the State, are also entirely different.

It may be necessary, therefore, to have four different solutions to meet the needs of those varying conditions. An idealist, or a dreamer, who can suggest that the overnight contribution of citizenship to these people, who cannot even speak the language, but to whom we will say, "You have the full rights of citizenship" is, to say the least idealistic. It is not fair to those concerned to ask them, particularly when citizenship rights mean the right to live as we do, to conform to the laws to which we conform, and to vote for their representatives in Parliament when they probably cannot understand what it is all about. It is not the least bit realistic.

There must be some basis for citizenship. I have heard two problems raised in connection with this matter. In regard to the first we know that it is said that the aboriginal owned this country before we came here. We must realise that he had a million years to look after it and because of his inability to do so, he was not able to bring it to a state in which it could be fully populated; in which he could live and enjoy life. Therefore I think we must realise that if the native is to conform to our civilization he must know something of its needs and responsibilities. In exactly the same way, we do not grant citizenship to a person who has already known what citizenship means in another land, and who has probably a greater tradition than ours.

We ask that individual to learn our way of life; to learn something of our habits, and to know something of the constitutional methods of the country before we grant him citizenship. If any member of this House went to the United States today he would not be granted citizenship for a period of years—if he were fortunate enough to get in under the quota. He would still not be given his citizenship until such time as he could pass an examination in the constitution of the U.S.A. So, in asking the native to conform to the minimum standards required by our civilisation I do not think we are asking too much providing we are willing to assist him to gain those standards.

I believe that the suggestion made by the hon. Mr. Willmott is a good one. Whether that standard is one we should accept, or not, is another matter. But it is a basis for discussion as to the level to which we wish to bring these natives. Having done so, I think we should grant them citizenship without question. Where do we start with the problem? Where do we start to look for this basis of citizenship? So far as the full bloods are concerned, I do not think we are asking any of them who have not already gained citizenship to obtain that standard in large numbers. In fact I think we must realise that among the new Australians who are coming to this country there will only be a small proportion who at the end of their days will regard themselves as Australians. In fact there are many Australians who migrate from one State to another, who never become ground citizens, as it were, of the State which they adopt.

The place in which they are born always remains entirely different in their heart. Even while addressing new citizens who

come in, and are given citizenship in Australia, many of us ask them not to forget the land of their birth; not to forget their old customs but to bring them to us. Accordingly I feel that the approach to this problem, not only for the new Australians but also for the original inhabitants, is to start with the children. We have an opportunity to bring these children to a standard at which they will understand the meaning of citizenship. One of the first problems to be faced, so far as the people are concerned, is that of integration. For a time there may be difficulties arising similar to those with which Governor Faubus is faced in Little Rock. I do not believe it will be a big problem in this country, because in the schools in the North-West, particularly in Derby, there is a very close assimilation of citizenship between the native, the caste children and the whites.

If we start from there and progress onwards, step by step, it will probably take us five or ten years to make progress, but we will achieve something towards the solving of this problem. All races must be assimilated as they move to new areas. Through the history of the world we find that a race of people attacked in a warlike manner by another race, in the main perish. Those that remain take a considerable time to assimilate the ways of the invader. I am sure we will find that it will be necessary in this assimilation by the native of the Australian way of life, for us to disregard quite a number; to regard them as victims of the problem; and to look upon those of the next generation as producing the solution.

As the hon. Mrs. Hutchison has said, a girl who can look after a home and provide the meals, can be just as good a citizen as a man who may have reached a certain stage of education necessary for him to provide for, and maintain his home. So I do not think we can set a standard of education as a necessary qualification. When, however, they reach a stage of life upon which we are able to agree, we will probably have met and solved the first problem. Having done so, however, we would then be confronted with a much bigger one. I refer of course, to the right of those people to work amongst us: to be accepted on a similar basis as all other Australians; to earn money and to save it. In other words to be accepted into the industrial and commercial side of life.

If we look at the problem in the United States we will find that it has been solved there for the majority by restricting their activities—and I refer to the negroes—to certain classifications. The negro in America makes a wonderful train conductor; he makes a very excellent railway station porter; he makes a good red cap and, so far as tourist services are concerned throughout America, the negro, in many cases, has found it his real means of living.

The Hon. G. E. Jeffery: He is not a bad boxer, either.

The Hon. H. C. Strickland: They are also good entertainers.

The Hon. J. G. HISLOP: There are a few, as there will be amongst our own people, who have reached the highest point. There are negroes who have reached the Supreme Court; and others who have attained professorship. In almost every walk of professional life, particularly in the southern States, they have done exceedingly well. That percentage will occur in every race, because it can be said of our own race that at any one level there is only five per cent. that can move to the level above, and so on. That is so in almost every race.

That is one of the essential problems which we must educate our own people into accepting; they must enter into occupation in competition with our own people. At the moment there is a prejudice against them and we must live that down. There is no use giving these people the right of occupation if there is an intense objection to it. We must learn to integrate as others are doing today. The integration of people takes place in almost all communities. Britain is not a completely uniform race. If I remember rightly, Britain had been invaded 47 times before the race we call "British" was evolved. It took time to bring British citizenship to the standard we know it today.

The Hon. G. C. MacKinnon: I wonder who owns it?

The Hon. A. F. Griffith: Who has more right to it than the British?

The Hon. J. G. HISLOP: I think also there must be some calm thinking about many of the problems that still face us; and the drink question is one of them.

I am not going to criticise what the hon. Mr. Heenan said, but simply use his remarks as an example. We must look at this problem squarely. Namatjira was a full citizen of this country. He goes to a hotel, just as any one of us can do, and says, "Put a dozen of this or that in my car," and the hotelkeeper says "Very well," and he does it. The hon. Mr. Heenan was more for the native and for the injustice that might have been done to Namatjira, saying that the hotelkeeper should not have done it.

The Hon. H. L. Roche: How could he refuse?

The Hon. J. G. HISLOP: Namatjira was a citizen, just as we are, and if the hotelkeeper had refused I could have asked him, "Why?"; Namatjira could have asked "Why?". We cannot have it both ways. We cannot have citizenship and protection.

The Hon. F. D. Willmott: That is it.

The Hon. J. G. HISLOP: We must decide upon which we are going to have. The very great wrong we did that artist was through the fact that when we desired his products we had to contribute money to him; something which he did not know how to use as he was not ready for its use. That was his downfall. If we, as citizens, had been able to contribute some means of uplifting him and his tribe in return for what he conferred on our society, we might still have a real artist; but unfortunately his latest pictures have degenerated since he joined white society, as compared to what they were when he was living in native surroundings.

The Hon. E. M. Heenan: Don't you think there is some scope for review of our licensing laws?

The Hon. J. G. HISLOP: I have said we behave like a lot of children so far as they are concerned and one of the statements I have always made in regard to liquor is that so long as we make it a mystery and something one should not use, everyone will want to use it.

The Hon. E. M. Heenan: The Health Education Council could help a lot.

The Hon. J. G. HISLOP: I have already said that firstly there should be some basis for citizenship and secondly an integration of the peoples at the time they are fit to compete. The third step would be to remove from the law the clause which now prevents anyone giving liquor to a native and let a native have liquor rights; but make an appeal to the whole of the white people to protect them—

The Hon. E. M. Heenan: That is right.

The Hon. J. G. HISLOP: —during the period of trial, because it is not always the native who is wrong; it is more often than not the white man who makes a profit from the inborn desire of the native to do what the other man is doing.

I know quite well from experience of friends that in families where alcohol has been freely accepted at the table, there has been complete freedom amongst members of the family; there is no element of a desire to experiment to the point of abuse at the moment the son of the family is given his freedom, leaves home and goes to college or takes up some other avenue of living. We should say to the white man that it is his responsibility not only to sell the liquor but to see that the native is protected. We should say to the white man, "The native has a right to go in and drink in your place and he must be cared for the same as a white man, and even to a greater extent."

One of the difficulties we have to face is that we really do not know yet whether alcohol does have a vastly different effect on the native than on the white man: but we know the native in many ways has many of the inherent difficulties that face the Eurasian, and that makes it difficult for the caste in regard to sex matters; and equally difficult for both full-bloods and castes in regard to alcohol. From this they must be protected now.

I believe our real programme at the moment should start with the liberation of the castes. I would say to the Commissioner of Native Welfare, "If you can satisfy yourself or a small committee of citizens that a native is capable of citizenship, then it should be given at once. That citizenship having been granted, the fact should be made known." A new Australian comes to this country and spends time to fit himself for citizenship. What do we do? We set aside our town hall or offices of local government; we invite the public; send out printed invitations to come and see these people, who probably know citizenship better than we do, accept our offer to become citizens of our country. We give them a paper which they learn to prize; we put a Bible in their hands and on the paper is a photograph of our Queen—something they can prize. If citizenship is that valuable to the newcomer and he is welcomed into the community, why is not the native given the same privilege? Why should not everybody in the community be informed that so-and-so of a caste or native birth has reached the standard which we applaud so that we can attend the presentation of that citizenship to him?

Then we can build back into these people the respect for citizenship which the dreamers, by their actions, have lessened in value. Let us put it back. It can be put back. Instead of adopting some scheme which is going to build problems which cannot be handled—the kind of which we know not—why not look squarely at the problems and say we will alter the position of the natives every five years, or longer, with a definite intention that we will accomplish something over the period that we set aside. We will then bring achievement to ourselves, and bring the civilisation of our country to these natives, without any of the problems that some sudden rush would bring to both sides.

These people are deserving of all we can give them; but let me in conclusion ask hon. members to look at the problem in the North-West. I say: What of the North-West native? Have we found out if he is happy in his surroundings? Does he want to live where he does? Does he want to roam the hills? Does he want to live with the white people or with his own people? Let us find out what really gives these people a happy state of mind, and work to that end.

We then come to the question of the half-caste in the North. We have an excellent opportunity in a growing town such as Derby to provide occupation for all the half-castes or caste-whites in the

district. When I was there last they were at the stage of making considerable headway in occupation. There were whole families which one could respect; and I feel in that area we could build a town and even a city which would attract many of the caste people from the rest of the State. They could make a real contribution to the people of this country.

When it comes to the South-West, let us deal rigidly with the people of the caste. I believe, as the Minister said when introducing this measure, that the longer we deprive the caste of some real rights the greater will be our problem of illegitimacy; but when citizenship is accepted and granted to these people, a lot of problems which face the cast people—as they did the Eurasians—will disappear. However, they cannot disappear by some sudden transformation. It will have to be a transformation by white people in the district accepting integration with these people and by seeing that the natives are properly housed. In return for having accepted their integration the natives will realise they must learn to live the Australian way of life. I believe there is a real contribution to be made to this problem with calm and reasoned thinking.

THE HON. C. H. SIMPSON (Midland) [7.56]: Over the years this question has been debated in this Chamber; not this particular one but the question of natives and the degree of development towards a higher standard for them. I think hon. members are fairly familiar with the attitude and views which I have expressed from time to time. I had little intention, therefore, of making a contribution to this debate, but I am compelled for two reasons to do so; one is that constituents in various parts of my province have expressed concern at the prospect of this Bill being passed.

Some of the contributions, while interesting, are more academic than practical. I may give a few instances later on of the attitudes of people who are qualified to speak with authority on this very grave question. The Minister, in making his contribution to the debate, did say that critics of the Bill would consider that all it contains is power to give the native the right to drink and the right to vote. I can tell the Minister that a good deal of that is being said now by critics of this Bill and they go further. They say that they do not think the Government is sincere in wanting the Bill passed and is waiting for the Legislative Council to throw it out.

The Hon. H. C. Strickland: That is rubbish!

The Hon. C. H. SIMPSON: As mentioned by the hon. Mr. Diver, a Labour Government held full responsibility in Queensland for 30 odd years, and while the problem in that State was in some ways simpler than ours, that Government did not go even part of the distance which the present Government proposes.

The Hon. H. C. Strickland: All castes have citizenship there.

The Hon. C. H. SIMPSON: The problem is different in almost every State in Australia.

The Hon. H. C. Strickland: You do not know much about Queensland.

The Hon. C. H. SIMPSON: We have a greater proportion of native population in this State than is to be found in any other. The number is negligible in Victoria, N.S.W. and South Australia. In the Northern Territory there is a different kind of administration altogether. In Western Australia, with a relatively small population as compared with the other States, we have close on half the native population of the Commonwealth and the problem is a many-sided one.

The Minister has made valuable contributions to debates on this subject which I think shows his appreciation of the difficulties of the problem and the various angles to it that have to be considered. There is the tribal native who lives in the North-West, and I think most hon. members are agreed that he should be left, by and large, in his native state. There is the native living on the fringes of the settled areas. Many of these natives are employed and supported by the station people. In the South West Land Division, we have a fairly large population of full-blood and caste natives; but principally caste natives. These people represent second and third generations of caste natives rather than a wholesale intermingling of the white and the black. So, any attempt to deal with the problem must take all these factors into account.

The Bill is put forward as being a measure to raise the status of the natives, but I think a proper title for it would be that of a Bill to remove the protection which many natives now enjoy, because that is the effect it would have. The difficulties arising from the problem we are discussing, concern more particularly the people in the country because the residents in the city do not realise that these problems exist. They do not read about them, and they see very few natives. They do not come into intimate contact with the natives, nor are their lives affected in any way by the fact that the natives are living in the town and share, as it were, the amenities the town provides.

I do not want any hon. member to think that I am unsympathetic towards the native population. I have heard it said that we have made little progress in the 130 years that the white people have been established in Western Australia. We made very little progress for about 120 years, but I say that during the past 11 years we have made big strides

in dealing with the problem. In 1947 when Mr. Ross McDonald—he is now Sir Ross McDonald—held the portfolio of Native Welfare, he gave serious consideration to the native problem, and he commenced a programme of development with a full sense of governmental responsibility.

Until then, under the old Act, there was little understanding and possibly little power, on the part of those administering the department, and not much was done. In any event, there is very little evidence that anything was done. Certainly, many restrictions applied to the natives, but there was no real programme to uplift them. The uplifting of the natives, I think definitely dates from the time when Sir Ross McDonald started the ball rolling. The evidence of that is to be found in the fact that today we have a home for native boys, and Sir Ross McDonald has been honoured inasmuch as this place is called McDonald House. This has been done in the last few years—a relatively short span in the life of the white community here—towards emancipating the native from his aboriginal condition.

One would think that no facilities were provided to give the native the full benefit of the amenities we enjoy. In fact, some hon. members have gone so far as to say that we have come here and taken their land, but have not given them a good deal at all. I think the title to the occupation of any land, is the use made of it. I challenge anyone to say that prior to the advent of the white man, the population in Australia did much towards improving the country. It is only since the white man came here and brought with him the know-how and the capital to develop the land, that a civilisation has been built up. The white people have provided the amenities which the native population, by and large, enjoy.

I think it has always been recognised that the white man has some obligation to try and do what he can for the aboriginal population. But what was done in the other States has, I suggest, very little to do with what we are called upon to do here. The people mainly concerned are those who have to intermingle and live with the mixed population in the country. Again, I say, that the dweller in the city knows very little about the problem—at least from the point of view of first-hand experience—and he should be prepared to listen to those who do know about it either by actual experience, or by witnessing the conditions on the spot.

I, myself, have lived for 30 or 40 years in reasonably close contact with the natives, and I know many of them very well. I know their virtues and I know their shortcomings. I can see the danger in our taking up an attitude which, in effect, says, that the natives are to adopt our standard of civilisation, or else. If they do assume our standards, is there any assurance that they will be happier than they are now? I think the answer is, "No."

In one town, where I had the opportunity of questioning the local people, I found they were very concerned at the possibility of all the natives being given citizenship rights. I discussed the matter with the road board secretary—he is also a justice of the peace—in the presence of the chairman of the road board and several of the road board members. The secretary of the road board said that since the changes had been made to the Natives (Citizenship Rights) Act two years ago, the incidence of offences in the town had just about doubled. He gave it as his opinion that if there were a general granting of citizenship rights, extra police protection would be required, and extra assistance would be needed in the court in order to deal with the offences which, he was sure, would be the outcome of granting, in a blanket fashion, citizenship rights.

The hotel keeper was most forthright. He said, "There will be people here waiting for the right to come in and buy all the liquor they want. I know these people, and they simply cannot hold drink. I have seen them under the influence of drink, but where or how they get it, I do not know. I dread the time when they will have the right, as has any other citizen, to come into my hotel and cause a row. If these people wanted accommodation, I could not refuse it, but I do not think you would like the idea, when I offered you a room, of knowing that the previous night it had been occupied by some native that you knew."

I am not saying that the colour line is a bar. I would share a meal with some natives that I know, and who have for long been in touch with the whites; and I would talk with them, but I would still doubt their capacity to think and have the same ideas and reactions as I have. I can remember the instance of an aboriginal woman—a woman of about 50—who had been on a certain station for about 25 years. She often did the housekeeping when her white mistress was away, and she was able to do the cooking and house-keeping as efficiently as her mistress. But at the end of every 18 months or two years she wanted to go pink-eye to the native reservation about 100 miles away. If any hon. member could see her at the reservation, two or three days after she had arrived there, he would be surprised to find her sitting by a little native fire with her hair all frowsy and looking deliriously happy. He would not recognise her as the same woman who had behaved in accordance with our standards in the homestead. After she had her two or three weeks at the reservation, she would come back to the homestead and carry on as she had always done.

I think the committee in handling the subject referred to it, did more than it was asked to do in the terms of a motion carried in another place last year. The motion suggested that a committee be appointed to ascertain the cost of making adequate provision for natives; and to ascertain to what extent Commonwealth assistance would be forthcoming to implement the programme. The one matter that was not mentioned was the question of granting citizenship rights to the natives, and yet that is the very thing that was not only mentioned in the report, but was extracted from it and made the subject of this Bill.

If hon. members look at the composition of that committee, they will agree that it must have been influenced—possibly dominated—by the Department of Native Welfare. That is not necessarily wrong, but if we are going to take into account the repercussions that might flow from the Bill, then the committee might well have had on it a farmer living in an area where the native problem was a practical one; a hotel-keeper who is placed in the same position; a representative of the missions—particularly of the Catholic Missions who are forthright in their opinions on this problem—and a police officer. I can name an ex-police officer who is managing a station and who, I think, would be a good witness both from the point of view of the pastoralists and the police, as to the value of this measure.

I had a talk with Father Hennessy who runs the Palatine Mission at Tardun. He is quite young—I should say not yet 30. In that mission, there are 60 or 70 natives —some boys and some girls. They are admitted at the age of six, and while there is no bar to their leaving at an earlier age than 16, they are finally discharged at the age of 16. This man is what I would call a practical idealist. His heart is in his work. He is trying his utmost to turn these natives into good citizens; and I think, to a large extent, he is succeeding. When I asked him what the final effects were, he shook his head. He was very doubtful. He said, "When they leave me, they go back to their home surroundings, and not many of them continue to maintain the standards to which they have been trained in the mission."

I said, "Do you think you are doing some good?" He said, "Well, I think I am. Some of these boys and girls when they leave the mission, will be imbued with the ideals and standards of conduct that they have picked up here. It may be that in the course of not one, but two or three generations, they will intermarry and will produce a race that will gradually emancipate itself, and attain the standard of citizenship which we would like to see these people attain. But when I talk the matter over with my fellow priests, and others, they say, 'You will be dead before this happens.' I reply, 'Yes I know. It will be a matter of, perhaps, three or four generations'." It is not something that can be achieved in a short space of time.

I listened with interest to the hon. Mr. Willmott's suggestion that perhaps ten years should be allowed to elapse before we try to grant them citizenship rights. However, I think the qualification needed is not so much an academic one, but one of character, and that is a qualification which is very difficult to measure. One of the best natives that I have encountered—I knew him very well indeed—was one who could not read or write and could not sign his own name. During the latter stages of the war he was a member of a gang at Pindar and the engineer in charge wanted to promote him to head ganger because he was such a good worker and had a very conscious appreciation of his responsibilities. Unfortunately, because he could not read or write, the promotion was not granted to him.

He was the only native that I can remember who, once having completed a job, did not wait to be told to start another. He had the brains and the conscientiousness to always keep himself employed. I have known excellent stockmen on various stations and they were most reliable so long as they were under supervision. However, even after an apprenticeship of 10 or 20 years, if they were left on their own and given full responsibility they would let their employers down. I cannot find anything in this Bill that confers a benefit on the native. I do not think the problem will be solved by granting citizenship rights to natives merely by the stroke of a pen. I think that this legislation would automatically grant citizenship to many who are not qualified to receive it and who, perhaps, do not desire to possess such rights. If citizenship rights were granted to such natives it would create many problems, the greatest of which would be the necessity to take their citizenship rights away from them and to re-constitute them as protected natives if they committed a breach of the law.

Suggestions have been made that natives are badly treated on the pastoral stations. I have visited many stations and my experience has always been that the pastoralists mete out very humane treatment to their employees. Another factor concerning the employment of natives is that, in comparison with employing a white man, a pastoralist not only employs a native for station work but, as often as not, the native is accompanied by his wife and children and his uncles and cousins, and the station owner has to attend to their wants as well. It is a common thing for a large native camp to exist on a station and in many cases, at the most, half-a-dozen of them would be required for the station work.

The Hon. H. C. Strickland: They would be rearing their own labour force.

The Hon. C. H. SIMPSON: On one occasion a good friend of mine, who is manager of a station, reprimanded the gins in the native camp for having left the camp in such a dirty state. There were remains of the last meal all around, the dishes remained unwashed and, in general, the camp was completely untidy. This station manager said to a gin that he knew very well, "Why have you not cleaned the camp up?" and she replied, "I was too busy; I was up all night gambling." However, there is nothing wrong about that because, as I have said, they are a very happy race.

One of the most informative speeches I have ever heard in this House was made some six or seven years ago by the Hon. Leslie Craig. Some of the hon. members present in this Chamber tonight may recall that particular speech. Mr. Craig spoke with great knowledge and authority because he had employed natives both in the North-West and in the South-West of this State over many years. Unfortunately, some of the cruder remarks of his address were published in the Press and they gave rise to a spate of letters of complaint. I was Minister at the time so I wrote to "The West Australian" and pointed out that I had taken the opportunity to have 100 copies of Mr. Craig's speech printed and I would be happy to supply each of the Press correspondents with a copy if they so desired. "The West Australian" replied that they appreciated what I had in mind but they would like, at the same time, to enclose a copy of what had actually been published. I told them that I would be quite willing to pay for that. That newspaper supplied me with 100 copies of the article that had been published, but they did not raise any charge against me. On reading the letters that were published in the Press one would think that there was a wholesale public feeling of disgust at what Mr. Craig had said.

I received 13 requests and I sent out 13 copies of Mr. Craig's speech and the article that had been published in "The West Australian." Mr. Craig asked me for the balance of the copies I had and I gave them to him. That is an indication of how sometimes people will make a big noise about a subject so that others will be inclined to believe that far more pressure is being exerted than there really is. It has been stated in this House—I think quite possibly wrongly—that the natives are not taking much interest in this Bill. Admittedly, some are not, but a great many are, because a number of them are merely waiting for the time to arrive when they can enter a hotel and drink in the same way as a white man does.

There is no doubt—despite what may be said to the contrary—that the effect of drink on the natives—I am speaking of good drink, too—seems to be far more potent than it is on a white man. Anyone with experience of natives under the influence of liquor will vouch for that. At Mullewa we are having trouble in obtaining the services of a resident doctor. The last two left for one main reason, namely, that because of the large native population at Mullewa they were unable to get their accounts paid in full.

The Hon. H. C. Strickland: Nothing for nothing there!

The Hon. C. H. SIMPSON: We have taken the matter up with the Public Health Department, but although we have tried extremely hard to obtain another doctor we have been unsuccessful. There is certainly room for a medical practitioner in that district and, although there is a new hospital, new quarters and a new house for the doctor at that centre, we cannot keep a doctor there. Not only do the natives refuse to pay their medical bills—although they are on ordinary rates of pay—but also some of the white patients do not pay their dues to the doctor because the natives do not pay.

I have taken the opportunity to speak with several missionaries on this subject and they all agree that the problem is far from being solved. It will certainly not be solved by a piece of snap legislation. I think it is a reflection on the Department of Native Welfare that it should work for the acceptance of legislation such as this when it must realise—if it gives the subject a thorough examination—that it is a problem that has to be approached with a sympathetic attitude. We have the facilities to grant citizenship rights to natives now. From my experience I consider them to be adequate; if not, they could be extended. Citizenship rights should be granted to a native as something that he should be proud of and that he has earned rather than something thrust upon him when, in many instances, he would be happier without them.

Whilst I was at Mullewa during the show time in that district an extremely distressing—or rather, tragic—incident occurred. Two natives, both of whom possessed citizenship rights and whom I knew quite well—both of them had white fathers and caste mothers—obtained, together with several of their friends, a good deal of drink. They were able to get the drink at the hotels because there was no obligation upon the hotel-keepers to deprive them of what was theirs by right. These natives went to a place near Mullewa which was preparing for its show the following day. Two trucks were proceeding along the road and the first pulled up fairly close to the centre of the roadway with plenty of room on the left-hand side. The next truck came along and the driver apparently thought—quite sensibly, I think—that if he pulled his truck up on the righthand side of the road he would block the traffic coming in the opposite direction, so he pulled up

on the lefthand side not knowing that one of his pals was there and unfortunately he ran over him and killed him. Indirectly, that could be attributed to drink, but I do not think that was the sole cause of the accident. It was one of those incidents that could have occurred even if the driver of the truck had been white.

Some natives who have possessed citizenship rights for some years have taken up work as shearers, contractors, carters and the like. They have occupied houses and have attended school, and in every way have behaved as a white man is expected to behave. I think they all have regard to the provision which is contained in the existing Act which states that once a native is granted citizenship rights he shall live with white people and not fraternise with the natives. The natives who are granted citizenship rights generally honour that part of their obligation. Many of them are respected citizens in the various towns in the Midlands district.

I repeat that I do not think there are any objections to the native because of his colour. It is recognised that, in many ways, his make-up is different from that of the white man and it will be a long time and take a great deal of hard work before we are able to reconcile the differences that now exist between natives and white people. Yet, by this legislation, we will bring them will-nilly into line with white people by granting citizenship rights to them automatically.

The Hon. G. C. MacKinnon: Would you measure that long time in years or in generations?

The Hon. C. H. SIMPSON: According to Father Hennessey it could be three or four generations. That is the opinion of a man who is extremely interested in the native question and the charges under his care, and is fully alive to the problem that he has to tackle. He has worked for years in the mission and has studied the question from many angles. We must consider what one might call the by-products of this legislation and the repercussions that might result if it is passed. The fact remains that the white people have to live with the natives in those areas which they inhabit. The white people who do not have natives in their districts are not obliged to face that problem.

THE HON. A. L. LOTON (South) [8.30]: I have almost reached the conclusion that legislation on natives introduced by any political party, is doomed to failure. In this measure we have heard a divergence of opinion expressed by hon. members on both sides of the House. It seems that when two or three hon. members discuss this matter, it is almost impossible to get unanimity of decision.

We have heard the hon. Dr. Hislop expressing some idealistic views, and much sound reasoning was given by him. We have also heard of the experience of the hon. Mr. Simpson. We heard from the hon. Mr. Abbey about his experience around the native settlement at Beverley where the State Housing Commission is erecting cottages.

I dare to make the following suggestion to the Government in connection with native welfare, and it is based on the experience of the Electoral Districts Act. In my opinion it is time that we did something for the natives, and introducing a Bill year after year without any result will get us nowhere. I consider that three or four generations to bring about an improvement for the natives is too long.

One amendment to the Electoral Districts Act, passed in 1947, provided for the appointment of three commissioners. I am now suggesting that there be four commissioners appointed under the proposal I am putting forward, and I shall name them. The first is Mr. F. E. A. Bateman, a stipendiary magistrate, who was the chairman of a Royal Commission in 1948; the second is the Commissioner for Police (Mr. J. M. O'Brien); the third is the Commissioner for Native Welfare (Mr. S. G. Middleton); and the fourth a private citizen versed in native affairs. The proposal is that they make inquiries into this matter and put forward recommendations.

When the recommendations are made, the provisions of the Electoral Districts Act will be followed, in that they will be published in the "Government Gazette." The recommendations are to cover all aspects of assimilation, housing, finance, and other relevant matters. Hon. members knew that drastic alterations would be made under the amendment to the Electoral Districts Act when it was passed, yet they had sufficient faith in the commissioners in that instance. Likewise I have faith in any recommendations made by the four persons I suggested.

After the recommendations have been published, the procedure to be followed is for the commissioners to consider any objections in writing, which may be lodged within two months from the date of such publication. That will give everyone, whether he be in favour or against the recommendations, to put forward submissions. After the commissioners have considered the written submissions, a final report will be presented to Parliament within two months of the date of such publication.

After that the Governor, by Order in Council, will publish in the "Government Gazette" such final recommendations as have been referred to him. At the expiration of three months of such publication, and notwithstanding anything in the Constitution Acts Amendment Act to the contrary, the final recommendations shall thereunder, without reference to Parliament, have the force of law, and be effective as if enacted by Parliament.

That proposal would have far-reaching effects, and some hon. members may consider it too bold a venture. I would point out that when the last amendment was made to the Electoral Districts Act, the commissioners asked hon. members here to discuss with them aspects referred to in the communication. If my proposal is adopted, the wisdom of the commissioners will prevail. Under it, members of the public as well as hon. members will have the right to express their views. This will not have to be done hurriedly. By agreeing to my proposal we will get somewhere in this matter.

We have all read the report indicating that the half-caste population is increasing. For that reason we cannot delay any longer the bringing about of a better set of conditions for the natives and half-castes. In the early days of this State, the success of the settlers owed much to the natives. They would not have been able to carry on without the aid of natives because the latter knew the waterholes and were able to provide food for the settlers.

When the first flocks were established, before the introduction of fences, the native shepherds played a very important part in the agricultural industry. With the advent of machinery and modern farming methods, the need for employment of natives in rural districts began to wane. As time went on, the native found fewer avenues of employment available to him, and he has had to drift. In many cases he lived on the outskirts of the town, taking whatever employment was offering. At times seasonal occupation was available. When wheat was bagged and the bags were sewn and carted by horse teams, quite a lot of work was given to natives; but today with bulk-handling and motor transport, the need for native labour, which previously existed in that direction, has declined. But the native population began to increase, and the present difficulties will grow as a result. Perhaps hon. members may care to make comments on my proposal. I offer it as my contribution to this debate.

THE HON. J. D. TEAHAN (North-East) [8.38]: This Bill relates to the question of citizenship. Much was stated in regard to new Australians, but the same qualifications for citizenship are not imposed on them, as are imposed on natives. I have attended many ceremonies conferring citizenship on natives, and I have also administered the oath of allegiance to new Australians. Many of the latter have only one qualification, a knowledge of the English language.

The Commonwealth Government has been anxious that new Australians—Poles Ukranians, Germans, Dutch or Belgians—become naturalised at the earliest possible moment. That is an encouragement to them. The time qualification and the cost of obtaining naturalisation has been reduced; everything has been done to aid them.

This Bill endeavours to do the same for people who are more, or equally entitled, to citizenship. It has been said that the steps enumerated in the Bill are not the right ones to take to handle this question. Many things have been done but no final or satisfactory result has been achieved. One hon. member suggested that the qualification be the second year attendance at a high school. I do not think that this standard has been attained by more than one-third of the white children.

The Hon. F. D. Willmott: The normal child of 14 years of age will attain that standard.

The Hon. J. D. TEAHAN: Second year at a high school is a good way towards the Junior standard. Many of the boys I have known have not reached that standard. If the hon. member were to study the reports of the enlistments at military schools he would find that the standard in many cases was lower than that.

The hon. Mr. MacKinnon was anxious to find out the experience of hon. members representing the Goldfields. He questioned their silence and said that they did not wish to disclose some things they knew. I went to school in Menzies which is 450 miles inland. One problem in those days was the way in which we treated the natives. We saw hundreds of native boys and girls in those days. They were not required to attend the school and they did not do so.

The only characteristic we noted about the natives, and it was not uplifting, was that they were beggars at the doors. We saw them poorly dressed; we saw them as under-nourished or poor specimens of humanity. It was not their fault that they were under-nourished; it was not their fault that they were poorly dressed; it was not their fault that they were begging; and it was not their fault that their children did not go to school. As young boys we grew up with that viewpoint of the natives. That was our conception, although it was a poor one.

What we experienced in Menzies in those days would be experienced by the Goldfields population of 50,000. Since those times the young people have grown up and scattered throughout Australia. Their knowledge of the natives is as I have described. The natives have not been shown up in their true light. Having grown up with them we saw them as human beings.

The Hon. F. D. Willmott: You are making a good speech in favour of my idea.

The Hon. J. D. TEAHAN: I am not. I think the speech of the hon. member has been torn to ribbons. Let us examine the attitude towards adult natives. Those

natives did not have the chance to be any better than I have described. However, when I saw some of them as adults in Laverton, where they have taken employment with the road board, I found they were doing a remarkably good job without supervision. There is no one standing over them with a stock whip, or guiding them.

As recently as last Saturday I was in Menzies with the hon. Mr. Heenan. We saw quite a number of these adult natives at the sports meeting. They were a credit to themselves. They were neatly dressed and their behaviour was good. They carried themselves with dignity. A road board luncheon was given and one of the persons assisting was a young native woman who helped to dispense the hospitality. She did a good job.

The Hon. A. F. Griffith: Do you think those people would apply for citizenship if they were granted it?

The Hon. J. D. TEAHAN: I often visit Mt. Magnet because several times a year union meetings take place there. Amongst those present there are invariably a number of adult caste natives. We can depend on their attendance regularly. I found that their intelligence was remarkable. On the last occasion when I was there I met a native—a man between 21 and 23 years of age—who was neatly dressed and intelligent. He was a person to be admired. I said, "I rather like that tie you have." He replied, "I bought it to wear at this meeting." This conveyed that he had a pride in his appearance and wanted to be considered as good as others who were at the meeting; and he was, too.

While travelling through Sandstone, we temporarily lost our way and a neatly dressed native said, "Can I show you the way?" I said, "Yes." Then I said to him, "By Jove! You are a big chap and in good condition," to which he replied, "What about yourself?"

The Hon. A. F. Griffith: Was he asking you whether you were in good condition?

The Hon. J. D. TEAHAN: Our experience of the natives there was very good. These natives have grown up with the outlook that they are something apart from us and keep that distant attitude. They have an inferiority complex all the time and will retain it until we can do something about it.

A couple of years ago the hon. Mr. Heenan, and I, and a couple of others, travelled to Laverton a few days before Christmas. There were quite a few natives in the rear coach. They were round about 20 years of age. They were singing Christmas Carols and singing them nicely. I went down and made the acquaintance of a few of them, and was surprised to find how cultured and dignified they were. They had a lot of respect for themselves, but there was evident that natural shyness and bashfulness with which they have grown up.

Something like this Bill is needed to uplift them and start them off on the right path. The children would be sent to school compulsorily, but would not be taken away from their parents as has been suggested. The Child Welfare Department is loth to interfere with the life of any child if its parents can control it properly. They will be taken away from their parents no more than are white children.

I believe that Governments will make a great effort to find jobs for these natives because if they don't, it will mean that social services will be called upon to a much greater extent. Therefore, as I say, there will be great effort to see these native citizens are provided with jobs or that avenues are opened up to educate them.

The hon. Mr. Abbey made quite a speech in favour of the natives and he said something I took a note of with pleasure. He said he engaged quite a few natives and he had not found them generally lazy. That is something to be said about them. We are generally told they are indolent but in his experience he has found this is not the case.

The greatest opponents of this Bill cite the liquor question. I am afraid that question is looked upon in the way that the hon. Mr. Heenan suggested; and that is as a mystery. It is my experience that those who have easy access to liquor, are not over-anxious about it. That is the case if it is treated as an ordinary, every day matter. But if it is forbidden, when a lad turns 21 or so and is allowed to have it, he has it, and then it is a different story. I will quote an instance about the difficulties of getting liquor.

During the war, it was the custom to billet British submarine boys in the Goldfields, the reason being the dry climate, I think, and the distance from the coast. I took on the job of billetting these boys. Now, liquor, or any other commodity, did not seem to be scarce on the Goldfields during the war, and whenever they came to the hotels and saw the shelves stocked, and discovered the long hours of trading, they made merry for a few days—usually about three. But for the balance of the time they were good citizens, although the liquor was there and the trading hours were long. But, there no longer being a difficulty in getting liquor, they became as normal as the next person. This is the same situation with regard to the natives and liquor, at the present time. If a native wants liquor, he has to get it slyly and he is forced to carry small quantities. Therefore he usually has to be satisfied with wine—or generally something that no-one

else will have. This wine is one that would make even a white man go a bit beserk at times. The reason the natives take this stronger liquor is because they cannot get the ordinary liquors as easily as we can. It is because of this situation that they have the outlook of an inferiority complex all the time.

We look on them as something apart and to be set aside. We do not drink with them or fraternise with them, and we fear this Bill because it is a drastic one and one that is taking a big step forward. As Bobbie Burns said, "Forward though we canna see, we guess and fear." And so we are guessing and fearing about this Bill. Consider the situation that prevailed a year or two ago in regard to off-course betting. It was suggested that bookmakers should be legalised. I was one of those who were a little bit sceptical about it, but what has been the result? We have achieved something which none of us would want to alter—and that is legalising of s.p. betting. In the same way, we fear this Bill, because it is another step forward which people say is too big a step and they urge us not to do it. However, with those few observations, I support the measure.

On motion by the hon. H. L. Roche, debate adjourned till the 21st October.

BILLS (2)—FIRST READING.

1, Totalisator Duty Act Amendment.

2, Electoral Act Amendment Bill (No. 3).

Received from the Assembly; the Hon. H. C. Strickland (Minister for Railways) in charge.

LOCAL GOVERNMENT BILL.

First Reading.

Received from the Assembly and, on motion by the Hon. H. C. Strickland (Minister for Railways) read a first time.

Second Reading.

THE HON. H. C. STRICKLAND (Minister for Railways—North) [8.56] in moving the second reading, said: This Bill is in exactly the same form as it reached the Chamber during last year's session. It was given quite a lot of very lengthy consideration in this Chamber then, but unfortunately our labours proved to be in vain, because the Bill was lost when the conference managers failed to agree. I think the provisions of the Bill are widely and generally known by all members of the Chamber, and I do not propose to cover all of the provisions—that is, discuss the whole 600 odd clauses of the Bill.

The Hon. F. D. Willmott: I hope not.

The Hon. H. C. STRICKLAND: I will therefore merely refer to some of the principal changes which are embodied in this Bill and which do not apply either to the Road Districts Act or Municipal Corporations Act.

The Hon. A. F. Griffith: How do you spell "principle?"

The Hon. H. C. STRICKLAND: The principle of the Bill is of course a good one and I am hoping that this Chamber will accept it in its entirety; and that we will not have to sit here until the early hours of the morning night after night as we did on the other occasion, and all to no purpose whatever. Unfortunately, opinions always differ, and it is a democratic principle of course that arguments, disputes, discussions and debate must necessarily follow. There is no desire that they be restricted, but it is proposed to shorten the discussion on this occasion —or rather shorten the procedure—that will arise. At the next sitting of this House there will be certain submissions made that will overcome the long and tedious formal procedure during the Committee stage of the Bill which would normally take place. This will be explained on the notice paper and in debate at tomorrow's sitting, I hope.

To refresh hon. members' minds in connection with some of the provisions of the Bill it will be remembered that there are some democratic principles combined in the measure inasmuch as it proposes to institute adult franchise for municipal and shire elections, and it also proposes to dispense with the property qualification for those electors, and also the requirement of the property qualification to be a member of either a shire board or municipal council. The principal requirement is that a candidate for membership of a shire board or municipal council must be of adult age and a naturalised or natural-born British subject; and must have resided in the shire or municipality for six months. Those principles are different from the provisions of the existing Acts covering road boards and municipalities, but there is no need for me to enlarge on those phases of the Bill, as they are well-known to hon. members of this Chamber with the exception, perhaps, of the hon. Mr. Abbey, who is the only newcomer to this House since the measure was considered here last year.

The Bill proposes a change in the numbers of members of road boards. At present there can be from five to 13 members, one of whom is chosen as chairman, and the Bill proposes that the number shall range from four to 12 and that the president of a shire will be elected by the electors and not chosen by the elected members of the shire board. That would bring the election of the president of a shire into line with the present election of the mayor of a municipality. The Bill provides that each local authority must base its rating on the unimproved land value assessed by the Taxation Department; in

other words, the local authority's land values must correspond to those of the Taxation Department.

There is provision also for appeals against ratings and valuations; and the Bill proposes to set up an appeal court to be appointed by the Governor, its functions to be similar to those of the rating appeal board set up by the City of Perth, which has functioned satisfactorily. Although there are always some who believe their rates are heavier than they should be, the appeal board set up by the City of Perth has functioned well and where people have been able to prove they were entitled to relief it has been sympathetic. The Bill also provides—it is a good provision from the point of view of local authorities—that where a landlord defaults or fails to meet his payments the rates may be collected direct from the tenant. That could give local authorities considerable protection.

A lot of publicity has been given to the opinions of Mr. Gifford, who was here recently lecturing in connection with local government matters, and the local governing bodies association has briefed him to examine and comment on the Bill. It will be remembered that the local authorities wrote to the Premier, asking him not to introduce this Bill to Parliament until Mr. Gifford's views had been obtained; and the Premier notified the association that there was no point in holding up the introduction of the Bill, as it would take some time to pass it through the Legislative Assembly and some time to consider it in this Chamber. It was on the 30th August that the local governing authorities requested the Premier to withold the introduction of the Bill, and on the 3rd September he replied, advising them that it was not reasonable to hold up the introduction of the Bill altogether, as it had been brought before Parliament this session at their request. He advised them that he would be prepared to give consideration to any proposals which the local governing authorities might submit, arising from the examination of the Bill by Mr. Gifford.

At present the position is that the local governing authorities have been advised that the Government agrees not to proceed with the Committee stage of the Bill until such time as the association has received the report from Mr. Gifford and has had reasonable opportunity to study it. The Premier, rightly, pointed out that that would allow the Bill to be introduced as early as practicable in order that the second reading debate might ensue. Quite a few weeks have passed since then, but as yet there has been no indication from the local governing authorities regarding any information that they have so far received from Mr. Gifford. I understand that some information has been forwarded, but that it did not reach very far into the Bill. I do not know the details of it and cannot inform hon. members in that regard, but I have made this explanation so that, should there be a few days' delay in bringing the Bill to its final stages of procedure, which I hope will be explained on tomorrow's notice paper, hon. members will understand the position.

Hon. members will appreciate that an undertaking has been given by the Premier to the local governing authorities association and that it will be honoured as far it is practicable to do so. With that explanation and with the brief outline of some phases of the Bill which I have given, I feel that, as hon. members have all again been supplied with copies of the measure, they will take unto themselves the task of picking up the threads where we left them during last session. This is essentially a Committee Bill, as we discovered last year, and therefore I move—

> That the Bill be now read a second time.

THE HON A. F. GRIFFITH (Suburban) [9.10]: This Bill is the only measure that I have seen, since I have been in this Chamber, which has come up from another place and which it was impossible for the Sergeant-at-Arms—even if he wanted to—to hide inside the message in such a way that it could not be seen, because its 680 odd clauses make it a large Bill and almost impossible to hide. I would like, through you, Mr. President, to inform the Minister for Railways that the Liberal and Country League members of this House—whom I have the honour to lead at present—will show him the utmost co-operation in getting this Bill through all its stages in the present session of Parliament.

At the same time I want to assure the Minister that we do not intend, under any circumstances, to depart in the slightest degree from the principles we hold in respect of local government, and in that regard I would emphasise the question of adult franchise as applied to local government. However, I am pleased to hear the Minister's explanation that the Premier has given an undertaking not to proceed with the Committee stage of the Bill until some opportunity was given to obtain the views of Mr. Gifford, who is such an authority on local government. Were that not done, perhaps we would find ourselves, in respect of this measure, in the same position as the Government found itself in regard to the uniform general building by-laws, and after a long time we might find it necessary not to proclaim the Bill, owing to some Crown Law advice making it inadvisable to proclaim it—

The Hon. H. C. Strickland: That could happen, in any event.

The Hon. A. F. GRIFFITH: That is so. I therefore think it was wise of the Premier to give that undertaking to the local governing authorities, who did not want the Bill to be gone on with until they had a chance to see that everything was in order. To demonstrate, as far as members of my party are concerned, our willingness to co-operate in the passage of this Bill, I might inform the Minister that I am pleased to know that he has accepted the proposition which has been submitted to him by the hon. Mr. Watson to short-circuit a lot of the work which might, in the absence of that suggestion, have had to be undertaken.

I understand that the hon. Mr. Watson has put to the Minister—I believe the Minister, in a spirit of co-operation has undertaken to move the amendments himself—a suggestion that shortly after the Committee stage of the Bill has commenced, the measure be brought into the same condition as it was at the third reading stage in this Chamber last session and then, upon recommital, consideration should be given to the Bill in Committee in the usual manner, and any amendments of last session which are sought to be deleted or varied, or any new amendments, whether by way of addition, omission or variation, which it is desired to make to any particular clause of the Bill, can then be dealt with.

I think Mr. Watson's suggestion, which he has already passed on to the Minister, will be a very big help in the passage of this Bill. We will not have this tedious business of the hon. Mr. Hall, our Chairman of Committees, having to go through 681 clauses of the Bill one after the other. It will be recommitted in its amended form, provided hon. members accept the proposition which the Minister will put forward—and I hope they will—and this will mean speedier treatment than would otherwise be the case. Members of the L.C.L. are anxious to co-operate, but we reserve the right not to vary the principles we hold on the question of local government. I support the second reading of the Bill.

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

WESTERN AUSTRALIAN AGED SAILORS AND SOLDIERS' RELIEF FUND ACT AMENDMENT BILL.

Second Reading.

THE HON. E. M. DAVIES (West) [9.18] in moving the second reading said: This small Bill is introduced at the request of the Returned Soldiers, Sailors and Airmen's Imperial League. In 1930 the league inaugurated a fund to assist aged and invalid soldiers, sailors and nurses who had served in the 1914-18 war. It was decided in 1932, that in the interests of the fund it should be given statutory authority, and so the parent Act was passed in that year by Parliament.

The Act vested the control of the fund in a trust of three members to be appointed by the Governor, one of whom is nominated by the State Executive of the R.S.L. Prior to 1932, the proceeds of Poppy Day were shared by the Federal and State Executives of the R.S.L. and to a minor degree by the Western Australian sub-branches of the league. This was altered by the Act, which provides that one-half of the Poppy Day net proceeds shall be credited to the fund established under the Act.

The Act provides, in addition, that the fund shall receive also any moneys approved by the annual State Congress of the R.S.L., as well as donations or bequests. All moneys in the fund were to accumulate with interest until the 1st December, 1940, when they then became available for the benefit of aged and invalid sailors, soldiers and nurses eligible for membership of the league, and for widows of soldiers and sailors who fought in the 1914-1918 war. It is necessary that all recipients of assistance reside in Western Australia, with the exception of nurses, which was apparently an oversight in the act. Until the 1st December, 1940, any such assistance was provided out of R.S.L. funds.

It will be seen, therefore, that benefits from the fund can be given to all aged and invalid soldiers, sailors and nurses who are eligible to join the league, but not to airmen, and only to widows of soldiers and sailors who fought in the 1914-18 war. There are several anomalies here.

The Bill provides that benefits shall extend to all soldiers, sailors, airmen and nurses eligible to join the league and to the widows of all such eligible soldiers, sailors and airmen. The Bill also seeks to ensure that assistance shall only be given to eligible nurses domiciled in Western Australia. I might say that the trust has for some time been applying the benefits in the matter provided by the Bill, and have therefore not been complying with the provisions of the Act. I move—

> That the Bill be now read a second time.

On motion by the Hon. L. A. Logan, debate adjourned.

INDUSTRIAL ARBITRATION ACT AMENDMENT BILL (No. 2).

Second Reading

Debate resumed from the previous day.

THE HON. J. M. THOMSON (South) [9.20]: It is claimed by those supporting this Bill that it is designed to protect industrial standards and workers. I am confronted with this question—"Does it really do that?" From a study of the Bill,

and what has been said in support of it in this House and in another place, I have yet to be convinced that such is the case. It was somewhat lightly said by one speaker that all it seeks to do is to place in the hands of the Arbitration Court jurisdiction to say whether a worker is an employee or a subcontractor on any particular job.

I am not prepared to accept that, because although there may have been one or two instances where people have not been scrupulously honest, it is a dangerous practice for Parliament to give to the court the jurisdiction that is being sought by this Bill. Many young tradesmen have sought to improve their position in life by leaving the field of the weekly wages employee and working under a system which leads them eventually to be an employer of labour, both skilled and unskilled. They then qualify themselves as builders and contractors. We should not stop young tradesmen from doing that.

The Hon. H. C. Strickland: This Bill will not stop them.

The Hon. J. M. THOMSON: Throughout the country districts, and in the metropolitan area, there are a number of young men—and some of them are not so young—who are skilled in various trades, such as bricklaying, carpentry, and plastering, and who undertake to carry out the erection of buildings from the foundations to the brick-top plate level at a price for labour only. There are also men who are skilled in the carpentry trade who will undertake to build a house from the timber stumps to the pitching of the roof and internal fittings, at a price for labour only.

The Hon. H. C. Strickland: This Bill won't stop them.

The Hon. J. M. THOMSON: I have yet to be convinced on that point.

The Hon. H. C. Strickland: We realise that.

The Hon. J. M. THOMSON: I think there is a great danger in passing this Bill and, because of that danger, I will proceed to put my views before the House. In a similar way the plasterer does the rendering of walls, plastering and tiling, etc., at a price for labour only, which price has been agreed upon between him and the builder or, in many instances, the owner of the dwelling.

This Bill will not affect the big contractors in any way, whether they are situated in the country or the metropolitan area. As we all know, they have their teams of skilled and unskilled tradesmen, and they are not affected by this measure. If the Bill is agreed to it will have a considerable effect on the smaller man; and he is the one whose interests I am mainly concerned with at the moment.

The Hon. H. C. Strickland: Don't you want him to be better off?

The Hon. J. M. THOMSON: From what I know of the information given to some members of the building industry by those who support this Bill, I would say that they have not studied it; they have told people in the building industry that there is nothing wrong with it.

The Hon. A. F. Griffith: They send a letter with stamps on it but they do not post it.

The Hon. J. M. THOMSON: The existing clause in the award dealing with pieceworkers or subcontractors reads—

> No worker shall accept employment under this award on piecework or labour only rates, or for rates for labour and materials, unless the rates for such shall be fixed by the court.

I would now like to quote what Mr. Justice Nevile had to say when dealing with an industrial matter between the Amalgamated Society of Carpenters and Joiners and other applicants, and the Master Builders' Association. This matter was heard in the Arbitration Court on the 20th December of last year, and, in dealing with the question of piecework and subcontracting work, His Honour had this to say—and this is an extract from the Western Australian Industrial Gazette—

> For my part I would leave the existing clause—

that is the one I have just read out—

> —much as it is. It is true that it cannot be altogether effective; only legislation can provide a real remedy for this evil in this industry but I would not continue to place the whole onus on the unions for the policing of this clause, and I would therefore make the clause read—
>
> > No employer shall employ a worker, nor shall any worker accept employment under this award at piecework or labour only rates, or for rates for labour and material unless the rates for such work shall have been fixed by the court.

If that is written into the award which, of course, is just what this Bill will empower the court to do, it will mean that not only will the worker commit a breach if he works at piecework rates, or subcontract rates, but the same will also apply to the employer. According to the amendment in the Bill, that person is anyone employing one or more workers or persons deemed so pursuant to the new paragraph (f) of Section 61 of this Act. New paragraph (f) of Section 61 of the Act reads as follows:—

> The court shall have jurisdiction for the purpose of an award or industrial agreement to declare
>
> > (f) that any person who is working or engaged in the industry to which that award or industrial agreement applies and

who is performing work which is ordinarily the work of a carpenter or joiner or both; a painter; a plumber; a bricklayer; a stonemason; a plasterer; a builder's labourer; a tile fixer; or a fibrous plasterer;

shall, notwithstanding any contract or pretended contract to the contrary, whether made before or after the coming into operation of this paragraph, be deemed to be a worker; and

(ii) that the person by whom the person referred to in subparagraph (i) of this paragraph is engaged shall be deemed to be his employer.

As the hon. Mr. Mattiske said last night, this could well apply to people other than builders. It could indeed apply to self-help builders desiring to build their own homes. It could also apply to the farmer who may desire to have certain work done, and who may engage somebody to do it. According to the amendment, he will commit a breach of the award and be dealt with by the union. On the same occasion that Mr. Justice Nevile delivered his finding, Mr. Christian had this to say when the matter of sub-contracts was inserted in the award in 1938—

> The court at the time saw fit (and with respect I think rightly) to say in effect to the unions—We are granting you the great benefit of preference and in return we expect you to police these three clauses and so achieve the desired objective. There is no doubt in my mind that, had the clauses been properly policed by the unions, this type of work would have been very substantially controlled. There was no evidence from the Plumbers, Painters, Stonemasons, Bricklayers or Plasterers' Union, and very little from the Carpenters' Union, that any attempt at policing was made at all. In fact there was evidence that the Painters' Union had used the Preference Clause for an altogether different purpose and had taken vexatious and entirely unreasonable proceedings against a Geraldton employer. For these reasons, I think the three clauses should be deleted from the Award.

It has been found necessary to introduce this legislation to Parliament because of a few people who, as I said earlier, have not been scrupulously honest in their methods of work. But to introduce a measure of this nature and to give the Arbitration Court the power to determine this matter is very dangerous. I consider that many young men and, indeed, many men getting on in years, would suffer considerably from its effect if the Arbitration Court were empowered to do what the Bill suggests.

The policy of the A.L.P., to which this Government belongs, is strongly opposed to piecework or work by subcontract—that has been known for a long time—just as it is the policy of the A.L.P. to extend the system of day labour, as is evidenced by the number of Government building projects which have been carried out over the last five years. According to a reply which I received to a question, the value of the work that has been done as a result of that policy of using day labour for the past four-and-a-half years has been over £10,000,000.

That policy is one to which this Government, and all Labour Governments, rigidly adhere. From the economic aspect, as it affects building, however, it is in my opinion most questionable. That, however, is outside the scope of the Bill, and I will not continue in that strain. I would not say that the Arbitration Court would be influenced in any way, because of the Government's known policy in this matter. I merely say that it is my opinion that the whole set-up would be most dangerous. I cannot support a measure which would seriously affect scores of hard-working ambitious young men who will be endangered by the passage of this Legislation. I am opposed to the Bill.

The Hon. H. C. Strickland: It does not do that though, does it?

The Hon. J. M. THOMSON: I appreciate the sincerity of the Minister's point of view, but I feel there is a grave danger.

The Hon. A. F. Griffith: Do you think it could increase building costs?

The Hon. J. M. THOMSON: That is quite possible. It is the question I asked when I was discussing the matter with certain competent and qualified people, and one of them said that it could increase building costs by as much as 10 to 15 per cent. I have not gone into that aspect, and I only have his word for it.

The Hon. H. C. Strickland: Somebody must be getting a rake-off.

The Hon. J. M. THOMSON: If we take away from people the initiative and desire to improve conditions by hard work and by good workmanship—which is more often evident than otherwise—and if we prevent people from pursuing piecework, and employing a system of subcontracting, we could revert to a system which the Government is employing today, where buildings are constructed on a weekly wage basis. The cost does not concern the employee. He feels "Why should I be concerned with that? It is the person for whom the house is being built who will have to pay." That is the attitude frequently expressed.

The Hon. H. C. Strickland: That is not in the Bill.

The Hon. J. M. THOMSON: It has a very big bearing on the Bill. The Minister may be convinced to the contrary, but I am not. There will be very grave danger if this legislation is passed. A number of houses are being erected, in the town where I live, by people who say, "I will build the house and buy all the material if you, Mr. So-and-So, will give me a price for the foundations and brickwork"; or perhaps they may ask for a price for labour only and for plastering. An approach may be made to a gang of young fellows who are fully qualified as tradesmen carpenters asking them for a price for the carpentry work to be done, and they do the work at a price which is mutually agreed upon.

If we give this power to the Arbitration Court—as Mr. Justice Nevile has said—the court will determine who is going to be the worker, and whether any breach has been committed. Hitherto the man who engaged the worker has had to foot the bill for a breach of the award. Under the Bill the court will be able to deal with the employer or the man who has the work done, which is a dangerous practice. That is the policy of the Government but I am not prepared to write anything into the Act, which will enable the Arbitration Court to put the policy of the Government into effect.

I sincerely hope that there will not be many members prepared to grant that authority to the court. Before I conclude, I want to say that I understand some members of the Master Builders' Association favour the Bill.

The Hon. H. C. Strickland: That is right.

The Hon. J. M. THOMSON: Having been a member of the Master Builders' Association, I was interested and concerned about the fact, because that association works in the interests of the builders, whether they be big or whether they be small. It is the responsibility of that association to safeguard the interests of those engaged in the building industry.

The Hon. A. F. Griffith: Isn't that an assertion by the Building Trades' Association?

The Hon. J. M. THOMSON: That is so. I received a letter from them and I think other hon. members did, too.

The Hon. J. G. Hislop: Would it not lead to primary under-quoting and an appeal to the Arbitration Court?

The Hon. J. M. THOMSON: It could.

The Hon. L. C. Diver: You cannot contract out of a court award.

The Hon. J. M. THOMSON: That is so. That is a very important point. The letter I received was dated the 13th October and it was sent to me from the Building Trades Association of Unions of Western Australia (Association of Workers), and amongst other things it said this—

> Discussions amongst a number of master builders have shown their approval towards this Bill because one of the main functions is to permit the Arbitration Court to ensure that contract jobs are based on no more and no less than the recognised award principles.

I asked the people I contacted whether they were aware of the contents of this Bill, whether they had studied it and whether they had had meetings to discuss it. They quite frankly admitted that they had not.

The Hon. A. F. Griffith: The master builders?

The Hon. J. M. THOMSON: Yes. They had not met to discuss the Bill and it therefore cannot be deemed that they support the principles it contains.

In the course of conversation with some of them they said that it has been generally stated that when a person has tendered for a job at a lower price than the next tenderer, he gets the job and proceeds to do the work. Because of the lowness of that tender they complain that they do not get the job. However, the employees of the tenderer, in some instances, have been paid less than award rates. In reply to that I say that this Bill will not in any way affect the position. It will not remedy it.

I asked a responsible person in the building industry if he thought it would. He said quite frankly that it would not. The tender form states that the lowest tender will not necessarily be accepted, and if it is, it is accepted on the good faith and understanding that the person will abide by the conditions of the contract laid down in the specifications. I have made inquiries on behalf of a person who tendered to construct some houses for the State Housing Commission, and because there had been a long delay in accepting his tender he asked me to see what the position was. On inquiry I found the Housing Commission was making inquiries as to whether this chap was a bona fide builder and contractor and whether he was capable of doing the job. That is only right.

I can recall the time when I first tendered for a job for the Public Works Department in this State and the Principal Architect inquired through the correct channels as to whether I had the wherewithal to carry out the job and whether I was capable and qualified to accept the contract. Having been satisfied on that point he signed the contract and I had to abide by the terms. Admittedly we do find cases where the tenders of some contractors are extremely low, and I am sorry to say that some of them are New

Australians who have gone into the building field. Through lack of experience and knowledge they tender for these jobs and get them at a considerably reduced price. They get them at a price which is less than that at which long-established builders can carry out the job.

There should be no occasion for this Bill, because the difficulties that may be experienced by the union, the client or the architect, can be remedied at common law. Therefore, I think that some of the builders who signified their approval of the Bill did not study it and have been somewhat misled; although not intentionally. They consider it will be better for the industry, and therefore support it. However, I say the Bill will do nothing to remedy the position and trust that the House will give it very serious consideration.

The Bill will affect the young men I know throughout the country districts who have done very good work on a piecework basis and on a subcontract basis. Their existence will be in jeopardy; and in fairness to them and the building industry we must not pass legislation to control a few. We must place on our statute book legislation which would enable individuals to pursue freedom in their occupation and, through initiative, improve their position. When chaps go through the stage of doing piecework and subcontract work it is a stepping stone to their being builders and contractors. Many a reliable builder today has gone through the work which I feel this Bill is out to condemn. Therefore I trust it will not be agreed to.

THE HON. L. C. DIVER (Central) [9.56]: I am basing my remarks mainly on the research of my colleague the hon. Mr. Thomson, in that he is convinced that this legislation aims at the elimination or regimentation of the subcontractor. If that assumption is correct, would it not be just as logical to eliminate subcontractors, thus doing away with the need for tendering, as for the Government to turn round and say that it is going to set up a scale of charges, which would eliminate all competition? Where are we going? What progress will we make? It will get us nowhere.

The Hon. H. C. Strickland: That is what you give the shearer.

The Hon. L. C. DIVER: The two instances are not comparable. There is no comparison whatsoever. Supposing the request to pass this Bill is acceded to by this Chamber and it becomes law, we are going to measure what a man will get for so many hours' work.

Where we are failing in our economy is in the measurement a worker will give for his labour. That is where we have to try and align our whole economy, to see there is some relationship between the reward given on the one hand and the work received on the other.

Then we come to another point which, in the scheme of things, the Government may not think important, but which can be important to the individual. The point is this: If a rural dweller decides to make some limited additions or improvements to his residence or outbuildings, is the court going to say to him—if a brick structure is involved—that he will have to employ a stonemason who will have to be paid travelling time; and the travelling could be over a considerable distance? The mason may not finish the job in one day but might take up part of the second day. He would then have to be paid a full day's wages for that second day; and, of course, he would have to be paid travelling time. He would not be able to do the bricklaying, so a bricklayer would have to employed, and he again would have to be paid travelling time.

Similar circumstances could apply, with regard to the time factor, to the other tradesmen, such as the carpenter, plumber, ceiling fixer, etc. The aggregate in travelling time payments, for just a limited structure, would be of such a nature that the cost would be staggering, and consequently the would-be builder, who would be prepared to engage labour under reasonable conditions, would not do so under these conditions. The cost would be out of all proportion to what is fair and reasonable under the system today. Therefore the position, especially for the people I represent, would be considerably worse.

The hon. Mr. Thomson ably pointed out that any shortcomings today in the policing of the Arbitration Court awards are the responsibility of the unions concerned. They can rectify those shortcomings without the necessity to pass further legislation.

On motion by the Hon. W. F. Willesee, debate adjourned.

TUBERCULOSIS (COMMONWEALTH AND STATE ARRANGEMENT) BILL.

Second Reading.

Debate resumed from the previous day.

THE HON. J. G. HISLOP (Metropolitan) [10.3]: This is one of the Bills which we have been accustomed to receive in the last few years, and which provide for the Commonwealth and State to make an agreement and combine together to spend money for a common purpose. Therefore we are faced with the position that we must accept the measure, because it is only by common acceptance by all the States, that the agreement can be made and implemented. As a result, all that we can do with the Bill is to comment on it and accept it. I have read the measure

carefully, and there is one point to which I would draw attention. In Clause 2 of the Schedule we find this—

> The net maintenance expenditure by the State in relation to the diagnosis, treatment and control of tuberculosis during each of the financial years next occurring after the year which ended on the thirtieth day of June, 1948, to an extent—

The next words are the ones on which I want to place some emphasis—

> —not exceeding the amount by which that expenditure is in excess of the net maintenance expenditure in relation to the diagnosis, treatment and control of tuberculosis during the year which ended on the thirtieth day of June, 1948.

I have always queried this type of provision in these agreements, because it appears that if a State spends little, but waits for the Commonwealth to take action, that State gets reimbursed for the whole of its expenditure; but if the State is active in its own interests, and spends a considerable sum, it has to go on spending that considerable amount annually.

I draw the attention of those people who represent the State to this position so that, when agreements of this sort are drawn up, some more equitable provision than the one which appears in the Bill may be arranged. Let me say at the outset that I believe the combination of Commonwealth and State, in regard to health, is an excellent arrangement. In this particular matter it has been rather successful. I am, however, disappointed that more has not been presented to the House in the way of the progress that has been made during the 10 years.

Surely after that period, a critical analysis of the results could be presented to hon. members. I would have thought that the Commonwealth itself, after contributing for 10 years to the cost of the control of tuberculosis throughout the States, would have asked for a full report of the progress made, before agreeing to continue the plan for another five years. That may have been done, but we have received no evidence of it, but are simply asked to continue the arrangement.

Personally, if I had been the Commonwealth Minister for Health, I would, after looking through these figures, have asked for an independent inquiry to be made into the facts in order to ascertain whether the expenditure had been justified. I shall return to this point in a moment or two.

I also mention that in this measure, no statement is made of what has been the total expenditure by both State and Commonwealth in the control of tuberculosis in the last 10 years. It would be interesting to know what had been spent and to know what is budgeted for, for the next five-year period; and whether there has been any lessening in the cost of the programme.

One would expect that after 10 years, if the facts were as have been claimed, there would be less annual expenditure than during the initial 10 years. But we are left completely in the dark as to whether that is so. In the report of the Public Health Department for 1956, issued by the commissioner, and contributed to by all the officers, certain figures are included in relation to the control of tuberculosis; and some of these figures appear in the Bill. They make quite interesting reading.

When introducing the measure, the Minister made the statement that the death rate had dropped from 22 per 100,000 of population in 1950, to 6 per 100,000 in 1956. These figures become more interesting when one looks at the results from 1953 to 1956. The figures for the death rate from pulmonary tuberculosis for that period are as follows:—

1953	6.9
1954	8.9
1955	4.7
1956	6.3

This comment is made—

> It would therefore appear that for the time being the death rate seems to have become fairly stabilised, and it would be unwise or unjustified to expect a marked reduction in the near future.

Those words are not in keeping with the general statement which is being made that the end of tuberculosis is foreseeable.

The Hon. G. C. MacKinnon: Could not they be cases of long standing?

The Hon. J. G. HISLOP: Yes, but let me go a little further. There are still points of interest in this matter because, whilst the death rate has fallen from 22 to 6 per 100,000 of population, the number of notifications has not altered at the same rate. In 1950, the notifications were 586, and in 1956, they were 424. So, there are still quite a number of notifications of tuberculosis made to the department. There is no dissection of the 424 notifications to shown whether they are new, or whether some are re-notifications of previously reported cases. A complete analysis, presented to the House, would make extremely interesting reading.

An interesting feature is in regard to the non-pulmonary cases. In 1950 there were 18 such cases reported, and in 1956 there were 44 of them reported. The point of interest is that these non-pulmonary cases could quite easily be bovine tuberculosis; or at least a percentage of them could be. Yet, we pride ourselves on the introduction of measures to keep bovine tuberculosis under rigid control.

These are some of the factors which I feel should be of interest to hon. members. I do not want to weary the House with a mass of figures, but I wish to quote the number on the register of the tuberculosis control branch which, in 1950, was 2,100, and in 1956 it was 2,900; an increase of 800. These figures may fit in with the fact that the death rate has altered, and there may be a greater number of sufferers from tuberculosis remaining with us. But it is an increase of 800 on the register. Quite a number of these people may have been discovered by the compulsory x-ray examination.

Again, it would be interesting to know what criteria are accepted by the department before a person's name is taken off the register. If people's names are simply left on the register, without purgation of the register, then the number will always increase. When the House is asked to agree to an arrangement like this being continued for another five years, I feel that a searching resume of the results of the efforts of the previous 10 years, should be given.

It is interesting to realise that in the survey of children, the number who were shown to have been in contact with tuberculosis has dropped considerably. Therefore it is possible that these extra notifications are in the more adult families, or if there are still tuberculosis patients in private homes, they may be affecting adult people.

The survey of school children disclosed that in the age group of six to seven in the period from 1949 to 1956, the percentage of positive reactors fell from 18 to two and, in the age group from nine to 10, the reactors fell from 51 to 16. It would be interesting to know whether the department would consider an appeal being made to the public to indulge in B.C.G. vaccination so that an effort could still be made to control this disease.

In this House, on previous occasions, I have referred to the fact that the department supplies very scanty information to hon. members in regard to the functioning of this particular agreement. Otherwise, apart from these few remarks that I have made, I feel it is a matter of such considerable interest to the public that the department would be wise to present to the House a full survey of its successes —admitting any failures—in order to give hon. members some idea of its future plans. I support the second reading of the Bill.

On motion by the Hon. E. M. Heenan, debate adjourned.

WEIGHTS AND MEASURES ACT AMENDMENT BILL.

Second Reading.

THE HON. W. F. WILLESEE (North) [10.17] in moving the second reading said: This Bill is the result of legislation passed by the Commonwealth Government in 1948, which is known as the Weights and Measures (National Standards) Act. It grants to the Commonwealth Government power to promulgate statutory rules prescribing Commonwealth-wide legal units of measurement and the necessary standards for those units. After years of negotiations, the Commonwealth and the States have at last reached agreement on these rules, and the Commonwealth proposes to bring them into effect at the earliest possible date.

The proposed statutory rules have been the subject of negotiations between the States for several years. Agreement has now been reached and this Bill, therefore, marks the termination of protracted negotiations for the establishment of uniform standards of weights and measures throughout Australia. At present, each State operates its own standard and these, in a number of cases, have resulted in a lack of uniformity between the various States.

In 1936, a conference of State and Federal Ministers agreed that the Commonwealth should introduce legislation to provide for uniformity and that the States should fully co-operate for the establishment of this uniformity. The necessary Commonwealth legislation was passed in 1948. It is known as the Weights and Measures (National Standards) Act. As I have said, this empowers the Commonwealth Government to promulgate statutory rules. However, while the Commonwealth Act provides for national standards of weights and measures, the States are left with the administration and the control of the legislation.

Immediately the statutory rules are promulgated by the Commonwealth, Part II of this State's Weights and Measures Act will become inoperative. This is the part dealing with standards and units. It is necessary, therefore, to provide the amendments sought in this Bill, which will come into operation on a date to be proclaimed. This will be the day on which the Commonwealth promulgates the rules.

The Bill defines the Commonwealth Act and adds two new sections, namely 8A and 8B. Proposed new Section 8A substitutes a prescribed Commonwealth unit of measurement for the like standard of weight and measure, or unit of weight and measure under the State Act. Proposed new Section 8A allows the State to adopt the Commonwealth standards of measurement, and requires the Minister to provide and deposit at the State Treasury standard weights and measures, and to have them verified as prescribed by the Commonwealth Act.

Weights and measures are indeed an integral part of commerce and industry, and this move for Australia-wide uniformity

will lead to greater efficiency. In brief, that is the subject matter of the Bill, and I move—

That the Bill be now read a second time.

On motion by the Hon. G. C. MacKinnon, debate adjourned.

ADJOURNMENT—SPECIAL.

THE HON. H. C. STRICKLAND (Minister for Railways—North): I move—

That the House at its rising adjourn till 2.30 p.m. tomorrow.

Question put and passed.

House adjourned at 10.22 p.m.

Legislative Assembly

Wednesday, the 15th October, 1958.

CONTENTS.

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

QUESTIONS ON NOTICE.

IRON ORE.

Amount Spent on Working Leases at Yampi Sound.

1. Mr. BRAND asked the Premier:

(1) Can he state the total amount expended to date by the Broken Hill Proprietary Co. Ltd., in working the iron ore leases held by the company at Yampi Sound?

(2) If not, will he obtain the necessary details for the information of Parliament?

Mr. HAWKE replied:

(1) No.

(2) The Perth office of the company has not this information available but has agreed to approach the head office for it.

BUNBURY HARBOUR.

Retrenchment of Labour.

2. Mr. ROBERTS asked the Minister for Works:

(1) Have any men additional to the eight paid off on the 22nd August and the five paid off on the 29th August, been retrenched or dismissed since then from the Bunbury Harbour works?

(2) Why were these men retrenched or dismissed, in view of the fact that the allocation of General Loan Funds for improvements to the Bunbury Harbour increased from £105,000 for the year ended the 30th June, 1958, to £120,000 for the year ending the 30th June, 1959?

Mr. TONKIN replied:

(1) No.