

I have much pleasure in supporting the second reading of the Bill which seeks to perpetuate the Industries Assistance Act; and in doing so I wish to say that I feel that the original enactment enabled me to follow farming pursuits; and I have never regretted that. Perhaps thousands of others benefited from the Act. It had a profound effect on our lives; not that we were the key personnel of that day, but in many instances our fathers or grandfathers benefited greatly by that legislation and I trust that, in years to come, its value will not be overlooked. I support the Bill.

THE HON. J. D. TEAHAN (North-East—In reply) [9.16]: It has been good to hear the comments of one hon. member, in particular, who benefited greatly under the parent Act. I thank hon. members for the favourable reception they have afforded the Bill.

Question put and passed.

Bill read a second time.

In Committee.

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

ADJOURNMENT—SPECIAL.

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

That the House at its rising adjourn till 2.15 p.m. tomorrow.

Question put and passed.

House adjourned at 9.20 p.m.

Legislative Assembly

Wednesday, the 24th September, 1958.

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

QUESTIONS ON NOTICE.

No. 1. *This question was postponed.*

FISHING VESSELS.

"Halimah" and "Lancelin"—Cost and Maintenance.

2. Mr. **CROMMELIN** asked the Minister for Fisheries:

(1) What age is the new fishing vessel "Halimah"?

(2) What is it powered by and what is the hourly running cost of the engines?

(3) What was the purchase price of the vessel and what additional expenses were incurred in equipping it with refrigeration and laboratories, etc.?

(4) How many personnel will be required to take it to, and maintain it at, sea?

(5) Will the fishing vessel "Lancelin" also be in commission? If not, what is to be done with it?

(6) What is the estimated annual cost of maintaining and using the vessel "Halimah" to its capacity?

(7) What has been the cost to the 30th June, 1958, of maintaining the "Lancelin" to its capacity?

The MINISTER replied:

(1) Fourteen years.

(2) (a) Main engine: Lister-Blackstone, 160 H.P.

(b) Auxiliary engine: Lister, 14/16 H.P.

Hourly running cost not yet ascertained.

(3) Purchase price £11,000. Cost of refitting and equipping approximately £25,000.

(4) Four.

(5) Yes.

(6) £6,500 per annum.

(7) Approximately £4,500 per annum for salaries, maintenance and fuel.

No. 3. This question was postponed.

KALAMUNDA WATER SUPPLY.

Extensions.

4. Mr. OWEN asked the Minister for Water Supplies:

(1) What amount of finance has been allocated for extensions to the Kalamunda water supply scheme during this financial year?

(2) In what particular sections will the extensions be made?

The MINISTER FOR MINES (for the Minister for Water Supplies) replied:

(1) £17,000.

(2) Gooseberry Hill, Kalamunda-Gooseberry Hill-rd. area, Temby Avenue, Walliston, and as much of the Wheelwright-rd. system as funds will permit.

TAMBELLUP SCHOOL.

Installation of Septic System.

5. The Hon. A. F. WATTS asked the Minister for Education:

(1) Is he aware that the Tambellup Parents and Citizens' Association has offered to finance the cost of the installation of a septic system at the Tambellup school, on condition that it is reimbursed for the cost when funds are available?

(2) If so, has this proposal been accepted by the department?

(3) Has an estimate of the cost been made; and if so, what is the estimated cost?

(4) If the proposal of the local people to finance this installation is to be proceeded with, when does he expect that it will be possible to reimburse them?

(5) Is it proposed to pay any interest to them in the meantime?

The MINISTER replied:

(1) and (2) Yes.

(3) An estimate is being prepared.

(4) and (5) No decision has yet been made by the Government.

COUNTRY ROADS.

Completion of Sealing, etc.

6. The Hon. A. F. WATTS asked the Minister for Works:

(1) When is it expected that the sealing of the following roads will be completed:—

(a) Albany-Borden;

(b) Mt. Barker-Rocky Gully;

(c) Cranbrook-Frankland River;

(d) Borden-Ongerup;

(e) Ongerup-Jerramungup?

(2) What amounts are being made available for work on these roads during the current financial year, and what work will be completed with such funds?

The MINISTER FOR MINES (for the Minister for Works) replied:

(1) It is not possible to forecast. Progress is dependent upon (a) the changing pattern of development and the associated road needs over the whole State; and (b) the amount of petrol tax funds received by the State under Commonwealth legislation.

(2) The answer is as follows:—

MAIN ROADS DEPARTMENT.

Allocations 1958-59 Programme.

Type of Work.	Amount.	
	£	f
Albany-Borden Road—		
Upper King Bridge	13,000	
Recondition and prime 5.3m. (Plantagenet)	12,000	
Recondition and prime 5.2m. (Cranbrook)	10,000	
Recondition and prime 6.75m. (Gnowangerup)	13,500	
Construction 15.7m. (Gnow- angerup)	37,500	
Seal 13.9m. (Plantagenet)	19,000	
Maintenance	4,500	
		109,000
Mt. Barker-Rocky Gully Road—		
Construction 2m.	7,000	
Improvements 4m.	4,000	
Recondition and prime 8m.	20,000	

Mt. Barker-Rocky Gully Road—contd.

Type of Work.		Amount.
		£
Seal 8m.	10,000	
Maintenance	700	
		41,700
Cranbrook-Frankland Road—		
Seal 2.3m. (part cost)	1,200	
Maintenance	450	
		1,650
Borden-Ongerup Road—		
Construction 3.1m.	7,500	
Recondition and prime 15.85m.	31,500	
Maintenance	1,000	
		40,000
Ongerup-Jerramungup Road—		
Construction 12m.	18,000	
Maintenance	1,000	
		19,000
		£211,950

No. 7: This question was postponed.

KALGOORLIE RAILWAY GOODS OFFICE.

Decision as to Lighting and Power Facilities.

8. Mr. EVANS asked the Minister representing the Minister for Railways:

With reference to my question of the 17th September, when can a decision by the commission be expected as to the lighting and power facilities provided at the Kalgoorlie railway goods office?

The MINISTER FOR TRANSPORT replied:

After inquiries and discussions are completed.

SHOOTING.

Clarification of Kalgoorlie Reserves.

9. Mr. EVANS asked the Minister for Fisheries:

Has he given consideration to—

- (1) A request of mine per letter early this year re clarification of shooting reserves approximate to Kalgoorlie?
- (2) If so, will he supply some details?

The MINISTER replied:

This matter is still under investigation.

GOLDFIELDS SCHOOLS.

Zoning of Children.

10. Mr. EVANS asked the Minister for Education:

(1) Is he aware that parents of children in Grade 7 attending South Kalgoorlie school are concerned re proposed zoning of such children next year to Boulder High School?

(2) Has the department given consideration to the fact that such children—many of whom reside within walking distance of the Eastern Goldfields High School—will have to pass right by the latter school and travel further out to Boulder?

(3) What will be the total intake of Boulder High School next year of ex Grade 7 students from the following schools—

- (a) South Boulder;
- (b) Boulder Central;
- (c) South Kalgoorlie?

(4) What will be the total entry of similar students from the remaining schools on the Goldfields to the Eastern Goldfields High School?

The MINISTER replied:

(1) No.

(2) Yes. In a few cases.

(3) (a) South Boulder	8
(b) Boulder Central ..	126
(c) South Kalgoorlie	40

Total	174
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(4) Kalgoorlie	99
North Kalgoorlie	81
East Kalgoorlie	18
Others	22

Total	220
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RAILWAY ROAD BUSES.

Perth-Bunbury Service.

11. Mr. ROBERTS asked the Minister representing the Minister for Railways:

(1) What railway road bus services operate during the week at present between Bunbury-Perth and Perth-Bunbury?

(2) As the railway road bus services operating between Bunbury-Perth and Perth-Bunbury prior to the 22nd July, 1957, were operating at a profit to the Railway Department, what are the prospects of the reinstatement of the old timetable prior to the forthcoming tourist season?

The MINISTER FOR TRANSPORT replied:

- (1) 7.45 p.m. Saturday, Perth to Bunbury;
5 p.m. Sunday, Perth to Bunbury;
5.45 p.m. Friday, Bunbury to Perth;
3.5 p.m. Monday, Brunswick Junction to Perth (connects with Australind at Brunswick Junction).

(2) As the present service adequately caters for requirements it is not intended to reinstate services which were eliminated to reduce costs. The coming tourist season should be well provided for by existing train and bus services.

LESCHENAULT ESTUARY.*Work to be Carried Out.*

12. Mr. ROBERTS asked the Minister for Works:

(1) Is it contemplated that during this financial year certain works will be carried out on "The Plug" to alleviate the continuing deterioration of Leschenault Estuary?

(2) If so, what is to be the nature of such works?

The MINISTER FOR MINES (for the Minister for Works) replied:

Consideration is being given to this matter, and a final decision will be made by the Hon. J. T. Tonkin on his return to office.

COLLIE COAL.*Price Paid to Amalgamated Collieries and Production Cost.*

13. Mr. MAY asked the Minister for Mines:

(1) What was the average price per ton of coal paid to Amalgamated Collieries for the years 1947, 1948, 1949, 1950, 1951, 1952, 1953, 1954, 1955, 1956?

(2) What was the estimated cost of coal production per ton for the same years?

(3) What is the price being paid to the same company under the terms of the present contract?

(4) What is the estimated cost of production per ton of coal under the present contract?

The MINISTER replied:

	Per ton.	
	s.	d.
(1) Six months to—		
the 30th June, 1947	23	9
the 31st December, 1947	24	0
the 30th June, 1948	29	6
the 31st December, 1948	26	2
the 30th June, 1949	27	9
the 31st December, 1949	28	6
the 30th June, 1950	31	9
the 31st December, 1950	33	2
the 30th June, 1951	38	6
the 31st December, 1951	44	9
the 30th June, 1952	54	0
the 31st December, 1952	63	7
the 30th June, 1953	70	0
the 31st December, 1953	66	0
the 30th June, 1954	72	3
the 31st December, 1954	70	3
the 30th June, 1955	68	10
the 31st December, 1955	60	8
the 30th June, 1956	64	4
the 31st December, 1956	62	8

	Per ton.	
	s.	d.
(2) Six months to—		
the 30th June, 1947	22	9
the 31st December, 1947	23	1
the 30th June, 1948	28	5
the 31st December, 1948	25	4

Per ton.
s. d.

the 30th June, 1949	27	1
the 31st December, 1949	27	2
the 30th June, 1950	30	5
the 31st December, 1950	31	8
the 30th June, 1951	37	1
the 31st December, 1951	43	4
the 30th June, 1952	52	6
the 31st December, 1952	62	1
the 30th June, 1953	68	8
the 31st December, 1953	64	6
the 30th June, 1954	70	10
the 31st December, 1954	68	9
the 30th June, 1955	67	6
the 31st December, 1955	59	2
the 30th June, 1956	62	10
the 31st December, 1956	61	2

(3) Approximately 53s. 3d. per ton.

(4) Coal is now purchased under contract, and costs of production are not known to this department.

WATER SUPPLIES.*Riverton Reticulation.*

14. Mr. GAFFY asked the Minister for Water Supplies:

(1) When will the 24-inch pipeline from the junction of the Serpentine pipeline and High-rd., Riverton, to Melville Parade, Mt. Pleasant, be commenced?

(2) When is it expected to be completed?

(3) What preparations are being made to reticulate the district of Riverton from this 24-inch pipeline?

The MINISTER FOR MINES (for the Minister for Water Supplies) replied:

(1) This work will be commenced within the next few weeks.

(2) By early December.

(3) The existing supply to Riverton will be augmented through connection to the 24-inch main, and proposals for extensions of existing reticulation are being prepared for ministerial consideration.

URALLA CREEK.*Rebuilding of Water Retaining Wall.*

15. Mr. CROMMELIN asked the Minister for Works:

(1) When was the water retaining wall on Uralla Creek off the Fitzroy River damaged by flood waters?

(2) What was it built of and what was the cost of construction?

(3) It is intended that this will be rebuilt as an aid to the rice project at Liveringa?

(4) If so, what will it be constructed of and at what cost?

(5) If it is built, will it be sufficiently strong to stand up to flooding caused by excessive rains?

(6) Will the wall, if built, have flood gates?

The MINISTER FOR MINES (for the Minister for Works) replied:

- (1) January, 1958.
- (2) Built of earth with masonry lined spillway section at a cost of £30,169.
- (3) It is intended that the structure will be repaired and raised.
- (4) Earth. Cost not yet estimated.
- (5) Yes.
- (6) No.

NORTHERN DEVELOPMENTS PTY. LTD.

Extent of Government Assistance.

16. Mr. CROMMELIN asked the Minister for Works:

- (1) What amount was spent by the Government as an aid to development for Northern Developments Pty. Ltd., at Liveringa, to the 30th June, 1957?
- (2) What further amount has been spent for the year ended the 30th June, 1958?
- (3) What amount is estimated to be spent during the financial year ending the 30th June, 1959?

(4) Is it anticipated that the proposed barricade in the Fitzroy River will be completed by June, 1959?

(5) If so, what is the estimated cost? If not, when is it proposed to construct it and at what cost?

(6) Does the estimated expenditure for this year include completion of the control point with installation of the necessary engines and pumps?

(7) Will it be necessary to maintain a staff at the control point to maintain, service, and run the pumping plant during the year?

(8) If so, how many and at what annual cost to the Government?

(9) In what way will the Government be recompensed for this expense?

(10) What provision will be made for the safety of the engines and plant at the control point in case of flood?

The MINISTER FOR MINES (for the Minister for Works) replied:

- (1) £37,828.
- (2) £36,062 capital expenditure and £2,346 on operation.
- (3) £55,000.
- (4) No.
- (5) As per Northern Developments Pty. Ltd. agreement, reasonable endeavours will be made to complete the barrage by the end of 1960. Cost not yet estimated.

(6) Yes.

(7) Control point will be staffed whilst pumps are operating.

(8) Up to three men depending on rate and time when pumping is necessary. Approximately £9,000.

(9) There is no provision for recompense until the barrage is completed.

(10) Engines and plant will be stored in elevated shed at site.

ELECTRICITY SUPPLIES.

Change-Over from 40 to 50 Cycles.

17. Mr. HEAL asked the Minister for Works:

Referring to Government policy to change electricity supplies in the metropolitan area from 40 to 50 cycles—

- (a) What suburbs have yet to be completed in the change-over?
- (b) What are the approximate dates of proposed change-over in these suburbs?

The MINISTER FOR MINES (for the Minister for Works) replied:

All State Electricity Commission consumers except two large industrial consumers are now operating on 50 cycles. Modifications to some special equipment is proceeding, and will be completed within 12 months.

GRUBS.

Experiments for Control.

18. Mr. NALDER asked the Minister for Agriculture:

Because of the damage to pasture and crops by grubs during the past season—

- (1) Is the Department of Agriculture carrying out experiments for the control of this menace?
- (2) If so, will he give details of the experiments?
- (3) If no action has been taken, does he consider the matter warrants further experiments or research?

The MINISTER replied:

(1) Yes.

(2) For several reasons various types of insecticides and cultural operations have been tested in the search for more economic treatments. The severity of outbreaks varies considerably, and last season was the worst on record. Recommendations regarding web worm were summarised in the July-August issue of the Journal of Agriculture.

(3) The work is continuing.

NORTH-WEST.*New Berth for Wyndham Port.*

19. Mr. RHATIGAN ask the Minister for Works:

Now that the Commonwealth Government has granted the funds necessary for the provision of a second berth at the port of Wyndham, will work be commenced immediately in order to provide employment during the present slack season?

The MINISTER FOR MINES (for the Minister for Works) replied:

Some preliminary works will be commenced in a few days' time, and materials for permanent construction are being ordered.

Port Facilities for Napier Broome Bay.

20. Mr. RHATIGAN asked the Minister for Works:

Further to my question of the 17th instant to the Minister for the North-West, relative to port facilities at Napier Broome Bay, could not this work be facilitated, if facilities such as the use of horses, barges, etc., could be obtained from Drysdale Mission?

The MINISTER FOR MINES (for the Minister for Works) replied:

The major examinations considered necessary call for the use of four-wheel-drive vehicles; but it is possible that a barge or lugger, and possibly horses, might be of use on special occasions. This can only be decided when the party has gained some knowledge of the area to be examined.

QUESTIONS WITHOUT NOTICE.**COMMISSIONER OF NATIVE WELFARE.***Court Action for Alleged Defamation.*

1. The HON. A. F. WATTS asked the Minister for Native Welfare:

(1) Is the Commissioner of Native Welfare the defendant in a court action for defamation, or any other cause?

(2) If so, who is the plaintiff and what are the allegations in respect of which the action has been brought?

(3) Has the hearing—

(a) Commenced?

(b) Concluded?

If the latter, with what result?

(4) Does the Minister know why no report has appeared in the Press?

The MINISTER replied:

(1) Yes, co-defendant with the Australian Broadcasting Commission.

(2) E. Mitchell. The allegation is that a statement made by the second defendant and published by the first defendant in August, 1953, in respect of the refusal of

certain natives at Port Hedland to participate in a search for a lost white man was defamatory.

(3) (a) No.

(b) No.

(4) No.

COMMONWEALTH GRANTS COMMISSION.*Availability of Report to Parliament.*

2. Mr. COURT asked the Premier:

(1) Is the 25th Report of the Commonwealth Grants Commission covering the current grant of £11,000,000 to Western Australia yet available in this State?

(2) If not, when does he expect it to be available to Parliament?

The PREMIER replied:

(1) No.

(2) Next Tuesday.

IRON ORE.*Tabling of Papers re Sale to Japan.*

3. Mr. COURT asked the Minister for Mines:

Referring to the question without notice asked by the Leader of the Opposition on Wednesday, the 17th September, will he state when he proposes to table, as promised, all the departmental papers, particularly the agreement for the sale of 15,000,000 tons of iron ore from Yampi Sound, which were the subject of a motion moved in the Legislative Assembly by the then Premier, the late Mr. J. C. Willcock, on the 30th August, 1938?

The MINISTER replied:

I do not know whether the Deputy Leader of the Opposition is introducing any fresh matter here. I have delayed tabling the papers requested by the Leader of the Opposition pending his return. Questions have been asked here from time to time concerning an agreement; but assurances have been given that there is no agreement. I will table the papers tomorrow.

WEIGHTS AND MEASURES ACT AMENDMENT BILL.*First Reading.*

Introduced by the Hon. J. J. Brady (Minister for Police) and read a first time.

BILLS (2)—THIRD READING.

1. Bush Fires Act Amendment.

Transmitted to the Council.

2. Licensed Surveyors Act Amendment.

Passed.

NATIVES (STATUS AS CITIZENS) BILL.*Report.*

Report of Committee adopted.

WAR SERVICE LAND SETTLEMENT ACT.

Amendment of Regulation No. 24.

Debate resumed from the 10th September at the following motion by the Hon. A. F. Watts:—

That new Regulation No. 24, made under the War Service Land Settlement Act, 1954, as published in the "Government Gazette" on the 23rd November, 1955, and laid upon the Table of the House on the 24th November, 1955, be amended as follows:—

By deleting paragraph 2 (c) thereof, and inserting in lieu the following paragraph:—

2. (c) One member to be nominated by the Central Council of War Service Land Settlers' Associations Incorporated.

MR. I. W. MANNING (Harvey) [4.48]: I have been associated with the activities of the R.S.L. since I joined that organisation in 1942, and I have been most impressed by its breadth of activity, and the manner in which it has looked after the interests of all ex-service personnel. In this particular case, the Leader of the Country Party seeks to amend the representation on the War Service Land Settlement Appeal Board on which today the R.S.L. has a representative. The representative comes from the land committee of the R.S.L.

This land committee is composed largely of active farmers, or ex-farmers, some of whom are ex-service land settlement farmers. The land committee was formed back in 1921. It has watched very closely the interests of soldier settlers since that time, and particularly the ex-service land settlers under the present war service land settlement scheme. I know the representative on the appeal board personally, and he has impressed me as being an excellent man. He is a farmer—a retired farmer, although reasonably young—who has had wide experience. His representation on the appeal board has been very earnest indeed, and he has sought to watch very closely the interests of the land settler.

I have a number of war service land settlers in my electorate. I know that in the electorate of the hon. member for Vasse there are also a number of war service land settlers; and, speaking for those two particular areas, I have heard of no complaints whatsoever about the activities of the R.S.L.'s representative on the appeal board. In fact, I would go so far as to say that, in my association with the R.S.L., at no time have I heard any complaints against this representative. It has been stated that Mr. Milne has done an excellent job indeed.

Therefore, I am rather surprised that the Leader of the Country Party is endeavouring to make this change by replacing the R.S.L.'s representative with a member to be nominated by the Central Council of the War Service Land Settlers' Associations. I would offer opposition to this move on the ground that members of that association are obviously very largely concerned with only one section of farming.

The dairy farmer under the war service land settlement scheme would not be happy with that representation. The representative of the R.S.L. on the committee has been very well aware of the problems associated with every section of farming, as well as the problems of the ex-service land settler in particular. Any problems which have come before the appeal board have been assisted by the reasonably qualified opinion he has been able to give to the board.

I view with some concern the fact that there is a suggestion that the R.S.L. representative should be replaced by a man from the other organisation. I think we should take into consideration the standing of the R.S.L. in the community. It is a very large and influential organisation, and it has attained this status over the years because of its activities throughout the community in general. I feel it would be very wrong to replace its representative by one from a lesser organisation which is not so representative of the war service land settlers. The weight of opinion that such a man would bring with him would not have the value of that of the representative of the R.S.L. because of the standing and status of the R.S.L. throughout the community.

I see no real reason for the change. The ex-servicemen—so far as I can ascertain, and so far as my personal knowledge goes—have been adequately represented on the appeal board. Therefore, on that score I can see no reason for a change. I consider that the R.S.L. is a far more suitable body to appoint a representative to the War Service Land Settlement Appeal Board.

Therefore, at this stage I must oppose the motion submitted by the Leader of the Country Party to replace the R.S.L. representative on the War Service Land Settlement Appeal Board with a member of the Central Council of the War Service Land Settlers' Associations.

MR. POTTER (Subiaco) [4.55]: Like the hon. member for Harvey, I oppose this motion. I have, over some 10 years, been a member of the local sub-branch of the R.S.L.; and I have had occasion at times to make representations on behalf of several members of the land committee. I have also had an intimate connection with the R.S.L. and can assure hon. members in this House that whether

a person is eligible or otherwise to be a member of the league, he can, and does, get every assistance, particularly in regard to land settlement.

In opposing this motion, I would like again to point out to the House that my colleague, the hon. member for Gascoyne, very adequately covered all the factors with regard to the activities of the R.S.L. concerning soldier land settlement. It was pointed out that on the land committee of the R.S.L. there were 11 members, nine of whom were or had been practical farmers. Some gained their experience under the old soldier land settlement scheme, and others are active farmers at the present time.

Therefore, I submit that this representation, together with its annual congresses, which discuss land settlement matters, should adequately cover all that has to be done, and this body can speak from experience. As the hon. member for Harvey has pointed out, the committee was formed in 1921. It has functioned well and has placed representations before both the State and Commonwealth Governments which, to a large degree, have made the functioning of the war service land settlement scheme possible.

There is another feature about this: the War Service Land Settlers' Association—incorporated, I understand—has not a permanent secretary in the city. The secretary is an accountant who travels around the country, and therefore is not as easily accessible as is the officer in charge of land settlement, who is at Anzac House. He is available between the hours of 9 a.m. and 5 p.m. at any time for any purpose, and I submit that the R.S.L. should be represented on this appeal board. After all said and done, I think there have only been four appeals to date, and the R.S.L. has done a worthwhile job. I suggest it would hardly be advisable to make a change at the present moment, bearing in mind that the R.S.L. can make representation on an Australia-wide basis to the Commonwealth Government as well as to the State Governments. Therefore I oppose the motion.

THE HON. A. F. WATTS (Stirling—in reply) [5.01: I am amazed, in the first instance, that I have not received the courtesy of a reply from the Minister for Agriculture.

Mr. Kelly: I have already spoken on the matter.

Mr. WATTS: The Minister has not spoken on this subject.

Mr. Kelly: I have.

Mr. WATTS: The Minister must have spoken at a time when I was not aware that he had spoken.

Mr. Kelly: I am not allowed to speak twice on the same matter.

Mr. WATTS: I am sorry if I have made a mistake, and I am sorry that I did not hear the Minister.

Mr. Court: I understood that the hon. member for Gascoyne spoke, but not the Minister.

Mr. WATTS: That is what I understood.

Mr. Kelly: I did speak.

Mr. WATTS: I understood the hon. member for Gascoyne spoke and that the debate was then adjourned, and that nobody had spoken since until this afternoon. If I have made a mistake, I withdraw what I said, but I was certainly under that impression. I think the Minister will find he has said nothing on this subject, and therefore I am not able to reply to any views that he might have expressed.

Mr. Kelly: I am almost certain that I spoke on the motion. I was well opposed to it, anyway.

Mr. WATTS: I shall allow the matter to drop in an aura of uncertainty and shall proceed to say something on the remarks made by other speakers. I thought I made it clear, when moving the motion, that there was no suggestion of there being anything in my mind against the R.S.L. I pointed out as carefully as I could that the War Service Land Settlers' Association was a separate organisation, created by war service land settlers, and that its membership included a number of persons who could be and were members of the R.S.L., and a number of persons who could not be members of the R.S.L. although they were qualified to accept assistance under the War Service Land Settlement Act.

I want to disabuse the mind of the hon. member for Harvey, and anyone else who thinks like him, that the motion is in any way directed against the interests of the R.S.L. It is founded on the same belief as that which I mentioned when I introduced the motion, which is to be found in the Government Employees (Promotions Appeal Board) Act where each separate organisation or union that is affected in Government employment, is entitled to appoint its representative to the appeal board.

The War Service Land Settlers' Association has a large membership. During the last 10 days I have attended meetings of two branches of the association, and both of the meetings were extremely well attended. I have, on more than one occasion—on two occasions I think—attended meetings of the Central Council of War Service Land Settlers' Associations. I have attended these meetings mainly because, as is well known to most hon. members, I have in my electoral district some hundreds of war service land settlers in the several project areas that have been established east and west of the Great Southern railway. In consequence, I am reasonably well aware of the sentiments of the majority of these people.

Here again, I repeat they have nothing against the R.S.L., as such; but the majority of them, I believe—and I have been so informed—desire to have their own representative on the appeal board in the same way as, I venture to suggest, the trade unions want a representative of their own on such bodies as the promotions appeal boards that I referred to earlier; and I suggest they are similarly entitled to that representation, if they want it.

The Minister knows that, over a considerable period, he has had requests from the War Service Land Settlers' Association, for this representation. He will recollect that in February last, he received a deputation, from the War Service Land Settlers' Association, which I attended and which was introduced by my colleague, the hon. member for Katanning, and the deputation made the request to him, among other requests. The Minister will also know, I think, that on a previous occasion the same request was made by these people to his predecessor, but up to date it has not been granted by the Government; nor has it yet been granted or refused by the Minister so far as the debate in the House is concerned, as far as I am aware.

This is not a matter of complaint against the R.S.L., or anyone else. It is a matter of what is a reasonable course to pursue. These people have set up an organisation which they call the "War Service Land Settlers' Associations Incorporated", which has a considerable membership. Some of its members cannot be members of the R.S.L.; but some of them can be, and are. They have, officially, made a request to the Minister and to his predecessor; and, having had the request refused—or at least not granted—they have made the request to me, and I have here a letter dated the 31st July, 1958. This letter is signed by the President of the Central Council of the War Service Land Settlers' Associations, and he says—

Many thanks for your letter and copy of regulations governing the appointment of the War Service Land Settlement Appeal Board.

While the powers of the appeal board are so limited as to be of very little value to settlers, we would, nevertheless, be grateful for direct representation of settlers on that board. We feel that it might be a step towards our main objective of an elected representative of settlers on the Land Settlement Board.

In a further paragraph he goes on to say—

Our request has always been that any member of any board or tribunal purporting to represent the settlers should be directly elected by the settlers and not nominated by the Minister.

That is what these people are asking for, and it is a reasonable request. It is not made in derogation of anyone, but in support of the sentiment that they want a representative because they are a separate, incorporated body with a substantial membership, particularly in the project areas.

I suggest that in the same way as the House has agreed, time and again, to representation being granted to the nominees of various bodies—trade unions and others—to tribunals which have to deal with problems affecting their rights, so it is a reasonable proposition that this organisation should be allowed to nominate a person to this board.

After all, the board is one which can affect no-one else but a war service land settler, and primarily a war service land settler who is going to be evicted, or his lease is going to be terminated. Which-ever phrase hon. members prefer, the result is much the same. The board cannot affect anyone else. It has nothing to do with the general membership of any other organisation. It can deal only with the question of whether a person shall have his lease terminated, or be evicted; and that person must be a war service land settler who may not be a member of the R.S.L., although he may be.

Mr. I. W. Manning: The R.S.L. represents these settlers on the appeal board.

Mr. WATTS: The War Service Land Settlers' Association—as I have already said and say again—desires a representative of its own organisation on this board, and I say it is entitled to have one. Therefore I hope the House will agree to carry the motion.

Personal Explanation.

The HON. L. F. KELLY: I wish to apologise to the Leader of the Country Party, as I was fully convinced that I had spoken on this motion. I had an elaborate set of notes, which I thought I had used, so I must have confused it with the other similar matter. I recall feeling on Wednesday evening last that I had dispensed with all the motions and had only to sit and listen. I repeat that I apologise to the Leader of the Country Party; but in any case my answer would have been a very definite "No."

Question put and negatived.

Mr. Nalder: The settlers have not many friends, apparently.

BILLS (2)—RETURNED.

- 1, Vermin Act Amendment.
- 2, College Street Closure.
Without amendment.

INDUSTRIAL ARBITRATION ACT AMENDMENT BILL.

Second Reading.

Debate resumed from the 10th September.

THE HON. J. B. SLEEMAN (Fremantle) [5.13]: I do not think the Deputy Leader of the Opposition could really have thought he could get a measure such as this through this Chamber. I cannot believe that he ever imagined this House would pass the Bill. His main point, when introducing the measure, seemed to be the Hursey case in Tasmania; yet he should know that, under the rules registered in the Commonwealth Arbitration Court, a non-unionist on the waterfront automatically disqualifies himself by a refusal to pay union dues, and cannot be on the official roster for work. That is the law of the land, and once these people became unfinancial they could no longer be rostered.

Mr. Court: Did you read the amendment?

Mr. SLEEMAN: In regard to the Hursey case the Deputy Leader of the Opposition said—

I have studied quite a lot of the Hursey case and much more than has been reported in "The West Australian" and the other papers in Australia, because when I was in the east recently I made it my business to seek some real down-to-earth information on the background of the case.

I do not think he made many inquiries; at all events he never looked in the right place, although it was not hard to find. He did not have to go to the Waterside Workers' Federation, but only to the shipping people or the stevedoring industry authorities; and they could have told him the facts. As a matter of fact, the waterside workers have been great friends of the Hurseys, and it is a rotten thing that they should have been put to the cost of thousands of pounds in the action that has been taken in Tasmania recently. I have here the facts in regard to the Hurseys and will read them to the House. They are as follows:—

Hursey was injured in the late 'forties aboard the Union S.S. Co.'s *Talune*. The Federation helped him with his compensation claims.

He got a total of £800 in weekly payments, then a final settlement of £400.

The Union S.S. Co.'s legal adviser in this case was Mr. R. Wright, now Senator Wright of the Liberal Party, and legal adviser to F. Hursey.

Hursey was on the invalid pension for some time.

In May, 1955, a letter from Hobart Branch to Federal office of the W.W.F. reported that the stopwork meeting of

May 4 had declared that "failing a favourable reply" to Federal office negotiations on Hursey's behalf, there would be a further stoppage on May 18.

Only by giving a strike ultimatum to the Board and employers was the Federation able to get Hursey re-registered.

Thus Hobart wharflies were prepared to sacrifice their own bread and butter to get Hursey back on the wharf.

The stevedoring industry authorities and the shipping people said that Hursey was not fit to work on the wharf; but the waterside workers demanded that he be reinstated and that was how he came to get back on the wharf. To continue—

When readmitted a member is normally required to pay all back levies and union dues.

The Federation waived all levies and Branch dues—Hursey only had to pay for his Federal ticket.

Hursey suffered an injury on the Hobart waterfront in May, 1949, and was off on compensation for some years. As I say, when he wanted to get back, he was only able to do so when the waterside workers demanded that he be reinstated.

Mr. May: They did a lot more than that for him.

Mr. SLEEMAN: This is enough for members opposite.

Mr. Ross Hutchinson: All this has no real bearing on the matter.

Mr. SLEEMAN: The Deputy Leader of the Opposition said that nobody should be penalised for being unfinancial in the union, but I do not know how he has the cheek to put that up here, where not long ago he put up the reverse case. If it is right for a member of his union it is wrong for any other union, according to him. He must think we have very bad memories and that we have already forgotten the row he kicked up against a member of his union who was excluded, and they demanded that he be sacked—

Mr. Court: That has nothing to do with the case.

Mr. SLEEMAN: I will quote from page 66 of Hansard for 1955—

Mr. Court: This is a question of a compulsory political levy.

Mr. SLEEMAN: On page 66 of Hansard for 1955 the Deputy Leader of the Opposition asked the Minister a question in regard to the case to which I have referred. It did not matter to him what was done to the member of his union, and the member in question was excluded by his union for not paying his dues.

Mr. Court: Tell us the background of the case.

Mr. SLEEMAN: On the 10th August, 1955, the Deputy Leader of the Opposition, without notice, asked the Minister for Justice—

With reference to the answer given to my earlier question, is he aware that —, referred to as a member of the Land Agents' Supervisory Committee, is no longer a member of the Institute of Chartered Accountants—

You will note that the hon. member has said there that he is no longer a member. How was he discharged from that institute? He had been excluded in November, 1954, in the same manner as Hursey was excluded, namely, for non-payment of dues.

Mr. Court: You can't put that one up!

Mr. SLEEMAN: The Deputy Leader of the Opposition said that he was excluded in November, 1954, for the non-payment of his dues. Continuing to quote this question that was asked by the Deputy Leader of the Opposition—

—having been excluded in November, 1954, and the Registrar of Companies was so advised on the 25th November, 1954, and the Under Secretary for Law advised on the 7th December, 1954?

They acted very quickly, did they not, Mr. Speaker? They advised the Under Secretary for Law on the 7th December, 1954. They were not satisfied with notifying the Registrar of Companies; they also went along to the Under Secretary for Law and notified him that this person had been excluded from the Institute of Chartered Accountants.

Mr. Ross Hutchinson: But he is still earning his living as an accountant.

Mr. Court: He is still allowed to practice; he is not debarred from earning his living.

Mr. SLEEMAN: I will now tell the House all about the Hurseys, by quoting the following newspaper extract:—

Why did Hursey leave the Labour Party and join the D.L.P.—a political offshoot of the Industrial Group and electoral ally of the Liberal Party?

The version in Pix, Sydney pictorial journal, on the basis of its interview with F. Hursey for its July 12 issue, is:

The union spreads the words in Hobart that the Hursey trouble really started when the A.L.P. refused his nomination to stand as a Labour candidate at a State election.

So from that, hon. members can see that Hursey was after something. He was prepared to be a good and loyal member of the union if he could get into Parliament and represent his union there. The newspaper extract continues as follows:—

The union says that this piqued him, that he saw in the D.L.P. a chance to "get even".

Mr. Hursey admits that the A.L.P. refused to endorse him, but denies he was aggrieved—Hursey was automatically shelved from the A.L.P. when he joined the D.L.P. in August, 1956.

He tried to win Franklin State seat as D.L.P. candidate in 1956, but was heavily defeated.

Realising that the A.L.P. would not have him, he thought he would stand as a candidate for the D.L.P. So there is the history of the Hursey cause. The Deputy Leader of the Opposition knew all this, but he tried to put over the rough stuff. He knew that he had objected to a member of his union being employed because that member had become unfinancial in his organisation, and so he was excluded. When Hursey failed to pay his union dues he, too, was excluded. Therefore, I do not think we should trouble ourselves with this measure for two minutes. We should put it where it belongs—out the window!

MR. HALL (Albany) [5.24]: I rise to speak on this Bill because I have been associated with an industrial organisation for 30 years. I am amazed at the Deputy Leader of the Opposition introducing a measure such as this into the House. For many years I was associated with a firm which had an unparalleled industrial history in the textile field in this State, and it also enjoyed the same distinction throughout the Commonwealth. During the complete history of our union there has probably been only one dispute, and this excellent record has been achieved only as a result of co-operation between the union and the managements of the firm both in the Federal and State spheres. Any dissension in the industrial set-up was easily dissipated because the management had direct approach to that union. If there was no leader to control the workers there would therefore be none to see if one was in trouble.

The objects of the union, to which its members subscribe, are as follows:—

- (a) to watch over, improve, foster and protect the interests of its members;
- (b) to improve the social and economic position of its members by all lawful means;

I think "lawful means" includes industrial action, which we are allowed to use. Continuing—

- (c) to render pecuniary and other assistance in repelling any infringement or attempted infringement of its members' rights and privileges;

That is what the Deputy Leader of the Opposition is endeavouring to do. The rules continue—

(f) to acquire direct representation of Labour in Federal and State Parliaments;

(g) to establish and maintain Labour journals;

That would represent propaganda, but we subscribe to that so that we may defend our interests.

I will now quote to the House an extract from the final speech made by the late Rt. Hon. J. B. Chifley, which reads as follows:—

I will be surprised if trade unions are not prepared to stand for personal liberties. On the matter of coercion my mind goes back to earlier governments who suppressed unions and used free labour, and who were swept out of office,—

I repeat that phrase "swept out of office", as I believe that is what will happen to the Deputy Leader of the Opposition if he persists with this Bill. Continuing the quote—

—as I believe this Government will be. No government by coercion, by convicting and sending men to gaol for industrial offences, is going to produce anything but strikes nor will it cure the evils people may suffer.

Mr. Wild: Did not Chifley put the troops into the coalmines?

Mr. HALL: He may have done; but I am sure that if he did so, it was necessary. However, I think we are digressing from the point in question. If the late Mr. Chifley did anything like that, I am sure that he did so in the interests of the country.

I will now refer to another aspect; namely, unions and their political rights. I hope the Deputy Leader of the Opposition has his pencil ready to make a note of this quotation. It is as follows:—

Labour's political enemies are now toying with the idea of clamping down on the Trade Union's political activities. It is argued that tens of thousands of unionists vote anti-Labour, therefore unions should be non-political. Such reasoning is a superficial appraisal of Trade Union political thought and the effect of union registration and access to industrial courts.

I agree with those remarks, and I submit that this Bill is not worthy of being introduced into this House.

MR. PERKINS (Roe) [5.28]: I do not think any hon. member on the Government side of the House has made out a very convincing case against some of the provisions in this measure. For instance, the previous speaker sought to justify the

existence of trade unions. No hon. member on this side of the House has tried to make out a case to show that trade unions are undesirable. Such organisations are used by workers in the same way as unions of producers and unions of many other interested people in different spheres. Such a trend is the accepted way of life in the British Commonwealth.

I do not think any Government would be so rash as to attempt to suppress the legitimate activities of any union. I am sure that all hon. members on this side of the House consider—I certainly do—that trade unions have a very necessary part to play in the type of economy which has developed during this century. I hope we will continue to hear trade union members voicing their legitimate requirements; and, by co-operation with organisations of employers, they can not only improve the standards of employment, but also make employment in industry more efficient. This would benefit not only themselves but also the whole community.

Mr. May: Do you think they should be financial members of the union?

Mr. PERKINS: I believe they should support the unions.

Mr. May: Then you disagree with the Leader of the Opposition.

Mr. PERKINS: I did not hear the Leader of the Opposition say that members of trade unions should not support the unions financially. There was some argument about persons in a particular field of employment being forced to belong to a particular union. Let me give an illustration. In the farming community, even though many of the hon. members on this side are active members of the Farmers' Union, primary producers are not forced to join a union. None of us contends that a producer who refuses to join the Farmers' Union should be debarred from engaging in agriculture. But we do our best to encourage every producer to belong to that producers' organisation. I am not suggesting that a different method be adopted by the trade union movement.

Much of the argument from the opposite side of the House has been directed towards justifying the place of the trade union in our economy. I repeat that the trade unions have a very important part to play; and provided they act in a responsible manner, they can raise the efficiency of industry.

I might quote one instance which comes to mind. It relates to recent developments concerning long service leave. We saw the spectacle of the trade union movement being far ahead of the Labour Party organisation, and being much more efficient in dealing with the employers in the obtaining of improved conditions of employment. In that instance the A.C.T.U. dealt with the employers' organisation and agreed on certain standards of long service leave

which have since been accepted by this Parliament. Previously the Labour Party was very far out of touch with the trade union movement when it rejected the proposal offered in this House.

Mr. Potter: Your crystal must have been very cloudy.

Mr. PERKINS: Some of the hon. members on the Government side do not seem to like the instance I am quoting, but their interjections will not alter the truth. Although we agree that the trade unions play a very necessary part in the community—and certainly in any community which is outside of the Communist-dominated countries—it does not necessarily follow that any portion of their funds should be used for political purposes in the support of the Labour Party or any other organisation.

Mr. Potter: That is for the unions to determine.

Mr. PERKINS: I do not think that even the hon. members on the Government side will try to prove that every member of every trade union supports the Labour Party. If hon. members opposite were to be truthful, they would agree that a considerable number of trade union members support the Country Party or the Liberal Party. Does that not justify the provision in the Bill before us which states that the funds of trade unions should not be used to support one political organisation when some of their members believe that their best interests would be served by another political organisation?

Mr. Andrew: Don't you believe that the majority should rule?

Mr. Sleeman: I don't believe that one.

The SPEAKER: Interjections should be made one at a time. The hon. member may proceed.

Mr. PERKINS: I believe that union funds should be expended for legitimate union purposes and not for political purposes, which may or may not be in accordance with the ideas of some members of trade unions. I heard an interjection that the majority should rule. In a great many cases that is perfectly true, but obviously that doctrine can be carried too far. It should be the objective of all of us to give as much freedom to the individual as possible, in the voicing of his views and in deciding the way in which his contribution to union funds should be used.

Hon. members on the Government side cannot possibly make out a case to support the contention that it is vitally necessary for some portion of trade union funds to be used to support the Labour Party in particular. That being the case, the hon. members on the Government side who have spoken against this measure have not been very logical. I hope that this House will at least pass the second reading of the Bill. If some of the provisions in the Bill

are not considered to be entirely satisfactory, no doubt an opportunity would be given to bring forward amendments.

Mr. Hawke: Take the tongue out of your cheek!

Mr. PERKINS: I hope the second reading will be passed.

MR. ROSS HUTCHINSON (Cottesloe) [5.36]: I support this measure and feel that the Deputy Leader of the Opposition should be commended for bringing it before this House and the principles contained therein before the public of Western Australia.

Like the hon. member for Roe, I feel that Government speakers, from the Minister downwards, have skated round the real purposes behind the introduction of this legislation. They have spoken in great detail about the work of trade unions and the like, without getting down to the two vital points contained in the Bill. The two purposes are: firstly, to prevent victimisation of workers who have conscientious beliefs regarding union membership; and, secondly, to prevent compulsory levies on workers for political purposes. Surely an impartial examination of both those purposes would reveal that each of them should be used in the interests of fair play and of simple human rights.

With regard to the first purpose—that is, victimisation of workers—this Bill only extends a principle which is already in the parent Act. The principle is that it is widely known that in the parent Act no employee or employer should be penalised or victimised because he belongs to a union or an association. Many of us are familiar with this portion of the Act—I think it is Section 135—which refers in explicit terms to the principle I have outlined, and no-one could object to that principle.

The provision in the Bill before us only widens that established principle. It does so in this manner by providing as follows:—

That there should be no victimisation and no prejudice shown to a worker or person who does not belong to a union or organisation.

Surely if it is fair for the one it should be fair for the other! I submit that is Australian fair play.

Touching on this particular point I would remind the House that Mr. Justice Neville, when referring to the dismissal of the two Dutch employees at the State Brick Works, said that in this particular instance, the case did not amount to a lockout, but—using the words of Mr. Justice Neville, “it might amount to victimisation.” This part of the Bill should be accepted at least by any impartial observer.

I would remind the House that in his judgment relating to the case of the two Dutchmen, Mr. Justice Neville said—

Any conditions of employment designed to ensure that all workers in a given establishment or industry are members of the appropriate union, should contain an exception in favour of those workers who may be precluded by genuine religious beliefs, from joining any union.

Mr. Rowberry: There is nothing like that in the Bill.

Mr. ROSS HUTCHINSON: I am not referring to the Bill for the moment. I was referring to the remarks of Mr. Justice Neville that there should be an exception in favour of those workers who may be precluded by genuine religious beliefs from joining any union. The point I make is that on this very principle the President of the Arbitration Court is in agreement with what is contained in the Bill.

As was pointed out by previous speakers on this side of the House, it can be assumed that most hon. members opposite believe in the principle of conscientious beliefs, as it is applied to the exemption of persons from fighting for their country. Why cannot the same principle be applied in respect of conscientious beliefs to persons who do not believe in joining trade unions?

Mr. Potter: The conscientious objectors have still to serve in the forces in some capacity.

Mr. ROSS HUTCHINSON: If it is fair enough to apply the principle in respect of military service, it is also fair to apply it in the case of union membership.

Mr. May: Do you think it is fair for such people to take advantage of the benefits which are obtained by the unions without having to belong to them?

Mr. ROSS HUTCHINSON: That has no real bearing on the question, because a great body of unionists do make contributions.

Mr. May: For their benefit as well as that of the minority.

Mr. ROSS HUTCHINSON: If hon. members opposite were to agree to the changes enumerated in the Bill, then the same principle which applies to conscientious objectors in the military forces would apply to members of trade unions.

Mr. Potter: The conscientious objector still has to serve in the armed forces.

Mr. ROSS HUTCHINSON: And the conscientious objectors in the union will still serve the country in the capacity of workers. One can see a big cleavage taking place in respect of this matter because hon. members opposite will only be fair on a narrow basis, but will not be fair on a broad basis.

Mr. Rowberry: What is conscientious objection?

Mr. ROSS HUTCHINSON: The hon. member has had an opportunity of making his speech, and he succeeded in making a complete hash of it. I do not intend that he should make a complete hash of my speech. I contend there is a parallel between the principle relating to service to one's country in time of war, and the principle relating to one's service to the country in time of peace.

Mr. Johnson: There is a difference between service and killing. You seem to be stuck for words.

Mr. ROSS HUTCHINSON: I do not think the hon. member knows what he is talking about. He makes a complete donkey of himself when he does interject.

Mr. Hawke: What a nice educated boy the hon. member for Cottesloe is!

Mr. Wild: He is telling you a few truths, and it hurts.

Mr. ROSS HUTCHINSON: I do not know what the Premier has to talk about, because when I asked him a straight-out question the other evening he evaded it. The Premier enjoys very much interjections from his own side of the House, and he enjoys making interjections himself, but he resents any harsh treatment that might be meted out by Opposition members.

Mr. Hawke: I enjoy the hon. member. This is the greatest entertainment which has been provided, and there is no amusement tax.

Mr. Graham: I know how much the Premier enjoys him, too.

Mr. ROSS HUTCHINSON: The Hon. Minister for Transport makes himself a galah at times, too.

Mr. Graham: Keep going!

The SPEAKER: Order! Order! Let us get back to the business before the Chair.

Mr. ROSS HUTCHINSON: Thank you, Sir. With regard to a man serving his country in times of war, and in times of peace, I think that conscientious belief should apply fairly in both cases. But there is a deep cleavage between those people who have expressed themselves on that side of the House, and I cannot, for one moment, reason out why there should be a difference. Nobody from that side has been able to put forward any convincing argument at all that there should be a difference.

Mr. May: You wouldn't listen!

Mr. ROSS HUTCHINSON: I think it is entirely wrong for a man to be deprived of the means of making his living and to be sacked because he conscientiously believes he should not belong to a union. It has

been expressed by various speakers and by interjections that this sort of thing would lead to a break-up of the unions.

Mr. Rowberry: It would.

Mr. ROSS HUTCHINSON: I cannot agree with that. The hon. member for Warren should dry up for a while. He and the hon. member for Collie have intimidated by interjection that this would in all probability lead to a break-up of unions. But that is not so, and the assertion denies the good sense of workers generally. It says nothing for the loyalty of workers to a union and the good work unions have done over the years. It is absolutely ridiculous to suppose that all unionists would follow suit if some such exemption were granted.

Mr. Johnson: Are you looking for a way of not joining the Teachers' Union after the next election?

Mr. ROSS HUTCHINSON: I do not think the hon. member need have any fears on my account.

Mr. Graham: Wishful thinking!

Mr. W. Hegney: No fears; but hopes!

Mr. ROSS HUTCHINSON: The second purpose of the Bill is to prevent a worker being compelled to pay levies for political purposes. I cannot understand why anybody on the opposite side of the House should support the view that everyone should be compelled to pay compulsory levies for political purposes.

Mr. Potter: They are not. They have freedom of choice.

Mr. ROSS HUTCHINSON: Let us not object to this principle in the Bill. The Hursey case has been explained and has been bandied about; and it is an example of what could happen. The relevant amendment in this Bill provides, among other things, that no person shall be compelled to contribute to a political fund or be prejudiced in his employment or his membership of, or his admission to, an industrial union because he does not, or will not contribute to such a fund. This is soundly based; and I cannot understand why it should not be so, and be accepted as a principle. It has been mentioned that there must be a great many unionists who do not vote for Labour; and that is perfectly true. If it were true, for example, that all unionists—or workers—voted for Labour, then there would not be any but State Labour Governments and Federal Labour Governments in perpetuity.

Mr. W. Hegney: How do you work that out?

Mr. ROSS HUTCHINSON: We all know that there are a great number of people, fortunately, who believe that the Labour Party does not represent, in every way, the best interests of the workers; and some

people feel that the Country Party, or the Liberal Party, best expresses their particular political views.

With regard to this point of compulsory levies for political purposes, I should again remind the House that the Deputy Leader of the Opposition in our State Parliament has the solid support of the Deputy Leader of the Federal Opposition—that is, the Hon. Mr. Calwell. He said, as has been pointed out by the Leader of the Opposition here, that he was opposed to compulsory levies for political purposes and was merely in favour of voluntary levies.

Mr. Toms: Did he have before him an amendment such as is in this Bill, when he said that?

Mr. W. Hegney: Can you state any case in which a union has imposed a political levy in this State?

Mr. ROSS HUTCHINSON: I cannot think of one. But that has no bearing on the principle that we are trying to establish in this Bill. We are trying to ensure freedom—something that the Minister for Labour does not appreciate and does not seem to want to appreciate.

Mr. Potter: That is what we are fighting for.

Mr. ROSS HUTCHINSON: If the hon. member for Subiaco believes that, he should not be on that side of the House.

Mr. Potter: Of course he should!

Mr. ROSS HUTCHINSON: Because over there he is fighting for socialism, and every member on that side is fighting for socialism—is pledged to fight for it.

Mr. Graham: You capitalistic stooge!

Mr. Johnson: What is the matter with that?

Mr. ROSS HUTCHINSON: There is a great deal the matter with it. The socialistic objective is the one thing that they do not like being reminded about. Hon. members opposite are not endeavouring to achieve socialism in a week, a month or even a year or two, but to achieve it by stealth, bit by bit; and that is how freedoms are whittled away. Therefore I say that the hon. member for Subiaco is not fighting for freedom but for socialism.

Mr. Potter: And, by virtue of that fact, greater freedom for the individual.

Mr. ROSS HUTCHINSON: With regard to this matter of compulsory levies, how does the public feel?

Several hon. members interjected.

The SPEAKER: Order! This is a Legislative Assembly, not a place of hilarity!

Mr. ROSS HUTCHINSON: It is obvious that the Premier and his minions do not like any talk about socialism and freedom. He acts as the chief clown over there and raises laughs for the rest of his boys. With

regard to this matter of compulsory levies, I am going to point out for general interest, how the public feels with regard to this particular point, by quoting the result of a Gallup Poll.

Mr. O'Brien: You would win in a canter.

Mr. ROSS HUTCHINSON: In the issue of the Australian Gallup Polls of July-August, 1958, under the heading of "Political Levies by Unions Unjust" was stated the following:—

Trade unions are not entitled to expel members for not paying political levies, a big majority said in an Australia-wide Gallup poll in June.

The question was:

If a member of a trade union refuses to pay a levy on members for a political party, do you think the union should, or should not, have the right to expel him?

Of the 2,000 people interviewed nearly half said they or their husbands were members of trade unions. The 2,000 people answered:

No right to expel—61 p.c.

Entitled to expel—18 p.c.

No opinion—21 p.c.

Mr. W. Hegney: That would be the Hutchinsons.

Mr. ROSS HUTCHINSON: To continue—

The vote of 61 p.c. against expelling unionists for non-payment of political levies came from:

74 p.c. of L.C.P. voters,

52 p.c. of Labour voters, and

61 p.c. of unionists or their wives.

The article then gave some comments made by the people who were interviewed, as follows:—

Usual comments were:

Unions aren't for political purposes,

Members should be allowed their own opinions, and

Contributions should be voluntary.

And the concluding paragraph states—

On the other hand, the minority argued that political parties must be maintained, and that union members should abide by their rules and their leaders.

I have quoted this article because it is worthy of note and is indicative of how the public feels with regard to this very important matter. I feel that when workers are compelled to pay levies for political purposes, they must then realise—as indeed the whole of Australia must realise—that they no longer have any personal political freedom. They actually become, in fact, mere political pawns.

I support this Bill because I believe that it will help to ensure a worker's political freedom and allow him to make his own personal political decisions.

THE HON. A. R. G. HAWKE (Premier -Northam) [5.57]: There are two main provisions in this Bill, as I understand it.

Mr. Heal: It is a bit hard to understand.

Mr. HAWKE: That would depend, of course, on whether the Bill was studied as it is worded and the background to it studied, and the motives which might have prompted it. In addition, it would be necessary to look into the future to try to see how the legislation might work.

We have heard a great deal about the conscientious objection to joining a trade union. I would have a great deal of respect for men who conscientiously objected to join a trade union, if they followed their conscience a bit further—provided their conscience was working consistently—and did not try to grab, as it were, jobs in highly protected occupations—in highly protected industries, in so far as wages and working conditions are concerned.

In the particular instance which has been paraded before us during this debate—namely, the instance which occurred at the State Brick Works at Byford—we know that the industry down there is a very highly protected industry so far as trade union wages and trade union working conditions are concerned. Therefore, it seems to me that the men down there—who, after joining the union in order to get their jobs and remaining in them for some period of time, then found that they could not conscientiously continue in the union—should have resigned their jobs in that highly protected industry—highly protected industrially; and should have sought employment in other places where trade union protection does not exist; where the wages and the industrial conditions have not been built up through the years as a result of trade union effort and sacrifice.

Mr. Court: There is no preference clause at the brick works is there?

Mr. HAWKE: As far as I know there is a preference clause at the brick works—or was—until some time ago. If the Deputy Leader of the Opposition wishes to talk about compulsory unionism in his reply, I suggest he take us into his confidence as to what happened at the Liberal Party conference in Queensland in recent weeks.

Mr. Court: I will tell you about that one, too.

Mr. HAWKE: That will be very interesting because, briefly, the last conference of the Liberal Party in Queensland removed from the platform of the party in that State the compulsory unionism clause or plank. After the conference a sufficient number of requisitions were received to call a special conference of the Liberal Party in Queensland to debate this special

issue. The special conference was held last week-end, and, according to a news item over the A.B.C. the conference decided to reinstate the plank of compulsory unionism in the Liberal Party platform in Queensland.

As far as I know, nothing has appeared in any of our newspapers in regard to this important political development in affairs of the Liberal Party in Queensland, but I am sure the Deputy Leader of the Opposition would be a full bottle on the whole thing; therefore, it would be very interesting to all of us to hear from him just what the going backwards and forwards of the issue in Queensland is all about.

I was very interested to hear the Deputy Leader of the Opposition, when introducing the Bill, and in quoting either from a letter written by these conscientious objectors or from a statement by the President of the Arbitration Court, refer to the reasons given by these men for refusing to continue their membership in the appropriate union. As I remember it, the statement was to the effect that these particular men had become increasingly religious and were certain they had become Christians. They felt in some way or other that they were prejudicing themselves by remaining members of the union, and by continuing to associate with members of the union, some of whom were not Christians. Surely that is a peculiar outlook and attitude! I do not want to enter into a discussion on the matter, but I merely mention it to show that the reasoning of these particular individuals is peculiar to say the least.

Mr. Wild: Would the Premier not agree that religion is a thing in a man's own private life that comes over him by education—education religiously?

Mr. HAWKE: I would not altogether agree with that; I would rather think that the suggestion made by the hon. member for Dale simplifies the whole matter tremendously. However, it is not necessary to go into all the aspects, angles and facets of the matter, because it is not before us for discussion. I say very definitely that no person who conscientiously objects to joining a union should have the nerve to expect to remain in an occupation or an industry where the wages and working conditions, and all the rest of it, have been built up very largely through the years as a result of trade union effort.

Mr. Court: Where do you expect them to work?

Mr. HAWKE: They should work in occupations which are not protected industrially.

Mr. Court: But all our industries are protected industrially by the Arbitration Court.

Mr. HAWKE: No they are not!

Mr. Court: They are!

Mr. HAWKE: They are not; and I am surprised to hear the Deputy Leader of the Opposition say that! There are plenty of occupations—

Mr. Court: What is the significance of the basic wage?

Mr. HAWKE: —in this State which are not protected by Arbitration Court awards.

Mr. Court: They are still protected by the basic wage provisions of the law.

Mr. HAWKE: Let these conscientious objectors to joining a trade union go into occupations which are not covered by trade union awards but which are, to some extent, covered perhaps by the Factories and Shops Act or some similar legislation which guarantees them certain minimum wages and conditions. Let them go there, but for heaven's sake let us not have this industrial and political hypocrisy which puts forward the contention or assertion that a man should be allowed conscientiously to refuse to join a union; but, at the same time, should be allowed to get all the benefits, all the concessions, and all the privileges which the trade union movement over the years has established and protected!

Mr. Ross Hutchinson: You disregard the desires and qualifications of these individuals by telling them to do that.

Mr. HAWKE: I disregard nothing.

Mr. Ross Hutchinson: You do.

Mr. HAWKE: I stand firmly on the principle that if their conscientious objection to joining the union is genuine and complete, the logical thing for them to do is to seek employment in fields where no trade union is operating.

Mr. Ross Hutchinson: And where they may not be qualified; that is what you are saying.

Mr. HAWKE: There are so many occupations in Western Australia—such a variety of them—not covered by trade union awards, that they would have no difficulty in fitting themselves into one or other of those occupations.

Mr. Court: If your party's political and organisational aims are followed to their conclusion there would be no such industries.

Mr. HAWKE: Why not?

Mr. Court: Because Trades Hall has, as one of its objectives, outside the political sphere, to have all industries organised under the trade union movement. Where do these people go to work then?

Mr. HAWKE: How many years ahead does the Deputy Leader of the Opposition think it will be before that objective is fully achieved?

Mr. Court: What does it matter whether it is 10 or 100 years hence? That is the ultimate.

Mr. HAWKE: Let us deal with that situation when and if it ever comes to pass.

Mr. Court: You are going to persecute these people in the meantime.

Mr. HAWKE: Nobody would be persecuted; but I refuse to allow men conscientiously to object to joining unions and at the same time want to take everything which those unions have won for them through many years of struggle and sacrifice. It is all very well for the Deputy Leader of the Opposition, and the hon. member for Cottesloe, to try to lead hon. members of this House to believe that they are almost bursting with desire to protect and safeguard the trade unions, and to recognise their great work and value. I think anybody who has had any practical industrial experience, or for that matter very much political experience in this State, will know just how much reliance to place upon assertions of that kind.

Now I want to deal for a few moments with the other portion of the Bill, which covers the question of contributions by trade unions for political purposes. Very smoothly, the Deputy Leader of the Opposition, when introducing the Bill, told us that the provisions on this issue would apply equally to the industrial organisations of employers as they would to the industrial organisations of employees.

Mr. Court: That is so.

Mr. HAWKE: I am very glad to have the Deputy Leader of the Opposition's confirmation of that; but I am interested to see that he smiles very knowingly when he confirms what I have said. He knows, as well as anybody else in this House, and better than some, that although superficially that appears to be the case, in reality it is not the case at all. If this Bill were to become law it would apply most unequally, and therefore most unfairly and most unjustly as between the two sets of industrial organisations.

Everybody, and particularly the Deputy Leader of the Opposition, knows that industrial organisations of employers would not need to make political contributions to any political party. The hon. member knows that because he realises that the individual members of an industrial organisation of employers are for the most part financially capable of making substantial individual contributions to the political party which they might wish to support.

Mr. Graham: And get a taxation deduction on the grounds of advertising.

Mr. Court: They do not; they are breaking the law if they do.

Mr. HAWKE: Therefore, clearly and obviously, industrial unions of employers would not make political contributions; there would be no need for them to be made except perhaps on very special occasions and in special circumstances. The

individual employers would make their own individual contributions, and they would generally meet the situation.

Mr. Ross Hutchinson: On a purely voluntary basis.

Mr. HAWKE: They would certainly make their individual contributions on a purely voluntary basis. But the fact that they could, and the Deputy Leader of the Opposition hopes would, as individual employers make substantial contributions, would obviate the necessity for their organisation as such to make any contribution at all.

In regard to the industrial organisations of employees, the situation is entirely different. The individual trade unionists could not make worth-while contributions to the party which they might wish to support; but together, as an organisation of individuals—as a trade union—they could make a worth-while contribution to the political organisation which they might wish to support financially to cover an election, or for some other purpose.

Mr. Court: And we do not propose to stop them.

Mr. HAWKE: The Deputy Leader of the Opposition does not propose to stop them; but he proposes to try to establish sufficient legal obstruction to make it extremely difficult.

Mr. Court: No.

Mr. HAWKE: What is more, the Deputy Leader of the Opposition proposes to try to establish a legal situation which would give rise to the creation of dissension, bitterness, and all the rest of it within individual trade unions. He would create a dissident minority, but would give that minority the right to create, as it were, two vastly differing groups within a union, one of them very small in number, and the other very large in number; and by that method he would hope in the long run, if not in the short run, to weaken the trade unions as such and to bring about disunity, and ultimately destroy the bargaining power which the trade unions individually and collectively have in the industrial field today.

Sitting suspended from 6.15 to 7.30 p.m.

MR. ANDREW (Victoria Park) [7.30]: Mr. Chairman—

THE SPEAKER: You mean "Mr. Speaker."

Mr. ANDREW: I beg your pardon, Sir. I am so used to addressing a chairman, that I have found myself doing so on this occasion. I would like to say quite early that I listened with interest to what the hon. member for Roe said, concerning the speakers on the Government side having made a very poor case when speaking to this Bill. We could retort and say that

the hon. members on the Opposition side have made an extremely poor case; but that would not get us anywhere.

We must deal with this matter on its merits, and on facts. I was also rather astounded at some of the hon. member's remarks concerning the fact that he felt that unions should not have to contribute to the Labour Party, because some of them supported the Opposition party. I wondered then whether the member for Roe had ever heard how the Labour Party came to be formed. The Labour Party was formed by the unions. It was formed by the unions because they could not get justice as industrial organisations. They had far too much to overcome in the way of pressure from those in power. Those in power employed every device possible to defeat the workers. So the unions formed their political party, and so the Labour Party was founded—it was founded because of the injustices and wrongs done to the people in those days. I wonder whether the hon. member for Roe had ever heard of that.

Mr. Perkins: My word!

Mr. ANDREW: The hon. member for Albany said that he was rather amazed at the Deputy Leader of the Opposition having brought forward this Bill. I am more than amazed. I wonder at his effrontery in introducing such a measure; since if he had any regard for the well-being of the people of Western Australia—who are mainly workers—he would not have brought this Bill forward, because its passage would cause a great deal of industrial upset and unrest: so much so, that I do not know what would be the ultimate outcome.

Mr. Court: That is only your opinion.

Mr. ANDREW: As far as possible we need harmonious relations to exist in the industrial field today. This Bill in no way helps that along. The Deputy Leader of the Opposition justifies his measure on two counts. Firstly, he said it is legislation against victimisation in relation to religious beliefs; and secondly, it is to render illegal compulsory levies for political purposes. The two cases he quoted in support of his first contention were those of Louis Thorne and the Dutchmen at Byford; and in support of his second argument, he referred to the Hursey case. Let us look at the case concerning Louis Thorne who was dismissed from employment at Fremantle gaol.

This man belonged to the gaol officers' union, and had done so from the time it was formed. He also belonged to some religious organisation for a longer period than that. When speaking on this matter in the Legislative Council the Minister for Local Government said that Thorne had belonged to this particular organisation for 20 years. Yet suddenly he got the idea that it was not quite right for him

to associate with his fellows in a union. I cannot understand why a man who belonged to a union for over 29 years should suddenly think it wrong to do so. As I said, he belonged to the religious organisation for a longer period than that. So what actually happened has never been stated. We do not know why he changed his mind and resigned.

Mr. Court: Isn't it a man's private business?

Mr. ANDREW: Actually that man was a member of the union, and part of it; and that union had entered into an agreement with the employers which was registered in the Arbitration Court. A part of that agreement stated that the employees should belong to a union. Thorne himself resigned from that agreement; so, in effect, he actually sacked himself.

Mr. Court: No, he did not; he was wrongfully dismissed.

Mr. ANDREW: He sacked himself; and nothing that the Deputy Leader of the Opposition might say can alter that fact. The fact that he resigned from the union put him outside of that agreement to which he was a party.

Mr. Court: You are saying that Mr. Justice Neville was wrong.

Mr. ANDREW: I did not bring in Mr. Justice Neville at all. The Deputy Leader of the Opposition said that Mr. Justice Neville never doubted his bona fides. That issue was not before the court. The issue was whether he was wrongfully dismissed.

Mr. Court: I gave you verbatim what Mr. Justice Neville said.

Mr. ANDREW: I hope this will be a solo and not a duet. We now come to the two Dutchmen at Byford. They also belonged to a union for, I think, five years. Suddenly, however, they got ideas that it was not right for them to belong to a union, and they resigned. Having done so, they put themselves out of a job. In regard to that matter, I would like to say that those Dutchmen enjoyed the benefits and working conditions which that union had secured for them. They were prepared to accept those conditions, but suddenly decided they would not contribute to the organisation which had obtained those conditions for them.

Nobody with a fair mind would consider that a man who is not prepared to accept his responsibility in regard to a union should enjoy the benefits which accrue to union membership. The Deputy Leader of the Opposition made a statement that one of those Dutchmen was prepared to pay his money to some charitable organisation; but of course that has too many loopholes, inasmuch as he could pay to the St. John Ambulance, Children's Hospital, or any other charitable organisation, for three or six months,

and then conveniently forget all about it. He would still, however, enjoy the benefits derived from the membership.

Mr. Rowberry: He would still be a member of the union to which he objected.

Mr. ANDREW: The Deputy Leader of the Opposition makes the statement that these people have a right to their conscientious beliefs. He even quoted an instance, and drew a parallel in relation to conscientious objectors being relieved from wartime or military obligations. That is true to some degree, but the hon. member did not fill in the blank spaces. The hon. member for Nedlands knows as well as I do that a conscientious objector appears before a court and proves his bona fides—he must prove he is a conscientious objector. Having done so he is not completely relieved of his obligation to serve his country, but is generally placed in a non-combatant unit. He is still called upon to shoulder his responsibilities.

Mr. Court: In a manner acceptable to him.

Mr. ANDREW: The Deputy Leader of the Opposition gives that as a reason why these people should be relieved of all their responsibility to their particular union and their fellow men.

Mr. Court: It is in a manner acceptable to him. It is just that he does not want to kill. That is the difference.

Mr. ANDREW: As I have said, I am trying to make a solo of this speech, and the hon. member is making it a duet. I wonder whether the Deputy Leader of the Opposition would say that a conscientious objector should always be given that freedom to which his conscience objects. I am sure that we all object conscientiously to the paying of income tax, but that does not get us very far. We must accept our responsibilities. I do not see why these people should be relieved of their responsibilities because they conscientiously object to their particular union and their fellow men. The conscientious objector who objects to military service does so because of his belief in the Commandment, "Thou Shalt Not Kill." In such a case he has right on his side, because the Testament tells us so. They are merely obeying one of the Commandments. But nowhere in the Bible do we find, "Thou shalt not belong to a union of your fellow men."

Mr. Court: That is a masterpiece of sub-standard logic.

Mr. ANDREW: They say that because of their Christian beliefs they do not belong to a union. I do not know a great deal about their particular beliefs, but I know it is more Christianlike to pay one's contribution and accept one's responsibility than to accept the benefits without the attendant obligations. That is what these people are trying to do and yet the hon. member for Nedlands has introduced this Bill.

The second purpose of the Bill brought forward by the hon. member is to render illegal compulsory levies to particular parties. He says he wants that to be fair and square. But let us see some of the subclauses he has written into this Bill. Paragraph (a) of proposed new Sub-section (1) of Section 32A says that no funds of an industrial union shall be applied except in accordance with the rules of the industrial union. We do not object to that. Paragraph (b) of the proposed new section, however, says that these funds shall not be charged directly or indirectly in support of any political object except where such application or charge is approved by a majority of the members of the industrial union.

It would be utterly impracticable for a union to get a majority of its members to vote on these things. A lot of expense would be involved—indeed, the expense involved would probably be more than the union's contribution to the Labour fund. As far as I can see, that is the object of the Deputy Leader of the Opposition.

Paragraph (c) of the proposed new Sub-section (1) of Section 32A says that these funds shall not be applied except where such application or charge is made wholly from or on a political fund of the industrial union. The Bill then goes on to describe what "political object" includes. We find that it includes anything done to assist a candidate for any election, or any political party assisting a candidate or candidates for an election. It also includes the holding of meetings, or the publishing by any means of any matter written or verbal in support of a candidate for an election; and the maintenance of any person who is a candidate for any election or who is a member of Parliament; and nothing is done in regard to the enrolment of electors. There is no question about it that the Deputy Leader of the Opposition knows if he got this Bill through—though there is no hope of that—it would stifle the Labour Party in obtaining funds from the trade union movement in this State.

Mr. Court: That is an extravagant remark.

Mr. ANDREW: When the hon. member is replying, perhaps he can tell me how a union could possibly conduct a ballot throughout the State, which might cost £300 to £400—I am speaking of the biggest union, the A.W.U.—in order to give £100 or £200 to the A.L.P. It would be completely foolish to spend hundreds of pounds in conducting an election in regard to that matter. An election might be taken and a ballot paper be sent out asking, "Are you in favour or not?", and the majority of those papers might not come back. Sometimes only 30 or 40 per cent. of the papers sent out come back and even a majority, which would be required by the Bill would not vote.

Last month I heard of a union which sent out ballot papers to all of its members and 70 were returned. Therefore, it would stifle any chance of the unions giving money to the A.L.P.; and the unions and the A.L.P. are more or less one body working for mankind.

Mr. Court: Would you support the proposition with some amendment to meet your objection?

Mr. ANDREW: The only amendment which would remove my objection would be the rejection of the Bill.

Mr. Court: That is not an amendment.

Mr. Jamieson: A very good amendment.

Mr. ANDREW: There is a point which I nearly overlooked. We have heard a lot about the Hursey case, which is about on a par with the Petrov case. The Petrov case is the most disgraceful episode in the political history of Australia.

Sir Ross McLarty: In your opinion.

Mr. Hearman: Dr. Evatt made it disgraceful.

Mr. ANDREW: So did the Federal Government under Menzies.

Mr. Court: Why do you say the Petrov case was disgraceful?

Mr. ANDREW: Detective-Inspector Richards took £5,000 in a satchel and got Petrov on the other side of the room. Petrov has since proved that he is a drunkard who has to be kept by the Federal Government; yet he was offered £5,000 by Detective-Inspector Richards to come over and blow the gaff, as the saying is, and do the work Menzies wanted him to do.

Mr. Court: You know whose story you are advocating?

Mr. ANDREW: Detective-Inspector Richards, when giving evidence before the court—

Mr. Roberts: This will be good.

Mr. ANDREW: The hon. member for Bunbury does not believe it; but if he likes he can look up the evidence, and he will find that it is correct. Detective-Inspector Richards giving evidence before the court, was asked if Petrov signed the statement that night. Detective-Inspector Richards said he had £5,000 in the satchel when he negotiated with Petrov, and said that the statement was not signed that night. They had several interviews before Petrov came across to the other side.

Mr. Court: What have the Hurseys got to do with Petrov?

Mr. ANDREW: Since then Petrov was found with his trousers down on the coast of Queensland, and he was drunk at the time.

Mr. Graham: What has Hursey to do with this Bill?

Mr. ANDREW: Another who has got into trouble since is Dr. Bialoguski, the go between. They were a pair of bright

beauties! That is the sort of thing the Liberal Party has to do to win an election; which it did. The Hursey case is pretty much the same thing. The hon. member for Fremantle gave some history of the Hursey case; and I regard the Hurseys as a pair of poor specimens. A lot of statements have been made in the Press, but so much is left out that the ordinary person in the street does not get the full story. If the man in the street knew the full story he would have a different opinion. Messrs. F. and D. Hursey, father and son, ceased to be members of the Waterside Workers' Federation, Hobart branch, in January last because they did not pay any union dues whatsoever for the year 1957.

Mr. Court: Keep it up, because I will give the answer to that soon. The more fuel for the fire the better we like it.

Mr. ANDREW: The Deputy Leader of the Opposition gave some, but it was pretty weak.

Mr. Roberts: No-one would believe you but yourself.

Mr. ANDREW: A paper I have here states—

On 3rd February, 1958, Hobart watersiders declined to work with the Hurseys, not because of their failure to pay a 10s. levy, struck in accordance with union rules, but because the Hurseys paid no union dues at all for 1957.

Federal Rule 7 of the Waterside Workers' Federation says that any member who for 12 months beginning in January of each year has "failed to pay any contributions, fees, fines, levies or dues as and when they become payable in that year under the rules . . . shall at the end of such 12 months cease to be a member of the organisation."

Members have 12 months to pay their dues, and the Hurseys failed to pay theirs. That is why they made themselves non-unionists. To continue—

The Federation rules are registered in the Commonwealth Arbitration Court, and were accepted by the Hurseys when they took the usual Federation pledge on being admitted to membership.

When they were admitted to membership of the organisation they should have spoken up, but they accepted the conditions and registered rules of the organisation. Later on, because of certain circumstances, and because they allowed themselves to be used, they refused to pay contributions; this put them outside the union.

Mr. I. W. Manning: You have not read the article in the A.L.P. paper.

Mr. ANDREW: The hon. member can read it. The article continues—

The Port Order covering the engagement of labor for Hobart provides that no non-unionist shall be sent to work while unionists are available.

The Australian Stevedoring Industry Authority, an instrumentality—
I will leave that out.

Mr. Roberts: Read it all.

Mr. ANDREW: All right. It continues—

—of the Menzies Government, is legally obliged to carry out this order, but has violated it by placing the Hurseys first on the work roster, ahead of unionists.

Here is something which most people do not know because the Press does not give a fair and impartial account of what happens.

Mr. Court: What publication are you reading?

Mr. ANDREW: From the Waterside Workers' Federation statement put up in connection with this case; and I would rather believe it than the hon. member's stories.

Mr. Roberts: Who is the secretary of it?

Mr. ANDREW: It goes on to say—

Both the Hurseys were present when a Hobart W.W.F. stopwork meeting on October 2, 1956, unanimously decided on a 10s. levy for the Australian Labour Party.

In other words, the Hurseys voted for the 10s. levy because at these meetings one is generally asked, "Are you in favour or against?" If a person is against he should indicate that that is so.

The Hon. Sir Ross McLarty: Not to those people.

Mr. ANDREW: At that meeting nobody voted against it, so the Hurseys must have been for it. The Waterside Workers' Federation enforced the levy under its rules, which are registered in the Arbitration Court. Of 950 waterside workers of varying shades of opinion, 948 honoured their union decision. The exceptions were the Hurseys. I think it makes interesting reading. The Hurseys did not tender the money for their union dues. The pamphlet continues—

In August, 1957, F. Hursey was invited to pay his union contributions for that year, amounting to £8, excluding the levy. Hursey said he would have to consult his solicitors.

In September, 1957, F. Hursey was again approached by the Hobart Branch Secretary, but he replied that he was still awaiting advice from his solicitors.

In October, 1957, F. Hursey visited the Hobart Branch office and said that he would pay only £7 17s. 6d. When asked why, he replied that, on the advice of his solicitors, he would only pay £7 17s. 6d., because the other 2/6 was the amount of the affiliation fee to the A.L.P., to which he objected. When told there was no affiliation fee of 2/6 included in the union contributions of £8, F. Hursey still replied that he would pay £7 17s. 6d. But he did not at any time tender the money.

When the Branch Secretary said the contributions due by him were £8, which excluded the 10/- levy, F. Hursey left the Branch office and did not go near it again for the remainder of 1957.

The Hurseys simply refused to pay their union dues, apart from the levy that was struck; and they put themselves outside the union.

The hon. member for Fremantle spoke about F. Hursey receiving an injury and the fact that the union stood by him and won back his registration with the Stevedoring Industry so that he could get work again on the waterfront. However, what did he do? He turned the union down a few years later.

The Deputy Leader of the Opposition bases his second amendment to the Industrial Arbitration Act, in connection with compulsory levies and contributions by unionists, on the Hursey case. If he has not anything better than that on which to base it, he should turn the game up, because the information I have just given can be confirmed. These people are not worthy of any consideration whatsoever. Society as it is constructed today, in the form of parliaments and associations of people, is called democracy; and when a majority of people carry a decision, it is binding on the whole. Otherwise, we would have the position where the minority could cause chaos. That is what the position will be if we help people like the Hurseys and others mentioned by the hon. member for Fremantle—Mr. Thorne, and the two Dutchmen at Byford.

I consider that the grounds upon which the Deputy Leader of the Opposition has justified his bringing forward this Bill are very flimsy, and not worthy of consideration. I will certainly vote against the Bill.

MR. LAPHAM (North Perth) [7.48]: I do not intend to speak at any great length on this measure, but feel that as so many hon. members have expressed themselves, I should make my position quite clear. I oppose the Bill. Had the Deputy Leader of the Opposition given any reflection to this matter, he would never have introduced such a Bill into this House.

Mr. Sleeman: It is a good bit of propaganda.

Mr. Brady: I wonder!

Mr. LAPHAM: I am not prepared to say it is propaganda. I think that perhaps he might have been motivated by some worthier cause. At the same time, this Bill is not doing him or his party credit, because it strikes at the very fundamentals of a trade union, and at democracy. It is interfering with the domestic arrangements of trade unions—the normal domestic arrangements; the normal arrangements where a trade union may decide it needs some assistance in some other way, and so decides to support a particular individual in order that it may be articulate. After all, no trade union or member of a trade union can succeed in gaining better conditions, or a voice in industry, unless he is articulate or has someone to speak for him. "The Trade Unionist in Britain"—a publication issued in 1952—has this to say—

Most persons who join a trade union, however, are probably not moved entirely or even mainly by direct self-interest or by detailed appraisal of benefits which they will receive. They have a general feeling that unity is strength and that by joining together they can make a better case on issues that affect themselves and their workmates.

In effect they join so that they may implement their decisions. It would be completely impossible for them to implement any decision unless they had some voice in the community. Consequently they decided, quite early in the history of trade unionism, that it was quite necessary to have some political voice. Therefore they supported a number of candidates, and the Australian Labour Party was born. Since that time there has been a natural growth and expansion in trade unionism. This indicates, of course, that right will always prevail. This has been brought about by the combined views of trade unionists and the A.L.P.—the body that speaks for the trade unionists, politically.

Anyone who gives thought to the matter will realise that the absence of any alert political consciousness can be a great danger to any body, especially a trade union. If the Bill, which seeks to deprive trade unionists of political representation, were to become law, it would mean that the very basis of trade unionism would be defeated. There would be a slowing down of trade unionism, and decay would set in because trade unionists would not have political representation.

Mr. Court: That does not follow at all.

Mr. LAPHAM: It does follow. Without a voice, no organisation can carry on. The hon. member is indicating to trade unionists that they cannot have political representation.

Mr. Court: Nothing of the sort!

Mr. LAPHAM: The hon. member is.

Mr. Court: You have misread the Bill.

Mr. LAPHAM: I have not. In the measure, the hon. member is indicating that certain funds only should be set aside for political purposes. He is making the position extremely difficult. He says that a few individuals, out of many thousands who are trade unionists, are a minority. He fallaciously calls a minority three out of about 100,000.

Mr. Court: Don't you believe in the rights of minorities?

Mr. LAPHAM: Three out of 100,000 is not a minority. If it were a decent minority, I would agree that it had some rights.

Mr. Court: They are not the only ones in the State. They are the ones who have become public.

Mr. LAPHAM: They are individualists like the Hurseys who are devoid of every moral code, in my opinion. I put them on the same classification as I would a shop-lifter. They are prepared to accept something for which they have not paid. They are not prepared to pay for the conditions of a trade unionist, yet they want those conditions. They do not wish to belong to a trade union; and according to them they have a moral or religious conscience. They do not want to have anything to do with man-made conditions, yet they accept all other man-made conditions, even to the extent of turning on an electric light or a water tap.

Mr. Court: You are denying a minority their right to their personal religious views.

Mr. LAPHAM: A minority does not exist. It is ridiculous to call three out of 100,000 a minority.

Mr. Court: What are they? They are certainly not a majority.

Mr. LAPHAM: We will always find cranks in every community; and I will put them down as cranks, and cranks only. This proposed minority is used purely as a camouflage to attempt to shackle trade union members by seriously interfering with the internal structure of trade unions.

Mr. Wild: You must disagree with your Federal Leader (Dr. Evatt). He was prepared to concede this.

Mr. LAPHAM: Was he?

Mr. Wild: Yes, he was.

Mr. LAPHAM: I have my own views. I was not aware that Dr. Evatt had made any mention of this Bill. In all probability, if Dr. Evatt were here and studied the Bill, he would voice the same opinion as I am now expressing.

Mr. Court: He expressed a preference for conscientious belief; not only religious belief.

Mr. LAPHAM: I would agree with that, but I do not think the belief is conscientious. I am satisfied that in the Hursey

case it is not conscientious. They belong to the D.L.P.—Disgruntled Little People! That is all they are. I am also of the opinion that they have been cultivated by the Liberal Party.

Mr. Wild: This week's funny story.

Mr. LAPHAM: As the hon. member for Victoria Park indicated, the Opposition used the Petrov rabbit on the last occasion and now it wants to use the Hurseys as another rabbit. We will find the truth about the whole matter. I strongly protest about this measure. I do not think it is right for the Deputy Leader of the Opposition to bring down a Bill that strikes at the fundamentals of trade unionism. Over the years we have had the best possible harmony in the trade unions. They have assisted in the development of the State and have done a lot of good for the community generally. We have gone from a poor condition in life to a reasonably decent standard. This has all been brought about by trade unionism. Anything that strikes at the fundamentals of trade unionism is entirely wrong. I oppose the Bill.

MR. POTTER (Subiaco) [8.8]: I oppose the measure. The Opposition is mouthing a lot about the right of individuals. I point out that the trade union movement came into existence because the majority of the people had no rights; and as a result, the workers had no rights. This occurred because of the reactionary forces that were in existence throughout the world at the time—particularly in Australia.

If we look back over the political history of Australia, we find that the Labour movement came into being because the majority of the people had no rights. Today the Deputy Leader of the Opposition seeks to amend a measure which has been largely brought about, as so many of our Acts have been, through the efforts of the representatives of the trade union movement. I speak of the political party—the Australian Labour Party.

There is no compulsion in regard to political levies. No more compulsion exists in trade unions than, as the hon. member for North Perth said, exists in any other democratic institution. No organisation is more democratically constituted than is the Australian trade union movement. Trade unionists decide by majority-vote whether they will make a political levy or whether they will become affiliated with the Australian Labour Party. Not every union is so affiliated.

No more compulsion is exercised here than is exercised when the Liberal Party goes around to the shopkeepers in Subiaco seeking a donation of £1,000 in order to defeat the Labour member for the district. This was done before his seat was hardly warm. Thank goodness those people in Subiaco are fairly well enlightened. Indeed,

quite a number of representatives of big business are quite enlightened. They realise that through the Labour movement—the trade union movement—in the Houses of Parliament in this country, and also in England, America and elsewhere, they have been able to establish the conditions which they have sought, from time to time. The trade unionists have achieved certain conditions such as standards of living, basic wage, long service leave, sick leave and the like. The enlightened manufacturers and representatives of big business in our community realise the necessity of having a high home-consumption price for their goods. By this means they have been able, at least, to be assured of a home market.

There can be no more compulsion in regard to the Liberal Party trying to push the small traders or manufacturers, in my district, for funds in order to defeat me, as the Labour candidate, than there is in the trade unionist subscribing to political purposes.

Mr. Court: You are speaking in favour of the Bill.

Mr. Heal: Did they get a quid?

Mr. POTTER: Yes. I gave them a quid to show there was no animosity. I think they are struggling for funds. I resent the implications in the Bill. I consider it has been brought down for political purposes and to sow dissension among the populace, particularly the workers, and to create industrial disharmony.

In relation to the conscientious objection clause, I must say that no one is compelled to join a union. A man's religious beliefs may prevent him from subscribing to a union, yet he subscribes to everything else, including the laws of the country. I say that the laws of the unions are internal laws, and can be protected only by the unionists. As a party closely affiliated with the trade unions, we would not have the temerity to do what the Deputy Leader of the Opposition seeks to do. As the mouthpieces of the industrial unions, we believe in individual freedom and we maintain that the people have greater individual freedom today than ever before.

The hon. member for Cottesloe tried earlier in the evening to put me off the track. If I thought he could assimilate it, I would give him a treatise on political economy and the various forms of government, so that he would not get up in this House from time to time and make foolish statements. The introduction of this measure will show the public how necessary it is that there should be social and political studies in our schools, when a representative of our teachers can get up and make such ill-informed statements, demonstrating an ignorance of our political set-up.

Mr. Ross Hutchinson: To what are you referring?

Mr. POTTER: To the hon. member's ideas about socialism. Does he know how many types of socialism there are?

Mr. Ross Hutchinson: Are you not pledged to fight for socialism?

Mr. POTTER: Yes; and aren't you indirectly pledged to fight for it?

Mr. Ross Hutchinson: No.

Mr. POTTER: Of course you are, because yours is a reactionary party. Under the present economic conditions the Liberal Party cannot do other than fight for a kind of socialism. There are a great number of types of socialism. There are as many types of socialism as of love, and I could tell the hon. member for Cottesloe more about that. However, ours is a policy of gradualism and we base our philosophy on the teachings of the New Testament. We are endeavouring to do, in a material way, what the churches are trying to do in a spiritual way.

Sir Ross McLarty: What rot!

Mr. POTTER: It is not. If hon. members opposite study the political history and development of this country, they will find that by virtue of the legislation we have brought down and the pressure applied by the trade union movement, the people today have greater religious and individual freedom than ever before in the history of civilisation.

Mr. I. W. Manning: Is the hon. member supporting the Bill?

Mr. POTTER: Of course I am! I mean that I am opposing the Bill. I was just trying members out, to see whether they were awake. I say, without equivocation, that there is no compulsion in the trade union movement in regard to subscribing to political funds; nor in relation to people having to belong to trade unions if they have some real objection to it. However, I would like to see the reaction of the members of any organisation to one of their number who would not subscribe to its funds.

I have seen about 1,000 men go on strike on one occasion, because one of their number would not belong to the union. They persevered with him for about three months and eventually got him to attend a meeting, at which his was the only dissentient voice, and after that they went on strike. That man, of course, did not get a job within that union or elsewhere in the town concerned.

I have endeavoured to illustrate that the unions do not seek compulsory levies, because such matters are governed by a majority decision, as are most things under our democratic order of society. If we claim to be democratic we must oppose this measure, because it seeks to destroy the things which we hold very dear. I oppose the Bill.

MR. LAWRENCE (South Fremantle) [8.22]: I wish to bring to the notice of hon. members the fact that, when any measure is brought before this House, there is a reason for its introduction; and on this occasion one wonders whether the measure with which we are dealing was brought down for political reasons, or simply in an endeavour to split the unions asunder, by creating discontent among their members. I look at the Deputy Leader of the Opposition and he is looking me straight in the eye. I am not frightened to look him in the eye and I do not even have to put on my new glasses in order to do it.

I would like to know why the hon. member did not introduce this Bill before the Hursey case, the Thorne case and that dealing with the Dutchmen at the State Brick Works occurred?

Mr. Court: I do not know.

Mr. LAWRENCE: Of course not! Although the hon. member has brought before this House the pernicious and malicious Bill with which we are dealing, he has not said that he has subscribed, not once but many times, to two different political organisations. If my memory serves me rightly, he was a member of the Musicians' Union and paid his fees like a gentleman—not that he is one, I guess; or perhaps I should break it down a bit and say, "a gentleman at times."

Mr. Court: I believe in unions.

Mr. LAWRENCE: The hon. member did pay his dues as a good unionist and part of the fees he paid, through the affiliation of that union with the A.L.P., went to help in the fight for the Australian Labour Party to win the election—

Mr. Court: You should check your facts.

Mr. LAWRENCE: Deny it, if you want to.

Mr. May: Don't tell me you were a conscientious objector!

Mr. LAWRENCE: The Deputy Leader of the Opposition is a member of a further union, the Liberal-Country Party, and he cannot tell me that he does not subscribe to the funds of that party for a political purpose.

Mr. Court: Purely voluntarily.

Mr. LAWRENCE: Let any hon. member on that side of the House who does not subscribe raise his hand.

Mr. Court: We may all subscribe because we want to.

Mr. LAWRENCE: The hon. member also said that Mr. Justice Neville made certain remarks about the Thorne case; but has it been pointed out to the House that His Honour also stated that he had no jurisdiction or right to hear the case?

Mr. Court: He still made those statements.

Mr. LAWRENCE: He made no statement except that he had no jurisdiction to hear the case. The rest of it was not admissible evidence as far as this House is concerned.

Mr. Court: What I read out in this House were his own words.

Mr. LAWRENCE: They were not admissible here.

Mr. Court: Surely he can express his opinion!

Mr. LAWRENCE: Let him do so outside the court. That was not admissible, because it was misleading.

Mr. Court: He made his position clear on two occasions.

Mr. LAWRENCE: The hon. member also suggested that pressure was brought to bear on the Government—that was most misleading—to support the unions in regard to the dismissal of this man who would not join a union and pay certain fees. That is a slander on the Government, because this is the best Government we have ever had; as the people have already shown at the last election, and as they will confirm at the next election—

Mr. Ross Hutchinson: Wait and see!

Mr. LAWRENCE: We will!

Mr. Court: The Minister admitted publicly that he had to succumb to union pressure.

Mr. LAWRENCE: He did not say he succumbed to it. The hon. member repeatedly tries to mislead this House by using the wrong word and I often wonder whether he understands the English language. When the hon. member for North Perth spoke, the Deputy Leader of the Opposition interjected, asking whether that hon. member believed in the rights of minorities. What did he mean by that? What a stupid question to ask! In a union a vote is taken and the majority rules—

Mr. Court: Don't you respect the rights of minorities?

Mr. LAWRENCE: No.

Mr. Court: Then you have changed your mind.

Mr. LAWRENCE: No. When they have subscribed to a constitution they must stand by it. I think the hon. member has in mind that the Opposition today is in a minority, and in view of the hypocrisy with which it is carrying on and the foolish Bills it is introducing, I believe it will be even further in a minority in the future.

Mr. Ross Hutchinson: Talk sense!

Mr. LAWRENCE: If there are any more stupid interjections by the hon. member for Cottesloe, I will deal with him!

Mr. Sleeman: Inside or outside?

Mr. LAWRENCE: That is the interjection that has been made, Mr. Speaker; and may I through you refer the hon. member

to page 5 of tonight's issue of the "Daily News". The article I have before me is headed—

This Odd World.

Bow Bow Wow Wow.

And underneath, it reads as follows:—

Moscow: The successful grafting of a second head on to a dog—with both heads eating and barking—took place in Moscow today.

If the Premier were present in the Chamber tonight I might ask him for further moneys to be allocated for the purpose of obtaining a third head with the object of that third head doing some thinking.

Mr. Ross Hutchinson: Talk some sense!

Mr. LAWRENCE: Is this a deliberate move to interfere with the rights of unions to make their own rules and draft their own constitutions? The members of the Liberal Party and the Country Party enjoy that right, the Teachers' Union are allowed to exercise it, and also many other organisations; so why should anyone have the right to interfere with the majority of the members who are responsible for the drafting of these constitutions and who stand by the rules of their organisations? Or, is this Bill an attempt to drive a wedge between the ranks of the unions for the purpose of assisting various employers? That seems to have been the object in the Hursey case.

I have read what the Deputy Leader of the Opposition said and there is no doubt that in referring to the Hursey case he is wide of the mark. He knows nothing of the activities of the Waterside Workers' Union. He may have read a few figures that appeared in the reports of the W.W.F., but as far as the workings of the union are concerned he knows nothing. Therefore, it seems to me that this Bill was designed to give various employers an advantage over their employees. However, that is something which will not be tolerated by the majority of fair-minded people in this State. At some future time the Leader of the Opposition—

Mr. Johnson: The Deputy Leader of the Opposition.

Mr. LAWRENCE: Well, the Deputy Leader of the Opposition; but he should not be that, even. Unfortunately, however, I have no right to vote on that issue. The Deputy Leader of the Opposition must realise that the introduction of this Bill and the debate on it will be made public; and it will have, I am sure, an adverse effect on the result of his campaign in the next election.

Mr. Court: I will take the risk.

Mr. LAWRENCE: The hon. member is taking a grave risk. After all is said and done, the Deputy Leader of the Opposition is a responsible man and he has a

wife and family to keep, and I would not like to see him finishing up as a "hookey" on the waterfront.

Mr. Watts: He would make a good "hookey".

Mr. LAWRENCE: He is not a bad sort of a chap, and he might qualify. In his contribution to the debate, the Premier pointed out certain phases which had some bearing on this matter. One was the religious aspect. Could it be that this is some move to introduce the D.L.P. into the matter, which organisation, as everyone is aware, is one which is controlled by a religious body or bodies?

Mr. Sleeman: Hursey brought it in.

Mr. Court: I suggest that we leave the sectarian issue out of it.

Mr. LAWRENCE: I will leave out what I consider should be left out. I will not be told by the hon. member for Nedlands what to leave out.

Mr. Court: You introduced it!

Mr. LAWRENCE: I am entitled to.

Mr. Court: All right! We deliberately kept it out.

Mr. LAWRENCE: Is the hon. member for Nedlands all right now? I wish the Deputy Leader of the Opposition would settle down; otherwise I will have to ring up a certain friend of mine to obtain a few cages in which I may have to place certain chatterers. Every individual is entitled to his religious beliefs; but in no circumstances should the question of religious beliefs be permitted to creep into any organisation, whether it be Labour, Liberal or Communist, as it did in the Hursey case.

Nevertheless, this Bill, if passed, would tend to introduce the question of religious beliefs into union organisations. There is no doubt about that, because it is designed to fortify and hold up mongrels—I call them mongrels—such as the Hurseys. I say that because I know their case from A to Z. People such as the Hurseys want all the benefits that have been built up by trade unionists with stint and effort over many years, but they do not want to support the unions financially. In my opinion, such people should never be permitted to become members of any trade union.

I do not believe that the Hurseys are in their right senses. They say it is not Christianlike to perform certain duties. Perhaps that is their belief; but like the gaoler who was dismissed from his position as warder, which he had held for 28 years, it took them a long time to find out what their consciences permitted them to do.

If we are to refer to the word "conscience", what about the conscientious objectors of whom so much was heard during the war? They would not join the services and fire a rifle. They agreed to

perform other duties which might not be as dangerous as those they would have performed if they had been in the firing line. However, they got their just deserts.

As the Premier pointed out, such people as have been referred to in the debate can obtain other employment where they would not have to become members of a union; nor would they have to subscribe to any religious belief or to the rules laid down by any political party. If the rules and conditions of any trade union—which have been built up after much hard work over many years—are good enough for the majority, they should be good enough for the minority.

As the Deputy Leader of the Opposition has become very quiet I would like him to tell me on what authority he obtained the right to introduce this contentious Bill.

Mr. Ross Hutchinson: The right of any hon. member.

Mr. LAWRENCE: I did not ask the hon. member for Cottesloe. Just be quiet!

Mr. Court: As the right of any hon. member, just as you have the right to introduce a Bill if it does not make any demand on the Treasury.

Mr. LAWRENCE: That is not the question I asked. My question is: What authority has the Deputy Leader of the Opposition—

Mr. Watts: His own authority.

Mr. LAWRENCE: I realise that; but the Leader of the Country Party is a man who can size a question up very quickly. He is a sensible man. It would be well for the Deputy Leader of the Opposition to remember that the policy laid down by his party was rejected by the people at the last general election, and it will be rejected again when the public hears of all this piffle and of the unfair legislation which the Deputy Leader of the Opposition is trying to introduce into this House. So let him beware!

Mr. Ross Hutchinson: Our policy was rejected last time on the policy laid down by the Commonwealth.

Mr. LAWRENCE: When the hon. member for Nedlands was introducing this Bill he admitted that he came from a Labour family and claimed to know all about Labour policy. However, as a result of his introducing this measure, I am convinced that he knows nothing about Labour policy. He seems to me to be quite a personable chap in a way; but apparently he is too obstinate—even though he stems from a Labour family—to realise, after listening to the debates in this House and witnessing the actions of the mighty Government that is in office in this State today, that he should let his mind be searched by his conscience and

come over to this side of the House as a good Labour man. We are prepared to accept him on that condition.

Mr. Court: What about that constitution of yours? You frightened the Minister for Transport when you said that, because he dropped his book.

Mr. LAWRENCE: If the Deputy Leader of the Opposition continues to sponsor this measure, I would say that his action—if he be a true Labour man as he tries to suggest he is—is that of a renegade. Therefore, I will have to give some thought about the matter of accepting him back to the fold of a decent party.

In conclusion, I would point out that the Hursey case has been highlighted; and it is interesting to note that on the 3rd February, 1958, at Port Hobart, members of my federation—of which I am proud to be a financial member—found themselves in the position—because the Hurseys would not pay certain moneys in accordance with the rules of the union—that they could not work alongside them. This, I think, would be the worst insult that could ever be imposed on one worker by another, no matter what his trade may be. It was not because of the 10s. levy that was struck, but it was on account of the fact that the Hurseys would not pay their dues.

Mr. Court: Why would not the W.W.F. rub out all the other unfinancial members at the same time? Why did they pick only on the Hurseys?

Mr. LAWRENCE: Because the Hurseys blatantly refused to pay their dues.

Mr. Court: They refused to pay only the levy.

Mr. LAWRENCE: They did not, because at the time this happened, the Hurseys were unfinancial.

Mr. Ross Hutchinson: So were many others.

Mr. LAWRENCE: That is true; and if the hon. member for Cottesloe would brush the cobwebs off his brain he would realise that many members of the Waterside Workers' Federation are on compensation. Throughout the year, the average number of men who are absent from work on compensation is 45 per day. In addition, they have seven holidays per annum, so that would leave 358 days in a year. At a result, men on compensation over a long period are not expected to pay their fees whilst they are off work, and they become unfinancial.

Those men are not called on to pay up. If the Deputy Leader of the Opposition cares to take advantage of this offer, I am prepared to take him down to the offices of the Waterside Workers' Federation at Fremantle and he can inspect the books to find out how many unfinancial members there are, outside of the injured workers.

The Hurseys refused to pay their dues, yet Hursey Junior drove to work every morning in a Humber Hawk car. I can produce photographs of that.

Mr. Court: It is not worth £200.

Mr. LAWRENCE: Who valued it at £200?

Mr. Court: Have you seen the photographs?

Mr. LAWRENCE: I have. If the hon. member wishes I shall bring them along tomorrow for his perusal.

Mr. Court: You would be battling to try to trade in that car.

Mr. LAWRENCE: One cannot tell the value from the photographs.

The SPEAKER: I do not think we should discuss the value of second-hand cars in this debate.

Mr. LAWRENCE: I am suggesting this is a new car. I would ask hon. members opposite: Who kept the Hurseys during the period from the 3rd February to the present time? From where did they get their money to live when they were not in employment on the waterfront?

Mr. Court: Some people thought they should have a go and be treated fairly, and they contributed money.

Mr. LAWRENCE: I shall tell the hon. member who put in, if he wants to know. The D.L.P. with the aid of the Liberal Party made the donation.

Mr. Ross Hutchinson: That is not so.

Mr. LAWRENCE: How would the hon. member know?

Mr. Ross Hutchinson: You are right in one case and wrong in the other.

Mr. LAWRENCE: We have gone to the trouble to find out.

Mr. Court: It has been publicly stated where the money came from. There was a list of donations; and I think one of the hon. members opposite read it out.

Mr. LAWRENCE: I say the funds came from the D.L.P. and the Liberal Party.

Mr. Court: Not from the Liberal Party.

Mr. LAWRENCE: I am saying they did come from that party. Let me examine the position from this angle. I hold great pride in being a member of the Waterside Workers' Federation, Fremantle Branch; and these are matters which have not been publicised. A levy was put on the Fremantle Branch of the Waterside Workers' Federation of 1s. per week for 52 weeks of the year. It was required as a contribution to the Blind School. At the end of the year the federation paid into the Blind School—and receipts can be shown—approximately £6,000. That was the amount derived from the levy. Did any of the employees on the Fremantle wharves—whether they were on

compensation, in full employment or part employment—refuse to pay the levy because it was outside the union dues?

Mr. Court: That was not a political levy.

Mr. LAWRENCE: I am not saying it was. That situation could arise under the stupid and obnoxious Bill before us.

Mr. Court: It cannot.

Mr. Roberts: It is a charitable levy.

Mr. LAWRENCE: What if it was? The Bill could apply to charitable levies. The hon. member should go back to sleep.

Mr. Ross Hutchinson: You are wrong in that assertion.

Mr. LAWRENCE: I am not wrong. Under the principle contained in the Bill it will be possible for people like the Hurseys to say, "We will not pay the levy, whether it be a charitable or political levy."

Mr. Court: There is a big difference between the two.

Mr. LAWRENCE: There is none at all; because, in the hon. member's own union, he is doing that very thing. He knows it; and the public knows it too. That is the reason why the Opposition is not in power. At the rate the Opposition is moving it will not be in power for a very long time to come. I am sorry—

Sir Ross McLarty: That you spoke.

Mr. LAWRENCE: —that I had to go on for so long. I have not had the occasion to speak for some time in this House. I hope that my remarks will be accepted in the spirit in which they have been uttered. There are two reasons why I have not made other contributions here in recent times. The first is that I had special leave; and the second is that when one is on the Government side, and there is such a mighty Government in office, one does not get much opportunity to speak. With those few remarks I express my strongest opposition to this measure.

MR. JAMIESON (Beeloo) [8.50]: I do not wish to extend this debate much longer, except to point out to the House that the Bill introduced by the hon. member for Nedlands contains two fundamentals which are most objectionable to me and to all my colleagues. The Bill is aimed at cutting the life-blood of the Labour Party in this State.

Mr. Court: It is not.

Mr. JAMIESON: That is the first intention.

Mr. Court: It is not.

Mr. JAMIESON: I do not blame the Deputy Leader of the Opposition for attempting to get away with such a measure. The second object of the Bill is to provide an escape to disgruntled unionists for not belonging to the industrial

union to which they should belong. If the hon. member is successful in getting this Bill passed, there is no doubt that complete confusion in the Australian Labour Party will result in respect of the raising of funds and the payment of membership dues.

Although some of the contributions to this debate have been wide and varied, and have drifted a long way from the subject of the Bill, they were justified because of the two reasons I have just given. In my opinion the Bill stands condemned from the point of view of every Labour man. I hope that it will be dealt with rapidly and we will hear no more of it. I oppose the second reading.

MR. COURT (Nedlands—in reply) [8.52]: I thank hon. members who have made contributions to this debate, although I cannot thank Government members for their very generous support of the measure! On the contrary, hon. members on the Government side of the House have expressed their great dislike for this Bill.

In its attitude the Government—and through the Government, the A.L.P. of Western Australia—has expressed a brutal and unqualified opposition to conscientious beliefs. It absolutely amazed me that at no stage during this rather extraordinary debate has there been any concession by the Government in respect of conscientious belief in trade unionism. Opposition was started by the hon. Minister for Labour. It was carried on right through; and, of course, the Premier put the seal on this question, because he would not relent in any way in respect of conscientious belief in trade unionism.

Mr. Graham: This reminds me of your attitude in the land agents' case. You wanted a man to be sacked because he ceased to be a member of the institute of which you are a member.

Mr. COURT: I want to deal with that point, because it has been brought up no fewer than six times during this debate. There is a very effective answer, and I shall not be put off by the Minister.

Mr. Graham: See that you give the reason; otherwise you stand charged as a hypocrite!

Mr. COURT: I shall deal with each point raised.

Mr. Graham: You will jump on any band wagon going.

Sir Ross McLarty: Why doesn't the Minister keep quiet?

Mr. Graham: Who is the squire of Pinjarra abusing?

The SPEAKER: Order!

Mr. Roberts: The Minister for Transport should not show himself in his true colours.

Mr. COURT: Obviously the Minister for Transport does not like this measure. He is always dishing out the rough stuff in this House and does not like it when the Opposition is on top and he has to take it.

Mr. Graham: Anything which the Press will deal with you will rush into following up.

Mr. COURT: It is not worth my while to deal with that point. There are times when the Government has to listen to the hon. members on this side.

Mr. Graham: You chased Constable Hardy all over the place because the Press played up that matter. Now that the Press has played up the Hursey affair, you decide to follow it up.

Mr. COURT: There is more than that involved in the Hursey case. A principle is involved.

Mr. Graham: After all these years the principle suddenly emerges. Of course, there would be no politics in it!

Mr. COURT: The Government has in a very brutal way demonstrated that it stands by the doctrine of compulsion.

Mr. May: It stands by preference to unionists.

Mr. COURT: It is not preference to unionists which is being practised by the Government. It is compulsion. Hon. members opposite do not care a damn for the feelings of the workers. Some people hold conscientious beliefs in these matters. It is time that this Parliament thrashed out the matter so that such people should be given a chance to practise their particular beliefs.

Mr. May: How would you and your party know anything about the workers?

Mr. COURT: We know a great deal more than some hon. members opposite.

Mr. Graham: You are attacking them and denying them rights every day of the week by not giving effect to certain legislation.

Mr. COURT: It is apparent that the Minister is desperate for something to say. The workers of Australia have never had such a satisfactory set-up as is provided by the Commonwealth Government, and that is a Liberal-Country Party Government.

Mr. Graham: You are mistaken.

Mr. COURT: Does the Minister not think the A.C.T.U. would admit, if it were free to do so, that it has not had a Minister like Mr. Holt in dealing with industrial matters.

Mr. Graham: No-one wants another Minister like him.

Mr. COURT: The A.C.T.U. is very satisfied with him. Were it not for left-wing direction, they would still be carrying on consultations with him.

Mr. Graham: The unions are doing a good job here. Why do you want to disturb them?

Mr. COURT: I am trying to answer the points that have been raised in the debate. The Minister did not speak on this measure. To listen to him one would think that he was the only one who spoke. I would remind him that he did not rise to speak. I thought with all the books before him he would make one of his vitriolic speeches.

Mr. Graham: It was my intention to do that.

Mr. COURT: If I do not proceed with my speech, time will catch up with me and I might not get an extension of time in view of the Minister's mood.

The SPEAKER: I cannot allow any extension.

Mr. COURT: If the Government were to stop and think for one moment it would realise that its opposition to this Bill will leave a scar on its political record which time will never erase.

Mr. May: Why are you worried about that? That would be the least of your worries.

Mr. COURT: I am worried about this State.

Mr. May: You are talking about the Government.

Mr. COURT: This is a Government of the hon. member's party, and at this particular point of time that Government has the opportunity to say to the people, "We are not the same rough and tough extreme left wing, Communist-dominated Labour Party as are our confreres in the Eastern States."

Mr. May: The people know that.

Mr. COURT: Nothing of the sort. This was a golden opportunity for the Government to say that it was not branded with that description. Through the uncompromising attitude of hon. members opposite, as exemplified by the Premier, the Government of this State has told the people that it is just as rough and tough and as uncompromising as the left wing, Communist-dominated section of the party in the Eastern States.

Mr. Graham: You are a champion at this.

Mr. COURT: This is the fundamental issue: the question of personal freedom. Members opposite preach personal freedom from time to time. We have heard them getting up on the soap boxes and speaking about personal liberties and social justice; yet the very first time they are confronted with a real proposition, what do they do?

Mr. Johnson: You would not know principal from interest.

Mr. COURT: I ask members opposite this: Where are these humanitarian principles—to use the Minister for Labour's own words, over which he made such great play—on which the Australian Labour Party is built up? The first time this matter is put to the test before Parliament, the beliefs of hon. members opposite collapse completely. This is a test of humanitarian principles.

Mr. Graham: This is not the first time that we have known union scabs.

Mr. COURT: This is a question of principle. It does not relate to union scabs.

Mr. Graham: There always seems to be a halo placed around the heads of people who are false to their trade unions.

Mr. COURT: If I might deal in turn with several contributions which have been made during this debate, out of courtesy to the speakers who made them, and if the Minister for Transport will pause while I extend that courtesy, in spite of the unkind things he said, he can come in at the end with renewed vigour. I shall look forward to that.

The speech of the Minister for Labour was most disappointing. One would expect that a person with his experience of industrial matters and his knowledge of industrial law would have dealt with this Bill on a fairly objective basis. Even the references he made to the Industrial Arbitration Act were irrelevant, which will be realised from a study of his speech. There is no relevancy at all between the section he quoted and the principles that this Bill seeks to achieve; and so we cannot deal with his speech on the merits of any particular argument put forward because there was no real argument submitted based on the practice of industrial arbitration in the State. He has completely overlooked the growing tide of discontent that is being felt throughout Australia relating to what this Bill seeks to remedy.

Mr. May interjected.

Mr. COURT: Of course, the hon. member for Collie overlooks the fact that in recent days the New South Wales Government has made known its intention of having another look at this question of compulsion because it is not what it thought it would be. The New South Wales Government is a part of the Labour Party. Or are hon. members opposite disowning the New South Wales Labour Party?

The Minister for Labour treated the Thorne case and the Dutchmen's case as though they were of no consequence whatsoever. The main purpose behind this Bill is to overcome the local situation—not the Hobart case, but the local one under our very nose—and he knows as well as we do on this side of the House that Thorne was dismissed wrongfully. It was acknowledged in the court. Then the

Minister, much to our amazement on this side of the House, tries to tell us that an individual worker has certain rights before the Arbitration Court. I think I went to great pains when presenting this Bill to explain why an individual cannot be heard by the court.

Mr. Rowberry: Why didn't you bring the Bill up at that time?

The SPEAKER: Order! The hon. member is out of his seat and must not interject!

Mr. COURT: I would like to tidy up one or two particulars regarding this Bill. First of all, the Minister was inclined to imply that we had side-stepped the question of preference by not bringing down an amendment. I explained there is no need. In the Industrial Arbitration Act there is power for the Court to grant preference. Furthermore, the President of the Court, and at least one other member, have indicated on two occasions that they will not condone preference clauses without provisions being made for conscientious beliefs therein. There is no need to clutter up the statute book with an amendment on preference.

The Minister was inclined to make play on the fact that this was intended to split the A.L.P. in two. What I suggest can be gathered from this fallacious remark is that without compulsion the organisation has no possibility whatever of surviving. No good Labour man should accept that from the Minister at all.

Mr. Ross Hutchinson: That could be true.

Mr. COURT: I would not like to think the A.L.P. is so weak that it could not survive without compulsion.

Mr. Graham: Could you stand as a Liberal member if you were not a member of the Liberal Party?

Mr. COURT: I could not stand as an endorsed candidate, but I could stand. Nothing stops me, and I could be elected if the public wanted me.

Mr. Graham: In other words, if you did not pay your membership fee you would lose your job as Deputy Leader of the Opposition.

Mr. COURT: That is because of—

Mr. Graham: Compulsory membership or you lose your job!

Mr. COURT: Nothing of the sort! There are two hon. members who sit in this Chamber who are not members of any party.

Mr. Jamieson: Would they be elected to your job?

Mr. Graham: By the people, but not by the Liberal Party.

Mr. COURT: They are still in their jobs. The Minister's argument is so weak.

Mr. Graham: You could not be Deputy Leader of the Opposition if you did not pay your subscriptions to the Liberal Party.

An hon. member: Nor Deputy Leader of the Labour Party.

Mr. COURT: I would not want to be. I certainly have no ambition to be Deputy Leader of the Labour Party.

Mr. Graham: You have no chance!

Mr. COURT: I know I have no chance; but I also have no ambition that way.

Mr. Graham: Your job depends on whether you pay your sub.

Mr. COURT: The Minister tried to weave a tale around this story of "is or is not", and he made great play of the fight that has been going on over the years to establish the rights of people to belong to trade unions. I laid emphasis in my original presentation of the Bill that this provision to avoid victimisation because an employee or an employer belongs to an industrial union, has been a plank in the platforms of the three parties represented in this Chamber. We believe in it, but at the same time we are trying to write in an extension of that principle.

The Minister, whilst he was on his soap-box over this particular measure, overlooked that he has to thank the Legislative Council, which he is so anxious to malign from time to time, for the fact that the provisions already in our law were put there with the full consent and co-operation of the Legislative Council. On the question of the Hursey case, on which the Minister touched, I would like to make a few observations which are pertinent not only to his speech but to several other speeches that were made.

One of the most amazing things is the fact that so many unfinancial members on the Hobart waterside were able to continue in their employment although vicious action was taken against these particular gentlemen—Hursey senior and junior. They were singled out. If the same action had been taken against all unfinancial members there would have been some logic in it; but others were unfinancial for equally long periods and no action was taken against them.

It is important that I should record one particular point: that the Hurseys did, in fact, tender their normal union contribution. This piece of evidence cannot be denied; for if a search of the records of the court were made, it would be found in their statement of claim, which was made on the 6th November, 1957. They stated that not only would they pay, but offered them—

Mr Jamieson: They had not paid up to that time.

Mr. COURT: They had offered to pay.

Mr. Jamieson: But had not paid.

Mr. COURT: The W.W.F. would not take it from them.

Mr. Heal: The same as your party would not take it from the hon. member for Mt. Lawley, and the hon. member for South Perth.

Mr. COURT: If some of the facts are wanted—but I do not want to get too involved because this could go on for a long time—here is the evidence of the secretary of the Hobart branch of the Waterside Workers' Federation (Mr. Cyril Percy Herbert Pelham). He said—

On 11th October he posted notices that the A.L.P. levy was now due. Later Francis Hursey asked how much he owed and was told "£8 contribution and 10s. levy." Hursey then said he would pay the £8 but not the levy.

Remember this is not Hursey speaking, but Pelham! It was verbatim evidence before the court. Pelham added—

I told him "Don't blame me, Frank. I don't make the rules. I only have to carry them out," and Hursey replied "I don't blame you."

There was a straight-out offer by Hursey to pay his contribution. It has been established—and we do not want to go over the evidence in detail, actual evidence given in the court—that these people tendered their contribution—but not the political levy—not once, but several times before and after the court case commenced. They could not do any more than tender the money.

Mr. Sleeman: They did not pay it when asked to.

Mr. COURT: They may have refused on occasions to pay because they had to see their solicitor. But any man involved in a court case is given time to seek legal advice. That is not unusual. The hon. member for Fremantle knows that in the Police Court, from time to time, people refuse to make a statement because they might incriminate themselves. They want to seek advice and are entitled under our laws to have that protection.

Mr. Jamieson: Did they offer to pay with the genuine intention of paying?

Mr. COURT: Surely the hon. member is not going to dispute the offer they made to the court! It is beyond dispute. They offered it and were quite prepared to pay.

Mr. Jamieson: After they were expelled.

Mr. COURT: When they went to court. Good heavens, several times they offered to pay this particular contribution!

Mr. Lapham: And several times they didn't do so.

Mr. COURT: Of course. But only because at that time there was litigation pending. Returning to the Minister's speech, if we followed his argument of compulsory unionism to its ultimate conclusion we would finish up with the state of affairs whereby a person who was a

member of say, a religious order, could not undertake employment unless he was a member of a union; and unless receiving full union wages, he could not teach, nurse, conduct missions, or follow whatever his particular calling in life might be. There must be an ultimate end to all these things, if the Government is uncompromising in its attitude towards conscientious belief and towards compulsory political levies.

Mr. Sleeman: Did you say that these people tendered their money and it was not accepted?

Mr. COURT: Yes.

Mr. Sleeman: I don't believe that's true.

Mr. COURT: The union would not accept it without the levy. They had tendered the fee, in spite of what might be in that Communist publication. Because of interjections I have only got as far as the speech by the hon. member for Warren. He gave us the Sermon on the Mount—or part of it—and I think how inappropriate—

Mr. Jamieson: And also quoted from "Pix." Is that a Communist paper?

Mr. COURT: The "Pix" argument completely broke down the case he was trying to build up. Surely if this hon. member wants to bring in the Sermon on the Mount—and it is the greatest sermon of all time—he must concede that that particular sermon of all sermons would concede the right to real Christian conviction. Surely it would! These people—the Dutchmen and Thorne in this State—have a deep-seated religious and Christian conviction. Whether we agree with it or not is not important.

Mr. Graham: It has to be proved.

Mr. COURT: They have a genuine conviction.

Mr. Graham: It is against my principles to pay income tax. That does not absolve me from doing so.

Mr. COURT: That is another proposition altogether. Coming on to the speech of the hon. member for Leederville: He spent the first part attacking the hon. member for Dale, who rather helpfully brought forward the views of some very senior members of the Federal Labour movement, particularly Dr. Evatt, who made one of his best speeches when he completely fell in line with the Federal Liberal Minister in accepting the principle of conscientious belief. I just make this point before passing on from his speech: that Dr. Evatt acknowledged not only conscientious religious belief, but the need for conscientious beliefs other than religious beliefs; and his was a very frank, forthright statement on that particular occasion.

I now proceed to the speech of the hon. member for Fremantle. He concentrated largely on the Hursey case and treated

the case of the Dutchmen and Thorne as being of very little consequence; when in our mind, of course, the two local cases are very important, because there are others to come. There are other members in this community who have the same religious convictions; and who, with the effluxion of time, are going to present the same situation to this Government as have the Dutchmen and Thorne. I was amazed at the hon. member for Fremantle not taking some part to defend Warder Thorne, because he was a man who was wrongfully dismissed. Regardless of the religious side and regardless of conscientious belief, he was wrongfully dismissed at law.

Mr. Heal: Who told you that?

Mr. COURT: It has been acknowledged by the President of the Arbitration Court.

Mr. Heal: It did not go before the court.

Mr. COURT: Just to simplify this, might I make this point: Warder Louis Thorne appealed to the court for some protection and the judge did a most extraordinary thing to try to help this man; and he expressed great sympathy for him. He did something that a judge does not usually do; he expressed his views on the particular case although he could not hear it.

Mr. Heal: It was not the view of the court.

Mr. COURT: Yes.

Mr. Heal: No. You tell the truth!

Mr. COURT: One of the other two members of the court, Mr. Christian, in a subsequent judgment, when it was quite competent for him to express his views, confirmed Judge Neville's approach to the Thorne case, and to the Dutchmen's case.

Mr. Heal: It did not go to the court.

Mr. COURT: I read the actual judgment. I do not want the hon. member to try to sidetrack me on that, because I read it out to the Chamber.

Mr. Heal: It is a wrong inference.

Mr. COURT: The hon. member for Fremantle made much play on the help given by the waterside workers in Hobart to the Hurseys years ago. That is not denied. That sort of thing goes on from time to time in unions and other bodies, and has done throughout the ages, and we hope that it will continue.

Mr. Sleeman: They were very good to them.

Mr. COURT: They were.

Mr. Sleeman: That was the gratitude they showed.

Mr. COURT: But if the hon. member does a kindness for somebody today, surely he does not expect that person to feel

under an obligation to him for the rest of his days! Circumstances change so quickly. I mentioned earlier in the evening, in reply to the proposition put forward by members on the other side, that if I had a bit of an affair with some young girl at 15 years of age, because she was nice to take around, would they expect me to marry her and put up with her for the rest of my days just because she was nice at that time? That is how silly the thing could get.

Mr. Heal: You could not blame the Labour Party for that!

Mr. COURT: I just wanted to make that point. Surely from the mere fact that the waterside workers helped the Hurseys on one occasion—probably because it is a practice that they have in those parts—it does not follow that the Hurseys are to be forever indebted to the union because of it! They could be grateful for it, but they do not have to sacrifice a principle because of it. One does not buy a man body and soul because one does some kindness for him! Surely he does not have to surrender his principles because of it!

Mr. Sleeman: But it is only lately that they got these principles. They did not have them before.

Mr. COURT: What the hon. member is saying in effect is that if a man is a Communist most of his life he can never change his opinions.

Mr. Sleeman: He can come over.

Mr. COURT: Surely he should be able to change his mind. Surely any man who has a deep faith in something can change his mind.

Mr. Sleeman: I know of some Labour men who have become Liberals.

Mr. Evans: For a price.

Mr. COURT: I know that the Minister for Transport is wanting me to deal with a case of alleged compulsory unionism on my part. Let me make this point clear: That case is in no way comparable, because we have a statute of Parliament which says that a man shall have certain qualifications to do a certain job. The man in the case mentioned, through unprofessional conduct and eventually through the non-payment of dues, found himself put out of that particular body. At the same time a Government instrumentality, in the Tax Agents' Board, cancelled his licence to lodge tax returns. That had nothing to do with a private body, and it was not because of any ill feeling but because of an unprofessional act. That man disqualified himself under the law.

Let me also make this point to the Minister before he interjects, as I know he is waiting to do: There is no compulsion

about belonging to an institute of accountants before a man can practice public accountancy. There are more non-members of the Institute of Accountants practising accountancy in Western Australia than there are members.

Mr. Graham: And no person in Western Australia is compelled to belong to any union.

Mr. COURT: If they do not want a job and they do not mind starving they need not join!

Mr. Graham: Just as you got rid of Hansen for the reason that he had ceased to be a member of that union.

Mr. COURT: It was because he was outside the law.

Mr. Graham: Because he was not in the Institute of Accountants.

Mr. COURT: He was outside the law.

Mr. Graham: Outside the law because he was not a member of your union.

Mr. COURT: Let me make this point, if the Minister will allow me to make the point, seeing that he is in such a bad mood tonight: A person does not have to be a member of the Institute of Chartered Accountants, or the Australian Society of Accountants, or the Chartered Institute of Secretaries to practise as a commercial accountant in this State. There is no compulsory unionism.

Mr. Sleeman: But you tried to sack him because he did not belong to it.

Mr. COURT: It was for an entirely different reason altogether. The man was outside the law.

Mr. Sleeman: You reported him twice in order to get him the sack, simply because he did not belong to the society.

Mr. COURT: Let me make the position clear. The Registrar of Companies, who is a Government employee, insists that the institute advise him promptly, and in fact immediately, when any member is excluded for any reason whatever. It was not because the institute wanted to do it, but a matter of commonsense and co-operation between the institute and the Registrar of Companies, a Government officer.

Mr. Sleeman: You think you were justified in getting him the sack because he did not belong to the institute?

Mr. COURT: The gentleman concerned was quite free to practise anywhere in this State if people wanted to employ him. If the hon. member for Fremantle had been on this side, and the same man was retained in his position supervising the work of others, after he had done what this man did, the hon. member would have been raising Cain because an unqualified man was being employed. I will have to go briefly over the remainder of the speeches.

Mr. Graham: Just before you get off that point, are you going to introduce a Bill to remove the compulsory membership provisions from the Land Agents Act?

Mr. COURT: It is not my job to do that.

Mr. Graham: But in order to be consistent with the present measure you should do that.

Mr. COURT: Let the Minister introduce a Bill and see how he goes with it.

Mr. Graham: Answer yes or no.

Mr. COURT: I am not going to introduce a Bill.

Mr. Ross Hutchinson: If the Minister and the Government pass this Bill he will introduce a Bill such as the Minister suggested.

Mr. COURT: That is not a bad proposition which the hon. member for Cottesloe has put forward—"Pass this one and we will agree to the other one."

Mr. Graham: You are the man with the ideas.

Mr. COURT: The hon. member for Roe spoke in support of the Bill and put forward what I consider to be very sound arguments against compulsory political levies. The fact that he drew fire from the Government back benches was indicative that he was on the bull's eye.

Mr. Hawke: On the bull!

Mr. COURT: The hon. member for Cottesloe at least attempted to get down to the vital principles in the Bill, principles which have been lost sight of on the Government side during this debate. Hon. members opposite have not discussed the principles which this Bill seeks to introduce. We have had some of the most deliberate soap-box stuff, of an offensive nature, that I have ever heard. Obviously it was intended for certain journals, or to be passed on in suitable places. They will be able to say, "Look how we opposed this Bill which was introduced by the hon. member for Nedlands." The hon. member for Cottesloe tried to get down to the fundamental principles of the measure; that was obvious from the fire he drew when he tried to discuss those vital principles which the Bill intends to introduce.

Mr. Johnson: You cover up more than a plasterer does.

Mr. COURT: The Premier came in with his big guns on behalf of the Government and made it very clear, right from the start, that the Government would not have a bar of conscientious beliefs, apart altogether from the fact that it would not have a bar of the Bill. He did not deal with the fact that the Dutchmen sought no financial advantage whatsoever. They made a bona fide offer to contribute the equivalent of their union dues to any worthy charity that was to be nominated, and the Red Cross and similar organisations were suggested.

Mr. Graham: But they refused to help the trade union which had helped them to obtain all the conditions and privileges which they were prepared to enjoy.

Mr. COURT: Of course, one could follow that trend of thought through from generation to generation. The people who preceded us are dead; but I am sure, if they were alive, they would not want to keep on harping on what they had done for us. It was their contribution towards posterity at that time. The members on the other side of the House are about 35 years behind the times in their approach to the problem.

Mr. Graham: It is a pity what you would do to the workers of this State if there were not strong unions.

Mr. COURT: As part of our policy, we, as members of the Liberal Party, accept the principle of recognising democratically controlled trade unions.

Mr. Graham: I can remember when you wanted to peg wages in the same way as you pegged prices, and everything else.

Mr. COURT: The Minister is introducing irrelevancies that have nothing to do with the Bill.

Mr. Graham: I am right on the ball!

Mr. COURT: Nevertheless, I am not going to enter into a full-scale debate on price control and rent control.

Mr. Graham: You might be able to put this sort of talk over the young Liberals, but you can't put it over us!

Mr. COURT: The Premier disputed the fact that there is no preference in the award controlling the workers at the State Brick Works. I can assure him that there is no preference clause in that award and that is what I took the Government to task about. When it was found that these people genuinely held to their conscientious beliefs, all that needed to be said was, "We acknowledge this genuine conscientious belief," and there would have been no trouble. When that was established—

Mr. Rowberry: It was not established.

Mr. COURT: It was established by the court. Mr. Justice Neville established that these men were genuine in their beliefs; and surely the hon. member would accept his judgment. The position was slightly different in the case of Warder Louis Thorne. There was a preference clause in his award; but even in that case the preference clause had no effect because once he joined the union he was not bound by the preference clause to continue as a member, and for that reason he was wrongfully dismissed.

The Premier touched on the point of the Queensland Liberals, who hit the news on Saturday or Sunday in regard to compulsory unionism. I cannot answer in detail as to how they came to bring this

particular clause into their policy. However, I know—I see the Premier is smiling with a knowing smile—that it was a casualty of the bad old days in Queensland when this move was made as a desperate attempt to overcome the problem that was confronting the unions in Queensland as a result of Communist infiltration. It was hoped that through this compulsory unionism and compulsory voting that the trade unions would be able to overcome this Communist infiltration into their unions.

Mr. Graham: Compulsory unionism has been a plank of the Queensland Labor Party for years and years.

Mr. COURT: Let me make it clear that I do not subscribe to their ideas and I hope it is not protruded into any other State of Australia.

Mr. Graham: All you need is a sausage king to advocate it and you would grab it with both hands like your somersault on the bus transaction.

Mr. COURT: On the question of compulsory political levies—which the Premier glossed over—we feel on rather sure ground with this proposition, because it will bear repeating that Mr. Calwell made no bones about it. He was opposed to compulsory political levy and I think history will record that we were right in trying to introduce on to the statute book legislation which would prevent compulsory political levies. I will make this point clear once more. There is no provision in this Bill to prevent political levies. If it is only the method of implementing the provision of the Bill to prevent compulsory political levies that members on the other side of the House object to, why do they not support the second reading of the Bill with a view to amending it in Committee? On the contrary, they have just offered a flat "No." They are not prepared to take a chance of giving anyone the option of making a contribution.

Mr. Jamieson: You will never make a compulsory contribution of your life blood.

Mr. COURT: I do not know what the hon. member for Beeloo means by "life blood." I can only presume that he means finance; and if the hon. member's movement is not strong enough to attract sufficient finance and members, heaven help it! It has been going for a long time and it should be able to. The hon. member for North Perth rather amazed me because usually he takes a rather moderate line. To our amazement, however, he came out with a strong Pro-Evatt line of argument in one part of his speech, but in the other part Dr. Evatt deserted him because he showed himself to be wholeheartedly in favour of conscientious belief.

I was more surprised when the hon. member uttered words to the effect that the Dutchmen and Louis Thorne were void of moral value. Can anyone countenance

that particular remark? Here were three men who were prepared to be martyrs to a cause because of their deep-rooted religious convictions. If that is not a sense of moral values, I do not know what is.

Mr. Lapham: But they still wanted to accept trade union rights and privileges without paying for them and there is no moral value in doing that.

Mr. COURT: The hon. member for North Perth used the words, "Void of moral values." The word "void" means, in this sense, that they were completely without any moral values. However, if those men were prepared to suffer in the way that they did for what they believed in, I am quite sure that they were not void of moral values.

Mr. Lapham: They were prepared to be held up by their union and the Hurseys were in the same category.

Mr. COURT: Let hon. members put themselves in the position of the Hurseys.

Mr. Lawrence: Oh! One would not stoop to such a low level!

Mr. Sleeman: We do not want to be in that position!

Mr. COURT: Just a moment! Let hon. members put themselves in the position of the Hurseys.

Mr. Lawrence: You might be able to, but we could not.

Mr. COURT: Let the imagination of hon. members run riot for a moment and place themselves in the position of the Hurseys. Let them imagine that they hold a strong anti-Communist conviction and that they are told to pay a compulsory levy into a union, part of which they know is to be used to implement the Communists' policy. Which of the hon. members opposite would not revolt against that? Would the Minister for Labour be happy if he knew that a portion of his contribution was going to the Communist party?

Mr. Lawrence: We would rather it go there than to the Liberal Party the way you are carrying on.

Mr. Roberts: Will the Minister for Transport endorse that remark?

Mr. COURT: I would like to quote just a short extract from "The Mercury" of Friday, the 22nd August, 1958. This is a Hobart newspaper and it publishes in full, almost verbatim, the parliamentary proceedings and court cases. I am sure that hon. members will be pleased to know that. The extract reads as follows:—

Mr. Wright asked Healy—

That is Healy the Communist.

Mr. Graham: Is this Wright a Liberal member of Parliament?

Mr. COURT: Senator Wright, who was acting for the Hurseys.

Several members interjected.

Mr. COURT: There was, at one time, talk of a Western Australian Labour Premier being pilloried and being accused of all sorts of things. What did he do? Did he go to a prominent Labour man to conduct his defence? No, he went to a blue-blooded Liberal solicitor, and he got out of trouble.

Mr. Lawrence: That is why we chucked him out.

Mr. COURT: Fortunately, that is the way the law works in this country. I will again attempt to quote this newspaper article. It reads—

Mr. Wright asked Healy—

Mr. Graham: Senator Wright!

Mr. COURT: —

—if the political aspirations of the Australian Communist Party were identical with Soviet Russian Communism.

Healy: It depends on how you put that.

Do you believe the Australian Communist Party ideology is the same as Soviet Russian ideology?—

The Australian party operates according to the political situation here.

A very truthful remark, I would suggest—

Healy admitted that three executive officers of the W.W.F.—Mr. E. Roach (the assistant general secretary), Mr. M. Wallington (the Federal organiser), and himself—were members of the Communist Party.

Questioned on whether they controlled the union, Healy said, "there are four of us with executive power—Roach, Wallington, myself, and the president (Mr. J. C. Beitz)."

Healy said the federation—

That is the Waterside Workers' Federation—

had paid £1,500 to the Communist Party for communist political purposes in the past 10 years.

Mr. Lawrence: How would he know?

Mr. COURT: It is Mr. Healy speaking, and he must be right. I put it to hon. members on the other side of the House: How would they feel if they were being forced—not doing it voluntarily, but being forced—to make a contribution to a political levy part of which they knew was going straight into the political funds of the Communist party? In fact one year the amount was £1,500.

Mr. Lawrence: That is absolute trash.

Mr. COURT: It is Mr. Healy's evidence.

Mr. Lawrence: I happen to be a member of the federation and I know.

Mr. COURT: I think I would accept this evidence given on affirmation by Mr. Healy in this court.

Point of Order.

Mr. Lawrence: On a point of order, Mr. Speaker, I believe the Deputy Leader of the Opposition is misleading the House. The hon. member is quoting from a paper, and I think we are entitled to know the name of the paper from which he is reading and who sign their names to it.

The Speaker: I doubt if there is a point of order involved; but if the Deputy Leader of the Opposition wishes to do so he may quote the source from which he is reading, and name the paper. But there is no point of order involved.

Mr. Lawrence: Whilst it may be a newspaper it could have been printed by the hon. member himself.

The Speaker: There is no point of order and the hon. member will kindly resume his seat. The Deputy Leader of the Opposition may proceed.

Debate Resumed.

Mr. COURT: Thank you, Mr. Speaker. The newspaper from which I have quoted is the "Mercury," a Hobart paper, dated the 22nd August, 1958. It is a factual extract from a reputable paper.

The SPEAKER: The hon. member's time has expired.

Mr. WILD: I move—

That the hon. member's time be extended.

The SPEAKER: I might point out that Standing Order No. 107 says that an hon. member in reply will have a period not exceeding 45 minutes. That time has expired, and I will now put the question.

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

Ayes—13

Mr. Court	Mr. Owen
Mr. Crommellin	Mr. Perkins
Mr. Hearman	Mr. Roberts
Mr. Hutchinson	Mr. Watts
Mr. W. Manning	Mr. Wild
Sir Ross McLarty	Mr. I. Manning
Mr. Nalder	(Teller.)

Noes—22

Mr. Andrew	Mr. Lawrence
Mr. Evans	Mr. Marshall
Mr. Gaffy	Mr. Moir
Mr. Graham	Mr. O'Brien
Mr. Hall	Mr. Potter
Mr. Hawke	Mr. Rhatigan
Mr. Heal	Mr. Rowberry
Mr. Jamieson	Mr. Sewell
Mr. Johnson	Mr. Sleeman
Mr. Kelly	Mr. Toms
Mr. Lapham	Mr. May

(Teller.)

Majority against—9.

Question thus negatived.

Bill defeated.

BANK HOLIDAYS ACT AMENDMENT BILL.

Second Reading.

Debate resumed from the 17th September.

MR. LAPHAM (North Perth) [9.43]: I rise to support this Bill. It is a little unfortunate that this measure has been before this House on so many occasions. On speaking to a number of bank officials over the week-end concerning this matter I found they were inclined to be apologetic to myself and other hon. members for the fact that the Bill has had to come before this House again.

Hon. members must realise that it is a little unfortunate for bank officers, inasmuch as they cannot be granted Saturday closing—that is, a five-day week—except by Parliament carrying legislation to amend the Bills of Exchange Act. As a consequence the bank officers, who desire the closing of banks on a Saturday morning, feel that this matter should be brought before the House once again in the hope that there might be a change of heart among members; especially in view of the fact that those members have had a considerable time in which to investigate the position, and ascertain, perhaps, the views of the members of the Liberal Party and those of the Country Party in the other States of the Commonwealth.

It is rather unfortunate that the Arbitration Court cannot deal with this matter. If it were to grant a five-day week to the normal trading banks, the concession would not be applicable to the Commonwealth Bank. That being the case, it would be most unfair for the court to award that condition of employment as it would apply to one section of the industry and not to another.

In my opinion the hon. member for Leederville was justified in introducing this Bill once again because there is no other avenue open to the bank officers to rectify what they consider to be a wrong. The hon. member for Harvey indicated the other evening, when speaking in this debate, that in conversation with a number of bank officers, he was informed that they were prepared to accept additional remuneration in lieu of closing on Saturday mornings. By interjection I disagreed with him because I have gone out of my way to contact many bank officers, and I was firmly of the opinion that they were adamant in their request for a five-day week and for Saturday closing of banks, and that they would not consider additional remuneration in lieu of Saturday closing.

In proof of that assertion I quote from the minutes of the Bank Officials' Association. In 1948 at the annual general meeting, a motion was carried to the effect that it be a recommendation to the incoming

committee that it co-operate with any other organisation interested in the eventual achievement of the five-day week. In 1950 a similar motion was carried which read as follows:—

That it be a direction from this annual general meeting to the incoming committee that they should take action towards getting Saturday closing for banks.

In 1951 a similar motion was carried, but in that year the bank officers decided it would be a fair proposition to hold a postal ballot of all the members of that organisation because many of them were posted in the country. That was conducted in the latter half of 1951.

In the ballot paper the members were asked, "Are you in favour of the five-day week in the banking industry?" Of the 1325 ballot papers distributed, 1206—which represented 91 per cent.—were returned. That is a fair indication of the interest shown by the bank officers in the ballot. The number voting for the five-day week and for the closing of banks on Saturdays was 1129, representing 94 per cent. of the total votes cast. In all 72, which represented six per cent., voted in the negative, and 9 voted informally. That is a good indication that the bank officers want a five-day week, and they want Saturdays off. They do not want to receive payment in lieu of Saturday closing.

The membership of that association was 1,625 which represented 70 per cent. of all bank staffs in this State. There is a total of 2,345 persons working in banks here. Non-members of the association represent approximately 85 per cent. of the junior and female staffs. It is quite understandable that juniors and females are not so interested in the career side of banking as the more mature males.

The Commonwealth Bank Officers' Association was also behind this move by the bank officers. When the former submitted evidence before the Select Committee inquiring into Saturday closing of banks, they indicated that they had 870 members. The evidence was that for many years that association had been negotiating with the management to achieve Saturday closing. It was also stated that at a committee meeting of that association held as late as the 4th February, 1956, a resolution was carried that the committee reiterated the long-standing desire of that division and the association to seek a five-day working week, Monday to Friday inclusive, for bank officers, and confirmed the action already taken in supporting the Bank Officials' Association of W.A.

Surely with all this information before us, all hon. members, including the hon. member for Harvey, should be convinced that the bank officers are genuine in their desire for Saturday closing of banks. This

upsurge for the closing of banks on Saturdays has arisen not only in Western Australia but in every State and throughout the world. That question is under consideration by Liberal as well as Labour Governments in Australia. The five-day week for banks operates in Alaska, Algeria, Argentine, Canada, Ecuador, French West Indies, Monaco, Panama Canal Zone, Peru, Tasmania, and New Zealand.

As I said before, in other States of the Commonwealth this very question is also under consideration. There is a general trend towards the closing of banks on Saturday mornings. Almost throughout the world bank officers are working towards this overdue industrial reform. They consider this will be a reform based on equity, and with that I agree. I feel that it is a commonsense reform because already so many industries are operating on a five-day week basis. The bank officers are not asking for any reduction in hours; they are, in effect, asking Parliament to allow them to give greater service to the public on five days of the week and in return they ask to be granted Saturday closing. They also contend that they can give a greater economic return to their employers as a result of Saturday closing of banks.

Of course that is not so hard to understand when we realise that banks open for only 1½ hours on a Saturday morning. Under those circumstances few major transactions are initiated. It is true that a normal procedure operates in a bank—the teller gives change and cashes a cheque—but after all is said and done that is only the shop front of banking; it is not the true position. It would represent about one-twentieth of normal banking practice.

Mr. Court: It is a very important side to the public.

Mr. LAPHAM: I agree it provides a service to a number of people in the community, and I agree that while these banks are open people will use them more than is necessary because that is only natural. If I were going home at 3 o'clock in the morning and found a restaurant open I would stop and have a cup of tea, but if it were not open I would not care.

It has been asked during this debate, "How can an individual who is on a five-day week carry out this normal banking activity unless the banks are open on a Saturday morning?"

Mr. Nalder called attention to the state of the House.

Bells rung and a quorum formed.

Mr. LAPHAM: It is nice to know that there are now a few extra hon. members here to listen to me. I had reached the stage where I was indicating that when

workers who are now employed on a five-day week principle were working five-and-a-half days they must have found some way in which to transact their banking business; and I would say if the banks closed this coming Saturday those employees having the luxury of a five-day week would find some way over the difficulty and be able to carry out their banking transactions without a great deal of rearrangement.

Mr. I. W. Manning: What about buses running on Saturdays?

Mr. LAPHAM: Can the hon. member show any comparison in the service given by a bank and that given by a transport service? There is no comparison. I will go further. Could he give any comparison between the service a bank would give and that given by an entertainment or a catering business? There is no comparison at all.

Mr. Court: The public must come into it at some point.

Mr. LAPHAM: Of course; but to a minor degree. A small number use the banking service on a Saturday morning.

Mr. I. W. Manning: It is not a minor degree to them.

Mr. LAPHAM: The number is small when compared with those using transport, entertainment, and catering services.

Mr. I. W. Manning: The hon. member knows a lot better than that.

Mr. LAPHAM: I am trying to explain the position to the hon. member, but he seems to be particularly dull this evening or does not want to listen.

Mr. Court: That is the trouble; he is listening too well.

Mr. LAPHAM: The banking officials have indicated to me that because of the fact that they have to provide this 1½ hour service on a Saturday morning it represents an economic loss to their banking institution. The reason for this is that very highly skilled and specialised officers have little of their normal work to do and are carrying out minor duties as a consequence. This is brought about because the time in which the bank is open is too short a period for transactions to be initiated, let alone completed. I think hon. members would realise that Saturday banking, under its present restricted time, must of necessity be uneconomic.

Even the managers usually go about 11 a.m. They get out of it smartly. Why? The manager does not always effect his business in the office of the bank. It is a bank manager's duty to mix socially; and naturally you will find him at the race-course, the golf course or somewhere else where the tycoons of industry can be found. He knows full well that there will be no business on a Saturday morning, because all other industries are closed.

Mr. Court: There would be a mighty squeal if he were not there.

Mr. LAPHAM: I suggest that the Deputy Leader of the Opposition try to find out if a bank manager is in his office at 11 o'clock on a Saturday morning.

Mr. Court: I have to see them for various reasons on a Saturday.

Mr. LAPHAM: He would find the bank manager at the golf course.

Mr. Court: We do see them on a Saturday.

Mr. LAPHAM: The hon. member may see them for a short time, but normal banking business is not carried out on a Saturday morning on account of the short period of time the banks are open.

Mr. I. W. Manning: That is not correct.

Mr. LAPHAM: There are only 1½ hours during which to conduct business and it would not be possible to initiate a real discussion in regard to business activity.

Mr. I. W. Manning: You would make an appointment.

Mr. LAPHAM: Does the hon. member think a bank manager would make an appointment on a Saturday morning with only 1½ hours to deal with a client, and perhaps others as well? The normal businessman would not come into town on a Saturday morning to see a bank manager.

Mr. Court: He would if he wanted accommodation; he would come in on Saturday—or Sunday if need be.

Mr. LAPHAM: Executive officers in banks make only a nominal appearance, although they may carry out some minor duties. It is uneconomic for a bank to open on a Saturday and have a highly paid executive officer carrying out minor duties.

Mr. I. W. Manning: I think the banks would be the best ones to know that.

Mr. LAPHAM: They do know. I have spoken to bank officers and have obtained information from them. They are not lying to me; they are telling the truth. They have told me some things against their case as well as things for it.

Mr. I. W. Manning: What did the associated banks tell you?

Mr. LAPHAM: Before the Select Committee?

Mr. I. W. Manning: No, any time.

Mr. LAPHAM: I am indicating what I have been told by the bank officers themselves; and I am satisfied that they are truthful, particularly as I have been to the banks myself to see what is going on.

Let us take the travel department of a bank: There is very little to do on a Saturday morning, and what is done could be conveniently carried out on any week day. On the stores, records, and similar office functions nothing is done that could not be effected on a week day. They do

not contact the public in any way at all. In the correspondence department they deal only with urgent correspondence. Only matters of a most urgent nature are dealt with and the rest is pushed aside until Monday morning. What happens in the ledger department on a Saturday morning? They bring Friday's transactions up to date, and on the Monday will work on Saturday morning's transactions. So no difficulty will arise if the banks close on Saturdays, so far as the ledger department is concerned—or any other department I have mentioned.

So far as exchanges are concerned, no exchanges are conducted between the Perth main banks on Saturday morning. With regard to the remittance department this normally operates for a short period each day at high pressure, and they are usually busy on a Saturday morning. This is one department which would be affected; but the work could be spread over the week days. A little rearrangement, and these people could be given the privileges that so many other departments enjoy, by virtue of the five-day week.

Bills are handled, because the bank is open, and due to the Bills of Exchange Act they must handle bills, but the normal overseas work is almost non-existent. As wholesale houses, importers, exporters, shipping companies, and customs agents are mostly closed, it is obvious that the work of banks on Saturday morning is very limited; and I think it is safe to say that some very important functions of banking are entirely absent from Saturday morning work.

While there could be an overall volume of work transacted in a bank in the short space of time it is open, it is not actually the volume of transactions that should be considered, because they are not a major or substantial part of banking but are only the granting of certain services which the people use as a consequence of the doors of the bank being open. As a matter of fact, Mr. Eggleston, a Queen's Counsel, when appearing for the banks before the Commonwealth Conciliation Commissioner, made this statement—

In most cases, the availability of the banks' facilities on Saturday is perhaps not of importance.

This learned man, appearing for the banks themselves, indicated that the availability of the banks on a Saturday morning was of very little importance, and if we take that statement as a base—

Mr. Watts: Base statement, anyway.

Mr. LAPHAM: All right! Then the bank officers are entitled to have their claim for a 5-day week agreed to by this House. After all, we are in the same position as the Arbitration Court. The bank officers cannot put their case before the Arbitration Court in the normal way because of the provisions in the Bills of

Exchange Act. We, as a body, should act in lieu of the Arbitration Court; and we have the evidence—I am submitting it now—from Mr. Eggleston, Q.C. who indicated, when appearing for the banks before the Commonwealth Conciliation Commission, that in most instances the availability of bank facilities on Saturday mornings is not perhaps of importance.

Point of Order.

Mr. I. W. Manning: I desire to draw attention to the state of the House.

The Speaker: Attention was drawn to the state of the House at 9.59 p.m. Standing Orders provide that 15 minutes must expire before attention can again be drawn to the state of the House.

Debate Resumed.

Mr. LAPHAM: In view of the statement made by Mr. Eggleston, I feel that equity demands that we grant a five-day week to bank officers and agree to amend the Bank Holidays Act in the manner outlined.

Just in case some members are a little reluctant to do this because perhaps they feel it is revolutionary to close the banks on Saturday morning, I would like to indicate that a five-day week in industry is not unusual. As a matter of fact, it is almost universal. Evidence submitted before the Select Committee on banking indicated that the Commonwealth departments were all on a five-day week.

All the Commonwealth departments, clerical and non-clerical; State Government departments, clerical and non-clerical; manufacturing industries, clerical and non-clerical; wholesale trade, clerical and non-clerical; State Electricity Commission—similar to State Civil Service, except for essential sections which are operated under penalty rates; W.A.G.R., on the clerical side; Tramways Department, on the clerical side; Police Department; the P.M.G.; most stock firms; shipping companies; the Fremantle Harbour Trust; Public accountants; trustee companies; barristers and solicitors; stock exchanges; importers and exporters; custom agents; and oil companies—all these close on Saturday mornings.

Mr. Court: Not all.

Mr. LAPHAM: They might have a few employees working as a skeleton staff. I may be wrong in saying they are completely closed. But surely the hon. member would not contradict me if I said the bulk were closed; and for all practical purposes, they are closed.

Mr. Court: Some consider that service to the public is the important factor.

Mr. LAPHAM: Ninety-nine per cent. do not consider service to the public is the important factor.

Mr. Court: You are over-estimating when you say 99 per cent.

Mr. LAPHAM: Well what figure would the hon. member suggest; 95 per cent?

Mr. Court: There is a substantial proportion who do give a service on the Saturday morning.

Mr. LAPHAM: Most of these firms are closed. Sometimes a skeleton staff is on duty, only to say, "Thank you very much for calling. Will you give us your name and address and we will transact the business on Monday?" A certain courtesy to the client.

Mr. I. W. Manning: They are busy doing their banking.

Mr. LAPHAM: Yes, in the 1½ hours available. I think we should be interested in what the Civil Service Association had to say about this. It issued a statement to the Select Committee. There are three pages in fact; but I will read them because it must go down in Hansard. The statement is under the signature of N. G. Hagan and is as follows:—

In August, 1938, a five day week was introduced into the State Public Service of Western Australia. The introduction did not involve any reduction in the total of the weekly working hours as the three hours previously worked on Saturday mornings were spread over the five days Monday to Friday.

That is the system the banks want to operate under. To continue—

The then Public Service Commissioner (G. W. Simpson) had been an advocate for the five day week for some time previous and in his Annual Report to Parliament in 1936, he said:—

The adoption of a five day week is a matter of policy. It can be carried out without any increased expenditure, provided the three hours lost on Saturday, are spread over the remaining days of the week.

Judging from the experience of the Federal, New South Wales and Tasmanian Governments, it can be definitely asserted that under a five day week efficiency has been maintained, if not improved, without additional cost. The five day week was introduced into the New South Wales Public Service approximately 30 years ago, and the following extracts from the annual reports of the New South Wales Public Service Board are of interest:—

The five day week was introduced in 1927. So far as can be seen at present the adoption of this policy has not resulted in any loss of efficiency. Where found

necessary to meet public convenience or the requirements of statutes offices are kept open on Saturday morning with a staff sufficient to meet requirements. To form an accurate opinion as to the effect on public convenience, however, it will be necessary to obtain opinions from representative bodies of the public.

1928: During the past 12 months no representations as to any need to make additional provisions for the requirements of the public on Saturday morning have been received by the board.

1929: By adding the time previously worked on Saturday morning to the other days of the week it has been found possible to keep offices open to the public for half-an-hour longer each day than was previously the practice, and this adds considerably to public convenience.

This is the type of thing Western Australia should do in regard to the banks, and we would then get greater service on the week days, in exchange for granting the banks the convenience of a full week-end.

Mr. Watts: There is nothing in the Bill to say that we will get it.

Mr. LAPHAM: Yes; it gives the additional holiday on the Saturday.

Mr. Watts: The Bill does not say we will get the extra convenience on week days.

Mr. LAPHAM: It indicates that the 40 hours will be spread over the week. If that is not part of the measure before the House and the Leader of the Country Party bases his opposition to the Bill only on that point, I will approach the hon. member for Leederville; and I am satisfied there will be no difficulty in having the Bill amended to provide for the bank officers to work the additional hours over the five-day week in order to receive the Saturday morning off.

Mr. Watts: I thought you were telling us what was in the Bill.

Mr. LAPHAM: To continue—

In July, 1938, when announcing the introduction of the five day week in the Western Australian State Public Service the then Premier (J. C. Willcock) said—

It is now proposed that on the five working days the offices should be open to the public from 10 a.m. to 3.30 p.m. which is half an hour longer than usual and will more than make up for the loss of Saturdays.

The five day working week is in operation in the Commonwealth Public Service and the Services of

New South Wales and Tasmania. In Tasmania it has been in force since 1935 and no inconvenience has been caused as a result of Government offices being closed on Saturday. In fact, now the five day week is applied to business houses and shops in the city except places such as cafes.

In New South Wales the scheme has been in operation since 1927 and has proved very satisfactory. In some sections an increase in the output of volume of work was effected as a result of the longer working hours daily and in others a reduction of overtime has resulted. The two full free days have had a good effect on the health and spirits of the officers and have minimised to some extent the amount of sick leave taken on account of minor ailments.

It is confidently anticipated that similar beneficial results will be achieved by the introduction of a five day week into the administrative offices of the Government in Western Australia. These should more than compensate for any slight inconvenience which the general public may suffer during the initial stages of the change.

Where work is performed on a Saturday, as it is a half day, I feel that employees' minds are not as concentrated on their work as on ordinary days, nor are Saturday mornings as productive as other mornings as tasks are held over to the following week where they cannot be completed in the short time available.

This indicates that the arguments against granting the bank officers a five-day week are entirely wrong; because they are the same as were advanced against the granting of a five-day week to all those industries which now have it. Those industries would never revert to a 5½-day week, but would steadfastly stand by the five-day week—both worker and management—because they know it is a better arrangement. Once the public become accustomed to the Saturday morning closing of banks and rearrange their business in some slight degree, I am satisfied there will be no difficulty experienced, and everyone will be quite happy as a consequence.

Hon. members opposite have mentioned the unfortunate worker who has no alternative but to deal with the banks on Saturday morning. It is nice to know that hon. members opposite are so concerned with the welfare of the worker, and I will remind them of this when we are dealing with measures in relation to industrial arbitration, workers' compensation, and so

on. I have consulted many workers and the Select Committee consulted the general secretary of the Trades Unions Industrial Council—

Mr. I. W. Manning: Whoever he was, he was briefed by the hon. member for Leeder-ville.

Mr. LAPHAM: His evidence indicated that it was the policy of that council that a five-day week should apply. If a worker is fortunate enough to have a five-day week, it is his duty to endeavour to assist other workers, now on a 5½-day week, to obtain the same privilege. In the circumstances, I do not think members opposite need worry about the unfortunate position of the worker. He will look after himself, and he always tries to help his less fortunate mates in matters of this kind.

Mr. I. W. Manning: I always try to look after the workers.

Mr. LAPHAM: That is nice to know, as I was not aware of it. It has been said that if the banks close on Saturday morning big businesses will have difficulties with their takings, and so on. Where there is additional money to look after, special provision will have to be made for it; but it must be realised that picture theatres and other types of business often have large amounts of money to deal with when the banks are not open and have to provide the necessary safeguards for it.

Mr. I. W. Manning: How do you feel about the picture-shows working a six-day week?

Mr. LAPHAM: Confidentially, so far as I am concerned—

Mr. Court: There is nothing confidential about Hansard.

Mr. LAPHAM: Hansard can have it, if they like. As far as I am concerned, I believe the picture-shows usually show American films, which in my view are not very good for the general education of the Australian people.

Mr. Court: I can see that you are going to move for a five-day picture week next.

Mr. LAPHAM: No; I would not do that. I feel that entertainment is necessary on the six days of the week, and perhaps sometimes on the 7th day. But as the hon. member for Harvey has asked me a question, I will tell him, quite candidly, that I am not very happy with our picture shows, and I think we could do without a lot of them.

The bookmaker takes quite a lot of money on Saturdays, so I am told; but the banks close at 11 o'clock and the races do not start until the afternoon. He has to do something with the money he gets; and so he makes some provision for safeguarding it.

Mr. Graham: And so does the publican.

Mr. LAPHAM: That is quite true.

Mr. Graham: And so does the football league.

Mr. LAPHAM: And the trotting and racing clubs. There are a number of people who have to make certain arrangements about safeguarding their money. They will not stop operating because the banks close at 11 o'clock on Saturday morning. Does any hon. member think that because the banks close at 11 a.m. on Saturdays the publican will close his hotel at 11 o'clock because he cannot bank his money?

Mr. Court: Where do the racing people, and these other people, take their money after the banks close?

Mr. LAPHAM: The armoured car service looks after it.

Mr. Court: But where does the armoured car service take the money to?

Mr. LAPHAM: That service makes special provisions for looking after the money. Confidential information in regard to that was given to me as a member of the Select Committee and I am not prepared to discuss it in the House. But there is nothing wrong with the armoured car service; I can recommend it to the hon. member's friends who have too much money to handle after the banks have closed.

Mr. Court: You are trying to shut down one service and start another.

Mr. LAPHAM: There is no need for it. There are existing facilities to look after the money.

Mr. Court: You are getting very involved. You are now saying there is no need for the armoured car service.

Mr. LAPHAM: I am not. If a person does not want to make use of that service he can make provision for a safe where he can keep his cash or cheques. The hotel proprietor makes provision for looking after the money he collects after the banks have closed.

Mr. I. W. Manning: How would you feel about opening on Friday night instead of Saturday morning?

Mr. LAPHAM: That question does not arise under this Bill; it is a separate matter altogether. To be quite candid I would not have it at all. We have fought for the eight-hour day principle, and, now that we have it, I will abide by it. I do not think it is necessary for the shops or the banks to be open on Friday night. A little rearrangement would get us over all the difficulties that would be involved in the banks closing on Saturday mornings. If I felt that opening on Friday nights would be the answer to any of the little problems that might arise, I would agree with the hon. member; but I am satisfied that it is not vitally necessary.

The whole trouble is that too many people hate to get out of their normal routine; they hate to change their habits, and that is one of the difficulties in regard to the Saturday closing of banks. We are struggling all the time trying to induce people to look ahead and be modern in their outlook and approach. They say, "We cannot get over this. What will we do on Saturday morning? It is our custom to do a certain amount of shopping and our banking at the same time." They make a social gathering of it; and, because some people want to make it a social outing, a certain section of our workers is compelled to put up with the injustice of working a 5½-day week.

It is only natural that any Saturday closing must inconvenience somebody. We cannot please everybody; but never at any time do we attempt to legislate for everybody. We have to legislate for the majority.

If any hon. member is doubtful about how he should vote on this measure all he need do is ask himself a simple question and he will get over the problem, if he finds it is a problem. Let him ask himself, "Is it vitally necessary that the banks should remain open on Saturday mornings?" Let hon. members be fair in their analysis of this question and do not let politics come into it, because I do not think this should be a political issue at all. As I said before, this House stands in the position of an arbitration court. It is arbitrating for people who have not the right to approach the Arbitration Court and ask for certain things; as a result, we should view this matter on the same basis as an arbitration court would view it and divorce politics from our minds.

If we ask ourselves, "What facilities do the banks offer which could not be reasonably done without on Saturday mornings?" I think the answer must be that there are no facilities which cannot be done without. The facilities provided by the banks are not comparable with those covered by transport services, the entertainment and catering people, and so on. As a result, justice is not being done to bank officers and they are being compelled to conform to an unnecessary industrial condition. The Saturday opening of banks is not a great help to the vast majority of people.

The SPEAKER: The hon. member's time has expired.

MR. COURT (Nedlands) [10.31]: In the absence of the Leader of the Opposition, I feel I should make some comments on this Bill, because it was his intention to speak on this matter. It is unfortunate that in spite of what the hon. member for North Perth has said, about this being a non-political issue, it has in fact become very much a political issue.

Mr. Lapham: Why not get rid of it so that it will not be?

MR. COURT: I am going to suggest to the hon. member, and to the hon. member for Leederville, something which I have suggested before: They want to take this legislation out of the realms of politics. If the Government were serious about this measure it would, long before this, have introduced it as a Government Bill. But it is still being introduced by a private member, and we on this side make no bones about saying that on this occasion it is done for political purposes.

Mr. Lapham: Would you agree with the Bill if the Government introduced it?

The SPEAKER: Order! I must ask the hon. member to allow the Deputy Leader of the Opposition to proceed with his speech before he interjects any further.

MR. COURT: The point I want to make is this: We have several mainland States in Australia. Some are governed by Liberal Party Governments and some are governed by Labour Party Governments. In New South Wales, for instance, the Labour Party has complete control of the Legislative Council; and, if the Labour Government in that State wants to introduce legislation of this nature, there is nothing to stop it. For many years the same state of affairs existed in Queensland; but there the position was easier because they had no Legislative Council to worry about—and they had a Labour Government for the best part of 30 years.

There has been a succession of Labour Governments in Victoria, but those Governments have never seen fit to introduce a Bill of this kind into their Parliaments. The hon. member for Leederville made the position between the Bank Officials' Association and the Labour Government in New South Wales quite clear. As far as I know the New South Wales Government has never lifted a finger to bring down this type of legislation. The point I am trying to make is that if we are not careful we will further develop in the minds of Eastern States people—if we pass legislation of this kind—a belief that this western State is an unusual State—a State on the extreme boundary of Australia, a State which is not really a part of the whole of Australia.

If hon. members opposite feel so strongly about this it is a simple matter for them to do something about it. They can ask the Premier to make sure that this matter is discussed as a fully-fledged item on the Premiers' Conference agenda. Hon. members opposite well know that the Premier has to go periodically to the Eastern States to confer with all the other Premiers and the Commonwealth Government.

I submit that the day the Premiers discuss this, as a Premiers' Conference issue, it ceases to be a political issue. If the Premiers, in consultation with the Commonwealth Government, decide that the banking laws should be changed on a Commonwealth basis, or they are going to introduce similar Bills in each State, the Saturday closing of banks ceases to be a political issue.

We, on this side of the House, consider the public is entitled to the service that is rendered by banks on a Saturday morning. That was the whole burden of the evidence submitted by the associated banks—namely, that there is demand for the banking services—and while there is this demand, they want to provide it. That is a logical and commendable approach.

It is true that many industries operate on a five-day week, but in some respects that, of course, highlights the significance of Saturday morning banking, because many of these people who work a full five-day week only have the Saturday morning in which to do their banking business and shopping. Contrary to what the hon. member for North Perth has said, there are many business transactions between the customer and the bank conducted on a Saturday morning for the simple reason that those who work a normal five-day week as employees and who are denied the right to come and go in their employment as they would want during the Monday to Friday period, can conduct their business negotiations with the bank only on Saturday morning.

Mr. Johnson: Don't they have lunch hours?

Mr. COURT: The hon. member knows that if one wants to transact his banking business during his lunch hour and at the same time have lunch there is a very slight margin by the time one travels from one's place of employment to the bank and back again.

Mr. Johnson: One would have just as much time then as one would have on a Saturday morning when the banks are open for only an hour and a half.

Mr. COURT: The hon. member knows quite well that one is not going in to see one's bank manager, while eating one's lunch when one is anxious to conduct some banking business on a Saturday morning. In such case one would be making a special trip for business and shopping purposes. I think it is generally accepted that the lunch period is a rest period and it is not the time for one to conduct one's banking business.

Mr. May: Many people do.

Mr. COURT: Of course many of them do. But some people do not want to eat their lunch during their lunch hour, but,

instead, they want to play cards. Others would rather play football. That is their business. But do not let us legislate to force them to do their banking during their lunch hour. More and more we are squeezing the public by imposing restrictions upon them. A while ago it was the restriction on the trading hours of the service stations, and now it is the banks. When a man enters the banking profession he takes that work up as a career. He enters the banking profession as distinct from an ordinary trade with a full knowledge of all the special obligations involved. If the Government feels strongly on the point that banks should close on a Saturday morning, and wants to lift the question out of the political arena, it is only a matter of having it decided once and for all by the Premiers of the several States meeting in concert with the Commonwealth Government.

It is quite obvious that the bank clerks are going to make very little progress in Australia, so far as all the States are concerned, until there is some concerted action; and if the Government is sincere on this issue I suggest that the easy and proper way—in order to keep Western Australia in line with the other States—is to have this matter raised in the proper place, which is at the Premiers' Conference.

Mr. Graham: What difference does it make if there are different trading hours in one State as against another?

Mr. COURT: The Minister was not in the House when I made my observations on that aspect; but if we are going to do these odd things we are only going to accentuate the fact that we are, as a State, the odd man out.

Mr. Graham: You are suggesting that no State can be first in anything.

Mr. COURT: The Minister is missing the point altogether. If his Government feels so strongly about this as a matter of policy—although it entrusts the Bill to a private member each year—

Mr. Graham: We do not! We do not restrict a private member in what he wants to do.

Mr. COURT: The Minister is admitting that the Government does not feel strongly about this matter; otherwise it would lay this down as a matter of policy.

Mr. Graham: We feel strongly about a private member having the right to introduce his own Bill.

Mr. COURT: Surely the place for the Government to raise this matter is at a Premiers' Conference in an attempt to reach agreement with the Commonwealth Government!

Mr. Graham: No, in the Western Australian Parliament; that is the place!

Mr. COURT: Banking is essentially a Commonwealth matter. It is true that we can alter the trading hours of banks by a Western Australian Act, but we keep getting told that the Bills of Exchange Act which, fundamentally, governs this matter, can be altered only by the Commonwealth Government. Therefore, this matter should be taken out of the political arena and discussed by the Premiers at a Premiers' Conference on a Commonwealth basis. If the majority of States decide against the closure of banks, the banks will remain open, but if the majority vote against it the banks will be closed.

Mr. May: Suppose they did close them, then the argument you put forward a moment ago would be lost because you would have people rushing about during their lunch-hour trying to do their banking business.

Mr. COURT: I made my position quite clear. I am all for giving service to the public. History will demonstrate to us that if we keep on contracting the services rendered to the public we will find that we will have to put all these matters in reverse in the future because the public demand will be such that they will insist on service. It is not a question of breaking down industrial conditions. Industrial conditions can still be maintained and yet a better service given to the public. For instance, in Victoria, the authority has granted payment of time-and-a-quarter for bank officers on Saturdays. This is an acknowledgment that some disability is being suffered by bank officers by working on a Saturday morning. However, precedence has still been given towards providing a service to the general public.

Mr. Johnson: They have not. They have just acknowledged that they can do anything but just that.

Mr. Lapham: It is up to the Legislature to handle it.

Mr. COURT: The New South Wales Parliament can do it, but Mr. Cahill will not have a bar of it. Why?

Mr. Johnson: He has never been asked.

Mr. COURT: Surely the hon. member for Leederville does not want us to swallow that! Surely he does not expect us to accept his argument that because one bank officer of the Bank Officers' Association is at daggers drawn with the Premier that steps will not be taken to introduce legislation to effect closing of banks on a Saturday morning in New South Wales! We oppose the Bill and we appeal to the Government to take hold of this matter and present it at the Premiers' Conference so that it may be thrashed out there between the Premiers of all States and the Commonwealth Government.

On motion by Mr. Gaffy, debate adjourned.

LEGAL PRACTITIONERS ACT AMENDMENT BILL (No. 2).

Second Reading.

Debate resumed from the 17th September.

MR. COURT (Nedlands) [10.43]: I am sorry to have to speak again tonight, but it is just the turn of events as a result of my Leader's disability. As much as I have sympathy with the objects sought to be achieved by the hon. member for Kalgoorlie, I cannot support his Bill, because I think he is approaching the problem from the wrong direction. I say that in all sincerity and not in any damaging way; because, if the situation in respect of clerks who decide to seek legal qualifications through the method of becoming articled to a legal practitioner, is as has been explained, the remedy lies in industrial action rather than in legislative conciliation. The House has heard the submission of the hon. member for Kalgoorlie and the comments of the Minister who opposed the Bill. We have also heard the remarks made by the hon. member for Fremantle, who feels very strongly on this issue.

I want to make the point that the submission which has been made to the House by the Minister in which a particularly lengthy statement by the Solicitor-General is included, is all based on the fact that this particular profession is seeking, like all others, to elevate the standard of qualification. There is a world-wide trend in professions towards a university degree qualification, as distinct from service within a particular office—by that I mean full-time service in professional offices.

It is an understandable trend, because of the complexities in the various professions, and the difficulties students are finding of doing a day's work in a professional office, and then having to carry out their theoretical or academic studies outside their normal hours. The profession with which I am associated has been subjected to an industrial award for very many years. Naturally when it was under discussion there was considerable misgiving and fear as to what its consequences might be.

But on balance it appears to have been a satisfactory solution because the whole argument about the earning capacity of an articled clerk, or a clerk—the articled clerks have of course disappeared with the introduction of the award—is beyond question. It is settled by an industrial tribunal and therefore the clerk is employed in this profession in exactly the same manner as if he were apprenticed to a trade.

In the case of the legal profession the situation has developed to a stage when only about two people are seeking the

articled clerk system, as distinct from 70-odd students seeking qualification from the university. The trend in that direction will increase because of the Commonwealth scholarship system for university attendance. It follows that the young men and women will take advantage of that system, and the advantages of having a full-time university education, bearing in mind that during the university period there is not the relationship of master and servant; and also no restriction on their earning other income, if they want, as university students. Many of them do with commendable zeal.

But the whole trend today is towards a full-time university training, and it has many advantages. After that they must do two years' articles; and that is a very necessary qualification, so that they have practical experience on top of their theory. It is not until one starts to practise a profession that one realises how little one knows, particularly when one is confronted with everyday problems in commercial and professional life. It would be unthinkable for a medical man or a legal man to be let loose on the public to supplement his theoretical study.

Mr. May: That applies to almost everything.

Mr. COURT: In the case of the apprentice, he receives a lower rate of salary because he is receiving training. He graduates through the proper industrial system. During the early part of his apprentice life he is an uneconomic unit in industry. But industry must accept that if it is going to train its future work force. It is not until he passes his third or fourth year that he becomes an economic unit. My main reason for opposing the Bill, apart from the fact that the problem is an industrial, rather than a legislative one, is that we should not do anything to interfere with the control of the standard in the profession by the Barristers' Board.

The board is a responsible body. The Government does not let it do what it likes; it is subject to very close scrutiny from the Government, and is a very responsible body which, I am certain, in my experience, has as its aim the elevation of the profession, and the interests of those in the profession. All this Bill seeks to do is to break down a degree of supervision in respect to the student. In other words, we are taking away from the Barristers' Board the right to say whether a man shall spend his time in other avocations to supplement his income and giving that right to the actual employer himself.

When we examine the position of the Barristers' Board, I think we can follow the Minister's suggestion, and leave the matter well and truly in the hands of this body. From the evidence submitted through the Solicitor-General it is apparent that no case has been refused since 1950, where

a person has applied for permission to follow other employment. I think it is sufficient testimony of the fact that the board does consider the matter in a responsible light and with due regard to the student.

Mr. Sleeman: They used to say that the articled clerk could not serve two masters but now they seem to think he can.

Mr. COURT: I think the board has been helpful in the matter. There are a few people involved. When this Bill was introduced I thought a lot of people were affected; but I find that there are only a few. I am firm in my conviction that the trend will be towards university qualification and away from articled clerkship. When we consider the ever-increasing complexities of modern professions being brought about by the changing laws, we can understand why a student wants to spend full-time on study at the University, instead of trying to fit in some time after hours, having already done work for an employer.

In taking my own profession as an example I would say quite frankly that the qualifications required in the profession today are more difficult than those required when I got my degree. I watch it closely because I have a great interest in the student side. I am convinced that I would have more difficulty today in trying to qualify, than I did when I secured the necessary qualifications. One of the difficulties is the complexity of the laws. The income tax law is more complex; company law is more complex, and other laws which are operative in commercial and professional life have been more complex because of the advance in modern society.

For that reason we have this trend towards a full-time university training by way of academic qualification, as distinct from the actual practical side. If I felt that a lot of people were being kept out of the legal profession—a lot of good solid types of young men and women who wanted to be barristers, or solicitors, and were being denied the opportunity because of restrictive legislation—I would be the first to support this Bill. I have come up from the bottom of my profession, and I know what it is like to struggle along on a small weekly wage. In my early days as an office boy and then as an articled clerk, the wage was a nominal one, and all sorts of means had to be adopted to supplement one's income. If I felt that was the governing factor stopping people from going into the profession, I would be in favour of legislation to remove such a restriction. But it is not the governing factor.

There are so few people who want to use this method of articles at the present time, and I am convinced that the trend will be increasingly towards the university

system. From the best information available to me—and it is not complete—of the 70 students who are working towards their degree at the University only seven are employed. In other words, the students are finding it practicable to exist on scholarship grants, on parental help or other assistance of that nature. Out of the 70 students, two are employed in the Commonwealth Crown Solicitor's office, and one is employed in the Commonwealth Bank and he is undertaking that course part-time at the University.

Mr. Sleeman: What are the other two doing?

Mr. COURT: I could not find out. Of course there is no restriction if students are attending the University because they are not attached to a legal office in the ordinary way. Those students can supplement their income. Most University students, whether they be taking arts or engineering or other courses, supplement their income in some manner. In the case of the engineering students, they try to become attached to some place for practical experience during their long-term vacation. Others intending to seek Government employment find work at the Department of Civil Aviation or the Postmaster-General's Department, into which they might drift when they have obtained their degrees.

For those reasons and because I am convinced that no person is at present suffering any hardship under the existing set-up, and because control and supervision of articulated clerks should be left in the hands of the Barristers' Board, I oppose the Bill.

MR. WILD (Dale) [10.57]: I cannot align my thoughts with the remarks of my colleague who has just spoken. While we have been told that the Bill will affect only four persons, I cannot forget that a principle is involved. In many cases students are sent to the University, to undertake courses, by their parents or under the rehabilitation rights of ex-servicemen, and often they take on jobs with Co-operative Bulk Handling and similar firms during the long recess in order to supplement their income.

I recognise that the Barristers' Board is a very responsible authority; but surely the persons who are licensed by that board—namely the legal practitioners, on whom the board has conferred the stamp of proficiency, must also be looked upon as reputable people. If legal practitioners employ articulated clerks, it is reasonable to assume that those clerks are respectable. When such a clerk approaches the lawyer under whom he is serving his articles and says, "I am having a lean time. Would you allow me to take on a job at night?" in such an instance I feel sure that the lawyer will give every assistance.

There is a medical specialist in this city whom I have known for 20 years. On many occasions he has told me of the great struggle he experienced in getting through his medical course. On the first attempt he failed to pass the examinations and his father became so incensed that he almost ostracised him. This person left Australia for England with a view to continuing his medical studies. The jobs which he performed in order to earn enough to carry on his studies were amazing. He had to work late into the night for seven days of the week, doing all types of work, to keep body and soul together in order to complete his studies. Today he is one of the leading specialists in St. George's Terrace.

We should give every inducement to a person who desires to improve his position. My colleague mentioned the fact that there are very few articulated clerks. That may be because of the economic factor. Many intending articulated clerks could say this, "I will only get £3 or £4 a week when I am articulated. How can I carry on?"

While I recognise that the Barristers' Board will be fair in these matters, I cannot understand why this Bill has been introduced. I would like to hear what the hon. member for Kalgoorlie has to say in this regard. It occurs to me that someone must have applied to the Barristers' Board for permission to do outside work and was rejected. That may be the reason for the introduction of this Bill. I am always prepared to help any man who desires to uplift himself, and for that reason I support the second reading of the Bill.

MR. ROSS HUTCHINSON (Cottesloe) [11.1]: I want to make a brief contribution to this debate. I think I can logically, reasonably and with justification support the Bill before us. At present there is an unfair distinction between what applies to University students studying law and articulated clerks serving in legal offices. I do not like to see the existence of any distinction.

As was pointed out, some fortunate people, by virtue of Commonwealth scholarships or by the help of well-to-do parents, can attend the University and secure a legal degree after a number of years. Then after serving for two years as articulated clerks in a legal office, they can become barristers or solicitors.

In the case of articulated clerks, frequently they are unable to make ends meet. Generally they are possessed of an innate desire to study law and to become qualified legal practitioners. They find it very difficult to live on the wages which they earn as articulated clerks. I see no valid reason why they should be debarred from seeking

outside employment, nor why their employers should not be consulted for permission for them to seek outside employment.

Another thought occurs to me in regard to students undertaking a law course at the University. Every student must matriculate before he can enter the University. I am not sure of the standard or the number of subjects which have to be passed, but I think the subjects include a foreign language. Young persons in some instances may not have matriculated but may still desire to undertake law studies. Therefore another avenue for study should be given to them; that is, through articled clerkship in a legal office.

Like the hon. member for Dale, I consider that one reason why there are so few articled clerks is the economic factor. If articled clerks were able to supplement their incomes more easily than they are able to do at the present time, far more people would enter this profession than do now. It will be interesting to hear the reply to this debate by the hon. member for Kalgoolie; and I think he will be able to clear up one or two points.

I believe there is an unfair distinction between two sets of people at the present time, and I would like to see them ironed out. I think I can, with all justification, support the Bill.

MR. EVANS (Kalgoolie—in reply) [11.6]: I shall be brief in my remarks in replying to the debate and, in doing so, I wish sincerely to thank those hon. members who have contributed to it. I intend to answer, as well as I can, the remarks of the individual speakers, and then spend a little time in answering the views of the Solicitor-General, given to us last week by the Minister.

The Deputy Leader of the Opposition mentioned that he could not support this Bill because he believed it was being approached in the wrong way, and that it should be considered an industrial matter rather than one of legislation. I thought I had made this point quite clear in my second reading speech. If this matter were treated in an industrial way and a stipulated wage were set down under the Act, or by regulation, or arrived at by arbitration, we would find that this very important source of entry to the legal profession—that is through the articled clerk course—would immediately dry up, because the legal practitioners today are very loth to take on articled clerks. When I pass on to the remarks of the Solicitor-General, I will quote one section of his letter to the Minister, which not only quotes my remarks on this point, but also has a bearing on the remarks made by the Deputy Leader of the Opposition.

A legal practitioner today can pay an office girl—a qualified stenographer—a very small wage as compared to what he would pay a man; and he can obtain maximum efficiency from that girl. He can have the girl doing all types of work, and after a full period of training can leave her to her own resources. He can dictate something to her in legal terms and she can reproduce them with little supervision.

In the case of an articled clerk, the legal practitioner must spend a great deal of time with him on the rudiments of law. Therefore, the practitioner is not prepared to pay a big wage to an articled clerk. I can understand that. Therefore, I think I have made my point clear that this matter cannot be satisfactorily treated in an industrial way by arbitration.

The Deputy Leader of the Opposition then went on to say that we should not do anything to interfere with the control of the members. I claim that the phraseology of my amendment is such that an articled clerk will only be allowed to engage in outside employment beyond the hours that the office of the legal practitioner to whom he is articled is open. That will be between the hours of 9 a.m. and 5 p.m., when the office of the practitioner is normally open to the public. Therefore, outside those hours, the articled clerk will be free to carry on his employment, such employment to be approved by his own practitioner. I was interested to hear one point raised by the hon. member for Dale, and I think it was a good one: That the Barristers' Board is competent and should be the only authority to make a decision as to whether an articled clerk shall be allowed to engage in a certain form of employment. I think the hon. member for Dale hit the nail on the head when he stated that as the Barristers' Board was the statutory body under the Legal Practitioners Act, with some control over every practising professional man today in the legal sphere, it must have placed the stamp of approval and competency on these men. Therefore, these individual practitioners should be competent men and capable of making such a decision as to whether the articled clerk should be able to engage in a certain form of employment.

The hon. member for Cottesloe made several salient points on this Bill, and I would like to point out to him that when I deal with the remarks of the Solicitor-General I believe he will find some of the answers which he is seeking. Rather than deal with the matter twice, I will leave it for the time being.

The hon. member for Nedlands mentioned that he himself was an articled clerk in his profession and he received a nominal wage. Therefore, I would like to point out to hon. members that the

wages paid to an articled clerk for the reason I have mentioned, are nominal. I know of one clerk in St. George's Terrace today—I made inquiries after my first speech on this matter—who is receiving 50s. per week.

The Deputy Leader of the Opposition mentioned that there were very few people engaged or involved in this profession. That is quite correct. He said that those doing the outside five years' legal course today numbered only two. That is quite correct. He mentioned that the number doing a law degree at the university at the present time was 70. That is correct. He did not mention that those doing a two-year articled course today—those who have graduated from the University—number a mere 12. So very few are involved, that I think therein lies a danger.

In my second reading speech I stated figures which show quite clearly that the ratio of legal practitioners per 10,000 population in Western Australia today is extremely low; it is a mere 3.3. I also estimated the increase of population by 1960. Assuming that the ratio of 3.3 remains constant—and the ratio over the years has not remained constant; it has increased—we will find that in 1960 there will only be an increase of two legal practitioners based on this year's figures.

Therefore, comparing the increase of legal practitioners against the increase of population—it is estimated there will be an increase of 25,000—we find that the ratio of legal practitioners per 10,000 of population will decrease to the dangerous level, I claim, of 2.5. If we compare the ratios with the latest known figures which I have—and I quote from the Western Australian Annual Law Review, page 25, 1951, in regard to Western Australia and the other States—we find that in New South Wales in the year 1950, there were 6.9 practitioners; Tasmania, 5.5; Victoria, 5.4; Queensland, 5.4; South Australia, 4.6; and Western Australia, 3.4. Since 1951, that ratio has decreased.

I claim that there are very few who are involved; and therein lies the reason why the profession is not being made attractive. There must be some reason why the profession is not attractive; why young people are not being attracted to it. I claim one of the reasons could be an economic one. That economic question could affect the students coming from all rungs of the social ladder because the feeding, clothing and educating of students is certainly a problem.

Now I would like to deal specifically with the remarks of the Solicitor-General and endeavour to answer them to the best of my ability. He stated that when articled clerks, or law graduates, having completed two years of articles, are ready to be called to the Bar and make their appearance in the Supreme Court, it is the duty of this

court to satisfy itself that those articled clerks are fit and proper persons to be admitted or called to the Bar.

The Solicitor-General mentioned that the Supreme Court cannot be required to satisfy itself, but it leaves the satisfaction to the Barristers' Board, which is a statutory body set up by the Legal Practitioners Act. Having received the satisfaction of the board, the court is quite happy to admit or call to the Bar the particular person concerned. The Solicitor-General quotes the following:—

The board cannot be expected to discharge the function of satisfying itself that the candidate is in all respects, qualified and suitable for admission, unless he has knowledge of what outside employment the articled clerk has had during his period of articles.

My answer to that is quite clear and plain. No articled clerk can engage in outside employment without the written consent of his practitioner. Such consent must be filed with the Barristers' Board within 14 days of its being given. Therefore the Barristers' Board would be acquainted with the nature of the work. I claim that is a gospel of pessimism and doom; and, as far as the character of the aspiring applicant is concerned, it is covered by Section 20 of the Act which I do not intend to seek to amend.

The Solicitor-General then goes on to state that the board simply gives effect to what Parliament has prescribed. If this statement is not magnificent, it is certainly significant, because the Solicitor-General goes on to say—

I do not know the views of the Barristers' Board on the proposed amendment, but the board is a statutory body which will discharge such functions and exercise such powers as Parliament for the time being confers.

If such is the case, and the Solicitor-General is a member of the board, and he does know the views of the board, should he bring these views to Parliament? I quote further—

It is agreed that students are not paid very much remuneration during the period of their articles. The member for Kalgoorlie mentions that practitioners must devote a certain amount of time to training their articled clerks, but

and this is the point which bears out my argument that practitioners would be loth to pay a stipulated wage to a clerk. I quote—

in addition practitioners must bear in mind the provision of office accommodation for articled clerks and the fact that as soon as the clerk attains proficiency in any particular branch of law, it is time to give him training in other branches with which he is

unfamiliar. The clerk's practical work must always be checked and supervised and there is a certain amount of waste of time. The member for Kalgoolie claims that the salaries of articulated clerks are left entirely to the discretion of the practitioner concerned.

This is not correct. It is an agreement between the practitioner and the student. Such an agreement would make it quite clear that one of those two are in the back seat, and it would not take more than one guess to say who was in the back seat. Would practitioners agree to the extension of this bargaining into the industrial sphere? Of course the profession would cry out, "Lord defend us from our friends", because there is a stipulated set of figures which applies in the Supreme Court for practitioners to follow. It is true that University students are free to engage in employment; but articulated clerks are not permitted to do so.

I intend to conclude with these remarks: The Barristers' Board claims that it is loth to grant permission for an articulated clerk to work because such work could interfere with the chances of his passing his examination, but at the same time they state there have been four applicants all of whom were granted permission. I think the two opposing statements should be explained; and that some reliable practitioner—one who knows the capabilities of the person concerned, and knows the local environment—would be a much better person to make a sound judgment on such cases. I commend the Bill to hon. members for their consideration.

Question put and passed.

Bill read a second time.

In Committee.

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

House adjourned at 11.24 p.m.

Legislative Council

Thursday, the 25th September, 1958.

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The PRESIDENT took the Chair at 2.15 p.m., and read prayers.

QUESTIONS ON NOTICE.

No. 1. *This question was postponed.*

LOCAL AUTHORITIES.

Details of Special Grants Received, 1957-58.

2. The Hon. F. D. WILLMOTT asked the Minister for Railways:

- (1) (a) How much money was allocated to local authorities in special grants for the year 1957-58?
- (b) How much of this amount was expended by—
 - (i) The local authorities;
 - (ii) the Main Roads Department?

(2) What special grants were made to the undermentioned road boards for the year 1957-58:

Augusta-Margaret River;
 Balingup;
 Bridgetown;
 Busselton;
 Capel;
 Collie Coalfields;
 Dardanup;
 Drakesbrook;
 Greenbushes;
 Harvey;
 Mandurah;
 Manjimup;