

though he may have carried out that parole satisfactorily to all concerned, the whole term of his period of parole will be wiped out should he commit any offence for which he is sentenced to imprisonment even after the parole period. In that case the prisoner would be liable to be returned to prison to complete the uncompleted portion of his finite or indeterminate sentence passed in respect of the original offence.

The parole board may cancel the parole order before the expiration of the parole period, or vary the conditions of the order. This authority extends also to "lifers" released on parole by the Governor for a period not exceeding five years under clause 42 on the recommendation of the board.

In the case of a prisoner on parole committing an offence during the parole period, his parole is cancelled upon his being convicted and sentenced to another term of imprisonment in respect of such offence. This is set out in subclause (2) of clause 44. Furthermore, should such parolee be not apprehended for the additional offence until after having completed his parole, the parole period, even though it has been otherwise carried out quite satisfactorily, is cancelled.

The provisions in the Bill make it very clear that the intention of this legislation is for the parole board to persevere time and time again, if necessary, in their efforts through the system of parole to bring about the rehabilitation of prisoners.

The Bill is commended to members for their earnest consideration. The measure presents a very carefully planned reform of the application of our penal laws, which is considered to be long overdue.

May I say in conclusion that personally I am very keen that legislation of this nature should at least be given a trial? I think this is a social reform which should be acceptable to all forms of political thought. I do not think there will be any political approach to a matter of this nature.

No parole system is perfect. I hope this does not happen; but, if the Bill becomes law, the imperfectness of this particular parole board might become as evident as are the weaknesses in parole boards in other parts of the Commonwealth of Australia or, for that matter, of the world. However, I think that legislation of this nature will undoubtedly create a far more satisfactory situation than exists at the present time.

While in Victoria I had the opportunity, through the courtesy of Mr. Justice Barry, who is chairman of the Victorian parole board, of being in the room, and listening to the activities of the parole board in that State.

I found the experience most interesting. It conveyed well and truly to my mind the inadequacies of the system which we have in Western Australia at present. One aspect which did register very firmly in my mind was that the success of this board would depend very largely upon the chairman of the board and upon the members of the board.

I commend the Bill to the House, and hope it will receive the support of members. If it is passed we will lose as little time as possible in setting up the board. However, we must ensure that we have the machinery to enable the board to operate before we go that far. I wish the board, in its activities, the success which I believe it will deserve.

**Debate adjourned, on motion by The Hon. F. J. S. Wise (Leader of the Opposition).**

*House adjourned at 5.8 p.m.*

## Legislative Assembly

Thursday, the 12th September, 1963

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The SPEAKER (Mr. Hearman) took the Chair at 2.15 p.m., and read prayers.

## QUESTIONS ON NOTICE

## V.L.F. PROJECT AT NORTH WEST CAPE

*Carriage of Materials by State Shipping Service*

1. Mr. NORTON asked the Minister for the North-West:
  - (1) Has the State Shipping Service contracted to carry materials to Exmouth Gulf for the V.L.F. project?

*Freight Rates on Materials*

- (2) If so, what are the freight rates "to be charged on—
  - (a) sawn timber;
  - (b) piles;

- (c) general cargoes;
- (d) cement in bags and in bulk?

Mr. COURT replied:

- (1) No contract has been entered into. Freight rates and availability of space have been discussed with the contractor.
- (2) No firm decision has been reached. Discussions to date have been on the approximate basis of Onslow rates, to which port the sea miles are comparable.

## ROADS AFFECTED BY FLOODING

*Examination by Main Roads Department*

2. Mr. KELLY asked the Minister for Works:

- (1) Is the Main Roads Department making an on-the-spot examination of main road links between towns affected by recent flooded conditions?
- (2) Would the road between Bruce Rock and Merredin fall into this category?
- (3) Has he received a report on the recently flooded culvert at about the 165-mile peg on this road?
- (4) Is he aware that the existing culvert is inadequate to handle flooded conditions and that the spillway is faulty?
- (5) If an examination has not already been undertaken, will he cause one to be made?

Mr. WILD replied:

- (1) and (2) Yes.
- (3) Yes; investigations are already in train.
- (4) and (5) Answered by No. (3).

## GRAIN

*Rail Cartage, and Cost of Transference*

3. Mr. KELLY asked the Minister for Railways:

- (1) Is it proposed that grain will be shifted to port by the standard rail when operating?
- (2) Will it also be carried by the present rail system?
- (3) If "Yes" is the answer in both cases, what method will be adopted in transferring grain from the present rail system to the standard gauge rail?
- (4) If transference is necessary, has he any indication of what might be the cost?
- (5) Will this cost be borne by producers or will the cost be met by the Railways Department?

Mr. COURT replied:

- (1) Yes.

- (2) Yes, where appropriate.  
 (3) to (5) The final and exact details of handling are yet to be settled.  
 The present planning is for a very modern and efficient system. Costs of transfer will be borne by the Railways Department.

#### SOIL CONSERVATION ADVISER

##### *Appointment at Merredin*

4. Mr. KELLY asked the Minister for Agriculture:

As there is a consistent and urgent demand for expert advice in matters of soil conservation, contouring, etc., within the Merredin Shire Council, will he give immediate consideration to the early appointment of a soil conservation adviser to be stationed at Merredin?

Mr. NALDER replied:

Expansion of the soil conservation staff is planned at both adviser and technician level. The requirements of the Merredin district are recognised as being of high priority and an adviser to that centre is expected to be one of the early appointments when additional suitably trained personnel are available.

#### NATIVE RESERVE AT MERREDIN

##### *Financial Contribution by Government*

5. Mr. KELLY asked the Minister for Native Welfare:

What financial contribution has the Government made in the building of the Merredin native reserve?

Mr. LEWIS replied:

Total capital expenditure on the Merredin native reserve is £9,769 14s. 3d.

#### SEWERAGE SCHEME AT MERREDIN

##### *Tabling of Papers*

6. Mr. KELLY asked the Minister for Works:

Will he lay on the Table of the House all the relevant papers covering the applications of the Merredin Shire Council for financial assistance to introduce a sewerage system into the town of Merredin, and also covering all Government offers and decisions in connection with the same matter?

Mr. WILD replied:

This file is in constant action, but will be made available at any time to the honourable mem-

ber at the office of the Under-Secretary of the Public Works Department.

#### FLUORIDATION OF WATER

##### *Cost of Fluoride Tablets as an Alternative*

7. Mr. DAVIES asked the Minister for Health:

Referring to question No. 19 of the 10th September, 1963, will he advise the cost per 100 of fluoride tablets to the Government, as requested in part (1) of the question; or, alternatively, advise the number of fluoride tablets each of the children and expectant mothers mentioned in the reply would be given each year, so that an estimated cost can be calculated?

Mr. ROSS HUTCHINSON replied:

- (a) The cost to the Government of the two most popular brands of fluoride tablet available on the local market would be approximately 2s. 1d. and 3s. 8d. per 100 respectively.  
 (b) Children would require one tablet a day and expectant mothers 1½ tablets a day.

#### HOSPITAL AT ONSLOW

##### *Decision*

8. Mr. BICKERTON asked the Minister for Health:

Is he now in a position to give a decision concerning hospital facilities at Onslow?

Mr. ROSS HUTCHINSON replied:

I expect to be in a position to give a definite decision within a week or two and will then advise the honourable member.

#### BEEF CATTLE

##### *Breeding Potential Statistics*

9. Mr. HALL asked the Minister for Agriculture:

As the answers to questions asked on the 10th September, 1963, reveal that no records are kept as to the potential breeding capabilities of female and male cattle to be slaughtered, will he undertake to have the matter rectified, so that statistics can be compiled as a protective measure to the beef industry?

Mr. NALDER replied:

It is considered that any attempt to obtain the information requested would be extremely difficult, since the main considerations of the potential of these female

cattle for beef breeding are not recorded at abattoirs. Many of such females are aged, culls for quality aspects, or infertile. There would be a need to station competent individuals at abattoirs able to assess accurately the breeding potential of the animals in question, and to eliminate sterility or mastitis, for example, as possible factors for the cattle being culled. Any data collected, in the absence of knowing all these factors, would therefore be of doubtful value.

As far as male cattle are concerned, these are virtually all steers, together with a small proportion of bull rejects. There are, however, adequate numbers of quality sires readily available within the State.

### OIL SEARCH

#### *Surveys in Albany Area*

10. Mr. HALL asked the Minister representing the Minister for Mines:

- (1) Have surveys been made in the search for oil in the Albany area?
- (2) If so, what company carried out the surveys?
- (3) Were these surveys in the nature of bores sunk, or systematic gravity method?
- (4) What areas were surveyed, both bore testing and systematic gravity surveys?
- (5) Did oil surveys show the location of oil; and, if so, in what location were traces found?

Mr. BOVELL replied:

- (1) Yes.
- (2) Jackson Explorations.
- (3) The company has carried out geological surveys and reported that it had drilled several shallow stratigraphic bores. No geophysical surveys have been reported.
- (4) Surveys mentioned in No. (3) were carried out within permit to explore No. 133H with particular reference to the Albany district.
- (5) The company has not reported any traces of oil being located in the area investigated.

### KILLER-DOG ACTIVITIES

#### *Stock Losses and Areas Affected*

11. Mr. HALL asked the Minister for Agriculture:

- (1) What were the losses of stock, all classes, as a result of killer-dog action in this State for the year 1962-63?

- (2) What areas were worst affected?
- (3) Can he give the approximate value of the stock lost as a result of killer-dog action during that year?

Mr. NALDER replied:

- (1) to (3) No information is available on stock losses by killer-dogs. If the honourable member is referring to dingoes, the pastoral areas—including north-west, eastern goldfields, central and lower Murchison—are the worst affected.

### COUNTRY WATER SUPPLY, SEWERAGE, AND DRAINAGE BOARD

#### *Legislation to Establish*

12. Mr. HALL asked the Minister for Works:

Is it the intention of the Government to introduce legislation to implement the setting up of a country water supply, sewerage, and drainage board, similar in character to that proposed in the Metropolitan Water Supply, Sewerage, and Drainage Act Amendment Bill?

Mr. WILD replied:

The matter is receiving consideration, but as yet no final decision has been made.

### SWAN RIVER PUBLIC JETTIES

#### *Mooring Regulations*

13. Mr. CROMMELIN asked the Minister for Works:

- (1) Who is in control of public jetties on the Swan River?
- (2) Is it permitted to moor alongside these jetties a fishing boat, yacht, or motor launch at any time?
- (3) Is there any restriction on the length of time one may moor alongside a jetty on the Swan River?
- (4) If so, what is the length of time one may moor?
- (5) Can exemptions be made to boat owners to tie up alongside a jetty for a period greater than is allowed by law?
- (6) If so, who has the power to give this permission?
- (7) Is there any period of time by which this permission is limited; and, if so, what is it?

Mr. WILD replied:

- (1) The Harbour and Light Department.

- (2) Normally vessels are permitted to be moored to public jetties for the purpose of embarking or disembarking passengers and/or cargo.
- (3) and (4) Answered by No. (2).
- (5) In cases of emergency or distress, vessels are permitted to moor to and remain at public jetties until repaired, etc.  
Permission has also been granted on occasions and with the approval of the relevant local government authority for fishing boats to remain moored to public jetties for the purpose of selling fish cheaply and direct to the public.
- (6) The Harbour and Light Department.
- (7) No fixed period.

### HOUSES FOR NATIVES AT CARNARVON

#### *Calling of Tenders*

14. Mr. NORTON asked the Minister representing the Minister for Housing:
  - (1) Has his department called tenders for five type V houses at Carnarvon for, and on behalf of, the Department of Native Welfare? If not, when is it intended to call tenders for these houses for which they received payment from the 1962-63 allocations?
  - (2) On what date last financial year was this allocation transferred to his department?

Mr. ROSS HUTCHINSON replied:

- (1) Yes.
- (2) Arrangements were made earlier in 1962-1963, and the finance was transferred on the 26th June, 1963.

### CARNARVON PRIMARY SCHOOL

#### *Tenders for New Classrooms*

15. Mr. NORTON asked the Minister for Works:
  - (1) Have tenders been called for the three new classrooms to be added to the Carnarvon primary school?
  - (2) If not, when will they be called?

Mr. WILD replied:

- (1) No.
- (2) In two weeks.

### NOXIOUS WEEDS

#### *Eradication Expenditure in Other States*

16. Mr. D. G. MAY asked the Minister for Agriculture:
  - (1) Will he indicate the annual expenditure on eradication of noxious weeds in Queensland, New

South Wales, Victoria, and South Australia for the year ended the 30th June, 1963?

- (2) Will he further advise the method and conditions of obtaining finance in these States from—
  - (a) owners of holdings;
  - (b) Government grants?
- (3) Is there any record, and if so, to what extent has the Commonwealth Government assisted in the eradication of noxious weeds?

Mr. NALDER replied:

- (1) to (3) The information requested is not available in this State. Endeavours will be made to obtain it from the States mentioned and any data obtained will be passed to the honourable member in due course.

### TRAFFIC LIGHTS

#### *Installation at Hurlingham Hill, Canning Highway*

17. Mr. D. G. MAY asked the Minister for Police:
 

In view of the success of the pedestrian-vehicular lighting at Thelma Street-Canning Highway, Como, will he give consideration to the installation of similar lighting at Hurlingham Hill, Canning Highway, South Perth?

Mr. CRAIG replied:

No, as the pedestrian-vehicular lighting at Thelma Street, Canning Highway, Como is not considered to be entirely satisfactory.

### BUNBURY HARBOUR

#### *Road Access to No. 1 Land-backed Berth*

18. Mr. H. MAY asked the Minister for Works:
 

In view of the fact that the No. 1 land-backed berth at Bunbury is nearing completion, what plans, if any, has his department for the provision of an access road to serve this new berth?

Mr. WILD replied:

An access road to the berth joining up with the town roads system at Henry Street is now under construction and will be completed when the berth is available for shipping.

19. and 20. These questions were postponed.

### HOUSES IN WILSON AREA

#### *Erection on Commission Land*

21. Mr. JAMIESON asked the Minister representing the Minister for Housing:

- (1) When is it intended to proceed with the erection of houses on the land owned by the State Housing Commission west of Teaguer Street, Wilson?
- (2) Approximately how many houses will ultimately be erected in this area?

Mr. ROSS HUTCHINSON replied:

- (1) Most of the land west of Teaguer Street at Wilson is privately owned and negotiations for purchase by the commission are almost finalised.
- (2) Resubdivision of the area will yield approximately 64 building lots.

### IRON ORE

#### *Production at Scott River Site*

22. Mr. H. MAY asked the Minister representing the Minister for Mines:

- (1) Will he inform the House what activities are taking place regarding the production of iron ore from the Scott River site?
- (2) Has production ceased; if so, why?
- (3) Has the production of ore at this site been abandoned; and, if so, for what reason?

Mr. BOVELL replied:

- (1) Latest reports from Mineral Mining and Exports (W.A.) Pty. Ltd. are to the effect that all its resources are at present being devoted towards further technical research with a view to obtaining economically a higher-grade product from the Scott River ores than was previously possible, and metallurgical work on these lines is being conducted.
- (2) Active production stage was never reached, as the project is based on processing this low-grade ore to pellet form which would necessitate erection of plant suitable for such purpose.
- (3) Answered by Nos. (1) and (2).

### STANDARD GAUGE RAILWAY

#### *Compensation for Damage from Blasting Operations*

23. Mr. HAWKE asked the Minister for Railways:

- (1) What arrangements for the payment of compensation have been made in connection with damage suffered to houses and other property by blasting operations being carried out in connection with the standard gauge railway line construction in the Northam-Toodyay area?

- (2) Who is responsible for the payment of such compensation?
- (3) Have any claims for compensation been made to date?
- (4) If so, what are the names and addresses of the claimants?
- (5) What progress has been made to date with their claims?
- (6) Are on-the-site inspections made of damage soon after complaints or claims are made by the people concerned?
- (7) Have any claims yet been finalised to the point of actual payment having been made to the claimants?
- (8) What is the longest period at present of a complaint or claim having been made without any inspection having been made or compensation having been paid?

Mr. COURT replied:

- (1) Detailed investigations are currently in hand into alleged damage caused by blasting operations in the Toodyay area. The Public Works Department, Mines Department, and Agriculture Department have been assisting in the investigations.
- (2) Responsibility rests with the contractor in accordance with conditions of contract.
- (3) A number of complaints of alleged damage have been made to date.
- (4) The list is as follows:—

List of complaints received of alleged damage to houses in the Toodyay Area.

E. D. M. Wroth  
F. W. Sinclair  
J. P. Hasson  
H. B. Collett  
A. D. Donnelly  
E. Martin  
J. Sims  
E. Forsyth  
S. J. Ferguson  
J. W. Hasson  
G. A. Moullin  
E. Clark  
Mr. Jeffry  
Mr. Watkins  
Mr. O'Mara  
Mr. Summers  
Mr. Parkins  
Mrs. Thurman  
Mr. Chitney  
Mr. Cleasby

- (5) An inspection of all houses (except one which was ten miles away) was made together with an architectural officer of the Public Works Department on the 9th and the 10th September.
- (6) Yes.

(7) No.

(8) Upon receipt of complaint by the appropriate authority endeavour is made to inspect at the very earliest.

Consultants advise inspections are made within seven days of receipt of complaint. Their instructions are that all complaints about damage of any sort are to be followed up promptly.

24. *This question was postponed.*

## **COLLIE POWER HOUSE**

### *Future*

25. Mr. H. MAY asked the Minister for Electricity:

(1) Will he advise the House what the intention is with regard to the Collie power house, once the Muja power house commences production?

(2) Will it still operate, or is it the intention to close it down completely?

Mr. NALDER replied:

(1) and (2) It is the intention of the commission to continue operating the existing Collie power station.

## **QUESTION WITHOUT NOTICE**

### **WATER SUPPLY: PROPOSED BOARD**

#### *Anticipated Loans*

Mr. W. A. MANNING asked the Treasurer:

(1) Can the Treasurer estimate the amount which the proposed metropolitan water board is likely to raise each year pursuant to its separate borrowing power?

(2) Would the call on the State's loan allocation for metropolitan water supply work be lessened each year by the amount raised independently by the proposed board?

#### *Effect of Loan-raising on Country Water Supplies, etc.*

(3) Will the Treasurer assure the House that an amount equivalent to the independent loan raisings will be made available for extension to country water supplies?

(4) Will the borrowings of the proposed metropolitan water board be excluded from the allocation each year by the Loan Council for semi-public bodies and local authorities?

(5) If not excluded, how does the separate borrowing power of the proposed metropolitan water board provide the additional capital for

other public works referred to by the Minister for Works in his second reading speech?

Mr. BRAND replied:

I thank the honourable member for giving me notice of this question. The answers are as follows:—

(1) It is anticipated that the board would be required to raise £200,000 in the next financial year and that this target would be increased at the rate of £50,000 per annum in succeeding years until at least £500,000 per annum was being obtained from its separate borrowing powers.

(2) Yes.

(3) It would not be logical for me to give the assurance sought in view of the possibility of more urgent needs arising in other sectors of Government activity, but I can say that the independent loan raisings of the proposed board will certainly enhance the prospects of an increased allocation of funds for country water supply extensions in future years.

(4) No.

(5) Western Australia's present share of the total Australian borrowing programme for the larger semi-governmental and public bodies is less than 3½ per cent, which is due to the relatively limited borrowing in the past by our authorities in this State. If we are to stand a chance of lifting this percentage share to a more sensible level, then it is essential that we increase the number of authorities with separate borrowing powers.

As all other States except South Australia receive allocations of the total borrowing programme for water supply undertakings we can clearly make out a good case for an increase in our percentage share so as to allow a similar allocation to the proposed metropolitan water board in this State. In this way the total amount available to the State for capital works would be increased thereby providing additional money for other public works.

It will be of interest to members to learn that in 1962-63 the Metropolitan Water, Sewerage and Drainage Board of New South Wales raised £10,500,000 of new money under its separate borrowing powers whilst the Melbourne and Metropolitan Board of Works raised £13,550,000. Even in Tasmania the Metropolitan Water

Board raised £450,000. I might say the reference to new money is to money outside of the approved State loan programme.

The reason why South Australia has not entered this field is simply because of the extraordinary generous allotment received by that State of the Governmental allocation for capital works. We, of course, are in an entirely different position and if we are to increase our capital resources we must explore every possible avenue of fund raising.

## BILLS (2): INTRODUCTION AND FIRST READING

1. Totalisator Agency Board Betting Act Amendment Bill.
2. Betting Control Act Amendment Bill. Bills introduced, on motions by Mr. Craig (Minister for Police), and read a first time.

## LEAVE OF ABSENCE

On motion by Mr. H. May, leave of absence for six weeks granted to Mr. Curran (Cockburn) on the ground of ill-health.

## CRIMINAL CODE AMENDMENT BILL

### *Second Reading*

Debate resumed, from the 5th September, on the following motion by Mr. Ross Hutchinson (Chief Secretary):—

That the Bill be now read a second time.

**MR. BRADY** (Swan) [2.36 p.m.]: This is a Bill which need not occupy a great deal of time of the House because it is merely one to work in with the Offenders Probation and Parole Bill, which has already been before the House. This measure, in effect, really means that three sections in the Criminal Code will have no effect after the Offenders Probation and Parole Bill becomes an Act.

The sections of the Act which are affected deal with the release on probation of indeterminate prisoners; the power of the Governor to exercise the Royal prerogative, which is fully covered in the new Bill dealing with offenders, probation, and parole; the recommitment of convicts who are released and do not fulfil the provisions of parole; and habitual criminals. All of these matters are dealt with in the new Bill; and in the circumstances I think this measure is desirable and warranted. I support it and hope it will be carried in order to give effect to the other Bill when it becomes an Act.

**MR. ROSS HUTCHINSON** (Cottesloe—Chief Secretary) [2.38 p.m.]: I would like to thank the member for Swan for his support of this Bill which, as he said, is a consequential one to the Offenders Probation and Parole Bill, which completed its passage through all stages in this House the other day.

Question put and passed.

Bill read a second time.

*In Committee, etc.*

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

## PRISONS ACT AMENDMENT BILL

### *Second Reading*

Debate resumed, from the 5th September, on the following motion by Mr. Ross Hutchinson (Chief Secretary):—

That the Bill be now read a second time.

**MR. FLETCHER** (Fremantle) [2.41 p.m.]: This Bill appears to be uncontroversial and is unlikely to engender any protracted debate. It is related to the Offenders Probation and Parole Bill and the Criminal Code Amendment Bill. Among other things it contains provisions dealing with the care and supervision of inebriates in detention, and also of those released into the community.

Four clauses in the Bill are devoted to changing the name of the Indeterminate Sentences Board to the one established under the earlier legislation—the Offenders Probation and Parole Bill, the Bill incidentally, to which the Minister would not make a very desirable amendment. However, that Bill has now been disposed of.

There is also provision in this Bill for regulations making possible the reduction of sentences for good conduct and rewards; and also provision altering the word "probation" to the word "parole," in connection with inmates of reformatory prisons. It provides for temporary release to test the extent of reform achieved.

That seems to be the substance of the Bill; and although I do not wish to delay the House unduly, I would like to make a few brief comments. I was very pleased to have been able to obtain the adjournment of the debate on this Bill because I am interested in the treatment of inebriates, and I have demonstrated my interest by doing what I can for them and by making suggestions as to how we can prevent the evils which flow from drink.

The drinking of alcohol does contribute to the overcrowding in our prisons. The inebriates are placed in prison and make unsavoury associations whilst there. This is, of course, certainly detrimental to them and to the community and it does contribute to crime. Drink lowers the will



power and has been responsible for many crimes, from petty offences to sex offences. People who drink are easily led into crime, and any Bill which does something towards helping overcome the problems associated with these people, is a good one.

People are sent to prison because of drink; and where all prisoners in a gaol are tightly regimented, those regimented prisoners become resentful and acquire other anti-social habits by association. Although a person may have committed only one offence, because of his association with more hardened criminals in the gaol, he often offends again. Inebriates should not be placed in that situation.

Before I resume my seat I would like to read a question, relative to this subject, which I asked on the 7th August, 1962, of the Minister in charge of this Bill. The question was as follows:—

Will he request the Federal Government for allocation of a portion of the £30-million excise revenue raised from the sale of liquor in Western Australia, for the purpose of establishing in the metropolitan area clinics for the treatment of alcoholic addicts, thus relieving demand on beds in general and mental hospitals?

The Minister replied—

In this State we are endeavouring to deal with the problem of alcoholism in various ways.

It is considered that the matter raised by the honourable member is one which should be dealt with uniformly by all States, and I will arrange that it be included as an agenda item for the next Health Ministers' Conference, at which the Commonwealth will be represented, early next year.

The Minister stated that endeavours were being made to deal with the problem of alcoholism in various ways. I believe that this Bill is one means of achieving that objective, and I do hope that it will be successful in reducing the number of alcoholics in prisons, and that Western Australia will benefit as a consequence.

**MR. ROSS HUTCHINSON** (Cottesloe—Chief Secretary) [2.47 p.m.]: I would like to thank the member for Fremantle for his support of this Bill which is, as has been pointed out, a complementary measure to the Offenders Probation and Parole Bill and the Criminal Code Amendment Bill. The remarks of the member for Fremantle in regard to the prevention of crime and the intention of this Bill to assist in the rehabilitation of convicted persons, are substantially correct.

It is true that I have promised to bring up at the next conference of Ministers for Health the question of whether or not special money might be allocated by the Federal Government from its excise earnings for the establishment of alcoholic

clinics or some type of organisation which can assist in trying to prevent the evils of alcoholism. I might say that I am not particularly optimistic about the success of such an approach, because I think that the Commonwealth has been approached in a diversified way on this point before. However, as I have stated, I will bring the matter forward to see whether a unified approach will be any more successful.

**Question put and passed.**

**Bill read a second time.**

*In Committee, etc.*

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

## **FLUORIDATION OF PUBLIC WATER SUPPLIES BILL**

*Second Reading*

**MR. ROSS HUTCHINSON** (Cottesloe—Minister for Health) [2.53 p.m.]: I move—

That the Bill be now read a second time.

This Bill provides for the compulsory fluoridation of water. There is no doubt that it is a controversial measure and that the subject of fluoridation of water supplies has been made controversial particularly by those people who strenuously object to it, and by groups who are opposed to fluoridation of water supplies.

This subject has in recent years received a great deal of attention from public health authorities, from organisations, from communities, and from Governments all over the world. The subject being such a controversial one—one which arouses controversy, to be more precise—might lead one to imagine that there must be a powerful reason why a Government should take upon itself the introduction of legislation to provide for the implementation of this reform. There is such a reason.

The passage of this Bill will enable the Department of Health to bring under control the worst chronic endemic disease which now sorely afflicts children of this State, and which also causes a great deal of unnecessary family expense. The passage of the Bill will reduce the incidence of dental decay by approximately 60 per cent—from 60 per cent. to 65 per cent. This percentage varies according to a number of factors, not the least being the extent to which a community assists itself in other ways such as dental hygiene, oral hygiene, good dietary factors, and the like.

Much thought has been given to the fact that a Bill of this nature encroaches on individual liberties; but it is soon realised, I submit, that the fractional extension of encroachment should not hold up such beneficial health reform. Already our water supplies and the water supplies of most parts of the world are dosed with a considerable number of chemicals; and in the main these chemicals are placed in the water to combat disease.

Mr. Tonkin: A considerable number of chemicals?

Mr. ROSS HUTCHINSON: A considerable number of chemicals.

Mr. Tonkin: What are they?

Mr. ROSS HUTCHINSON: I will obtain a list for the Deputy Leader of the Opposition; but one chemical which readily springs to mind is chlorine. In addition, there is alum, caustic soda, copper sulphate, and probably half a dozen others, if not considerably more. This appears to be a new facet of learning for the Deputy Leader of the Opposition.

Mr. Tonkin: It certainly is. It is a surprise to me.

Mr. ROSS HUTCHINSON: If it is a surprise to the Deputy Leader of the Opposition, I am rather surprised to hear that he had not learned of it before, because he at one time—

Mr. Tonkin: Are you saying that all those things are put into the Perth water supply?

Mr. ROSS HUTCHINSON: Yes.

Mr. Graham: Are we getting water or mulligatawny?

Mr. ROSS HUTCHINSON: I am pursuing the line of thought that it is rather surprising the Deputy Leader of the Opposition did not know this, because at one time he was Minister for Works and Water Supplies.

Mr. Tonkin: They might have been put in since my time.

Mr. ROSS HUTCHINSON: These are chemicals which are placed in the water mainly for purifying purposes; but a main purpose is to assist in the prevention of disease. Some people suggest that these chemicals are placed in the water only to purify the water, and that the placing in the water of fluoride is a different thing completely. But the same purpose of fighting disease would be achieved if fluoride were placed in the water.

Mr. J. Hegney: Why didn't they put it in when they were putting the others in?

Mr. ROSS HUTCHINSON: It would have been quite a step forward had they done so.

Mr. Graham: The others were put in without legislation.

Mr. ROSS HUTCHINSON: Fluoride is an improved public health measure to combat disease, and I would like to point out at this time that to defeat a measure such as this would be to deny our children and our community the right to have much improved dental health; and, of course, improved dental health has its effect on general health. It certainly has a good effect financially on the family pocket. It should not be thought that this is an unusual health measure for the Department of Health to sponsor and for the Government to introduce. It fits into the general pattern followed by Health Departments and Governments all over the world which are endeavouring to prevent disease.

In this regard Western Australia has a splendid record—and in a number of ways. It has led Australia, in many ways, in implementing health reforms of a somewhat controversial nature. I refer particularly to legislation that passed through Parliament in, I think, the year 1950. That legislation was introduced to fight disease on a public health and broad community front, and compulsion is the principle behind it to make it a success.

Mr. Davies: To what are you referring?

Mr. ROSS HUTCHINSON: Compulsory X rays.

Mr. J. Hegney: For tuberculosis.

Mr. ROSS HUTCHINSON: To fight the disease of tuberculosis.

Mr. Davies: That is not the same as this.

Mr. ROSS HUTCHINSON: I would prefer the honourable member to listen to what I have to say. However, I interject so I suppose I must expect other members to do the same. The point I was making was that in the particular instance of tuberculosis control X rays are compulsory and that can be considered to be an encroachment or an infringement on individual liberty; and in many parts of the world—in as many parts of the world as one finds attacks against the fluoridation of water supplies—very strong exception is taken to this particular reform. But legislation for compulsory X rays was introduced by Dame Florence Cardell-Oliver.

As I said, it was in 1950 that the Bill was introduced, and the debates are to be found in *Hansard* of that year. It is interesting to note the approach of the Labor Party at that time to this type of legislation. The then Opposition was represented in the debate initially by The Hon. A. H. Panton, and his quality is well known. He supported the Bill, but not without some fairly deep thought on his part, as can be gathered from the tenor

of his speech. I read through it and I noted he had this to say regarding the compulsion aspect—

As a rule, I am not in favour of compulsion of any kind, but in this case where it is to be to the benefit of the community, I think it can be supported.

Members can see that Mr. Panton did not easily give his support to this proposal, but because he thought it was a beneficial reform he agreed to it and Parliament passed the legislation. As a result, Western Australia has been admired in many parts of the world, and certainly in other parts of Australia for the lead it took in regard to that essential piece of legislation. There was no division on the Bill and, as I have said, it has become the law. I contend that that is an excellent example of Parliament considering the freedom of the individual and the objections to compulsion, and deciding, after due thought, to institute a major health reform to win another victory over disease.

I mentioned that Western Australia has led the way in a number of important health reforms; and what is impressive, too, is the community acceptance of these reforms, which have been sponsored by the Department of Public Health. There has been, in many of them, a considerable body of opposition, but the main body of people has felt that as it was in the public interest it was worth while and should be accepted.

I feel Western Australia can be justly proud of its record in the control of disease at the community level, and its excellent record has not just happened but has been brought about by virtue of leadership by the Department of Health, and by the State Parliament agreeing to reforms as they were brought forward by the Ministers of the day.

Members of Parliament have seen the necessity for reforms or not, as the case may be, and the people have accepted it. One law that was passed by this House fairly recently permits two doctors in consultation, or under certain circumstances, one doctor alone, to give compulsory blood transfusions. That proposal was agreed to by another place and became the law. Therefore I do not think it can be disproved that the Department of Public Health of Western Australia is doing a very praiseworthy job.

In the matter of child health, the one chronic disease which stands out above all others, and which demands the attention of health authorities and the various allied professions and organisations within the community who consider the health, welfare, and security of children to be of some importance, is dental decay.

This is the most common disease in Western Australia today and few individuals escape its ravages. No social stratum

and no section of the community appears to be free from it; although, as I said previously, it can be controlled to a certain extent by taking action in regard to oral hygiene and good diet habits. Even very young children are attacked by dental decay almost as soon as their teeth begin to erupt. So we should be under no misapprehension regarding the disease of dental decay. It is a serious problem in Western Australia, as most members can testify, and one which occasions a good deal of ill-health, pain, and suffering and causes a considerable amount of expense.

It is a well-recognised fact that diseases of the teeth and gums give rise to abnormal conditions in the mouth, the gums, the cheeks, and the throat; and, of course, that can have a deleterious effect on other parts of the body far removed from the mouth. The total cost to the community cannot be precisely assessed, for it not only involves the outlay for treatment but it also involves education time for children and man hours lost to industry in adults and children seeking treatment for dental decay.

As I have already said, this does not take into consideration the pain and suffering, which cannot be assessed in pounds, shillings, and pence. It is for the purpose of reducing the incidence of this disease and giving all children the chance of a better degree of dental health, commensurate with their general health, that authority is sought to adjust the fluoride content of reticulated water supplies.

At present, I suppose there is about .2 of a part of fluoride to one million parts of water in our natural water supplies, and the adjustment would mean an increase to .8 of a part of fluoride to one million parts of water for it to have a beneficial effect on children's teeth. This Bill, if passed, will be in the form of a minor miracle because eventually it will reduce dental decay in children's teeth by approximately 60 per cent.

Huge population groups now numbering close on 7,000,000 people in North America, and 500,000 people in the United Kingdom, are living in areas where fluoride is naturally present in the water at more than 0.7 parts per million. In some parts there is far too much fluoride content in the water and steps are now being taken to reduce this to about one part per million parts of water. It was in these communities, which have been established for many generations, that the beneficial effects of fluoride were noted.

Mr. Fletcher: Did you say 7,000,000 in North America?

Mr. ROSS HUTCHINSON: Yes, and about 500,000 in the United Kingdom. Of course, the deleterious effects of excessive doses of fluoride have been checked and taken into consideration in assessing the

merits and demerits of fluoride in water supplies. The public health service of the United States of America was impressed with what its research workers had found, but was not convinced, and for many years thereafter a team of research workers studied the dental development of over 7,000 children in 21 cities in the United States. They checked the development of the children against the amount of fluoride in the water the children were drinking, and the results were gradually assessed.

It was after about 10 years of patient work that the teams published their findings, and the main finding was that where the water contained one part of fluoride for every million parts of water, the children had 60 per cent. fewer decayed teeth than children in those areas which had no fluoride in their water supplies. For every 100 decayed teeth in the area with no fluoride, there were only 40 decayed teeth in the area with fluoride; that is, 60 good teeth were saved.

The story gradually unfolds; and in the period from 1940 to 1945, the public health service of the United States of America considered its next step and made further specific research and study into this subject, and the results of the surveys were published from time to time. Many water authorities were quick to grasp the advantages of water fluoridation so that to the present day approximately 50,000,000 people in the United States of America drink fluoridated water. Those people have enjoyed the advantage of this health reform. In about 30 other countries in the world this public health measure has been accepted at least in part—if not completely—and results have poured in time and time again to emphasise the value of fluoridation as a method to reduce acid attack on teeth.

In New South Wales and other parts of Australia many communities are either fluoridating their water supplies already or, like Hobart, have signified their intention to do so. It may be that Launceston has already begun to fluoridate its water supply.

The United States and Canadian fluoridation experiments were so successful that a United Kingdom mission was sent to study them in 1952. Its report, published in 1953, stated—

Studies in America have demonstrated beyond doubt that among children and adults who have been born and brought up in areas where the drinking water contains fluoride at the level of 1.0 p.p.m. or more, there is much less dental caries than in areas where the water is free from fluoride.

This was only a report made in passing, but it also recommended that research into the mechanical adjustment of the fluoride

content of drinking water should be commenced in the United Kingdom so that its effects could be further studied.

It was only recently that the lengthy research period in the United Kingdom was concluded, and mention will be made at a later stage of the results of this United Kingdom research into the fluoridation of water supplies. I will give the substance of these findings later, but to my mind they place the final seal of approval on the fluoridation of water supplies as a beneficial health reform which is completely safe.

Whilst the number of children at Cue was only small, and because research to be of value must be made on a broad front, the recent survey carried out at that centre demonstrated very clearly that under Western Australian conditions the same dramatic reduction of dental decay would occur in communities with a sufficiency of fluoride in their water supplies.

Mr. Brady: Wasn't that calcium fluoride at Cue and not sodium fluoride?

Mr. ROSS HUTCHINSON: There is no practical difference between water which is naturally fluoridated and water which is mechanically fluoridated. Some people will argue that that is not so, but it is so; it has been proved by research. The effect of fluoride in water and the consequent reduction in dental decay was recognised as far back as 1932. It has been under close scrutiny since then and mechanical adjustment to one part per million parts of water has been successfully carried out for at least 18 years.

The main decay-reducing properties of fluoridated water have been confirmed in thousands of separate communities in many different countries. It is no longer experimental. With such a testing in time and extent it is not surprising that there has been an accumulation of scientific and technical investigation unprecedented in any other health measure. These investigations have been reported in thousands of separate articles available to research workers, and repeated surveys attest to the safety, effectiveness, reliability, and freedom from technical or mechanical difficulties of fluoridation.

There are now no problems associated with delivering a constant and uniform concentration of fluoride throughout the entire water reticulation system, although findings of a sort may be presented to prove that there is a wide variation in the concentration of fluoride through our water system. To refute this, 90 per cent. or more water engineers will say there is no problem in keeping the concentration of fluoride to the right level.

Mr. Tonkin: Can the Minister quote one eminent authority to support his views?

Mr. ROSS HUTCHINSON: Yes.

Mr. Graham: Just one!

Mr. ROSS HUTCHINSON: I may as well do so while I am speaking on it. I have here documents which have been received from New Zealand. There is a copy of a letter from the Department of Health, post office box 5013, Wellington, to the executive officer, Health Education Council, Australia, which reads as follows:

Dear Sir,

The Medical Officer of Health, Hastings, has asked me to reply to your letter of 31st July 1963 about the system of checking fluoride levels in Hastings.

The fluoride level in Hastings is satisfactory and I can only speculate about the rumour that check readings have revealed widely different concentrations of fluoride. In 1953, when the first attempt was made to fluoridate the water supply, a converted lime feeder was used but this proved unsatisfactory and the fluoride concentration was generally speaking much less than the desired level of one part per million. This equipment was removed and replaced in 1954 by specially developed fluoridation equipment and has worked perfectly satisfactorily ever since. The other possibility is that some years ago a Hastings resident took water samples from his tap in Hastings and had them privately analysed. The analysis purported to show a low concentration and some publicity was given to this at the time. Testing for fluoride content, however, for a chemist unused to the process is a tricky business and in any case only two samples were so checked. We consider that no conclusions can be drawn from such a limited test.

It must be remembered that it was found privately to be of a low concentration.

Mr. Tonkin: The Minister has still not quoted the name of an engineer who is prepared to stake his reputation on it.

The SPEAKER (Mr. Hearman): Order!

Mr. ROSS HUTCHINSON: To continue with the letter—

As I am about to depart on a trip—

Mr. Hawke: Ta-ta!

Mr. ROSS HUTCHINSON:

—away from my office I have insufficient time to have photo copies of the Hastings readings made but I am enclosing a chart produced by the City Engineer of Lower Hutt showing the range of fluoride concentrations obtained during the first three years of the operation of fluoridation in that city. Please note that my Committee requires the fluoride level to be maintained between 0.9 p.p.m. and 1.1 p.p.m.

Daily checks on fluoride content are made . . .

From this chart I have in my possession it can be seen at a glance that the variations lie between 0.9 parts per million and 1.1 parts per million. You can, Mr. Speaker, yourself see the levels between which it runs. This is documentary proof which is supported by the engineers of the place in question.

Mr. Tonkin: What is the name of one of them?

Mr. ROSS HUTCHINSON: I have not the name of the engineer here.

Mr. Tonkin: That is the whole trouble. I can give names of some who say you cannot control it.

Mr. ROSS HUTCHINSON: I do not wish to be sidetracked at this stage, but I would like to point out to the House that the Deputy Leader of the Opposition will quote findings from people who have made research into this matter. I daresay he will quote the findings of a varied number of people.

Mr. Graham: You do not know what he will quote; he may even support your Bill.

Mr. ROSS HUTCHINSON: I know he will quote these findings, and I know also he will not support the Bill. The Deputy Leader of the Opposition will, however, expect the House to take cognisance of and accept the remarks and findings he quotes. In many cases he will quote findings by individuals which have been checked by teams of experts and found to be wanting. Little merit can be placed on their findings, because they are not conducted in the proper way.

This fluoridation of water supplies has been tested repeatedly by many experts in many countries of the world, and found to be completely safe. The concentration of fluoride in water remains remarkably level throughout the reticulated system. Cities as large as Chicago, Detroit, and Toronto experience no difficulties in providing a constant and uniform concentration of fluoride throughout the entire reticulated system. Those cities have engineering difficulties in getting water to this place or that, but they have no difficulty in delivering fluoride in the correct proportions.

Under the Act testing to determine the concentration of fluoride at all points in the reticulation system would regularly be carried out by water engineers and officers of the Health Department and by analysis from the chemical laboratories. These measures are currently employed in normal water works determinations.

There is overwhelming support for fluoridation by such well recognised health authorities as the expert committee of the World Health Organisation. Members will find opponents of fluoridation telling them, virtually, not to take any notice of this expert committee, because when the World Health Organisation released its report it added a note to the effect that "these

views are not necessarily the views of the World Health Organisation." But it was the World Health Organisation which appointed a committee in response to queries made from all over the world.

The National Health and Medical Research Council of Australia; Medical and Dental Associations of Britain, America, and Australia; the British Medical Council, and in fact very many reputable health organisations have investigated the fluoridation of water supplies. A number of scientists of varying repute still oppose fluoridation; but when considered against the overwhelming body of scientific opinion, the opposition is comparatively very small indeed, and is not considered to represent a division of opinion in the professional sphere.

At the 52nd session of the National Health and Medical Research Council of Australia on the 2nd November, 1961, the council reiterated its attitude towards fluoridation of water supplies in the following resolution:—

That the Council notes that fluoridation of public water supplies has been shown in a number of countries to result in a significant reduction in dental caries in the population supplied, and that the procedure is safe. The Council recommends that public authorities give early consideration to the necessity of fluoridation of their water supplies.

This is something that the National Health and Medical Research Council does not state lightly.

Some people recognise dental decay as a chronic deficiency disease; and because of this water fluoridation is regarded as the very best means available for providing the lacking nutritional factor. There is some doubt as to whether one can call it a nutritional factor. Indeed it is no longer generally regarded as being a nutritional factor. What it does is, in fact, strengthen the teeth and the bones of the body to such an extent as to reduce dental decay. By strengthening the bones of the body it is found that aged folk who have been on fluoride naturally—that is, in water—over a long period of years, do not suffer fractures of bones in late life like similar aged people who live in non-fluoride areas.

Mr. Rowberry: What is the effect on cartilage?

Mr. ROSS HUTCHINSON: It will not deleteriously affect the cartilage of the honourable member. It is a well-established fact that soil which is lacking in vital trace elements will not produce the same as a well-balanced soil, and that it is good farming practice to feed into deficient soils the appropriate trace elements that will virtually guarantee good crops, healthy fodder, and healthy stock.

Mr. Graham: You are comparing human beings with dandelions.

Mr. ROSS HUTCHINSON: I can ignore such an interjection. It can also be said that the human race needs diet supplementation of fluoride in deficient water to prevent tooth decay, and the consequent health troubles that can follow such decay.

In the United States of America the fluoridation of public water supplies for the control of dental caries has become a well-established public health and engineering procedure, and it is no longer experimental. From the World Health Organisation down through virtually the whole weight of scientific, medical, and dental thought in very many countries in the world, the firm opinion is held that fluoridation is a needed and beneficial health reform.

Mr. Tonkin: Why hasn't New York adopted this?

Mr. ROSS HUTCHINSON: I pointed out earlier, and I think I should say again, that it has been established through proven research that the addition of one part of fluoride to a million parts of water will cut dental decay in children's teeth by approximately 60 per cent. Naturally this result is only obtained with the passing of the years; but it should be remembered that the benefit follows through to adult life, and thus a tremendous amount of human misery, suffering, and bad health in many forms resulting from decayed teeth will be eliminated by fluoridation.

I would ask the House again to realise that an important consideration is the financial aspect. There will be a considerable saving by people in regard to expenditure on dental problems.

Fluoridation, by cutting down dental decay, will also enable dentists to come within measure of adequately dealing with a community's dental troubles. At the present time we have not enough dentists to cope adequately with one-third of dental decay in the community.

Mr. Fletcher: Do the dentists support your proposal?

Mr. ROSS HUTCHINSON: They do. Dentists see too frequently the teeth of children which are in a very bad state. Often, because of the extent of decay, they have no recourse but to extract the teeth. This concerns the dentists greatly. It is to the abiding merit of the dental profession that it has sponsored a reform such as this.

In Australia the National Health and Medical Research Council; and in our own State, the Australian Dental Association, the State Health Council, and the Health Education Council also strongly recommend fluoridation. They have, after a close assessment of the possible dangers and possible benefits, arrived at such a

decision; and remember that these people have, in the past, supported good health reforms some of which have been accepted by this House.

One of the arguments most used by opponents of fluoridation is that the adding of fluoride to public water supplies is mass medication of the people, and a denial of the rights of the individual. However, it seems to me to be even more a denial of rights for the great majority of individuals to be supplied with water deficient in an essential factor. Further, I submit that one part fluoride per million parts water is not a drug but a health-giving factor, and that controlled fluoridation is almost as essential in combating disease as the chlorination of water which is gladly accepted by the people as being in the public interest. It is appropriate for me at this juncture to convey to the House conclusions which have been reached by various expert bodies which have devoted scores of hours, and even months and years, to assess the tremendous amount of literature that is available, both for and against fluoridation of water supplies.

Let me first quote from the 1957 report submitted by the Expert Committee on Water Fluoridation, which was appointed by the World Health Organisation of the United Nations. I would like to read the opening paragraph, which is appropriate—

Water fluoridation as a public health measure to aid in the control of dental caries is receiving world wide attention. Many Government officials, public health administrators and others have asked for guidance in the form of an authoritative report presenting the subject in a way which will serve as a useful guide when water fluoridation projects are considered.

The report that follows is a valuable, scientifically assessed document, and it is unburdened by emotion or bias of any kind. The committee's first five findings are as follows:—

- (1) Dental caries is one of the most prevalent and widespread diseases.
- (2) By present methods alone there is no hope of controlling the disease (which represents an economic drain upon both health services and individuals).
- (3) Among the numerous preventive methods (correct diet, brushing teeth, tablets, local fluoride application) the fluoridation of drinking water supplies is the most promising.
- (4) The effectiveness, safety and practicability of fluoridation as a caries-preventive measure has been established.

- (5) 1 p.p.m. fluoride has been shown to give maximum benefits; first, by epidemiological studies where fluoride occurs naturally in water, and secondly, where fluoride has been added at optimum concentrations through mechanical means.

There are other particularly significant findings which I would like to quote. They are as follows:—

- (a) Hundreds of controlled fluoridation programmes are now in operation in many countries.

This was in 1957, and the report was prepared before that time. They continue—

Some have been in progress for the past 12 years, so that conclusions are based on experience. No other public health procedure, during the initial stages of its application, has had such a background in time or extent.

- (b) Over three million people in the U.S.A., over half a million in England, and large population groups in other countries have, during their lifetime, consumed water containing 1 p.p.m. fluoride or more. Mortality and morbidity rates for five leading causes of death are comparable for cities in the U.S.A. with fluoride and non-fluoride public water supplies. No relation between fluoride and arthritic changes in bone has been found, nor have confirmed cases of allergy to water containing 1 p.p.m. fluoride been described.

- (c) The addition of fluorides to public water supplies has proved to be similar to other routine mechanical procedures widely employed in waterworks practice. Suitable equipment has been developed, reliable analytical procedures are available, and appropriate safeguards have been established.

- (d) No other vehicles or techniques for the prophylactic application of fluorides can at present replace the fluoridation of drinking water as a public health measure. Where water fluoridation cannot be used, research into other vehicles and improved methods of local fluoride application should, however, be encouraged.

The committee's simple and impressive conclusions read as follows:—

- (1) Drinking water containing 1 p.p.m. of fluoride has a marked caries-preventive action. Maximum benefits are conferred if such water is consumed throughout life.

- (2) There is no evidence that water containing this concentration of fluoride impairs the general health.
- (3) Controlled fluoridation of drinking water is a practicable and effective public health measure.

These findings have been arrived at after considering all sorts of arguments for and against and all sorts of research for and against. I think it also appropriate to bring this matter up to date in so far as the results of the research conducted in the United Kingdom are concerned. I think I said earlier that to my mind this places the final seal of approval on this as a beneficial health reform.

The results of a five-year study of fluoridation of water supplies in Britain were published in report form by the Health Departments and the Ministry of Housing and Local Government on the 3rd day of July, 1962, and the report said, among other things, and I quote—

The Committee's conclusion is that no harmful effects from the addition of 1 p.p.m. fluoride to the drinking water have been demonstrated in any of the very extensive medical evidence which they collected and reviewed. In their opinion "the raising of the fluoride content of drinking water to a level of 1 p.p.m. is safe."

The people who arrived at those findings are qualified to assess scientific and medical research work.

In recommending the adoption of water fluoridation, the report further states, and I quote—

- (a) among those children who have had the benefit of fluoridation all their lives, the average number of teeth affected by decay was cut by more than half: nearly twice as many children as formerly had completely sound teeth;
- (b) no evidence of harm from fluoridation could be found despite the closest watch by all concerned;
- (c) no technical difficulties arose in adding fluoride to water supplies and maintaining it accurately at the specified level.

In addition, the United Kingdom Minister for Health's expert medical and dental advisory committees have strongly endorsed the report on the studies carried out in that country and have advised the general adoption of fluoridation which they are satisfied carries no hazard. The committees comprise leading members of the dental and medical professions in the United Kingdom—people with long experience of the necessity for careful and

critical assessment of the results of medical research. All these favourable endorsements are in line with the conclusion reached by the World Health Organisation Expert Committee on Water Fluoridation in 1958 that—

The effectiveness, safety and practicability of fluoridation as a caries-preventative measure has been established.

The United Kingdom research group also quotes with approval the view of the World Health Organisation's Expert Committee that—

All these findings fit together in a consonant whole that constitutes a great guarantee of safety—a body of evidence without precedent in public health procedures.

It is the United Kingdom report that places the final seal of approval on the fluoridation of water supplies. I say briefly that on the other side there is a body of evidence that can also be produced. The anti-fluoridists can produce a large amount of evidence; they can ask one to believe it; and it is up to members to believe it if they so desire. But I submit that health authority experts have assessed the findings for and against and have come down completely in favour of fluoridation. So the decision is there to be made; and I hope that the House will pass this legislation as it has other worthwhile public health legislation.

I would like to suggest that Parliament believes and the people believe in our Department of Health which has done so much good work and which, in this case, sponsors and recommends the fluoridation of our water supplies as a most beneficial health measure.

Mr. Graham: Is this a party Bill?

Debate adjourned for one week, on motion by Mr. Hawke (Leader of the Opposition).

## FLUORIDATION OF PUBLIC WATER SUPPLIES BILL

### *Message: Appropriation*

Message from the Lieutenant-Governor and Administrator received and read recommending appropriation for the purposes of the Bill.

*Sitting suspended from 3.46 to 4.5 p.m.*

## MOTOR VEHICLE DRIVERS INSTRUCTORS BILL

### *Second Reading*

Debate resumed, from the 5th September, on the following motion by Mr. Craig (Minister for Police):

That the Bill be now read a second time.



**MR. GRAHAM** (Balcatta) [4.5 p.m.]: This is a Bill which I feel I am unable to support.

**Mr. Craig:** Surprising!

**Mr. GRAHAM:** I am surprised that a Government which prates so loudly and so often of the fact that it is opposed to controls, to restrictions, to regimentation, to bureaucrats, to interference with private enterprise, is here bringing down a piece of legislation to hamstring and interfere with a section of the community, in respect of which not one tittle of evidence has been submitted by the spokesmen of the Government that it has done anything contrary to the public interest. It makes one wonder just how much sincerity there is in any of the expressions of high ideals which emanate from the other side of the House. It is so much clap-trap for public consumption. When the Government gets a particular bee in its bonnet, then those principles are thrown overboard.

I remember some half-dozen or so years ago this proposition was submitted to me during the period when I was Minister for Transport. The approach came from one who was the principal of a driving instructor's business, and for reasons which he set out he desired that those participating in this type of business should be registered, should be granted permits, and so on.

This particular individual, incidentally, was an ex-member of the Police Force. Upon making my own examination of the proposition submitted, and from inquiries which I made, I felt there was no warrant whatsoever, and I am still of the same opinion. The fact of the matter is that at the present moment, as every member is aware, a certain percentage of those who desire to obtain motor vehicle driver's licenses go to the professional people who conduct driving schools, and a certain percentage go to friends. That is to say, in my experience the great majority learn from some member of the family or from friends. The test is not who has instructed one, but one's ability to pass the test which is applied by the police officer, both in respect of his oral examination and his testing of the driver at the wheel.

I do not know what the proportions are—that is to say, what is the percentage—of people who apply for a driver's license in any year who are taught by these professional people, as against the percentage of those who are privately taught. The Minister made some mention when introducing the Bill that the Commissioner of Police would have power under the regulations to suspend or cancel the permit of one of these professional tutors if he were regarded as being unsatisfactory, or if he indulged in offensive behaviour, or anything of that nature.

I could be the worst driver in Western Australia, supported by the fact that I had the worst record, having breached practically every regulation under the Traffic Act; but there is nothing to stop me, as an individual, from instructing members of my family or friends in the art of handling a motor vehicle and in the matter of knowledge of the regulations. There is nothing to stop me from doing that at the present moment, and there would be nothing to stop me from doing that with the passage of this legislation.

I would have thought that if the Minister and his Government were convinced there was a necessity for nobody but a qualified instructor to be permitted to undertake tuition, then legislation to that effect would be introduced. But this Bill is, of course, neither one thing nor the other. I repeat: The Minister has given us not one example to show that there is necessity for this Bill; that anything has gone wrong under the present set-up. All he has told us is that certain organisations have requested this action to be taken.

That proves exactly nothing. That is the sort of stuff that we expect from the Minister for Agriculture. He brings in Bills about Alsatian dogs, and things of that nature, without having any idea of what the legislation is about, but merely because a certain organisation has asked him to do it. Incidentally, only this afternoon the member for Albany addressed a question to that Minister. The Minister did not know anything about anything, and had no records. His justification for the Bill last session was that an organisation had asked for it. That, apparently, is all that the Minister for Police is able to submit to us: that because two or three organisations have made a request to him, he has agreed.

I would say there is a definite responsibility upon the Minister to show there is something wrong under the present set-up. Will he stand in his place and tell us that those persons engaged in conducting driving schools are undesirable types?

**Mr. O'Connor:** This legislation is to make them desirable.

**Mr. GRAHAM:** I have already been engaged in saying there is nothing to stop the greatest mugwump in Western Australia from instructing any person, and this legislation will not stop that.

**Mr. Dunn:** It will stop an undesirable person from getting a license.

**Mr. GRAHAM:** There is no requirement at all.

**Mr. O'Connor:** There is, so far as remuneration is concerned.

**Mr. GRAHAM:** What the honourable member has said is not in accordance with facts. Let me get back to the Bill. I re-submit my questions. Has the Minister examples to show that undesirable persons

are engaged in this industry? Will he tell us that those who are instructing others are themselves inefficient drivers? Will he inform us whether those engaged in this business have failed to achieve reasonable results from their training courses; that they have in some manner jinxed or fleeced the public?

The position is, of course, that people are in business on their own account in very many different spheres; and if unsatisfactory service is given, then almost invariably the result is that their business, in course of time, is either not a particularly thriving one or it goes out of existence.

There are certain general laws for the protection of the public; but in respect of this there will be, as I say, no protection, because there is no obligation on the part of anyone seeking a driver's license to go to one of these people. He can approach anybody at all out of the 200,000 persons in Western Australia who possess drivers' licenses.

In my view the Bill itself contains a number of clauses and principles which are most undesirable; and if it be the pleasure of the House to agree to the second reading it will be my endeavour, during the Committee stage, to make it less offensive than it is in its present form.

If members care to refer to the clause which relates to interpretations, they will see that a driving instructor means one who is intended to be encompassed by the provisions of the Bill, and then it goes on to state—

and such other person or class of persons as may be prescribed.

That could be the member for Mt. Lawley. It could be anybody. Therefore, if we pass the Bill we give power to the Minister to require every single person who seeks to teach somebody else how to drive a motor vehicle to obtain a permit under this piece of legislation.

In my view the Minister has not made out a case in respect of those who charge a fee, let alone asking us to give him power to make it extend to all and sundry. For the life of me I do not know what difference it makes merely because a person pays a few pounds to the Treasury. That is guaranteeing nothing; but apparently it appeals to the Minister. That, of course, is borne out by the fact that he seeks the authority of Parliament to be permitted to prescribe a fee for those who might apply for permits under this Bill, if it becomes law.

The sky is the limit, of course. There is no suggestion there should be a maximum, or that there should be any reference to Parliament, or anything else. So in addition to what other faults there might be with the legislation it could well become a taxing measure and the fees

could be extortionate. If they were, nothing could be done about it. It is my intention to ask the House to do something to impose a restriction upon the Minister. On so many occasions there has been disquiet on the part of members when there has been a proposition in a Bill allowing a Minister to write his own ticket in respect of charges. Surely the Minister has an approximation in his mind as to what will be the cost to those who are seeking permits under the legislation!

In another part the Bill provides that there can be control of the advertising undertaken by a person who has a permit. This Government has placed a restriction upon taxi drivers in that no advertising can appear inside their vehicles, but it is like the cheek of the Government further to exercise control in that direction.

If there happens to be a Graham Driving School, surely I should be permitted to erect signs and advertise in the same way as any other person engaged in business. By that I am not suggesting that I should have banners and signs erected above my vehicle in contravention of the traffic laws which apply to every citizen, and every type of business; but what I do not like is the line of thought behind the sponsor or sponsors of the Bill inasmuch as they seek to go to excess in certain directions, some of which I have already mentioned.

I am not criticising the Police Department. I do not know who is responsible for this legislation, but a final example I can give is surely part and parcel of what anyone would expect in a police State. The Minister is giving himself power to make regulations to compel the holder of a permit—that is to say, one who conducts a driving school—to display on or in any motor vehicle his license or permit. It might be fair enough to require that. But in addition the permit holder must have a photograph of himself.

We have policemen who, of course, are clothed with many duties and responsibilities, including that of arrest, but in order to identify themselves as *bona fide* policemen they are not expected to carry a photograph of themselves. Anyone who is a Potato Board inspector, a fruit-fly inspector, or a health inspector, is not required to carry around with him a photograph of himself, much less to have it plastered on the vehicle in which he drives.

Mr. Heal: What would be the size of the photograph? Six by six.

Mr. GRAHAM: It would be within the power of the Minister to determine the size. I do not know what size it would be.

Mr. Craig: It would all depend on the person. If it were the honourable member it would probably be six by six.

Mr. GRAHAM: Whilst I do not know all those who are motor-driving instructors at present, it could be that some of them are not quite as handsome as the Minister.

Mr. Craig: Thank you.

Mr. GRAHAM: To have an enlarged portrait of oneself could be a traffic hazard, too.

Mr. H. May: It would depend on the price, I suppose.

Mr. GRAHAM: Getting a little more serious, I think it is shocking that in this day and age the Government should introduce such repressive and restrictive legislation, and have requirements of the nature of which I have spoken; and particularly to give the Minister power to oblige these people, of all those engaged in business in Western Australia, if the Minister so thinks, to carry about with them photographs of themselves for the purpose of identification.

So we have the lead up to this Bill: First of all the Minister has not made out a case as to its necessity, because he has not shown that there has been any abuse whatever. I think we are entitled to give some consideration to what the future position might be. If the terms of this legislation are any indication we can expect, before very long, that no person will be able to obtain a driver's license until or unless he has been trained by one of these people who have the brand of approval from the Minister and his officers.

I think the trend is very definitely shown in clause 3 of the Bill, where it is possible for the Minister to require every person in Western Australia who seeks to show somebody else how to drive a car to obtain, as a prerequisite, one of these permits to become an instructor with the sky the limit in regard to the prescribed fee. If as a law-abiding citizen I wanted to teach a son of mine to drive a vehicle, and I had to pay a fee of 10 guineas or 15 guineas, or something of that nature, to be able to teach him, it is hardly likely I would do so. That, of course, would have the effect of compelling anyone who sought to become a licensed driver to go to one of these professional people.

Well, we can go a step further. Members are well aware, and nobody more than myself, of the pressure that was applied by the taxi operators who felt that they had a case for limitation on the number of persons engaged in their industry. No matter whether you or I, Mr. Speaker, or anybody else wanted to engage in that industry the taxi operators wanted us barred. The supporters of this Government, by weight of numbers, imposed that very condition.

Will we reach the stage where those who are instructors wait upon the Minister and convince him that 20 firms already in business in the metropolitan area are

sufficient for all purposes, putting up the ploy that there are so many people seeking licenses every year that in order to retain the efficient tutors those firms have engaged it is necessary to have them on full-time duty; and if there is any falling off in the amount of patronage the firms will have to apply part-time services, which means the better men will leave and therefore there will be lesser qualified persons working on the staff as instructors?

There is nothing fanciful in those thoughts because that actually developed in the case of a section of our traffic responsibilities; in other words, the taxi industry in the metropolitan area, particularly, and also in a number of country centres. Therefore, that is something we must guard against and the form of the drafting of this legislation indicates that the interests of somebody other than the people themselves is the motive for the introduction of the measure.

It would be quite an easy matter for the Minister to suggest that I have no concern for the safety of the public generally, and the motorists on the road in particular. He will protrude his chest a little further forward and endeavour to make us believe that this is a progressive step—a move in the direction of ensuring that this, that, and the other will happen to the benefit of all concerned, and that whilst there is nothing wrong with the existing arrangement he is sufficiently statesmanlike that he is making provision for the future. There could be a baddy tomorrow or next year as a tutor.

Mr. W. A. Manning: Don't you think training contributes to road safety?

Mr. GRAHAM: That is what I am going to get at in a minute.

Mr. W. A. Manning: Good.

Mr. GRAHAM: I say it is quite easy to talk that way and, as I said, there will still be 200,000 motorists with quite a few baddies among them who will have full authority to train their friends, relatives, or anybody else for that matter. The only thing that makes them good in the eyes of the law is the fact that they do not charge. If the Minister wants to take a step which in my opinion would be in the right direction—and perhaps this conforms with the thought prompting the interjection of the member for Narrogin—he will give consideration, starting in the metropolitan area, to making it a requirement as from now, for every person seeking to obtain a motor driver's license to have first of all a certificate from the National Safety Council instructional centre certifying that he has gone through a course of training, and that he has satisfactorily passed the tests that have been applied.

What sort of a hit-and-miss arrangement is it—and to which, incidentally the Minister is paying no attention in this legislation—when somebody who does not even have a clue regarding the matter just happens to fluke the right answers to the questions addressed to him when he is applying for a license?

Mr. Craig: He has to do more than answer questions.

Mr. GRAHAM: I am aware of that. I have travelled around with a policeman whilst he has had somebody undergoing a test. I am not saying these things about this Bill, or about the Minister, in order to be difficult; I am saying them because I believe that what I am saying is right, and the great bulk of it is born from actual experience.

I said it may be possible for a person to fluke the right answers to the few questions asked. Beyond that it is a matter of going through the gears, driving around the block, stopping at "Stop" signs, reversing a short distance up a back lane, and then proceeding. That is about the start and the finish of it. In other words, all it constitutes is answering a few questions and perhaps five minutes of actual driving.

I suggest it is not a sufficient test or examination to enable the person thereafter to charge about the highways and byways of Western Australia, and even beyond, with a ton of metal surrounding him, and 20 horsepower or more under the bonnet before him, or behind him. He is as free as the sea to insinuate himself and his vehicle in and out of traffic and to barge his way through pedestrians, young, old, halt, maimed, semi-blind, blind, and so on, notwithstanding the fact that there is an Act almost half an inch thick, and regulations accompanying it of about the same thickness, expecting him to have a reasonable knowledge of the requirements, and to be able to conform with them in his own and everybody else's interest.

All of this, or anything approaching it in a reasonable quantity, cannot be obtained by a few minutes of answering questions and a short journey around the block nearest the police station to which the application has been made for a driver's license. So I suggest it would be a worthwhile move on the part of the Minister, instead of interfering with this matter of tutors, who represent only a fraction—whether that fraction be large or small I know not, and the Minister did not indicate—of the people who teach others to drive, to give his attention to ensuring that there is a course of training and proper qualification, instead of the make-believe which occurs at the present moment.

What I have said is no reflection on our police in the metropolitan area or elsewhere; because, as the Commissioner of

Police pointed out to me, it is possible for the most irresponsible person, quite understandably, to be on his best behaviour for the few minutes during which the tests are being carried out. Even if a longer test of three or four times the duration were undertaken, that person would still undoubtedly be holding himself in reserve and seeking to impress the policeman concerned.

But if a person were required to go through a lengthy training course by the super experts available to the National Safety Council, then I think we could be assured that the person would know the requirements of a driver; and perhaps then we could stiffen up the law and there would be some justice about it. It is appreciated, of course, that to enable the National Safety Council, or a body of its nature, to undertake what I have outlined, would necessitate the Government's having to increase to some extent the annual grant made available to that organisation.

We have heard figures—as no doubt the Minister has—of the hundreds of thousands of pounds, indeed of the millions of pounds, that are involved in lost time on the part of workers and management; in the payment of hospital bills; in the payment of compensation; and in the payment of damage and repairs to vehicles, and that sort of thing.

If it cost another £20,000 or £50,000 a year, it would be chicken feed compared with the cost at the present moment to the economy of Western Australia. I feel, therefore, that what I have suggested would be a far better approach to this question, because the contents of this Bill solve nothing whatever. They are a beginning, and incidentally a very forcible beginning—as I have tried to demonstrate—in the interference and meddling with a group of people engaged in an industry where they are doing no harm whatever.

Nobody is required to patronise these people. There is available to people an alternative—namely, to go to their friends or relations, or somebody else. There are unfortunately many other types of business where it is a matter of take it or leave it; where there is unsatisfactory service, for which there is no alternative. But in this case there is another course available.

Because this Bill is out of harmony completely with the stated aspirations of this Government; because it interferes with something that is doing no harm or damage; because it does not get to the root of the trouble, as no doubt the majority of people will not be affected in any way by the passage of this Bill; and because it does nothing whatever—and this is perhaps its greatest weakness—to ensure that when a person has obtained his driver's license he knows a reasonable amount about the regulations, or that he

knows a reasonable amount about the physical side of handling a motor vehicle, I oppose the measure.

The Bill is completely useless, even in its present form; but to me it is one to be condemned for the extravagance of some of its provisions. If it be the will and wish of this House that something along these lines be passed—and I hope and trust it is not—I will endeavour in Committee, as I have indicated on the notice paper, to make it at least a little more inoffensive than it is at the present moment. I oppose the measure.

**MR. MITCHELL** (Stirling) [4.37 p.m.]: Before I make a few comments on this Bill, I would like to say how much it amazes me to find that every time the member for Balcatta makes a few remarks about a Bill he refers to the utterances of members on this side of the House as claptrap for public consumption. I do not think I have heard more claptrap than that spoken by the honourable member. One would have to go a long way to find more claptrap for public consumption than that which has emanated from the member for Balcatta.

**Mr. Graham:** The job is in front of you to prove that statement.

**Mr. MITCHELL:** After saying that members on this side of the House talk claptrap, he proceeds to say that people should have more than just the mere courtesy of driving policemen around for a few minutes; and that the National Safety Council should undertake instructional courses to teach people to drive—and this in spite of the fact that the member for Balcatta has been a Minister for Transport.

Many of us visited the National Safety Council yesterday, and we were informed that it would not be possible for that body to teach people to drive, because it just has not the time. We could possibly do something about this by providing that the people who set themselves up as driving instructors be given a chance of at least being assured they are good driving instructors; and if they teach a person and charge him for such tuition we would be assured that the person being taught was receiving proper instruction.

We all know that a number of people teach various members of their families to drive; but when a group of people set themselves up as instructors and charge a fee for such instruction, it is only right that they should be controlled, and that we should make sure that they are at least competent to teach what they profess they are able to teach the public.

**Mr. Graham:** I will remember that point and you will be reminded of it later.

**Mr. MITCHELL:** That is all right. The member for Balcatta has on every occasion twitted members on this side of the House

for talking claptrap. I am one of the members about which the implication has been made. It is a dreadful habit; and I cannot think that the member for Balcatta is opposing this Bill for any reason but that he hopes to impress the public with the fact that he alone is the preserver of human rights and human liberties.

**Mr. Graham:** I would like you to join me in that.

**Mr. MITCHELL:** I would like to remind the honourable member that most us on this side of the House have as much respect as he for human rights and liberties. Not only have we respect for human rights and liberties, but we are also aware of the fact that the people who set themselves up to teach should, by the laws of the country, be at least competent to do that for which they charge a fee.

**MR. FLETCHER** (Fremantle) [4.42 p.m.]: I would like to make a few points in briefly opposing this Bill. There is no doubt that the measure before us is a further encroachment upon the rights of the individual. We all know that we are already denied the right, legally, to change a washer in our taps. We are supposed to employ a licensed plumber for that job.

**Mr. Crommelin:** Do you?

**Mr. Court:** Hands up the boy who said that!

**Mr. J. Hegney:** Put it on the notice paper.

**Mr. FLETCHER:** That interjection does not detract at all from what I have said. If a licensed electrician could do so, he would prevent one from fixing a fuse. If a licensed mechanic could do so, he would prevent one from cleaning the spark plug of one's car; or its distributor points. An attempt would be made to channel plumbers' business towards plumbers, electricians' business towards electricians, and motor mechanics' business towards motor mechanics, the point being made that the general public was incompetent to carry out such repairs.

The only consideration, of course, would be the flow of business in the directions I have mentioned. I see similar restrictions and limitations to our liberties in this Bill, which provides for vested interests and qualified licensed instructors. I think qualified licensed instructors are very desirable, as are qualified licensed drivers. But there are also many members of the community who are good drivers, and who could instruct people how to drive. I would not suggest that they endeavour to instruct their wives, but they certainly could try to instruct their teenage children to drive, and perhaps do it very efficiently in some back road or the other.

Irrespective of whether a person is a qualified instructor, in accordance with this Bill, or any ordinary member of the public who might instruct people to drive,

the final test is not in the hands of the qualified instructor but in the hands of a very qualified traffic policeman. That is where the final test takes place.

Will members suggest that the limited time which a qualified driver spends with a person he is endeavouring to teach—the person may be difficult to teach, and we have to accept the fact that many people are—would so influence that driver that he would necessarily acquit himself well for the traffic police? I suggest that he would not. The person going before the traffic police for a receipt of a license is subject to the examination that is set, either oral or practical, and the police make the decision whether that person is competent to drive or not.

Those are my objections to the Bill. It does nothing to alter the situation that already exists, but I oppose it simply because I believe it to be another implied encroachment even though, as has been said by way of interjection, the Bill does nothing to take away the right of a parent to teach his child or anybody else. That may be so, but it is a step in the direction of teachers having to qualify as a consequence of tests that are given to them. I say it is an encroachment upon their rights, and I oppose the Bill for that reason.

**MR. CROMMELIN** (Claremont) [4.47 p.m.]: I wish to say a few words in regard to this Bill. I support the measure. I cannot agree with the member for Fremantle when he holds forth to the extent of saying that the police who examine those who are about to attempt to secure a driver's license are highly qualified. Their qualifications as compared with the police instructors who are at the National Safety Council are exactly nil, because none on the Police Force who do the examining have been to the traffic school in Victoria. So the member for Fremantle should have thought of that point before making the statement he did.

In regard to men or women teaching their families to drive, to that I do not subscribe at all. We may or may not be good drivers; and when the average man attempts to teach his wife to drive, she is panic-stricken as soon as she gets into the car, and even before he starts to teach her. I do not know why it is. But I did not try to teach my wife to drive.

**Mr. Graham**: I bet you did not try to teach her anything.

**Mr. CROMMELIN**: I would think that not too many here have taught their wives to drive.

**Mr. Court**: They might have started, but they would have soon given up!

**Mr. Hawke**: It is not a matter of brains; it is a matter of discretion.

**Mr. Graham**: Courage!

**Mr. CROMMELIN**: Yes; I would say it requires courage. I want to get back to what I consider to be the important part of the Bill, to which the member for Balcatta takes exception. That refers to driving teachers being instructed by the National Safety Council officials—in return for the payment of a fee—and, as a result of the instruction received, being able thereafter to obtain an instructor's license. I am given to understand that the number who would require to be taught would be 90 in all; but that number has probably increased over the last few years.

Surely if it is necessary for those 90 driving instructors to attend a 15-day course at the National Safety Council under one of its police instructors, they are certainly going to learn a lot. It is quite possible that a few of these driving instructors could, at the present time, go through the National Safety Council and be tested by a police expert and be found to be 100 per cent. perfect. But I would venture to suggest that there would not be too many of them who would qualify to that extent.

Driving instructors have a great number of customers, because one can see driving school cars all over the roads for the purpose of people being taught to drive; and surely if an instructor has done a 15-day course at the National Safety Council he will impart more knowledge to his learners than the man who endeavours to teach his children to drive—a man who has never had any expert driving tuition at all. That is the main point of the Bill; and to some extent I think it is the beginning of something that should grow.

As the member for Balcatta has said, it is not possible to increase the facilities in a few days, a few weeks, or a few years at the training school of the National Safety Council in order to instruct every driver to learn in the way the council wants them to learn. However, a few weeks ago when I was speaking on the Address-in-Reply, I said that in nearly every high school in America there was a driving instructor, and suggested that that is an ideal for us to look forward to in perhaps a few years' time. In those circumstances everyone, before going to a policeman to obtain a license, could possibly go to a school and obtain a sound grounding in driving, which is only a part of handling a car. Instilled in the minds of young people would be the danger of the car and the importance of courtesy. If drivers were courteous on the roads a lot of accidents would not happen.

I am not going to say any more, except that in principle I support the Bill. I think it is an ideal that the Government should endeavour to carry out and progressively improve over the next few years.

**MR. OLDFIELD** (Maylands) [4.53 p.m.]: I find myself in somewhat of a dilemma over this Bill. As a member of the National Safety Council I did agree in principle with other members of that body that something should be done regarding driving instructors who charged a fee for that instruction. I feel that in principle it is a very good measure. If a person is going to set up a motor school and be a driving instructor, he should be competent, so that the person who is paying him to learn to drive will drive competently.

Another aspect is this: The instructors do not charge for a course; they charge a fee for each lesson. I know some people are adept at driving and they may learn in two lessons, while others may take 12 lessons. However, that may not be the fault of the pupil—it could well be the fault of the teacher that some take 12 lessons instead of two. Therefore, the incompetent teacher will virtually have more customers because they will require more lessons than those of a competent teacher.

I do not like the form of the Bill which is before the House, as it was never the intention, when the matter was discussed by the National Safety Council, that a father should be prevented from teaching his own son to drive.

**Mr. Crommelin:** He is not now.

**MR. OLDFIELD:** I would point out to the member for Claremont that in clause 3 (b) it states—

Such other person or class of persons as may be prescribed;

A "permit" means—

A valid and current permit issued under this Act authorising the holder thereof to act as a driving instructor and any renewal of the permit;

Earlier on in the interpretation of definitions is the word "license." The way I read this Bill is that it provides that a license is applicable to a professional driving instructor, and a permit is applicable to a parent who goes along to obtain a permit to teach his son, daughter, or wife to drive. In other words, the person who is going to be responsible for the instruction of a learner-driver must be issued with a permit.

It is quite obvious that is what it is; and it could well be the traffic authorities would say, "No, you cannot have a permit to teach your son to drive." The parent might say, "Where can he be taught?" and the authorities could say, "Send him to one of the driving schools." That could be the case; and I do not think the measure should be presented to the House in this form. It is also clear that this would apply in the metropolitan area and not in the country because in the country there are no driving schools and there is

no National Safety Council. There might be a high school teacher in a particular area who has done a course and has an instructor's permit, but he might not be available for this purpose or perhaps only on Sunday.

What does happen in the country? An applicant for a license presents himself at the local police station, and I believe that in most cases that person is issued a license without any driving test whatsoever. I would not say that that would apply in towns like Bunbury or Albany; but in places like Fitzroy Crossing, where there are one-man stations, the local constable would not have the time to devote to this purpose. It is not so many years ago that police constables in the country were issuing driving licenses and the constables concerned were unable to drive a car.

I would say that there are probably thousands of people today who hold drivers' licenses that were issued in a country town by constables who were unable to drive a vehicle. It is possible that we may eventually have to adopt a form of licensing such as A, B, and C-class—A-class being for the city, metropolitan area, and country; B-class for the metropolitan area and country; and C-class for country only. If a person is issued with a driver's license in, say, Turkey Creek, Fitzroy Crossing, Wagin, or some other country town, where there are broad acres and miles of roads which do not carry a great density of traffic, it does not mean that person is equipped to drive in the metropolitan area or in the city of Perth.

**Mr. Rowberry:** It does not mean he is not, either.

**MR. OLDFIELD:** Surely if a person is granted a license in the town of Manjimup, that does not mean he is equipped to drive through central Hay Street during the lunch hour! With due respect to the member for Warren, every day of my life that I go through the city I see cars, bearing country plates, in the wrong lane at the traffic lights, when they are about to turn either left or right.

**Mr. Rowberry:** That is all imagination, I think.

**MR. OLDFIELD:** It is not imagination at all. I dare the member for Warren to drive through the City of Melbourne or the City of Sydney without his first having taken lessons in the suburbs. With all his knowledge of traffic laws and experience in handling a vehicle, I dare him to drive through a strange city with a multiplicity of traffic.

**Mr. Rowberry:** What has that to do with the Bill?

**MR. OLDFIELD:** We are dealing with the instruction of learner-drivers; and, as I have said, today we are licensing people in the country because in those towns they

can adequately handle their motor vehicles. However, they are then able to drive those vehicles into the city one week afterwards! There are lots of drivers who have acquired their licenses at one of the suburban police stations, yet they dare not drive in the City of Perth. I know several myself who have not the confidence to drive in the city traffic.

The member for Balcatta suggested that all learner-drivers should be required, for a small fee, to go through a course under expert tuition. This could possibly be subsidised. This is an excellent idea because the experience of the safety council has been that, over two years, out of all those motor cyclists who went through the safety schools at the centre, only one has been in an accident, and that was a very minor accident for which he was not responsible. In the same two years we know that there were not hundreds, but thousands who knocked themselves and other people about in accidents. This just shows that the safety council has a wonderful record in respect of those who have done its course.

Mr. J. Hegney: Hear hear! That is quite correct.

Mr. OLDFIELD: For the sum of £1 a youngster or anyone, is, at the moment, issued with a permit to handle a vehicle of anything from 20 to 40 horsepower, and even 150 horsepower. If we consider trucks, they are permitted to handle a 30-ton payload in some instances.

Mr. Graham: Not the ordinary driver.

Mr. OLDFIELD: No; but people can obtain permits to carry payloads. I myself possess a license to drive any vehicle on the road. I have not driven one of those modern semi-trailers, but I am permitted to do so under my license.

Mr. Graham: The Minister is making a note of this. You will probably have that license until the end of this week.

Mr. OLDFIELD: What I am trying to say is that I feel there will be the likelihood that at his discretion the commissioner will say he will not issue a permit. He could make this a general instruction throughout the metropolitan area and thus specify that only professional instructors, or those who have done the course at the safety centre, would be permitted to teach learner-drivers, but in the country they would be permitted to be taught by their parents.

Mr. J. Hegney: That is not provided for in this Bill.

Mr. OLDFIELD: It could be.

Mr. J. Hegney: No. It would have to come back to Parliament for that proposition to be dealt with.

Mr. OLDFIELD: No. The Bill reads "such other person" and that could be a learner's parents—

Mr. Graham: Could be everyone.

Mr. OLDFIELD: —or anyone who is a non-professional tutor.

Mr. J. Hegney: You have to have a permit now if you want to safeguard your license.

Mr. OLDFIELD: The instructor does not have to have a permit. The permit is only required by the pupil, and on that permit is endorsed the name and address and motor driver's license number of the tutor, whoever he may be.

Mr. Jamieson: It is not necessarily a tutor; it could be anyone.

Mr. OLDFIELD: Under this Bill, the tutor will have to get a permit; and the commissioner, or someone delegated by him, will be empowered to refuse to grant that permit.

Mr. Rowberry: There is a right of appeal under the Bill.

Mr. OLDFIELD: Of course there is the right of appeal; but all that takes time for anyone who wants to learn to drive. The point is that the police sergeant at Manjimup could refuse to grant a permit to a person requesting one and could direct the pupil to the member for Warren who is a competent driver and one who knows all about it. The police sergeant could give the member for Warren a permit and could send the pupil around to him.

Mr. O'Connor: Can they not refuse a permit now?

Mr. OLDFIELD: A learner can be refused, yes; but there must be very good reason. If an applicant is over 17 years of age and is not suffering from any deformity, the permit has to be granted. I would like to point out to members that this Bill does lots of things it was never intended to do. The spirit behind the Bill was purely and simply to ensure that professional driving instructors were of such a competent nature that the pupils would not only be taught to drive properly but would not have to pay more for the lessons than was required, because of incompetent instructors.

Mr. O'Neil: Don't you think there are some private individuals who should not be allowed to teach?

Mr. OLDFIELD: I do not think I am qualified to say that. I taught my children to drive and I think I was qualified to do so.

Mr. O'Neil: What about a licensed driver who has one or two limbs missing? Do you think he should be able to teach another person to drive if he is in a specially-equipped car?



Mr. OLDFIELD: If he is in a specially-equipped car, what can he do? He is only on the passenger side.

Mr. O'Neil: Is he not one of those who should be excluded from teaching others?

Mr. OLDFIELD: But why? I would ask the honourable member what he could do if he were teaching his son to drive—and he has all his limbs and faculties—and a situation arose which necessitated the stopping of the car? He would be on the passenger's side and in modern cars the ignition and the handbrake are on the far side. He could not reach them. He might be able to grab the steering wheel.

Mr. O'Neil: You are saying that no-one but a qualified teacher should instruct.

Mr. OLDFIELD: No; not at this stage. I am not qualified to say, nor do I think the honourable member—

Mr. O'Neil: I am pointing out that there is a class of person who is not qualified and should not be permitted to teach others.

Mr. OLDFIELD: I have not said that at all. What I have said is that under this legislation a person could be denied a permit.

Mr. O'Neil: I think there are classes which should be denied a permit.

Mr. OLDFIELD: I would like the honourable member, when his time comes, to tell us the class of person he feels should not be permitted.

Mr. O'Neil: I have already mentioned some.

Mr. OLDFIELD: I do not think the honourable member is qualified any more than I am; nor do I think the member for Balcatta or the Minister is in a position to say who is qualified or who is not qualified to instruct.

Mr. Craig: They will be when they pass the test.

Mr. OLDFIELD: Up to now it has always been assumed that anyone with a current driver's license is qualified to teach another person to drive. That is the situation as it stands now.

Mr. Graham: And it will still be the position when this is passed, except that you cannot charge. That is all.

Mr. OLDFIELD: It will still be the position provided the person is granted a permit. Some will be granted a permit and some will not, and it will not be based on a class of person, either. I believe it will be based on the area in which a person resides. That is what I am afraid of. I believe that in the metropolitan area all the driving permits will be given to those attached to professional schools.

Mr. Craig: I think you are on the wrong track on the permit business. You don't mind my interrupting, do you?

Mr. OLDFIELD: I don't know.

Mr. Craig: Read clause 11 (1) (c) on page 9 of the Bill.

The SPEAKER (Mr. Hearman): We cannot have a Committee debate by interjection.

Mr. Craig: I am suggesting that if he reads it, it might save time.

Mr. OLDFIELD: The Bill goes on to state in the same clause, "the commissioner may issue"—not "shall issue" but "may issue". "May" is the operative word in the whole clause.

Mr. Craig: It is at his discretion.

Mr. Rowberry: That is while he is making inquiries.

Mr. OLDFIELD: It is obvious that this Bill is not in keeping with the spirit of the motion which was discussed by the National Safety Council. There was no intention on the part of the National Safety Council to deny a parent the right to teach his child, or a friend the right to teach a friend to drive; it was to be applicable purely to professional driving instructors.

That is where, for the time being, we should leave the matter until such time as the Government of the day is in a position to set up annexes to the National Safety Council throughout the country areas; or until such time as we have taught sufficient high school and other school teachers, and we have competent driving instructors, throughout Western Australia so that all learner-drivers will be able to receive a competent course of training in the handling of a motor vehicle. As far as this Bill is concerned, I am afraid, because of the manner in which it has been presented, I cannot support it.

MR. GUTHRIE (Subiaco) [5.11 p.m.]: There is nothing unusual in introducing a Bill to make it necessary to register people who merely indulge in a certain occupation for reward, and to exempt completely those who do not do it for reward. That principle has been with us for many years, and I would refer members to one Act alone, without discussing any others—I refer to the Legal Practitioners Act. That Act has always prohibited anybody charging for legal services, and permits a person to do any legal work so long as he does not charge.

Mr. Graham: Can I go into the Supreme Court on behalf of a client?

Mr. GUTHRIE: No; that comes under a different principle. He cannot appear in the court, but that does not offset the matter, because the court has its own rights and privileges to permit anybody to

appear before it. The court can even refuse a legal practitioner permission to appear before it to present his client's case. If the member for Balcatta has ever been in court he will have observed that every counsellor who gets up says, "If Your Honour pleases, I appear for the litigant." The only person who gets up and says "I represent the litigant" is a representative of the Crown. Her Majesty's courts always permit Her Majesty's representatives to be there as of right. Nobody else is there as of right. However, so far as undertaking legal service is concerned, the Legal Practitioners Act has always made the position abundantly clear, and I could find many other instances to quote.

The purpose of this measure is to deal with people who set themselves up in business to train other people in motor-car driving for reward; and therefore, in the eyes of the public, they are presumed to have some particular knowledge or some particular skill in their avocation.

It naturally follows in a matter of such importance, which causes so many fatalities, and so much cost to the community—millions of pounds in this State alone every year—that the people who hold themselves out for that purpose should have some special skill or some special knowledge.

The next matter that appears to me to have been confusingly placed before the House is, firstly, in regard to the reference which has been made by members to the definition of a driving instructor; and secondly, the reference which was made by the member for Balcatta to the prescribed fee.

Dealing first of all with the definition of a driving instructor, paragraph (a) of clause 3 refers to a person who carries on such occupation for fee, reward, or other remuneration, and then we come to the subclause which has caused so much comment. It reads—

Such other person—

I will interpolate here and say that the word "person", in the singular, is used; and in the very next phrase we have—

or class of persons as may be prescribed.

The first observation I would make is that when we prescribe an individual we can prescribe only one person at a time—therefore by name. In the other case we can prescribe a class of persons which would not seem to me, as a very quick thought, to include persons living in a particular area, such as, say, all people living within the Kimberley electorate. It would have to be a type of individual.

Mr. Graham: All persons over the age of 17 years, for instance.

Mr. GUTHRIE: It could be that. But I would also draw the honourable member's attention to the provisions of clause 14;

but so that I do not have to repeat myself I will also deal with the phrase "the prescribed fee" at this juncture. It refers all through the Bill to a fee to be prescribed, but I cannot see anywhere in the Bill—and the member for Balcatta can correct me if I am wrong—a clause which actually says that the Minister shall prescribe the fee—that is, unless I have missed something.

Mr. Graham: Who will prescribe it?

Mr. GUTHRIE: It comes under clause 14, and subclause (1) reads—

The Governor may make regulations prescribing all matters that by this Act are required or permitted to be prescribed . . .

Therefore, in the absence of any specific power to the Minister by proclamation, or by Order-in-Council, I would presume that the fee, and the person, or class of persons, have to be prescribed by regulation.

Mr. Graham: That is so.

Mr. GUTHRIE: Therefore Parliament does not lose its complete control over the matter. We all know that under the Interpretation Act, regulations must be tabled, and within a certain period of time one House or the other of this Parliament may disallow them.

Mr. Oldfield: But they could be in operation for six or seven months before they were disallowed.

Mr. GUTHRIE: That does not matter; they could still be disallowed in the course of time, and there are members who tell us that in the not-too-distant future we may have two sessions of Parliament in this State, and therefore the time factor might not be as great as it is at the moment. Nevertheless, Parliament does have some form of control, and even one House has. So if the Minister does go haywire, there is some control left with Parliament to rectify any position which might arise.

The other matter upon which I wish to make some comment is the question of whether the Commissioner of Police would or would not grant an applicant a license to carry on his trade or avocation. I would point out to the House that the vital point in this subject appears in clause 6 subclause (5), which lays down that where the commissioner is satisfied that the applicant for a license conforms to certain requirements, which are set out in the Bill, he shall grant the application. Therefore the commissioner, by Statute, is required to consider those things, and those things alone, and if he is satisfied with the requirements he must grant a license.

Mr. Graham: That was clause 7 subclause (5) by the way, and not clause 6.

Mr. GUTHRIE: That is so. I thank the member for Balcatta for his correction. It says that the commissioner must grant a license, and therefore he is required by Parliament to do certain things. It has been laid down many times by the courts that where an official or tribunal is given a statutory task, and it is laid down in the Act what that official or tribunal must take into account, he must carry it out in a proper manner. If he does it in an improper manner—such as one member suggested during the debate, by issuing an instruction that a certain age group should not get licenses—the position would be very quickly rectified by the courts.

However, I do not, for one moment, consider that a person of the standing of the Commissioner of Police, who is given a statutory authority by Parliament, would do anything other than Parliament required him to do. If we did find that a person holding the office of the Commissioner of Police was completely ignoring the provisions laid down by Parliament, then Parliament would have to do something about the Commissioner of Police as an individual, or about amending the law.

I did not intend to speak on the Bill, but in view of the trend of the debate I thought I would make these comments. The only other matter to which I wish to refer arises from an amendment to clause 14 which I have on the notice paper. I have referred to this matter before, if not in the House, in correspondence to the Minister. It is in regard to what happens in those unfortunate electorates which have a traffic office stationed within them.

Mr. Davies: Hear, hear!

Mr. GUTHRIE: The member for Victoria Park says "Hear, hear," and so do I. Both of us have traffic offices in our electorates, and those people who teach others how to drive often teach in our localities. This means that the driving instructors run the applicants for licenses over the course that is generally laid down by the police and, what is more, they run them over the course on the day of the race or, I should say, on the day the applicant is given the test for his license. One of the manoeuvres the instructors have to teach a learner is to back down a lane. There are many lanes in Subiaco, and I assume that Victoria Park, being a similarly old suburb, also has many of them.

Mr. O'Connor: But they do not have so many fences now.

Mr. GUTHRIE: The honourable member is quite correct. The owners of various properties have lost many of their fences and corner posts. They disappear with some rapidity. The unfortunate owner of the property who has been away

at toil all day comes home wearily to find his corner post missing, but there is no one there to tell him what happened. However, he soon learns that a car with the name of some driving school on the top of it, was seen to be backing down the lane at the rear of his house. The instructor in charge of these vehicles very seldom enters the house concerned and tells the owner that he or his firm is prepared to meet the cost of the damage. It may mean that a new fence is required and the unfortunate landowner is left to hold the baby, so to speak, by having to meet the cost of that fence out of his own pocket.

As a consequence of this, I consider that the applicant for a license should be under a definite obligation when he makes his application to notify the Commissioner of Police and such other people as shall be prescribed where any damage to property, or any injury to a person has occurred. I do not propose to say any more about that, because I will have an opportunity to explain my amendment in Committee. However, that is the basic reason why I propose to move the amendment.

I consider the provision would be more appropriately placed in the regulations because the Bill is not a satisfactory place for it. If I put the amendment in the Bill I would have to explain it in far greater detail, and I hope the Minister will accept it. I trust that when the regulations are drafted, the details of what exactly is required will be provided. It may be said that this is already provided in the traffic regulations. Perhaps it is; but I think it is important to have it in the regulations made under this measure so that when the Commissioner of Police is considering whether the license of any person shall be cancelled, he can see that there has been a definite breach of this particular regulation under a particular Statute. I support the Bill.

MR. ROWBERRY (Warren) [5.24 p.m.]: It is not often I try to beat someone to the jump, but having done so I would like to express, firstly, that I am in favour of the Bill. I cannot follow the argument that the Bill has failed to meet the situation because it is inadequate. The word "inadequate" implies that there is a problem and that something should be done about it. It appears to me that although the Bill is inadequate it is better to have it in this form than nothing at all. Therefore, I am greatly in favour of it.

With your indulgence, Mr. Speaker, I would like to answer the allegation or the implication made by the member for Maylands that there should be a differentiation between country drivers and city

drivers because—as he maintained—of the fact that country drivers do everything wrong in the city by driving in the wrong lanes and the wrong places and, generally, do not appear to know what they are doing. I was a traffic inspector in a country district for some time and I can assure the member for Maylands that the majority of the serious accidents which occurred in my district involved city drivers, because they seemed to be totally incapable of assessing or judging the type of road upon which they were driving, as they were so accustomed to driving on bitumen.

It would appear that city drivers have no skill or judgment when driving on a gravel road. When they come to the end of a bitumen strip and start driving on gravel they have no idea that greater care and skill should be exercised and that a reduction in speed is necessary. As a result, in many instances they crash and get themselves into serious trouble. The safest and the easiest place in which to drive a vehicle, in my estimation, is the metropolitan area where there is a great conglomeration of traffic, because one tends to become careful by instinct. One does not find that people drive carelessly or negligently in the city area, because, for one thing, of the large volume of traffic and because, for another, of the more frequent appearance of traffic patrol officers.

Therefore, I would like to put the member for Maylands on the right track in regard to that aspect of the subject and to assure him that country drivers are just as skilful and considerate as city drivers. Furthermore, the attitude of a country driver is just as modern and just as social as that of any other type of driver. As a matter of fact, the word "attitude" suggests to me that there is no particular place in the city which can claim to have more considerate drivers or more drivers with a proper attitude towards driving and other users of the road than any place in the country.

I welcome this Bill because, in my estimation, a person reaches—according to our literature—the moment of truth, so far as his being involved in accidents in the future are concerned, when he initially gets behind the wheel of a motor vehicle. The accidents in which he may be involved are determined then. The subsequent training, slanting of attitude, and consideration that take place from the time a person first gets behind a wheel to the time he submits himself to a test for his license is most important. That most important part of his driving instruction, in my estimation, will go a long way towards a reduction in the incidence of accidents.

If the drivers were well trained and taught to adopt the proper attitude from the start, I am sure there would be a great

reduction in the incidence of not only fatal accidents, but also minor accidents involving one's person and property. This Bill not only seeks to establish an authority for the purpose of granting certificates to driving instructors, but also seeks to establish a method and the means of ensuring that these instructors pass proper qualifying tests prescribed by the National Safety Council of Western Australia. That in itself will have a considerable impact on the reduction of licenses.

I have no doubt whatever that this Bill will be administered by the Commissioner with impartiality. I do not share the fears of members on this side of the House when they say that it will set up a monopoly, or that it will take away the rights and privileges of individuals, because its provisions will enlarge and ensure the rights and privileges of individuals.

One of our privileges in this country is to be able to use the Queen's highway with safety. One of the factors—and one of the greatest factors—that takes away that privilege is the untutored and unprincipled drivers of motor vehicles. So anything we can do to instruct these drivers and to ensure that not only have they got the necessary skill to handle those vehicles, but that they have the necessary attitude and consideration for other users of the public highway, will be a very good thing for all concerned.

In my opinion, this Bill will go part of the way towards solving that problem. I do wish the Bill had gone a bit further, because I cannot see much reason or logic in ensuring that an instructor has the necessary qualifications, and the necessary knowledge to train people to drive a motorcar, when the person who drives the motorcar at the time he is undergoing his test for a license merely has to go to a police officer, who possibly has no qualifications whatever in regard to judging whether the person concerned has the ability to drive that motor vehicle.

The mere fact that a man is a member of the Police Force should not necessarily clothe him with the necessary qualifications to issue a license. As the member for Fremantle pointed out, that aspect is even more important than the training aspect, or the issuing of permits to instructors. I think the Minister might have a look at that angle. He should ensure, at least, that in the metropolitan area when people go through a test for a driver's license, the person who puts them through that test is qualified to do so. Not only should he be qualified in ability to drive, but he should also have the mental and psychological attributes to enable him to size up and judge the capability of the person under his care for the time being.

I know this could be difficult in the country areas, and it might even cause a little delay. Some members ask why there should be all this delay in getting a license to drive a motorcar. A motorcar is a distinctly lethal weapon, and the people who are allowed to use it on the Queen's highway should be capable persons. Accordingly, a little further delay in the issuance of a license would enable the person being tested for the license to have more time to bring himself to the required standard of proficiency.

Another point I would like to touch on in the matter of issuing licenses—I have mentioned this before, but I will do so again because I think it is important—is the fact that one can get a license to drive any type of vehicle without first having been put through the most important part of a driving test. I refer of course to driving after dark, in the glare of headlights. I have not heard of anybody, either in the metropolitan area or in the country area, being tested after dark in the driving of a motor vehicle.

I think that, too, is something of which the Minister should take cognisance. In this Bill we are primarily interested in ensuring a reduction of serious accidents on our roads. Anyone who has the welfare of the community at heart—and we by our very presence here are committed to the welfare of the community at large; not only our electors, but everyone in the State—would, I feel sure, agree that drivers should be tested during the hours of darkness.

Dr. Henn: Would you recommend a day and a night license?

Mr. ROWBERRY: No; but I would recommend that a person be tested under headlight conditions. It should be possible to simulate the conditions presented by headlights. We have the simulation of all sorts of conditions at the National Safety Council centre; and the skill and ability of drivers are tested under certain simulated conditions.

The driver sits in a theatre behind the wheel of a car and his reactions are recorded electronically by certain devices. That sort of thing could be carried out both in the city and country areas in a practical way by test driving after dark. This would only take five or ten minutes, and it would ensure a more thorough test being given.

Another point that has arisen in the debate is that some members are concerned that the Bill might take away the right of a father to teach his son or daughter to drive; that it might take away the right of a husband to teach his wife, or *vice versa*. If the Bill did that, I do not think it would be a bad thing; but of course it does not.

Mr. Graham: It permits it.

Mr. ROWBERRY: In my opinion, it does not even permit it. I think I can read as well as the member for Balcatta! When I read I endeavour to draw some logic from my reading and not read into a measure things which are not there.

Mr. Graham: Read it slowly, in English!

Mr. ROWBERRY: I would not be happy about a provision which would proscribe people from teaching others to drive. The only people who are proscribed from doing so are those who will do it for a fee.

Mr. Graham: They are the only ones specifically proscribed.

Mr. O'Connor: Any logical person would agree with him.

Mr. Graham: The member for Mt. Lawley would be a great authority on logic.

Mr. ROWBERRY: Sometimes in a debate it is necessary to argue things in which one does not believe. I do not say I am doing that now. But this is something which has been, and which is now, dear to my heart. I refer of course to the control of traffic, and the control of the issue of licenses to drive motor vehicles. I agree with the member for Balcatta to the extent that licenses are issued much too freely and easily. They are too easy to come by altogether.

I was dealing with the question of a husband teaching his wife, and a father teaching his son, or *vice versa*, to drive. I found from my experience that the husband should be the last person to teach his wife to drive. A person should not attempt to teach anyone who is near and dear to him to drive, because he is in a state of apprehension all the time, not only for his own safety but also for the safety of his pupil. This is the same as the fear of a mother for her offspring when she sees danger coming. An instructor should not be in a state of mind which is inimical to the safe handling of motor vehicles.

I am convinced that the great majority of accidents are caused by psychological reasons, and not by physical imperfections. In accidents, correct attitude generally is not in the mind of the driver. Any step which would make it more difficult for people to obtain a license to drive; any step which would ensure that people who did gain a license would be more capable of driving a car; and any other step along those lines, would have my fullest approbation. Even if it did not go far enough, at least it would be a step in the right direction. This legislation shows that we are willing to grapple with the problem.

I do not think there is any infringement of human rights. When people started to live in civilised communities they gave away some of their individual liberties.

The common law of the British Commonwealth is based upon the broad principles that the individual can do what he wishes, provided he does not infringe the liberty of others. In this measure we have one of the greatest opportunities for people—in the driving of motor vehicles—to infringe, or to impinge upon, the liberty of others. In this Bill there is, at least, the germ of an idea which will prevent that sort of thing, and because of that the Bill has my support.

**MR. DAVIES** (Victoria Park) [5.42 p.m.]: I have noticed one thing since I have been in this House; that it is fatal for Ministers when introducing legislation to say it is straightforward and will not be contentious. The Minister said when he introduced the second reading the following:—

This is a straightforward Bill and it cannot be considered as contentious.

I do not know whether in saying that he meant it to be a kiss of death as far as the Bill was concerned.

I want to speak briefly in support of the measure, but not in its entirety. I find myself in agreement with the amendments that have been placed on the notice paper by the member for Balcatta, and most certainly with the amendment of the member for Subiaco. I am in accord with some of the sentiments expressed by the member for Balcatta, but I think the member for Stirling summed up the situation very well when he said that if a person paid for driving instructions he should be entitled to know he was getting competent instruction.

Although I do not support the measure as it stands, I do support the principle it contains. I cannot agree—and I do not think anyone will dispute this—that legislation makes good drivers. It certainly can go part of the way in helping to make good drivers, but by itself legislation is not sufficient to guarantee that every person who obtains a license will be an able and competent driver.

In introducing the measure the Minister could have given better reasons for this legislation, than to say he had received representations from the Royal Automobile Club and the Automobile Chamber of Commerce. No doubt, when he replies to the debate he will be able to substantiate further the reasons for the action he has taken.

As the member for Subiaco indicated, a great number of driving schools operate in Victoria Park, because there is a police traffic office in that suburb. In fact, one of the driving schools has established premises right alongside the traffic office; that makes it very convenient for the school to obtain the necessary appointments for driving licenses.

I have not heard many complaints about the driving instructors, but in thinking of those I have heard I recall one case in particular. A person seeking a driving license told me he took one lesson with a driving instructor, and made an appointment for the second lesson, but the instructor did not turn up. He could not find any address of that driving school, so subsequently he went to another driving instructor and with three or four lessons got his license.

I know one man who is a driving instructor, but I would hate to learn from him, because having driven with him on several occasions I think he is far from competent to instruct. Another complaint I received was from a lady who said that the instructor teaching her used to place his hand on her knee to indicate when she needed to change gears, using her knee as a gear stick. I do not know whether or not that is a good practice. Apparently it did not develop any further, so fortunately I did not have to take any further action.

**Mr. Graham:** What was the age of the instructor, and the age of the lady being instructed?

**Mr. DAVIES:** Perhaps it would be indiscreet for me to give the age of the lady concerned. Of course, if the legislation is passed and this sort of practice goes on there is provision for the withdrawal of an instructor's license. This legislation does set a standard, and that is something to be aimed at. With the passing of the Bill there will be some assurance that a person being instructed to drive will receive instructions from a competent teacher, and there are provisions in the Act to guarantee that.

Another important point, on which much has been made, is the freedom of an individual to instruct for no charge or reward. This freedom is protected in the Bill. I consider that such protection is highly desirable, because there are many cases in which a person feels he can quite adequately instruct another. In this regard we should bear in mind that in many situations and places driving instructors of licensed schools will not be available.

One of the most important aims of this legislation is to bring about a better type of driving instructor. The fact that licensed instructors have to be of good character, and have to obtain permission from the police to instruct, is some small assurance that a person of ill-repute will not be granted a license.

I have received complaints from various people in Victoria Park living in premises alongside of which are laneways. They have complained that these laneways have been used by driving instructors to teach their pupils to back the vehicle. When

protests were made to the drivers concerned those people were loudly abused; they were told by the drivers that the laneways were public roads, and therefore they had no reason to complain. Of course, that is a fact. I understand a laneway is regarded as a public highway, and is open for public use.

When the instructors start instructing in the summer time from 7.30 in the morning and the learner-driver backs up and down and revs up the engine outside bedroom windows, I think the people concerned have reason for complaint. It is not that it happens only on one morning; it happens morning after morning for seven days a week. Apart from the noise and nuisance, there is also damage to property. A person can come home and find his fence pickets and posts have been knocked off or knocked over. As the member for Subiaco explained, a neighbour might be able to say the damage was caused by such-and-such a driving school, but when that school is approached all knowledge of the damage is denied.

All driving schools are not the same. I had experience with one that was very good. Someone from that driving school came back and repaired a fence, and the people concerned did not even know the fence was damaged. Therefore, we cannot decry all of the driving schools; but in the main I do not think they act with the responsibility they should. Therefore there is every reason why this Bill should go forward so that the police will have some control over the driving schools and so that the public will have an assurance in regard to the people to whom they are paying money; and it is good money—I think something like 25s. per hour is paid for instruction. The public will be assured that the instructors have some qualifications and competence to instruct in driving.

As I said before, I support the amendments that appear on the notice paper, but I will not give any reasons for doing so at this stage as I will have an opportunity of discussing them when the Bill is in Committee. I support the measure with reservations.

**MR. J. HEGNEY** (Belmont) [5.52 p.m.]: I propose to support this measure because I think it contains a good deal of merit. I know from experience that these driving schools give most efficient instruction to the people who go to them for that purpose, not only in respect of driving, but also in respect of the regulations; what they can and cannot do in the city; the different road signs; and so on. On the whole they do a good job.

Up to date, most of the instructors in the driving schools have been persons of

good repute, but it is possible they may not all be in that category. Therefore I think the provision for the instructors to be persons of good character is a very sound one. If a person who is not of good repute can get into a driving school as an instructor, he can do a lot of harm. I would not like him to be teaching a daughter of mine. If, as has been suggested, he missed the clutch and put his hand on a girl's leg—that was something for laughter—it would be very serious indeed. Because people put their trust in these instructors, I think it is a good reason why these organisations, as such, should be registered.

It has been said that licensing will interfere with the freedom of the individual. If that were carried to its logical conclusion, the mere fact that we all have to have a driver's license is an interference with our freedom. We all know it is laid down in our laws that we must have a driver's license; and because of this the Commissioner of Police requires that we have a license. To that extent our freedom is restricted, and necessarily so.

The same thing should apply to those people who set up driving schools for the purpose of teaching people to drive. I had practically no driving instruction at all. A pal of mine took delivery of a car and he obtained commission out of the purchase because he introduced me as the prospective buyer.

**Mr. Oldfield:** Did he get the car back?

**Mr. J. HEGNEY:** The car was taken back to a place in West Midland. I remember this very well. He got into the car and told me what to do and impressed upon me where the brake was. That was my instruction—when to apply my foot on the brake. He instructed me for half-an-hour or so around West Midland. He wanted to go to the football semi-finals so he said, "I think you are all right; all you want is practice." This was the first time I had been in a motor vehicle and from then on I had to learn to drive myself and had to take every precaution. Fortunately for me, I was able to keep out of difficulty until I had driven for 3,000 miles, after which it was only a matter of getting used to my vehicle.

There is another reason why I think the instructors in the driving schools should be persons of good repute. There have been occasions when I have visited the traffic office to have taxi drivers' licenses restored because certain infringements had taken place, and I have put up a case on the basis that the chaps concerned were out of work, they had families to look after, and so on. However, I have been told on occasions that the person concerned was guilty of an assault. In the

case of taxi drivers, they have vehicles which are useful in connection with house-breaking activities and also sex offences. When these persons are given a license the police should be sure that they are trustworthy and are men of good character and repute. From the point of view of the community, I think it is important that that should be so. In regard to the registration of driving schools, I think it is important that the police should have some authority over them when any infringements or breaches take place. In most cases they would know where to trace the people concerned.

From that angle, I think the Bill has a lot to recommend it. There are some aspects that may not be all that is required, but the fact is that a similar measure is in operation in New South Wales and other States; and if it is good enough in New South Wales, where it is important that these persons should be subject to the authority of traffic police, I cannot see anything wrong so far as this State is concerned.

The member for Maylands made some criticism of country drivers and said that when they came into the city they did not have a clue as to where they were going and knew nothing about the requirements of driving in the city. I cannot agree with him in that respect, because I can speak from experience. When I went overseas I travelled in Europe. I had never been in Europe before so I went to the automobile clubs and obtained instructions with regard to the respective countries through which I wished to travel. I drove through Europe and through the Arc de Triomphe in Paris. In Paris there were hundreds of vehicles on the road; and I also drove through Belgium.

Mr. Oldfield: You could not understand the abuse because it was in French.

Mr. J. HEGNEY: The honourable member criticised my friend who sits behind me. However, if I, as a simple person from Western Australia, and one who had never been out of Australia, could do what I did in Europe, then I am certain the member for Warren and other country members would be quite competent to drive through the City of Perth. Therefore the honourable member's criticism in that respect was definitely unfounded. I do not intend to keep the Assembly any longer but will give the Minister an opportunity to reply so that we can go into Committee after tea!

MR. CRAIG (Toodyay—Minister for Police) [6 p.m.]: I thank the honourable member for his consideration and I will be just as considerate to the House. As time is rather restricted, I will express myself in a very few words and leave until the Committee stage any amplification which may be necessary.

It is rather refreshing to listen to such a debate as has ensued this afternoon, both in support of, and against, the Bill. I feel that those who expressed displeasure at some aspects of the legislation were, nevertheless, in support of the measure. Perhaps their support would be more readily forthcoming if the Bill went a bit further.

As the member for Warren said, there are certain inadequacies in it. He was implying, of course, that there were certain limitations, but they were unintentional. I will repeat what I said when introducing the second reading, and that is that there is no desire at all to infringe on the present arrangements existing in regard to anyone who wants to teach another person to drive, provided he does not accept a reward for so doing. This Bill refers only to those who accept a reward for teaching others to drive.

It might be of interest to members to learn that there were some 25,000 new licenses issued last year, and of that number approximately 14,000 were issued in the metropolitan area. Of that 14,000, approximately 60 per cent. went through driving schools. If my arithmetic is correct, that 60 per cent. represents 9,000. That means 9,000 people received instruction from driving schools.

Mr. Graham: Yes, but 16,000 did not.

Mr. CRAIG: Is it not the desire that those new drivers should have a sound basic training not only on how to drive, but also in road safety? That is what is behind the Bill.

Mr. Graham: But 16,000 have not been to a driving school.

Mr. CRAIG: If the honourable member does not mind, my time is very short. I am replying mostly to the member for Balclutha, because he voiced the main objection to the Bill.

Mr. Graham: I will listen in silence then.

Mr. CRAIG: He stated that I agreed to introduce this measure because representations were made to me by the National Safety Council and the Automobile Chamber of Commerce. These bodies did make representations to me, but I had the same idea myself before I was in receipt of those representations. The honourable member probably had the same idea when he was Minister, too.

I can assure the House no undesirable types will be granted a license to teach others to drive. That is another purpose of the legislation—to weed out some of the undesirables. I am referring to those who set themselves up without any capital outlay. Some of them even might have a bad traffic record and be offensive, but at the moment there is nothing to stop them teaching others for reward.



I do not mean to cast any reflection on the reputable driving schools. They do a wonderful job, and I feel that this measure will receive their support. There are many other matters to which I would like to refer, but time is against me.

Mr. J. Hegney: Move for an extension.

Mr. Graham: Save it till the Committee.

Mr. CRAIG: I will save all the other comments I have to make until the Committee stage.

Question put and passed.

Bill read a second time.

*In Committee*

The Chairman of Committees (Mr. I. W. Manning) in the Chair; Mr. Craig (Minister for Police) in charge of the Bill.

Clauses 1 and 2 put and passed.

*Progress*

Progress reported and leave given to sit again, on motion by Mr. O'Neil.

*House adjourned at 6.7 p.m.*

## Legislative Council

Tuesday, the 17th September, 1963

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## QUESTION ON NOTICE

### LEONORA-LAVERTON ROAD

#### *Bituminisation*

The Hon. D. P. DELLAR asked the Minister for Mines:

- (1) Is it the Government's intention to bituminise the road from Leonora to Laverton?
- (2) If the answer to No. (1) is "Yes", when will the work take place?

The Hon. A. F. GRIFFITH replied:

- (1) No. Recent reports from the Shire of Laverton indicate that the road is in excellent condition. Traffic on the road is very light.
- (2) Answered by No. (1).

## REGULATIONS

### *Precedence of Motions for Disallowance*

THE HON. F. J. S. WISE (North—Leader of the Opposition) [4.35 p.m.]: Mr. President, I seek a ruling. Standing Orders Nos. 63, 64, and 65 govern the management of the notice paper in this House. Standing Order No. 63, quite properly, gives authority to the Minister to arrange the notice paper. Standing Order No. 64 provides for the postponement of any Order of the Day until some subsequent day, but, if a member so moves, there shall be no debate allowed on the motion. Standing Order No. 65 deals with a motion connected with the conduct of the business of the House, which can be moved by a Minister at any time without notice.

Standing Order No. 104 deals with a specific matter affecting items on the notice paper. It deals with the precedence of a motion for the disallowance of a regulation. The wording is definite. It states—

A motion for the disallowance of a regulation shall take precedence—

The question on which I desire your ruling is this: Have the motions for adjournment of debates on motions for the disallowance of regulations so far this session been in order; and, should the motions dealing with the disallowance of regulations take precedence of Government and private business on all days until disposed of?

The PRESIDENT (The Hon. L. C. Diver): I can inform the honourable member that I will give a ruling on the next day of sitting.

The Hon. F. J. S. WISE: Thank you, Mr. President.

## OCCUPATIONAL THERAPISTS ACT AMENDMENT BILL

### *Second Reading*

Debate resumed, from the 12th September, on the following motion by The Hon. A. F. Griffith (Minister for Mines):—

That the Bill be now read a second time.

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