

Legislative Assembly

Wednesday, 27th November, 1957.

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CHAIRMAN OF COMMITTEES.

Resignation of Mr. Moir and Appointment of Mr. Sewell.

The SPEAKER: I desire to announce that I have received the following letter from Mr. Moir, Chairman of Committees:—

I desire to tender to the House my resignation as Chairman of Committees of the Legislative Assembly.

In doing so, I desire to thank you, Mr. Speaker, the members of the House and its officers for the assistance and co-operation extended to me since I assumed this office.

The MINISTER FOR WORKS: I move—

That the member for Geraldton, Mr. Sewell, be Chairman of Committees of this House.

Mr. COURT: I second the motion.

Question put and passed.

QUESTIONS.

GOVERNMENT TRAMWAYS AND FERRIES SERVICES.

Appointment of J. H. Napier and Financial Results.

Mr. JOHNSON asked the Minister representing the Minister for Railways:

(1) Since when has J. H. Napier occupied the position of General Manager, Tramways and Ferries?

(2) What have been the financial results for each year during that period—

(a) surplus;
(b) deficit?

(3) What were the financial results for each of the preceding five years—

(a) surplus;
(b) deficit?

(4) On what date will this officer's services terminate?

The MINISTER FOR TRANSPORT replied:

(1) The 22nd April, 1949.

(2) To the 30th June—

	(a) Surplus earnings over working expenses. £	(b) Excess of working expenses over earnings. £
1949	...	83,700
1950	...	82,808
1951	11,335	...
1952	26,514	...
1953	40,241	...
1954	3,574	...
1955	...	32,070
1956	...	118,826
1957	...	109,100

(3)

	(a) Surplus earnings over working expenses. £	(b) Excess of working expenses over earnings. £
1944	84,803	...
1945	80,410	...
1946	61,649	...
1947	4,786	...
1948	...	85,973

(4) The 4th January, 1958.

The SPEAKER took the Chair at 2.30 p.m., and read prayers.

NARROWS BRIDGE.

(a) Expenditure of Licence Fees and Main Roads Funds on Approaches.

Hon. D. BRAND asked the Minister for Works:

(1) How much of the revenue derived from increased motor-vehicle licence fees has been spent to date on the construction of the approach features for the Narrows bridge?

(2) How much of the funds available to the Main Roads Department, apart from actual bridge construction, has been spent to date on this work?

(3) What are the other sources, if any, and what are the amounts spent to date on this work?

(4) What is the estimated total cost for the provision of such approaches?

The MINISTER replied:

(1) Under the amendment to the Traffic Act (January, 1957) provision was made to set aside, for approach roads, one-half of any additional fees available for distribution to local authorities. To date £25,000 has been received, but none of this money has been expended.

(2) Expenditure (apart from actual bridge construction) to the 31st October, 1957, amounted to £516,600.

(3) Petrol funds received under the Commonwealth Aid Roads Act. Expenditure to date, £516,600.

(4) So far as planning has proceeded to date, the estimated total cost is £1,650,000.

(b) *Link Road, Resumptions, etc.*

Mr. COURT asked the Minister for Works:

(1) (a) Has further progress been made on surveying and planning the link road to the north from the Narrows bridge?

(b) If so, what stage has been reached, and on what parts of the project has finality been reached, and, in particular, has a decision been made on open cutting or tunnelling, and the fate of the Barracks?

(2) (a) Are the areas which are to be resumed or acquired, determined, and have any owners been advised?

(b) Have any owners approached the Government for resumption or acquisition, and with what result?

(3) Can the construction work of the project be undertaken in stages; and, if so, what are the stages?

(4) When will a start be made on the construction of the project, and what is the overall completion target date or completion targets by stages?

(5) (a) Has a cost estimate been made?

(b) If so, what is the estimate, and from what source is finance proposed?

The MINISTER replied:

(1) (a) Yes.

(b) A preliminary plan has been prepared. The alignment in the area adjacent to the Barracks is being examined in conjunction with the plans for the proposed extensions to Parliament House.

A decision has not yet been made in respect of open cut or tunnelling or the fate of the Barracks.

It cannot be said that any part of the project has yet reached finality.

(2) (a) Many of the areas which are to be resumed or acquired are approximately determined on the preliminary plan. However, until plans are further advanced, notices of intention to resume cannot be sent to owners. Owners should be aware of the general intention from the interim development order.

(b) Yes. Two owners affected by the interim development order have approached the Government and their properties in George-st. have been purchased.

(3) Yes. In two major stages broadly lying north and south of Murray-st. Within the section north of Murray-st. there will be minor stages from time to time depending on other development.

(4) A programme for the project has not yet been made. It will depend on analysis of the origin and destination survey information and on assessments of traffic growth. This work is in hand in the Main Roads Department.

(5) (a) No.

(b) Answered by No. (5) (a).

STATE ELECTRICITY COMMISSION.

Stocks of Coal.

Hon. D. BRAND asked the Minister for Works:

(1) What stocks of coal are held by the State Electricity Commission at the present time at—

East Perth,
South Fremantle,
Bunbury,
Collie?

(2) What is the daily consumption rate of coal of the power stations at each of the above centres?

The MINISTER replied:

(1) Stocks at 8 a.m. the 27th November, 1957:

	Tons.
East Perth	15,463
South Fremantle	34,690
Bunbury	1,900
Collie	3,500

(2) The average daily consumption at present is:

	Tons.
East Perth	387
South Fremantle	472
Bunbury	274
Collie	170

RAILWAY DEPARTMENT.

(a) Stocks of Coal.

Hon. D. BRAND asked the Minister representing the Minister for Railways:

(1) What stocks of coal are held at present by the Railway Department:—

- (i) In underwater storage,
- (ii) In trucks,
- (iii) At Collie,
- (iv) At other centres, and what are the centres?

(2) What is the daily consumption rate of coal by the Railway Department?

The MINISTER FOR TRANSPORT replied:

(1) The position this morning, the 27th November, was—

- (i) 15,873 tons of Collie coal.
- (ii) 370 tons of Collie coal and 724 tons of imported coal in transit in trucks.
- (iii) 120 tons of Collie coal.

	Imported	Collie	Total on Hand.
Fremantle .....	.....	367	367
East Perth	318	156	974
Midland Junction	2,674	525	3,199
Norham	120	441	561
Merredin	1,342	276	1,618
Southern Cross .....	.....	72	72
Kalgoorlie and Districts	9	.....	9
Toodyay	60	.....	60
Wyalkatchem .....	.....	25	25
Lake Grace	18	.....	18
Pinjarra .....	.....	26	26
Brunswick Junction	28	150	178
Bunbury	770	354	1,124
Busseton	14	35	49
Boypup Brook	13	.....	13
Bridgetown .....	.....	140	140
York	720	180	900
Brookton .....	.....	.....	N/A
Narrogin	1,389	81	1,470
Wagin	630	23	658
Katanning	1,010	190	1,200
Albany	350	140	490
	9,965	3,186	13,151

(2) The averages of daily consumption on a six-day week for the past three weeks are—

	Tons.
Collie	747
Imported	44

(b) Appointments to Commission.

Mr. COURT asked the Minister representing the Minister for Railways:

- (1) (a) Has a decision been made on calling applications for a new railway commissioner?
- (b) If so, what procedure is proposed?
- (c) If not, when is a decision anticipated?

(2) (a) Is a deputy commissioner appointment proposed?

(b) What procedure is proposed in calling applications?

(c) Is a potential appointee under consideration, and when is finality likely?

(3) How, and by whom, is the commission being administered at present?

The MINISTER FOR TRANSPORT replied:

(1) (a), (b) and (c). The office of Commissioner of Railways is not vacant.

(2) (a), (b) and (c). The Government Railways Act provides for the appointment of a person to act as deputy during the absence of the commissioner. At present a deputy commissioner is not required.

(3) Mr. Arthur George Hall, M.B.E., C.I.E., B.Sc., M. Inst., C.E., M. Inst., T., Commissioner of Railways, W.A., since 1949.

(c) Completion of Commissioner's Term.

Mr. COURT (without notice) asked the Minister representing the Minister for Railways:

Do the answers to my question mean that it is proposed by the Government that Mr. Hall will complete his full term of office?

The MINISTER FOR TRANSPORT replied:

No decision on the matter has yet been made by the Government.

EAST BELMONT FLATS.

Types of Buildings.

Mr. JAMIESON asked the Minister for Housing:

(1) How many duplex buildings are in the East Belmont group of flats?

(2) How many quadruplex buildings are in this group?

The MINISTER replied:

(1) 54 = 108 flats.

(2) 31 = 124 flats.

WATER SUPPLIES.

Pressure in Mosman Park District.

Mr. ROSS HUTCHINSON asked the Minister for Water Supplies:

As the water pressure in some parts of the Mosman Park district is occasioning concern and dissatisfaction to residents, will he have the situation closely examined with a view to improving the capacity of the booster pump in Wellington-st., and the storage tank in Hagan-st.?

The MINISTER replied:

Investigations will be made.

EDUCATION.

*(a) Dressing Facilities for Students,
Kent-st. High School.*

Mr. ANDREW asked the Minister for Education:

Is he aware—

- (a) that at Kent-st. High School, there are no dressing facilities for pupils to change for sporting activities;
- (b) that the makeshift used at present is an open shed facing the street;
- (c) that girls who have to use the tennis courts at McCallum Park (there are no courts at the school) are forced to change behind the hedges which surround the courts?
- (d) Will he investigate this matter with a view to having adequate dressing-rooms provided as soon as possible?

The MINISTER replied:

- (a) Yes.
- (b) No. It is understood that the cloak-room was being used.
- (c) No.
- (d) Yes, but at this stage it is quite impracticable to provide dressing-rooms until the classroom needs of the schools have been met.

*(b) One Headmaster for Claremont and
Hollywood High Schools.*

Mr. COURT asked the Minister for Education:

- (1) Why is it proposed to have the same headmaster for Claremont and Hollywood High Schools in 1958?
- (2) Does this mean that the two establishments will be conducted as one school or as two separate schools?

The MINISTER replied:

- (1) The new school will replace the old Claremont High School but in 1958, as only one portion of the new school will be completed, some of the students will be accommodated in the old school.
- (2) The high school for the district will be conducted as one school on two sites. The primary section of the old school is to be separated from the post-primary and will be under a primary headmaster.

TRAFFIC.

*(a) St. George's Terrace-Milligan-st.
Intersection.*

Mr. COURT asked the Minister for Transport:

What is the result of the examination of the traffic problem and proposals, following the markings at the St. George's Terrace-Milligan-st. intersection, and referred to in his answer to my question on the 27th August last?

The MINISTER replied:

Assessment of future traffic flows at the intersection of St. George's Terrace and Milligan-st. is not yet completed. It is part of the analysis necessary in connection with the origin and destination survey. When this information is available, the design for intersection improvement will be reviewed by the Main Roads Department in conjunction with the Perth City Council.

(b) Survey, Routes, etc.

Mr. COURT asked the Minister for Works:

(1) Has the traffic origin and destination survey conducted last May produced information on the traffic volume expected to come to the City of Perth in the peak morning period, and leave in the peak evening period after the Narrows bridge is completed—

- (a) via the Narrows bridge;
- (b) via the Causeway;
- (c) round the river to and from Crawley area?

(2) If so, what are the figures?

(3) Will Spring and Mill-sts. both continue to be available to general two-way traffic?

(4) What will be the route by which vehicles covered by No. 1 (a), (b) and (c) will enter St. George's Terrace?

(5) What will be the method of entry to Spring-st. from the bridge approach area?

(6) Is it proposed to retain and maintain the existing Mounts Bay-rd. in the vicinity of the Malt House as a service road, and will such road be generally available and used by traffic from the Crawley area, or confined to servicing residences and other buildings in the immediate vicinity of this road?

(7) If Mill-st. is the main point of entry and exit to and from St. George's Terrace for traffic to and from the bridge approach area, is congestion expected at the Mill-st.-St. George's Terrace intersection at peak periods? If so, what methods are proposed to overcome it?

The MINISTER replied:

(1) The information from the origin and destination survey has not yet been fully analysed, and the information required is not available.

(2) Answered by No. (1).

(3) Yes.

(4) Vehicles covered by—

- 1 (a) Via Spring-st., Mill-st., William-st., Barrack-st. and other suitable streets in the existing street system.

- 1 (b) By any of the existing street systems normally used to proceed from the Causeway to St. George's Terrace.

- 1 (c) As for 1 (a).

(5) Entry to Spring-st. is proposed by an access point from the proposed new bridge approach system into the existing Mounts Bay-rd. west of Spring-st.

(6) The existing Mounts Bay-rd. in the vicinity of the Malt House will be retained as a two-way service road and may be entered and left at three access points connecting it to the new bridge approach system and to Spring-st. It will be generally available for any traffic that wishes to use it through these entry points. Traffic from the Crawley area will have ready access to it by the most westerly of the entry points.

(7) As indicated in the reply to question No. (4), Mill-st. will be only one of many possible points of entry and exit to and from St. George's Terrace. One aim of the origin and destination survey is to assess future traffic flows likely to be generated from the new bridge at the Narrows and to relate these to the capacities of the existing streets and intersections. As indicated in the reply to question No. (1), the survey information is not fully analysed, and consequently designs cannot yet be completed for improvement of the Mill-st.-St. George's Terrace intersection, if required. The investigation is being actively pursued.

SCAEVOLA SPINESCENS.

(a) Medical Value of Extracts.

Mr. MARSHALL asked the Minister for Health:

(1) What progress has been made with the experiments and use of the extract from the native plant *scaevola spinescens*?

(2) Has any report been submitted regarding the chemical analysis, the method of extraction and the properties contained therein?

(3) Will he table the report and files in connection with this matter from the Chemical Laboratories and Medical Department?

The MINISTER replied:

(1) and (2) Extracts are being used for the treatment of two patients. It is as yet much too early to assess the results of treatment or to submit any report.

(3) There is no report at present and nothing relevant on Health Department files. If the hon. member requires further information, he should discuss the matter with the Commissioner of Public Health.

(b) Availability of Chemical Laboratories Report.

Mr. MARSHALL (without notice) asked the Minister for Health:

Following on my question today regarding the research in connection with the plant *scaevola spinescens* and the Minister's reply thereto, I would point out

that this matter concerns both the Chemical Laboratories and the Medical Department and I know there is a report available at the Chemical Laboratories. Will the Minister make that report available?

The MINISTER replied:

If there is a report available at the laboratories, I will be only too happy to make it available to the hon. member.

LOCAL GOVERNMENT BILL

Cost of Printing, etc.

Mr. HALL asked the Minister representing the Minister for Local Government:

What was the actual cost to the Government for the printing and reprinting of the Local Government Bills as submitted last session of Parliament and resubmitted this session but failed to pass?

The MINISTER FOR HEALTH replied:

Up to January, 1956, the cost of printing the original Bill—£1,770.

As amended, 1956 session—£451 10s.

As amended, 1957 session—£222 6s. 3d.

MIDLAND LIGHT LAND.

Negotiations for Development.

The MINISTER FOR LANDS: Yesterday the Leader of the Opposition asked the following question without notice:—

Will he make a statement to the House on the outcome of any negotiations for large-scale development by private interests of the light land areas west of the Midland line?

I am now in a position to furnish the reply, which is as follows:—

An inquiry has been received from the Australian Agricultural Co. of Newcastle, New South Wales, for an area of approximately 100,000 acres of vacant Crown land, between the Eneabba war service land settlement project and the Dongara-Mingenew line, to be made available for development at the rate of 10,000 acres per annum over a period of 10 years.

Classification reports are now being studied with a view to determining terms and conditions under which this land might be made available for selection.

An inquiry has also been received from the managing director, Mount Olive Verdalian Plantations Pty Ltd., of East Melbourne, Victoria, for an area of at least 30,000 acres, south of Hill River in the Dandaragan district, to be made available for the establishment of an olive industry in this State.

A specific area, which could be made available, has not yet been determined but this matter is now under

consideration together with the drafting of conditions to form the basis of further discussions with the company.

ESPERANCE PROJECT.

Withdrawal of Chase Syndicate.

Hon. D. BRAND (without notice) asked the Minister for Agriculture:

Following on the question yesterday with reference to the Chase syndicate, is the Minister absolutely satisfied that there is no substance in the rumour that there is a possibility of the syndicate withdrawing from its interests at Esperance, or from any of its other interests in Western Australia.

The MINISTER replied:

The only information I have was in this morning's issue of "The West Australian." Dr. Moule, on behalf of the company, has completely denied any such suggestion. I wrote to the company about a week ago, asking for a clear statement of intentions, but so far I have had no reply.

BILLS (2)—FIRST READING.

- 1, Child Welfare Act Amendment Bill (No. 1).
- 2, Child Welfare Act Amendment Bill (No. 2).

Introduced by the Minister for Works (for the Minister for Child Welfare) and read a first time.

BILL—TOWN PLANNING AND DEVELOPMENT (METROPOLITAN REGION).

Read a third time and transmitted to the Council.

BILL—NATIVES STATUS AS CITIZENS.

Second Reading.

Debate resumed from the 20th November.

MR. W. A. MANNING (Narrogin) [2.54]: First of all, I wish to state that I regret very much that the Minister chose to include in his introductory speech some reference to a supposed incident in the parliamentary dining-room, because I believe that such unfounded statements are likely to do more harm to the natives than anything else I can think of. I am sure that members of this House did not take the action of which they were accused and which accusation was later confined to members of the Opposition. That means that we, on this side of the House, are at present under a cloud and I think it would be only just for the Minister to remove that cloud, because we know it is totally unjustified.

The Minister referred to this Bill as one of the most important and far reaching pieces of legislation, from the native welfare point of view, that has even been brought before the House. I suggest that

if that is true, he has not shown much courtesy to this Chamber in bringing the Bill down within a few days of the end of the session. If, from a native welfare point of view, this is the most important measure ever introduced, it surely demands a great deal of study and I do not think the Minister has given it the consideration it deserves.

I would point out that this measure must be unique, as it seeks to amend 11 Acts—the Native Welfare Act, the Constitution Acts Amendment Act, the Criminal Code, the Dog Act, the Electoral Act, the Evidence Act, the Fauna Protection Act, the Firearms and Guns Act, the Lands Act, the Licensing Act and the Mining Act. In this one Bill we have amendments to those 11 Acts and the measure also seeks to repeal the Natives (Citizenship Rights) Act and provide another piece of legislation in its stead. That is a total of 13 Acts and, if one were superstitious, that might be significant.

The Minister states that this is an important measure, but how can it be so when it does not accomplish what it purports to do? I will state right now that I oppose the Bill, because it would do a disservice to the natives whom it is supposed to help, and I can prove that that would be the case. The Minister has stated that the whole purpose of the Bill is to give the natives both freedom and equality with ourselves, but I suggest he knows full well it would not do that. How can all that equality and freedom be given by legal action? I suggest it is impossible and when we look at the natives, we realise that they are at present shackled by their own habits and conditions, and that something must be done about that aspect.

I will quote the Minister's own words to confirm what I have said, because I say he knows the Bill will not do what he claims it will. The Minister said—

The natives themselves will, of course, have a duty to fulfil and a standard to live up to in order to become fully accepted in our community. It will be up to each of us as individuals to assist in every way.

Members will notice from that, that first of all the natives must do something and that subsequently we have to do something. If that is the case—as it certainly is—and if that something has yet to be done, one must ask why it has not already been done and I can tell the House why. It is because there is no plan of native aid; no plan that will lift the natives from their present condition into something better.

The natives do not want financial aid. Many of them are able to work and earn sufficient for themselves, but what they do need are moral, spiritual and physical care and instruction. But what does the Minister give us? He says the Government will continue—notice the word "continue"—to assist the natives as it now does, with

the limits of its financial resources, in such matters as food, clothing, medical attention and education.

So the Government is just going to continue as it is at present. Does that indicate that there will be any change? Of course not, and the Minister knows full well that there will be no change in the condition of the natives if the Bill becomes law. I have quoted the Minister's words and I will demonstrate what I have said by the Minister's own actions with regard to this Bill. I suggest that the fact that the Bill does not alter vitally the position of the natives is proved by the measure itself.

First of all, the Bill preserves the Native Welfare Department, thereby recognising the peculiar needs of the natives. Not only that, but it also divides our natives into two classes, and so their position is getting worse instead of better. If the Bill becomes law we will have natives and protected natives; two classes instead of one as at present. Is that advancement? Members know there is no advancement in a state of affairs such as that.

The Minister for Transport: We have three classes at the moment.

Mr. W. A. MANNING: They are not classified in the Act.

The Minister for Transport: Yes, they are.

Mr. W. A. MANNING: I will tell the Minister what they are in a moment. Certain rights are given under the Land Act. Under it the Governor may grant or lease any area of Crown land if of the opinion that any native, or protected native, is at any disadvantage with respect to an application for land under the provisions of the Act. So natives can be granted something more than any other person can get. Also, under the Fauna Protection Act, a native may take fauna, notwithstanding any other provisions of the Act, upon Crown land or any other and not being a sanctuary, but where occupied, with the consent of the occupier of that land, sufficient only for food for himself and his family, but not for sale.

I am not objecting to those various concessions, but the fact is that if those provisions are still retained, it proves that these natives are still the same people who, although in desperate plight, would be covered by the Bill. So the legislation does nothing whatever to change the position of natives; and that is what we have to do—change the natives.

Mr. Potter: What about changing ourselves?

Mr. W. A. MANNING: I contend that the greatest condemnation of the Bill can be found in the fact that what it gives with the one hand it takes away with the other. It is like offering a piece of

cake to someone and, as they go to take it, pulling it away again. Let me quote Clause 9. It reads—

On and after the coming into operation of the Native Status As Citizens Act, 1957, a native has the same rights, privileges, and immunities, and is subject to the same duties and liabilities as a natural-born subject of Her Majesty . . .

Those words confer citizenship on the natives. What a great gift! But I have not finished the clause yet. It goes on—

. . . except if and while he is a declared native.

So with those words he is out again. He is in, according to the first part, but as soon as he gets in, he is taken out again. He is going to be called a protected native. By whom? The commissioner, any protector or the native himself before a stipendiary magistrate.

According to the Bill a magistrate must be satisfied that it will be in the best interests of the native that he should not have the same responsibility of exercising the rights and discharging the obligations of citizenship as that of a natural-born subject of Her Majesty. How many would this affect? I will tell members later on when I quote some of the Minister's words.

I wonder how members would feel if they received an invitation to some function and then, when they arrived the host said, "I am sorry; this party is a bit select for you and we would sooner you stayed away and the invitation is cancelled." That is what will happen to the natives under this Bill. We invite them in by giving them citizenship rights, and then we turn them out again. Can members imagine anything more horrifying or more horrible for the natives than that?

The Minister for Native Welfare: Will you support the Bill if we cut that part out?

Mr. W. A. MANNING: I will tell the Minister what I support as I go on. I have a plan for him. This is not a negative speech, and I will give him plenty of positive suggestions. I know that it is easy to come here, or to any place, and give the catch-cry of "citizenship," and to talk about birthright and the rest of it. It is very easy to theorise, and there are many people in the State today who are theorising on this subject, because it is easy to do so. But they are people who do not know natives; if they knew them, they would not speak in that way.

For my part, I suggest that it is better for us to wait until the native can come in on equal terms rather than to give him something and, immediately we do so, deprive him of it again. During his speech the Minister said practically nothing about the operations and effects of the Bill. Most of his speech was

related to the position in other States; but the position there is not nearly as clear as the Minister would have us believe. I will quote two instances in regard to the Northern Territory and South Australia. The right to vote which is given to natives in the Northern Territory means very little because they have no State Parliament. And how a person who is a ward and unable to look after himself is able to vote intelligently on any subject, is beyond my comprehension. I should certainly be glad to know the answer to it. In the Northern Territory there are wards.

Mr. Andrew: There are plenty of other people who cannot look after their own affairs but they are given a vote.

Mr. W. A. MANNING: That is so. But I suggest the hon. member would be doing something worth while if he could make a suggestion as to how the position can be overcome. These natives in the Northern Territory can be declared wards; they are given rights and immediately can be declared wards, which is the same thing as our protected natives. Once again we give it to them and take it away. Whites, as well as natives, can be declared wards and the Child Welfare Act covers all people whether they are black, white or any other colour.

Referring to the number of wards in the Northern Territory the Minister had this to say—

This has the effect of bringing a large number of natives under the Welfare Ordinance.

We cannot accept the proposition that the number of protected natives will be negligible because, as the Minister said, the number of wards in the Northern Territory is large. What difference does this make? Some of the natives in the Northern Territory are living in homes like those of our natives who have citizenship rights.

I went to a camp about five miles from Alice Springs—at the bungalow where the original Alice Springs are located. There I saw natives living under exactly the same conditions—and some of their conditions were even worse—as our natives in their miserable huts. Had I not known the name of the place I would have thought that I was in one of the southern parts of this State, because I saw exactly the same conditions. I saw a native sitting outside his little tin hut playing his didgeridoo.

So in the Northern Territory, where conditions under a benevolent Federal Government are supposed to be so good, there are many natives who come under the designation of wards, and as such, they lose all their rights. If that can happen under conditions such as they have in the Northern Territory, it proves that there is no advantage in having a Bill such as

this. A bit of legislation like this does not make a scrap of difference to the natives themselves.

As regards South Australia, the position is not at all as the Minister stated. He said that the natives in South Australia have the right to vote. The following is an extract from the report by the South Australian Aborigines Protection Board dated the 30th June, 1956. The extract appears under the heading of "Citizenship" as follows:—

Any aborigines in any community can enjoy the usual privileges of citizenship, with the exception of partaking of intoxicants, simply by living decent, useful lives.

I would like members to note that. The natives can enjoy everything with the exception of partaking of intoxicants simply by living decent, useful lives. Continuing—

There are many such natives, most of whom have no desire to be exempted, as they realise there is so little to gain in the granting of a declaration of exemption in their favour. Where aborigines are exempted, whether limited or unconditional, they enjoy all the rights and privileges of a citizen of the State.

Any aboriginal or part-aboriginal whether exempted or not, with a fixed address, enjoys exactly the same electoral privileges as white people.

Note that they are the qualifications for a voter. In that State there is an extremely definite qualification in regard to the right to vote. In that quotation it will be noticed also that there is mention of "exempted natives" whether limited or unconditional. These are the only ones who enjoy full rights and privileges and that is because they are exempted from the provisions of the Aborigines Act. To obtain an exemption a native has to qualify as a citizen and an exemption is granted only under certain conditions.

I now quote from the same report by the South Australian Aborigines Protection Board an extract as follows:—

Exemptions from the Provisions of the Aborigines Act.

The Board again considered a large number of applicants for exemption from the provisions of the Act. There is little doubt that many applications are made for the sole purpose of permitting the native to obtain intoxicating liquor and few natives appear to make application for the purpose of improving their status in the community. However, after investigation the Board has given every application full consideration and where the applicant has the required character and standard of intelligence and development, exemptions have been

granted. During the year, 19 adults and 13 children were granted Declarations of Exemption and 40 natives were granted Unconditional Declarations of Exemption, most of the latter having completed from two to three years probationary period. The Board rejected or deferred 24 applications, mainly on the grounds that the natives concerned had not the required character, were living in the poorest of conditions and had not attained the standard of development where the applicant could be absorbed into the white community.

Unfortunately it was found necessary to revoke the Limited Declarations of Exemption in 16 cases, some of these at the request of the natives concerned.

Many exempted persons who reach old age or are widowed, naturally desire to return to their families and old friends on Reserves. Where an aboriginal marries an exempted person, they too are inclined to gravitate to the nearest Reserve. The Aborigines Act, 1934-39, provides that Unconditional Exemptions cannot be revoked but the Board is of the opinion that an exemption should be revocable particularly in such cases as above-mentioned or where it is proved beyond doubt that the granting of the exemption has had harmful effects on the native concerned or his family.

It will be seen that all rights and privileges granted to natives in South Australia are conditional, and when an exemption is granted it is a conditional exemption. Before it is confirmed, the native has to serve a period of probation. That rather improved the Minister's statement.

I would now like to draw the attention of the House to some points which were included in the recommendations from a sub-committee which was constituted by the Country Party to investigate native affairs. The committee made the following recommendations:—

That the State be divided into areas with separate commissioners to form a Native Welfare Board with power to co-opt suitable natives for advisory purposes.

Members will notice that the committee recommended that there be separate commissioners to deal with separate areas of State with power to co-opt natives for advisory purposes so that natives can be helped to help with their own purposes. Continuing—

Full citizenship rights to every native whose industry and living standards justify the acceptance of such responsibilities.

Every effort to be made to provide scope and opportunity for a native to be educated, housed and suitably employed with a view to their ultimate assimilation into the community of the State.

Government aid in the training of natives in trades, handicrafts and agricultural and pastoral pursuits, particularly in the South West Land Division, in places established for the purpose.

Those recommendations were made following a very full inquiry into the needs of natives.

The Minister for Native Welfare: In what year were those recommendations made?

Hon. A. F. Watts: In 1955.

Mr. W. A. MANNING: That is correct.

The Minister for Native Welfare: Natives have been here since 1855.

Mr. W. A. MANNING: Nothing much has been done for them. This Bill will do nothing whatsoever. If the proposals outlined for the natives have done nothing before the Bill is presented, how can the legislation achieve anything after it becomes law?

Mr. Potter: It is a good idea; it will help the natives to help themselves.

Mr. W. A. MANNING: The member for Subiaco can go out and visit the native camps and see the conditions for himself instead of theorising from Subiaco. That is the whole trouble with this problem. There are too many people who are theorising from a distance. The present situation is that there is on the statute book a Natives (Citizenship Rights) Act which is to be repealed by this Bill, and under that Act any adult person who is a native within the meaning of the Native Administration Act, now known as the Native Welfare Act, may make application for a certificate of citizenship to a board consisting of a magistrate and one other person nominated by the Minister. He is granted that certificate under certain prescribed conditions.

I do not think that this Act is the best piece of legislation that can be obtained, because I believe it is a little too legal. It does not provide any definite standards by which the native can measure his ability in order to gain his rights. It serves a good purpose in many ways, but it could easily be made into something better. Then there is what is called an exemption certificate which is granted under the Native Welfare Act by the Minister "to any person who, in his opinion, ought not to be subject to that Act." I do not know how the Minister gets his opinion; I do not think much inquiry is made into it. There are no conditions whatsoever. That represents the opposite extreme under the Natives (Citizenship Rights) Act. That is

too easy. The certificate does not mean very much when a native receives it. It gives him a certificate which enables him to buy liquor.

The Minister for Education: Does it give him any right to obtain social service benefits from the Commonwealth?

Mr. W. A. MANNING: Not so far as I know.

The Minister for Education: You want to make some inquiries.

Mr. W. A. MANNING: It is not improving the lot of the native, anyway. I suggest that we should get away from both these pieces of legislation to something which would represent a more progressive programme. I have suggested that it is time we got down to tin-tacks and found out something concerning the conditions of natives. I am going to make some suggestions.

By way of showing that I am not submitting these proposals as a result of reading any books or from any theories I have formed, I wish to state that I have had a good deal to do with natives in various ways. I have presided over native council meetings with native members; I have visited them in their huts or houses; they have approached me for advice; I have employed them and worked with them constructing amenities on their reserves; I have administered justice to them when the occasion demanded and I have had them in my own home. It is time we dealt with natives through actual experience of getting to know what they are and what they need.

I make these statements based on a sincere desire to help the natives and my suggestions are based on sincerity. I have confidence in the native and his ability to rise above his present conditions provided he is given the right to do this and provided he is given a certain amount of encouragement.

The Minister for Transport: Platitudes!

Mr. W. A. MANNING: I am certain that we cannot compel the natives to strive to improve his standard of living, but we must induce him to do so. They are no platitudes, either. I would like the Minister to go down and experience some of these things.

The Minister for Transport: I have lived next to a native settlement.

Mr. W. A. MANNING: That was a long time ago. I suggest that our objective should be progressive improvement and a plan which involves the injecting of some inflation of hope into the natives rather than let them continue in their present state of deflated despair.

If we give them the privilege quickly to acquire citizenship rights, they will soon be deflated, when they discover they are one of the protected natives provided for in the Bill. Such must be the fate of

every native concerning whom a magistrate decides that it would be better for him if he had no responsibility and was not given the opportunity to discharge his rights of citizenship as any other native born subject. By doing what is proposed in the Bill, we are giving the native citizenship rights and insulting them by taking those rights away again.

We need a new plan for progressive citizenship and I suggest we start with the children. Under Section 5 of the Native (Citizenship Rights) Act, the parents of children granted citizenship can be included on the certificate, and at present there are 362 children in this category. I would point out that in this State there are 3,687 native children other than full bloods, while there are 2,128 full bloods. I suggest it would be possible to give right to all the children who attend or are attending school, so that on their attaining the age of 21 they would automatically become citizens, just as would any other child in this State.

If we start from that point we will find that in a very few years we will eliminate many of the difficulties, and I am sure that it would be an inducement to the natives which would be of considerable help and encouragement to them to improve themselves. I am certain all that could be done without any violent changes which might bring so many difficulties in their train.

It is interesting to note that there are more children than adults among those who are not of full blood. It may surprise members to know that there are 3,27 adults and 3,687 children. I suggest that by planning for the children now we will improve their lot and, as they grow, that they can be received into the community providing they have attended school. We are tackling the problem from the wrong end under this Bill. If it were tackled from the angle I suggest, I am certain it would be more than solved in a few years time.

The Minister for Native Welfare: It will be fully solved if you give it to their parents as well.

Mr. W. A. MANNING: The Minister might think so.

The Minister for Lands: What have you against it?

Mr. W. A. MANNING: What about the adults? There are 6,408 full bloods and 3,276 other bloods, and their condition are very varied.

Mr. Potter: Where is this?

Mr. W. A. MANNING: In Western Australia.

Mr. Potter: From where did you get those figures?

Mr. W. A. MANNING: From the latest report issued by the Native Welfare Department, and the figures can be checked if the hon. member wishes. What was

want for the adults are various prescribed means for definitely securing full rights for them when they have complied with certain conditions. They must comply with something definite; it must be something different from the Natives (Citizenship Rights) Act, something which can be held out to them as a reward if they accomplish a certain goal. South Australia and the Northern Territory require some qualification in this respect.

The Minister for Transport: White people do not have to do that.

Mr. W. A. MANNING: But white people have to attend school; that is compulsory.

The Minister for Transport: The greatest no-hoper and the biggest metho drinker in the country is given citizenship rights, and you want to keep it away from these people.

Mr. W. A. MANNING: If the Minister for Transport wishes to bring in legislation to control the people about whom he speaks, he will probably receive some support from this side of the House. We must have something definite in this regard, whereas at present the Minister is only attempting to draw a red herring across the trail.

The Minister for Transport: You discriminate against the blacks but not against the whites.

Mr. W. A. MANNING: I notice from the provisions of the South Australian legislation that all natives are under the provisions of the Aborigines Act until exempted, firstly, by a declaration of exemption, and secondly, by an unconditional declaration of exemption; and in order to secure unconditional exemption there is a probationary period of two or three years.

Anybody who knows the native well realises that he is not easily induced to do anything for his own personal advancement. We tried to induce them to save money to purchase homes—and that ought to encourage the Minister. But what happened? They would save £1 one day and the next day they would draw it out and spend it. That is typical of the native's attitude to life.

The Minister for Native Welfare: We have native school teachers in the University now, so what are you talking about?

Mr. W. A. MANNING: I have every confidence in the ability of the native to do these things, but the vast majority of them have to be induced to do them, and encouraged to help themselves—they just will not do it off their own bat; they must be told to do it. When a native is working, it is possible he will work for two or three days on a job—very rarely do they work full time. When he has earned a little cash he stops work after a few days and goes out and spends his money. Having run out of cash he then returns and

does a bit more work. Eventually, however, nobody is prepared to employ him on those conditions.

The Minister for Native Welfare: Some of them are successful business men running their own businesses.

Mr. W. A. MANNING: I am not denying that. They are capable of doing these things, but they must be induced to do them, and there is not one single inducement in the Minister's Bill which will encourage them along that road. The Minister merely mentions one or two exceptional cases.

The Minister for Education: Wouldn't you extend to them rights similar to those that you have?

Mr. W. A. MANNING: I am explaining to the Minister how I am extending those rights to the natives. In order that they may obtain these rights, they must first qualify and we must give them every opportunity and every inducement to help them along.

Mr. Lapham: When did you qualify?

Mr. W. A. MANNING: Perhaps a good illustration of what can be done comes strangely enough from those who are compulsorily restricted at Fremantle. At the present time there is approximately 60 natives in gaol—25 or 26 of them for long terms. A good deal of educational work is being done in the gaol by the educational officers and one particular native of 42 years of age who was never able to write in his life can now do so. As I have said, they can do it but they must be induced to do it.

There is another native who is out on parole under Section 39 of the Native Welfare Act. He is doing a good job and he knows that he will be in trouble if he does not. He has his own car and he is able to visit the white people who are assisting him. We find that there is another native who is out under the Governor's pleasure for four years. He has already done two years and is proving himself—he is doing a good job but he is compelled to do it.

For their own good these people must be compelled to do certain things. I am merely speaking with a view to trying to protect and help the native. It is all very well to speak from the point of view of the theorist, but it is the native's point of view that must be appreciated. I can assure the House that under pressure and encouragement, the natives will prove themselves. An opportunity has been given to some natives to do this by means of a native mobile welfare clinic. It is doing an excellent job in giving instruction and helping in camp and personal hygiene, in sanitation, in child and infant welfare, in housekeeping, and in ways of spending their wages and endowment.

All these things are being given to the few natives who can be catered for by that clinic. We need more of them. These facilities, of course, cost money. I suggest the Bill before us is only a means to pretend that we are helping the natives, and to do it on the cheap. If we were to put money into providing more welfare clinics and instructing natives, instead of merely giving them citizenship rights, we would be doing a far better job. We cannot do anything with the natives until they have received instruction on the matters I have mentioned.

Members will realise that in many cases the average native is not acceptable in a crowd of whites, if he is in a dirty condition. What chance has he of being accepted in that state? I am not blaming the natives for their condition. They have not been trained. A request has been made for the provision of water supplies to native settlements.

The Minister for Native Welfare: Don't you think that the 29 missions have been educating the native children?

Mr. W. A. MANNING: That is a start. Those going to school should be given full citizenship rights, the same as are received by whites when they are 21 years of age.

The Minister for Native Welfare: Many natives were educated in the missions 20 or 30 years ago.

Mr. W. A. MANNING: I am not denying that. Any native who has so qualified should be entitled to full citizenship rights. I suggest that the qualifications for citizenship rights should run along these lines. The qualifications should be something definite. A plan should be worked out under which natives could qualify under certain conditions; perhaps after having taken a course of instruction as is given by the mobile clinic. If a native were to take that course, it could be considered as a qualification for citizenship rights. Another qualification might be this: That a native has a clean and respectable hut or home which he is keeping in a hygienic condition.

The Minister for Transport: Would you apply the same test to white people?

Mr. W. A. MANNING: I am not making any suggestion. If the Minister desires, he can introduce a Bill to cover the white citizens.

The Minister for Transport: Those are your ideas.

Mr. Andrew: Why are you discriminating?

Mr. W. A. MANNING: Because the natives have not been trained in any other way of life. It is time we took a hand in giving them something better. This Bill is merely a lot of talk; it does not solve the problem one iota; the problem cannot be solved by legal action alone. We have to give the natives some assistance.

I am advancing a few practical suggestions which are far more desirable than the provisions contained in the Bill. The Minister might not accept them all, but these suggestions are made with the idea of helping the natives, not merely pretending to do so. I suggest that another qualification could be that native parents have sent their children to school and have provided them with decent shelter. Another qualification deemed suitable is when natives take on their responsibilities in the community.

The Minister for Health: They have been segregated through the actions of the white people in the early days.

Mr. W. A. MANNING: I am not blaming the natives for their present condition. It is time that we did something to make their conditions better instead of merely pretending to do so. Whatever qualifications may be decided on, I have put forward a few rough suggestions for consideration.

A committee of inquiry should be appointed to decide what the qualifications should be, along the lines I have suggested. I am quite sure that the granting of citizenship rights will have to be brought down to a personal basis so that when a native acquires those rights, he will have a measure of pride and accomplishment. That is very important. The Bill deals with them in one lot, like the bulk-handling of grain. That might be all right for grain but not for the treatment of human beings.

The Minister for Transport: It happens to be the case with the white people at present.

Mr. W. A. MANNING: The Minister is worried about the white people, but we are now talking about the natives.

The Minister for Transport: You are discriminating against natives.

Mr. W. A. MANNING: If the Minister were to introduce a Bill to cover the white people the House could deal with it. It is an important occasion when natives are given citizenship rights. Those rights should not be given away freely so that they would not be appreciated. That is why I suggest some qualification. The other States have found that was a desirable step to be taken.

Regarding new Australians, this question has often been raised. I would point out that a new Australian has to stay in this country for five years before he can apply for naturalisation. When he does that, the authorities make further inquiries, as I know from a recent experience. A new Australian desired to become naturalised very quickly for a particular purpose. It could not be done because so many inquiries had to be made. First of all, these people are screened before they come to Australia, and five years later their activities are again inquired into before they

are granted naturalisation status. Then they have to declare their severance from their countries of origin and shake off the old shackles.

Let us see what is done when naturalisation is granted to new Australians. The ceremony used to be performed in court-houses, in a cold atmosphere, where the certificates were handed over. It was considered that was insufficient, so in recent times, when new Australians received their naturalisation papers, it became an occasion of tremendous importance in their lives. We have organised social gatherings with important people attending. The new Australians are then handed their certificates. When that is done, some important person, such as the mayor of the town, shakes hands with them and welcomes them into Australian citizenship. When we receive natives into Australian citizenship, we could do exactly the same thing, and honour them in the way that new Australians are honoured.

The Minister for Education: They are not foreigners. Why should they have to obtain certificates of citizenship?

Mr. W. A. MANNING: They are foreigners because they have not been recognised up to the present. The sooner they are recognised the better. They have to be admitted first. It is no use being theoretical about this matter. We should take some practical steps. The natives should be given the same honour when they receive citizenship rights as new Australians are accorded. I see no reason why a new Australian should be given anything better than a native, yet the Minister attempts to admit the natives *holus bolus* so that everyone of them can get citizenship rights.

The Minister for Transport: That is how you got your rights.

Mr. W. A. MANNING: I am not sticking up for the present state of affairs. I have not contended that citizenship rights should not be given to natives. I believe they should be given, but they should not be given under conditions which will not help the natives. We are not concerned in the Bill whether white people live in deplorable conditions, but unless we are able to uplift our native people, it is useless to grant them citizenship rights. I ask this House to consider the matter from a human, not a theoretical, point of view.

So I oppose the second reading of this Bill because I suggest it is not nearly good enough to accomplish satisfactorily the uplifting of natives and their gradual recognition as a worthy part of our community. The natives deserve something far better than this Bill holds out. Let us get down to tin tacks and provide something to help them to become worthy citizens. I urge the Minister to delay this Bill and to wait for better legislation if he has the welfare of the natives at heart and desires to give them a better go, instead of trying to cover up the situation.

In conclusion, I would like to quote an extract from a pamphlet entitled, "A Fair Deal for Aborigines." The writer, D. G. Hammer, says—

A fair deal for the aborigines is not, and never can be, a blueprint over which politicians nod, and to which ordinary citizens give a cursory approval. With all the plans that are being made, and with all the laws being passed, the aborigine will never get his fair deal unless there are people who will get down beside him and walk with him along the road, translating the final goal into a practical way of life.

I suggest to the Minister—

The Minister for Native Welfare: This is walking alongside him, if we give citizenship rights.

Mr. W. A. MANNING: It is pushing him in. We should help the natives towards citizenship rights and afterwards shake them by the hand. The natives should not be treated as bulk grain, as I mentioned before, but as human beings. I suggest that the Minister reconsider the whole matter and let us deal with the native in a worthy manner.

The Minister for Transport: I think you are afraid of his vote.

MR. POTTER (Subiaco) [3.41]: I have just heard the most hypocritical speech to which I have ever listened during the short time I have been a member of this Chamber.

Hon. D. Brand: You could not have been listening to all of them then.

Mr. POTTER: The member who has just resumed his seat is undoubtedly the biggest theorist in this Chamber. He has told us all that we have already done and all that we have endeavoured to do over a number of years.

Mr. Bovell: Why doesn't the Government do something about it?

Hon. D. Brand: You tell us something new.

Mr. POTTER: I will perhaps in a few minutes.

Hon. D. Brand: Perhaps, question mark!

Mr. POTTER: There is one retarding factor about the position and that is we are unable to get sufficient finance—

Hon. D. Brand: From the Commonwealth Government.

Mr. POTTER: —to do the job we would like to do in regard to native welfare. When we speak of the natives as citizens we regard them as mates, and are endeavouring to help them.

Mr. Bovell: You cannot make them citizens by an Act of Parliament.

Mr. POTTER: They can be given these rights by Act of Parliament.

Mr. W. A. Manning: How?

Mr. POTTER: They will have the right to go to court if they are exploited at any time, and they will be able to set up in competitive business with private enterprise.

Mr. W. A. Manning: Who is stopping them now?

Mr. POTTER: The natives also have the capability necessary for setting up in business. Those are some of the things which will be given by this Bill.

Mr. Cornell: They can do it now; they sell clothes props.

Mr. POTTER: I represent a city constituency and it might be said that I do not know very much about the natives. However, some 20 odd years ago I was one of the first to pay natives their full due under the ruling award in the pastoral areas and I know their capabilities. The North-West coastal natives are fine up-standing people and there is a big disparity between them and the inland natives. In conjunction with the white man, they have done a lot for the settlement of the North and their contribution has been worth while. I know that the natives sometimes have a feeling to go on "pink eye," but while on the job they are remarkably good workers and have certainly done a lot for the development of the northern parts of the State as well as of areas in the south.

Sitting suspended from 3.45 to 4.2 p.m.

Mr. POTTER: Before the afternoon tea suspension I was about to say that we have some 21,000 natives in this State, 6,000 of whom are outside the bounds of civilisation, and 7,000 or 8,000 of whom are half-castes. If we are sincere—I believe the Government is sincere in its desire—after over 100 years of occupation of this country, to give the natives rights of citizenship, we will accomplish something of great value.

Where it is found that a native cannot live up to the standards of the community, he will become a protected native, and that is all there is to it, as he will retain his rights of citizenship in many respects. Many attempts have been made over the years to improve the position of our natives, with only partial success, but I repeat that if we are sincere in our desire to do all that the Bill implies, instead of, like the member for Narrogin, being content to utter pious sentiments, we will really improve the condition of our natives.

In this measure we have a practical suggestion that we can carry into effect, with great benefit to our native population. The Bill seeks to grant to our natives full citizenship, which we are only too ready to grant to people who migrate to this country from other places. In many instances full rights are given to Asiatics and others whose standard of

living is not far removed from that of our natives. Let us grant our natives full citizenship rights, as is being done at present throughout the British Commonwealth of Nations. I commend the Bill to the House.

MR. GRAYDEN (South Perth) [4.7]: I intend to support the Bill, but only because I support the principle it contains. I do not think the measure will make much difference at all to the condition of the natives in this State. I listened attentively to the member for Narrogin, who raised a number of points, but I do not think he advanced any valid argument against the Bill. At present our natives must qualify to obtain citizenship rights, while under this measure, if it is agreed to, they will have to qualify to remain citizens. But I do not see that the Bill will make any great change in their position and it certainly will not have the effect claimed for it by the Minister for Native Welfare.

For my part, I question the Minister's sincerity in regard to this measure, seeing that he has introduced legislation of this kind only a week before Parliament is to end its session, and this House is given an opportunity to debate the Bill only two or three days before the session concludes. As the member for Narrogin pointed out, this is a most complex Bill which involves amendments to 11 existing Acts, yet it is introduced at this stage! When introducing the Bill the Minister said—

The passage of the Bill will give these people full citizenship as a birthright, in like manner to every natural born Australian and a right that new Australians, by conformity with certain requirements, can readily obtain if they choose to adopt Australian nationality.

Then he went on to say—

The whole purpose of the legislation is to give natives freedom and equality with ourselves. The principle conforms to that of the Declaration of Human Rights to which Australia was a signatory, and with promises made to natives and the public at national and State levels for a number of years. The implementation of such a policy elsewhere has not proved as calamitous as it is expected by some people it will be in this State.

Later on in his speech he made this statement—

Natives will automatically be placed on a civic status with ourselves and only those proved by a competent court to be unable to accept and exercise full right and privileges of citizenship, may temporarily be deprived of it.

There the Minister tries to tell this House that the natives in Western Australia will be placed on an equal basis with Europeans. But what does the Bill do? As the member for Narrogin pointed out, firstly, we have a provision to take away citizenship rights if certain people so decide, and, secondly—and this is the most iniquitous portion of the Bill—it gives the Commissioner of Native Welfare the sole right over all native children in Western Australia.

The Minister tells us on the one hand that this Bill will put all natives in Western Australia on the same level, and give them the same status as Europeans; and at the same time he reserves to the Commissioner of Native Welfare the right to control the destinies of, and to do what he likes with, all the native children in this State. Actually, at present the Commissioner of Native Welfare has that right, and this Bill perpetuates it.

Not long ago the Minister for Native Welfare introduced into this Chamber a Bill which would have had the effect of giving the commissioner the sole right over the property of any native in Western Australia. But because of representations made in certain quarters, the Bill was hastily withdrawn. But now the Minister introduces a Bill to perpetuate a state of affairs under which the parents of native children in Western Australia will not have any rights over their own children. In other words, the commissioner will be able to take them away and send them to an institution, or do just what he likes with them.

The portion of the Bill which gives the commissioner this right is Clause 40, which amends Section 89 of the principal Act, giving the Governor power to make regulations in regard to certain matters. If the amendments proposed in the legislation before us are incorporated in the Act, it will be amended in such a way that the Governor will be able to make regulations for all or any of certain matters—and then they are listed.

Paragraph (c), if the Bill is agreed to, will read this way—

Providing for the care, custody and education of the children of protected natives.

Paragraph (d) will read—

Enabling any native child—even one with citizenship rights—or protected native child to be sent to and detained in a native institution, industrial school or orphanage and paragraph (e) will read—prescribing the conditions on which any native children or protected native children may be apprenticed to or placed in service with suitable persons.

Under this Bill, the Government gives complete power to the Commissioner of Native Welfare to take any native child in Western Australia, under the age of 21 years, and to do what he likes with him. He can send him to the other end of Western Australia; and he can ensure that until they are 21 years of age, native children will never see their parents again. He can commit them to an institution or do whatever he likes; and that is why I question the sincerity of the Minister when he introduces a Bill which purports to give these children equal rights, and at the same time reserves the right to the commissioner about which I have been speaking.

In order to justify his Bill the Minister for Native Welfare quoted from the Universal Declaration of Human Rights. He quoted from it to show that these people should have equal status with Europeans. With that I agree. But he could have gone further and quoted other portions of the Universal Declaration of Human Rights. For instance, he could have quoted Article 9 which reads as follows:—

No one shall be subjected to arbitrary arrest, detention or exile.

Surely that applies to children when they can be abducted or kidnapped. Article 12 reads—

No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

Article 25 reads as follows:—

Clause (2)—Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

Yet another article, Article 26, which deals specifically with this matter, states—

Clause (3)—Parents have a prior right to choose the kind of education that shall be given to their children.

But here, in this Bill, if it is passed, we will give power to the commissioner to do what he likes with native children, irrespective of whether they are protected or whether they have citizenship status.

There is another article, Article 16, which deals with the sanctity of the family. I have not that article before me, but when the Minister quotes the Universal Declaration of Human Rights in order to justify his action in introducing this Bill, he should bear in mind that that document also makes specific reference to the separation of children from their parents.

It may be of interest to the Minister for Native Welfare to know—or he ought to know—that there is an International Labour Conference which meets

at Geneva, and I have before me the International Labour Review, which is published by the International Labour Office, concerning the 40th session of the International Labour Conference held earlier this year. It states—

The 40th session of the International Labour Conference met in Geneva from 5 to 27 June, 1957. It was attended by more than 900 delegates, advisers and observers representing Governments, employers' organisations or trade unions from 73 member countries and ten non-metropolitan territories. The Vice President of Brazil, Mr. J. Goulart, and Ministers of Labour or Social Affairs of 30 countries attended the conference.

Delegates to that conference discussed matters relating to the protection and integration of indigenous and other tribal and semi-tribal populations in independent countries. I hope the Minister will get this document and have a look at the various matters that were agreed to.

The Minister for Native Welfare: I have a copy of it and I have talked to one of the delegates.

Mr. GRAYDEN: Then it is a pity that the Minister did not introduce legislation into Western Australia which conformed to what those delegates suggest, because one of the matters which they stated most emphatically, regarding the people to whom we are referring, was that the use of force or coercion be prohibited. Yet, if this Bill is agreed to, one man in Western Australia will have power to take children from their parents.

The Minister for Native Welfare: How many Australian delegates supported that?

Mr. GRAYDEN: I do not know how many Australian delegates supported it, but I can tell the Minister the actual voting figures, and by how much it was carried.

The Minister for Native Welfare: I can tell you that none of them supported it because they reckoned that we were much further ahead than they were.

The Minister for Education: But the member for Moore wanted it.

Mr. GRAYDEN: I am rather surprised to hear that the Minister thinks we are much further ahead in this State.

The Minister for Native Welfare: I did not say that. I said that that is why the delegates did not support that convention.

Mr. GRAYDEN: Is that the report that was made to the Minister?

The Minister for Native Welfare: That is what I was told.

Mr. GRAYDEN: The convention also advised regarding the improvement of the conditions of life. This report by the International Labour Review contains the following:—

The Convention also provides that the improvement of the condition of life and work and of the level of education of these populations shall have high priority in plans for the economic development of the regions they inhabit.

Referring back to the Minister's interjection, the report states—

The Indigenous and Tribal Populations Convention, 1957, adopted by a vote of 179 to 8, with 45 abstentions.

That is the convention to which we are referring.

Hon. L. Thorn: That is rather amazing, isn't it?

Mr. GRAYDEN: I think it is remarkable in view of the fact that the Minister tries to give us the impression that this is most outstanding legislation. He said—

The passage of the Bill will give these people full citizenship as a birth-right in like manner to every other natural-born Australian.

I would like the Minister to substantiate that statement. No one has the right to take a child away from a European and yet how can the Minister say that this Bill will give these people full citizenship rights? He said that the whole purpose of the legislation was to give natives freedom and equality with ourselves. However, the provisions in the Bill will not grant them that. As the Minister well knows, there are many hundreds of native children in Western Australia who are separated from their parents. The Minister will also know that native people are extremely attached to their children. It is only the deep bond of affection that exists between them that enables these people to survive because they live in the most arid country. One would think that they would have every justification for disposing of their children because they are forced to carry them from water-hole to water-hole and have to fend for them in most trying conditions.

One can imagine, in those circumstances, the mothers carrying the children from place to place and that, in view of those circumstances, if the opportunity offered and things got too grim, a mother would dispose of her child. However, the natives do not do that. It is well known that the bond of affection between a native mother and her child is at least the same as that between a white woman and her child.

The Minister for Education: Why not? She is a human being the same as a white woman.

Mr. GRAYDEN: Of course! There is that bond of affection always between the mother and the child. We have had many

instances where a child has died and its bones have been carried by the parents for a long while afterwards so great is the bond of affection between the members of the family.

Despite this, we tolerate a state of affairs whereby, at the whim of a departmental officer—he makes the recommendation—a child is separated, in some cases, more or less indefinitely, from its parents. The Minister knows that we have many instances of those cases at the moment. There are many hundreds of children who are separated from their parents today and they have been in that state for many years.

Late last year it was the intention of the Native Welfare Department to close the Warburton mission. Its plan was to convey the children 400 miles away to the mission at Cosmo Newbery, but the parents were to be left at Warburton Ranges. In case any parents might decide to walk the 400 miles into Cosmo Newbery to join their children, a camp was to be established for them but it was to be 40 miles away from Cosmo Newbery so that no contact could be made between the parents and the children. It was the published plan of the Native Welfare Department to keep the children at Cosmo Newbery for some years and then later to send them further south where they would remain until they had reached 21 years of age.

We would have the spectacle of young bush children of approximately five and six years of age taken away from their parents and immediately transported several hundreds of miles away to remain there until they were 21 years of age. In other words, many of them would never see their parents again because after such a great lapse of years they would not attempt to search around the desert for their parents because no doubt they would have forgotten them. That was the plan of the Native Welfare Department, and the Minister cannot deny it. That was the plan for the children taken to Cosmo Newbery.

Mr. Bovell: It would have happened but for the select committee.

Mr. GRAYDEN: It was that which gave rise to the appointment of the select committee.

The Minister for Native Welfare: That was the decision reached by the Native Welfare Department, the officers of which considered that in the best interests of the native children they should be brought to Cosmo Newbery in order to get a better education and to assimilate them in industry and commerce.

Mr. GRAYDEN: It would have been an excellent idea, but why could not the department bring the parents as well? Why did the department have to take the children away from their parents?

The Minister for Native Welfare: Some white people, from as far away as Wyndham send their children south to Perth, over a distance of many hundreds of miles, in order that they may be educated.

Mr. GRAYDEN: Yes, but they are not taken away from their parents without a word and separated from them indefinitely.

Mr. Rhatigan: Those white children return to their parents periodically during the year.

The Minister for Native Welfare: I thought the hon. member was on my side.

Mr. GRAYDEN: That is only one instance of the state of affairs that exists in many places. I have a report by a native welfare officer who was returning from the ministerial journey that was made early this year via the Eyre Highway. He visited a mission named Yalata, which is just across the South Australian border, and he was told various things whilst there. As a result, he made this submission.

Some of the natives interviewed in the mission camp have children in Cundeelee mission.

Cundeelee mission is on our side of the border. Continuing—

The native parents are now permanently located at Yalata and claim that the children in question were born at Ooldea. Details are being obtained and it is recommended that arrangements be made with the South Australian Department for these children to be returned to Yalata. The mission superintendent is quite agreeable. A school is scheduled to be opened there next year. If the transfer takes place before then, the children could possibly be admitted temporarily to the Lutheran mission, Moonibba, 132 miles further east.

Here is an instance of a departmental officer who called into a mission situated in South Australia and natives approach him and say, "We have children at the Cundeelee mission on the Western Australian side of the border, and they should be with us."

Why are those children at Cundeelee mission? Why have they not been returned to their parents? I understand that at present the department intends to close Cundeelee mission. What is it going to do with the children who are there? The department is going to send the children to Kurrawang, but they are not going to send the parents with them. They are going to place the parents on a reserve on the outskirts of Kalgoorlie. Every few months we read in the "Kalgoorlie Miner" that a special appeal is being made by the residents of Kalgoorlie to the Native Welfare Department not to give rations to the natives when they beg for them.

The Minister for Native Welfare: It is not a true statement when you say that the department intends to put the parents on a reserve. That is not true at all. I shall be at Cundeelee on the 13th December and I shall go into this matter.

Mr. GRAYDEN: That is very good indeed because a lot of people in Kalgoorlie are under the impression that the natives will be put on the reserve.

The Minister for Native Welfare: Some members of Parliament are of the same frame of mind, but they are wrong.

Mr. GRAYDEN: That may be the latest decision of the Minister.

The Minister for Native Welfare: The Minister has not made a decision otherwise.

Mr. GRAYDEN: Somebody made a decision because the report has aroused quite a controversy in Kalgoorlie. The impression is that the children are to be taken to Cundeelee. That is the argument. Let the Minister deny it. There is an argument taking place in Kalgoorlie over this matter and we should pursue it further. Will the Minister deny that this argument is taking place on this particular question by some people with the Native Welfare Department.

The Minister for Native Welfare: Some people from the Eastern Goldfields wrote to me and asked if it was a fact. I checked up and found it was not a fact.

Mr. GRAYDEN: The Minister has changed his mind.

The Minister for Native Welfare: The Minister had not considered that matter before. He did not make a decision on it. The hon. member should not suggest that I made a decision. If I do not correct him, that will go down on the record.

Mr. GRAYDEN: That is indeed good to know. The Minister should not pull me up because we have enough on the Minister to make out that he is more of an "alibi Jack" than Minister for Native Welfare.

The Minister for Native Welfare: We will be hearing more from the hon. member tomorrow night in the Town Hall.

Mr. GRAYDEN: This incredible document—the annual report of the Native Welfare Department—which has been laid on the Table of the House indicates that he is more the Minister for alibis than the Minister for Native Welfare. It is his alibi for manslaughter. We will deal with that matter more fully at a later stage in the session.

To get back to this particular point, if the Minister has not approved of the decision to take the children from Cundeelee, then it was at least the intention of the department. This Bill gives power to the Commissioner of Native Welfare to take away children from any native parents in Western Australia, whether or not they are protected. The people who will make that

decision will be primarily native welfare officers. Obviously, the commissioner, being stationed in Perth, has to rely upon his field officers, and if they made a recommendation he would have to support it. As a consequence, a child could be taken away from its parents. I would suggest this: Some of the native welfare officers are, of course, extremely capable but some are completely incompetent and have no right to be dealing, as they are, in human lives.

The Minister for Native Welfare: Which officers are you referring to?

Mr. GRAYDEN: In one case to Mr. McLarty, the district officer at Kalgoorlie.

The Minister for Native Welfare: That is a very serious statement to make. What have you got to prove it? He is a very efficient officer.

Mr. GRAYDEN: According to the Minister, he is very efficient.

The Minister for Native Welfare: He has not been bulldozed by some of the members opposite.

Mr. GRAYDEN: Let us see how efficient he is.

The Minister for Education: He is as efficient as the ex-Premier of the same name!

Mr. GRAYDEN: I shall let members decide for themselves on this point. This officer went out on a tour of inspection with the Minister for Native Welfare. When he came back he wrote the report to which I referred earlier, and which is included in the annual report of the commissioner. It speaks in glowing terms of a visit to the Warburton Ranges, across to the Blackstone Range mining camp and to Ernabella mission. He compares the Ernabella mission very favourably with the Warburton mission. The Minister cannot deny that.

The Minister for Native Welfare: He did not speak in glowing terms. He did not use any terms of that nature. He spoke in factual terms.

Mr. GRAYDEN: He did speak in very factual terms by comparing Ernabella mission very favourably with the Warburton mission.

The Minister for Native Welfare: I do not know what statement the hon. member is referring to.

Mr. GRAYDEN: The Minister cannot say yes or no to my assertion.

The Minister for Works: Is this a dialogue?

Mr. GRAYDEN: I suggest the Minister for Works listen to this debate and give us his opinion, because the native welfare officer in question made a tour and submitted a glowing report. About three weeks after the report was submitted, 20 children died from a disease brought on by malnutrition in the very same area.

We have the evidence of Dr. Duguid of South Australia, a leading physician, who went out there to make the investigation. I emphasise that 20 children died from diseases brought about by malnutrition just after this native welfare officer went out and made that glowing report.

The Minister for Native Welfare: Where is this mission?

Mr. GRAYDEN: The Ernabella mission is just across the South Australian border.

The Minister for Native Welfare: The hon. member should make it clear that it is not in Western Australia and Mr. McLarty, the district officer, has no jurisdiction over that area.

Mr. GRAYDEN: It is on the great central reserve. This officer visited the mission and he gave the people of Western Australia the impression that it compared favourably with the Warburton mission.

The Minister for Native Welfare: No, he did not. He spoke in factual terms of what he saw.

Mr. GRAYDEN: He compared it favourably with the Warburton mission.

The Minister for Native Welfare: That is what you are saying. That was not what he reported.

Mr. GRAYDEN: He made that comparison, and just after he did that, 20 children died of malnutrition.

The Minister for Native Welfare: He cannot be held responsible for those deaths.

Mr. GRAYDEN: Yet the Minister is suggesting that he is a competent officer.

The Minister for Native Welfare: Of course he is a competent officer.

Mr. GRAYDEN: If the Minister sent his children to a boarding school in the North-West, and later on asked a friend to report on their condition, what would he think if, after the friend had reported favourably on the condition of the children, not only those children but many other children died? Would he consider that friend as being competent? Of course not. That is only one instance. I can go further on this particular point because the Minister has asked me to prove my assertion. We find that Mr. McLarty, the district officer, made the following statement:—

Through a native guide, Cyril, the natives reported that they intended moving in to the mission in the near future. There were two reasons for this. One was that some of the children were due back at school in a couple of weeks and the other was that they were nearing the stage when the country around the water hole would be "worked out." This situation is entirely normal and the natives had definitely not been reduced

to a state of physical distress through shortage of food. A gift of flour by Sergt. Anderson was, in my opinion, entirely unnecessary.

Sgt. Anderson is a police officer who had been stationed for many years at Laverton and other Goldfields towns. He has a reputation for being firm in the execution of his duties. He has been the subject of criticism because he went to Warburton mission on horseback, arrested some natives and made them walk back to town with chains around their necks. He is considered to be a hard man in the execution of his duty, but actually he is extraordinarily fair, as everyone will admit.

The Minister for Native Welfare: All the police officers are fair.

The SPEAKER: I would draw the attention of the member for South Perth to the fact that he has already discussed many of the matters which he is now submitting to the House, when he was debating a motion arising out of the report of the select committee. He made reference to the Warburton Ranges and many other matters of that nature. If he looks at the title of this Bill he will see it is—

An Act to confer citizenship rights on persons descended from the original inhabitants of Australia; to provide protection for certain of those persons; to repeal the Natives (Citizenship Rights) Act, 1944-1951; to amend certain Acts relating to those persons; and for other and incidental purposes.

I have hardly heard him refer to that title or to the subject matter of the Bill. All he has dealt with was a matter that had been considered by the select committee with respect to the Warburton mission. He should deal with the Bill. There is still a motion on the notice paper in his name and he will get the opportunity to air his views on these matters when he replies. He should apply himself to the Bill now before the House which deals with the extension of citizenship rights to natives. He should confine himself to that proposition firstly.

Mr. GRAYDEN: With all due deference, Sir, I would point out the Bill seeks to amend 13 other Acts. With your permission I will conclude the point on which I was speaking. I have made assertions against a certain man, and I would like briefly to complete what I was saying and establish my bona fides.

When Sergeant Anderson, who had had all this experience, saw the children to whom McLarty referred, he was shocked. He gave them some flour; and, turning to McLarty, said facetiously, "I hope the Native Welfare Department will reimburse me for the flour"; and McLarty said, "It is entirely unnecessary. Flour is a luxury for these people."

The Minister for Native Welfare: I don't think that is a true statement. I happened to be there and heard the conversation.

Mr. GRAYDEN: Is the Minister suggesting it is not true?

The Minister for Native Welfare: I don't think it is a factual report of what took place. All McLarty said was, "It is entirely unnecessary."

Mr. GRAYDEN: Is the Minister suggesting that McLarty did not say "Flour is a luxury for these people?"

The Minister for Native Welfare: I do not remember hearing him say that. I was there and you were not; that is the difference.

Mr. GRAYDEN: Don't talk such rot! I was there.

The SPEAKER: Order!

The Minister for Native Welfare: A hundred yards away.

Mr. GRAYDEN: I cannot believe the word of the Minister.

The Minister for Native Welfare: In any case, it was not McLarty who took the flour but the native tracker.

Mr. GRAYDEN: I was 100 yards away when the first comment was made. Don't tell me I did not take part in the discussion a few minutes later! When the 19 children walked into the Warburton mission five days later, most of them were too weak to stand up, and their gums were bleeding from scurvy. Yet the native welfare officer said that flour was entirely unnecessary for them!

The Minister for Native Welfare: Yet you left them in that condition while you went and took photos of a dead native miles away.

Mr. GRAYDEN: What is the Minister trying to say?

The Minister for Native Welfare: I am saying that you are not consistent. You say they were starving and full of disease. Yet you went away from them and took photos of a dead native.

Mr. GRAYDEN: The Minister knows what happened. I went to Giles; and when I came back, the natives were one day's travel away.

The Minister for Native Welfare: If they were in such a bad condition, why didn't you bring them in?

Mr. GRAYDEN: The Minister should know why. It was because they were going across country, and we went out along the track.

The Minister for Native Welfare: You would talk yourself out of anything!

Mr. GRAYDEN: Would the Minister like to have a small wager on that? Would he like to put up £100 to substantiate it?

The Minister for Native Welfare: I haven't a licence yet!

Mr. GRAYDEN: Mr. Speaker, is it too much—

Mr. SPEAKER: Order! I think the hon. member should address the Chair and take no notice of interjections. He would get along much better.

Mr. GRAYDEN: In addition to being the Minister for Native Welfare, the hon. member is also Minister for Police, and we are entitled to have truthful statements from him.

The Minister for Native Welfare: I am truthful.

Hon. D. Brand: You can't take that wager, because we haven't amended the Betting Act.

Mr. GRAYDEN: I will get off that point, Mr. Speaker, as you have assured me I will have an opportunity later to debate the matter.

Hon. L. Thorn: Next Saturday morning.

Mr. GRAYDEN: The Minister has said a lot of things during the session, and I feel he should be made to substantiate the statements for which he has been responsible. To comply with your request, Sir, I will now discuss the Bill. First of all, we do not need the three provisions in Clause 40 of the Bill which I have been discussing. We do not need this power for the commissioner to deal with native children, because we already have the Child Welfare Act which makes no discrimination between white children and black. All the powers necessary are contained in the Child Welfare Act. The Minister has assured us at various times that children are not forced to attend institutions unless the parents' consent is obtained. That is not so, of course. But if it were so, these particular provisions would not be required. The children would go automatically to the school with the parents' consent.

There might be one difficult child here and there, but it would be a unique experience; because the missions have the rations and offer them to the children as an inducement to go to school. The native welfare officer, too, has everything on his side. He has rations and blankets to offer and can penalise the parents. So if he does come across a particular child who will not attend some institution, he can bring pressure to bear; and if he is not successful, he can deal with the child under the provisions of the Child Welfare Act.

Surely if we have a measure to give natives equal status with Europeans, it is not too much to ask that before we take native children from their parents they should be dealt with in the same way as white children. It is not so long ago that quite a number of children were taken from Greece by Russia, so we are led to believe. Apparently they were kidnapped, taken across the border, and indoctrinated with communist ideology.

The world was outraged at that act. People were not concerned because the children were being indoctrinated with communism, I imagine; because millions of children are being so indoctrinated every day in Russia. Their grievance was that these children were taken from their parents in Greece, across the border to another land. I daresay that the Minister was outraged when he heard that.

Yet he himself is doing exactly the same thing at this time with hundreds of native children in Western Australia who are being taken away from their parents; and in this measure, he wants to perpetuate that right of the department. I submit that if the Government lends itself to that sort of thing, then, far from being in the vanguard of social reform in regard to natives, it is lagging well in the rear. Now let me get off that angle and—

The Minister for Native Welfare: Before you get off it, tell me what you did when you were supporting the Government which administered this Act previously.

Mr. GRAYDEN: I would be delighted to do so. I was not aware at that time that these things were happening.

The Minister for Native Welfare: As a member of Parliament, you should have been.

Mr. GRAYDEN: A lot of other members were not aware of it, either. Now that these matters have been brought to the Minister's notice he, and he alone, is responsible for the state of affairs that exists. We do not need legislation to stop the separation of native children from their parents. One word from the Minister would be sufficient to put an end to it. So how can the Minister be sincere in introducing this legislation, when he allows these things to go on?

The next matter upon which I wish to touch concerns prisoners in the Fremantle gaol. If the Act is amended in the way the Minister desires, it will mean that in the event of a native being sent to gaol for, say, six months, the Native Welfare Department will have no power to intervene and get him out on parole. Here are the actual amendments proposed. Section 39 of the principal Act will be amended to read as follows:—

Any protected native in custody under sentence of imprisonment, may, by order of the Governor, be employed outside the limits of a prison in such suitable labour in the service of the State as the Governor may direct; but no such prisoner who has not been sentenced to hard labour shall be set to any labour which is severe.

Then Clause 2 will read—

Any protected native in custody under sentence of imprisonment may by order of the Governor be placed under the custody of any officer or

servant of the State who shall be responsible for the safe custody of such prisoner and he shall thereupon for all purposes be deemed in legal custody wherever he may be employed or detained.

Section 69, paragraph (g), will read—

Prescribing the conditions upon which any protected native prisoner may be placed under the custody of any officer or servant of the State.

Throughout the Bill the department reserves the right to do whatever it wishes with protected natives or those with citizenship rights, yet as soon as they go to Fremantle gaol it desires to wipe its hands completely free of them. Recently two young men at the Bassendean reserve were given six months' imprisonment each for receiving stolen goods. Apparently one of them had stolen some liquor and these two were drinking it. No one could prove that they knew it was stolen and in all probability they did not, yet they each got six months' imprisonment.

If natives in that position were not protected natives, they would go into Fremantle gaol and do the whole of that sentence, just as at present they must serve, say, the whole of a four years' sentence, whereas perhaps a white person would be let out after six months. I went to Fremantle gaol not very long ago expecting to be inundated with requests from native prisoners, but all they said was "Put us on the same basis as the white people. They get four years and go out after a few months, but we have to serve every day of our four years' sentence because the Native Welfare Department will not intervene."

The Minister for Native Welfare: Did you not quote earlier some natives now on parole?

Mr. GRAYDEN: No, I did not. I do not know of any.

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

On motion by Mr. Bovell, time extended.

Mr. GRAYDEN: How can a native get on parole, when he has no job to go to? Having a job to which to go is one of the conditions of parole. Natives cannot receive social service help and so when they come out of gaol and can get no relief or employment, they commit another offence and are returned to prison, and again have to serve every day of the sentence. If the Native Welfare Department is to retain, under this Bill, the right to deal with natives who have citizenship status, it should also have the obligation to look after all native prisoners in Fremantle gaol. I support the Bill.

MR. BOVELL (Vasse) [4.55]: I think all members of this House are imbued with a desire to do something to uplift our aborigines, but, in my opinion, our first duty is to train them to our civilisation in

order that they may be able to accept their responsibilities. It is not much use becoming heated on the subject of the aboriginal population of Australia. I have expounded theories here on a number of occasions in this regard and I was a member of the select committee which visited the Warburton Ranges just 12 months ago, with the idea of endeavouring to inform Parliament of the need for further interest to be taken in the aborigines of that area. Now, in the dying hours of the session, the Minister introduces a Bill that seeks to affect not less than 11 Acts of Parliament.

The Minister for Education: But it is all clearly set out.

Mr. BOVELL: If the Minister for Native Welfare had been sincere in his endeavour to assist the natives of this State, his first move would not have been to accomplish his desires by Act of Parliament. The select committee presented a report to this House, which adopted its recommendations, not one of which was that legislation should be passed. The recommendation in this regard was that endeavours should be made through the normal channels to ensure, first of all, that the natives of this country were provided with sufficient food, and, secondly, that they were given an opportunity to engage in industry after being trained by the mission.

Now, at this stage, the Minister introduces a Bill mainly to give natives a vote and the right to drink in hotels. That is not giving natives citizenship rights, but is only playing with the ideas and ambitions of those who are keen to see that natives are decently treated in Australia. The first necessity, I repeat, is to see that our aborigines are provided with the necessities of life. I do not believe this legislation will contribute in any single factor to the wellbeing of the aboriginal people of Western Australia.

Hon. D. Brand: It will simply aggravate the position.

Mr. BOVELL: When introducing the Bill, the Minister made very serious accusations which involved members of this Parliament. He said that when he was entertaining some aborigines in the parliamentary dining-room, certain members of Parliament were unseemly in their conduct and were, in fact, making jibes at him and his guests. The Minister has been challenged since then by the Leader of the Opposition to substantiate his statements. He has been challenged to name the members who, he says, were responsible for that unseemly conduct, but he has refused on both occasions. Every member of this Parliament is therefore suspect—

Hon. D. Brand: Only members of the Opposition.

Mr. BOVELL: I was coming to that. Not being satisfied with charging members, the Minister implied, during question time yesterday, that members of the Opposition

were responsible. I was not in the parliamentary dining-room at that time, but I say that unless the Minister is prepared to stand up in his place in this Chamber and name the persons concerned and substantiate his accusations by evidence such as would be tendered in a court of law, he should retract without qualification the statements he has made. His accusations savour of a return to the days of the Hitler-Goebbels propaganda machine.

The Minister for Native Welfare: You should know something about that.

Mr. BOVELL: I know something of what went on in those countries when the figments of the imagination of Hitler and Goebbels, through their propaganda machine, were responsible for the persecution of many people.

The Minister for Native Welfare: The Minister will deal with that in due course.

Mr. BOVELL: I am asking the Minister to deal with it now.

The Minister for Native Welfare: As I have said, I will deal with it in due course.

Mr. BOVELL: I am asking the Minister to name the people concerned and to substantiate his accusations by evidence which would be such as could be tendered before any court of law in this country. I repeat that it was the imagination of men such as Hitler, Goebbels and their ilk in Germany that persecuted many peoples and they were not called upon to substantiate their accusations. The Minister has made certain accusations. He inferred that members of the Opposition were involved in a certain incident. I am saying this because I was not in the parliamentary dining-room at the time, and I challenge the Minister to substantiate his statement.

Mr. Ackland: But the Minister had the hon. member under suspicion until you announced that you were not in the dining-room.

Mr. BOVELL: That is so. I was not in the parliamentary dining-room at the time the Minister was entertaining his native guests. For that gesture I commend him highly, but he has spoilt his efforts by making accusations that certain members of the Opposition made some derogatory remarks about his guests and himself. I am sincere when I challenge the Minister to substantiate his accusation.

The Minister for Native Welfare: I suppose you will show your sincerity by supporting this Bill.

Mr. BOVELL: At the outset, I said I was not convinced it was right to give natives a vote or to grant them the privilege to enter hotels to obtain drink when they were not trained to qualify for such rights. Therefore, I cannot support the Bill at present.

Mr. Potter: That is not all it does.

Mr. BOVELL: That constitutes the main provisions in the Bill, as its title indicates.

The Minister for Transport: Were you trained to go into a hotel?

Mr. BOVELL: Yes, and so was the Minister. He and I were trained to enter a hotel by our standard of living which we have followed from birth until now. If the Minister had not responded to that training, it is not my fault.

The Minister for Transport: Trained to go into a hotel! I have never heard of such rot!

Mr. BOVELL: The Minister has been trained to accept the privileges he has been permitted to enjoy under our standard of civilisation. Natives who are qualified to accept such privileges have only to make application to the proper recognised authority and such rights and privileges will be conferred upon them. Not only will they be given those privileges but they will also be asked to accept the responsibilities we are supposed to enjoy. Natives also require to be trained to accept responsibilities which are laid down in the laws of this State, and once this Bill becomes law, they are responsible under its provisions and they can be charged if they commit any breach of them.

That is completely unfair when we consider that these people have not been trained to live under our legal system. In my opinion, the Bill is ill-timed. It is ill-conceived and it will not contribute in any way to the uplift of the natives of this State. If I could be convinced on that point, I would vote in favour of this measure. However, I have seen with my own eyes the real needs of these people and those needs were set out in the report that was presented to Parliament by the select committee which inquired into the condition of natives at the Warburton mission. Let the Minister implement the recommendations made by that select committee and it will then be time to introduce a Bill of this nature. I oppose the second reading.

MR. OLDFIELD (Mt. Lawley) [5.5]: Unfortunately, owing to the pressure of other business, I was unable to be present in the Chamber to hear the debate that has already taken place on this Bill this afternoon. However, on previous occasions I have opposed similar measures to this because I thought that the native people to which this legislation refers were, as yet, not prepared for citizenship.

Having been a member of a select committee which inquired into the conditions of one section of natives in one area of Western Australia nearly 12 months ago, I have taken considerable interest in this subject and given as much study to it as time has permitted. As a result, I have reached the conclusion that in the last

20, 30 or even possibly 50 years, we have not made one step forward to better the native people in Western Australia.

Hon. Sir Ross McLarty: That is not correct.

Mr. OLDFIELD: I can assure the member for Murray that it is correct. The coloured people of this State are no better off today than they were 50 years ago. In fact, in my opinion, they are worse off.

Hon. Sir Ross McLarty: For one thing, they are now being educated.

Mr. OLDFIELD: That is not sufficient. The position is that they are educated to a certain standard, are granted academic qualifications, but from that point on they cease to exist as citizens. No one employs them and no one accepts them in the community.

Mr. Bovell: Oh no!

Mr. OLDFIELD: Oh yes. They are employed as farm hands, or on menial tasks such as domestic labour, but they are not employed in the higher positions for which they have qualified themselves academically. We have to be fair.

Mr. Lawrence: What about housing?

Mr. OLDFIELD: We are now dealing with natives and their status and not with housing.

Mr. Lawrence: I am referring to housing for natives.

Mr. OLDFIELD: I understand that the provision of housing for natives has proved to be a failure.

The Minister for Transport: It has also proved to be a failure for white people, too.

Mr. OLDFIELD: I realise that. The habits of the residents at the Melville camp were so bad that the Minister had to close the camp. The people there were not fit to be given homes or decent accommodation. The natives are living a life without hope, and we must give them some hope. It is the hope of reward that sweetens labour. It is no use young native people trying to educate themselves so that they might attain something better in life when they become adults, because when they have obtained their degrees they are given no encouragement to fill any positions to which they would be entitled by holding such qualifications. In fact, they exist only on the charity that is handed out to them by the Native Welfare Department and probably the main source of their income is child endowment payments.

This question has been debated many times in this Chamber in the few years that I have been a member of it. In the past the main argument that has been advanced is that if we give these people citizenship rights, we are merely giving them the right to vote which they do not seek and the right to consume liquor

which will do them no good. There are many white people who are, of course, entitled to vote but who cannot cast an intelligent vote and, also, there are many white people who are incapable of holding their liquor. Nevertheless, we do not deny those people the rights they enjoy.

In addition, we bring into this country many people whose skins are much darker than some of those classed as natives. Such migrants come from Malta, and from some of the Levantine countries. Having come from a British possession they are immediately given the right to vote. A person who hails from a foreign country is entitled to enter our hotels and after five years' residence is entitled to become naturalised and have the right to vote in the same way as an Australian-born citizen. Therefore, I do not know for how long we are going to deny the natives the right to live in the community in the same way as ourselves. Certain members of this Chamber have at times made references outside to the attitude of the white population towards the negro in the Southern States of America, especially in relation to the situation which has developed in the State of Arkansas in recent months.

[Mr. Sewell took the Chair.]

Mr. Lawrence: And rightly so, too.

Mr. OLDFIELD: We, as part of the Australian nation, are prepared to send millions of pounds to countries immediately north of us as a result of being a participant in the Colombo Plan, which money ostensibly was to be used to build up these people and to grant them opportunities which hitherto they have been denied. However, when we commence speaking of affairs in our own backyard, we always rear a great outcry from certain sections of the community who are bitterly opposed to any attempt to teach these people to attain some semblance of self-respect.

I ask any member of this Chamber how he would like to be born a certain colour and one of the rightful inhabitants of this country, knowing that at no stage of his life could he ever take his place in the society that has been built up in this State over the last 150 years. Our natives are born on the fringe of civilisation, so to speak, and are now remote from the tribal laws of their own people. As a result, and because of their lack of self-efficiency, they cannot adopt the ways of the white people in our society. Again, when we talk of referring them back to their own way of life, we have other members who say "We want to improve the conditions under which they live. That is not the way of life for native people in a civilised country such as Australia, which enjoys so much wealth and the good things of life." However, we cannot have it both ways.

If we want to improve the life and conditions of the tribal native, we should bring him closer to our form of civilisation. He is living the way he is as the result of our civilisation making inroads into his native reserves. What about the quarter, the half and the three-quarter castes? They represent the unfortunate people who are born not because of the wrongs done by their own people but because of the wrongs committed by white people. It is the white people who have created the half-caste problem. If no white man had ever entered Australia, there would never have been the quarter or the half-caste.

Let us face up to our responsibility and make these people true members of our community. In saying that I do not suggest that we should encourage intermarriage. They have their own tribal laws and their own forms of culture. In other parts of the world where a similar problem exists, the native people are assimilated into the white community as part of society. As examples of that, I can cite that in and around Perth we have various communities of Yugoslavs, Italians and Greeks. They enjoy their own culture and mix with people of their own blood, and they marry into their own community. They are part of society and they are not denied the privileges and responsibilities of citizenship.

There is no doubt that sooner or later we must make the experiment. Under this Bill any one of these people who are granted citizenship rights are not automatically placed in a position similar to ours—they are given temporary privileges of citizenship and if they step out of line and do one thing which may offend the white section of the community then, on the application of the commissioner or the protector, those citizenship rights are removed. If a native does not feel capable of measuring up to the responsibility of citizenship, he must make application to have his citizenship rights taken away, after which he becomes a native under the Act and is cared for by the department.

We must endeavour to give these people some hope, and make them realise that their children are going to be born with equal rights. Many people preach the equality of birth but immediately they leave the halls in which they have been speaking, they forget all about that. If we subscribe to the principle that everybody is born equal, then we must give these children equal rights.

Let us be honest with our own consciences, and therefore be honest with the public. These people should be given equal status with whites. We could always provide a safeguard in relation to those from the tribal areas who have not obtained a sufficient education, nor have the ability to care for themselves within society. This provision is already in the Act. But those natives who are capable of

measuring up to the requirements of our society should be given some hope, and it will be a step forward if only two or three of them prove to be a success, because as time goes on, things will improve.

Their conditions have not improved one iota in the last 50 years. The only improvement that there has been is in relation to the handing out of money for charity, and extra grants to the department. But there has been no forward move so far as their position in the community is concerned. They are no further advanced at all in that direction. From all we hear, it would seem that they are only fit for menial labour and for employment as farmhands, or work on the chaff-cutter, or other itinerant types of work which are regarded as the blackfellow's job! The time has come when we should do something for these people in order to give them an opportunity to prove themselves. If the experiment is a failure, we can always repeal the Act.

Mr. I. W. Manning: This is repealing the Act, is it not?

Mr. OLDFIELD: Then if necessary we can repeal this measure, if it becomes an Act. At least give them the opportunity to prove themselves. These people have suffered for the past 50 odd years because their cause has been used as a political football. It is quite wrong and unfair in a Christian community that a downtrodden minority should continue to be considered nothing but a political football, as is the case in America.

Members in this Chamber have criticised the attitude of South Africans with their apartheid policy, and have said what a shocking thing it is. But they seem to forget that a similar policy exists in Western Australia—not by statute, I will admit. It exists by an agreed policy between the members of the white community. As members know, natives are not permitted accommodation in hotels, because the publicans believe that if they were granted this privilege the white people would refuse to patronise such places.

Yet we find that coloured people who come from overseas are welcomed and feted and even some members of this Chamber break their necks in an endeavour to shake hands with them; and only because they happen to be dignitaries from their own countries. If we consider the matter, we will find that the aborigines of this land are the descendants of a people who had their own dignitaries. It is most illogical to continue such a line of thought, which has been with us since the time we first had responsible government.

Before I go further, I must say that the McLarty-Watts Government, when it came into office, did feel that something should be done for these people and accordingly

made more money available. But that is all it did; it only made more money available. It is to that Government's credit, however, that it provided more money than was ever made available before. Since then, however, we have not made one stride forward.

Let us put aside the prejudices with which we were brought up; prejudices which in some instances we have conveyed to those people who have migrated to this country. Let us give these native people a go; let us be true Australians and give everybody a go. We talk about giving the underdog a go. If that is how we feel, here is our opportunity to show that we are true Australians, and that we want to do the fair thing by everybody. If the people concerned do not face up to their responsibilities, we can always take this privilege away from them. In the meantime, however, let us see how it works; let us give this Bill a second reading in the hope that it may ultimately be passed.

Before I conclude, I would like to refer to certain people who are in the sporting world of Australia today. I will not mention any names because it might prove embarrassing to them. But we all know that there are people here who are classed as natives, and who are feted and fussed over because in a moment of glory the newspapers have written up their achievements. We find that people race after them for their autographs, and so on, but once they cease to be stars in the sporting firmament they are relegated to their various camps at Bassendean and the lives they previously lived. Very often we have found that by way of celebration these people have been invited to join in drinking the contents of a five-gallon keg, but being athletes, more often than not they politely refuse. Let us stop our shilly-shallying and take a definite stand in the matter. Let us have courage and make this experiment. If it is not a success then the remedy is in our own hands.

HON. SIR ROSS McLARTY (Murray) [5.24]: I would like to say one or two words on this measure. During this debate we have heard a good deal about the Declaration of Human Rights, and some members seem to imply that our native population is suffering because we are not acting up to the principles laid down in that declaration, which is sometimes known as the Atlantic Charter. I do not think, however, that that charge can be sustained. We have had one or two reports on certain statements that have been made in this regard overseas, but it is rather strange that the people who have laid the charges against Australia belong to a particular class which is not much concerned about the Declaration of Human Rights. Indeed, they have proved tyrannous in their attitude to the people whom they govern, or hold in subjugation.

It can be said that all Governments for many years have made a genuine effort to try to do something to uplift the status of the native. I think we all agree that we owe a duty to the natives of this country in so far as that is concerned. I remember when my own Government came into office that this was one of the problems to which we gave very early consideration. Sir Ross McDonald, who was Minister for Native Welfare in my Government, was extremely interested in the native problem, and I am sure it will be agreed that he did a great deal to try to uplift the status of the native population in this State. He travelled far and wide in an endeavour to secure some practical knowledge on this particular question.

I was surprised to hear the member for Mt. Lawley say that nothing had been done to assist the native population in Western Australia during the past 50 years. I do not know how the hon. member can make such an irresponsible statement. By way of interjection, I said we are doing something to educate them. We take them into our State schools today; they are taken into schools conducted by churches; they mix freely with white children, and they receive the same tuition and attend school under the same conditions as those enjoyed by white children.

Surely education is one of the means by which we can improve the lot of natives in this country! We all know that 50 years ago they did not have the opportunities which they get today, and it must be to their betterment. I have met numbers of those children who have attended schools—some of them have left school—and they have done remarkably well. I do not agree with the member for Mt. Lawley when he says that they are fitted only for menial work and employment as farmhands, working chaffcutters, etc., because quite a number of them have proved their capacity as teachers, as nurses, artists and the like. There is plenty of work offering for our native population, particularly in these parts and, I believe, in the northern parts as well. I do not think they are exploited today because they have learned so much—they would not permit themselves to be exploited. The nature of their work entitles them to the full remuneration which labour conditions provide at the time.

In regard to this particular question, we find quite a number of well-meaning people expressing their views as to how we should treat our native population. Unfortunately these people have not had any practical experience at all with regard to our natives, and with some of them, I would say, their interest is purely academic. We cannot reach practical results unless there is a practical application. I am one of those who, during my lifetime, have seen a great deal of our native population, particularly in these

parts of the State. I know how they live; I know how they work, and I know what their general attitude towards life has been.

It is unfortunate, but nevertheless true, that many of them still have a haphazard attitude towards their work. I think it was the member for Narrogin who said that they have not—or words to this effect, because I do not wish to misquote him—a real appreciation of their duties towards an employer or their work. My experience is that that is so. Quite a number of them still want to be paid every day. They will not accept the general principle that a worker is paid at the end of the week or fortnightly. Quite a number of them insist on having their pay at the end of each day. Again, I find that when they do receive their pay, quite frequently they stay away from work for a few days. That is one direction in which natives should be educated in order to give them a greater realisation of their responsibilities towards their employer and their employment generally. Many of our natives are good workers—conscientious workers—and while at work, they do it well.

As regards the question of citizenship rights, I would ask members what benefits the native population will get if given the rights proposed by this Bill. What would it enable them to do that they cannot do now? They can seek employment wherever they wish; they can send their children to school; they receive hospital and medical treatment; they can choose their own way of life, and they have all the main freedoms which we possess. If this Bill is passed, it will enable them to have a vote for the legislature. However, without any doubt at all, a great many of them would not have any appreciation of what that means.

Tonight, we have heard an account by the member for South Perth of his visit to the Warburton Ranges. He said that some of the natives there could not speak English; and I also read in the report in connection with the hon. member's visit where one officer of the Native Welfare Department could not make himself understood, and other natives could only speak half a dozen words of English.

That would not apply only to natives in the Warburton Ranges, but would also apply to those in the Kimberleys and perhaps in other parts of the State. Under this Bill we propose to bring them all in and give them full citizenship rights. I suppose that if they do not enrol for the Legislative Assembly, they will be fined; and if they do not vote, they will be fined also. That is the law of the land, as you know Mr. Deputy Speaker; and members must realise how absurd it is and how thoroughly disinterested a great number of our native population is, in this regard.

Under the Act introduced when my Government was in office, we gave the natives an opportunity to claim citizenship rights if they so desired. I think that magistrates and those associated with them are generous in this regard and I do not think that any attempt has been made to prevent a native from obtaining citizenship rights when he has put up a reasonable case. He does not require any high qualifications with regard to education, and no other barriers have been placed in his way. If he has lived an ordinary normal life he can obtain his full citizenship rights; and hundreds of natives have done so under that particular legislation.

I cannot help but feel that if this legislation is agreed to, it will lead to some racial distinction; and that is something that should not be encouraged. We know that liquor has a very detrimental effect upon many members of our native population and some do not seem to be able to take it. I have heard members say in this House that it is because the natives are not used to it and that they drink bad liquor in larger quantities than they otherwise would because they are prohibited from buying it. From my experience, I do not think that is so. If this Bill is passed, of course, the natives will have just as much right to purchase liquor as any other member of the community.

For my part, I have the greatest admiration for the original natives in this State. I was reading an article the other night about Sir John and Alex Forrest regarding some of their explorations in this State. The article went on to say how these two great Western Australians had an affection for the native population and, in their writings, they expressed appreciation of the good work the natives did and the loyalty which they received from them. As we know, memorials have been erected by the Forrests, at their own expense, to certain natives as a reward for good service, not only to the Forrests themselves but to Western Australia.

The Minister for Health: That was before we took their dignity away from them. I remember them in the early days and they were an honourable straight-forward race.

Hon. D. Brand: How did we take their dignity away?

The Minister for Health: I did not think you would ask a question like that.

Hon. D. Brand: Answer it.

The DEPUTY SPEAKER: Order! The member for Murray has the floor.

Hon. Sir ROSS McLARTY: From what we know of the native population, they have been a nomadic race from their earliest days. They travelled the country and never thought about the provision of permanent homes or tilling the soil. Even today, with all the advancement they have

made, there are comparatively few of them who have worried about providing their own homes or tilling the soil in order to obtain food.

In previous debates in this House I have heard it said that they led this sort of life in the past because there was plenty of native game in the country and there was no necessity for them to indulge in this particular class of work. I do not agree with that view. It is a strange characteristic of the natives that they have never been permanent home builders or tillers of the soil.

Mr. Oldfield: There are no native fruits or cereals for them to use.

Hon. Sir ROSS McLARTY: Every other nation has managed to do something about it.

Mr. Oldfield: Name one they could have cultivated. They have all been imported. There was not one domestic animal except the dingo, which they did domesticate.

Hon. Sir ROSS McLARTY: Every nation in the world has succeeded in growing something. I think it was the member for Mt. Lawley who said something about being sincere in regard to this particular measure. We need to be practical in regard to it as well as sincere. I do not think we are doing anything practical by agreeing to a Bill of this nature at this stage to give full citizenship rights to our native population in one fell swoop. Of course, as pointed out by the member for Mt. Lawley, there is a provision that on the application of the Commissioner of Native Welfare, they can be deprived of citizenship rights if the commissioner is of the opinion that they are not capable of holding them. Therefore, I repeat, that we are not inflicting any hardship on the native population as citizenship rights under the existing Act are not hard to obtain. It is the duty of the Government of the day, and of future Governments, to do all they can to uplift the status of the native population.

The Minister for Education: Did you have to apply for citizenship rights?

Hon. Sir ROSS McLARTY: I have heard the Minister on that before—

The Minister for Education: It is still good.

Hon. Sir ROSS McLARTY: —and have replied to it.

The Minister for Education: Not effectively.

Hon. Sir ROSS McLARTY: I have been telling the Minister that this is not a good Bill nor a practical one.

Mr. Bovell: Natives are born to their own citizenship rights; it is our rights we are talking about.

[The Speaker resumed the Chair.]

Hon. Sir ROSS McLARTY: We should go on doing what we can in the interests of the natives and providing more money for the missions. If each Government does that, in the end, with the education children are now receiving, the natives will eventually be fitted for full citizenship rights. I do not think the present proposal is a practical one, and I am quite certain that it will do nothing to uplift the native population generally. As a Bill, I think it is much before its time. Under the circumstances, I oppose the second reading.

MR. I. W. MANNING (Harvey) [5.45]: The Bill could be likened to the s.p. betting legislation where we were presented with a problem

Mr. Potter: The Government did not make a bad job of that, either.

Mr. I. W. MANNING: The problem before us at the moment is: What is best to do for the natives? The problem with s.p. betting was to correct a great social evil. The Government corrected that problem by a mere stroke of the pen, and by so doing something that had always been regarded as a great social evil was overnight turned into a legitimate business.

It would be easy for us to support this measure on the ground of sentiment, and it would be nice for all natives to be citizens such as we are, but the problem is much greater than that. I would like to support legislation which wiped out the restrictions on citizenship, and I said so a number of years ago when the question was debated here. I asked then and I do now: Is this the time? Have the natives as a race been uplifted to such an extent that we are in a position to wipe out the welfare legislation that assists them?

In wiping out the restrictions on citizenship, the Bill gives to the natives two things, namely, the right to vote and the right of unrestricted access to liquor. I believe the natives in Western Australia would come within three categories—those associated with the missions or who have been brought up by the missions or have at some time come under mission influence; those who live on the outskirts of many of our country towns; and those who are tribal natives who are out of touch with civilisation as a whole.

As far as the legislation goes, citizenship rights for natives associated with missions, could be a good thing. The work of the missions is based largely on making good citizens of the natives and this provision would help the missions in their work because they would know that the natives were already citizens and the natives could be brought to recognise that fact and to value the citizenship training they were receiving from the missions.

To the natives on the outskirts of towns who are in intermittent employment and are generally hanging around, this legislation could be a curse. Many of them desire one thing above all others, and that is the right of unrestricted access to liquor. That right, which they would have under this legislation, would be a curse to them. To the tribal native and the native who is outback and who is not in touch with civilisation to any extent, this measure would not mean a thing.

Many problems are associated with the Bill and foremost of them is the one dealing with the Electoral Act. Every Australian-born person is required, on reaching the age of 21 years, to enrol on the electoral roll, and failure to do so is an offence against the Act for which a penalty of a fine of £2 is provided. Does the Minister visualise that every native, no matter where he resides, would be subject to compulsory enrolment? That is one of the main points of the Bill. It puts these people on a plane with the Australian-born whites and, of course, they will have to meet these obligations.

There could be many other obligations besides that of enrolment. At this stage I propose to read Section 45 of the Electoral Act to support what I am saying. This section provides—

(1) Every person who is entitled to have his name placed on the roll for any district or subdistrict and whose name is not on the roll upon the expiration of twenty-one days from the date upon which he became so entitled, or at any subsequent date while he continues to be so entitled, shall be guilty of an offence unless he proves that his non-enrolment is not in consequence of his failure to send or deliver to the registrar of the district or subdistrict for which he is entitled to be enrolled, a claim in the prescribed form duly filled in and signed in accordance with the directions printed thereon.

(2) Every person who is enrolled on the roll of any district or subdistrict, and who changes his place of living from one address in the district or subdistrict to another address therein, shall make, sign, and deliver a new claim within twenty-one days after the change, to the registrar of the district or subdistrict.

Penalty: Two pounds.

Surely the Government can foresee in this provision many problems for the natives who are not in a position to understand what it means. I dare say there are many who would understand, but it is no good shutting our eyes to the fact that many would not; and that in itself presents a problem.

Mr. Potter: Do you understand?

Mr. I. W. MANNING: In the past we have overcome this problem by adopting the attitude that if a native was qualified to understand what this meant, and he could behave himself and measure up to certain obligations, he was, without any restrictions whatsoever, entitled to citizenship rights. I realise that all these citizenship rights, from a sentimental point of view, are irksome; but if we are faced with a problem such as this, how else are we to overcome it?

The Bill proposes that we should make a complete switch; that if the natives do not measure up to citizenship, their rights shall be taken from them. I regard that as a much worse approach to the problem than the present one.

The Minister for Health: Their mental capacity is equal to ours, given the opportunity.

Mr. I. W. MANNING: Yes, but many at this stage have not had the opportunity.

Hon. D. Brand: Does the Bill solve that problem?

Mr. I. W. MANNING: Many natives would not be able to tell us their names. They do not stay long in one place but shift around all the time. This presents a problem. But we have overcome it because those who are domiciled in a certain place for any length of time, or permanently, are enrolled because they have citizenship rights. But it is not worth while enrolling the wandering types. From this point of view, I think it best that we maintain the present system.

On the question of liquor, the police I have spoken to have expressed considerable concern. While we know that many natives are not anxious to go to hotels and drink, many of them are, and quite a few are denied citizenship rights because of their desire for liquor. These people are only waiting for the day when the present legislation is wiped out and a new approach is made.

Looking at the overall picture, it would be nice to regard these people as citizens of this country—and I do regard them as such—but it is no use shutting our eyes to the fact that many natives are not able to measure up to the required standards or undertake the obligations required of them. If the Government is genuine in its desire to assist the native people, it will step up the type of assistance that is already being given.

When the McLarty-Watts Government came into power in 1947, the approach to the native problem was completely changed. Considerable assistance was made available to the church missions. As a result of working through them, a great deal has been achieved in the uplifting of the native people as a whole. If this work progresses and is stepped up,

then when we have contacted and educated the bulk of the children of today, there will be no need to render assistance to them when they grow up because they will be able to fend for themselves. On the whole, the welfare legislation will not be necessary. The sooner we can bring the natives up to that standard, the sooner there will be no need for restrictive legislation.

Another point I wish to touch on concerns the deplorable attitude of many people in this community who say the natives are looked down on. I have found very little of that. The natives at the Roelands mission in my electorate are highly regarded in the local community. The girls' hockey team from the mission has made a name for itself in the Bunbury Women's Hockey Association and it was successful in winning one of the finals. The children from there who compete in the inter-school sports more than hold their own.

Mr. Roberts: A number of the children from the Roelands mission attend the Bunbury High School.

Mr. I. W. MANNING: That is so, and they more than hold their own with the white children. There is no reason why they should not be capable of understanding and undertaking the obligations of citizenship. If they were to apply for citizenship, I imagine it would be granted to them automatically. But we must not lose sight of the other side of the picture concerning those natives who do not understand this question. We could go to a native who could not tell us his name or his parents' name. To suggest that he should be enrolled on an electoral roll, and must vote or pay a fine of £2, would be asking too much of him.

Are we going to say to such people, "You are citizens, but because you do not understand what is required of you, we will take your citizenship from you?" This is harsher treatment than is the issuing of citizenship rights to people who are qualified to understand what they are all about. I cannot allow to pass the remark that the Minister made when introducing the Bill, as regards an incident which took place in the dining-room while he was entertaining native guests the other evening; or supposedly took place—

The SPEAKER: Is this going to uplift the natives?

Hon. D. Brand: The Bill won't.

Mr. I. W. MANNING: I think I am entitled to reply to a point raised by the Minister in his second reading speech. Apparently he thought it was going to uplift the natives. I am going to say that it will be just the opposite. If he goes around the country talking like that, he is asking for trouble. He is creating a detrimental feeling between the natives and the whites, and he is whipping up a feeling which today does not exist.

The Minister for Transport: Yes, it does.

Mr. I. W. MANNING: The Minister deserves severe censure for that. I would go so far as to say that this story of an incident in the dining-room was cooked up by the Minister to further his kite flying propaganda. He claims that he is doing all this for the natives; but I see no virtue in this approach to the native problem. The Minister comes to this Chamber with his kite flying statements regarding what he is doing for the natives, and he said that in the dining-room someone laughed at him when he was entertaining guests. In my view that was a false statement.

The Minister for Transport. Are you calling him a liar?

The SPEAKER: Order! That is not very uplifting.

Mr. I. W. MANNING: I was in the dining-room the whole of the time while the Minister was entertaining his guests. I sat at the table next to him, and the guests he had with him could only be admired. They were two very smart looking young gentlemen and I thought what fine young people they were.

At no stage did I see any laughter directed at the Minister or anyone else. He has created ill-feeling between the natives and the whites by making that statement, and he has brought this Parliament into disrepute because some feature writer in the "Daily News" has taken it up and called us louts. That is a terrible thing to say about members of Parliament, and it brings Parliament into disrepute.

The SPEAKER: It was most unparliamentary.

Mr. I. W. MANNING: Yes, Mr. Speaker, and I would go so far as to say that you ought to give consideration to bringing the gentleman who wrote the article in the "Daily News" before the bar of this House and charging him with contempt of Parliament.

The SPEAKER: That is the responsibility of the House.

Mr. I. W. MANNING: I think we should give consideration to it. To have Ministers of the Crown making false statements in this Parliament, about something which has taken place outside the Chamber, is a very poor show indeed.

The Minister for Lands: That is what I have thought on a good many occasions.

Mr. I. W. MANNING: I am glad the Minister for Lands agrees with me, because it is something that is really serious.

The Minister for Lands: Particularly when you presented a petition regarding potatoes.

Mr. I. W. MANNING: This sort of thing should be stopped before it goes any further. While I appreciate what the wiping

out of restrictions on citizenship rights would do for these natives, they are not in a position to understand what it is all about, and because of the great number who would be in that position I cannot support the legislation.

MR. PERKINS (Roe) [6.3]: The Minister, on behalf of the Government, has introduced this legislation with a great fanfare, and I give him credit for believing that it will do something to improve the lot of our native population. But I think if the Minister stopped to have a more careful look at the Bill, he would rapidly realise that it does not very much alter the position that exists today. The speeches which have already been made have brought out the point that the essential thing which the legislation does is to give all natives citizenship rights, the same as we have as a birthright. That entails the right to vote and the right to enter hotels and obtain liquor, both of which rights are denied natives at present, unless they have obtained the right under the Natives (Citizenship Rights) Act.

I very much question whether that right will be heeded by 99 per cent. of the present native population in Western Australia. The Minister has not taken the risk of introducing this legislation without also making provision for the taking away of those recently given rights in the case of natives who are not able to make proper use of them. As some members from this side have already pointed out, some natives may feel even more aggrieved by being given a right at one moment and having it taken away from them the next. It is not a nice thing to say, but I think some members on the Government side at least could be accused of attempting to gain some political kudos by using the native population as pawns in this particular game.

The Minister for Transport: That is a nice thing!

The Minister for Native Welfare: Who are they?

Mr. PERKINS: I do not want to specify anyone in particular; but if the cap fits in any quarter, let that particular person wear it.

The Minister for Transport: It is a figment of your imagination.

Mr. PERKINS: I think that some of us who have had dealings with the native population, in various parts of the State, and for a very long time, know from personal experience just how difficult this problem is. I give the present Minister for Native Welfare credit for anxiety to improve the lot of the native population. But even he has been forced to recognise, in this Bill, that it is still necessary to retain a Native Welfare Department as

such; although he has stated, in explanation of the Bill, that he is anxious to treat natives in just the same way as any other native-born person in this country.

But, on the other hand, as some members on this side of the House have already pointed out, there are many other provisions in this legislation which recognise that some other treatment has to be used in dealing with the native population. There are certain restrictions on them and certain charges will be laid on officers of the Native Welfare Department in dealing with the native population. That is not altogether unexpected. They are a very primitive people who have been in close contact with the white population for only the last century or so, and not all of them for that long. Unfortunately, in too many cases, the contact they have had with the white population has been with the least worthy representatives of the European race.

The Minister for Transport: Of course, none of us in this Chamber has had contact with white civilisation for a century.

Mr. PERKINS: Does the Minister mean individual members?

The Minister for Transport: Yes.

Mr. PERKINS: I am referring to them as a race. Obviously, when we are dealing with particular people, and the contact which any native has had with the white population at any particular point, it does not stop at a particular native but is passed on from generation to generation.

The Minister for Transport: I would say that a black baby and a white baby would start off approximately equal.

Mr. PERKINS: I do not know what the Minister means by "equal." They certainly have different characteristics. I think it is more a question of characteristics than it is of environment. Admittedly, environment has a tremendous effect on the development of any of us; but I think there are different inherited characteristics. If the Minister for Transport has views different from that, I will be very interested to hear him expound them.

The Minister for Transport: I will save them up for next session.

Mr. PERKINS: The fact remains that those of us who have had some contact with the native race—and some of us have employed them and dealt with them in various ways—soon come to realise that they have an entirely different scale of values from what we take for granted, as a European race, as being the ordinary scale. For instance, the ordinary native, even one who has grown up in our white community, is an example of what little importance they attach to thrift. Admittedly, examples can be found of natives who do appear to have developed some responsibility, or some respect for property, and some of them have attempted

to save money from their wages to make some provision for the future. But I think they are rare exceptions. In the great majority of cases they tend to live a rather happy-go-lucky sort of life.

I have employed natives and at times I have chided them for not turning up for work, and thus throwing the rest of the business organisation out of gear. I have told them that it is difficult to continue to employ them unless they are prepared to work in the same way as we expect white employees to do. Their reply to that is that we are just fools to attach so much importance to saving, or worrying about what will happen tomorrow. The implication is that, so far as these particular individuals are concerned, they do not worry about providing for tomorrow and the worst never happens to them—they still continue to live.

The Minister for Education: There are plenty of white people like that.

Mr. PERKINS: I know there are, but surely the Minister for Education is not suggesting that that is a line of conduct that ought to be encouraged!

The Minister for Transport: It does not bar citizenship rights for white people.

Mr. PERKINS: I agree. I am not saying that it is necessarily an unworthy attribute; I am not trying to pass censure on them, because it is the way they have lived for many centuries. It is something that is probably the effect of countless generations before, and it cannot be altered overnight.

What I am trying to point out is that when we come to pass legislation dealing with the native race, we have to recognise that they have quite different characteristics from our own. Hence the legislation that we pass, if it is to be realistic, must recognise that particular point, and it should make us chary about trying to make them conform to legislation which we find satisfactory but which probably a great many members of our native population would have great difficulty in accepting, and in which they cannot see very much sense.

When amendments to the Native Welfare Act are introduced into this Chamber, or when any new legislation is brought down, it is necessary to remember that we are dealing with native people who have an entirely different set of values from that which we take as the ordinary thing in our Australian way of life.

Sitting suspended from 6.15 to 7.30 p.m.

Mr. PERKINS: Before the tea suspension I was discussing the different characteristics of natives compared with the characteristics of Australian citizens of European descent. The characteristics of the natives make it very difficult for a very large percentage of them to comply with much of the legislation on the statute

book. There was provision, up till 1944, for the exemption of natives from the Native Welfare Act by the granting of a certificate. I remember the occasion when Mr. Coverley, the Minister for the North-West in the then Labour Government, introduced the Bill to grant citizenship rights to natives. That was the legislation under which natives, who were able to comply with the laws of this State, were granted citizenship rights on the same basis as the white population. That legislation has operated reasonably satisfactorily.

Mr. Rhatigan: Did you support that Bill?

Mr. PERKINS: I cannot remember. That legislation has operated reasonably well although a few amendments have been made to it since its introduction. I understand that some of these people, who are now classed as natives although they are eligible to apply for citizenship rights, object to the fact that they have to make application. They consider they should be granted citizenship as a right. That may possibly be a valid objection. The problem is posed as to the finding of a practical way of granting citizenship as a right, without running into complications which are inherent in the Bill now before us.

As I understand the position, the Government proposes to extend to all natives—whether or not they reside in the agricultural areas, whether or not they are well educated, whether or not they are living under the standard accepted as general among the white population, whether or not they live in the most remote parts of the State and in some cases have not come into contact with white people—citizenship rights, under which they will have to comply with all the laws which have been specifically framed for people much more highly developed. The Minister must realise that there are difficulties to be faced in granting all natives citizenship rights.

The Bill provides that natives who cannot conform to our laws shall revert to the same status as they have now, that is to say, to be classed as natives. In that event they will not enjoy the privileges of citizenship and they will come under the definition of protected natives. I am interested to know how the Minister intends to go about adopting the proposal that natives residing in remote portions of the State—as referred to by the member for South Perth on numerous occasions—should be made subject to the laws applying to the white population.

One can think of many complications arising in connection with the extension of citizenship. For instance, there will be the problem of white people intruding into what are now native reserves and introducing the more undesirable faults of the white race. Very little opportunity would be given to check on these matters.

I would be interested to hear from the Minister of the manner in which natives, termed as protected natives, are to be brought under the administration of the Native Welfare Department. It appears that each case has to be dealt with on an individual basis; that being so, it will be necessary to identify each native. There is no provision in the Bill to declare the natives living in a particular area, or in a particular tribe, as being protected persons.

Many of our natives cannot speak English, and many of them have no names as we understand them. If the Minister is to declare them as protected natives, I ask him to tell the House what machinery he proposes to set up to administer this provision. Presumably, if he does not take any action to classify some natives as protected natives, there will be a liability of even nomadic natives to be enrolled under the Electoral Act, and to exercise a vote at elections.

Mr. Moir: Is that what you are worrying about?

Mr. PERKINS: I am not worrying about that. I was wondering what machinery the Minister would set up. I was wondering whether the Minister considered the question of natives who do not enrol or vote. I wondered whether he would apply the same treatment as is applied to the white population—

The SPEAKER: The hon. member is speaking quite clearly but I cannot hear him because of the murmur in the House. I would ask members to speak among themselves in undertones.

Mr. PERKINS: —in respect of electoral matters. If they do not enrol or vote, will they be pursued and will legal action be taken against them? The member for Boulder asked if I was worrying about the votes of natives. No member needs to worry on that score. Judging by that interjection, one would think that this legislation has been introduced for the purpose of enrolling electors whom members on the Government side consider will favour their side of politics.

There is no reason to believe that in regard to the agricultural districts more of the natives are likely to vote in one political direction than another. I can assure members on the Government side of the House that the members representing agricultural constituencies are not worried in which direction the native vote would go. They may find out that natives living in the agricultural areas have a good deal more respect for the members supporting our type of politics, than the members supporting the politics of the Government in office.

The Minister for Transport: They might change their views after they have read your speech.

Mr. PERKINS: Apparently the Minister does not understand the viewpoint of the great majority of natives living in the agricultural areas, if he thinks that they will be worried about reading the speeches made in this House. In any case, those are not the considerations which ought to sway our view towards this Bill. The essential point is whether this legislation will prove to be of benefit to the native population ultimately. I have very grave doubts whether it will.

I believe that the Government is introducing very irresponsible legislation indeed by submitting the Bill now before us. I am rather tempted to let this legislation go through and allow the Government to have a taste of the administrative difficulties that I believe would be certain to result from the passage of such a Bill. I think it would find an outburst of criticism and dissatisfaction with a policy such as this.

It is my belief that a certain percentage of natives are quite capable of conforming to the laws of this country the same as the rest of us. But I believe, too, that they are a very small percentage. I hope that as time goes on that percentage will be increased. In all the agricultural districts in particular the native children attend the Government schools with the white children. Those of us who live in country districts come in close contact with the natives, and our own children go to the State schools and sit alongside native children; and I think we can say that we do know something about the viewpoint of the natives residing in those areas, and can assert that there is no animosity between the natives and ourselves.

Where difficulties occur, they arise from the fact that some native families find it impossible to observe the health standards we expect from the white population. I know that it is very difficult for many of the native families. They live in little hutments just outside the country towns; and in many cases have no water supplies, which makes it remarkable that they are able to keep themselves as clean as they do, and to observe as good a standard as is evident.

I think the Minister will agree that the department is obtaining co-operation in practically every country district of this State from local authorities, and from people generally in those districts who are trying to improve the lot of the natives. But if he is honest with this House, he will admit that the problem is not easy to solve in many instances because of the absence in the natives of those characteristics which we regard as being desirable in Australian people of European descent.

The natives have a happy-go-lucky outlook on life. They do not see much virtue in saving for tomorrow; and in far too many instances when good living accommodation is provided for them, they allow

the houses to deteriorate very much indeed, unless they are chased by the local health authority. I have seen so many instances of this that I feel it necessary to say something about it.

There are people in the metropolitan area—including those on the metropolitan Press—who make the most irresponsible statements about the way the native population is treated. They simply do not give a true picture of the situation.

Mr. Potter: And that information goes abroad.

Mr. PERKINS: Yes; it is most irresponsible. The trouble is that some members on the Government side make such statements publicly, so that people overseas could be forgiven for thinking that there was no goodwill towards the native population in our country districts. If the Minister were honest with the House, he could detail innumerable instances where the greatest co-operation has been given. I will quote one.

A resident of part of the area represented by the Minister for Mines agreed to make available free of charge building materials for a native in a certain country district to enable him to build a home. The local authorities went with the farmer to interview the Commissioner of Native Welfare, and he could hardly believe that any individual could be so generous as to make available free of charge building materials of a value of hundreds of pounds for the sake of improving the lot of native families.

Cement, sand and galvanised iron were dumped on the site, and all the native was asked to do was to make bricks for the home. For one reason or another he never got round to making more than a few, and that project had to be abandoned. But since then a standard type of native house has been erected for that family. If the Minister can identify the case, he will know that there is the greatest of goodwill on the part of practically all the residents in that country district towards that particular family.

There is a slow but gradual improvement in the living conditions and outlook generally of the natives in our agricultural districts. I feel I can speak best for those districts because I am in contact with them. I would like to see that process of improvement continued. I do not favour the idea of just bringing all these people in as ordinary citizens and withdrawing the protection which has been afforded them by restricting the right of irresponsible whites to supply them with liquor willy-nilly and generally, to lead them into undesirable ways. That protection is something which might well be continued.

Under this legislation the natives will have the same right to obtain liquor as the rest of the population, and I am very fearful of the result. I know it has been said from time to time that this danger

can be over-emphasised; but I reiterate that those who know the country districts well and have seen the ill effects which the craving for alcoholic liquor can have on a very big proportion of the native population, are very fearful indeed of where this can take us. In all the circumstances, I do not like this legislation, and I do not believe it should be passed.

But I feel that the Government might easily be hung on a gibbet of its own making if Parliament accepted the legislation, because I believe that the resultant complications would certainly make it wish it had adopted some other policy. If the policy envisaged by the Government were followed, I believe it would undo a great deal of the good work which has been done up to the present, and there could be unfortunate repercussions. I say that because of the fact that there are some natives who are unable to consume alcoholic liquor without brawls developing and this might easily result in a loss of goodwill towards natives as a whole on the part of a lot of people in country districts who are just as anxious as anyone else in this community to see the lot of the native people improved. Taking all the circumstances into consideration, I cannot agree to the Bill.

On motion by the Premier, debate adjourned.

ASSENT TO BILLS.

Message from the Governor received and read notifying assent to the following Bills:—

- 1, Coal Mine Workers (Pensions) Act Amendment.
- 2, Factories and Shops Act Amendment.
- 3, Optometrists Act Amendment.
- 4, Cattle Trespass, Fencing and Impounding Act Amendment.
- 5, Basil Murray Co-operative Memorial Scholarship Fund Act Amendment.
- 6, Noxious Weeds Act Amendment.

BILL—TRAFFIC ACT AMENDMENT (No. 4).

Read a third time and transmitted to the Council.

BILL—MOTOR VEHICLE (THIRD PARTY INSURANCE) ACT AMENDMENT.

In Committee.

Mr. Heal in the Chair; the Minister for Health in charge of the Bill.

Clauses 1 to 4—agreed to.

Clause 5—Section 7 amended:

Hon. A. F. WATTS: I move an amendment:

That the word "possible" in line 20, page 3, be struck out and the word "practicable" inserted in lieu.

I understand there is a legal difference in the meaning of the two words and that "practicable" assumes that the person concerned is capable of doing it, while the word "possible" does not.

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

Clause 6—agreed to.

Clause 7—Section 29 repealed and re-enacted with amendments:

Hon. A. F. WATTS: During the second reading debate I objected to the phraseology particularly of Subclauses (3), (4) and (5), as they throw far too much onus on the injured person who might be in no condition, mentally or physically, to handle the matter in the limited time prescribed. With the assent of the Minister, I discussed the question with the trust and with the Minister and have had prepared an amendment which involves the striking out of those subclauses. If I am in order in doing so, I will move the three as one amendment.

The CHAIRMAN: That will be in order.

Hon. A. F. WATTS: I move an amendment—

That Subclauses (3), (4) and (5) in lines 20 to 34, page 5, be struck out and the following inserted in lieu:—

(3) If the claimant does not commence such legal proceedings within the said period of 42 days the trust may apply to a judge of the Supreme Court of Western Australia for an order that the claims of the claimant and any rights he may have in respect thereto against any insured person and against the trust be forever barred and extinguished.

(4) Any application to a judge of the Supreme Court for such an order shall be made by summons supported by affidavit and a copy of the summons and all affidavits in support shall be served on the claimant at least 14 days before the date fixed for the hearing of the application.

(5) Upon the hearing of such application the judge may—

- (a) make an order in terms of Subsection (3) of this section;
- (b) order that the claimant commences legal proceedings for the purpose set out in Subsection (2) of this section within such time as the judge may nominate and that in default of the claimant so doing his claim and any rights he may have in respect thereto against any insured person and

against the trust shall be forever barred and extinguished;

- (c) make such other or further order as he deems just or proper in the circumstances.

(6) No order shall be made in terms of Subsection (3) of this section unless the judge is satisfied that no good reason exists why the claimant should not commence legal proceedings for the purpose of ascertaining the liability of any insured person or the trust in respect of his claim.

This, in short, will place the onus on the trust to prove that the person concerned could have commenced proceedings but did not do so, which is the reverse of what the Bill contained. New Subclause (6) sets out that no order shall be made by the judge unless he is satisfied that no good reason exists why the claimant should not commence legal proceedings. The onus will be on the trust to satisfy the judge that the claimant was in a position to commence his proceedings and if the trust does not satisfy the judge accordingly, he will make no order.

The MINISTER FOR HEALTH: I have no objection to the amendment. I have discussed it with the manager of the trust and the legal officer, Mr. Hatfield, and I agree whole-heartedly with the explanation given by the Leader of the Country Party.

MR. COURT: Could the Leader of the Country Party explain whether there could be circumstances in which the claimant would not be able to make representations in connection with the matter, or is he satisfied that the judge would insist that the claimant had been properly informed and given ample opportunity to make representations?

HON. A. F. WATTS: During my discussions with the chairman and legal adviser of the trust and the Minister, I emphasised that the onus of proof should be on the trust and that the judge should not make an order unless he was satisfied along the lines referred to by the member for Nedlands. I am satisfied that Subclause (6) fully safeguards the position.

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

Title—agreed to.

Bill reported with amendments and the report adopted.

BILL—RESERVES.

Second Reading.

Debate resumed from the previous day.

HON. A. F. WATTS (Stirling) [8.11]: I have examined the files concerned in this measure and see no objection to the propositions contained therein, but individual

members of this House may want to debate the measure because there are paragraphs in it that make considerable changes in certain areas in the districts concerned. While everything would appear to be in order, individual members might wish to question certain items. I support the second reading.

MR. COURT (Nedlands) [8.12]: This Bill contains reference to the development in connection with the teachers' training college at Crawley, which has been mooted for many years. Apparently the reserve area is now to be clarified by means of this measure. Briefly, a part of the University lands will be excised from the University reserve and, together with a road area which is to be closed and an additional area taken over from the National Parks Board, an area of some 11 acres, 3 roods, 28 perches will be made available for the teachers' training college.

Would the Minister tell us, either in reply or during the Committee stage, how soon will the area be required for the purposes of the teachers' training college? In other words, how soon will the Government proceed with the project? Also, is it understood now, as it was when this was first mooted, that an appropriate area would be reclaimed from the river in the immediate vicinity of this land, to make good the area being taken from the National Parks Board?

When the matter was originally announced it was said that an appropriate area, at least equivalent to that taken from the National Parks Board, would be reclaimed from the river. The river in that particular part is very shallow. The shallows extend for a long way and it was felt that the reclamation would not do any damage to the river and would remove any complaints on the part of some people over the diminution of the area available for recreation.

Furthermore, it is proposed that when this Bill is passed, together with the appropriate amendments contained in the Road Closure Bill, provision will be made for a deviation of Hackett Drive to go around the southern boundary of the proposed teachers' training college. Therefore the whole has to be considered as one project. I would appreciate information from the Minister on these points. At the same time, we cannot separate the road problem that arises with this change of classification of the area and the revision of the reserves, because if the road closure takes place and the new road is not constructed beforehand, the whole area will be completely dislocated.

Another factor is that there will be the argument raised as to who will pay the costs of this road project. I would appreciate some information from the Minister either at this stage or during the Committee debate on these matters.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Sewell in the Chair; the Minister for Lands in charge of the Bill

The CHAIRMAN: I have something to announce to the Committee. Early this afternoon I had the honour to be elected Chairman of Committees of this Chamber and I take this opportunity of thanking members for the honour they have conferred on me. I assure them that I will endeavour, at all times, to do what is fit and proper for the conduct of this Chamber and to uphold its decorum.

Clauses 1 to 10—agreed to.

Clause 11—Reserve No. 17615 at Perth:

Mr. COURT: Before commenting on this clause, I congratulate you, Mr. Chairman, on your appointment and convey the best wishes of the members on this side of the Chamber to you. Knowing you as we do, we are sure that you will perform your duties with credit to yourself and to the Chamber.

This clause refers to an area in Mounts Bay and it is proposed that it be classified Class "C" instead of Class "A". It is at present vested in the City of Perth and the explanation given by the Minister was to the effect that it was intended subsequently to amend or cancel the reserve to make way for the approaches to the Narrows bridge, for the construction of new roads and for the provision of gardens for beautification. No doubt this particular area will have to be treated as one with the bulk of the reclaimed area in Mounts Bay and the query arises as to who will have the reclaimed area vested in it.

Is it proposed, at a later stage to merge the area under discussion in the whole of the reclaimed area vested in somebody or other, or is it intended that the whole area will be vested in the City of Perth as a Class "C" reserve? This area will eventually be the total of the approach area to the Narrows bridge. A great deal of development and beautification will be required and I think that we should know who will be responsible, firstly, for the development of the area and, secondly, for the maintenance of it. Apparently, a portion of it will be set aside for parking, particularly in the Mill-st. section. This parking area will be conducted, no doubt, by the City of Perth and it will require having the land vested in it—at least for that part of the area—if it is to fulfil its statutory obligation.

The MINISTER FOR LANDS: What the hon. member says is quite true, namely, that it will be necessary for two authorities to operate that reclaimed area. The portion which will be set aside for car parking will, eventually, be vested in the Perth City Council and the remainder of it will be retained and maintained by the Main Roads Department. A good deal of the area will be required to construct the clover leaf road system adjacent to the

Narrows bridge and it is thought that the Main Roads Department would be the fit and proper authority to retain possession of the whole of that area because it is its policy to endeavour to beautify the area in order that it should fit in with the surrounding countryside following the alteration of the view by the construction of the Narrows bridge.

I can tell the Committee at this stage that the Minister for Works has engaged a Professor Holford to design a landscape effect in the area to fit in with the whole of the surroundings. Therefore a portion of the area will be vested in the Perth City Council and the remainder will be retained by the Main Roads Department.

Clause put and passed.

Clause 12—agreed to.

Clause 13—Reserve No. 17331 at Crawley:

Mr. COURT: This is one of the two clauses that I referred to during the second reading debate. It is the clause covering the change of that area in respect of the University land at Crawley. This change will create a new reserve of 11 acres as the site for the ultimate construction of a teachers' training college. It was announced at the time when the college was first mooted that an equivalent area would be reclaimed to make good the area that is to be taken over for the training college. Therefore, I would like the Minister to give some information on that point.

The other query that has me perplexed at the moment is in connection with the timing of this venture. Under the changes contemplated by these two clauses, a road running at the southern end of the University—generally referred to as Hackett Drive, will be closed. There will be a deviation of that road so that it will skirt around the southern edge of the teachers' training college to be.

Under the legislation, as I see it, the reserve becomes effective when the Bill is passed, but under the provisions of the Road Closure Bill there is a reference to its being effective on a date to be proclaimed. Therefore, there does seem to be some inconsistency between the two measures because if some years are to elapse before the teachers' training college is built, obviously the authorities would not want to commence the construction of a road in a new area. The existing road serves a very useful purpose by diverting traffic off Broadway and Bruce-st. in Nedlands and by by-passing traffic coming to and from the city. Can the Minister enlighten me on the likely date which is to be set for the building of a teachers' training college and also who will be responsible for the construction of the new road?

The MINISTER FOR LANDS: I do not know whether I will be able to answer all the questions that have been put by the

hon. member because a number of Ministers and their departments are involved. I have been able, however, to check on several points raised by the member for Nedlands. Firstly, I have been informed by the Minister for Education that it is the Government's desire to proceed with the building of the teachers' training college at the earliest possible moment. That, of course, will be conditional upon funds received as they become available.

Mr. COURT: Could it be two, three or five years before the college is built?

The MINISTER FOR LANDS: I am not the Minister for Education nor am I the Treasurer, and I cannot answer that question. However, it is the Government's policy for it to proceed with this construction as soon as possible. As to the reclamation of land from the river foreshore, it is proposed to compensate the University for its land which it is relinquishing for the building of the new teachers' training college.

The Minister for Works has assured me that immediately the teachers' training college is commenced, the reclamation of the land, for the purpose I have mentioned, will commence simultaneously. The question of there being some inconsistency between the Reserves Bill and the Road Closure Bill probably has arisen because the Reserves Bill affects only the whole of the completed reserve and therefore there is no responsibility for the road which at present runs through the two sections of land. From the point of view of the Reserves Bill, this will become effective immediately in so far as the dedication of the land is concerned, but, on the other hand, under the Road Closure Bill, closure of that part of the land, under this legislation, would not become effective until such time as it is necessary to close it for the purpose of building a teachers' training college.

Mr. COURT: There will be no interruption in the use of the road?

The MINISTER FOR LANDS: No.

Mr. COURT: Who is to be responsible for the deviation?

The MINISTER FOR LANDS: I should imagine it would be the Main Roads Department, but I do not know. That is the information I have been able to obtain for the hon. member.

Mr. COURT: I thank the Minister for the information but I would like him to ascertain who will be responsible for the road deviation. No doubt the Public Works Department will accept responsibility because it is part of the Government scheme. No one wants this particular part of the road. It is within the Subiaco council boundary and produces no revenue. The foreshore is controlled by the National Parks board which is always short of money and it is surprising that

the area has been so well developed with the limited funds available; not that it should be left in its present state.

The Minister for Lands: I will find out about that point for you.

Mr. COURT: This also brings about a change to Hackett Drive in the vicinity of the tennis-courts and the Crawley Bay tea-rooms. It is intended to cede certain land to the University and take certain land off the National Parks Board. I do not oppose this because it is better to have the road safe. I would like to know when it will be done. Is it to be done in the immediate future or after the establishment of the teachers' training college? The foreshore is already restricted but the area to be taken is not great.

The Minister for Lands: You are referring to the present Hackett Drive.

Mr. COURT: It is shown on the enlargement of Plan M.2.

The Minister for Lands: I will get that information for the hon. member.

Mr. COURT: Thank you.

Clause put and passed.

Clause 14, Title—agreed to.

Bill reported without amendment and the report adopted.

Third Reading.

Bill read a third time and transmitted to the Council.

BILL—ROAD CLOSURE.

Second Reading.

Debate resumed from the previous day.

HON. L. THORN (Toodyay): [8.35]: I have no opposition to offer to this Bill. For a number of years I have spoken to similar measures and have informed members that it is for them to raise these matters as they affect their particular districts. I have also said that, generally speaking, these road closures are the result of agreements between local governing authorities and the Minister. I suggest therefore that if any member present has an objection to a particular road closure he should make whatever protest he has. I do not think members have had an opportunity to see these files and for the convenience of members I will run through the various road closures. We find that road closures are proposed in Bunbury, Cannington, Carnarvon, Cottesloe, Fremantle, Harvey Estuary, Narrogin, North Fremantle, Karinyup, South Perth, Manning, Hackett Drive, Crawley, and Subiaco. As I have said it is for members themselves to raise any objections they might have. I support the second reading of the Bill.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Sewell in the Chair; the Minister for Lands in charge of the Bill.

Clause 1—agreed to.

Clause 2—Closure of Portion of Forrest Avenue, Bunbury:

Hon. L. THORN: On behalf of the Country Party I would like to tender to you, Mr. Chairman, our congratulations on your appointment as Chairman of Committees, and to assure you of our full support and co-operation at all times in carrying out your difficult duties. I feel sure that we will continue to receive the same help from you. I support the clause.

Clause put and passed.

Clauses 3 to 13—agreed to.

Clause 14—Closure of portion of certain roads and rights-of-way including a one-link reserve at Karrinyup:

Mr. MARSHALL: The purpose for the acquisition of these roads is that a site has been allocated for a high school, and also a reallocation has been made to enable houses to be erected under the State housing scheme. I am pleased that these roads have been closed because the high school and the housing scheme now become realities.

Clause put and passed.

Clauses 15 to 19—agreed to.

Clause 20—Closure of portion of a certain road at Subiaco:

Mr. POTTER: This closure relates to the area between Jolimont and Daglish which hitherto has been University land. The closure is something that the residents in the district have been anxious about for a number of years. It relates to the area from Cardigan Terrace through to Selby-st. The people were uncertain as to what was going to happen to this land and they will be glad to know that this development is to take place.

Clause put and passed.

Title—agreed to.

Bill reported without amendment and the report adopted.

Third Reading.

Bill read a third time and transmitted to the Council.

BILL—TRAFFIC ACT AMENDMENT (No. 3).

Second Reading.

Debate resumed from the 13th November.

THE MINISTER FOR TRANSPORT (Hon. H. E. Graham—East Perth) [8.43]: This Bill, which was introduced by the Leader of the Country Party recently, contains two provisions. Perhaps there is some merit in the legislation being dealt with in the dying hours of the session,

because, in respect to one set of amendments, namely the registration fees for motorcycles. I would inform the hon. member that whilst I would not oppose the issue outright, had it been earlier in the session I would have sought to have effected certain amendments. It is not my intention to oppose what is contained in the Bill. Whilst it is not entirely satisfactory to the police traffic authorities it, nevertheless in my view, is a fairer approach than the present scale—that is hardly the right word as it is a flat charge—and this Bill makes allowances for the vehicles of varying horse power.

The second provision has to do with the amendment made to the Traffic Act last year under which vehicles propelled by fuel other than petrol are required to pay a double licence fee for the reason that, through their fuel, no contribution was made towards the construction and upkeep of roads. Since that time—that is to say, a couple of months ago—the Commonwealth has imposed a tax of 1s. per gallon on diesel fuel. It does not apply to all vehicles or vehicles used under all circumstances, but this tax becomes operative in the same way as import duties—from the time of its announcement—and it is given final legal effect later on by the passage of legislation.

I think I have already indicated that the introduction of the Traffic Act Amendment Bill (No. 4), which we discussed last night, was delayed intentionally in order to give the Commonwealth Parliament an opportunity of having its final say on legislation pertaining to diesel fuel. For the first few weeks it was impossible, by approaches to Canberra or Commonwealth departments here in Perth, to ascertain the principles under which the tax would be paid. So far as my information is concerned at this moment, the Commonwealth legislation has not been passed by the Commonwealth Parliament. In any event, I have no official knowledge of that course having been taken.

For that reason, I am going to ask the House to vote against the proposal embodied in the Bill. However, I hasten to assure members, in confirmation of what I stated the other evening, that under the traffic Bill, which was transmitted to the Legislative Council only a few minutes ago, there is authority for the Minister to vary—I think we altered that word and I made it "reduce"—the licence fees which are payable. I have given a solemn undertaking that as soon as official advice is received from the Commonwealth in respect of its legislation I will, forthwith, have action taken to ensure that every vehicle for which the diesel tax is payable, will be exempted from the requirement to pay the double licence fee.

Mr. Nalder: Will you do that by regulation?

The MINISTER FOR TRANSPORT: Yes. In the Bill it sets out that the Minister may do it by notice in the "Government Gazette." I anticipate that it will be possible to give attention to this matter within the next couple of weeks.

In other words, I have no objection in principle to what the Leader of the Country Party seeks to do, but I think it is a wise precaution for us to receive official advice of the passage of the legislation through the Commonwealth Parliament before we take steps to conform to it. There might be some real grounds for waiting until the official assent of that legislation because apparently members in the Senate are equal in number, and one does not know just what will happen.

I do not think there is any occasion for me to labour this matter, except to say finally that if the advice had by now been received from the Commonwealth, I would have had no hesitation in agreeing to the provision contained in the Bill. I raise no objection to the second reading, but have indicated my intention to vote against one of its provisions.

HON. A. F. WATTS (Stirling—in reply) [8.52]: I do not propose to speak for a great length of time because the Minister has only raised one point in regard to this matter concerning the desirability or otherwise of including in the Bill a provision that the double licence imposed last year should be reduced. I have recently ascertained that the Bill has not actually passed through the Federal Parliament, yet so peculiar are the methods which can be adopted in that sphere that the tax is actually being collected and has been paid by people since last September. That, I understand, is quite a common practice in the way of dealing with customs and excise dues on the assumption, presumably, that the representatives of the people will finally pass the legislation.

It appears, of course, to have succeeded in the past. I would like to point out to the Minister, if that is a real objection to this proposal—and I am prepared at the moment to admit it has substance—the way to overcome the difficulty would have been to have inserted in the Bill, as it could easily be inserted now, that the clause or section in question should come into operation on a date to be fixed by proclamation, or notice in the "Government Gazette," if the Minister likes that better.

It is a circumstance where, if the Bill was passed through Parliament and the tax was payable, without any question it would be satisfactorily coped with. I think the passage of a clear-cut proposal such as is in this Bill, subject in the circumstances to that addendum in regard to a proclamation, would be a great deal better than the proposal in the traffic Bill that went through this House last night giving the

Minister power, by notice in the "Government Gazette," to vary licence fees from time to time.

That seems to be a most unusual procedure. In the same way as an Act of Parliament was passed last year to double the licence fees, so it should be possible this year to make provision to reduce the tax to the figure which it was. I have nothing more to say on the subject at this stage.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Sewell in the Chair; Hon. A. F. Watts in charge of the Bill.

Clause 1—agreed to.

Clause 2—Third Schedule amended:

The MINISTER FOR TRANSPORT: I move an amendment—

That paragraphs (b) and (c) in lines 9 to 14, page 2, be struck out.

For the reasons previously stated this Chamber has already agreed to a formula or procedure to achieve the object sought under this clause. If it is now agreed to, in the light of my assurance, it will mean duplication. Therefore, I ask the Committee to vote for the deletion of these paragraphs.

HON. A. F. WATTS: As I have said, I do not think there is the slightest need to delete these provisions from the Bill. If they are not deleted, I shall certainly move to provide that paragraph (c) shall come into operation on a date to be fixed by proclamation. I can see no reason why that should not be acceptable. The Bill may have been introduced in the first place under a misapprehension in another place because the actual diesel tax has been paid by the persons who used diesel fuel since the middle of September last. So far as I am concerned at the moment they have the privilege of paying a double licence fee plus 1s. per gallon diesel tax. I suggest the Committee does not delete these words and, if it does not do so, I shall add the other words which I mentioned.

Mr. HEARMAN: If the Bill, which we spent so much time on last night, should by any chance be defeated in another place, or not considered by virtue of the length of the Bill and some of the somewhat contentious matters contained in it, what would be the position? I feel we would then be in a position of not having authority for the Minister to exercise discretion in this matter when the appropriate time arrives. I would like it dealt with now. If we delete these words from the Bill, we might leave those concerned with a double tax until Parliament meets

again. If we agreed to the proposition of the Leader of the Country Party it would make no difference if the Bill we discussed last night did not become law. For obvious reasons, the Minister need not exercise his discretion if this is passed into law.

It seems to me that if we delete these words we burn our boats completely in the eventuality of another place not agreeing to last night's proposals; and if we leave them in, it seems that it will make no difference, particularly in view of the amendment envisaged by the Leader of the Country Party. I hope the Minister will agree to leave the words in.

Mr. NALDER: The Minister could well agree to this proposal. He would not be losing face because he has agreed in principle to the idea. Had the Federal Government passed the legislation, it would have been quite in order. The Leader of the Country Party has suggested that he can add further to the clause to make sure that when the legislation is passed by the Federal Government, this can be proclaimed. The member for Blackwood has brought up an important point. I appeal to the Minister to allow this to go through. It will mean that the folk who are using diesel fuel will have consideration shown them immediately we know what the Commonwealth Government has done.

The MINISTER FOR TRANSPORT: There seems to be a thought that perhaps the members of the Legislative Council are not quite as responsible with regard to the welfare of the people of this State as they ought to be. In other words, the suggestion has been made that the Council may not consider the other traffic Bill. It should be made to consider it if it lies within our power so to do. There is no need for us to agree to these words, because legislation that the Assembly has already agreed to will have exactly the same effect; and my word, in connection with the matter is just as binding, so I regard it, as if it were in fact written into the statute.

Mr. Nalder: We are not doubting that.

The MINISTER FOR TRANSPORT: The Assembly already has made the decision which will enable all the persons paying this diesel tax to have their motor-vehicle licences halved. That is what is set down by this legislation. The Assembly has already dealt with the matter. I have no doubt that the Council will attend to that piece of legislation in the proper manner.

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

Ayes	....	....	....	....	25
Noes	....	....	....	....	20
Majority for					5

Ayes.

Mr. Andrew	Mr. Lapham
Mr. Brady	Mr. Lawrence
Mr. Evans	Mr. Marshall
Mr. Gaffy	Mr. Moir
Mr. Graham	Mr. O'Brien
Mr. Hall	Mr. Potter
Mr. Hawke	Mr. Rhatigan
Mr. Heal	Mr. Rodoreda
Mr. W. Hegney	Mr. Sleeman
Mr. Hoar	Mr. Toms
Mr. Jamieson	Mr. Tonkin
Mr. Johnson	Mr. Norton
Mr. Kelly	

(Teller.)

Noes.

Mr. Ackland	Mr. W. Manning
Mr. Bovell	Sir Ross McLarty
Mr. Brand	Mr. Nalder
Mr. Cornell	Mr. Owen
Mr. Court	Mr. Perkins
Mr. Crommellin	Mr. Roberts
Mr. Grayden	Mr. Thorn
Mr. Hearman	Mr. Watts
Mr. Hutchinson	Mr. Wild
Mr. Mann	Mr. I. Manning

(Teller.)

Pair.

Aye.	No.
Mr. May	Mr. Oldfield

Amendment thus passed; the clause, as amended, agreed to.

Title—agreed to.

Bill reported with an amendment and the report adopted.

Third Reading.

Bill read a third time and transmitted to the Council.

BILL—TRAFFIC ACT AMENDMENT (No. 2).

Second Reading—Defeated.

Debate resumed from the 13th November.

THE MINISTER FOR TRANSPORT (Hon. H. E. Graham—East Perth) [9.9]: The Bill has its genesis in an illfounded belief that some injustice is done to people in remote areas in the matter of applying for their driver's licences. When the member for Moore was speaking, I interjected that if he succeeded with the measure he would probably incur the wrath of something like 99 per cent. of the motorists of Western Australia. I indicated to him then that I would tell him why when it was my turn to speak.

The present system which is employed is an indispensable part of an innovation which has been in operation since the 31st March of this year to enable, for the first time in the history of Western Australia, the holder of a motor driver's licence to be notified by post a short period before the expiration of the licence that the licence is due for renewal. The traffic authorities are aware that in many hundreds and no doubt thousands, of cases, persons have unwittingly committed breaches of the Traffic Act by forgetting to renew their drivers' licences.

Here let me say that I have been responsible, too, for allowing several months to pass beyond the renewal date. Because

the licences have not been renewed within the stipulated time, the persons concerned have rendered themselves liable for driving a vehicle without a current driver's licence, and they have possibly rendered ineffectual the insurance upon the motor-vehicle, and also their third party insurance.

I am certain that motorists as a body enthusiastically welcome the new procedure under which they receive a reminder. A few teething troubles have been experienced, and they will continue until a period of 12 months has gone by, because we are passing through the period of transition from the old form of driver's licence to the new one.

An indispensable feature of the new system is that the driver's licence itself, is the receipt, and upon it is stamped by a machine the date and the amount of the payment of the licence fee. In certain of the larger country towns where the clerk of courts has a cash register which effects the necessary imprint, the licences can be stamped on the spot. In other cases it is necessary for the licence to be forwarded to the Perth traffic office in order that this procedure may be followed.

Mr. Lawrence: What is the difference in principle between the old licence and the new one?

The MINISTER FOR TRANSPORT: None whatever, except that there is additional convenience. Now that the Treasurer has left his place, I might say that there was strong opposition by the Treasury to this form of notification because it incurred additional expense.

Whilst this was not mentioned in Parliament at the time, I point out that when the McLarty-Watts Government introduced legislation to increase the licence fee from 5s. to 10s., it was the intention of the departmental officers that accompanying the increase in payment, this additional service should be given. However, the fees were increased, but the additional service was not provided. My feeling in the matter was, and still is, that the service of notifying the people concerned was somewhat belated. So it commenced in the year 1957.

No inconvenience whatsoever is caused to country people. A person in the country can post his remittance, together with the notification, to the Police Traffic Branch in Perth and the receipted licence will be posted back to him. There is no great hardship in that.

Mr. I. W. Manning: There is some additional expense attached to it.

The MINISTER FOR TRANSPORT: It would be a terrible thing if expense amounting to 3d. was associated with it. The great majority of the people are doing this, but on the other hand, the amount can be paid at the local police station or to the clerk of courts.

Mr. I. W. Manning: The police will not accept it.

The MINISTER FOR TRANSPORT: They will.

Mr. O'Brien: For a while they would not do it, but they are doing so now.

The MINISTER FOR TRANSPORT: I understand that in a few centres some of the policemen misread their instructions and did not accept them.

Mr. I. W. Manning: I still think that in some places they will not accept them.

The MINISTER FOR TRANSPORT: If the hon. member will give me concrete instances, I will speak to the Commissioner of Police tomorrow morning for the purpose of seeing that something is done. I have with me the Police Department file and it is endorsed with a minute, which I wrote at the beginning of the year, that there should be an opportunity for people in the country paying as hitherto, and that that should be printed on the licence notice form, which, after payment, becomes the licence itself. So there is no difference whatsoever so far as country people are concerned.

They pay their 10s. over the counter, but instead of getting the licence at that moment they get a receipt for it, and the receipt is recognised as being just as valid as the driver's licence itself for those few days between the time when the money is paid and the actual licence is returned.

Mr. I. W. Manning: Who forwards the licence in that case? The police station?

The MINISTER FOR TRANSPORT: The Police Traffic Branch in Perth. That may seem a cumbersome method, and that money and documents are coming to the metropolitan area unnecessarily. But that procedure has been in existence for 37 years. Every payment for a new licence, or for a renewal, made in the country districts, as well as the information in connection with the transactions are forwarded to the Perth office, because in the central office there is a complete record, or as complete as it is possible to be, of all holders of motor drivers' licences, wherever they may have been issued throughout the State.

I know that some side issues have been brought to bear in connection with this matter. One of them was in regard to the paper of which the driver's licence is made, instead of the old book form of licence. The motor driver's licence that we have in Western Australia is almost identical with those in use in the other States.

Mr. Ackland: There is nothing in the amendment to deal with that.

The MINISTER FOR TRANSPORT: No, but I am answering one or two criticisms made in connection with it. Apparently some people hold the view that drivers' licences are carried in pockets in a rough

kind of way. They can quite easily be carried in a wallet or a holder of some form, like money and other papers. I have kept mine in my wallet for the last three or four years. The new licences are renewed every year whereas the old type of licence—the folder—had to be retained for an indefinite period, and every year a new slip was pasted inside the cover.

The police prefer people to post their remittances, together with their notices to the Perth office. This is for a number of reasons, one being that the notification is typewritten; thus it is far more legible than the many different hand-writings that appeared before when the details were filled in by the police officer, wherever he might have been. In some cases mistakes were made. The point about it is that so far as the country resident is concerned, he can go about his business in future in exactly the same way as in the past. The only difference is that he holds another piece of paper which will serve the purpose of a driver's licence for the period of a few days, and until such time as the driver's licence reaches him through the post.

Therefore it will be appreciated that there has been much ado about nothing in this matter. No harm has been done to anybody by this new system, but it is part of the machinery which enables a useful and valuable service to be extended to every motorist in Western Australia who holds a driver's licence.

Hon. D. Brand: Does this system operate in the Eastern States?

The MINISTER FOR TRANSPORT: So far as I am aware, but I cannot speak with absolute certainty in connection with that point. The Police Department has informed me that for the purpose of carrying this scheme of notification into effect, it is desirable and, indeed, essential that the initial issue should, as far as possible, be concentrated in the head office where complete records repose. There are a few exceptions to that; but if they were all over the place, and scattered throughout the various police stations in the State, it would, or could, interfere seriously with the operation of this scheme.

During his introduction of the Bill, the member for Moore mentioned that there was some virtue about the local policeman knowing the applicant, and so on. I do not know what bearing that can have upon the issue. So far as a person applying for a licence for the first time is concerned, he will be examined by the local policeman and will pass or fail his test. If he passes, he will pay his money and be given the interim receipt. In the course of a few days his driver's licence will reach him, having been issued from the Perth traffic office.

If the local constable knew anything about the habits, the way of life or other things, such as physical defects of the

individual, that might be pertinent to the issue of the licence, he would not issue the licence or the receipt for the money. He would reject the application because of the circumstances before him. In the same way, if a person applied for a renewal of his licence, and the constable knew that that person had become virtually blind or had some other physical incapacity, he would notify the head office.

I am aware that these people could post their money to Perth, and that the Perth office would not know anything about it. But that has been the position for the past 37 years. For quite a number of years I have been renewing my driver's licence—I should say for at least the last 15 years—without ever having paid the money at the police traffic office. For all the police traffic office knew about it, I could have lost both arms, both legs, and the sight of both eyes, and have a few other physical defects. I send the cheque with the office boy, and the renewal is issued. There is nothing unusual in that procedure.

If anybody in the country deliberately sought to obtain a renewal of a licence when he had some serious physical defect, he would, instead of paying for the licence himself, get somebody else to pay the money for him. But surely the police officer in the district, if he were aware that a certain individual was not fit to drive his car because of some physical defect which would warrant the termination of the driver's licence, would see that appropriate action was taken. I think that on all counts a case cannot be established where any purpose would be served by passing this Bill. It would not assist the people in the country but, on the other hand, a very grave disservice would be done to them because the concession and the convenience and service which they receive at present would no longer be available to them.

I am certain that these people, having become accustomed to this system of reminders would, if it were now denied them, be most incensed with Parliament for agreeing to such a proposal. Accordingly, I must ask members to vote against the second reading.

MR. ACKLAND (Moore—in reply) [9.25]: I must admit—

The SPEAKER: The hon. member was very slow in getting up. He must admit that.

Mr. ACKLAND: I refrained from getting up immediately because I thought somebody else might like to speak on the second reading, and I did not want to stop him. I was on my feet in sufficient time. I am very disappointed at the Minister's attitude towards this Bill. It is strange that the remarks he has passed this evening are in some instances a direct contradiction of a statement made by the Minister in another place.

If members took the trouble to read what was said there, they would find that the Minister for Transport has contradicted statements made in the Legislative Council. The Minister in another place, when opposing the Bill—and I might mention that he was the only person who opposed it in any way, and it was carried by members of all parties—stated that this procedure was adopted because of economy, and that it would be more economical if the licence were posted to Perth and the renewals were sent out from there. Yet the Minister for Transport said tonight that it costs more to do that.

The Minister for Transport: The economy would be that policemen would be able to attend to their duties instead of sitting in their offices.

Mr. ACKLAND: Policemen in country districts have had ample time in the past to issue drivers' licences, at no extra cost to the Treasury. That is part of their ordinary duties, and for which they receive the same salary as they do today. Because licences and renewals have to be sent to Perth it stands to reason that more money will be spent because more staff will have to be employed than was the case previously. I do not for one moment agree with the Minister when he says that 95 per cent. of country residents approve of this method of issuing renewals.

The Minister also said that instructions had been issued to the local policeman that they were to receive renewals from local residents. I can quote three cases in my own electorate where the policeman refused to renew the licences and instructed the people concerned to post them to Perth for renewal.

The Minister for Transport: Will you give me the names of the police officers and the stations concerned?

Mr. ACKLAND: Yes. As far as I know, and I stand to be corrected if I am wrong, there is nothing in the legislation which makes it obligatory for the central authority to issue warnings of licences becoming due. I have no recollection of receiving one myself, and I do not suppose I would be treated differently from the hundreds of thousands of other people who are driving.

The Minister for Transport: When does your licence expire?

Mr. ACKLAND: When my licence is almost due, I make sure that it is renewed in ample time. I think that is an obligation on any driver. I have not heard of any others who have received notification that their licences were to be renewed. The party of which the Minister is a member, and also the party of which I am a member believe in the policy of decentralisation.

Mr. Lawrence: We are very different.

Mr. ACKLAND: We are very different in many respects, but in regard to decentralisation we have something in common—at least, that is lip service on the part of the Government.

The Minister for Transport: What has been centralised?

Mr. ACKLAND: The issue of licences. This work can be done in the country for the convenience of country residents.

The Minister for Transport: Receipts are still issued in the country.

Mr. ACKLAND: Interim receipts are being issued, but these take just as long to make out. The direction on this form states—

This licence may be renewed at the police traffic office in Perth, Fremantle, Midland Junction or Victoria Park.

No other centre is mentioned.

The Minister for Transport: It says more than that.

Mr. ACKLAND: I would ask members who live beyond the boundary of the metropolitan area—those representing the Roebourne, Murchison, Albany and Wyndham districts—to support this Bill. It is not a Government measure, and if Labour members support it, they will not be hauled before the Trades Hall. I do suggest to members representing country electorates, irrespective of their party affiliations, that they give this Bill their support.

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

Ayes	....	....	....	....	19
Noes	....	....	....	....	26

Majority against 7

Ayes.

Mr. Ackland	Mr. W. Manning
Mr. Bovell	Sir Ross McLarty
Mr. Brand	Mr. Nalder
Mr. Cornell	Mr. Owen
Mr. Court	Mr. Perkins
Mr. Crommellin	Mr. Roberts
Mr. Grayden	Mr. Watts
Mr. Hearman	Mr. Wild
Mr. Hutchinson	Mr. I. Manning
Mr. Mann	(Teller.)

Noes.

Mr. Andrew	Mr. Lawrence
Mr. Brady	Mr. Marshall
Mr. Evans	Mr. Moir
Mr. Gaffy	Mr. O'Brien
Mr. Graham	Mr. Potter
Mr. Hall	Mr. Rhatigan
Mr. Hawke	Mr. Rodoreda
Mr. Heal	Mr. Sewell
Mr. W. Hegney	Mr. Steeman
Mr. Hoar	Mr. Toms
Mr. Jamieson	Mr. Tonkin
Mr. Johnson	Mr. Norton
Mr. Kelly	(Teller.)
Mr. Lapham	

Pairs.

Ayes.	Noes.
Mr. Oldfield	Mr. May
Mr. Thorn	Mr. Nuisen

Question thus negatived.

Bill defeated.

BILL—PARLIAMENTARY SUPERANNUATION ACT AMENDMENT.

Message.

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

First Reading.

Introduced by the Treasurer and read a first time.

Second Reading.

THE TREASURER (Hon. A. R. G. Hawke—Northam) [9.37] in moving the second reading said: This Bill proposes to amend the principal Act in one particular. Under the present law any member of the Parliamentary Superannuation Fund, who ceases to be a member of Parliament and becomes entitled immediately to draw superannuation benefits cannot draw those benefits if he becomes employed by the Crown. The benefits, which have attached to them a period of time disappear during each year that the person concerned remains in the employ of the Crown; therefore if that person remains employed by the Crown for a sufficiently long period, no benefits from the Parliamentary Superannuation Fund at all can be claimed by him.

In recent years there has been a discussion on the subject in this House on several occasions. The principle has been advanced that a person who finds himself in this situation should not be deprived of the total benefits in respect of which he has contributed, but should have those rights reserved to him so that they would be available when he ceased to be employed by the Crown.

This Bill aims to give legislative effect to that principle, and lays down that the payments, which would otherwise be payable to that person, shall not be cancelled absolutely by virtue of the fact that he becomes employed by the Crown, but shall be suspended and shall become payable in the normal way should that person at any time in future cease to be employed by the Crown.

There is also provision in the Bill to make the application of this principle retrospective to the 21st January, 1949. This retrospective provision has been inserted because there are at least two ex-members of Parliament who are affected by such a situation. One of them is employed by the Crown in this State and the other is a member of the Commonwealth Senate. There may be other ex-members of Parliament also affected, but those are the two whose names readily come to my mind.

It will be agreed by all members that this principle is fair and reasonable. If it is, then the application of a degree of

retrospectivity to cover those who would otherwise be deprived of the benefits, is also fair and reasonable. I move—

That the Bill be now read a second time.

MR. ROSS HUTCHINSON (Cottesloe) [9.41]: I support this Bill. It contains the proposition that all members of Parliament who have made contributions to the Parliamentary Superannuation Fund, at some time or other, should be able to obtain the benefits provided under that fund. The Premier has pointed out that the parent Act at present precludes members of the fund, in certain circumstances, from obtaining superannuation benefits; that is, if they happen to be employed by the Crown subsequent to their defeat at an election.

The proposition in the Bill is that while an ex-member of Parliament is employed by the Crown, the superannuation benefit shall be suspended, or in other words there shall be a frozen period. It would appear that when an ex-member of Parliament retires from his employment by the Crown, he would become entitled to the full-time parliamentary superannuation benefits.

None of us would quarrel with that proposition because, in my opinion, it is only fair that a person who has been compelled to contribute to a superannuation fund should become entitled to the benefits. If after his defeat at an election the ex-member becomes employed by the Crown, then the payment of benefits to him will be suspended for the duration of that employment.

One point arises in regard to this proposal. Although the Bill contains a reform affecting parliamentary superannuation benefits and is a step forward, it does not appear to go far enough. For example, if a member of Parliament is defeated and takes a position in the Bank of New South Wales then he is entitled, provided he has fulfilled the qualifying period for a pension, to a parliamentary pension and the benefits under the Parliamentary Superannuation Act. But if such ex-member is employed by the Rural & Industries Bank, he is not entitled to this pension at all. At the present time, until he completes his period of employment with the Rural & Industries Bank, he gets nothing. After he has completed his employment there, he is paid for the amount of the ten-year period that is left to him.

Why should a distinction be made between State and private employment? This is a proposition that might possibly appeal to Government members. However, the parent Act stipulates that if a person, entitled on account of loss of membership to a pension, becomes a member of Parliament in the State or the Commonwealth or holds any office of profit

under the Crown, or is in receipt of a pension by reason of having been a member of such Parliament, then he receives no pension if his pay is in excess of £546 per annum.

I suppose we must be content with the reform that is contained in the legislation, and I propose to support that provision. However, I raise a query with regard to the retrospective clause in the Bill. It makes this provision apply back to the 1st January, 1949. The Treasurer mentioned that he knew of two ex-members of this House who would benefit from this retrospective clause. I can recall that some years ago at a meeting of parliamentary members in this Chamber, I made mention of some of the facts I brought out a few moments ago. The proposition I made at that time was that it was unfair that ex-members who subsequently became employed by the State Government should not receive any benefits whilst those who went into private industry should. I am afraid my proposition at the time fell on stony ground. No one had a kind word or thought for it.

However, one ex-member of this Chamber has felt the effect of the fact that his pension period is dwindling away and he is receiving no benefits from the contributions that he made. Since he has been defeated, he has been employed by the Crown, so now the point of view I expressed has been brought more prominently before members. Thus it would appear that this is one of the prime reasons why the Bill has been introduced. The measure is before us for that reason and possibly, too, because of the good offices of a committee which has worked towards members' benefits in Parliament. I do not want to oppose the retrospective clause although I am not particularly happy about it. It affects only a few people.

I have another query I want to put to the Treasurer. How will this affect the widows of members? I am thinking, for example, of Mrs. Boylen. The late Mr. Boylen was elected to the Legislative Council on the 1st February, 1947. I believe that Mrs. Boylen is now employed by the Government, and, of course, she is not, as the widow of a former member, entitled to any compensation benefits. Is Mrs. Boylen entitled to the benefits arising out of this retrospective clause?

Mr. Johnson: Read line 9.

Mr. ROSS HUTCHINSON: I feel we can support this legislation and that it is a forward step.

THE TREASURER (Hon. A. R. G. Hawke—Northam—in reply) [9.51]: My reading of the Bill is that the words "payments of any benefit or pension to which

a person would otherwise be entitled under this Act," would cover the case mentioned by the member for Cottesloe.

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.

Bill read a third time and transmitted to the Council.

BILL—LONG-SERVICE LEAVE.

Returned from the Council with amendments.

ANNUAL ESTIMATES, 1957-58.

In Committee of Supply.

Resumed from the 5th November, Mr. Sewell in the Chair.

Vote—Medical, £3,392,000 (partly considered):

MR. CROMMELIN (Claremont) [9.56]: For the last 15 months or so I have been pressing for some improvement to be made to the mental home at Claremont, and it is pleasing to see that new bathrooms and other improvements have been effected. For this I express my appreciation to the Minister for Health. On the Loan Estimates there is an item relating to a new kitchen for this large institution. When the Minister replies I would like him to inform me whether the new kitchen, which is the last major requirement at the home, will be commenced in the near future.

I wish now to say a few words on the Royal Perth Hospital. When speaking on the estimates last year I referred to this institution. In the last 12 months a further growth in the size of the building has taken place and the cost out of loan funds, and the subsidy by the Government have shown still further increases. At the same time there are additional increases in the cost of running it.

It is interesting to see that, according to the hospital report this year, the average number of inpatients for the previous 12 months was 575, and for this year was 599. For the inpatients last year the cost rose from £5 3s. to £5 18s. The Government subsidy increased from £865,000 to £1,043,000 this year, an increase of £178,000. Yet, the average inpatients for the same period this year, as against last year, was only 24; and whereas in 1955-56 the outpatients who attended the clinic numbered 110,854, this year they rose to 111,029, or an increase of about 170. Yet, the Government subsidy rose by £178,000.

In this regard I point out that the total salaries of the Royal Perth Hospital for the 12 months prior to the period that

has just concluded, amounted to £798,246. The salaries and wages this year amounted to £962,404, and this amount of approximately £165,000 extra took up practically all of the Government subsidy. On checking the figures of the total number employed in the hospital I find that it is approximately the same as last year, namely 1,500. I would like the Minister to give me some reason for such a tremendous increase in the wages and salaries because the total number of staff is the same as it was the year before. According to the hospital's annual report the receipts for last year—and when I refer to "receipts", I refer only to those receipts received from patients, inpatients, private and others—amounted to £380,327 and this year to £354,006. That shows a decrease in the amount received by way of fees.

I asked the Minister if he would inquire into the matter and he very kindly got the Under Secretary to reply to me. He said that this year there was an increase in fees of £29,739. I cannot reconcile his statement with the printed figures. He also said that that increase represents cash collections during the year, irrespective of the year in which the account was incurred. On the other hand, he states that the income and expenditure account, from which I quoted on page 47, specifies income earned during the year, whether it is paid or not. The income represents the total debits raised during the year 1956-57, less a reasonable provision for bad or doubtful debts. It says that the same basis is used each year for determining these figures. However, the statement does not answer my query as to why the actual income and expenditure account shows a lesser amount of £26,000 received from patients.

Although the hospital is highly efficient, I feel that some of the patients there may be patients who are receiving post-operative care, or are suffering from illnesses which although necessitating hospital care, do not require the expensive and perhaps concentrated attention such as is required by certain other patients. I wonder whether it would be better if the Government endeavoured to establish smaller hospitals in the metropolitan area to which these not-so-sick people, and those who are recovering from serious illnesses could be sent. There they would be able to receive all the treatment that they need from qualified medical practitioners and nursing staff; but those hospitals would not have the huge overhead that has to be met by the Royal Perth Hospital.

That brings me to a further query; I ask the Minister, "What will happen when the new chest hospital is completed?" I understand that this new Commonwealth hospital is to cater mainly for the treatment of chest complaints. But today the incidence of tuberculosis is getting less and less every year. Medical science is

advancing so fast, particularly in this respect, that we have reason to believe that in the very near future few people will be found to be suffering from tuberculosis. So what is the Government's intention in regard to this huge hospital that will soon be ready for use?

Does it intend to transfer the patients from the Wooroloo Sanatorium to this new hospital; or does the Government intend to use part of the hospital for general hospital cases; or is it intended to transfer those patients who do not require such expert attention, but who are now at the Royal Perth Hospital, to the Wooroloo Sanatorium and thus make room for the more urgent cases that have to be treated at Royal Perth? I would appreciate it if the Minister would give me some indication of the Government's intention in that regard.

Every day in the paper we see a list of people who have subscribed to a fund for the purchase of a machine known as a linear accelerator. I am given to understand that the public's target is £100,000; and it seems fairly obvious that that sum will be raised. But I am not sure as to the Government's intention regarding the maintenance of this machine when it is made available. From the information which I have been able to obtain, the machine, which has already been ordered, will not arrive in Australia for about two years. From this £100,000, after paying for the machine, there will be approximately £25,000 over and, as members know, this modern machine, which is used for the treatment of cancerous growths, requires a very expensive building to house it. The walls have to be from 2 ft. to 5 ft. thick to prevent the danger of radiation to people outside.

I would be glad if the Minister would give me an indication as to the estimated cost of installing the linear accelerator when it arrives, and the estimated annual cost to the Government for maintaining this department. Also—and this is a point of interest to many in the medical profession—where will the machine be installed when it arrives. I believe that the University authorities suggest that it may and should be installed near the University because of the establishment of the new medical school. On the other hand I have heard people say that there is only one place to install it—at the Royal Perth Hospital. The reason given for its installation there is that in using a machine of this type a tremendous lot of clerical work is involved in the keeping of records of patients who are undergoing a course of treatment.

It is also suggested that all the ancillary services are available at the Royal Perth Hospital, such as deep therapy treatment, a radio clinic and so on. In conjunction with the linear accelerator it is necessary to have other machines which are used for deep therapy work. If the machine

were established at the University it would involve a good deal of travelling for people who are now at the Royal Perth Hospital, and who require treatment. These people would not be able to walk but would have to travel every time they wanted treatment. As members can imagine people do not receive one treatment and then become cured; but they are required to be treated 20 or 30 times, depending on the severity of the complaint.

So I would like the Minister, if he can, to tell us the Government's intentions regarding the establishment of this machine. If the linear accelerator is used on a full-time basis—that is eight hours a day—it is capable of treating approximately 500 patients a year. That is not a very large number, but this number would be increased because many of the patients would have deep therapy treatment as well, and all these machines are available at the Royal Perth Hospital.

I asked a medical man what staff would be required to operate a single linear accelerator and, without committing himself to an exact number, he told me that the following staff would be required:—Two engineers, one physicist, one matron, one radiologist, three clerical staff and eight technicians. He estimated that the total cost of the salaries for those people—and they would be the absolute minimum required—would not be less than £20,000 per annum.

If the public has subscribed £100,000 to cover the cost of the machine, and a large amount of the installation cost, will the Minister inform me whether the machine will be available for public use by patients who do not go to their own doctor, but to the man in charge of the machine for advice? Is the Government going to say to the public after it has subscribed this amount, "We will let you have free treatment," or will the Government say, that although they have paid for this machine, they will also have to pay for the use of it.

In Victoria there is one of these machines and four deep therapy machines in use all the time. The linear accelerator, however, being highly technical, caused some trouble, and was out of action for at least six weeks. So, Victoria, with five machines, one of which is the latest model, is finding it impossible to cope with the number of outpatients attending the clinic for treatment. We find that the number has progressively increased. In 1953 the outpatients numbered 14,000, in 1954 they rose to 15,000; in 1955 the number was 16,000 and then in 1956 the figure had risen to 20,000 outpatients.

We know that Victoria has a larger population, but even on the comparative figures I cannot see how this State will cope with the situation with only one linear accelerator. The maintenance cost of the Cancer Institute for Victoria for last year amounted to £357,541. We must be realistic about this matter, and I hope the

Government will not go into the problem half-heartedly, and that it will take cognisance of the fact that it may be faced with numbers of people requiring treatment.

Mr. Lawrence: Are the figures you quoted for Victoria alone?

Mr. CROMMELIN: They work in conjunction with Tasmania, but Tasmania has a very small population.

The Minister for Health: There would be a few from Western Australia attending the Victorian clinic.

Mr. CROMMELIN: There would be people from everywhere attending that clinic because they have the machines. The patient goes to the director of the institute for consultation and in the event of treatment by radiation being ordered, he is requested to contribute towards the cost of such treatment. Any person may be treated at the clinic as an inpatient, and if his condition is such that he must undergo treatment at a clinic he may exercise his right to be accepted as a clinic patient, and may be charged a maximum of 36s. per day less 8s. per day Federal hospital benefits. So a man can receive treatment for 28s. per day. I would like to think that sufferers here could have the benefits of treatment similar to those in Victoria, because, after all, the cost of medical attention is generally beyond the reach of a lot of people in cases like this. The Government should do everything in its power to make this treatment available and give people a chance of recovery from this disease. It is not the time that one spends under the ray of the accelerator which is so long, but the time that is taken up in pinpointing the exact position of the tumor. Detailed measurements must be taken, and when the patient goes for treatment it must all be gone over again to enable the ray to be pinpointed in the exact position. When I suggested approximately 500 patients would be the limit for one machine, we must bear in mind that it will not be working eight hours a day—it will probably work only a half or a quarter of that time.

Mr. Lawrence: Would that refer to a tumor or a cancer?

Mr. CROMMELIN: What is the difference?

Mr. Lawrence: You tell me.

Mr. CROMMELIN: To my mind a malignant growth is a cancer, but I do not propose to argue that point with the hon. member.

Mr. Ross Hutchinson: Do they not get the patient ready in the adjoining room?

Mr. CROMMELIN: Yes, but the measurements must be exact before they can turn the ray on to him. I should be grateful if the Minister would provide the information for which I have asked.

MR. JOHNSON (Leederville) [10.29]: I would like the Minister to ask his department to investigate the cost of the the occurrence of ill-health in this State. It has become possible to obtain a relative idea of the cost of ill-health in the economy of a particular country. I have here a document containing a detailed report of the committee of inquiry into the cost of national health service in Great Britain. It is a most revealing report and there is one point I wish to stress, namely, that in Great Britain ill-health, as covered by the national health service, costs only £8 15s. per head of the population, net; or £9 7s. gross which, if converted at the current rate of exchange is about £11 14s. Australian. In Western Australia we are paying about £15 10s. per head for a less complete service.

The obvious point at which we must make some inquiry is: Why does it cost so much more in Western Australia than it does in England to maintain health? The British service covers a wider field than I have been able to follow in the figures I have here to produce that amount of £15 10s. per head in this State. I think I should indicate how that figure is made up; it is not a guess. First of all, the medical expenses allowed from income tax returns in Western Australia for the year 1953-54—which was the assessment year 1954-55—amounted to £3,028,000. It will, of course, be a great deal more for this year, or one would expect it to be so. That figure is taken from the Commissioner of Taxation's report.

The receipts of State hospitals, from States funds—subscriptions from the lotteries and other sources, and not including fees because they would be included in the taxation figure—is £3,400,000. Commonwealth funds represent £800,000, lottery sources £32,000, and other sources £95,000, making a total for that section of ill-health in Western Australia of £7,400,000. To that needs to be added the amount of £1,500,000 approximately paid in subscriptions to benefit societies, making a total of £9,800,000 in Western Australia, just covering that section of ill-health.

It has to be noted that none of the costs of workers' compensation enter into it up to that point, although in the matter I am comparing—that is the British services—some of these costs are covered. The British service covers a very large field of services; hospital, medical, pharmaceutical, dental, ophthalmic, including the supply of spectacles, child health and maternity, ambulance and domestic health services. The various costs of each are segregated in the report.

To further underline the point that the costs in Great Britain are a smaller proportion of the income of the people than the costs in Australia, the figure shown in this report as the net cost of percentage of gross national product was 3.51 per cent. in 1948-49 in relation to that year

in England. In 1949-50 it was 3.75 per cent. and has been reducing as a percentage of the gross national product ever since. In the last year dealt with by this report, 1953-54, the percentage was only 3.2 of the gross national product.

Using the same years and quoting from the National Income and Expenditure White Paper, produced by the Federal Treasurer, the heading Health and Welfare for the year 1948-49 was £24,000,000 while the gross national product was £2,278,000,000. That is more than 10 per cent. as compared with the British figure of 3½ per cent; and the proportion is rising, not falling. The gross national product for 1953-54 was £4,557,000,000 and the health and welfare sector of that is £54,000,000. Once again it is well above 10 per cent.

The figure which I referred to earlier in relation to Western Australia works out at 5.8 per cent. and is therefore a good deal lower than the Australian health and welfare figure, which possibly covers some points which should not be included in this figure. However, there is not the slightest doubt that the figures show that we in Australia, and in Western Australia in particular, as part of the Australian complex, are paying more for ill-health and are suffering more in our national economy in costs relating to ill-health than people in Great Britain.

I would like to request the Minister to set his experts at work to inquire as to why the costs are so much greater. I know our costs are related to greater distances as regards population, but I do not believe that our higher costs are related to a materially better standard of medical health. I fancy we are undoctored as compared with the people of Great Britain. I know there is a tendency for doctors in our country to go to Great Britain for higher training; the tendency is not the other way. Therefore, I request a real study be made of the costs relative to this point.

I feel there is one aspect on which we could usefully examine some of the figures. The report of the Perth Benefits Society to which I referred earlier and whose work is part of the cost of our medical expenses indicates that the administration cost is 13.4 per cent. of total collections. I feel that one of the great many savers in the British system is that the total cost is provided out of taxation. There is not the heavy cost as to who is entitled to which particular benefit and the passing of small amounts of 8s. per day from one source to another and through a number of channels. I think administration represents a great deal of the cost in this matter and ask the Minister to take that aspect up with his senior service personnel.

[*Mr. Heal took the Chair.*]

MR. GRAYDEN (South Perth) [10.42]: There are a few matters on this Vote I would like to bring to the notice of the

Minister. They concern medical attention to natives in the inland areas of Western Australia. Late last year a select committee went to the Warburton Ranges and came back with a report which was submitted to and passed unanimously by this Chamber. Actually, in regard to medical attention, the report was extremely moderate. The conclusion reached by that select committee was this—

The committee has arrived at the conclusion that the plight of the aborigines in the Warburton-Laverton area is deplorable to the extreme. The natives lack even the most basic necessities of life. Malnutrition and blindness and disease, abortion and infanticide and burns and other injuries are commonplace.

That is what the select committee had to say; these things are commonplace. The dictionary meaning of "commonplace" is "not unusual". Subsequently a party from the Health Department went out and found that 77 per cent. of the natives suffered from an eye disease known as trachoma, which in the secondary stage leads to blindness. It found that 25 per cent. of the natives had yaws which, in the secondary stage, causes the flesh to rot away from the bones and the nose.

There are a great many other diseases and injuries. For instance, the matron gave evidence to the select committee that about 40 native children were badly burned each year and that there were three cases of pneumonia the week before the members of the committee arrived. There were many cases of starvation. I instance the 40 or 50 natives who came in a few weeks before the select committee arrived. The natives are burned by falling into fires at night in an endeavour to keep warm. Recently a missionary said that a young child aged about three had fallen into a fire and had its face badly burnt.

When the committee submitted that report, the Commissioner of Native Welfare said that the remarks applied to 6,000 natives in the desert area. When the medical party, which included Dr. Davidson, examined the natives at the Warburton mission, the matron asked him to diagnose what was wrong with the various natives and asked him to prescribe something for them. She also asked for permission to write down the diagnosis and the treatment prescribed, but that permission was refused. The matron was most upset because she had looked forward to this medical visit for many weeks. The party went there at great expense and spent a few hours at each of the particular outposts. However, at the Warburton mission the matron was refused permission to write down what was wrong with the natives, and she made her attitude known to members of our party when they were there. I mention this to indicate that we should expect something better from the Public Health Department.

The matron at the Warburton mission gave evidence that many of the cases were beyond her, and, in fact, she could not distinguish between yaws and syphilis. Although medical attention is available at the Warburton mission there is no treatment available for the natives north of there and I believe it is not beyond the resources of this State—if it is, we should apply to the Commonwealth for the necessary funds—to send out a patrol into the three areas concerned two or three times a year. It would only take a couple of weeks and the medical party would simply treat the most urgent cases.

On the Kruger Game Reserve in South Africa officers experienced in veterinary work constantly patrol the area to treat injured animals, so surely we could provide a medical patrol for these natives, about 77 per cent. of whom are suffering from trachoma while a large percentage are suffering from yaws! There should also be provision for bringing out sick or injured natives when a specific case is reported. We have heard of many instances, such as the child with the hare-lip on the Warburton reserve, and it would not cost more than £100 if a special trip were made, perhaps by the police sergeant from Laverton, to bring in such a case.

Why should that child or the woman I mentioned earlier simply be abandoned? The Minister made a statement about that incident and I hesitate to mention it now, but it is completely in line with many statements he has made this session and which I will ask him later to substantiate. When I spoke, the Minister said something to the effect that the member for South Perth was always making statements of this kind: That no native welfare officer had been out there, while in fact, one had. After making that derogatory statement, the Minister, in reply to an interjection by me, said that the native welfare officer went out last October—

The CHAIRMAN: The hon. member must keep to the vote.

Mr. GRAYDEN: This has to do with the Medical Department. It transpired that the officer had gone out last October, while the case had been reported 16 months earlier, and so the Minister deliberately misled the Committee. In addition to that, I have since found out that the officer concerned was nowhere near this particular area. That was a shocking statement from the Minister for Native Welfare and Minister for Police, who should give factual statements in this Chamber. I am appealing to the Minister for Health because I know he is sympathetic towards the natives and will do anything he can to help them.

I have not much faith in professional men as a body. I know, for instance, that in the Celebes a tremendous irrigation system was constructed at a cost of millions of pounds and when it was

finished, they discovered that the natives could not use the water for irrigation because the river was too salty. That is the kind of error professional men make and there were many instances of errors in the medical report to which I have referred.

In respect of the natives he encountered at Giles and Blackstone, Dr. Davidson said that they were the ones who had been least in contact with civilisation and that the blood slides that he took indicated that they were in good condition. He said—

—of these only the natives at Blackstone and Giles were entirely dependent on their own hunting and foraging for their food. The others obtained sophisticated food in some degree or other, particularly in the form of flour and sugar from the missions and township.

The conclusion he drew was—

In short, it would seem that there is sufficient food for the natives, but that those to whom white man's food is available, may obtain an unbalanced diet in which there are deficiencies, and the people at Giles have to work harder in foraging and hunting to obtain less food than the other groups. The Blackstone natives seemed to be the best off in the absence of any evidence of deficiency and the high haemoglobin and serum protein figures for the group.

In actual fact, of all the natives seen by the medical party, the Blackstone Range group were without question the most highly civilised and those who had in the past received the most mission rations! All the children of the required age were from the mission school, and almost all of the adults had been similarly educated. One of the natives in particular, had attended a trade school in Sydney for two years.

Some of the able-bodied men in this group were normally employed at the Warburton mission and were therefore accustomed to working. They had been sent over to Blackstone, in the hope that work would be available to them, by the superintendent of the mission for that very reason.

There we see that the conclusion reached by Dr. Davidson was exactly opposite to the one that should have been arrived at, and that is a serious mistake for a medical man to make. I feel that to prove their allegations, we should ask these people to put up a sum of money to back their opinions, the winner paying the stake over to some selected charity. There are many other instances of mistakes such as I have mentioned.

I would remind members that on this reserve where there are 700 natives, the Native Welfare Department recently gave a company prospecting rights over several

million acres of ground. The company has about 100 men there, flying in and out all the time, with the possibility of introducing all sorts of diseases. The diseases likely to be brought in do not seriously affect the white people, but the natives, when they become infected, run very high temperatures and perish like flies, due to malnutrition and lack of proper care and clothing. One would have thought that a medical party, in view of those facts, would immediately have recommended that any European going to that mining camp from another part of Australia should undergo a medical examination to ensure that he carried no infectious disease. However, that has not been done.

If one wishes to leave Alice Springs in the Northern Territory and visit one of the missions one must obtain a doctor's certificate that one has no infection of any kind, because they cannot afford to risk introducing diseases to the mission. Surely a similar precaution is not too much to ask of Europeans who are given permission to work on the Warburton reserve in close contact with natives who have no immunity to the white man's diseases!

The medical party, having investigated conditions on the reserve, concluded that the natives were not starving, in a general sense. The select committee never claimed that widespread starvation existed. The medical party, in fact, confirmed the select committee's finding. The medical report stated that there was a strong possibility that isolated groups of natives in the course of their wandering would encounter shortages of food and water, but that there was no general starvation.

The select committee said that malnutrition was commonplace, and that was confirmed by the medical party. The medical party decided starvation was not general in the area, as a result of the blood tests taken. I would point out that the finding based on the serum protein and haemoglobin figures might be correct in the absence of dehydration, but if dehydration existed, it would not be correct.

The medical party said there was no dehydration because the natives were near water, but that could be a great error as the proximity of water would not preclude the natives from suffering from dehydration. The Minister will know that even down here, where there is plenty of water, babies often suffer from dehydration in the hot dry months of the summer. Many of these natives walk up to 20 miles or more a day, hunting. They could all suffer from dehydration because the small rock catchments on which they depend for water contain no salt, and it is well known as a medical fact that unless the body has sufficient salt and other minerals, it cannot retain water.

Therefore, an individual who drank gallons of water a day could still suffer from dehydration. At the Warburton Ranges natives may not be getting sufficient salt into their systems. In those circumstances every native on the Warburton mission could be suffering from dehydration, in which case all the figures established by the members of the medical party by the taking of blood slides would be very misleading.

This is borne out by a recent happening on the Canning stock route. The Minister will recall that I asked him about a young native boy who had been flown in from Well 40 by helicopter. That boy was 10 years of age and he weighed only 42lb. Obviously he was starving, whether he was suffering from a disease or not, because he was just skin and bone. His knee bones were thicker than his thighs. He was eventually taken to Derby hospital where they took a blood slide to determine the haemoglobin figure of his blood, and this disclosed that it was 12.4 per cent., notwithstanding that he was in that condition.

There was not much difference between his haemoglobin blood figure and the average of those of the natives on the Warburton reserve. This would lend weight to the possibility of all the natives on that reserve suffering from dehydration and therefore all the blood slides taken by the medical party would possibly be very misleading. I therefore strongly recommend to the Minister that that angle be investigated to ascertain whether the necessary salts and other minerals are present in the blood of the natives because if they are not they are suffering from dehydration in view of the fact that their bodies simply cannot hold water.

Finally, I would draw the Minister's attention to the fact that on the other side of the Warburton reserve there is a mission known as Ernabella. It was at that mission that 20 children died from a disease brought on by extreme malnutrition. On the recommendation of a doctor who was flown up from Adelaide to investigate the deaths of these children, the mission was asked to supplement the natives' rations. I would suggest that it would be a good plan to adopt the same principle in Western Australia, namely, that the diet of the natives should be supplemented because at present only certain native mission children and certain aged and crippled adults are supplied with rations. I apologise for taking up so much time of the Committee but I wish to take the opportunity of putting these propositions before the Minister.

MR. SEWELL (Geraldton) [11.8]: I first wish to bring before the notice of the Minister the condition of the Northampton hospital. Only last year that hospital was renovated and was placed

in a better state than it had been in the past. Today there is a reasonably good district hospital at that centre at which there is a doctor and nursing staff. The people of the district appreciate the efforts that have been made to improve the hospital, not only by the hospital board but also by the Minister and the Public Health Department officers.

I now wish to refer to the Geraldton regional hospital, which is known as the Victoria Districts Hospital. In the last three or four years of the present Minister occupying his portfolio, a good deal of money has been spent on renovations to this hospital and it is now in a reasonable state. Nevertheless, because of the importance and size of the Geraldton district we consider that it is high time a regional hospital was built at Geraldton. In 1956 the Treasurer made a public announcement in Geraldton to the effect that two regional hospitals would be built at Albany and Geraldton; Albany being the first on the list. He went on to say, however, that both hospitals would be built within three years.

Personally, I can assure the Minister that Geraldton residents would appreciate greatly a definite statement from him that some start will soon be made on the regional hospital and, indeed, it is hoped that it will be made within the next 12 months. A site has been selected and a contour survey made. This work was done two or three years ago but no initial work towards the construction of the hospital itself has been done.

Since the private hospital, known as Rosella, has been taken over by the Government, we have now two good hospitals in Geraldton and therefore the local residents are fairly well catered for in so far as hospital accommodation is concerned. Nevertheless we still consider that a regional hospital should be built in the very near future to provide not only modern hospital accommodation but also up-to-date medical services to obviate the necessity for people in that district travelling to Perth to obtain medical treatment. We would therefore like some assurance from the Minister that the Geraldton regional hospital will be built within the period stated by the Treasurer when he was visiting the town in 1956.

MR. HALL (Albany) [11.22]: I support the member for Geraldton in his appeal to the Minister for the establishment of a regional hospital at Geraldton following the building of one at Albany. I consider that such a step is a definite move towards the decentralisation of hospital facilities and accommodation. As the member for Geraldton has said, the establishment of these modern regional hospitals will tend to obviate the necessity at present of people having to travel to Perth to obtain specialised medical treatment.

The member for Claremont and the member for Maylands will probably substantiate my fears in regard to this matter. Following our recent visit to Macedon, the need for decentralisation of hospitals was greatly impressed on our minds or, alternatively, that there was a need to build present-day hospitals underground. We discovered that today the tendency is to build hospitals underground and I noticed from a Press item in today's issue of the daily newspaper that such action is contemplated in Victoria.

Mr. Nalder drew attention to the state of the Committee.

Bells rung and a quorum formed.

Mr. HALL: The necessity for decentralising hospitals or for the building of them underground has been evidenced by the step that has been taken along these lines in the Eastern States. Although this is a recent occurrence in those States, Sweden has followed this trend for some years. We are led to believe that in the daytime the area of the underground hospital is used for car parking and from that point ancillary hospital services are organised in case of emergency. The reason why I state these facts is that since attending a civil defence school at Macedon, world events have become more impressed on my mind.

In fact, the members of this Chamber who attended that school looked with horror at the effect the dropping of atomic bombs on Hiroshima had had on the populace. We saw the effect of strontium 90 or cancer of the bone on the residents of that city. However, for security reasons we are not permitted to voice a true opinion of what we witnessed at that school. Without fear of contradiction I would say that this State has not been given the full details of the horrors of the dreaded hydrogen bomb.

Therefore, I appeal to the members of the medical fraternity to investigate these questions very carefully. If we have not all the funds at our disposal that are necessary to take the required precautions for civil defence and if the Commonwealth Government is not prepared to grant them to us, we should take some cognisance of the request made by the member for Geraldton to build a regional hospital at that centre because similar requests were also made for Albany and Bunbury.

If we reduce the overloading of the Royal Perth Hospital and the Hollywood Military Hospital by a plan of hospital decentralisation in the country, it will be a step in the right direction. When we examine the facts, decentralisation will probably be the salvation of the people in the metropolitan area. That is the reason why I spoke on this vote. If I did not, I would not be carrying out my duties as a member of Parliament who attended

the defence course, to acquaint the members of this Committee of the seriousness of the position and the great need for hospitalisation in the case of attack.

MR. EVANS (Kalgoorlie) [11.26]: I would like to touch on the Health Vote and on the Crown Law Department Vote. Referring to the first, I would point out that the Kalgoorlie district hospital serves a very important centre. Besides catering for the Kalgoorlie and Boulder districts—it being the only Government hospital within the vicinity but there is also the St. John of God Hospital there—it also attends to special cases from the townships further north and from the small centres in between where no medical services are available. I mean from such places as Broad Arrow.

The Kalgoorlie district hospital is also an important base for the Flying Doctor Service. The staff of that hospital and the Hospital Employees' Union of Kalgoorlie are very grateful to the Minister for Health for the way in which he has attended to their requests, particularly the request for a refrigerated morgue. Members from the Goldfields will understand the importance of such a request when they take into account the climate, which is particularly hot in the summer. In due course this request was acceded to.

I want to commend the Government on implementing the policy, as far as possible, of replacing married women employees with single girls. Married women employed at the hospital, whose husbands are earning wages, are being replaced by single girls who are willing to undertake the duties and are capable of carrying out the work. Much has been done along those lines. Even the married women who have been retrenched agree with this principle.

There is another matter applicable to the Kalgoorlie district hospital, as it is to any large hospital in this State. That is the problem of aged folk taking up much-needed accommodation. It is a problem to which much thought must be given before it can be overcome satisfactorily. Aged folk who become ill cannot attend to themselves. Generally their doctors issue them with certificates so that they can be cared for in the hospital. In Kalgoorlie they have almost taken up permanent residence in the district hospital. We should not deny them that right if they are ill. That is a problem to which we must give great consideration. These aged folk remain in hospital for months on end, and by so doing deprive urgent sick or accident cases of hospital accommodation.

Mr. Nalder: What would you suggest to overcome that position—build a home?

Mr. EVANS: I shall deal with that aspect later. When a sick or injured person is admitted to the hospital he

is asked to sign a form. One of the conditions is that if a cheap ward is not available, the patient must be prepared to accept accommodation in a more expensive ward. People attending the hospital in an emergency will take whatever ward is available. The aged folk are generally taking up the cheaper accommodation, and the patients admitted in an emergency are generally placed in the more expensive wards. When the latter leave hospital they are confronted with a bill greater than they expect.

Mr. Court: Are you talking about the pensioners?

Mr. EVANS: Yes.

Mr. Court: What bill would they have?

Mr. EVANS: There is a provision under which patients in poorer circumstances can claim a reduction in hospital expenses, but they are compelled to disclose the state of their banking account. I can understand the attitude of the department in asking for the financial position of such patients, but people are generally loth to state what they have in their account.

Mr. Nalder: Nearly all the persons you referred to would be able to claim hospital benefits.

Mr. EVANS: Nevertheless there is a limit to hospital benefits. I would like to pay a tribute to the secretary of the Kalgoorlie district hospital who is well known to the member for Cottesloe. I am sure he will join me in paying that tribute. I have found the secretary to be an excellent administrator. He has brought about cordial industrial relations between the hospital administration and staff, and he has also brought about complete harmony between the hospital and the Medical Department. Furthermore, he is very sympathetic in his outlook and is an excellent administrator. I should be failing in my duty when discussing the Kalgoorlie district hospital if I did not record my appreciation of the work of the secretary.

I now turn to the vote of the Minister for Justice's department. Firstly, I draw attention to the Legal Practitioners' Act of 1893 which has been amended this year, and to the section under which articulated clerks are admitted into the profession. Until 1954 there were two avenues by which a person could enter the legal profession in this State. One was by attendance at the University and by the obtaining of a Bachelor of Law degree. After having obtained such a degree, that person would be required to serve two years' apprenticeship with a legal practitioner, such apprenticeship being termed a period of articles. The other avenue, which was open before 1954, was the Supreme Court course. This made it possible for people, who found it impossible or inconvenient to attend the University, to enter the legal profession.

Before 1954, a person could apply to the Barristers' Board, a duly constituted body, and by the payment of just over 12 guineas, become articulated to a legal practitioner for a term of five years. During this period he would be required to pass the examination set by the Barristers' Board. Having pointed that out, I would refer to Section 13 of the Legal Practitioners' Act which provision was enacted in 1893. It states—

No articulated clerk shall, without the written consent of the board, during his term of service under articles, hold any office or engage in any employment other than as bona fide articulated clerk of the practitioner to whom he is for the time being articulated, or his partner; and every articulated clerk, shall before being admitted as a practitioner, prove to the satisfaction of the board, by affidavit or otherwise, that this section has been duly complied with.

I raise two objections to this provision. The less important is that a person is required to prove to the satisfaction of the board, the onus of proof being on the individual. The greater objection is that nowhere in the Act or the regulations made thereunder is there provision for legal practitioners taking on articulated clerks to pay those clerks a living wage. Yet this section requires that such articulated clerk shall not engage in any employment without the written consent of the Barristers' Board.

Mr. Court: There is a very good reason for that, is there not?

Mr. EVANS: It had better be a good reason; but I have not been able to find it yet.

Mr. Court: Because it does not suit your convenience.

The CHAIRMAN: Order!

Mr. EVANS: The Barristers' Board has in the past granted few applications to engage in such employment. If members doubt my word they could ring Mr. Gleadell, the secretary of the Barristers' Board, who is also the librarian in charge of the Supreme Court library, and he will tell them the position. They may find on the first information given by Mr. Gleadell that the member for Kalgoorlie has been stretching the truth, but if they carefully examine the position they will find that countless numbers of young men and women, interested in the profession, have written to the Barristers' Board to inquire whether they would be allowed to engage in employment if they decided to take up articles.

On some occasions in the past the Barristers' Board has completely ignored those written inquiries because the board has said they are not applications as set out under the Act. The application is a formal one accompanied by the sum of 12

guineas. These people naturally write to the board, before tendering the 12 guineas, and ask whether they would be allowed to engage in employment. The answer, nine times out of ten, is "No." Such persons in the past have lost interest and have not formally applied to the board. Therefore the Barristers' Board can say that very few people have even asked for permission to engage in employment. Most of the people who have joined the profession since this provision has been in the Act have been sons of silvertails.

Mr. Court: You have just answered your own question because you just said the Barristers' Board does not answer their requests and then you said that in nine cases out of ten they were refused.

Mr. EVANS: The member for Nedlands was not listening.

Mr. Court: I was, because I know your particular interest in the matter. You have a look at your speech and see what you said. You said that nine out of ten were refused; and before that you said they did not get any answers.

Mr. EVANS: The member for Nedlands has got hold of half the truth. If he listened carefully he could probably make an intelligent interjection.

Mr. Court: You would get more co-operation if—

Mr. EVANS: The hon. member's words are so much nonsense.

Mr. Court: What a man! The pride of Kalgoorlie!

Mr. EVANS: Have a look at him!

Mr. Court: We are looking.

The CHAIRMAN: Order! I suggest the hon. member get on with his speech.

Mr. EVANS: I claim that due to the presence of this particular provision in the Act the majority of persons who have entered the legal profession have been sons and daughters of silvertails. I ask members to open their minds and not consider this matter with a bias of political flavour. Do members believe that the best lawyer is the one who can work his way through a legal course by doing what he can to keep body and soul together and study at the same time; or is the best lawyer the person who can gaily slide through on the finance of some rich person or relation?

All I am asking is that this section shall be removed from the Act so that anybody may be able to engage in articles and be allowed to earn outside of his articles. He would still have to pass the examinations set by the Barristers' Board, irrespective of what money his parents, relations or friends furnished him with. If he has such money, well and good. I am not denying him the right to be a lawyer, but

I am asking that the honest, sincere person who has not the financial backing to do five years' articles, shall be given the right to have a try to enter the profession.

There is nothing in the Act or regulations to provide that an articulated clerk shall receive a definite living wage. The legal practitioners are not required to pay a definite wage. In this respect I wish to mention an article written by a newspaper reporter—Mr. Gavin Casey—for the evening daily. He makes this brief comment on the set-up—

The closest thing to slave labour in existence in W.A. must surely be the employment of lawyers' articulated clerks for as little as £2 a week.

That they need relief is obvious.

What's gone wrong with the law in Western Australia?

Compared with its operation in other places there's nothing much wrong with it, in the basically important matters of ensuring fair trial for accused persons and the thorough investigation and settlement of disputes.

The trouble with it here is that as a profession it seems to be becoming less and less attractive to young people, to the extent that practising lawyers may become a vanishing race.

Now I am getting on to an important aspect. I have figures to prove that today young people are brushing aside the legal profession. I claim that the reason for this is a twofold one, firstly, from a financial point of view; and secondly, the presence of Section 13, because few people have the financial backing to do five years' articles when they are not guaranteed a living wage.

Someone might ask why there is no arbitration award covering legal practitioners and requiring them to pay a living wage. There is an answer to that, too, and on this occasion I am a little on the side of the legal practitioner who, when taking an articulated clerk, is faced with certain obligations. If any member cared to make inquiry in Perth today he would find that the majority of legal practitioners are not particularly interested or anxious to take on articulated clerks.

Why is this? The reason is that they are required to devote a certain amount of time to the clerk's tuition. If on the other hand they employ a girl—a stenographer—they can give her work which is part of a lawyer's work, to do and they know that the work is being done and their own time is not devoted to something that is not in the direct line of their professional duty.

Therefore the legal practitioners are not anxious to take on articulated clerks. In most cases, when they do take them on,

they do so as a friendly act. If they know someone who has a son or daughter anxious to enter the profession they will take that person on. If we go ahead and arbitrate, and say that the legal practitioners must pay a certain wage, we will find this source of entry will dry up. I claim, therefore, that the reasonable thing to do is to remove this section and let young people into the profession and permit them to earn outside their articles, provided they pass the examinations. The Barristers' Board sets the examinations and marks the papers; and the period is still five years. I deny that there would be any drop in standards.

Mr. Court: Are you suggesting that you can get into that profession by merely passing examinations and not doing the practical work?

Mr. EVANS: No. That proves the hon. member has not been listening to what I have said. I pointed out that the articulated clerk would have to serve five years.

Mr. Court: But you have skipped over that part and twice you have come back to the suggestion that all that matters is that you pass the examination.

Mr. EVANS: The hon. member has not listened. The articulated clerk would serve for five years, and such service is usually conducted during those hours that the legal practitioner's office would be open, normally between 9 a.m. and 5 p.m. The articulated clerk is required to spend his time with the legal practitioner during those hours. Such employment would be known to the meanest intelligence. I am afraid the intelligence of the member for Nedlands is far beyond that and is very mean.

Mr. Court: You are going on like a child.

Mr. EVANS: I mentioned earlier that I had certain statistics.

Point of Order.

Mr. Nalder: On a point of order, Mr. Chairman, I would like to ask your ruling on whether the hon. member is in order in debating a subject that was discussed in the House earlier in the session as a Bill. Much of the subject matter has been discussed previously.

The Chairman: I refer the member for Kalgoorlie to Standing Order No. 126 which says—

No member shall allude to any debate of the same session upon a question or Bill not being then under discussion except by the indulgence of the House for personal explanations.

The hon. member is more or less indulging in the same speech as he made in relation to a Bill to amend the Legal Practitioners Act. I therefore rule that he is out of order.

Mr. Evans: The Legal Practitioners Act was not introduced in this Chamber, but in the Legislative Council. There was no discussion on it in this House.

Mr. Chairman: There was another Bill to amend the Legal Practitioners Act.

Mr. Evans: That was a Government Bill, introduced by the Minister, on a different subject altogether.

The Chairman: I am sorry. The hon. member may continue.

Committee Resumed.

Mr. EVANS: I have statistics to prove that the numbers entering the legal profession in Western Australia are dangerously decreasing. These figures are taken from the University of Western Australia Annual Law Review of 1951, page 14. Certain statistics are shown and in the year 1921 there were 170 legal practitioners in Western Australia, and the population at that time was approximately 330,000. The ratio of legal practitioners per every 10,000 of population was 5.1. By 1951 the population had increased greatly but the number of legal practitioners per 10,000 of population had decreased to the dangerous level of 3.4.

Mr. Potter: How do you account for that?

Mr. EVANS: On inquiring at the Department of Census and Statistics, I was told that in 1957, 231 legal practitioners were registered in the Supreme Court and the estimated population was 685,000. So the ratio of legal practitioners this year is down still further to the dangerous level of 3.3 legal practitioners per 10,000 of population as against 5.1 in 1921. Legal practitioners in 1921 were certainly not out of work.

The estimated population in 1963 is 842,000, and taking the last ratio of 3.3 practitioners to every 10,000 of population as remaining constant—although according to the figures the ratio is decreasing all the time—there will be only 277 legal practitioners on the roll in that year. But if the ratio drops still further, as present trends indicate, that number will be less. If we compare the growth of population from 1939 to 1963, with the corresponding growth in the number of legal practitioners, there should be 330 in that year whereas figures prove that there will be only 277.

The ratio and the figures for Western Australia are the lowest in the Commonwealth, and it is significant that this is the only State which has a provision, such as is contained in Section 13 of our Act, in the Acts controlling the legal profession.

Mr. Crommelin: What do you want to be?

Mr. EVANS: In the United States there are 13.7 legal practitioners per 10,000 of population.

The Minister for Education: There are more gangsters there.

Mr. EVANS: I would now like to discuss a different question and deal with articulated clerks. I mentioned earlier the situation that existed until 1954; but in that year a regulation, after having been laid on the Table of the House for the requisite 14 days, was agreed to; and this point will interest country members. Regulation No. 28, made under the Legal Practitioners Act, stated that henceforth all articulated clerks would be required to attend the University of Western Australia.

Regarding this point, I made certain inquiries because it seemed to me that any person who wished to become articulated to a country practitioner would be deprived of the opportunity to do so. I questioned the Barristers' Board on the point and they said that such a person would be able to become articulated to a country practitioner, but he must attend 80 per cent. of the lectures at the University.

Hon. J. B. Sleeman: That would be impossible.

Mr. EVANS: How could a person become articulated to a country practitioner in a town such as Albany or Wyndham and still attend 80 per cent. of the lectures at the University? But there is a further provision. He would qualify for complete exemption if he could get the full-time assistance of his principal until such time as he passed the first four examinations, a period of three years. That means that the practitioner would have to close his shutters and devote his full time to assisting his clerk for the first three years of his five-year course to enable him to become articulated in the country. Could anything be more ludicrous?

Mr. Lawrence: How often are the lectures?

Mr. EVANS: They are held four days of the week, Mondays, Wednesdays, Thursdays and Fridays, between March and October. I believe that regulation should be completely removed and the right of a person in the country to become articulated to a country practitioner should be restored. I do not deny the right of a person articulated to a city practitioner to attend the University; but I do deny the Barristers' Board the power to deprive a person of the right to be articulated in the country if he cannot attend 80 per cent. of the lectures at the University, or if he cannot guarantee that his principal will devote his full time to him for three years.

I would now like to refer to Section 13 of the Act. A person can attend the University to do his law degree and, having finished his lectures, no questions are asked as to what he does in his spare time. I am sure that country members can recall medical and law students who have worked from October until March in their areas, either on the wheat bins or

at some other menial task. They are free to do what they like; but an articulated clerk has to obtain the permission of the Barristers' Board to engage in other employment. As figures show, such applications are seldom granted.

Some time back, I asked the Minister regarding the circumstances that exist in New Zealand under Section 8, Subsection (2) of the Law Practitioners Act of New Zealand. The question was as follows:—

(1) Is it considered that Section 8, Subsection (2) of the Law Practitioners Act of New Zealand, in providing the following:—

The Senate of the University shall prescribe the nature and conditions of the examinations and the educational and practical qualifications of those candidates who are required to pass any such examinations and may also prescribe such courses of study and practical training and experience for those candidates as it thinks fit. Provided that it shall not be competent for the Senate to require that any course of study or practical training shall be taken at a University College in New Zealand by any candidate who for the time being is resident more than ten miles from that College . . .

I think that 10 miles is perhaps a little beyond the stage of reason in another direction; but in New Zealand, if a person lives more than 10 miles from the university he is not required to attend. I further asked the Minister whether this section was more realistic than our Section 13. Figures prove that the state of legal practitioners in New Zealand is healthy whereas in Western Australia it is very bad. I have tried to point out the reason for it.

Of course, I am not asking for anything revolutionary, and I believe that if these regulations—and I am not the only one to suggest this—were disallowed, and the Western Australian Act was brought into line with those of the other States, our lawyers could give the people the service they require. Members can ask the lawyers in this State and they will be told that they are working flat out. Some of them take work home at night, and they are required to keep up with the latest findings. Some of them say, "I cannot do that because I am snowed under with work."

If we could encourage more people to enter the profession, people in Western Australia would be given a better service and a better deal which lawyers agree they are not in the race to give at the moment. There is a lot of truth in the old statement that justice delayed is justice denied or, as one lawyer who was a

member of this House said, "Justice is sweetest when it is freshest." Mr. Chairman, is there a time limit?

The CHAIRMAN: There certainly is—one hour.

Mr. EVANS: I would now like to talk on a completely different subject but it is one which comes under the Estimates of the Minister for Justice. Years ago the people on the Goldfields, because of the conditions which prevailed—they live 375 miles from Perth and are 200 miles from the nearest point of the coast, at Esperance—were given the privilege of having a drink of beer or some other form of alcoholic liquor on Sundays as well as other days. As we know in recent years amendments have been made to the Licensing Act and Sunday trading is allowed in certain parts of Western Australia. The goldfields people enjoy that privilege and are proud to have it.

There are some days which members may claim to be sacred and on which hotels are closed. I claim that I am a Christian but I am also broad-minded, and while the hotels are closed on Good Friday I think that if they could be opened on the Goldfields for the same period as the Sunday sessions we would be doing the people in that area a service. I am not denying the people of other country towns that right, if they desire it, but in the last two years miners have been granted a holiday on Good Friday; it was granted for the first time last year. But what can they do on that holiday?

We find a humble little town named Broad Arrow lying 25 miles north of Kalgoorlie; and 25 miles west of Kalgoorlie there is Coolgardie which, though once a booming town, is now quite quiet. Those are the limits to which one can travel on a bitumen road, and along which one can take one's family for a drive. After leaving Kalgoorlie, however, and on arriving at one's destination, one finds that the surroundings are worse than one experienced at home.

Many of the people there are at a loss to know what to do, and if some recognition could be given to a case for a limited session on Good Friday, whereby people could go to a hotel or a beer garden and enjoy a drink with their wives under congenial conditions, I am sure it could be made a family affair, because these people would certainly take their wives along with them. We find that some people play two-up, and I daresay they enjoy themselves at this pastime, but I would far rather see people enjoying this day of peace and Christian understanding with their wives.

Mr. Lawrence: Why not give the metropolitan area the same privilege?

Mr. EVANS: It is not my intention to deprive the metropolitan area of this privilege; I am merely putting forward a case for the people in my electorate. I

have no objection to the people in the metropolitan area being afforded that facility. To conclude, I would like briefly to mention another aspect of the Crown Law Department which is causing me some concern.

We know that in the mind of the man in the street justice is considered to be quite neutral. It signifies, and epitomises, an entirely impartial attitude to all persons involved in crime or in civil litigation. I think it can best be symbolised as a woman blindfolded, holding even balanced scales so that she will not be tempted to discriminate between the parties concerned. Being blindfolded, this woman is not able to detect which party is which. To my mind that is a perfect symbol of justice.

I would like, however, to draw the attention of the Committee to two cases. The first is the case of an accused person being acquitted in the lower court, and then convicted on appeal to the Supreme Court. We find a person is charged by the police for an offence; he is taken to the lower court for trial and is acquitted. An appeal is then made by the police to the Supreme Court where the person concerned has to attend. If this person is convicted on appeal to the Supreme Court, he is not only punished for the offence, but he also has to pay the legal defence costs of the police on appeal, quite apart from his own legal expenses, except in certain circumstances under Section 219 of the Justices Act where it could be held that the case was of rare public importance.

However, I asked a question of the Minister, and I was advised that since that amendment was written into the Act, there has only been one case since 1948 that was considered to be of rare public importance; yet we find there have been persons charged by the police, tried in the lower court and acquitted, and, on appeal to the Supreme Court, they have been required to pay their own legal defence and also the cost of the police appeal. I claim that is a complete violation of the picture of justice I have endeavoured to place before the Committee. I do not think that these people should be expected to pay the cost of the appeal by the police to the Supreme Court. I believe I have antagonised certain members of this Committee enough tonight. We have had a long marathon behind us, and perhaps we will have a longer one in front of us, and that being so I will not say any more.

Progress reported.

BILL—METROPOLITAN (PERTH) PASSENGER TRANSPORT TRUST.

Council's Amendment.

Returned from the Council with an amendment.

In Committee.

Mr. Heal in the Chair; the Minister for Transport in charge of the Bill.

The CHAIRMAN: The Council's amendment is as follows:—

Clause 14—After the word "shall" in line 5, page 8, insert the word "not."

The MINISTER FOR TRANSPORT: I move—

That the amendment be agreed to. This is to correct a clerical error which was detected in this Chamber prior to the Bill going to the Legislative Council. It relates to the procedure for the removal of a member of the trust if he is regarded as unsatisfactory. Members will recall that he is suspended from office and at the expiration of a certain period he is removed from office unless a resolution of each House is passed to the contrary. As it is at present, the wording of the Bill is both contrary and ridiculous.

Question put and passed; the Council's amendment agreed to.

Resolution reported, the report adopted and a message accordingly returned to the Council.

ADJOURNMENT—SPECIAL.

THE MINISTER FOR WORKS (Hon. J. T. Tonkin—Melville): I move—

That the House at its rising adjourn till 2.30 p.m. today (Thursday).

House adjourned at 12.10 p.m.

Legislative Council

Thursday, 28th November, 1957.

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The PRESIDENT took the Chair at 2.15 p.m., and read prayers.

QUESTIONS.

NEW GAOL.

Commencement and Leasing of Land for Market Gardening.

Hon. F. R. H. LAVERY asked the Chief Secretary:

(1) Has any decision been made as to when the proposed new gaol will be commenced?

(2) Is it proposed to defer this matter for some years?

(3) Will the Lands Department be given authority to lease portions of this land for market gardening?

(4) Is the Government aware that a number of people are interested in this valuable land for gardening purposes?