

works carried out under the deferred payment system. These urgent works cover schools, classrooms, hospitals, hospital additions and some houses. So it is not enough for members to stand up and condemn a Government for making arrangements, outside of the actual loan moneys available, to carry out these works unless members are at the same time prepared to say that no provision—not one penny's worth—should be made outside the actual loan funds for schools, hospitals, water supplies or anything else.

It is the view of the Government in this matter that these schools and school additions; hospitals and hospital additions and these houses will have to be built because they are in short supply. We all know from our individual experiences in our own electorates that the volume of accommodation for schoolchildren is not nearly enough. We know that the pressure for hospital accommodation is far greater than that which is available. We know that more houses are required and so on. Therefore, these works have to be carried out. If they are not carried out to a reasonable degree this financial year under the deferred payment system, then they will not be carried out this financial year at all.

The shortage of school accommodation and hospital accommodation is greater for the rest of this financial year than it would be otherwise. If the work is carried out this financial year on that basis, then to the extent the work is carried out this year it will not be necessary, we would hope, to carry it out to as great an extent next year. I simply make those comments at this stage because it seems to me they are most appropriate in view of what was said earlier by the Leader of the Opposition. I also think it is advisable that the public should know just what the situation is in relation to the construction of schools, hospitals, houses, water supplies and other public works. I move—

That the Bill be now read a second time.

On motion by Hon. Sir Ross McLarty, debate adjourned.

#### ADJOURNMENT—SPECIAL.

**THE PREMIER** (Hon. A. R. G. Hawke—Northam): I move—

That the House at its rising adjourn till 7.30 p.m. tomorrow.

The reason for this motion is to give members an opportunity to have afternoon tea with His Excellency the Governor at the annual cricket match to be played between a Parliamentary XI and His Excellency's team.

Question put and passed.

House adjourned at 9.42 p.m.

## Legislative Council

Wednesday, 9th November, 1955.

### CONTENTS.

	Page
Assent to Bill .....	1641
Questions : Crown lands, availability for pastoral purposes .....	1641
Water supplies : (a) completion of country schemes .....	1642
(b) railway haulage .....	1642
Albany regional hospital, progress of work .....	1642
Bills : University Medical School, Teaching Hospitals, 3r., passed .....	1642
Metropolitan Water Supply, Sewerage and Drainage Act Amendment, 3r., passed .....	1642
Administration Act Amendment, report .....	1642
Child Welfare Act Amendment, 2r., Com. ....	1642
Fertilisers Act Amendment, 1r. ....	1651
Bank Holidays Act Amendment, 2r. ....	1651
Adjournment, special .....	1658

The PRESIDENT took the Chair at 7.30 p.m., and read prayers.

### ASSENT TO BILL.

Message from the Governor received and read notifying assent to the Acts Amendment (Libraries) Bill.

### QUESTIONS.

#### CROWN LANDS.

##### *Availability for Pastoral Purposes.*

Hon. C. H. SIMPSON asked the Minister for the North-West:

In view of the replies given by him to Hon. G. Bennetts on Wednesday, the 2nd November, regarding Crown lands for pastoral purposes, and having regard to the news item in "The West Australian" the following day, headed "North-West Crown Land Withdrawn"—

(1) (a) Will he please indicate whether his reply had reference to the North-West only, or to the whole of the State?

(b) Does this action in any way affect existing leases?

(2) Is he prepared to clarify the attitude of the Government in regard to this matter?

The MINISTER replied:

(1) (a) The whole State.

(b) No.

(2) The remaining Crown lands in Western Australia suitable for pastoral purposes in due course will be made available in areas not exceeding that required in each case to make a sound economic unit, subject to such reserves as may be required. The department is actively engaged in determining living areas in the various pastoral regions, but this only concerns unoccupied Crown lands.

**WATER SUPPLIES.***(a) Completion of Country Schemes.*

Hon. F. D. WILLMOTT asked the Chief Secretary:

(1) In view of the answer given by the Minister for Works to the member for Blackwood in another place on the 3rd November, which indicated that the town water-supply schemes for Mt. Barker, Tambellup and Cranbrook were projects requiring loan funds that have reduced the construction programme on the Mill Stream scheme for Bridgetown, can he inform the House how much money will be expended in the current year on the town water schemes of Mt. Barker, Tambellup, Cranbrook and Bridgetown, respectively?

(2) Can he say when it is intended to finish the town water schemes at Mt. Barker, Tambellup and Cranbrook?

(3) If so, is there any reason why a definite date cannot be given for the completion of the Mill Stream scheme at Bridgetown?

The CHIEF SECRETARY replied:

	£
(1) Mt. Barker ....	60,000
Tambellup ....	27,000
Cranbrook ....	Nil
Bridgetown ....	37,400

(2) An agreement between the Government and the towns of Mt. Barker, Tambellup and Cranbrook calls for completion of all three before the 30th June, 1957. Tambellup will be completed by the 2nd December, 1955. It is not possible to forecast whether Mt. Barker or Cranbrook will be completed prior to the agreement date, as future finances cannot be forecast.

(3) The completion of the Bridgetown scheme calls for substantial steel pipeline construction, together with a new dam on Mill Stream. It is anticipated that the pipeline will be completed to Mill Stream to supplement the supply of water for the 1956-1957 summer. It is not possible to state a date when the proposed dam will be completed as this would depend to a large degree on availability of future finance.

*(b) Railway Haulage.*

Hon. F. D. WILLMOTT asked the Chief Secretary:

(1) What was the cost of hauling water for railway purposes during the financial year 1954-55, to—

- (a) Bridgetown;
- (b) Mt. Barker;
- (c) Tambellup;
- (d) Cranbrook?

(2) What facilities exist and to what extent is it anticipated that these facilities will have to be supplemented by rail haulage of water during the current financial year, at the same towns?

The CHIEF SECRETARY replied:

(1) The estimated total cost of water haulage for 1954-55 is £200,000; but as costs are not recorded separately, the information sought is not readily available.

(2) Bridgetown: No railway facilities exist, and the whole of the department's requirements have to be rail-hauled. At present over 100,000 gallons per week are being hauled from Pemberton.

Mt. Barker: Limited supplies which are obtained from railway wells are augmented with water railed normally from Elleker. The date of completion of P.W.D. facilities and the amount of water which can be made available to the railways will influence the transport of water during the approaching summer.

Tambellup: The railway dam has a capacity of 26,000,000 gallons, and is full at present. Position for the summer appears satisfactory.

Cranbrook: The railway dam holds 5.3 million gallons. Little if any supplies outside this source should be necessary.

**ALBANY REGIONAL HOSPITAL.***Progress of Work.*

Hon. J. McI. THOMSON (without notice) asked the Chief Secretary:

Further to the Chief Secretary's reply regarding the Albany regional hospital plan, in which he said the plan was in preparation, can the responsible Minister make arrangements for me to inspect the work so far planned, and to see what progress has been made?

The CHIEF SECRETARY replied:

The department responsible for this project is not under my control, and I am not in a position to say what the hon. member can do. I would suggest that he make application to the Minister for Works on the lines mentioned. I feel sure he would get a satisfactory reply.

**BILLS (2)—THIRD READING.**

- 1, University Medical School, Teaching Hospitals.
- 2, Metropolitan Water Supply, Sewerage and Drainage Act Amendment.

*Passed.*

**BILL—ADMINISTRATION ACT AMENDMENT.**

Report of Committee adopted.

**BILL—CHILD WELFARE ACT AMENDMENT.**

*Second Reading.*

Debate resumed from the previous day.

HON. F. R. H. LAVERY (West) [7.41]: In supporting this Bill, I should like to offer a few comments. One proposal deals with the changing of the title of secretary to that of director of child welfare.

The present director of the department is Mr. McCall, and Mr. Young is the secretary under the Act. The word "director" does not appear in the Act; and unless it is inserted, we shall find the secretary vested with authority that should be the province of the director. Consequently, it is not merely a matter of changing the name, as one member thought, so that somebody might have a higher position in the department or a higher social status.

Hon. J. McL. Thomson: Is that correct?

Hon. F. R. H. LAVERY: I understand that Mr. McCall was made director during last year under some liaison with the Education Department. I am not sure exactly when that occurred, but I believe that his transfer to the Child Welfare Department has represented a big step forward in the department's activities among the lesser educated groups of adolescent children. That is my understanding of the position; I have had to obtain the information as best I could from outside sources.

Another proposal is that children under the age of 14 years found guilty of offences shall not be imprisoned. We know that it has been a very rare occurrence for such a child to be imprisoned, but there is no Government institution to which magistrates could commit children who have been found guilty of misdemeanours and sentenced to imprisonment. The only places to which they can be sent are those controlled mainly by the churches. The Seaforth Boys' Home has been closed for this purpose, and the Church of England has opened Stoneville as a reformatory. How long that will operate without the Government's having to take steps to enlarge the reception side is problematical.

However, the idea of a child under the age of 14 being committed to prison is revolting. Surely the time has come when, under our child welfare activities and Government social services, State and Federal, a home should be provided by the Government to which may be sent children of an unruly nature who have committed a crime necessitating their being imprisoned! I repeat that to me it is revolting even to contemplate the imprisoning of a child of 14. We are short of hospitals and of schools; but what better school could we have than an institution where these delinquent children could be sent to receive the right sort of education to make them useful citizens?

Hon. G. Bennetts: There is a good one in Adelaide.

Hon. F. R. H. LAVERY: But we have not one here. Another proposal is to try in the Children's Court, instead of the Police Court, adults charged with offences against children. Last night I interjected to the effect that I understand that these

cases were originally tried in the Children's Court until 1946 or 1947, when Mr. Schroeder presided over that court. Mr. Schroeder was a man who had not had legal training. When the Leader of the Country Party in another place had the Act amended to provide for such cases being heard by a magistrate, they were transferred to the Police Court.

I find that all parties concerned—police, detectives, the present magistrate, the officials of the court and the parents—would prefer to have these cases dealt with in the Children's Court, and at least one accused person whom I know would have been very much happier had he been charged in the Children's Court instead of the Police Court.

Consider the position when such a charge is brought before a magistrate in the Police Court. The person charged is located behind rails; the magistrate sits on a high bench, and the little child is facing uniformed officers and all the dead-beats and old people who go along to hear these cases. Such an environment for children makes them afraid and they are flustered into saying things they do not want to say.

If these cases were dealt with in the Children's Court, the accused person would appear in front of a magistrate vested with the same power, and would have the benefit of the decorum of that court; the child giving evidence would feel more at home when seated at a table and when questioned in an ordinary manner; and the parents in attendance to look after the child would also feel more at home.

I know that all the officers of the court feel that it was a retrograde step when these cases were taken from the Children's Court to the Police Court, and therefore I feel that this is a most welcome piece of legislation. The laws of evidence would apply in the Children's Court exactly as they do now in the Police Court.

At present, a grave injustice is being perpetrated in this State in regard to child welfare, and I thought this measure might well have contained a provision to rectify it. If a person in gaol commits a breach, he is dealt with before a magistrate or J.P., and is punished, if found guilty, and perhaps given an extension of his sentence; but it is a well-known fact that, in certain homes and institutions, a child can be charged with a misdemeanor and reported by the head of the institution to the secretary of the Child Welfare Department. That juvenile offender can then be given a further term of commitment without being tried before any judicial body, and with no appeal at all. That is not a proper way to treat children who are placed in institutions to learn to become better citizens.

Hon. Sir Charles Latham: They cannot do that without the authority of the department.

Hon. F. R. H. LAVERY: Sir Charles is emphasising my point. The department gives the authority for the extension of the period of commitment of the child—perhaps by three months—without the offender being given any trial. A child might simply be unpopular with whoever was in charge of the home or institution; and, if he were reported, could be given a further three months' sentence without being heard on trial at all.

Good as the measure before us is, I had hoped it would contain provision to rectify the situation I have mentioned. I support the Bill.

**THE CHIEF SECRETARY** (Hon. G. Fraser—West—in reply) [7.53]: I desire to thank members for the at least lukewarm support they have accorded the Bill. One or two of the points raised against it appear to me to be very weak, and particularly that with regard to the change of name from "secretary" to "director." One might almost be pardoned for falling back on the old query: "What's in a name?"

Hon. H. K. Watson: It is what is behind the name in this instance.

Hon. C. H. Simpson: Does it not provide for an assistant director?

**THE CHIEF SECRETARY**: Yes.

Hon. Sir Charles Latham: That would involve an increase in the salaries paid and the Bill should have had a Message.

**THE CHIEF SECRETARY**: It is only a matter of classification. Why are members worrying about salaries? In any ordinary business concern there is a director and a secretary—

Hon. Sir Charles Latham: And an assistant.

**THE CHIEF SECRETARY**: Is not that the usual thing?

Hon. H. K. Watson: Has this ever applied to the department in the last 40 years?

**THE CHIEF SECRETARY**: No; but we are a long way behind what has happened elsewhere in Australia.

Hon. Sir Charles Latham: In child welfare?

**THE CHIEF SECRETARY**: Yes.

Hon. Sir Charles Latham: We are far ahead of the rest of Australia.

**THE CHIEF SECRETARY**: At the moment I am dealing with the title of the person in charge of the department, and my information is that everywhere else in Australia the head of the corresponding department is known as the "director."

Hon. H. Hearn: What difference does it make?

**THE CHIEF SECRETARY**: Is it not time we brought ourselves up to date in this respect?

Hon. C. W. D. Barker: Yes; and in lots of other things.

**THE CHIEF SECRETARY**: All that is involved here is a change of name from "secretary" to "director", and that is a common thing in all avenues of business. I have on many occasions in this House heard members growl about Government departments being behind business organisations in various ways, and here is an opportunity to bring the department up to date in this respect.

Another point raised during the debate referred to children being tried in the Children's Court instead of open court. As Mr. Lavery said, and as I stated when introducing the measure, that was the practice in 1947 in this State, and it would still have been in operation but for the fact that a layman was placed on the Children's Court bench. The change was made in 1947 when Parliament decided, in view of the fact that there was a layman on the bench, that certain alterations should be made in regard to the method of dealing with certain children's cases.

Hon. J. McI. Thomson: That is not the whole story.

**THE CHIEF SECRETARY**: No. The hon. member wants me to tell all the story in two words, and I cannot do that.

Hon. H. Hearn: You do not want to, either.

**THE CHIEF SECRETARY**: I am merely touching on the facts of the position in this State. Until 1947, these cases were dealt with in the Children's Court, and the reason for the change then made was that there was a layman on the Children's Court bench as magistrate. I do not know why the change was necessary, as I would not care whether it was a layman or a legal man on that bench; and, as a matter of fact, I think a layman might have been better than a legal man, as men trained in law often get tied up in red tape; whereas a layman with worldly experience might give better decisions—

Hon. H. Hearn: Would not a legal man have worldly experience?

**THE CHIEF SECRETARY**: They get into a groove, and that is no good in children's cases. Other points were raised as to whether children's cases should be tried by jury, and so on; and following my usual custom, so that there will be no misunderstanding, I have had a statement prepared by the department answering the various points raised. It is as follows:—

The hearing of charges concerning offences by children has always been a function of children's courts and actually these courts were brought into being for this very purpose.

Children's courts have exclusive jurisdiction over children who have committed offences except charges involving wilful murder, murder, manslaughter or treason, or attempts to commit any of those offences. In such cases the courts are obliged to commit the accused child to the Criminal Court. In other cases involving indictable offences a special magistrate may, if he thinks fit, commit the accused child to the higher court. In all such cases of committal the accused child and any child witnesses would be required to give evidence before a judge and jury if the plea is not guilty to the charge.

The object of Clause 4 of the Bill is to restore to the jurisdiction of children's courts the power to hear and determine offences against children.

I emphasise that.

Hon. Sir Charles Latham: You have put it clearly in the Bill.

The CHIEF SECRETARY: I thought I had, but evidently some members still had doubts. The statement continues—

In effect, this means that any person (adult or child) who commits an offence against a child will appear before a children's court instead of a police court, as at present. This was the practice up to 1947 but the Government of that day caused the words "or against" to be removed from Section 20 of the Child Welfare Act and in consequence all offenders (over 18 years of age) against children were brought before the police courts.

It is intended by the amendment that children's courts, being courts of summary jurisdiction, should hear and determine these cases of offences against children but that if the circumstances demand it, due to the serious nature of the charges, the courts should refrain from proceeding to judgment and commit the accused to the Criminal Court for trial or sentence. It is not intended that juries should form part of a children's court hearing.

In the event that an adult is committed for trial for an offence against a child, the child concerned and all other child witnesses will have to repeat their testimony in the higher court.

Relatively few offences against children are serious enough to warrant committal to a higher court. The bulk of such cases are capable of being dealt with summarily, which is the reason why it is desired that they be restored to the jurisdiction of children's courts. It is to afford the maximum consideration possible to child witnesses that this amendment has been put forward. The children will

not be subjected to the ordeal of appearing and giving evidence in a court to which the general public has access, except in the few cases which are sent on to the Criminal Court—and that cannot be avoided, no matter which type of court takes the preliminary hearing.

In that summary, most of the comments that have been raised during the debate have been answered. I repeat what I said when introducing the Bill; namely, that this measure is supported by the present magistrate of the Children's Court, all the high police officials in the State, and also all those people who take an active interest in child welfare. That should be a sufficient guarantee to members that the hearing of these cases in the Children's Court will be in the best interests of any children concerned.

Question put and passed.

Bill read a second time.

*In Committee.*

Hon. W. R. Hall in the Chair; the Chief Secretary in charge of the Bill.

Clause 1—agreed to.

Clause 2—General amendments:

Hon. J. McI. THOMSON: I hope the Committee will not agree to this clause whereby it is proposed to amend the principal Act by replacing the word, "secretary" wherever it appears by the word "director." I have not yet been convinced of the necessity for this change in title. Mr. Lavery gave us some indication of what the position would be in the future.

There is no doubt that the present secretary has done an excellent job; but if Mr. McCall is to be the director, as stated by Mr. Lavery, it will be a great injustice. If the legislation has been introduced for the purpose of allowing one person to succeed another, it is entirely wrong.

To say that the activities of the department cannot be extended unless the title of this office is changed is nonsense. If the secretary has not sufficient powers to extend the activities of the department, that can easily be overcome without changing the title of the office. If that could not be done without introducing the Bill, there is something radically wrong.

Hon. N. E. Baxter: The secretary has done a very good job.

Hon. J. McI. THOMSON: Of course he has! I trust, therefore, that the clause will not be agreed to.

Hon. N. E. BAXTER: The explanation given by the Chief Secretary was not an explanation at all. He gave no sound reason for the change in title; nor did any other speaker who favoured this clause. I still wonder why the change is sought. It has nothing to recommend it, because

it will not in any way assist the work of the Child Welfare Department. Apparently the amendment is sought merely to increase the duties of the office and to pay a higher salary to the occupant. If that be the case, why did not the Public Service Commissioner come out in the open and give the present office-holder a salary increase?

The CHIEF SECRETARY: I thought that the degree of explanation that was given on this point was sufficient to satisfy members.

Hon. N. E. Baxter: You did not give a decent explanation.

The CHIEF SECRETARY: The word "director" is in the Bill; and whether it is the intention to appoint the present secretary as director, or some other person, does not matter. I take a risk in saying this; but when Mr. Hicks was brought to this State some time ago to inquire into the activities of the Child Welfare Department, he recommended that a director be appointed. If it were decided to appoint a director, the position would be that the director would be in control of the department; but, in fact, all the powers in the Act would be given to the secretary, which would be a ridiculous position.

Hon. H. Hearn: Would the present secretary be appointed as director?

The CHIEF SECRETARY: I could not say. He might be.

Hon. H. Hearn: And he might not be.

The CHIEF SECRETARY: Yes. We are legislating for what might happen in the future. We are attempting to bring this legislation into line with that in operation in other parts of Australia. If the explanation I have given is not satisfactory to members, I cannot help it.

Hon. Sir CHARLES LATHAM: I cannot understand why the Bill was introduced. It is a trifling measure. Because someone who came from the Eastern States to advise the Government on this subject is used to what happens in the extremely large cities in other parts of Australia, apparently he was of the opinion that we should make all these changes.

I would point out, however, that the financial position of the State at the moment is not very bright; and if this legislation is passed, it will probably mean that we will have a director, a deputy director and a secretary of the department, which would, of course, involve extra expense.

There was a time when this State was experiencing difficult conditions; and when parents had trouble, sometimes, in controlling their children. But that position does not prevail to the same extent today. Also, there is not the degree of vice existing in this State that exists in

the Eastern States. Therefore, the department would not have the same volume of work as similar departments in other States. There is no reason for the Bill, unless the Government wants to build up the department unnecessarily.

There are only two points in the measure. The first is that two additional officers are sought. It is proposed to have a director and a deputy director. The second point is that when an offence is committed against a child the case is to be heard in the Children's Court. I cannot see why we should waste our time with this type of legislation, and I intend to vote against it because it is unnecessary.

Hon. F. R. H. LAVERY: Sir Charles is entitled to his opinion and I am entitled to mine.

Hon. Sir Charles Latham: That is very generous.

Hon. F. R. H. LAVERY: When he says that this is a department that does not do anything—

Hon. Sir Charles Latham: I said nothing of the sort!

Hon. F. R. H. LAVERY:—or does not have any work to do—

Hon. Sir Charles Latham: In comparison with those in the Eastern States.

Hon. F. R. H. LAVERY: That is correct. I hope the hon. member does not think that the department deals only with children and their misdemeanours. I had occasion to be concerned with a case only recently which serves as a good example to show how a director is needed to assist us in regard to the anomalies that exist in the legislation governing social service payments.

This case concerns a young man who, after being examined by the x-ray unit, was found to be suffering from tuberculosis and was committed to Wooroloo. His wife was expecting a child, and he was granted a pension under the Commonwealth social services legislation. Unfortunately, during the last few weeks, this man has had a complete nervous breakdown, and he is now an inmate of the Claremont Mental Hospital. On the day he was committed to that institution his pension ceased. His wife is only a young woman, and she is expecting her child in January; and her pension, too, was stopped.

The CHAIRMAN: I hope the hon. member will connect his remarks with the clause.

Hon. F. R. H. LAVERY: I definitely will.

Hon. Sir Charles Latham: This has nothing to do with a director.

Hon. F. R. H. LAVERY: It definitely has something to do with a director. When I sought some assistance for this young woman, the only advice I could get was

from the Child Welfare Department, and I was able to obtain some help for her until she is granted an "A" class widow's pension. In discussing this case with the department I found that a good deal of its work has to do with such cases, and it is not solely concerned with delinquent children. Therefore, it is entitled to bring itself up to the same standard as that of similar departments in other States.

Hon. J. McI. Thomson: What advantage will there be in having a director instead of a secretary?

Hon. F. R. H. LAVERY: I feel that possibly the man who is the secretary today would be made the director.

Hon. Sir Charles Latham: It is not very likely.

Hon. F. R. H. LAVERY: He would have greater powers than he has today.

Hon. H. Hearn: The Bill does not say so.

Hon. F. R. H. LAVERY: It appears to me that the opposition is due to the fact that some particular person will have an increase in salary.

Hon. J. McI. Thomson: Nothing of the kind!

Hon. R. F. Hutchison: You said it.

Hon. J. McI. Thomson: I did not!

The CHAIRMAN: Order! Mr. Lavery is making the speech.

Hon. F. R. H. LAVERY: The services rendered by the department will be extended under a director. He will have added powers.

Hon. H. Hearn: Where are the added powers to come from? There is nothing in the Bill about them.

Hon. F. R. H. LAVERY: There are a lot of things which have not appeared in Bills, and with which the hon. member has not agreed.

The CHAIRMAN: I would ask the hon. member to keep to the clause.

Hon. F. R. H. LAVERY: I am supporting the clause, which provides that the word "director" shall be substituted for the word "secretary."

Hon. H. Hearn: What other power is he given?

Hon. F. R. H. LAVERY: How is another position created? One title is substituted for another.

Hon. R. F. HUTCHISON: All the clause does is to widen the ambit of Child Welfare Department work. To say there is nothing more the department could do is simply awful, because we are aware of how out-dated are some of the conditions the department works under. There is any amount of additional work that could be done; but the powers of the department must be widened and its scope broadened.

The director of the New South Wales department came over here and was probably asked for his opinion on these matters. I made a special study of the homes in New South Wales a few years ago, and it was absolutely astounding to see how far in advance of this State New South Wales was in this matter. It was spending £2 per head per child in raising the educational status of those in the care of the department, and widening its scope at a time when our department was in the doldrums and was a disgrace.

I am hoping that under the new set-up the department will deal with that minority of children who have missed the advantages of education through being handicapped. I have been to the department in an effort to have something done in this direction. I was told that if a directorate were established, the department would be able to take care of the matter; and that makes me eager to support the Bill.

Then again, nearly every week I go to the department in connection with allowances for civilian widows. Those allowances have been raised since the present Government took office. That is another matter which this department looks after. It has more work to do than before on behalf of deserted wives and unmarried mothers. If there is any department which I wish to see receive more money and have more power to act on behalf of an under-privileged part of the community, it is the Child Welfare Department. I spent one hour and a half on a case the other day, only to find that the department was not in a position to do anything to help.

I have been trying to find avenues of employment for adolescents and adults who are children mentally. These people can be employed in certain categories; but it is necessary to ensure they are found suitable employment, with somebody to take care of them and see they are treated properly. They should be engaged in this way rather than sit uselessly at home just receiving a pension, which many of them are sufficiently alert mentally to resent. They could be usefully employed and become an asset to the State. The proposed directorate would widen the ambit of the department's activities.

Hon. J. McI. Thomson: It is not proposed to appoint a directorate, but a director.

Hon. R. F. HUTCHISON: That is how it is run in New South Wales, and it is amazing to see what can be done in the rehabilitation of children in all avenues of society. I hope the clause will be agreed to.

Hon. H. HEARN: After having listened to that excellent second reading speech, I would like the Committee to get back to what we are trying to do. I would point out that we are trying to make up our

minds whether we shall continue to call a man a secretary, or whether we shall call him a director. Anybody who says that the change of name will widen the ambit of the department must have a wonderful imagination. A lot of time has been wasted, and I do not think that this proposal will do any good at all. I do not intend to vote for it. I think that members should keep to the point, and not make second reading speeches on a proposal to alter one word.

Hon. R. F. HUTCHISON: It is a very important word, and I do not agree with the hon. member. Why do not members say they are not going to vote for the clause and be done with it? We cannot get anything from this place.

Hon. L. A. LOGAN: There is nothing wrong with altering the word if that is all that it would mean. If the Chief Secretary could give us some guarantee that the intention is not to override the present secretary and appoint somebody else as director, we would get somewhere. Until the Chief Secretary can give us that guarantee, we are entitled to vote against the clause. He certainly has not provided that guarantee, and I do not intend to vote for an alteration of the name if what I have suggested is what is in the Minister's mind. Do not let a man be put out of a job and have somebody else appointed over him! Let us be honest with one another about this matter.

The CHIEF SECRETARY: The Chief Secretary will not give any such guarantee. The position is not quite as Mr. Hearn stated, either—that we are only substituting the name "director" for that of "secretary." This is transferring the powers that are in the Act from the secretary to a director.

Hon. H. Hearn: Demoting the secretary.

The CHIEF SECRETARY: Whether in future the present secretary will be superseded by a director, or whether he will be given the title of director, I could not forecast.

Hon. H. K. Watson: I think most of us can.

The CHIEF SECRETARY: It is funny how there is always suspicion when any alteration is proposed! Sir Charles Latham has a suspicion that this may lead to the setting up of a great department.

Hon. Sir Charles Latham: Say that it is intended for that?

The CHIEF SECRETARY: If it were intended to do that, it would be one of the best moves that could be made. The care of women and children is one of the best types of work in which we could be engaged. I do not know of any department that I would like to see grow more than the Child Welfare Department, which

has done a wonderful job under very adverse circumstances. If it is visualised that a director shall be appointed in place of or as well as the present secretary—I do not care which way it is—that will only be done because it is intended that the scope of the work shall be extended.

Is it not right that the scope of the department should be extended in order that assistance may be afforded to deserving cases and a lot of juvenile delinquency saved? If that is the object behind the proposal—I do not know; it is not my department—I welcome it, and I would not be the least afraid of an increase in this department.

There are safeguards in respect of this matter. Increases must be recommended by the Public Service Commissioner. If anybody has had anything to do with trying to obtain extra staff, he will know that it is necessary to present a pretty watertight case to the Public Service Commissioner. I have tried to get extra staff for my department, and it is harder than dealing with the Legislative Council.

Hon. H. Hearn: We treat you leniently.

The CHIEF SECRETARY: I have no fears of what will happen.

Hon. A. F. Griffith: Do you think that by changing the name you will cut out child delinquency?

The CHIEF SECRETARY: No. I did not say that. I did not suggest anything of the kind. I said that if it were intended, by appointing a director, to enlarge the scope of the department, that would save a lot of child delinquency. That is entirely different from what the hon. member tried to make out I said.

Hon. C. H. SIMPSON: The Bill provides for the secretary to be called the director in the future.

Hon. Sir Charles Latham: No.

Hon. C. H. SIMPSON: It says that where the word "secretary" appears, the word "director" shall be substituted. There is reference in the next clause to an assistant director. That visualises two senior appointees for that department.

Hon. R. F. Hutchison: It needs them.

Hon. C. H. SIMPSON: A new man may not be appointed, but one of the employees already occupying an administrative position may be chosen. I imagine that there would still be a secretary. I am not saying whether it is justified or not. But we have asked the Leader of the House whether it is proposed to create two new positions; and, if so, what the justification is for taking such a step. We have not had a reply that satisfies us. I am not saying whether it is right or wrong to visualise two extra appointments; but I think we should know what the Government has in mind before we are asked to pass legislation which will, to all intents and purposes, implement such an intention.



Hon. A. R. JONES: What is being attempted is premature. I am not suggesting that the contention of Mr. Lavery and Mrs. Hutchison that we should broaden the scope of the department is not correct. But the appropriate time to appoint a director so as to expand the department is when it is intended to expand it, and not now. Members are quite right in opposing this provision at this juncture. If in six months' time a Bill is brought before us for the purpose of expanding the work of the department, and it is then necessary to have a director to control the department, that will be the proper time to deal with the appointment of a director. For that reason I shall vote against the amendment.

Hon. F. R. H. LAVERY: The information I have is that the present position in the department is that there is a director and an assistant director. They do not hold office under those titles, and they are not provided for in the Act; and that is what the amendment is for.

Hon. J. McI. Thomson: Who is the director?

Hon. F. R. H. LAVERY: Mr. McCall; and Mr. Young is the assistant director. Mr. Young was known as the secretary, and he is now known as the assistant director. This state of affairs is not provided for in the Act, and the amendment is to cover the position.

Hon. J. M. A. CUNNINGHAM: I agree with a great deal of what the Chief Secretary has said. The work of the department extends into many of the activities of our social structure, and something has to be done to build up the department so that it can deal with that work. I am concerned with the possibility that the man who has built the department up to what it is now will not be appointed director and will, thereby, be demoted. If that is what is to happen, I shall vote against the clause. I agree with the principle in the measure, but if it means demoting the present secretary in order to appoint some other official, I will not be prepared to support the proposal.

The Chief Secretary: I knew there would be a "but".

Hon. J. M. A. CUNNINGHAM: It is not a big "but".

Hon. L. A. LOGAN: My opposition to the clause is not because of the salary which might be paid to the director or secretary, but on a matter of principle in regard to the man who has been doing the job up to the present time. In this connection, Mr. Lavery has convinced me that my fears are well grounded. He said that Mr. McCall had been appointed director over and above Mr. Young, and now the Bill is to ratify something that has been done illegally.

Hon. F. R. H. LAVERY: It has been in operation for some time.

Hon. L. A. LOGAN: Yes, for 18 months; but no statement was made about the appointment.

Hon. F. R. H. LAVERY: A big public statement was made.

Hon. L. A. LOGAN: There could not have been, because there was no position open for a director; nor was there any authority to appoint one. I object to this hole-in-the-corner method of doing something, and our then being asked to legalise it.

Hon. Sir CHARLES LATHAM: I do not know whether the Minister wanted to convey that the parents of today are not capable of looking after their children, and that we must have highly-paid directors to do the work. The most important thing in a child's existence is its home life. It is shocking to think that the parents of today are not as capable as those in my youthful days.

The Minister for the North-West: Were there no delinquents then?

Hon. Sir CHARLES LATHAM: Very few. The Minister for the North-West: And a smaller population.

Hon. Sir CHARLES LATHAM: There are not many today. The percentage of cases before the Children's Court is very small. I do not think the proposed amendments will improve the Act. We have just over 300,000 people in the metropolitan area, and among them are some mischievous children; but they are no more mischievous than children elsewhere. The department has done a good job and there is no justification for an alteration. If the Minister tells us the reason for what is suggested in the Bill, he may get a different vote from what he thinks.

The Chief Secretary: I know the vote I will get.

Hon. Sir CHARLES LATHAM: Two members have convinced me that they do not know what is proposed to be done by the measure. The caring for the widows and mothers, etc., has nothing to do with the Bill. The question is whether the department has grown so extensively in the last year or two as to warrant the appointment of additional officers. I know Mr. Young; he has done a great deal of hard work for the department. If he is to be superseded by someone who happens to be a friend of the party or for some other reason—

The Chief Secretary: That is getting a bit cheap.

Hon. Sir CHARLES LATHAM: I said "if"; and if it is so, it is a poor outlook. I am going to vote against the clause.

Hon. R. F. HUTCHISON: I have had no suspicion of someone trying to supersede someone else. The provision here is merely an attempt to improve the department. Sir Charles talks about mothers. What

about the hundreds of children in orphanages who are cared for by the department? The main function of the department is to care for those children who have no mothers. Members have no excuse to vote against the clause. It is high time that our department was brought up to the modern standard of the departments in the rest of Australia, because we are miles behind them. I do not say Mr. Young is not a good officer, and I do not know that he will not be the director. I do not know anything about that. I am amazed that men of mature age who sit in this Chamber —

**The CHAIRMAN:** The hon. member must not reflect on members here.

**Hon. R. F. HUTCHISON:** All I am trying to do is to ask them to advance a little. The department deals with civilian widows, women who have been deserted by their husbands, and unmarried mothers. If we did not have this department no one would care about them.

**Hon. J. McI. Thomson:** How could the appointment of a director affect the position of these people any more than the secretary who is functioning today?

**Hon. R. F. HUTCHISON:** I do not care if the hon. member is so inhuman that he does not care.

**Hon. J. McI. Thomson:** I ask for an apology or a withdrawal. I am not inhuman. I approach my responsibilities in this Chamber in a humble and sincere way.

**Hon. R. F. HUTCHISON:** I was speaking generally; I was not speaking to the hon. member.

**The CHAIRMAN:** I ask the hon. member to withdraw the remark she made in respect to the hon. member opposite.

**Hon. R. F. HUTCHISON:** I withdraw.

**Hon. A. F. GRIFFITH:** Before the vote is taken, I think the Committee is entitled to some comment from the Chief Secretary.

**The Chief Secretary:** What have I been doing all night?

**Hon. A. F. GRIFFITH:** I want to give the Chief Secretary another chance.

**The Chief Secretary:** I always keep my word, and I said it was my last word when I spoke just now.

**Hon. A. F. GRIFFITH:** The Committee is entitled to hear some comment on the assertion made by Mr. Lavery that Mr. McCall is now the director, and that the other man is the assistant director. If I were to put a telephone call through to the department in the morning and ask to speak to the head of the department, to whom would I speak? We should get some expression from the Chief Secretary on that point.

**Hon. N. E. BAXTER:** I have before me the Public Service List, and there is no mention in it of any director or assistant

director as stated by Mr. Lavery. It starts off with a secretary and then mentions a chief clerk, etc. I do not doubt that Mr. Lavery believes that what he said is the position, is the true position; namely, that a director and an assistant director have already been appointed. But I do not see where there is the power to pay these officers under those titles. There is no provision for anybody to replace those officers other than in the situations I quoted—secretary and chief clerk. So there is no justification for the alteration.

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

Ayes	....	....	....	8
Noes	....	....	....	14

Majority against .... 6

Ayes.

Hon. G. Bennetts	Hon. H. C. Strickland
Hon. E. M. Davies	Hon. J. D. Teahan
Hon. G. Fraser	Hon. W. F. Willesee
Hon. R. F. Hutchison	Hon. F. R. H. Lavery

(Teller.)

Noes.

Hon. N. E. Baxter	Hon. L. A. Logan
Hon. J. Cunningham	Hon. J. Murray
Hon. L. C. Diver	Hon. C. H. Simpson
Hon. Sir Frank Gibson	Hon. J. McI. Thomson
Hon. H. Hearn	Hon. H. K. Watson
Hon. A. R. Jones	Hon. F. D. Willmott
Hon. Sir Chas. Latham	Hon. A. F. Griffith

(Teller.)

Paired.

Ayes.

Hon. E. M. Heenan	Hon. I. Craig
Hon. O. W. D. Barker	Hon. J. G. Hislop
Hon. J. J. Garrigan	Hon. H. L. Roche

Noes.

Clause thus negatived.

Clause 3—Section 7 amended:

**The CHIEF SECRETARY:** Now that members have started on the job, I hope that they will complete it and not let the Bill be sent back to another place without the consequential amendments.

**Hon. N. E. Baxter:** We will.

Clause put and negatived.

**The CHIEF SECRETARY:** I was raising the point that members should complete the job, and now that they have struck out the word "director"—

**Hon. J. McI. Thomson:** We have taken out the words "an assistant director".

**The CHAIRMAN:** Order! There is no question before the Chair.

**The CHIEF SECRETARY:** Mr. Chairman, what decision did you give in regard to Clause 3?

**The CHAIRMAN:** The clause has been struck out.

**The CHIEF SECRETARY:** Then I take back all I said.

**The CHAIRMAN:** I said that the noes had it, and the clause was struck out.

Clause 4—Section 20 amended:

**Hon. Sir CHARLES LATHAM:** I would like the Minister to make it quite clear that by the insertion of the words "or

against", a serious case will still be taken to the Criminal Court, and the child concerned required to give evidence; otherwise, it will be making a farce of the trial. Also, if there are any children who have been witnesses to the offence, it will be necessary for them to give evidence in the Criminal Court.

The CHIEF SECRETARY: That is so. The statement from the department, which I read, covered that phase. First of all, the case will go to the Children's Court; and if it is of a serious nature, it will then go to the Criminal Court.

Hon. Sir Charles Latham: That is all right.

Clause put and passed.

Clauses 5 and 6, Title—agreed to.

Bill reported with amendments.

### \* **BILL—FERTILISERS ACT AMENDMENT.**

Received from the Assembly and read a first time.

### **BILL—BANK HOLIDAYS ACT AMENDMENT.**

*Second Reading.*

Debate resumed from the 2nd November.

HON. H. HEARN (Metropolitan) [8.54]: The purpose of this Bill is to insert in the Bank Holidays Act an amendment which will enable bank officers to work a five-day week. At the outset, I want to say that I thoroughly believe in any union or association of employees doing all it can to improve the working conditions of its members. But I do not approve of a Bill such as this being introduced by a private member, because I believe that such an amendment should be part of Government policy. If, as one must gather, the Government is behind this measure, because of the way in which the item has been placed on the notice paper and been given priority, I feel that the Government should say that it is supporting the move.

While I have every sympathy with bank officers in their desire to improve their conditions, as an industrialist and as a man of extensive experience in the industrial life of the State, I must say that this Bill strikes at the very foundation of our industrial policy. Several times in the past we have had, by Act of Parliament, suggestions to alter radically the industrial conditions in the State. If successful, this Bill, which has been introduced by a private member, will do exactly what we have time and time again refused to do when the Government has been sponsoring the legislation.

The Minister for the North-West: This type of legislation?

Hon. H. HEARN: Yes. The Minister knows that on several occasions Bills have been introduced which, if passed, would

grant extra holidays; and we in this House have adopted the stand that such action should never be taken by legislation.

Hon. G. Bennetts: We must advance with the times.

Hon. H. HEARN: This advancing with the times—

The Minister for the North-West: I remember your amending legislation of that type.

Hon. H. HEARN: Let me go on carefully. In the first place, when introducing the Bill, Mr. Barker made some glaring inaccuracies. He told us that it had nothing to do with the 40-hour week. The hon. member may have made an honest mistake.

Hon. C. W. D. Barker: No mistakes.

Hon. H. HEARN: The Bill definitely does have something to do with the 40-hour week.

Hon. C. W. D. Barker: They will still work a 40-hour week.

The PRESIDENT: Order!

Hon. H. HEARN: I hope that Mr. Barker will listen, because I have gone to a good deal of trouble to try to put a case to this House from the standpoint of industrial arbitration and the methods used from time to time in the improvement of the workers' lot. Had this Bill come down to us, even without the Government's blessing, and had we been assured that it was agreed to by both the Bank Officials Association and the banks themselves—both being subscribing partners—I think we would be obliged to give it serious consideration.

There is another principle that comes into this question. The shop assistants' award, No. 334 of 1951, has, in Clause 8, the following words:—

By agreement between the employer and the workers employed in any particular establishment and subject to the consent of the court the week's work may be worked in five days exclusive of Saturday and Sunday.

The phrase "subject to the consent of the court" was inserted in that award as a result of a long discussion in the court on the question of public interest. I have with me part of the transcript of case No. 60/47, between the Western Australian Shop Assistants and Warehouse Employees' Industrial Union of Workers, Perth, as applicants, and H. V. McKay Massey Harris Pty. Ltd. and others, respondents. The application was for amendment of Award No. 10 of 1950, and it was heard before Mr. President Dunphy, Mr. G. F. Gill and Mr. Schnaars. I quote—

The President: Under these arrangements, there is no fear of hardware or wholesale workers not being able to do their shopping on Saturday mornings.

Mr. Cross: That is so. They could work a 5-day week between 8.30 and 5.30; but some shops, particularly the hardware shops, will open from 8.35 till 5.30, with two shifts of workers, some finishing at 5, and those going on at 5 past 9 finishing at 4.30, so they can start earlier and finish earlier if they desire; and provision is also made for a straightout 5-day week if any shop finds it more convenient.

The President: This provision which really gives the parties the option of making an arrangement to close the shops on Saturday morning might not be generally implemented, but it could be. And of course the court has to consider the public interests. I rather feel that wording should read—"by agreement between the employer and the worker, and subject to the consent of the court."

Mr. Cross: That is already in the award. We have not disturbed that clause at all. I agree it is a matter which affects the public interests but I would have no objection to that amendment.

The President: I think at the moment that is what the court should do. We are the custodians of public interest after all, and at the present time it does not seem that the public would be served in this industry any more than it would be in the transport industry if the union and the employers between them were able to come to an agreement which would squeeze the public who want to buy things and might not be able to, because of the working hours.

I think these words should go in—"by agreement between the employers and the workers, and subject to the consent of the court." That would give us the power to discuss the matter of any agreement of that sort.

So you see, Mr. President, that notwithstanding the wishes of any particular section of workers, there is always the public interest to be considered.

Hon. R. F. Hutchison: What about Tasmania?

Hon. H. HEARN: I will deal with Tasmania in a moment. I recognise, as we have recognised during the last 30 or 40 years—

The PRESIDENT: Order! Would the member of the public in the gallery stop taking notes? The hon. member may continue.

Hon. H. HEARN: I recognise, as we have recognised during the last 30 years, that we are progressing towards better conditions. Personally, it has been my privilege to live in a period of youth when there was no social conscience, and I have

had the pleasure of seeing the battle for wages and decent conditions practically won. Sooner or later we have to face the matter of shortened hours. But surely when that time does arrive it will be competent and advisable to deal not with such a narrow section as bank officers, but with the whole retail gamut; and then, possibly, from that we will have to face continuous applications for shortened hours in other phases of industry. That I believe is inevitable owing to the development of science with its automatic machinery.

As things improve, it is only right that the worker should get the benefit of the increased prosperity; but I do deprecate a move made by a very small section of the community, which is performing a function which is really in the nature of a service, as is the retail trade of Perth; and I object to Parliament being asked through a private member to pass a Bill whereby we are to arbitrarily close the banks on Saturday mornings. I feel that is not in the best interests of the State. Nor do I believe it to be the correct method of attacking this problem.

I know there are some limitations in relation to an application to the Arbitration Court concerning hours in this particular profession. But although in order to provide for a 5-day week it may be considered necessary to insert the words suggested by this Bill, I would remind members that the court has power to deal with hours; and, if an application were made to it, the court could decide to reduce the hours of work and to charge for Saturday morning work at penalty rates. That is what the court could do; and if it did that, it would be an indication that the time was approaching when we had to face up to this question of a 5-day week.

I wonder whether members have really given the consideration necessary to this matter of the 5-day week. It is all right for us to say that the banking services should work five days; that the retail shops should work five days; and that the factories should work five days. That is what we have been doing for some time. But what about the other services? What about transport? Are we going to say to the tramway men and the bus drivers, "We are working five days a week but you must work seven days?"

The Minister for the North-West: They do not work seven days.

Hon. H. HEARN: I am trying to point out that this is not the correct method of approaching this problem. If we are to have a 5-day week, it could be worked on the basis of keeping services open; and I feel that Australia today is so restricted that it is impossible for us to face the future with unmixed feelings. The time is coming when the men should by all means have 40 hours or 35 hours; but there should be no law, however, limiting the hours of essential services.

Let us see what happens in America. It is true they have shorter hours, but it is also true that there is no limitation on trading hours in the United States. If we are to live up to our responsibilities and preserve our standard of living we must do some rapid thinking and readjust ourselves to changing conditions. Unless we do that, the standard of living will ultimately fall. Accordingly I feel that we must all see to it that this does not come in by legislation. If this really becomes an established fact then we will once more start in this State, and possibly throughout the Commonwealth, the vicious circle that we are endeavouring to escape from.

I do not suggest that bank officers themselves would make any great difference to the economy, but the very fact that members are endeavouring to legislate for hours for bank officers will place any Government in an untenable position in respect of what would happen in the submission of applications. When introducing the Bill, Mr. Barker said, "If you do not agree with this, what about putting it to a select committee?"

Hon. C. W. D. Barker: I did not say that.

Hon. H. HEARN: I would like to remind the hon. member that there is a select committee already in existence, and this select committee would be prepared to have a look at it. It is a select committee which the Government itself believes in, and to which it subscribes.

The Chief Secretary: It cannot be effective.

Hon. H. HEARN: I refer to the same court that deals with every other industry.

The Chief Secretary: It cannot be effective in this.

Hon. H. HEARN: If it is necessary to have a 5-day week, then it is necessary that the provisions of this Bill should be incorporated in the Act. I would remind members that the Arbitration Court has powers which would enable it to get to the root of this trouble just as efficiently as would the Bill. If the court in its wisdom approved of the 35-hour week and the rest of the work to be done at penalty rates, then by a negotiation with the bankers themselves some agreement could be reached to bring to this House evidence of the desire not of one side but also of the banks themselves. The court could then decide what effect it would have on the public in its first determination, and we would know where we were going.

If this Bill goes through, we can expect a spate of applications from every other phase of industry and services for a similar reduction; and rightly so. If they could not get it from the court, how could

the Government refuse to give it to them by Act of Parliament? We are told by the bankers themselves that the amber light is on. If we feel it is time to enlarge on privileges and to commence another inflationary period, then the responsibility on this House will be very great if it passes this measure. I oppose the second reading.

HON. C. H. SIMPSON (Midland) [9.18]: I desire briefly to speak to this Bill more particularly, as I see it, from the angle of the man in the country, whom I represent.

We are presented with a small measure consisting of three clauses, of which the operative clause is No. 3. By a slight amendment to the Act, it would create the position where banking services would be denied to the community on Saturday mornings. The Bill has been introduced by a private member, and apparently it has the blessing of the Government. The matter covered in a Bill of this kind, as my colleague who has just spoken has pointed out, is something for the Arbitration Court to decide. The Bill seeks to provide by Act of Parliament for that which should be considered with all the expert evidence pro and con submitted to an Arbitration Court judge.

So far as the man in the country is concerned I am advised that, generally speaking, he looks forward to coming into town on Saturday morning and bringing with him those who work for him. They do their business and shopping and perhaps stay the day or spend the night at the pictures. But he uses the bank to the extent that he requires and his employee does the same. He may perhaps draw out money for the purpose of patronising s.p. shops, and so on. But, generally speaking, Saturday is recognised as a day on which business is done, and on which banking facilities are required. That is the attitude of the men in the country. They would strongly resent any withdrawal of those facilities.

If the question of Saturday closing is to become an issue, then the minds of the public must be conditioned to that eventuality; evidence must be presented to a proper authority, and the question must be decided on the pros and cons of the evidence. At present, if one goes into town on Saturday morning, one will see that the shops are very busy. I have no doubt that the banks are extremely busy during the period they are open on Saturdays.

I know employees of the Public Service come in from the country for the week-end. They are paid on Friday afternoons. Together with their wives, they make use of banking facilities to lodge savings or to get what change they require. I have no doubt that many traders also take advantage of banking

facilities to draw the change they require over the week-end and to lodge takings in safe custody.

Hon. J. J. Garrigan: They cannot bank their takings on Saturday afternoons.

Hon. C. H. SIMPSON: They want to avoid the risk of carrying large sums of money over the week-end. In any avenue of service, one must appreciate his position in comparison with the rest of the community. If one works in a type of employment the facilities of which are required over the week-end, then one must be prepared to give that service when required. We know that week-end work is required of transport drivers; and it is required of those who provide meals and who work in food shops. Many traders regard the week-end as their best trading period. Let us consider the people who supply and cater for entertainment. The week-end is their busiest time.

The Chief Secretary: They have no bank to go to on Sunday mornings.

Hon. C. H. SIMPSON: That point does not arise. It is an obligation on the part of people who work in the vocations I have mentioned to provide the service which is required by the community and which they have a right to expect.

The Chief Secretary: Following your line of reasoning, bank employees should work on Sundays to receive takings on Saturdays.

Hon. C. H. SIMPSON: I believe they do in some instances. The U.S.A. has been cited as a country where banks close on Saturdays; but when we talk of that country we must realise that there are 48 different States in it and each has its own laws. I know that in some States banking facilities are provided all round the clock, so that night workers and others who have cash to bank, or change to get, can avail themselves of the facilities.

The Minister for the North-West: What States are those?

Hon. C. H. SIMPSON: Various States in the U.S.A. New York State is one. If there is need for these facilities, and it is not debarred by legislation, they should be provided. Where the demand for a service exists, then those who are engaged in that service must accede to that demand, either wholly or in part.

I can appreciate the feelings of the bank employees in Perth. They see their fellow-workers engaged in other lines of employment, particularly in the Public Service, having Saturdays off. They think, and rightly so, that they should be similarly treated. But the question is: Can the needs of the community be met if the amenity to bank officers is provided? I am of the opinion that the present time is premature.

The Chief Secretary: It always is.

Hon. C. H. SIMPSON: In answer to that interjection, I do not think it is the function of either House of Parliament to deal by an Act of Parliament with questions which are essentially a prerogative of the Arbitration Court. If this matter had been referred to the court, and if a recommendation had been made by it that certain conditions should be granted, and they could only be granted by legislative action, then I am quite sure that Parliament would give effect to such a recommendation.

The Chief Secretary: Do you suggest that we refer to outside bodies to direct what we should do?

Hon. C. H. SIMPSON: I am talking about conditions of work. That is a matter which should be referred to a court for decision.

The Chief Secretary: The court could not make a decision on this.

The PRESIDENT: Order!

Hon. C. H. SIMPSON: My colleague who spoke before me pointed out that the Arbitration Court has some powers which could probably ease the position. At least it could make recommendations, and that is the point I make. If the court makes recommendations along those lines, then it is competent for Parliament to deal with them. I do not agree with private members introducing Bills from which the Government can dissociate itself and accept no responsibility. If it is an item of Government policy, then it should be implemented in an Act of Parliament introduced by a Minister.

The Chief Secretary: What authority have you to say that?

Hon. C. H. SIMPSON: This Bill has not been introduced by the Government, and the Government accepts no responsibility. I consider it should have been introduced by the Government.

The Chief Secretary: Who said it was Government policy? I think you are anticipating our policy.

Hon. C. H. SIMPSON: I do not think questions such as this should be left to private members to deal with in private Bills. On that principle alone the Bill before us should be rejected.

**THE MINISTER FOR THE NORTH-WEST** (Hon. H. C. Strickland—North) [9.22]: The arguments put up by the two speakers against this measure are very weak. Both agree that the main reason for rejecting this Bill is that it has been introduced by a private member. It must be remembered that the electors do not elect members to the Labour Party to remain as mutes or dummies; they are elected so that they will use their own thoughts and their own ideas, provided

they do not run counter to the Labour Party platform. The same applies to the Liberal and the Country Parties. They have their platforms. Opposition has been raised to the Bill because a private member, who had been in the banking business, and who still has many friends in the profession, has introduced a Bill. I do not know, but I presume that some representations were made to him—

Hon. N. E. Baxter: They prevailed on him.

The MINISTER FOR THE NORTH-WEST:—seeing that he knows a little about their vocation, just as farmers prevail on the hon. member on agricultural matters. I would suggest that when a situation like the present arises and a private member—who has been elected to represent the people in Parliament—introduces a Bill, no objection should be taken. Members opposite think this is not a proper procedure, and because of that they are voting against the Bill. That has been the only argument advanced so far, other than the one that Saturday closing will interfere with the public, and that people in the country will not be able to carry on.

Let us consider how many people there are in the country who today have no banking facilities; who never had any in the past; and who are never likely to have any in the future, until such time as there is sufficient business in that locality for a private bank to start a branch and make a profit. Banks will not provide a service for the people for nothing; they are not asked to give things away. Everybody is aware of this.

All that the Bill proposes to do is to make every Saturday a bank holiday. In actual fact it would close for 1½ hours on Saturdays banking facilities in localities where there are banks.

Hon. C. H. Simpson: Why not make an Australia-wide approach.

The MINISTER FOR THE NORTH-WEST: The hon. member told us what was done in the U.S.A., and said that each State had its own laws. The same applies in Australia, although we do not have as many States. He told us about this a little while ago. My experience has been that where there were no banks in country centres—like Derby—for a good many years the people did not find any hardship. There were other means of doing their business. They could do without banks.

Even the Commonwealth Bank would not open a branch there. I doubt whether there is a bank in Derby today. There is a branch of the Commonwealth Savings Bank run by the post office, but no branch of the Commonwealth Bank. The same thing applies to many country centres. Banks do not provide a service

just because the people want it. I suggest there would be no hardship created if a bank closed on Saturdays.

Members opposite are not worrying what will happen to the people next Monday, which is a bank holiday. They do not worry what happens to the people over Christmas when banks close for four or five days, and also at Easter time. Life goes on just the same, whether banks are open or not. Because I believe that no hardship would be created by Saturday morning closing, and because of the weakness of the arguments against this measure, I intend to support it.

HON. L. A. LOGAN (Midland) [9.28]: As the introduction of this Bill has been the subject of political pressure being put on members, it is wise that we should not give a silent vote on it tonight. I do not know the reason for the laughter; but this Bill has been the subject of pressure from some people, who seem to be working to augment the Commonwealth revenue. I do not know what else they are trying to do.

Hon. F. R. H. Lavery: Do you deny them the right to write to members?

Hon. L. A. LOGAN: I do not.

Hon. F. R. H. Lavery: Why use the word "pressure"?

The PRESIDENT: Order! Mr. Logan is making the speech.

Hon. L. A. LOGAN: All I want to say is that I do not deny them the right to write to me requesting me to vote for the Bill. Are not other people interested in the Bill just as justified in writing to me and asking me to vote against it?

Hon. F. R. H. Lavery: But they did not.

Hon. L. A. LOGAN: They have.

Hon. F. R. H. Lavery: They did not send you telegrams.

Hon. L. A. LOGAN: They have informed me by other means.

Hon. C. W. D. Barker: Who asked you to vote against it?

Hon. L. A. LOGAN: Quite a lot.

Hon. C. W. D. Barker: Quite a lot of banks asked you to vote against it?

Hon. L. A. LOGAN: Yes, and so have the public. I do not place any importance on whether the Bill was introduced by a private member or not. I consider that bank officers have the right to ask a private member to introduce a Bill. We should go back to the principal Act and see why it was introduced. It was introduced to give statutory or special holidays. That was the principal reason, and not to provide for closing every Saturday morning of the year.

Hon. C. W. D. Barker: I shall explain that to you later.

Hon. L. A. LOGAN: That was the intention in the original Act. From the speech made by Mrs. Hutchison the other night, one would think that enjoyment of life should be the first consideration, and work a secondary one. If we are going to get down to a basis where we close everything on Saturday, and are not going to give service to any section of the public, where shall we eventually finish up?

Hon. R. F. Hutchison: What about Tasmania?

Hon. L. A. LOGAN: The hon. member is fond of quoting Tasmania. Why does she not go there?

Hon. Sir Charles Latham: We would be glad to get rid of her.

Hon. L. A. LOGAN: We might be better off if she left us.

Hon. J. J. Garrigan: Do you want to go back to the horse-and-dray days?

The PRESIDENT: Order!

Hon. L. A. LOGAN: We might be better off if we did go back to those days. Reverting to the basis that I mentioned, if we are going to close everything on Saturday and not give the public any service at all, what sort of a place will we finish up with? It will be a lovely state of affairs!

Hon. H. Hearn: Close the s.p. shops, too?

Hon. L. A. LOGAN: I suppose some members would want to close the s.p. shops and the hospitals and also close down on transport.

The Chief Secretary: And close the churches?

Hon. L. A. LOGAN: The idea is ridiculous. I am getting right down to the basis of the argument, which is a matter of service to the public.

Several members interjected.

The PRESIDENT: Order!

Hon. L. A. LOGAN: The Minister for the North-West spoke about cutting out the service to those people in places where the banks operate. He seemed to overlook the fact that there are quite a lot of people who live at a considerable distance from the banks and who go into the town on Saturday morning to do their business. He seemed to think that was entirely wrong. If members observed the banks throughout the State on Saturday morning, they would appreciate the amount of business they do.

Hon. H. Hearn: To close them would be a retrograde step.

Hon. L. A. LOGAN: This idea of closing the banks is a basis on which the economy of this country cannot be carried on, and members should bear in mind that such a

step would be detrimental to the workers as well as to other sections of the community.

Hon. F. R. H. Lavery: What about the high price of wool, which has since come down?

Hon. E. M. Davies: It needed to come down, too.

The PRESIDENT: Order!

Hon. L. A. LOGAN: I suggest that the hon. member would do well to reconsider that statement.

The PRESIDENT: Order! That has nothing to do with the Bill.

The Chief Secretary: I was going to ask on which clause of the Bill the hon. member was speaking.

Hon. L. A. LOGAN: At this rate we shall reach a stage eventually where it will be impossible to carry on. I do not need to say much more. Requests have been made to me to support the Bill. On the other hand, I have been asked by people who use the bank facilities on Saturday morning to oppose the measure. Consequently, I have to make up my mind whether this is a service the public does or does not require. In the ultimate, I have come to the conclusion that it is a service the public desires and requires; and because of that fact, I must oppose the Bill.

THE CHIEF SECRETARY (Hon. G. Fraser—West) [9.34]: I did not want to barge into this argument and would not have done so, but for one or two remarks made by members, who have been talking about something they know nothing of. I can only hope that the rest of their speeches are more accurate. Several references have been made to the fact that a private member introduced this Bill with the blessing of the Government and all the rest of it. Those who made that statement were taking a shot in the dark.

Hon. H. Hearn: A good one, too!

The CHIEF SECRETARY: It is true that a private member introduced the Bill. But can anybody justifiably object to any private member's introducing a Bill that the Constitution permits him to?

Hon. A. F. Griffith: Does that apply to a private member's moving a motion, too?

The CHIEF SECRETARY: Yes. Of course, there are certain Bills that a private member may not introduce. If there is objection on the score that a private member introduced the Bill, is it suggested that we should deprive private members of this right? Is that what members desire? If not, why have they raised this objection?

Member: There has been no objection.

The CHIEF SECRETARY: Then I must be deaf or dumb or something of the sort, because I have heard the statement repeated half a dozen times tonight.



Hon. A. R. Jones: No; you have not.

The CHIEF SECRETARY: What authority has Mr. Simpson or any other member to say that the measure had the blessing of the Government? It has not been considered by the Government. Yet we have a statement of that sort made by members who know nothing about it.

Hon. C. H. Simpson: Did any Government member vote against it?

The CHIEF SECRETARY: A private member introduced the Bill, and it was left to members of our party to please themselves how they voted on it. I am exercising that right now by supporting the measure. Had the Minister for the North-West so desired, he was entitled to oppose it.

Hon. H. Hearn: Did the Government oppose it?

The CHIEF SECRETARY: I repeat that the Government has not considered this Bill. That is a definite statement, and not a shot in the dark as some members have made. I am supporting the Bill because I believe it represents progress that is well justified, and that the bank officers who are asking for this relief were quite justified in the action they took. Reference has been made to pressure politics. What is the hon. member's objection to that?

Hon. L. A. Logan: I did not object to it.

The CHIEF SECRETARY: Then why term it pressure politics? I have at all times welcomed requests from my constituents.

Hon. L. A. Logan: We all have.

The CHIEF SECRETARY: Are not they entitled to make their requests without their action being described as pressure politics? On any Bill, I am glad to receive the opinion of people, irrespective of whether it agrees with mine or not. I am always pleased to hear the other side of the case. While I have received a number of communications requesting me to support the Bill, not one person has asked me to oppose it.

Hon. H. Hearn: You are too well known.

Hon. C. H. Simpson: Is not that significant?

The CHIEF SECRETARY: Yes; it indicates that the people are not worrying about the matter.

Hon. Sir Charles Latham: That is not so.

The CHIEF SECRETARY: They are so little concerned that not one person has approached me, by word of mouth or by letter, with a request to oppose the Bill; and further, not a member who has indicated his opposition to the measure has shown that he received any request to oppose it. Thus members

have been talking in an abstract sort of way. We have had a request for this reform; and the arguments against it are such as I have heard being advanced ever since I have been interested in political and industrial movements, a matter of 30 years. That is why I am saying a few words on the Bill; I cannot keep out of an industrial fight. When it is a fight to improve industrial conditions for a section of the workers, I am with them.

Mention has been made of cutting out transport and other services on Saturday morning. Why not face up to realities? We know that there are certain industries that must be carried on during 365 days in the year, and there is no objection to it. On the other hand, where there is an industry that does not need to operate on Saturday or Sunday, we favour its being closed on those days.

Hon. R. F. Hutchison: We favour a five-day week.

The CHIEF SECRETARY: At no stage of the debate has any member in opposition put up a definite case against the proposal. A number of members have suggested that the bank officers should approach the Arbitration Court. What could the court do about it? Mr. Simpson said that it could send a recommendation. Are we going to delegate the powers of Parliament to someone outside to say what we ought to do? Are not we sufficiently experienced to be able to judge the merits or demerits of the Bill?

Hon. Sir Charles Latham: We propose to do just that.

Hon. C. H. Simpson: I said that it could make a recommendation, which would be a guide.

The CHIEF SECRETARY: A recommendation to whom? To us?

Hon. C. H. Simpson: No.

The CHIEF SECRETARY: What would be the good of making a recommendation to Tom Jones down the street? I can only assume that the hon. member would have it as a guide for us. I cannot understand his meaning at all. The Bills of Exchange Act is involved in this matter, and that is why the Bill is before us. Therefore, this is the place to decide the question; it is not a matter for the Arbitration Court.

Hon. H. Hearn: The Bill proposes to amend the Bank Holidays Act and has to do with the Bills of Exchange Act.

The CHIEF SECRETARY: Without the Bill, it would be necessary to amend the Bills of Exchange Act.

Hon. H. Hearn: No.

The CHIEF SECRETARY: It is not often that the hon. member and I agree, and here we disagree again. Mr. Hearn was off the track in his remarks because

he spoke about a reduction of hours. No reduction of hours is involved in this proposal.

Hon. H. Hearn: Would you like to look at this document and quote it? You are speaking an untruth.

The CHIEF SECRETARY: I am not speaking an untruth; the question of hours is not involved.

Hon. H. Hearn: It is involved.

The PRESIDENT: Order!

The CHIEF SECRETARY: There has been no alteration in the banking hours for 15 or 20 years.

Hon. H. Hearn: Read this document.

The CHIEF SECRETARY: Even if a reduction of hours were involved—

Hon. H. Hearn: Now you are crawling down. Hours are involved.

The CHIEF SECRETARY: Then for the sake of argument, I will accept the hon. member's statement that they are involved.

Hon. H. Hearn: It is quite right; they are involved.

The CHIEF SECRETARY: Has the hon. member any objection to an adjudication on the hours of workers when there has been no alteration since, I think, 1940?

Hon. C. W. D. Barker: Not since 1920.

The CHIEF SECRETARY: I like to err on the safe side. Then, for 35 years, bank officers have had a 40-hour week, and they are still on it. Even if a reduction of hours were involved, I would have no hesitation about that. But the main point is the convenience of the public. I agree that that is the only point at issue in this measure. If the passing of the Bill would place the public in an impossible position, I would vote against it, but that will not be the effect at all.

I asked, by way of interjection, what inconvenience had been caused to hotel-keepers in regard to their takings on Saturday afternoons and during Sunday trading hours. Of course they can make their own arrangements and that would apply equally to any other business which operates on Saturday. There would be no inconvenience to the public which could not be easily overcome.

Hon. N. E. Baxter: Of course there would!

The CHIEF SECRETARY: When the Friday night closing of shops was sought, exactly the same arguments were advanced; but the public were not inconvenienced after all. Would any member say that the banks are a greater convenience to the public than is the Public Service, all branches of which are closed on Saturday?

Hon. C. H. Simpson: In many directions, yes.

The CHIEF SECRETARY: Have not the public made other arrangements? Of course they have! And so they would in this case.

Hon. A. R. Jones: What parts of the Public Service are closed on Saturday?

The CHIEF SECRETARY: All of them. The State Public Service as a whole is closed on Saturday. It is useless for members to try to convince us that banks could not be closed for one hour and a half on Saturday without inconvenience to the public. On every occasion when a change is brought about, someone is put out for a little while; but any inconvenience is easily overcome when other arrangements are made. I hope members will agree to some progress being made in this direction.

Hon. L. C. Diver: A step towards nationalisation!

The CHIEF SECRETARY: No. This Bill does not ask for very much. The hon. member is trying to draw a red herring across the track. If some members helped on that occasion, what are they receiving for it tonight—

The PRESIDENT: Order! The Chief Secretary must refer to the Bill.

The CHIEF SECRETARY: I am referring to some members who thought nationalisation was included in the Bill. I say, finally, that there have been only bald statements made against the Bill, with no facts to support them—

Hon. A. R. Jones: Were you asleep when the facts were given?

The CHIEF SECRETARY: Fancy an interjection like that coming from Rip Van Winkle, who did not know that the Public Service was closed on Saturday mornings! The only question before us is whether these bank officials are to be given one hour and a half off on Saturday. Is theirs a service which cannot be dispensed with? My summing up of the position is that if the Bill is agreed to, no disability will be suffered by anyone, and I therefore support the second reading.

On motion by Hon. A. R. Jones, debate adjourned.

#### ADJOURNMENT—SPECIAL.

THE CHIEF SECRETARY (Hon. G. Fraser—West): I move—

That the House at its rising adjourn till Tuesday, the 15th November.

Question put and passed.

*House adjourned at 9.50 p.m.*