directed by my board to advise that in their opinion Clause (1) (a) of Section 25 should be deleted from the Bill. It is the opinion of the board that picnickers and the like could be catered for in defined areas set apart for their use and therefore the indiscriminate lighting of fires anywhere in the district is unnecessary.

I do not know if that is a practical suggestion. Evidently it is the desire of the Rockingham Road Board to set aside areas for picnickers in which fires can be lit. Perhaps we might have another word on that during the Committee stage and the Minister can decide whether it is a practical proposition or not.

The Minister for Lands: If amendments are desired, I think they ought to be placed on the notice paper.

Hon. Sir ROSS McLARTY: That is a reasonable request. Only this afternoon I received a reply from the branch of the Farmers' Union on the Peel Estate dated the 31st August, 1954. It suggests some alteration to Clause 25 (1). It wants to delete paragraph (a), and alter paragraph (b) from 20 feet to 50 feet. The reference to 20 feet applies to the area to be cleared of all bush and other inflammable material where the burning is to take place. That is where charcoal is burnt and certain other type of burning is carried on. It also wishes to delete paragraph (c) of that clause, and part of paragraph (d) (ii). I am not asking the Minister to commit himself now, but I would be glad if he would look at that portion of the Bill during the Committee stage. If I decide to move amendments as requested by the writers of these letters, the Minister will be au fait with them.

I support the second reading of the Bill but I think certain amendments should be made to it in Committee. We want a workable measure, one that is practical and one that will not, because of its harsh penalties, cause landholders to panic in any way. We want a measure that will encourage them to keep within the law and do all they possibly can to assist in preventing grass fires throughout the country.

On motion by Mr. Brady, debate adjourned.

House adjourned at 6.1 p.m.

Legislative Council

Tuesday, 7th September, 1954.

CONTENTS.

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

ASSENT TO BILLS.

Messages from the Lieut.-Governor received and read notifying assent to the following Bills:—

1, Reprinting of Regulations.

2, Police Act Amendment (No. 1).

3, Stamp Act Amendment.

4, Companies Act Amendment.

5, Inspection of Scaffolding Act Amendment.

6, Public Works Act Amendment.

7, Rents and Tenancies Emergency Provisions Act Amendment.

8, Coroners Act Amendment.

BILL—MATRIMONIAL CAUSES AND PERSONAL STATUS CODE AMENDMENT.

Message—As to Royal Assent.

Message from the Lieut.-Governor received and read notifying that he had reserved the Bill for the signification of Her Majesty's pleasure.

QUESTION.

TRAFFIC.

As to Interviewing Hospital Patient.

Hon. Sir CHARLES LATHAM (without notice) asked the Chief Secretary:

(1) Is it a fact that a person representing the Motor Vehicle Trust called at the Kununoppin Hospital for the purpose of

obtaining a statement from H. Pearce, a 17-year old youth, the sole survivor of the recent tragic accident at Trayning?

(2) How long after Pearce was admitted to hospital was the statement taken?

(3) Did this person obtain the consent of the matron and attending doctor?

(4) Is this procedure usually adopted in similar cases, and if so, will the Chief Secretary urge the Minister for Health to instruct all matrons and staff of hospitals wholly or partially financed by the Government to forbid such questioning until the attending doctor gives his consent?

The CHIEF SECRETARY replied:

I thank the hon. member for having informed me of his intention to ask the question, as a result of which I am able to supply the answers, as follows:—

Kununoppin hospital is controlled by a board of management. The following information has been secured by telephone:—

(1) Yes.

(2) Three days. Patient was up, in a chair on the verandah, and he went home next day.

(3) Matron's consent was given and this was confirmed by the doctor.

(4) The hospital regulations forbid visitors to enter wards (including verandahs) without permission of matron. The Motor Vehicle Trust also advises me that its officers are specifically instructed not to interview patients except with consent of matron or doctor.

BILLS (6)—FIRST READING.

1, Police Act Amendment (No. 2).

2, Land Act Amendment.

3, Mines Regulation Act Amendment.

4, War Service Land Settlement Scheme.

5, Factories and Shops Act Amendment.

6, Crown Suits Act Amendment.

Received from the Assembly.

BILLS (2)—RETURNED.

1, Lotteries (Control).
With amendments.

2, Shipping and Pilotage Ordinance Amendment.
Without amendment.

BILL—STATE GOVERNMENT INSURANCE OFFICE ACT AMENDMENT.

Second Reading.

Debate resumed from the 25th August.

HON. L. C. DIVER (Central) [4.47]: The first question we must decide in considering this measure is whether, in support of it, the Government has put forward a reasonable case. I think it has. I believe that competition is necessary in all walks of life and that healthy competition is the greatest guarantee the public have that they will receive good service in a matter such as the insurance business.

Some of the companies that opened offices in this State do not belong to the Underwriters' Association and are looked upon as free companies. Their advent in this State forced down the premium rates formerly charged by the tariff companies which, up till then, had had a virtual monopoly of insurance business in Western Australia. I can see no harm in the State Insurance Office entering into the field of business dealt with in this measure, so long as there is some guarantee that it will remain a free competitor or, alternatively, that the insurance companies as we know them today are not to be placed at a disadvantage as compared with the State office. I will deal with that aspect later.

I have been told of recent date that two new insurance companies have opened branches in Western Australia, and I think it can be safely said that at present we are reasonably well catered for by such companies in this State. Nevertheless, the entrance of the State Insurance Office into this field would not affect the position a great deal, and for that reason I think the Government has presented a fair case to justify the introduction of this measure.

The activities in the insurance world are extremely harsh, as was instanced by a reply given to Sir Charles Latham by the Chief Secretary. The Health Department has admitted that within 72 hours of a tragic car smash occurring, the sole survivor had been questioned by an insurance investigator. I have been informed, however, that it was actually much less than that. The Chief Secretary, in his reply, stated that the doctor's permission had been obtained before this questioning began.

This is not in line with the information given to me by the father of the lad who survived the accident. He told me that the doctor would have ordered this insurance representative off the hospital premises if he had known of his true intention. This man not only took a statement from the lad, but also questioned

and cross-questioned him for almost an hour. The statement that he was discharged from the hospital the next day is true on the face of it; but, in actual fact, he was only transferred to the Kellerberrin hospital. That lad had to be readmitted to the Kellerberrin hospital because he was in a state of collapse.

The Chief Secretary: In regard to the reply given by me, I would like to point out that I instructed the Under Secretary for Health to make some inquiries and he got the information from the Kunnunoppin hospital direct.

Hon. L. C. DIVER: Personally, I think the Chief Secretary did his best in this matter. I merely instanced the case to show how harsh are the methods of those associated with the insurance business. I wonder how many members could stand up to such an ordeal as that after being a victim of a car smash only a matter of hours previously. If that is the best approach that representatives of the insurance trust can make in matters of this kind, the sooner they mend their ways the better.

I have heard that in recent times a large commercial undertaking has been carried on in the insurance world of Great Britain. In that country it is referred to as an "unseen export". It has been reported that it has been built up on the good faith of insurance as distinct from the letter of the law. I am afraid that the insurance trust in this State is not endeavouring to build up a similar reputation.

Since entering this Chamber I have come in contact with many learned gentlemen of great legislative experience in this State; and on one occasion, one of them told me that with any legislation we could not commit future Parliaments. When considering that statement, it must be admitted that it is obviously true; and although I agree whole-heartedly with it, I would point out that if we accept this measure, which will allow the State Insurance Office to widen its charter, in order to enter the ordinary insurance field, we will have immediately created a precedent; and, by doing so, we will not know how wide we have opened the door.

In making that statement, I do not mean to say that the day will come when Parliament will prohibit other insurance companies from operating. However, we will be moving towards creating a position similar to that which arose under the rents and tenancies legislation whereby all landlords in the State were forced to comply with the law except the largest landlord of them all—the State Housing Commission—which was exempted.

Therefore, I can foresee that, in the future, certain provisions could be imposed on the private insurance companies forcing them to do certain things and yet the State Insurance Office, being a semi-government instrumentality, would be exempted. If that occurred, it could happen that the private companies would have to close their doors and the State Insurance Office would be left to write all the insurance business in Western Australia.

Hon. G. Bennetts: You do not really believe that.

Hon. L. C. DIVER: It is not a question of believing it; it is a matter of fact. Nothing of any substance was ever destroyed by one blow; that result is only accomplished by a series of blows. If such a state of affairs did materialise, and the only office remaining to write insurance business in Western Australia was the State Insurance Office, it would be a sorry day for us all.

To whom could the public appeal if they were not satisfied with the premium rates? Who could decide whether the premium rates were excessive? Those taking out policies would be in exactly the same position as people who are connected with the Goldfields Water Supply and who, when they complain that their meters are out of order, obtain satisfactory redress on only rare occasions. In fact, there is no redress; they just have to grin and bear it.

Hon. G. Bennetts: They could pay 10s. and have the meters tested.

Hon. H. Hearn: Yes. They could say, "Here is another 10s."

Hon. L. C. DIVER: That is so; and one can realise what effect that would have on the individual. The people who have to determine whether the premium is fair or not would have just as much say as the hon. member would have in determining whether rail freights charged for sending his goods were fair. The freights are determined not by him, but by someone else. So people have to pay those freights whether they consider them fair or not. My point is that, with only the State Insurance Office doing business, as could come about in time, the people of this State would be considerably worse off than they are today. I am no champion of the private companies; I realise they are out for every penny they can get.

Summing up, I consider that the Government has put up a good case for the passing of this legislation; but, on the other hand, I have given reasons why it would not be wise to agree to it. I feel that with the State office extending its field of business, there would ultimately be created, in years to come, another taxing instrumentality. It would be able to increase its premiums to such an extent that huge surpluses would appear in its business.

There is one angle I omitted to mention. What incentive would there be for the officer in the State Insurance Office

charged with the duty of making adjustments to satisfy fairly claims that were made? At the present time there is rivalry and keenness of competition amongst insurance companies—very necessary elements for good business—which drive them to assess on a fair basis losses arising from fire, hail, personal accident, and other types of insurance.

Despite the best intentions of present members of Parliament, the passage of this legislation would bring about the position whereby one company—the State Government Insurance Office—would do all the insurance business in the State. What redress would a person have against an assessment made by an officer of that office? The State Insurance Office could do as it liked; and if it did not come to a just conclusion, there would be no appeal. After giving this measure due consideration, I feel that the defects arising from its passage would outweigh the advantages. Therefore I oppose it.

HON. J. G. HISLOP (Metropolitan) [5.4]: I have never been a champion of State enterprises, and I do not know that there is any necessity to increase the present efforts towards them. Personally I would not have said very much about this Bill had it not been for some statements which have been made. There seems to be an idea that insurance companies should not have assets, and that they should not be able to build up reserves. Yet I feel that my own insurance business would go to a company which had an adequate reserve. The bigger the reserve of the company the happier I would feel about my insurance, because I would know that it would be safer.

If private insurance companies are not permitted to make a profit, they will not be able to carry on, because they will have nothing to back their pledge of insurance. Cases have occurred where individuals have paid very small premiums and received very large benefits. When I first took out a life insurance policy, one of my friends did the same thing. He paid a quarter's premium, and his family has been receiving £500 a year for the last 20 years. All this was received from a total premium of £30.

Hon. Sir Charles Latham: That was good business. I would like to meet that company.

Hon. J. G. HISLOP: The only drawback with me was that I continued living—and paying. Those companies which are prepared to take such risks must have assets behind them. I wonder what the main street in this city would look like if there were no insurance companies. I believe it would look like a country village; because, in the main, the insurance companies have put large amounts of their assets into the building of the city, and that is the case almost everywhere in the world.

The only other point I would like to comment on is the statement made by Mr. Heenan that the State Government Insurance Office has conducted its business very well and has been able to make a profit although it had the most unprofitable line of business to deal in. I was very interested in that statement because, when dealing with this matter some time ago, I assisted in drawing up the proposed second schedule to the Workers' Compensation Act.

Managers of private companies said to me then that it really did not matter what Parliament decided to pay an injured worker because, so far as they were concerned, the rates were fixed by the Premium Rates Committee; that industries alone would have to have concern for the cost of such insurance; that private companies and the State Government Insurance Office worked on a 70 per cent. loss, and the result was that their assets and their profits in the workers' compensation fund were almost automatically fixed.

The second aspect which interested me in Mr. Heenan's speech was this: I believe that the main assets behind the State Government Insurance Office today came from the mining industry for which Mr. Heenan is always an advocate, and to which he is always desirous that some aid should be given. Because the State Insurance Office has had a monopoly of that particular form of business, under the silicosis fund it has been able to take from the mining industry sufficient to give it capital to work on. If one goes into the affairs of that office, one will find that the present building being constructed for its offices came mainly from the mining industry.

Further, if it had to pay income tax on its profits, as most private companies were compelled to, it would not have very much left from its ordinary workers' compensation fund—nothing to call a profit. The surplus would be so small that the average private insurance company would soon be out of business. I have every sympathy for the State Government Insurance Office in regard to the workers' compensation fund. I have worked with the State Government Insurance Office on this aspect to a very considerable degree in the past. I admit quite frankly that, in this particular field, it is prone to give much greater consideration to the worker than some of the private companies.

If the Government asked for a monopoly of workers' compensation insurance, with some adequate control of the charges—by Parliament or by a premiums committee—I would very readily consider giving it the whole of that business. I have often been distressed at the action of some of the private companies in relation to an injured worker, but I have always found the State Government Insurance Office to be generous. That is the business of the latter, and I would like to see it stay within that business.

I return to where I started. I believe that if a company is to enter general business, it must have assets before it starts; and as it progresses, it must build up greater assets. If the State Government Insurance Office is to extend its business, it can only have Government assets for backing; and if it tries to build up further assets, it must do so in competition with the other companies. I cannot see that any good purpose would be served by expanding the business of the State Government Insurance Office beyond its present sphere; nor can I see any reason for that being done. Therefore, I propose to vote against the second reading of this Bill.

HON. F. R. H. LAVERY (West) [5.13]: Being a comparatively new member of Parliament, and because I consider this Bill to be of the utmost importance, I felt it my duty to make a special study of its provisions. I have done this in greater detail than has been the case with any other Bill on which I have spoken. Because I do not wish to be alarming, I want to get down to fundamentals. From my investigations, I found that the State Government Insurance Office was started in 1926, because the tariff and ordinary insurance companies refused to offer policies at reasonable premiums to cover mining diseases. No one will deny that.

Hon. Sir Charles Latham: That was not the reason. It was because the private insurance companies did not know what their liability would be.

Hon. F. R. H. LAVERY: The Government of the day was perfectly willing for the non-tariff companies to handle this class of business; in fact, it was offered to them. If miners were to be insured against industrial diseases, and to be protected against the conditions of their employment, there was no alternative but to arrange for some other party to take over this class of insurance; hence the establishment of the State Government Insurance Office. Since then the State office has rendered an exceptionally good service to the general public in the types of business that it has the statutory authority to handle.

At the time the office was requested to take over the industrial disease risks, it was also authorised to handle the better type of workers' compensation, which was only fair. In connection with a remark passed by Dr. Hislop, I would like to say that in "Facts and Figures," Report No. 41, the employers' liability and workers' compensation revenue was shown as being £19,310,000, and the expenditure £10,934,000; or, roughly, a surplus of £8,000,000.

Hon. Sir Charles Latham: For what period?

Hon. F. R. H. LAVERY: "Facts and Figures" is published by the Australian News and Information Bureau of the Department of the Interior, especially for the benefit of people like ourselves, so that when we speak we shall have facts. The period covered is the year 1952-1953.

Hon. N. E. Baxter: That is for the whole of Australia, and not just Western Australia.

Hon. F. R. H. LAVERY: That is so. The point I make is that workers' compensation insurance has not, for that period, been a total loss to the companies. It has been said that a large volume of workers' compensation business comes automatically to the State office, and that the office is put to no expense to obtain it. That is not in accordance with fact, because all types of workers' compensation business, including that appertaining to mining, is on a strictly competitive basis. The State office endeavours to charge premiums that are at least 20 per cent. below the maximum set by the Premium Rates Committee.

Indirectly it has given great service to industry in Western Australia, because the tariff companies will quote to their clients the lower rate charged by the State office in order to retain their business; and they will also reduce their rates for new business. Had the State office not come into existence, the tariff companies might not have done this.

Excluding the mining industry entirely, the office has a large proportion of workers' compensation insurance—in fact, it has more than any other single office operating in Western Australia. Mr. Hearn usually puts up a very strong case in opposition to anything the Government proposes in regard to Government instrumentalities; but when he spoke the other night, he seemed to be talking with his tongue in his cheek to some extent. It struck me that he was not happy to speak against the measure, because workers' compensation insurance, as carried out by the State office, is well received by industry in this State.

The next amending Act gave the State office the right to accept all types of motor-vehicle insurance. At the present time its premium income from comprehensive insurance is in the vicinity of £100,000 per annum, which would probably be as much as the aggregate income for the same type of business of a number of the tariff companies. Where it can be definitely established that damage to a vehicle is not due to the carelessness of the owner, or is not caused by him, the no-claim bonus is not disallowed. This, I am told, is a concession that is granted only by the State Insurance Office; hence the great amount of business that is reaching this office through the motor trade.

It has been stated that there is no demand for the State office to extend its activities into the fields of business outlined in the Bill. But in view of the support given to the office in connection with the risks that it has the statutory right to

handle, there is no doubt that, if it is allowed this further franchise, it will receive from the general public a large share of the business that is offering.

I have studied the speeches of another place, as reported in "Hansard," and I have listened to most of those that have been made in this House; and it appears to me that the main objection to the Bill—in fact the only objection; even tonight Mr. Diver mentioned the same thing—is the possibility of the industry becoming nationalised. Let us be factual! So far as I am aware, it would be ultra vires the Commonwealth Constitution for a State Parliament to nationalise any industry, including insurance.

Hon. L. C. Diver: I did not say that.

Hon. F. R. H. LAVERY: I did not say the hon. member did; but he suggested that future Governments could whittle away the control of other offices, and gradually help to build up the State instrumentality.

Hon. H. L. Roche: There is no need then to nationalise.

Hon. A. F. Griffith: Would it be ultra vires the platform of the Australian Labour Party?

Hon. F. R. H. LAVERY: The nationalisation of any industry is a Commonwealth matter. It is quite reasonable to assume that if the Commonwealth Government attempted to nationalise insurance, the same procedure would have to be followed as was adopted when a Labour Government endeavoured to nationalise the banking industry. I would say that a referendum of the people would have to be held before the Commonwealth Government could nationalise any industry; and speaking from observation over many years, I think it would have to put up a tremendously good case to get the people to agree to its proposals. I consider the nationalisation of insurance is not possible within a reasonable time.

Hon. A. F. Griffith: Is the nationalisation of insurance part of the Labour Party's platform?

Hon. F. R. H. LAVERY: I am speaking only on this Bill; and I would not like to answer that question, because I do not know.

Hon. A. F. Griffith: Good Lord!

Hon. F. R. H. LAVERY: I will be quite candid. I tried to find out as much as I could about the State Insurance Office, but I did not go outside of that sphere. A good deal of information that was misleading—although perhaps not intentionally so—has been given about the Queensland State Insurance Office. There is no doubt that that office has rendered yeoman service to the people of Queensland. Many local authorities in that State would have been hard put to it to raise funds for major works during the last few years had the money not been made available to them by the Queensland State Insurance Office.

Hon. N. E. Baxter: It would have been available from other insurance offices.

Hon. F. R. H. LAVERY: I am speaking from the facts that I have learnt. The State Insurance Office has at no time received financial assistance from the Government; but, nevertheless, it has, by good management, been able to create such reserves that it has invested approximately £2,000,000. It is, therefore, difficult to understand the reasoning of Mr. Baxter, who claims that the State office is merely gambling with public funds.

Hon. N. E. Baxter: So it is.

Hon. F. R. H. LAVERY: The hon. member went on to say that it could easily sustain substantial losses which would have to be met from the public purse. Surely one might expect that the same careful administration that has been evident in the past will continue in the future when, as I hope, the franchise that is sought here has been granted by Parliament. The office has undertaken the construction of a large building costing about £400,000—another adornment of St. George's Terrace, as Dr. Hislop suggested—and we can assume that the office will continue to function in the future as it has in the past.

The State office has exactly the same reinsurance facilities available to it as have the private companies operating in this State. In answer to Mr. Baxter, I would say that much of this reinsurance has already been placed with the head offices of these companies. The value of the South Fremantle power station would be in the vicinity of £5,000,000 to £6,500,000. If, tomorrow, a raid was made, and it was blown up, the State office would get out of its liabilities for less than £40,000. Does the hon. member think that reinsurance does not take place in any of these big organisations? Of course it does!

It has been said that if the Bill is passed, the State Insurance Office will use public servants, such as clerks of court, constables, and others to act as its agents in the country with a view to obtaining business without the payment of the commission that the private companies are required to pay.

Hon. N. E. Baxter: Who made that statement?

Hon. F. R. H. LAVERY: It has been made many times. It will be noted that this Bill contains no such provision as was in the measure last year. I am quite happy that it is not there, because it was obvious that much of the opposition to the Bill last year was directed against the use of civil servants to get the new business. The omission indicates that the Government appreciates the feeling in this House and has agreed not to include that provision in this measure. I am quite satisfied, from

investigations I have made, that the State office will appoint its own agents in the same way as other offices, and will pay those agents the same rates of commission as are paid by other companies.

I was not certain about it in my own mind, and I raised the point direct with the manager of the State office. He said that if the measure is passed the State office will canvass for business in the same way as other offices, and will pay the same rates of commission as are paid by other companies. I have his authority to say that to the House. All that the State office seeks is to be placed in the same position as other companies, so that it can compete fairly with them; and it desires no concessions which will give it any undue advantage. I feel confident that the opposition to this Bill is bound up with the fear that future Governments may nationalise this industry.

So far as insurance in the goldmining industry is concerned, the premium rate has been reduced from 60s. per cent., to 32s. In fact, I am not sure whether it has not been reduced to as low as 26s. per cent.

Hon. N. E. Baxter: Thirty shillings was the latest.

Hon. F. R. H. LAVERY: I am open to correction, but I know that the rates have been reduced by over 50 per cent. I hope members will allow the Bill to be read a second time so that those who oppose its provisions will be able to argue the measure, clause by clause. I commend the Bill to the House.

On motion by Hon. R. J. Boylen, debate adjourned.

BILL—INDUSTRIAL ARBITRATION ACT AMENDMENT.

Second Reading.

Debate resumed from the 26th August.

HON. C. H. SIMPSON (Midland) [5.35]: The Leader of the House, when introducing the Bill, intimated that its effect would be to compel the court to adjust the basic wage in accordance with the price index figure supplied by the Government Statistician; and, secondly, to provide that the court should take into consideration all changes for previous quarters as well as the one covered by the latest price index determination. The Chief Secretary also supplied figures for the last four quarters showing adjustments up and down. For instance, in September, 1953, the figures showed that the wage should be increased by 4s. 1d.; December, 1953, showed a 1s. 6d. reduction; March, 1954, showed an increase of 3s. 8d.; and June, 1954, an increase of 13s. 8d.—representing a net increase, for the four quarters, of 19s. 11d. The effect of that would be to increase the present basic wage of £12 6s. 6d. for the metropolitan area to £13 6s. 5d. That is what the wage would be if the Bill were passed in its present form.

The proposed amendments are simple and easy to follow, and I have outlined their effect. But, in applying ourselves to this measure, we have to study what those effects would be and to consider, as responsible members of this Chamber, whether the matter could be decided as the Government desires, in view of all the results which would flow from the passing of the Bill. The first question would be the matter of costs: the cost to the individual; to the country as a whole; and to our various industries—the primary industries, the goldmining industry and the manufacturing industries—quite apart from the principle of whether Parliament should adopt an attitude which would allow it to control the court.

An increase of 19s. 11d. to the present basic wage would cost private employers approximately £4,750,000, and the Government £1,450,000 approximately, or a grand total of £6,200,000 per annum. We have to ask ourselves, "Can the State of Western Australia and its industries afford that sum?" The Government put up a case to the Arbitration Court at the last basic wage hearing in which it asked the court to approve of an adjustment of 13s. 8d.; it now asks us to agree to an increase of 19s. 11d. It hesitated to grant an increase of 13s. 8d. for its own employees because it said that the cost, in round figures, would be £1,000,000 per annum. The Government feared that the Grants Commission would not approve of its taking that action unless it had some authority, such as a determination of the Arbitration Court, which would remove the responsibility from its shoulders.

The Grants Commission would naturally ask, "Why should the workers of Western Australia receive substantially more than their counterparts in the Eastern States, and the standard States be called upon to provide that extra money to pay Western Australian workers that increased wage?" Members will have learnt from the newspapers, or will have heard that the Government's representative, and the employees' representatives, failed to convince the court on this point, and the court decided that the application could not be granted. As the Government failed in its attempt, it now asks Parliament to tell the court to grant, not the 13s. 8d. applied for, but the 19s. 11d. which is the difference, according to the price index figure, over the last 12 months.

To find out the effect of prosperity loadings on the economy of this State, I submitted some questions to an authority on the subject—and this will be borne out later when I quote extracts from the judgments submitted by the court—because I believe that the prosperity loadings have

had a great deal to do with the inflationary spiral, and with this particular question, which the courts were called upon to consider and which, in effect, we are now being called upon to consider because of the introduction of this measure. The first question I asked was—

> What is the annual cost to Western Australian industry of prosperity loadings, which now stand at £2 4s. 3d. on adjusted values?

The answer was—

> £15,040,000 per annum.

The second question I asked was—

> What would be the annual cost to Western Australia of the additional increase the court is now asked to sanction?

The answer was—

	Approximately. £
On 13s. 8d. it would cost private employers	3,250,000
On 13s. 8d. it would cost the Government	1,000,000
Total	4,250,000
On 19s. 11d. it would cost private employers	4,750,000
On 19s. 11d. it would cost the Government	1,450,000
Total	6,200,000

Those figures do not include any allowance for penalty rates. The third question I asked was—

> What is the cost per annum for the whole of Australia of prosperity loadings for the six capital cities as at June, 1954?

The answer was—

> For the six capital cities, the present Federal base at £11 16s., and deducting the 1937 Federal base, adjusted to June, 1954, of £9 8s., would leave a net of £2 8s. for each employee, and the total per annum for the Government would be £76,500,000 and for private employers £206,600,000, or a total of £283,100,000, which is the cost of prosperity loadings for the whole of Australia for one year.

Hon. F. R. H. Lavery: But that has been taken away now. Those figures are not correct because they have taken away the £1 over the last 12 months.

Hon. C. H. SIMPSON: The present Federal basic wage is £11 16s., quite apart from any adjustments.

Hon. F. R. H. Lavery: That includes the £1 prosperity loading given by the Federal court.

Hon. C. H. SIMPSON: Yes; but the 1937 Federal base, adjusted to present figures, is £9 8s., which leaves a total prosperity loading of £2 8s. It is on that index figure that the figures are calculated. On a recent occasion in this Chamber, I pointed out that prosperity loadings were having a tremendous effect on the Australian financial economy and had been the prime cause of the inflationary spiral. The effect of prosperity loadings has been felt in the financial structure of the Commonwealth ever since 1938, when the courts granted the first bonus to the needs wage.

The prosperity loadings were—5s. 1d. in 1938; 5s. in 1947; and £1 in 1950. They were granted to every employee, male or female, including the skilled artisan, and the newest apprentice. It was a flat rate all the way through; and that is probably one thing which more than anything else has destroyed the relativity of margins. Had those bonuses been given in proportion to the actual wages drawn by each employee, the margins issue would not be so much to the fore today.

Hon. R. R. H. Lavery: I do not think you really believe that yourself.

Hon. C. H. SIMPSON: I would like to quote some important extracts from the judgment read to the court on the 26th August last. The judgment is too long to quote in full; but it is a most important and illuminating document; and I think it would be of value to any member to read the whole of this judgment if he could get the opportunity to do so. He could then fully inform himself of the reasons that actuated the court in giving its decision. The first extract which I wish to quote and which contains the remarks of Mr. Justice Jackson is as follows:—

> It is opportune, I think, to review briefly the history of the basic wage in this State. The court was in 1925 given statutory authority to declare a basic wage for different parts of the State. The first general inquiry and declaration was made in 1926. Thereafter annual inquiries and declarations were made but there was no change in the basis of the 1926 declaration (as distinct from changes in amount due to fluctuations in price index numbers) until 1938 when the court increased the basic wage by 5s 1d. from £3 14s. 11d. to £4. There was a further increase of 5s. in 1947 and of £1 in December, 1950. In 1950 the Act was amended to abolish the annual inquiry and to substitute a general inquiry to be held at the request of the workers or employers or at the instance of the court. Since the declaration of December, 1950, no such general inquiry has been requested or held. The

1950 amendment also made an important change in the definition of the basic wage under Section 123. Until then it had been defined as meaning "a sum sufficient to enable the average worker to whom it applies to live in reasonable comfort having regard to any domestic obligations to which such average worker would be ordinarily subject." The amount fixed in accordance with this definition was commonly known as the needs basic wage. The 1950 amendment defined "basic wage" in very general terms, viz., "a wage which the court considers to be just and reasonable for the average worker to whom it applies." It then provided that in determining the basic wage the court should take into consideration, firstly, the needs of the average worker as previously defined; and, secondly, "the economic capacity of industry and any other matters which the court deems relevant and advisable" but so as not to reduce the basic wage below needs.

The judgment continues—

> In the March quarter of 1954 there were increases of 3s. 8d., 2s. 9d. and 3s. 6d. respectively in those areas. These figures had led the court to hope that comparative stability in cost of living was being attained. That hope was fortified by the price index numbers elsewhere in Australia which had shown relatively little change since September of last year. Again in this quarter, June, 1954, the change elsewhere in Australia has been very small but the increase of 13s. 8d. for the metropolitan area in this last quarter and, to a less degree, the increase of 4s. 4d. for the South-West Land Division, is large enough to warrant a re-examination of the whole position and, in the first instance, to inquire the causes of these increases. In the metropolitan area for this quarter there was a small decrease in the price index numbers for clothing and miscellaneous items but a considerable increase in food and groceries and a very large increase in rent. Broadly speaking, it may be said that rent accounted for about 9s. 9d. of the 13s. 8d. and the balance was food and groceries of which all but about 6d. was due to increased meat prices. In the South-West Land Division the increase of 4s. 4d. was shared between food and groceries and rent but in that area rent had not increased to the same degree as in the metropolitan area.

A further extract states—

> Mr. Little showed that up to 1947 the price index numbers had fairly accurately measured rental changes and that the monetary equivalent of the index numbers in that year fell only 1s. 8d. short of the average actual rent of 4 and 5-roomed houses occupied by wage-earners as disclosed by the 1947 census and this 1s. 8d. could readily be due to changes in standard or size.
>
> It is not yet possible to make an accurate computation of the corresponding position on the basis of the 1954 census which was taken as at the 30th June last. The statistician has been good enough to take out certain preliminary and interim figures for the assistance of the court. These figures have, with his permission, been supplied to the advocates for the various parties. They disclose that the average rent paid by wage-earner tenants of privately owned houses of 4 and 5 rooms was 44s. 3d. This excludes rent paid by tenants of government houses of which the average rental, we were informed, was 49s. 6d.

Another extract I wish to read is as follows:—

> The relevant inquiry should, in my view, be directed towards ascertaining what would now be the needs of the basic wage, taking the 1938 declaration as the basis and assuming it to be fixed on mere needs.
>
> For that purpose it is necessary to adjust the four component parts of the 1938 basic wage by the price index numbers appropriate to each. This calculation results in a national present needs basic wage of £11 5s. 2d. made up as follows:—

	£	s.	d.
Food and groceries	4	18	7
Clothing	2	17	6
Rent	1	16	8
Miscellaneous	1	12	5

> (I am, of course, dealing only with the figures for the metropolitan area.)
>
> The present basic wage in fact is £12 6s. 6d., that is £1 1s. 4d. in excess of the equivalent figures today of the 1938 needs basic wage. Unless, therefore, it can be shown (and this has not been done) that the allowance of £1 16s. 8d. for rent fell short of actual average rents by more than £1 1s. 4d., no case is established for an increase of the needs basic wage. During argument, I put it to the advocates that, in the exercise of its discretion under that section (Section 127) one most important matter which the court should take into consideration is whether the State as a whole has the economic capacity to pay the increases involved. Mr. Cross, Mr. Stannard and Mr. Reeves agreed that this was a matter which the court should consider and I do not think Mr. Chamberlain really dissented from that view. I am clearly of opinion

that the economic capacity of industry is an implied consideration under Section 127 as well as an expressed consideration under Section 123. In this I find considerable support in the views of the late Sir Walter Dwyer in 1942 on the two occasions when he refused to adjust the basic wage on the then quarter's price index numbers. His principal reason for that refusal was clearly an economic one, namely, that he feared the increase would add an impetus to the inflationary trend then apparent. Mr. Chamberlain quite properly drew our attention to the fact that this question of the economic capacity of industry to pay the increased basic wage, which would result, has not on the face of it appeared to form part of the court's considerations in the past. The answer is that hitherto, at least until the September quarter of last year, the quarterly adjustments to the basic wage were similar in most respects to the adjustments made under Commonwealth awards and as this State, from 1938 onwards, had broadly speaking followed Commonwealth trends, it could reasonably be assumed that a wage which was within the capacity of Australia as a whole, was also within the capacity of this State. However, the matter becomes of first class importance in a case such as this when we are asked to amend the metropolitan basic wage by 13s. 8d., thereby increasing the State basic wage for that area to a figure £1 4s. 2d. in excess of the Commonwealth basic wage for Perth. It is, I think, obvious that before we do so we should be satisfied that this State can afford to pay that additional wage.

The next question is how is the court to determine whether such an increased wage is within the economic capacity of industry. It is unnecessary for me to answer this question in detail because it is sufficient to say that, in my view, the court is entitled to, and indeed bound to, rely primarily on the evidence and other information which the parties to a basic wage adjudication care to place before it. Moreover, the onus of establishing to the satisfaction of the court that the State can bear the increased burden must lie on those who seek the increases. On this occasion, however, those parties have entirely failed to discharge that onus. In fact, they really have not attempted to do so. Mr. Stannard, with whom Mr. Reeves concurred, contented himself by saying, firstly, that the Ministers of the Crown desired the court to grant increases, secondly, that the direct cost in wages, based on a 40-hour week, would be just under one million pounds to Government employees and, thirdly, that he agreed that the court should take into consideration the capacity of industry in this State to pay the increases. On my enquiring the source from which Government employees could be paid this additional one million pounds per annum, I was informed that it was confidently expected that that additional sum would be made available to the Government of this State by the Commonwealth, providing it was paid pursuant to an order of this court but that if the increase was paid voluntarily it was unlikely that reimbursement from the Commonwealth would be forthcoming. It would seem then that this court had been asked to increase the basic wage to enable the amount of the increase to be paid inter alia to Government employees, in the expectation that the general body of taxpayers throughout all Australia would, in the final analysis, pay the bill. No similar means of reimbursement, however, could be suggested in the case of private employers whose additional wage bill per annum was estimated by Mr. Cross to be three-and-a-quarter million pounds. I asked Mr. Stannard whether he had any information as to the amount involved to the whole State, as distinct from the Government, but he said he had no information on that subject. With all due respect to him and to those instructing him, that does seem to me an extraordinary situation. On the one hand, he asks this court to increase the basic wage and he agrees that we must consider the economic capacity of the State to pay the increase. By implication at least he must be taken as contending that the capacity exists. But, on the other hand, he is unable even to estimate to us the amount which is involved. How then, may I ask, can he maintain that it is within the capacity of the State? I have demonstrated that the present basic wage is still at least £1 in excess of the 1938 needs standard. If the basic wage is now to be increased, then it is for those who seek the increase to establish to the satisfaction of the court either (1) that a new standard of needs for the average worker should be adopted and that this standard in money terms requires a higher basic wage than the present, or (2) that the economy of this State has the capacity to pay a greater basic wage than the present. In the present instance neither of these fundamental propositions has been established before us, nor has any attempt been made to do so. In these circumstances, I am of the opinion that, in the exercise of its discretion under Section 127, the court should refuse to make any adjustment to the basic wage is respect of the quarter ended 30th June last.

I have quoted from that document at length because I think it is a very important document, and one which is gravely concerned with the economy of this State.

Hon. F. R. H. Lavery: That is what the workers think, too.

Hon. C. H. SIMPSON: I ask the question again: Is it competent for us to exercise control, which would amount to interference in the function of the court? We must remember that it has at its disposal expert knowledge and long experience of this question. I do not think anyone would pretend that the court officials—the judges and the advocates of the different parties—approach this question with anything but sympathy for the people concerned, and a genuine desire to meet any reasonable applications if the circumstances can justify their doing so. But in one part of the judgment which I have not read, the president of the court said that the original bonus of 5s. 1d. allowed in 1938 had been claimed by Mr. Chamberlain as part of the basic wage, and he wanted the judgments and determinations to start from that point. However, I do not think that is a sound argument.

I will admit that, in his judgment, the president did not appear to think so either; but he did for the sake of argument—and he made it clear that it was for the sake of argument only—accept that as a basis. But it has made slight difference to the reckoning, inasmuch as the figure representing loading, arrived at by the president was £2 1s. 3d., and the figure which has generally been accepted—based on the assumption that the 1938 increase of 5s. 1d. was a bonus allowed—is £2 4s. 3d. On the figures I have given, I have based my calculations on that £2 4s. 3d. rather than on the judge's acceptance of £2 1s. 3d. It will be understood that that is accounted for wholly by the 5s. 1d. bonus loading not having been taken into account.

According to the judgment, rent accounted for 9s. 9d. of the increase in the last quarter; meat was responsible for 3s. 5d., and other loading, 6d.; making a total adjustment on the formula of 13s. 8d. for the quarter. In the main, I will leave the question of the meat price increase to my colleagues. The item of 6d. variation for other loading I do not think would worry anybody, and can be disregarded. On the question of meat, I will merely point out that for the time of the year covered by the quarter ended the 30th June, there is always a shortage of meat and prices are consequently high; that is a seasonal effect. We cannot, by the way, expect to have cheap meat and high export prices for meat, wool, and hides.

Hon. F. R. H. Lavery: You cannot have cheap meat when agents withdraw 15,000 head of stock from the market.

Hon. C. H. SIMPSON: Whether that contention is true or not, I am saying that the high export prices for products must have an effect on the price we have to pay. I can remember when, not so many years ago, wool was low in price and hides were cheap; and when mutton was displayed in Perth shops at 2½d. per lb. But as members know, the position is very different today. I will ask this question: Why did not the Government take, the same steps as the previous Government, to buy meat during the flush period, and at a relatively low price, and keep it in cold storage to even up prices and have meat available during the lean times of the year? The Government of which I was a member did that for three years in succession.

Hon. F. R. H. Lavery: But what a big loss it showed on the meat it had to toss out!

Hon. C. H. SIMPSON: That action did have a considerable effect in evening out the price to the consumer.

Hon. A. F. Griffith: Mr. Lavery would rather that the worker paid.

Hon. C. H. SIMPSON: If events pursue their natural course, and those who sell charge a price that is too high, there is such a thing as consumer resistance. Most people—I know that this applies to myself—cut down on meat if they think that the price asked is higher than is fair.

Hon. G. Bennetts: Some families are cut down to a dangerous margin; they cannot afford to buy.

Hon. C. H. SIMPSON: We are not the only people in the world who are suffering in that way. The price of meat in England was never cheap; yet, for years, the people were allowed only 1s. 2d. worth per person per week. Most of them pooled their allowance and the family had one meat joint for the week.

The Chief Secretary: You would not advocate that here, would you?

Hon. C. H. SIMPSON: No. I will leave my colleagues who are more familiar with variations of meat prices to deal with this question more fully. I want to discuss rents. The increase in that regard was 9s. 9d. for the past quarter. I think that when legislation was introduced last December, and again during the special session in April; and once more when Parliament was called together earlier than usual to deal with the question of rents and tenancies, it was agreed by all parties that the time was ripe for a revision of rents. That postulated the idea of rents being increased—which again meant that the index figure would be correspondingly increased. I do not know that we can be greatly surprised if rents showed an upward movement in response to the changes that then came about.

I am not going to elaborate the question whether the increases would not have occurred, or would have occurred to a lesser degree, if the Government had accepted our suggestion that controls be continued till August of this year. That may have had something to do with the matter, or it may not. But the point I want to make is that the mere fact of legislation being brought in envisaged some adjustment in regard to some rents; and if that adjustment was upwards, it was obvious to any intelligence that that must have some effect on that particular component of the basic wage. But it is difficult to see the logic of the argument put forward by those who say that because the rent component is up by 9s. 9d. for the quarter, we should adjust the basic wage by that amount.

Surely such people must take into account the fact that it is not everybody who pays rent. There are many wage-earners who are boarders, and whom the question of rent does not worry. Again, sometimes there are quite a number of earners in the one family who live in the one house, and would only pay a share of the rent; and the increase of rent would not worry them. Then there are people who live in Commonwealth-State rental homes; and a variation in rent would not affect them. Others may be living in one of those houses that have been built since the 1st January, 1951, and in respect of which there was probably no adjustment of rent; or, if there were, the court could come into the picture and order that the rent remain as it was. The actual variations in rent have been applied to relatively few houses and rent payers. In any event, the rents and tenancies measure was not debated on the equity of the rent adjustments, but rather on the method of controlling or regulating rents and tenancies.

It might be interesting to refer to some figures that have been prepared by the Commonwealth Statistician in regard to the rent component of the basic wage. The "C" series index numbers are based on four main groups. The first covers food and groceries; the second, housing; the third, clothing; and the fourth, miscellaneous. In computing the basic wage "C" series index numbers, the base period is taken over the five years from 1923 to 1927. That was a period nothing like the present. It was a fairly prosperous time when conditions were stable and normal. Had it not been for the impact of the inflationary spiral during the last two or three years, the present period would be similar to the base period.

During the base period the rent component was 21.26 per cent.—say, 21¼ per cent. But for the year ended December, 1952, the latest year for which I could get the figures, the corresponding figure was 11.27—say 11¼ per cent. So the rent component for the base year of 21¼ per cent. had been reduced nearly half as shown in the last year of review—1952.

When we consider the question of what is an equitable rent, we have to remember that in the base period normal conditions applied. There were no controls. The problem of availability of houses was solved by the old method which had existed for many years and under which either private investors built houses, which they let; or home owners obtained assistance from building societies, insurance companies, or the banks. In any event, the rent which was then considered equitable was 21¼ per cent of the needs basic wage. That was the component.

Now, mainly by controlling the rents of the great majority of houses, we have maintained a figure—I contend, artificially—of 11.27 per cent.; and that would need to be increased by about 88 per cent. on itself to get back to the old figure which had been reckoned to be a fair percentage of the "C" series index rent component during the base period. If that was a fair indication of the percentage rents should occupy, and provide a means of meeting the housing demand, then, if we are going to restore equilibrium, we will probably have to get back to somewhere near that percentage, so that those who would normally provide houses will be induced to invest in house building, looking to the return from houses which they let to be sufficient to recover the cost of repairs and maintenance.

If we stifle the normal methods of meeting that housing demand at a time when perhaps the State will not have enough money to build necessary houses, we may drift into the position in which France finds itself. In Paris, particularly, if a person owns a house, he tries frantically to give it away because the cost of repairs is far higher than the rent he is able to obtain. On the other hand, if one is a tenant, one can sell the right to live in the house for the equivalent of 40 to 50 years' rent. That is the ridiculous position that prevails in France because of the continued imposition of controls; and if controls are not adjusted, the same position can arise here.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. C. H. SIMPSON: Before tea I had drawn attention to the incidence of the rent component in the basic wage series and pointed out that the latest figures available showed that the percentage of the "C" series index was in the earlier period 21.26, and the latest available period 11.27. The report is dated December, 1952. The latest figures available, according to the report, were 11.27 per cent. Thus there would need to be an increase in that figure of 88 per cent. to restore it to the equivalent percentage as compared with the base period.

I shall make one more comment on that point. The standard of housing now as compared with the base period of 1923-1927 would undoubtedly have improved, and it could be assumed that the percentage as it stood, which I previously explained was established in a period free from controls, was more or less the normal percentage component of the basic wage formula.

In this labour report, there is another interesting comparison on the wage and price trends for the past 41 years. The graph shows first of all the nominal basic wage and the real or effective basic wage, and it compares them with the wholesale price index and the retail price index. It is very interesting to note the trend over that period. Taking 1911 as the base year, in the 41 years up to the time of the compiling of this graph, the trend of nominal wages actually paid in terms of pounds had advanced from 1,000 to 5,400, an increase of 440 per cent. in terms of pounds. A perusal of the price index shows that it increased from a base figure of 1,000 to 5,150, an increase of 415 per cent. Those two are related to each other.

Manufacturing costs would be immediately affected by the wage content, so that the 415 per cent. increase in the wholesale price index was closely aligned to the 440 per cent. increase in the nominal wage figure. The retail price index had increased from 1,000 to 3,750, so that the increase was 275 per cent. as compared with the increase in terms of pounds of 440 per cent., but the real or effective wage increase represents a 40 per cent. increase over that period. To get a 40 per cent. increase in the real wage value, it was necessary to inflate the wholesale price index and the retail price index by the amounts stated.

The graph shows quite emphatically that the claim made from time to time that wages are always chasing the price increase is, in fact, not true. Right through the graph the increase in the retail price index figure has always been below the nominal wages actually paid. The trend has been in sympathy, but the final figure of retail prices increasing by 275 per cent. falls far short of the increased nominal wages paid of 440 per cent.

Before we consider any action in the direction of instructing the court to increase the basic wage, it may be as well to look at the basic wage rates for the various States. The Federal basic wage is £11 16s. In New South Wales the basic wage for the Commonwealth is £12 3s. while the State basic wage is the same. In Victoria the Commonwealth basic wage is £11 15s. and the State wage £11 16s. or 1s. more. In Queensland the Commonwealth rate is £10 18s. and the State rate is £11 5s. In South Australia the rate is £11 11s. for both Commonwealth and State. In Western Australia the Commonwealth rate is £11 16s. and the State rate £12 6s. 6d. In Tasmania the Commonwealth and State rates are £12 2s.

In New South Wales and South Australia there is statutory provision to make an equality of rates for the basic wage for both Commonwealth and State. Those figures are for capital cities. If we had a similar provision in Western Australia—that is, a statutory provision to make the Commonwealth and State basic wage the same—our rate would be £11 16s. Actually it is £12 6s. 6d., or 10s. 6d. more. If we pass this Bill, instead of the rate being £11 16s. it will be £13 6s. 5d., or £1 10s. above the Federal basic wage for this State.

In view of those factors there is no question as to what we should do in reply to the proposal to direct the court to adjust the basic wage. However, I ask myself whether the people are badly off in the matter of treatment as regards wages and conditions. In looking over the figures from the International Labour Record, it is rather interesting to note the hours worked in the various countries and the position of Australia in that respect. Of the 15 countries enumerated in the list, we are the second lowest. The list is as follows:—

Egypt	50.5
Holland	49
Czechoslovakia	48
Sweden and Argentina	47
Germany	46
United Kingdom	45
Finland	45
France	44
Canada	42.7
Norway	41
New Zealand	40.06
Australia	39.96
America	39.6

Thus the figures for America and Australia are very close. In addition, Australia has public holidays varying from eight to 10 according to various State practices; America has six; the United Kingdom four; and France one. If we add long service leave, which applies to practically all, if not all, Government employees and to a large number of semi-governmental employees and to some commercial firms, we find that the hours worked plus concessions and conditions make the lot of our workers compare more than favourably with that of the workers in almost any country in the world.

Hon. H. Hearn: What about the annual leave of three weeks? That is an extra.

Hon. C. H. SIMPSON: That is true.

The Chief Secretary: I have heard that story of so many Saturdays and so many Sundays, and you follow on until there is no work at all.

Hon. H. Hearn: You have not studied it right through.

Hon. C. H. SIMPSON: Those figures are taken from official records. I do not think anyone grudges the worker the conditions or benefits he enjoys. I, for one, do not and I wish to make that point perfectly clear. The urge for a better life is not confined to union advocates; it is common to all of us; but we want to be sure that the economy of the country can afford those benefits. We cannot risk living beyond our means in the matter of wages and conditions any more than can an individual who does so still preserve a balanced economy.

I wish to refer briefly to the prosperity loading. We realise now that that was an instance of where we might have gone beyond our means. We must have done that because of the immediate inflationary effect that ensued. I do not say that the inflation was entirely due to the incidence of prosperity loading. There were other factors such as high import and export prices, the matter of recovery from the war, and the need for finding money to pay debts which were the legacy of that war. There was also a heavy defence programme. All of these made calls upon our available cash.

If we look at the graph and note the upward trend of the basic wage directly the prosperity loading was granted, we must realise that every time a bonus was given, there was an upward inflationary spiral in the cost of living, and that fell hardest on those workers who had retired on a pension after working for a lifetime in expectation that the pension would have some stability in value to cover their declining years.

We come now to the point: "What is the opinion of the rank and file man who studies this question? What sort of conditions does he want?" Many of those who are older and appreciate the changes brought about by the inflationary spiral are anxious that nothing should be done that would cause an upward surge in the inflationary trend. I say, particularly in regard to the younger folk, that recent surveys have been made, which are illuminating, regarding their attitude to work. A recent survey of research workers was made covering 150 women and 189 men.

Hon. F. R. H. Lavery: Where was this?

Hon. C. H. SIMPSON: In the Eastern States. It was carried out by research workers at the universities. A test was also made of a group of English workers, and a small group of Perth men and women. The table of preferences that they were asked to decide upon was as follows:—

(1) Opportunity for promotion.
(2) Security of employment.
(3) Pleasant working companions.
(4) Good boss.
(5) Opportunity to use own ideas.
(6) High wages.
(7) Comfortable working conditions.
(8) Work which makes you think.
(9) Short hours.
(10) Easy work.

There was, as could be expected, a variation in the preferences named by individuals; but the extraordinary thing is that, in the three groups, the first preference was given to opportunity for promotion. Security of employment came second, and the last things they wanted were short hours and easy work. High wages came fifth on the list of preferences.

To me, that indicates a healthy outlook on the part of the younger people. If they appreciate what security means and the fact that to attain these benefits one must work, apparently they are quite prepared to work hard in order to get promotion in their employment and enjoy opportunity to work out their own ideas. I repeat that short hours and easy work ranked last on the list of preferences.

I have spoken at length, and have introduced considerable matter which I think is pertinent to the question with which we are dealing. After all, it is a big question, as to whether we shall approve of something which will involve this State in an estimated annual expenditure of nearly £6,250,000. To recapitulate the points, if we pass this Bill it will—

(1) Make the Arbitration Court a political tool.
(2) Cost the State over £6,000,000 per year.
(3) Raise the State basic wage to a level £1 10s. 5d. above the Federal basic wage.
(4) Start a fresh inflationary spiral which would hurt everybody including the worker and especially the pensioner.
(5) Gravely affect primary industry, and particularly the goldmining industry.
(6) Still further deteriorate the export market position in regard to manufactured products.

If we reject the Bill, we will—

(1) Assist the courageous effort of the Arbitration Court to adjust wages to the real needs of the worker and capacity of industry to pay.
(2) Furnish the true solution of the margins issue, by correcting the anomalies produced by the prosperity loading which was mainly responsible for the disequilibrium of the old rates of skilled and unskilled workers.
(3) Create a feeling of confidence in the minds of the great majority of the people, that the courts will not be interfered with, as the people certainly do not welcome the prospect of inflation.

(4) Sound a note of inspiration to the younger generation to work their way towards an improved standard of living without regimentation or interference.

I oppose the second reading.

HON. C. W. D. BARKER (North) [7.50]: I have listened with great interest to the debate, and have taken particular notice of what has been said about the inability of industry to carry any extra burden; but I have so far not heard any member say whether it was possible for the worker to continue to stand the strain unless he received the adjustment in question. I do not think this Bill would ever have been before the House if the people of Australia had taken notice of what the late Mr. Chifley said at about the end of the war. Had we then agreed to control prices, there would have been no inflation, and we would not have suffered continuous price rises.

To say that the worker does not appreciate what all this means is wrong. I do not think Mr. Justice Jackson has a very high opinion of the worker; and with your permission, Mr. President, I would like to quote a few lines from the "News Review." The paragraph is headed "Judge Criticises Unions Advocates," and reads as follows:—

> The decision of the State Arbitration Court, on 26th August, not to increase the basic wage beyond the existing figure of £12 6s. 6d., has puzzled thousands of workers who are not now, never have been, and probably never will be, interested in the State's productive capacity. It is sufficient for them to know that the cost of living has gone up so much a week since the last wage was fixed and they expect to be fully and completely recouped.

I say that that is not the workers' idea of it at all.

Hon. H. Hearn: Mr. Justice Jackson never said that. You are simply reading out the the comments of a newspaper.

Hon. C. W. D. BARKER: The heading is "Judge Criticises Unions Advocates."

Hon. H. Hearn: Mr. Justice Jackson never said that in his judgment.

Hon. C. W. D. BARKER: I do not know whether or not we can believe this journal; but I have been told on the authority of several members that it is very reliable.

Hon. H. Hearn: You said you were quoting Mr. Justice Jackson.

Hon. C. W. D. BARKER: I repeat that it says "Judge Criticises Unions Advocates."

Hon. N. E. Baxter: Who said that paper was reliable?

Hon. C. W. D. BARKER: I think the hon. member did.

Hon. N. E. Baxter: No.

Hon. C. W. D. BARKER: At all events that is not the attitude of the worker, who fully realises what all this means. Whenever there has been a rise in the basic wage, it has immediately been thrown back on to the consumer, who has had to carry the burden; and now industry is asking the worker, in effect, to carry the full burden of bringing stability back to our economy, in spite of the fact that there should be some other way of arriving at that result. Is it possible for the worker to carry on without receiving what is due to him?

In this morning's Press, two companies in Perth are reported as having paid record dividends and having experienced record years. Year after year we read where company profits are higher and higher. In spite of that, we do not read of the captains of industry coming forward and admitting that there is 13s. 8d. owing on the basic wage and saying that they are prepared to accept a fair share of the burden. No, they place the whole responsibility on the worker.

Prices are not controlled and are continually rising, with no attempt made to arrest the upward trend; and the worker is just as appreciative of what is going on as industry is. We realise that if the cost of production goes up, it will be more difficult to sell our products on the world markets, and that eventually they will be squeezed out. Everyone realises that. But again I ask: Why should the worker have to carry the whole burden, and why should not industry be prepared to carry its share?

It is all very well for the captains of industry to sit back and say that they cannot afford to pay, and that it would crucify them if they had to. But do they realise that they are now crucifying the worker and are taking from him 13s. 8d. per week, together, I believe, with another 6s. odd that has not been mentioned during this debate? This means that altogether the basic wage is £1 lower than it should be.

Hon. H. Hearn: Do you think this State can afford to pay 30s. per week above the Federal wage?

Hon. C. W. D. BARKER: If the captains of industry were prepared to share the burden, I think they could easily do so; but they are not prepared to do that, and so the worker has to pay. Everyone must realise that there must be a finishing point somewhere; but this is not the way to reach it—

Hon. J. McI. Thomson: How do you want the captains of industry to come forward?

Hon. A. R. Jones: How many workers receive the basic wage?

Hon. C. W. D. BARKER: If they receive more, they work overtime to get it.

Hon. H. Hearn: That is entirely wrong.

Hon. C. W. D. BARKER: I have seen no employer throwing around anything in excess of the basic wage unless overtime is worked.

Hon. N. E. Baxter: How about the bricklayers?

The PRESIDENT: Order!

Hon. C. W. D. BARKER: I repeat that industry should carry some part of the burden.

Hon. J. McI. Thomson: How?

Hon. C. W. D. BARKER: By taking less profit. In court the workers have to come forward and prove—

Hon. H. Hearn: They did not attempt to do it.

Hon. C. W. D. BARKER: —that the amount asked for is warranted, according to the cost of living; but when the captains of industry say that they cannot afford to pay it, they are not asked to prove that statement. Their word is accepted; and yet the workers' advocate has to prove his case step by step to show that the increase is justified; and, when he has finished, the judge simply says that industry cannot carry the burden.

Hon. H. Hearn: But the workers did not attempt to prove it.

Hon. C. W. D. BARKER: I say that industry can carry the burden; and the company reports day by day prove it, with their record dividends and income. It is obvious that we are faced with an attempt to make the worker carry the full burden of bringing stability back to our industry.

Hon. A. F. Griffith: Do you believe in arbitration?

Hon. C. W. D. BARKER: Yes.

Hon. H. Hearn: You have just had it.

Hon. C. W. D. BARKER: When it is put in the power of one man to dictate and tell us whether it is economically possible to raise the basic wage, or not, that is wrong. The judge's job is to decide whether or not a rise in the wage is justified. If the cost of living has risen, I maintain it is the job of the court to grant a rise.

Hon. H. Hearn: You have never read the Arbitration Act.

Hon. C. W. D. BARKER: In these circumstances, it is the judge's job to grant a rise. The question of whether the country can stand it has nothing to do with him.

Hon. C. H. Henning: You believe in arbitration when it suits you.

Hon. C. W. D. BARKER: I do believe in it, as the hon. member knows. I am simply asking for a fair deal for the worker. If the captains of industry would come forward and say, "We will carry some of the burden, and the workers can carry some," that would be fair, and everyone would agree; but to say that industry cannot carry the burden is so much rot. I support the Bill.

HON. N. E. BAXTER (Central) [7.57]: I have listened with interest to Mr. Barker, who, unfortunately, has been right off the beam. If agreed to, this Bill would be an absolute direction to the Arbitration Court of Western Australia to adjust the basic wage automatically, in accordance with the findings of the Government Statistician; and in those circumstances we might as well do away with the court, and leave it to the Government Statistician to fix the basic wage for this State.

Hon. F. R. H. Lavery: Has not that been so in years past ?

Hon. N. E. BAXTER: No; and it could not be so under our Industrial Arbitration Act.

Hon. Sir Charles Latham: What about the prosperity loading?

Hon. F. R. H. Lavery: That was done by the Arbitration Court.

The PRESIDENT: Order!

Hon. N. E. BAXTER: The basic wage has been adjusted automatically throughout the years since the establishment of the Arbitration Court in this State. The court has taken all factors into consideration, and even provided for the prosperity loading. If it had been left to the Government Statistician, as this Bill more or less proposes, there would have been no prosperity loading, and the workers of Western Australia would have had to rely on the Government Statistician's "C" series index figures of the cost of living. That is something that Government supporters forget. A further point is that since price control was lifted in this State the business people of our community have kept faith with the public.

The Minister for the North-West: The index figures do not support that.

Hon. N. E. BAXTER: It is a fact. If members examine the findings of the court on the "C" series index figures, they will see that since the basic wage was last adjusted, some 12 months ago, the main rises have occurred in rent and meat, and it is debatable whether the price of meat has risen in line with the figures submitted to the court.

Hon. F. R. H. Lavery: If you were on the paying end you would know.

Hon. N. E. BAXTER: I am paying, and I know what has happened over the last three years.

Hon. F. R. H. Lavery: You have a look.

The PRESIDENT: Order!

Hon. N. E. BAXTER: And I have an idea of what has actually happened over the last three years under price fixing; that is, up to the end of last year. In the

business with which I am connected, the basic wage has risen £2 10s.; that is, up to about September of last year. However, any charges made for board and lodging have risen by only 2s. 3d. If that is supposed to be an adjustment of the basic wage, I want to find something that is equitable.

The Minister for the North-West: There is nothing to stop you charging more.

Hon. N. E. BAXTER: That is the trouble. Price fixing did not allow us to do that in this State. When reference is made to the workers carrying the burden, I can assure Government supporters in this House that industry has carried the burden, under price fixing, ever since it was enforced in this State.

The Minister for the North-West: And it has grown fat on it!

Hon. N. E. BAXTER: And it is prepared to carry the burden today by not increasing prices which should have been increased when price fixing was enforced.

Hon. E. M. Davies: Some people in industry made more profit under price fixing than they ever did before.

Hon. N. E. BAXTER: With regard to the figures which show that rents in this State have increased by 10s. a week, I would like to point out that those figures were supplied to the Government Statistician by land agents, and they do not give a correct estimate. They were assessed by land agents on certain properties, and during a period when there was a certain degree of chaos regarding rents and tenancies. However, as far as its being an indication of the average rise in rents is concerned, I think the estimate is well and truly off the beam.

The Minister for the North-West: Yes; it is about 200 per cent. below.

Hon. H. Hearn: You are speaking of Hooper-st.

Hon. N. E. BAXTER: No consideration has been given to the percentage of basic-wage earners that are not paying rent; nor has a census been taken to show to what extent rents have been increased. I will admit, however, that there has been a fair increase in the price of meat.

The Minister for the North-West: A fair one or an unfair one?

Hon. N. E. BAXTER: I would say a fairly big rise. Nevertheless, there are certain factors which have caused that. One factor is seasonal conditions. If we compare meat prices today with those ruling last year, it will be found that there is not a great increase. When more fat stock becomes available, there will be a decrease in the price of meat. In view of the season that has been experienced this year, a shortage of fat stock in the market must be expected.

Hon. L. C. Diver: Price control will not fatten them.

Hon. N. E. BAXTER: No; it will not. Control of meat prices was tried once before in this State, and it was found to be entirely hopeless. An overall control could not be exercised from the selling of the meat on the hoof right through to the sale of meat to the consumer, and that is how the control fell down. One member referred to the number of stock that have been withdrawn from sale recently. The reason for the withdrawal of stock during one week was that the abattoir workers were on strike; and in the following week a large number of stock were withdrawn because they were store stock and buyers could not accommodate them. It is of no use having store stock for sale if there are no buyers.

Hon. F. R. H. Lavery: You want to be sure of your facts on that point, too.

Hon. N. E. BAXTER: I want to deal with the attitude adopted towards this question as a whole. The Government, through the employees' representative, tried to persuade the Arbitration Court to adjust the basic wage according to the "C" series index. Now, through the medium of this Bill, it is attempting to wreck the Arbitration Court. If passed, the measure would cost the Government another £1,000,000, and probably nearly £2,000,000 in wages; and it would cost private enterprise £3,000,000 or £4,000,000.

In contrast to that attitude, I will quote a Press report, dated the 27th August, of a statement recently made by the Minister for Works, Hon. J. T. Tonkin. It reads—

> Lack of Money Curtails State Projects.
>
> Because of lack of finance, the State Government has had to "jettison" a number of public projects in various parts of Western Australia.
>
> The Minister for Works (Mr. Tonkin) said this in Perth yesterday.
>
> He was speaking to a deputation from the Bassendean Road Board which was seeking aid towards two drainage projects in its area.
>
> Mr. Tonkin said that the Government regretted having had to "wipe" certain projects off the list.
>
> It was "scratching hard" to see what items could be retained. It was regrettable that the proposed No. 2 land-backed harbour berth at Albany could not be proceeded with at present.

The report continues, but I do not intend to read all of it. I ask Government supporters in this House: How can they reconcile the Government's attempting to force an increased wages bill on itself with a statement made by one of its Ministers, who tells the people of Western Australia

that the Government has not enough money, and is forced to curtail its projects?

Hon. H. Hearn: They never attempted to justify it.

Hon. N. E. BAXTER: There is no justification for it at all. The Government wants to increase its wages bill on the one hand, and to curtail its public works programme on the other. Nobody is asking the worker to be put to any expense on account of public works, because Government supporters know that the worker is still being paid a margin over and above the basic wage.

Hon. E. M. Davies: How much?

Hon. N. E. BAXTER: If anyone in this State ever held the public of Western Australia to ransom, it is the worker in the building trade.

Hon. E. M. Davies: The contractors, you mean.

Hon. N. E. BAXTER: No, not the contractors; the tradesmen. I can cite quite a few cases to the hon. member.

Hon. F. R. H. Lavery: What about the rise and fall clause?

Hon. J. McI. Thomson: Who was responsible for the rise and fall?

Hon. N. E. BAXTER: Yes; who was responsible for the rise and fall? Bricklayers are getting £25 and £30 a week and not laying the same number of bricks as they laid some years ago when they were being paid only £5 or £6 a week. And not only bricklayers, but also plasterers, plumbers, and other tradesmen.

Hon. F. R. H. Lavery: And they are working 48 and 50 hours a week for it.

Hon. N. E. BAXTER: No; they are working only about 32 hours a week.

The Minister for the North-West: Does not that occur in every profession and trade? They all go for the most.

Hon. N. E. BAXTER: It does not always happen. It is done because they know tradesmen are scarce. With my own eyes I have seen it occur in the business in which I am engaged. Yet the workers expect to get the benefit of any increase in the basic wage today when, in fact, they have been earning double the basic wage for some years. However, members on the other side of the House will still turn round and ask us: "Do you expect the worker to bear the burden?"

The Chief Secretary: We do not turn round; we say it straight to your face.

Hon. N. E. BAXTER: Industry is still bearing the burden. Prices have not yet caught up with wages.

Hon. H. Hearn: That is true, too. What the hon. member says is correct.

Hon. N. E. BAXTER: Prices have not caught up with wages.

Hon. H. Hearn: If members will study that statement, they must come to the conclusion that it is correct.

Hon. N. E. BAXTER: When members realise that fact, they will know what a farce this Bill is. I oppose the second reading.

HON. R. F. HUTCHISON (Suburban) [8.10]: I have listened with interest to the debate on this question. It is the attitude as a whole that makes me wonder. I have heard some members refer to what they think the worker is entitled to. I would like some member to tell me why the worker is not entitled to an increase in the basic wage. Basic wage increases were granted for many years, and no fault was found with the system; but now, in this Chamber, we have the spectacle of members trying to deny all protection to the worker—

The PRESIDENT: Order! The hon. member must not cast a reflection on the vote of members in this House.

Hon. R. F. HUTCHISON: Very well, Mr. President. In this State the basic wage fluctuates with the cost of living. If it is considered fair to lower the basic wage when the cost of living drops, I want to know why the Arbitration Court is justified by adopting its present attitude—

Hon. H. Hearn: There is such a thing as the capacity of industry to pay.

Hon. R. F. HUTCHISON: We have heard a similar cry over the centuries. When child labour was abolished in England, the cry was heard that it was better to have child labour than to have the workers go cold for the want of coal. However, when child labour was abolished, the workers still got their fires; their standard of living was raised; and the children received a better education.

We have made progress. But we still hear the worker challenged for having a good basic wage. Why should he not have a good basic wage and his rightful place in the sun? We are pledged to stand for good working conditions for the worker. The Opposition will endeavour to slow up our efforts in this direction as much as possible.

At present there is no excuse for the attitude of the Arbitration Court regarding this question. If prices in this State have risen, the burden is falling on the workers' shoulders. In all the reports by companies and the balance sheets that have been published in the Press, I have failed to see where profits have decreased. In fact, they are increasing every year. Today, the price of meat is scandalous. Two weeks ago I entered a shop in Hay-st. and bought a pound of steak. I paid 4s. for it. The next morning I went into

a suburban shop and it cost me 5s. for a pound of the same sort of steak. If that is not exploiting the worker, I do not know what is.

I am wondering what the workers have to go short of as a result of their being denied an increase of 19s. 11d. in the basic wage. This means quite a lot to the workers and their families, and I do not see why the individual worker should be called upon to suffer. I think it would be a fair thing for the increased cost of living to be spread among all sections of industry. It would be found that industry could well afford to pay an increase in the basic wage. The court has no jurisdiction whatsoever if the worker continues to do less and less.

Hon. A. R. Jones: Do less and less?

Hon. R. F. HUTCHISON: I mean get less and less. Of all the people in the world, it is the worker who has the lowest standard of living; and he achieves better standards only by a slow process.

We want to see enough in the pocket of the worker to allow for the proper education of his family. There is not the proper education at the moment for the objective we hope to achieve so that the worker can enjoy in the not-too-distant future a higher standard. I would like to see a different conception of the standard of the worker. I have heard the figures of the statistician; and we have been blinded with science. The figures supplied by Mr. Simpson made my head reel, because I could not get any sense out of them. Those figures are not real. It is all very well to get up and talk on figures; but it is another matter to try to live on them. When we get down to the basic facts and find money will not go round, then we realise that the value of our money is falling. All the arguments on paper will not prove otherwise.

The basic wage in this State should be increased, and should be linked with the quarterly adjustments. I think that the lot of industrial workers will become worse and worse and ultimately create a social problem. Vindictiveness and all kinds of ugly circumstances arise when people think they are wronged. There is no doubt the workers of this State think they are wronged at the present time. It is not their fault that prices have risen. It is not their fault that they have no protection against increased prices, rents or anything else. They have to pay what is demanded of them. If their wage is not adjusted, they have to do with less and less in their pockets every week. This is where the trial and vindication of quarterly adjustments come in. I do not see any reason why the worker should bear the burden of life, and industry should be able to acquire the huge profits which have been made during and since the war.

Hon. A. R. Jones: Can you name some of the huge profits to support your argument?

Hon. R. F. HUTCHISON: I have not very much else to say on the matter. I want to add my voice to the debate to let the Opposition know that we are alive to the facts. We think the workers in this State are very badly treated. I support the Bill which seeks to permit the rise and fall of the basic wage in accordance with the figures supplied by the statistician.

HON. SIR CHARLES LATHAM (Central) [8.17]: A great deal of argument has been raised over two words. At the present time the Arbitration Act provides that the court "may" fix the basic wage according to the statistician's figures. It is proposed that the court "shall" do this. Personally I have enough confidence in the president of the court to know that he will use his discretion. The discussion tonight takes my mind back to 1932 or 1933 when amendments were made in the Arbitration Act allowing for quarterly adjustments instead of yearly adjustments.

The Chief Secretary: I remember them very well.

Hon. Sir CHARLES LATHAM: The Minister should. If he recalls the speeches made by Labour Party members on that occasion, he will find that they considered it was very wrong to make the adjustments quarterly instead of yearly. They said it would be a tragedy. The argument was entirely in reverse at that time. I admit that things were very bad then; but conditions have changed considerably since.

The Chief Secretary: Things are going the other way now.

Hon. Sir CHARLES LATHAM: Yes. Unfortunately, during the past ten years they have been going the other way to such an extent that the value of money has changed terrifically. People who worked hard and saved found that their money was one quarter of its former value. No one in this House wants the value of the pound in his pocket to be worth much less in a year, or in five years' time.

The Minister for the North-West: Will it ever be possible to prevent that?

Hon. Sir CHARLES LATHAM: It will not be if we gerrymander, if I may be permitted to use the word, with the basic wage.

The Minister for the North-West: It will not be possible under any circumstances.

Hon. Sir CHARLES LATHAM: I have lived longer than the Minister. I cannot forget the time when a sovereign was a sovereign, and every pound note in circulation was backed up by a gold coin.

Now we back up the pound note with our labour. So long as labour will back the money it is paid for conscientious work, the position will be all right. I have been watching events pretty closely and I know that today we are not getting the value for the hours worked as was the case in the past. No one can dispute that. We have today a currency which has depreciated very greatly in comparison with former times. I refer to the savings of workers in the savings banks. They receive a day to day interest for the money which they set aside. Unfortunately during the last few years in which they have drawn their money out, they have found that the purchasing power has fallen to as low as 25 per cent. of its value 12 years ago.

When members refer to the poor workers in Western Australia, I do not believe the sincerity of their statements. I know the workers here just as well as they do. I have not had a silver spoon in my mouth all the time. I have worked with them side by side, and I know them. On the whole, the workers of Western Australia and of Australia are far better off now than they were in years gone by. I want to help them to achieve better standards. I want them to feel that they have an interest in this country.

Here they are able to buy their own homes. I give credit to the Labour Government of 1911 which set up the system of workers' homes in this State. I remember a good Labour Party leader in those days saying to me: "The biggest mistake we made was to provide homes for the workers. When we did that we made them landlords, and they have changed their politics."

Hon. E. M. Davies: The policy of the Labour Party has not altered.

Hon. Sir CHARLES LATHAM: To a certain extent the statement is true; but nevertheless, I am anxious to see workers owning their homes. However, homes today cost much more than they did; consequently they must have more more money.

The Minister for the North-West: They do not cost more in relation to the value of money.

Hon. Sir CHARLES LATHAM: I think people with commonsense desire the same thing as I do; that is, to see some stability.

The Chief Secretary: You cannot get stability by leaving the word "may" in the Act.

Hon. Sir CHARLES LATHAM: We can. If in the Arbitration Act we had provided that the only adjustments to be paid to the worker should be those supplied by the statistician's figures as to the cost of living, would the workers have received the £1 5s. 6d. prosperity loading? Let us examine what that was. At that time there was an inflated currency.

The Minister for the North-West: But the wage had been pegged for years.

Hon. Sir CHARLES LATHAM: In consequence, the manufacturer handled more money, but it was of less value. It was desired that some of that profit should be distributed to the worker. There was nothing wrong with that principle. Today there is not the same return to the manufacturer. We can examine the balance sheets; but we must not mislead people by asking them to believe the words uttered in this Chamber, or anywhere else —words that are exaggerated. There is not the same profit made today as was made a few years ago.

I wish to point out to members the things which Australia has to face. It has to consider the value of its exportable articles. Ours cannot be a great country if we live within ourselves. When we wish to provide for importation of steel and other imported goods, how can we do so? Not by the labour of the Western Australian workers, but by the goods produced by that labour and exported. Make no mistake: the value of exports is falling. That had nothing to do with the fixation of the basic wage by the Arbitration Court. Wheat has dropped from 19s. 6d. to 14s. a bushel, which is a very substantial reduction. We still have to face up to that fall. The price of wool has dropped by 5 to 7 per cent. I do not know whether this is permanent.

We have to remember that our overseas credits are derived from those exports. Everybody in this State must realise that the imports bear a relation to the value of goods exported. At present there is a cry about the high price of meat. It is true that the value of sheep has risen considerably. That was not because of the meat value, but because of the value of wool. The same thing has been going on for some considerable time. In consequence, I am very fearful that for a little while yet the price of meat will still be dear.

Hon. R. F. Hutchison: I thought you said that prices have not risen; but you admit that meat has gone up.

Hon. Sir CHARLES LATHAM: If the hon. member had waited, I would have told her why the price of meat has gone up. Today there is a surplus of wheat in the world and farmers have to derive some income. They have to pay a high price for everything they purchase, so they are increasing their flocks of sheep to ensure their income. When the demand for labour is greater than the supply, up go the payments, not through the Arbitration Court, but by mutual arrangement between employer and employee. That is what is happening in the case of sheep and cattle. Both are being pastured; and instead of the country growing wheat, oats, and

barley, it is producing wool and meat. We must realise these facts. It all comes back to the argument of stability in industry.

It is no good standing up and painting a picture which is not really true. The workers of this country are very well off. I will not say there are no failures. We find failures in industries, and among distributors, shopkeepers, farmers, and other producers. I do not know that we can fix a standard to enable them to get a balance with those a little more prosperous, or those able to make ends meet.

At this time of the year, during the lambing season, there has always been a rise in the price of meat, and there always will be. In a few months, when shearing is over, the price of meat will come down again. It is certainly not as cheap as it was in my young days, when legs of mutton were sold for 6d., and sides for 1s. 6d. I noticed that in Victoria Park last Saturday morning, at a place where there was a lot of noise, sides of mutton—the meat was called lamb—were being sold for £1.

Hon. E. M. Davies: You could see through the sides, too.

Hon. Sir CHARLES LATHAM: It was not prime meat by any stretch of imagination.

Hon. H. Hearn: Neither was the price.

Hon. Sir CHARLES LATHAM: That is so, because at the moment sheep are bringing up to £4 and £5.

Hon. C. W. D. Barker: People with big families are glad to buy it.

Hon. Sir CHARLES LATHAM: Even people with small families buy it. I know of country people who buy their meat here because they say it is cheaper than in the country.

I would be very sorry if Parliament ever directed the courts of justice—the Arbitration Court or any other—on what they should decide. We have selected our judiciary wisely. I am not talking of political parties, because I do not want to differentiate between them. We had a Labour Administration in this State for a long while, and I find no fault with the appointments to judicial positions that Labour made.

Hon. C. W. D. Barker: Who selected the judges?

Hon. Sir CHARLES LATHAM: I presume that whoever selected them, selected the best possible. The Labour Party selected some; and those men have rendered good service, and are above reproach.

The Chief Secretary: Did not you dictate to the court in 1932, and say that the adjustments should not be every 12 months, but every three months? Was not that dictation?

Hon. Sir CHARLES LATHAM: No. All we said was that we should have the adjustment quarterly, instead of annually; and we, as representatives of the people, had a right to say that, but not to say to the court, "You shall punish a man and give him a year without any option." We leave it to the commonsense of the judge to determine what the sentence shall be. In this instance, we have not laid down by statute how the basic wage shall be determined. We have given the court some latitude.

Hon. H. Hearn: Discretionary power!

Hon. Sir CHARLES LATHAM: There was no fault to be found—even by those people who do not think like members who have spoken in support of the measure—when the £1 5s. 6d. prosperity loading was given. Would members have liked us to bring down a Bill to prevent that being done? What a howl there would have been!

The Chief Secretary: If you thought it was wrong, that is what you should have done.

Hon. Sir CHARLES LATHAM: We did not say it was wrong; but today we, in common with the people generally, including many Labour supporters, are in favour of stability. A Gallup poll the other day showed that a preponderance of workers were in favour of stability. We believe, that in five years' time we should get somewhere so that our pound will be worth its value. I am sorry the Government has introduced the measure.

The Chief Secretary: Do you think the only thing that should be controlled is the worker's wage?

Hon. Sir CHARLES LATHAM: I think we are all controlled. Let us have a little freedom. All the Bill does is to control the President of the Arbitration Court; and I am certainly not going to assist the Government to do that. I want our judges to have the right to determine on their merits the cases that come before them. I believe the recent decision of the Arbitration Court was a sound one from our angle, and that it will ultimately be of great value to the people.

Hon. R. F. Hutchison: Is not the decision that we shall—

Hon. Sir CHARLES LATHAM: Let us abolish the courts if we are to adopt the ideas that the hon. member has brought into this House! Let us have political control; so that, as people change their minds, we can set aside these decisions and make others! Parliament's function is to govern the people and not to determine what shall be done by the courts of justice. It is the same with the police. Are we to interfere with them in deciding what shall be done to maintain the laws of the State? Who is qualified to do that? Is the hon. member qualified to take the place of a judge of the Arbitration Court? I know I am not; and I have many more years of experience than she has had. When she has as many

grey hairs as I have, she will probably begin to realise how little she knows; and that, as the years go by, there is so much to learn and so much to do, and so little that mere talk will pull us through.

On motion by Hon. R. J. Boylen, debate adjourned.

BILL—JURY ACT AMENDMENT.

In Committee.

Resumed from the 24th August. Hon. W. R. Hall in the Chair, the Chief Secretary in charge of the Bill.

Clause 4—Section 5A added (partly considered):

Hon. C. H. SIMPSON: I move an amendment—

> That paragraph (b) in lines 21 to 24, page 2, be struck out and the following inserted in lieu:—
>
> (b) has the same property qualification as a male juror under section five of this Act; and

The effect of my amendment would be to require a lady juror to have the same qualifications as a male juror under Section 5 of the Act, to which I refer members. Section 8 sets out the exemptions. In view of the amendment which provides for a woman to be between the ages of 30 and 60, it would be necessary to slightly amend the present amendment, because Section 5 mentions the ages of 21 to 60. My main object in moving the amendment is to ensure that if women claim the same obligations and rights as men in this regard, they shall be subject to the same qualifications, with the exception that we have agreed to—namely, that they shall be between 30 and 60 years of age, instead of between 21 and 60. There are undesirable features in asking a woman of a tender age to assume what are sometimes unsavoury duties.

The Chief Secretary: Do you say that 21 is a tender age?

Hon. C. H. SIMPSON: In many cases it is.

Hon. E. M. Davies: Do you honestly believe in the property qualification?

Hon. C. H. SIMPSON: As a matter of fact, I would not worry either way; but that is what is stated in Section 5; and if there is to be equality of sexes in this regard, then there is no reason why the property qualification as set out in Section 5 should not apply to female jurors.

Hon. E. M. Davies: You only want certain classes of women to sit on juries.

Hon. C. H. SIMPSON: Not necessarily. The qualifications would be common to all.

Hon. R. F. Hutchison: You do not believe in equality, then.

Hon. C. H. SIMPSON: I have not been in favour of women being called upon to do this duty.

Hon. F. R. H. Lavery: The women justices have done a good job in this State through the years.

Hon. C. H. SIMPSON: If the Committee is prepared to accept this amendment, I propose to move a further amendment to provide that the ages shall be consistent.

The CHAIRMAN: I take it that the hon. member desires to alter this amendment?

Hon. H. K. Watson: Does it require alteration?

The CHAIRMAN: I do not think it does.

Hon. H. K. Watson: It simply refers to the property qualifications.

The CHIEF SECRETARY: I am glad the hon. member did not pursue the idea of altering the amendment, because I think it is clearly set out. But I am rather surprised at the attitude he has taken in regard to this amendment. He was most uncomfortable when he moved it.

Hon. H. Hearn: Now you are assuming.

The CHIEF SECRETARY: No, I am not. Every hon. member will agree with that. One evening the hon. member moves an amendment to increase the age for exemption for women to 30 years, and the next day he comes along and talks about the equality of the sexes. This amendment simply cuts down the number of women who can be selected for jury service. It will affect thousands of them.

Hon. Sir Charles Latham: And they will be truly thankful for it.

The CHIEF SECRETARY: The men would be, too. But they know they have a duty to perform.

Hon. H. K. Watson: But you do not take the same attitude with women.

The CHIEF SECRETARY: The hon. members starts by talking about equality whereas the other evening his amendment provided for the inequality of the sexes. So I say the hon. member was most uncomfortable when he moved the amendment this evening.

Hon. C. H. Simpson: Why?

The CHIEF SECRETARY: If the hon. member was not uncomfortable he has a very elastic conscience.

Hon. C. H. Simpson: That has nothing to do with the logic of the argument put forward.

The CHIEF SECRETARY: What the hon. member could not achieve in the ordinary way by having the Bill defeated on the second reading, he is now endeavouring to do in another way. The first amendment will deprive many thousands of women from being called up

for jury service; and this amendment, which provides for a property qualification, will affect many more thousands.

Hon. C. H. Simpson: Very few.

The CHIEF SECRETARY: Only in the last few years—I should say since the war—have women awakened to the fact that they can become joint tenants of their properties. Prior to that, 99 properties out of 100 were purchased in the names of the husbands.

Hon. C. H. Simpson: There is personal property, too.

The CHIEF SECRETARY: Let the hon. member have a look at the Legislative Council rolls and see the difference in the number of males and females enrolled.

Hon. Sir Charles Latham: That has nothing to do with it.

The CHIEF SECRETARY: Of course it has! Some years ago I quoted the number of females on the Legislative Council rolls; and at that time there were about 30,000 females enrolled as against 120,000 or 130,000 males. I believe that a check on the rolls today would show about the same proportion. These amendments that the hon. member has moved are gradually whittling down the number of females who could be called up for jury service. If this amendment, and the next one, are agreed to we might as well defeat the Bill at the third reading stage, because it will not be worth putting on the statute book.

Hon. N. E. Baxter: How many do you expect will serve in a year?

The CHIEF SECRETARY: I expect them to have the choice of serving if they so desire. If we are to have a jury service, we must have all sections of the community represented. That is the secret of the success of the jury system. If all these amendments are agreed to, only those women who make application will be able to serve on juries. I would not like to be a person in the dock if only those women who wrote in and wanted to be jurors were acting on the jury. It would be impossible to get a cross-section of the community in that way. We have agreed to the principle that women shall serve on juries, and we should let the Bill pass in the form in which it was introduced. I think there are a large number of women in this State who will consider, if the Bill is passed in its present form, that they have a duty to perform because Parliament has said so.

Hon. A. F. Griffith: Will the Chief Secretary agree that a large number of women will not know that they have to serve on juries until they receive summonses?

The CHIEF SECRETARY: The Chief Secretary would be prepared to have placed on the notice, when it went out, a note telling them the exact position.

Hon. A. F. Griffith: You have not answered the question.

The CHAIRMAN: Order! The Chief Secretary must address the Chair.

The CHIEF SECRETARY: Notwithstanding the fact that the women will be told that they can get exemption if they so desire, there will be many who will consider it their duty to serve on juries because Parliament has said that they have a duty to perform. I hope the amendment will be defeated.

Hon. A. F. GRIFFITH: I know it is true that every man is deemed to know the law; but the question I tried to put to the Chief Secretary was this: Does he not agree that if this Bill becomes law there will be thousands of women who will not know anything about jury service, or the fact that they are liable for that service, until they receive the notice?

The Chief Secretary: That is probably right. It would apply to a lot of men, too.

Hon. A. F. GRIFFITH: That is so; but having established that point it proves that there is a degree of weakness in the argument that there is a way out for women who do not want to serve on juries by notifying the sheriff of the Supreme Court.

Hon. C. W. D. Barker: Mr. Chairman. On a point of order, are not we discussing the clause in relation to the property qualifications?

The CHAIRMAN: Yes. Mr. Griffith may proceed.

Hon. A. F. GRIFFITH: I was not aware that I was discussing anything else. I think Mr. Barker is a bit touchy this evening. There will be thousands of women who will not know anything about the legislation and will not know that they are liable to serve on juries until they find themselves in receipt of a summons to serve.

Hon. J. D. TEAHAN: We have accepted the principle that women shall serve on juries; and as women have the right to say whether they shall serve or not, we should pass the measure as it stands. If we agree to this amendment, thousands of women will be able to say, "You passed a law giving women the right to serve on juries, but you nullified the whole business by accepting amendments to provide for property qualifications." Having accepted the principle, let us agree to the rest of it.

The application of property qualifications was an old English custom that went out a long while ago. If a person has property, that does not mean to say that he is intelligent. I have moved among groups of men and women, and I have been surprised at the intelligence displayed

by people who obviously have no property. Men on the road gangs, and others who have a humble station in life, can discuss the affairs of the day in an intelligent fashion; and the same goes for many other men and women. As we have accepted the principle of women serving on juries, let them be the ones to say whether they will serve or not; the wider the reins the better it will be.

If we reduce the reins, we will abolish the jury system. It is still a great system, with all its defects; and it is an important part of British justice. Those who sit on juries should be given the widest possible scope. Would it not be better to pass this measure as it is, without this amendment, and one day remove the property qualification from men? This property qualification does not seem right when viewed in the cold light of today. Would it not be better to remove it from men than impose it on women?

Hon. R. F. HUTCHISON: I heartily agree with Mr. Teahan. If this amendment is passed, those who will be excluded will be the wives and mothers who have had the experience and would be able to judge with fairness. To remove the property qualification from men would be the easy way out. But the amendment would impose a hardship on those women who have accepted the partnership of married life, together with the responsibility of motherhood. Several women have no property qualification and it is hard that they should be excluded, because of it, from playing their part in society. If members agree that the personal property qualification for a man should be £100, then we might be able to consider the man as the property of the woman, which would mean that she would be worth perhaps £150.

Hon. H. Hearn: They would not assess you as high as that.

Hon. R. F. HUTCHISON: It is outrageous to say that women should have the same property qualification as men. Single women with good salaries would have the necessary property qualification, but that would not apply to the wife or the mother. Some people say that married women are not usefully employed, but the qualifications of married women whom this Bill will enfranchise will provide a valuable cross-section of the community. Women could provide the element necessary on a jury in cases of unlawful carnal knowledge, rape, and murder, where a woman is involved. They would understand the motive behind the crime.

The CHAIRMAN: I would ask the hon. member to adhere to the property qualifications.

Hon. R. F. HUTCHISON: A judge once said that he had to admit that he had been helped by women on a jury.

Hon. H. K. Watson: Where was this?

Hon. R. F. HUTCHISON: In India.

Hon. H. K. Watson: Do they have the property qualification there?

Hon. R. F. HUTCHISON: I do not know. I have received a letter from the West Australian National Council of Women asking me to give all my support to the measure.

The CHAIRMAN: Does that deal with the property qualification?

Hon. A. F. Griffith: Read it to us.

Hon. R. F. HUTCHISON: Yes, Mr. Chairman; and I ask members to give the matter serious consideration. If this measure is thrown out, it will have serious repercussions. It is merely by-play to say that women would be shocked if they were called on to sit on juries. They are just as anxious as men to see justice done. I oppose the amendment.

Hon. A. F. GRIFFITH: I am interested in the communication to which Mrs. Hutchison has referred, and I think she should read it to the Committee: it might prove of value to us.

Hon. R. F. HUTCHISON: With your indulgence, Mr. Chairman, I shall do so. As I have said, it is from the West Australian National Council of Women, and it reads as follows:—

> I have been instructed by my Council to write you regarding "Women on Juries" and to urge that by every means in your power you will endeavour to work without ceasing in an effort to equalize qualifying regulations.
>
> We are of the definite opinion that no disparity exists between the sexes regarding mental capacity, logical reasoning and general ability within a given age group of normal men and women and we therefore demand that there shall be no differentiation in the age limit applying to jury service.
>
> This decision was unanimously agreed to by delegates from all organizations represented on this Council and individual Associate Members.
>
> Further it is our determination to work towards this end, using every legitimate avenue until justice be done.
>
> Trusting that we may hope for your sympathy and co-operation.

Hon. G. BENNETTS: I oppose the amendment. I do not believe in the property qualification. One has only to look at my electorate to find that there would not be more than one in every 50 families on the roll.

Hon. H. Hearn: Do not give us that! It is nearly fifty-fifty. You are making a wild guess.

Hon. G. BENNETTS: By altering the age qualification, we have already reduced the number of women who will be able to serve on juries.

Hon. H. Hearn: And your wife is very pleased.

Hon. G. BENNETTS: My wife is over the age, and I am very pleased. We must obtain a good cross-section of women on the jury list, and that will not be done by imposing a property qualification. If we accepted only those who applied to sit on juries, we would find that we would get women who would be out for convictions.

Hon. H. Hearn: What a lofty opinion you have of women!

Hon. E. M. HEENAN: I oppose the amendment. I could have seen some merit in it if we had adhered to the principle of treating women equally with men in the existing Act. I had hoped we would follow that ideal as closely as possible. Having adopted the principle of allowing women to serve on juries, it is a mistake to differentiate between them and men in the matter of ages principally. If the same age had been applied, I could understand the logic of Mr. Simpson's amendment. The property qualification, when all is said and done, does not amount to much these days. There are very few men and women in this community over the age of 21 who cannot declare that they have clear personal property of the value of £150. I think we are wasting a lot of time over something that does not amount to very much. One cannot buy a good wristlet watch for less than £100.

Members: Oh!

Hon. E. M. HEENAN: Well, let members put what value they like on it. But take a wristlet watch, or a wireless, or a wardrobe—

Hon. H. Hearn: They are cheap!

Hon. E. M. HEENAN: The point I am trying to make, in spite of the interjection of my friend, Mr. Hearn, is that I do not think the property qualification counts for very much, although to insert a property qualification is abhorrent to the principles I hold. I think that the property qualification in respect to this Chamber is unwise. The Committee has departed from the principle of equality by fixing a different age for women to serve on juries from that applying to men, and those between the ages of 21 and 30 have been penalised. There are many of 27, 28, and 29 who are pretty wise; but they will not be allowed to serve on juries. Consequently, that differentiation having been made, I do not think a property qualification should apply to women of over 30 who are to serve on juries. Actually, it does not amount to much except that a good deal of confusion will be caused. Forms will have to be filled in and the property held will have to be outlined.

Hon. Sir Charles Latham: There will be no difference compared with what men have to do.

Hon. E. M. HEENAN: But an attempt is now being made to apply a principle to women over 30—

Hon. Sir Charles Latham: We are talking of the difficulties of ascertaining the property qualifications.

Hon. E. M. HEENAN: The amendment says, in effect, that women over 30 must have the same property qualifications as men in order to serve on juries, although we are not going to treat women between the ages of 21 and 30 on the same basis as men of those ages. I consider that as women between 21 and 30 are not allowed to serve on juries, those over 30 should be absolved from the need to have property qualifications. The Chief Secretary and Mr. Bennetts made the all-important point that we desire to preserve the jury system, which is an emblem of the democracy and freedom that we in British countries have enjoyed from time immemorial. We want to keep it as a good system, and do not want to exclude any cross-section at all. If the jury system is to be improved by the inclusion of women on juries, we will exclude many good ones by applying a property qualification.

Hon. Sir Charles Latham: You think the jury system is not perfect?

Hon. E. M. HEENAN: I think it is like this Chamber—it is not perfect.

Hon. H. Hearn: Do not disparage it unduly.

Hon. E. M. HEENAN: I do not think any human institution is perfect. But it is the best system we have been able to evolve.

Hon. G. Bennetts: It is a sort of shandygaff.

Hon. E. M. HEENAN: I think the inclusion of women will improve the system. Do not let us make it more difficult by applying a property qualification.

Hon. C. H. SIMPSON: I am in entire agreement with Mr. Heenan that we are making a lot of ado about nothing. In his usual masterly fashion, the Leader of the House has drawn a number of red herrings across the argument. The requirements of the Legislative Council have nothing to do with this matter. To be able to vote for the Legislative Council, a person must either have leasehold or freehold rights in land. The provision in this instance gives an option of real estate of £50 or personal estate of £150. While there might appear to be a differentiation in principle between the first amendment and this one, actually that is not so in practice. Very few women of 30 would not have £150 personal estate, even if they did not have £50 worth of real estate.

Hon. R. F. Hutchison: Then why do you want to insert this amendment?

Hon. C. H. SIMPSON: The letter which the hon. member read out asks for equality of treatment. I am suggesting that that

equality is provided by the inclusion of this property qualification. But the £150 personal property can consist of furniture, jewellery, or money in the bank; and very few women of 30—particularly those with ideas of getting married—would not have something collected by way of a trousseau or something of that kind. Few women of this age group of the responsible type that we would like to see on juries would not have the required qualifications.

Hon. J. G. HISLOP: If we are looking for equity, we should not agree to this amendment. It is accepted that the male is the one who acquires property, and the female is the one who looks after the home. To a considerable extent, we have reduced the number of women available for jury service. If we reduce it too far, we will have exactly the type of people serving on juries that we do not want. I cannot subscribe to the amendment. There are many women who would not be able to substantiate a claim to £150 worth of personal property. If one is to claim the sox one wears as part of £150 personal property, the point seems to be stretched a little unduly.

Hon. G. Bennetts: Who is going to check the suitcases?

Hon. J. G. HISLOP: I think that the property qualification for a man is desirable. If a man has acquired some property, that is an indication that he has a sense of responsibility. But a woman does not need to have acquired property to have gained a sense of responsibility.

The Chief Secretary: She has responsibilities around her.

Hon. J. G. HISLOP: There must be many married women who have not any property. I oppose the amendment.

Hon. L. C. DIVER: It is amazing the time we have spent on this amendment. After listening to the debate, I am convinced that I must oppose it. I consider that the Government should introduce a Bill to amend the Act by abolishing the property qualification as it applies to men. Otherwise, we shall have the spectacle of inequality between the sexes once more.

Hon. E. M. DAVIES: I oppose the amendment. The function of women in the home is that of home-makers. They are the foundation stone on which the Commonwealth is built; and I feel that a woman has rendered a sufficient service in being a home-maker and the mother of children who will be future citizens. It is wrong in principle to ask such a woman to have property qualifications. Women live in homes in partnership with their husbands and families; and, although a home is not held as personal property by a woman, it is as much hers as her husband's. What qualifications should a woman require other than her experience as a wife, mother and home-maker?

Amendment put and negatived.

Hon. C. H. SIMPSON: I hope that the amendment I am about to move will receive serious consideration. It does not reflect upon the qualifications of women or suggest that they are not eligible to undertake this service. The passing of the second reading indicates that women are now regarded as eligible for jury duty and the age range has been made 30 to 60 years. My amendment would require women who desired to serve to make application. This is similar to the provision in the Acts of New South Wales and Queensland, where women who desire to serve have to apply to the appropriate authority.

Under the measure, all women would be enrolled, but they would be able to contract out if they did not desire to serve. From this, many practical difficulties would flow. There are probably 80,000 or 100,000 women who would automatically come within the scope of the measure. Many of them, for valid reasons, would not be available and many would prefer not to be placed under this obligation. At the same time they would not like to be put to the trouble of contracting out of the obligation.

Many young women would suddenly find themselves liable for a duty which they had no desire to undertake. If we provided for enrolment upon application, the obligation would rest upon the applicant. This would be much more satisfactory in that it would greatly lessen the amount of clerical work. Instead of enrolling every woman automatically and having to deal with many applications for exemption, only a smaller number of applicants would need to be dealt with.

Under an alphabetical jury system, husband and wife might be enrolled for service at the same time, which might create a very awkward position in the home, particularly if they had to serve for two, three or more days. Then there would be the additional disability that, under the contracting out provision, women could appear on the day they were summoned and claim that they had applied for exemption—there is no provision for the acknowledgement of such applications—and they would be released from serving. Sufficient applications might be made to be relieved of the duty and this could leave too few for the number of jurors required.

By adopting the system laid down in the Acts of New South Wales and Queensland, it would be necessary to deal only with those women who were qualified and willing to serve. It has been suggested that we might get the wrong sort of women.

Hon. Sir Charles Latham: Are there any women of the wrong sort?

Hon. C. H. SIMPSON: That has been suggested. Many women might adopt the attitude that, as it was the law of the

country, they should enrol and would undertake the duty simply for that reason. Possibly women's organisations might bring pressure to bear upon eligible women to make application, while others, to ensure that there was a cross section, might themselves apply. We could be sure of getting an adequate number of women and of having those who were willing, competent and able to serve, by leaving it to those who made application rather than by enrolling all women willy-nilly and causing a tremendous amount of clerical work to deal with the many who would not desire to serve. I move an amendment—

That the following paragraph be inserted after line 24, page 2:—

(c) notifies in writing the resident or police magistrate of the district in which she resides that she desires to serve as a juror.

Hon. L. CRAIG: I hope that members will support the amendment or the one on the notice paper in my name, which is to the same effect except that it is framed in conformity with the wording of the Bill. My suggestion was a paragraph as follows:—

(c) gives written notice to the sheriff of her desire to serve as a common juror.

Those who support jury service by women would be well advised to accept this principle; otherwise I do not think the proposal will work in practice. The officials would take the Assembly roll and extract the names of women, and all of them would have to be notified indiscriminately. The officials would then have to wait to hear whether they were within the age range of 30 to 60 years and summon a number from those who would not object to serving. A woman, too, could withdraw at any time up to the day of the sitting.

I think the officials would be inclined to exclude women from the list on account of the uncertainty. I understand that in Queensland ony one woman has served on a jury. Under the amendment, there would be a list of women who had expressed themselves as willing to serve and the court could draw from the list the number required This is the only method by which a list could be drawn on within reasonable time. I see no purpose in having 160,000 people to draw from when any of them may decline to serve. Under the circumstances, I will support this or a similar amendment.

The CHIEF SECRETARY: The amendment proposed by Mr. Craig is more acceptable than that moved by Mr. Simpson, because it is the sheriff who handles the jury, and not the judge. However, I hope the Bill will remain as it is. I would point out to Mr. Craig that women have had to put their age on their electoral roll claims for some years past, and the Electoral Department could be asked to supply a list of those over 30 years of age. The age problem would not be as serious as might at first appear.

Hon. J. G. Hislop: Did you not previously put it forward as a serious problem?

The CHIEF SECRETARY: I said it was more serious at 30 than at 21 years of age.

Hon. J. G. Hislop: Is it no longer serious?

The CHIEF SECRETARY: Yes. I admit it is more awkward at 30 than at 21.

Hon. J. G. Hislop: I asked because you are always so consistent.

The CHIEF SECRETARY: The problem is not as serious as Mr. Craig suggests.

Hon. L. Craig: I have voted to have women on juries.

The CHIEF SECRETARY: And the hon. member is now destroying much of the value of that vote. I doubt whether the amendment moved, or that proposed, would be in order as they are the exact opposite of what is in the Bill.

Hon. C. H. Simpson: No.

The CHIEF SECRETARY: Yes. One would include the women automatically, and the other would provide that they had to write in. The Bill enrols them automatically.

Hon. L. Craig: No other State puts them on the jury automatically.

The CHIEF SECRETARY: We can improve on what the other States have done. It would be no trouble for the woman who did not want to serve to write in and ask to have her name taken off the list. Under the proposals that have been made we would get only the element that particularly wished to serve on juries, and they would not be the type we want.

Hon. Sir Charles Latham: It is unfair to say that there are some undesirable women—

The CHIEF SECRETARY: Do not put words into my mouth.

Hon. F. R. H. Lavery: There is some pretty stage play tonight, Sir Charles.

The CHAIRMAN: Order!

The CHIEF SECRETARY: Many women would serve if the obligation were placed on them, but would not just write in asking to be allowed to serve; because, if they did that, they would become known as sticky-beaks. We have seen reference in the Press to male and female sticky-beaks who are attracted to court cases, and particularly murder trials. If the measure is to work effectively, it must remain as it is in this regard.

Hon. C. W. D. BARKER: I oppose the amendment. Members on the other side of the House have asked how many women would want to serve on juries, and have said we could not produce half a dozen; but now, having agreed that women should serve, they want to make them write in and ask to be placed on juries. As the Chief Secretary said, in that way we would get only the sordid type that follow murder trials. Let women be given equality with men in this regard, and let them accept their responsibility.

Hon. R. F. HUTCHISON: Now that it has been agreed that women should serve on juries, I see no merit in the amendment. Women will be a great help on our juries as they are the ones that raise the families and know human nature. They will make a valuable contribution to our jury system. Let members recall the wonderful work our women justices have done. I think members should agree to the provision in the Bill as it stands; and, if necessary, the legislation can be amended later. We must allow for a certain amount of trial and error in matters such as this; and I do not think we need worry about the cost of the clerical work that might be involved, as so much money is wasted in other ways. I think that members will ultimately be agreeably surprised at the service women will give on juries, as they have a keen sense of justice and, I am sure, will serve in this capacity with dignity and honour. As regards enrolling them, I understand that at present the police recommend names for jury service——

Hon. Sir Charles Latham: No; they are taken from a list, in rotation.

Hon. R. F. HUTCHISON: I know that the police do recommend people for jury service. We should not necessarily follow what has been done in the other States, so why not make this measure a decent one and avoid distinctions of the kind proposed?

Hon. Sir CHARLES LATHAM: I support the amendment. I marvel at how some male members can progress in their ideas in so short a period. I listened to Mr. Heenan speak on the subject both this year and last year. How quickly he has become enlightened! Some members do not seem to understand what the duties of a jury are. The work of jurors—men or women—is to decide what the verdict shall be, on the evidence submitted, irrespective of aything else.

Hon. F. R. H. Lavery: That has nothing to do with the Bill at the moment.

Hon. Sir CHARLES LATHAM: It has a great deal to do with it. We do not require on juries highly educated people trained in some particular direction. I was surprised at the suggestion that there was a type of women that would be anxious to serve on juries.

Hon. C. W. D. Barker: You know it is true.

Hon. Sir CHARLES LATHAM: I do not know who they would be. Would they be the unsophisticated or the morbid type of women?

Hon. C. W. D. Barker: Ah, well! You are such a boy!

The CHAIRMAN: Order!

Hon. Sir CHARLES LATHAM: I am glad of your admonition, Mr. Chairman. I hate such insults. I think that members have changed their opinions during the last 12 months.

Hon. H. Hearn: Had it changed for them, you mean.

Hon. Sir CHARLES LATHAM: Of course, they have been dictated to. They have been told. They have been instructed.

Hon. F. R. H. Lavery: By whom?

Hon. Sir CHARLES LATHAM: By the Labour women's organisations, in the hon. member's case. Members know my opinion. I do not think that jury service is suitable work for women. Are we to send women out to do road work as is done in Russia and other places?

Hon. F. R. H. Lavery: Why not keep to the Bill?

Hon. Sir CHARLES LATHAM: The hon. member is highly disorderly.

The CHAIRMAN: I ask the hon. member to confine his remarks to the amendment.

Hon. Sir CHARLES LATHAM: Where are we going to stop in these matters? Are we going to be a press gang? We are going to make every woman over 30, until she reaches 60 years of age, serve on a jury. Is that the matter before the Chair, Mr. Chairman?

The CHAIRMAN: The question before the Chair is very definite. It applies to women jurors.

Hon. Sir CHARLES LATHAM: We are compelling these women to have their names put on a jury list, which many of them will not want. They will be forced to write in stating their objections; but many of them will know nothing whatsoever of the procedure they must go through. The women in the organisation that supports this Bill has a very small following.

Hon. R. F. Hutchison: That is not true.

Hon. Sir CHARLES LATHAM: It is true. If it had been the Country Women's Association I would agree; but that association is not backing this measure. It is merely a group of small-minded women who are pressing to have their names placed on the jury list.

The Chief Secretary: We are not pressing them.

Hon. Sir CHARLES LATHAM: The Chief Secretary is. The Bill in effect says, "Parliament says you are to do it."

The Chief Secretary: If they do not want to serve they can write in.

Hon. Sir CHARLES LATHAM: The Chief Secretary is pressing them to have their names placed on the jury list. I intend to relieve them of that obligation. I intend to amend the Bill by saying, in effect, "If you consider this service to be commendable and you desire to serve you can make an application in writing." Of course, the hon. members opposite will then cry, "Then you will get the wrong type of women"; but I do not think that we will.

The Chief Secretary: Just now you said that we would.

Hon. Sir CHARLES LATHAM: The Chief Secretary misunderstood me. It is not a question of whether they have ideas in one direction or another. Women are quite as capable of sifting evidence as are men. The women are not getting my support to allow them to do something which would be most distasteful to most of their sex in this State.

Hon. R. F. Hutchison: It is a civic principle and right.

Hon. Sir CHARLES LATHAM: The Lord help me if that is their idea! I would not like the hon. member to be determining my fate in a court.

Hon. R. F. Hutchison: I would not like to be, either.

Hon. Sir CHARLES LATHAM: That makes me more bitter than ever, because I have heard enough of the hon. member in this Chamber. Whether the word "sheriff" is right or wrong is immaterial, because that can be adjusted. I support the amendment. I hope that members will act as they did last year, and not allow themselves to be intimidated by outside influences.

Hon. E. M. HEENAN: I do not think Sir Charles can take too much credit for influencing me in making the remarks I now intend to make. I am going to record my vote in Committee in a different fashion from that I adopted when the Bill was first brought before us. I was anxious, in the first instance, that the principle of equality should permeate the whole Bill: that is, that women of the same age, liabilities, and qualifications as men should serve on juries. I will support the amendment mainly because of the reasons that the mover outlined. I will accept his estimate that there are 10,000 women in this State over the age of 30 years.

Hon. L. Craig: It would be more than that: it would be over 110,000.

Hon. E. M. HEENAN: I will not quote any figure; but there are a great number of women in this State over the age of 30. It will create a practical problem for the authorities if all those women are automatically entitled to have their names placed on the jury list and if they may be removed on objection being lodged. The result will be that the authorities will have an enormous number of women's names enrolled, and they will have to be called in turn for jury service. If that position pertained it could quite easily mean that there would be a majority of women jurors.

Hon. Sir Charles Latham: There is only a slight difference between the number of women and the number of men in this State.

Hon. E. M. HEENAN: Women will be careless about writing in to have their names taken off the jury list; and at the last minute, as Mr. Craig pointed out, the authorities will have a flood of letters from women expressing their objection to serving on a jury, and a good deal of chaos will result.

Hon. L. Craig: It would be unworkable.

Hon. E. M. HEENAN: There is a good deal of logic in that statement. At any rate, that is how the position impresses me. I think that all women, between the ages of 21 and 60, should be liable to serve in the same way as men. However, we have departed from that principle; and, as a result, the principle of equality has gone overboard. Therefore, I have come to the conclusion that I must do my best to make the Bill workable; and, in that respect, I do not think we can make any mistake by taking note of what has occurred in Queensland and New South Wales. So far as the Bill has gone, we have established the right of a certain age group of women to serve on juries, and that in itself is an accomplishment. I agree with Mr. Barker that some of the women who are anxious to have their names placed on the jury list will be of the busybody type.

Hon. C. W. D. Barker: Why cannot the principle work with women aged from 30 to 60 years in the same way as it would with those between 21 and 60?

Hon. E. M. HEENAN: For a start, I am not too anxious that a great many women should serve on juries. However, as time goes on, there is no reason why the number of women serving should not be equal to the number of men. They have equal ability, responsibility, and outlook. In view of the fact that the Bill has departed from the principles that I adhere to, I feel that I must err on the safe side and help the authorities out by making the Bill more practicable and workable. I do not agree with the word "desire" in the proposed amendment. If a woman indicated her desire to serve on a jury, that would bring in the type referred to by Mr. Barker. My main reason for voting for the amendment is to make the provision workable.

Hon. C. H. SIMPSON: The amendment is substantially the same as one appearing later in the name of Mr. Craig. They differ very little. My amendment was prepared by Mr. Abbott. He explained that the term "sheriff" is commonly used in this Act, which is a very old one. The expression in my amendment is "resident or police magistrate," and the term in Mr. Craig's amendment is "sheriff." The use of my term would indicate to a woman the person in her district to whom she could apply for exemption. Usually the police or resident magistrate of a district is well known. But the expression "sheriff" may convey some officer in Perth to whom a woman must apply. I leave it to the Committee to accept whichever expression it desires.

The CHIEF SECRETARY: Here is another instance where lawyers differ. Mr. Abbott drew up the amendment of Mr. Simpson. I submitted both amendments on the notice paper to the Crown Law Department, and was advised that if any one is to be accepted, that appearing in Mr. Craig's name is preferable, because the sheriff will be doing the job. I cannot let this occasion go without reminding Sir Charles Latham that he is just as wrong today as in all his speeches in saying that the Labour Party applies pressure to its members. That was demonstrated by Mr. Heenan this evening when he spoke in favour of Mr. Simpson's amendment. Sir Charles is wrong, as he was on many other occasions.

Hon. J. G. HISLOP: The debate has shown the futility of the whole Bill. In his desire to assist, Mr. Craig seeks to move an amendment which will virtually mean that a limited type of woman will apply. One can divide such women into two groups—one, the militant female, who will bring more of the masculine than the feminine mind to bear on juries; and the other, who thinks it is her duty to apply under the so-called civic rights. To follow this to its logical conclusion, a lawyer faced with a difficult case would bar every woman on the jury empanelled, because she would not be the type looked for on juries. What will result here is what has happened elsewhere. There will be few or no women on juries in Western Australia. As Mr. Heenan said, very few women will write in for exemption, so there will be a jury unbalanced in regard to sexes. It would appear that whatever action we take, we would end up by doing something quite absurd. If we allow the position whereby women must write in and state their disinclination to serve, then Section 8 of the Act must be completely remodelled.

Section 8 contains a list of people who are exempted from service on juries. What has been overlooked in the Bill is that there are occupations for women which would have to be included in that section. For instance, if a matron of a small hospital were called up, not knowing that she had the right to claim exemption, the work of the hospital could be badly impaired. Nurses and qualified staff of hospitals should be automatically exempted. If the amendment is lost, I shall ask the Chief Secretary to request the Crown Law Department to consider Section 8 with the object of including other people in essential occupations who should be automatically exempted.

Hon. R. F. HUTCHISON: I think we are creating a lot of hurdles unnecessarily. Undoubtedly, there are essential services in which women are employed, but it would be sensible to pass the Bill in its present form and meet those difficulties later. In my opinion, the Bill contains the only fair and equitable method of meeting requirements. The more we insert in the measure, the greater will be the difficulties later on. Obviously, there are women in occupations who could not reasonably be summoned for service on juries.

Hon. G. BENNETTS: I support the amendment, thus showing that the gag has not been applied to me. I support it for one reason. To arrive at age groups as the Bill would require would entail tremendous work and expense. Every year, the enrolment cards would have to be dealt with and women would have to be notified. I do not altogether like the amendment because we might not get as good jurors amongst the women on account of there being a certain class who would be desirous of serving. It has been brought under my notice within the last few days that there is real fear of women being enrolled as jurors and of their failing to apply for exemption.

Hon. H. K. WATSON: I oppose the amendment and will oppose the clause. A lot of nonsense has been talked about equality, but the amendment does not provide equality any more than the clause does. If the clause provided for equality and put women on precisely the same footing as men, with the age range of 21 to 60 years, the same property qualifications and compulsory service, as in England, it would be a different matter. In England the age is from 21 to 60, the property qualification is the same and they are all compellable. The only women expressly exempted are those serving in a religious order. Of course, women can apply for exemption on account of the undesirable nature of the case or because of some feminine complaint, but apart from that they are all compellable the same as men. If we are to have women on juries they should not wade or paddle into the question, but should dive into it either head first or feet first.

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

Ayes	14
Noes	12
Majority for	2

Ayes.

Hon. G. Bennetts	Hon. J. G. Hislop
Hon. L. Craig	Hon. Sir Chas. Latham
Hon. L. C. Diver	Hon. J. Murray
Hon. Sir Frank Gibson	Hon. H. L. Roche
Hon. H. Hearn	Hon. C. H. Simpson
Hon. E. M. Heenan	Hon. J. McI. Thomson
Hon. C. H. Henning	Hon. N. E. Baxter (*Teller.*)

Noes.

Hon. C. W. D. Barker	Hon. F. R. H. Lavery
Hon. R. J. Boylen	Hon. H. C. Strickland
Hon. E. M. Davies	Hon. J. D. Teahan
Hon. G. Fraser	Hon. H. K. Watson
Hon. R. F. Hutchison	Hon. W. F. Willesee
Hon. A. R. Jones	Hon. A. F. Griffith (*Teller.*)

Pair.

Aye.	No.
Hon. L. A. Logan	Hon. J. J. Garrigan

Amendment thus passed.

The CHAIRMAN: As a new paragraph has been added, it will be necessary for the word "and" in line 20 to be transferred to the end of line 24. I request that the Clerk be given permission to do that.

Permission granted.

Hon. H. K. WATSON: I hope the Committee will vote against the clause. It is a straightout shandygaff clause, being neither fish, flesh nor good red herring. We should vote against it and allow the Chief Secretary to consider the Bill and bring down something like a workable measure. If women are to serve on juries they should be compellable and have the same qualifications as men.

The CHIEF SECRETARY: I am not very enthusiastic about the Bill myself, now, but I cannot agree to Mr. Watson's suggestion.

Hon. J. G. Hislop: What about voting against the third reading?

The CHIEF SECRETARY: No, because I have to save the remnants if I can. It would not be sensible to take this out.

Hon. Sir Charles Latham: It would kill the Bill.

The CHIEF SECRETARY: If the clause were deleted, the Bill would be so stupid that members would not like it to go on the statute book. Mr. Watson suggests that I put the bits and pieces together and make something comparable to what applies to men. What chance would I have with that? I have had no chance with this.

Clause, as amended, put and passed.

Clauses 5 to 9—agreed to.

Clause 10—Section 20b repealed and re-enacted:

The CHIEF SECRETARY: I move an amendment—

That the word "empanelled" in line 23, page 4, be struck out and the words "sworn as a juror on the trial" inserted in lieu.

This will improve the Bill.

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

Title—agreed to.

Bill reported with amendments.

BILL—WAREHOUSEMEN'S LIENS ACT AMENDMENT.

Assembly' Message.

Message from the Assembly received and read, notifying that it had agreed to the amendment made by the Council.

House adjourned at 10.42 p.m.

Legislative Assembly

Tuesday, 7th September, 1954.

CONTENTS.

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