

said enough about the fishing industry to make the position perfectly clear.

I have endeavoured in the past to demonstrate that by our negligence we are destroying a heritage which belongs to people other than ourselves. It belongs to the coming generations. The sooner we control the whole of this industry the better it will be for our stomachs and for the stomachs of future generations. The way of control is not to put up a lot of "hooley" about allowing one gallon of petrol for a hundred pounds of fish, and providing that if a man in Safety Bay runs out of petrol tickets he must go all the way to Fremantle to find an inspector who is seldom there. I make that statement without fear of contradiction, because I have twice been to Fremantle on behalf of somebody else and found nobody there at all. The office is in a tiny building in Cliff-street so closely barred that it would take a man cleverer than Gunga Din to get petrol out of it. That completes all I have to say on the Estimates generally. I will leave my other remarks until the departmental votes are discussed.

Progress reported.

*House adjourned at 10.6 p.m.*

## Legislative Council.

*Wednesday, 18th October, 1944.*

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

### QUESTIONS (4).

#### INDECENT ADVERTISEMENT.

##### *As to Suppression.*

Hon. L. B. BOLTON asked the Chief Secretary:

(i) Has the attention of the Minister for Police been drawn to a definitely indecent

card now in circulation advertising a somewhat notorious place of entertainment in Mounts Bay Road?

(ii) If so, what action, if any, has been taken?

(iii) If not, will he institute enquiries to be made with a view to suppressing same?

The CHIEF SECRETARY replied:

(i) Yes—to-day.

(ii) Matter has been investigated.

(iii) Consideration is being given to further action.

#### REPRINTED STATUTES.

##### *As to Distribution of Second Volume.*

Hon. H. SEDDON asked the Chief Secretary:

Will the Government make available to members a free copy of the second volume of reprinted statutes (issued in 1943) as they did with regard to volume 1?

The CHIEF SECRETARY replied: Yes.

#### HOSPITALS.

##### *As to Tabling Reports.*

Hon. J. G. HISLOP asked the Chief Secretary:

Will the Chief Secretary lay on the Table of the House the following papers:—

(i) The reports submitted by Miss Bottle of the hospitals she inspected which are managed or supervised by the department;

(ii) The reports submitted by Miss Lockwood of the country hospitals used as nursing training schools?

The CHIEF SECRETARY replied: Yes.

#### HEALTH.

##### *As to Report on North-West.*

Hon. C. R. CORNISH asked the Chief Secretary:

Will he place on the Table of the House the report of Inspector Sutton dealing with health matters in the North-West?

The CHIEF SECRETARY replied: Yes.

#### BILL—SHEARERS' ACCOMMODATION ACT AMENDMENT.

Read a third time and returned to the Assembly with amendments.

# **BILL—NURSES REGISTRATION ACT AMENDMENT.**

## *Recommittal.*

On motion by Hon. J. G. Hislop, Bill re-committed for the further consideration of Clauses 1 and 12.

## *In Committee.*

Hon. J. Cornell in the Chair; the Honorary Minister in charge of the Bill.

Clause 1—Short title:

Hon. J. G. HISLOP: I move an amendment—

That at the end of the clause the following words be added:—"and shall not come into operation until the thirty-first day of July, one thousand nine hundred and forty-five."

I have moved this amendment because there are certain points I would like to bring to the notice of members insofar as the conduct of the nurses registration board is concerned. I previously emphasised that this Bill is one of regulations, and that they will be more important than the actual clauses of the Bill itself. It is with this idea in mind that I have moved that the measure shall not come into operation until the whole of the regulations have been framed by the new board. When that is done we, as a House of Review, can inspect them. There are times when this House should review a new set of regulations at the onset of their functioning. The only opportunity that I can see for members to do that in this case is to provide that the Bill shall be delayed in its action until such time as we can be certain of meeting again. If I had felt that the whole of the regulations could be drawn up before the end of the session, I would have named an earlier date. I will explain one or two things now happening in regard to the training of nurses to show how important it is that the House should know the regulations under which the nurses are to be trained. The Bill endeavours to join together two factors—one, the registration of nurses, and the other, the training of nurses.

As regards the training of nurses, the board has laid down many regulations as to what shall be done in the way of lectures and of other aspects of training to be carried out, but there is no way indicated in the Act by which the board can police those regulations. It

is amazing to realise that whilst the regulations may lay down the number of lectures to be given to nurses and to define the subject of those lectures, the board has little or no power to say what equipment there shall be in a hospital. In my opinion, the equipment is just as important as is the lecture. It is of no use to lecture to a nurse if she has not the equipment.

I have a letter from a trainee at the Kalgoorlie Hospital in which she points out that the matron is far too busy to give lectures and that there are very few of the trained staff to whom the trainees may look for guidance and who can answer the queries. They complain that in their third year at Kalgoorlie they are unlikely to get any lectures at all and that the whole of the lectures will be crammed into the last few weeks. I spoke to a nurse at Kalgoorlie the other day, and she informed me that towards the end of her training it is quite likely that she will have a lecture every night of the week in order to get the number in, but that in the previous 12 months she had had no lectures at all.

I can see nothing in the Bill or regulations that would empower the board to supervise the training in the hospital. Recently an inspection has been made of the training school, but I understand that the appointee was chosen by the Medical Department and not by the registration board. Going further into the question of training nurses and emphasising why I think that the House should see the regulations, I point out that nurses complain that they get very little guidance as to the text-books they should use for training. An extract from a letter says—

At present we have to secure various text-books which are very much out of date. They are of very little use when following lectures as all treatment has been considerably altered since their inception. This is a difficulty to all trainees, and I was wondering if a modern series of lectures could be compiled to take the place of, say, "Darling's." In the general nursing line we are still recommended to purchase Millicent Ashdown, but there are quite a few better and more modern books now in publication. Of course we can purchase these modern books, but the 30s. expended on Ashdown at the commencement of our career is a waste which we often cannot afford.

Never has the board of examiners laid down the text-books to be used by the nurses in examinations. The registration board has little or no authority over the examiners

because they are appointed by the Government. One would have thought from the wording of the Bill that the Governor would have taken the advice of the board in the appointment of the examiners, but, from what I can learn, the board has never appointed the examiners, and I take it that the Governor acts on the advice of the Minister or the department. So the board which, under this Bill, is given all power over the training of nurses is not allowed to appoint its examiners, and the examiners have never laid down the text-books to be used. Things of this sort are essential in the training of nurses, and I felt justified in asking that the whole of the function of this measure be delayed until such time as the regulations under which the board will act can be laid before the House. When we are satisfied that we have regulations for the training of nurses, we can go ahead.

Let me give one more example. I have just learnt that from 1940 to the present time no lectures have been given to the trainees at the Collie Hospital. Tests were given by the matron but no set series of lectures, so that a nurse who went to Collie for a portion of her training and later to Kalgoorlie must have been primed by someone as having had her correct number of lectures. My object in moving the amendment is to ensure that the House sees the whole of the regulations before the Bill or the board functions. I ask members to take into consideration the remark made by Mr. Seddon. This measure combines two Acts. Now that we have made it clear that we are prepared to pass the Bill, it ought to be withdrawn and the section dealing with midwifery should be withdrawn from the Health Act and included in this Bill. Then we would have one measure under which nurses' regulations were propounded. The clause under which the regulations for midwifery nurses will function is entirely different from that for the general nurses. I suggest, therefore, that either this Bill be allowed to stand over until we see the regulations, or that it be withdrawn so that it may be put in order.

The HONORARY MINISTER: Dr. Hislop has suggested that this legislation should be delayed until the regulations are laid before the House. If that were done and members were not satisfied with the regulations, they would be disallowed and many more months would pass before action

could be taken. The need for this Bill is to include mental nurses, and that must be done this session. I ask the hon. member to withdraw his amendment, because if it is carried we shall have to drop the Bill altogether. My opinion is that the standard of the Kalgoorlie nurses is as high as is the standard of the Perth or Fremantle nurses. I would suggest, as a layman, that the work of the board and the examiners is reflected in the percentage of nurses who pass the examination. It will be the ambition of the Medical Department, the Commissioner of Public Health and everyone connected with hospitals, to ensure that the standard of lectures for nurses is up to date.

The war position, resulting in a shortage of doctors and a shortage of nurses, has made it very difficult to carry on the hospitals, but nevertheless much progress has been made in the Fremantle Hospital with regard to lectures for nurses. The handicaps I have mentioned are surely an effective answer to Dr. Hislop's criticism. I would receive with great caution complaints of training nurses; I would want to probe them to ascertain whether they were correct. We should pass this measure in order to do justice to the mental nurses. To ask Parliament to wait until regulations have been framed before we pass the Bill is, in my opinion, a big mistake.

Hon. J. G. HISLOP: In view of the fact that I am considering the withdrawal of my amendment, will the Minister suggest that the registration board should be empowered to appoint examiners? That would be preferable to the appointment of examiners by persons not under the jurisdiction of the board.

The HONORARY MINISTER: I am glad to learn that Dr. Hislop does not propose to press his amendment. I should imagine that the leading doctors, who are interested in hospital work, would all be brought together for consultation before an examiner was appointed. That position is safeguarded in every way. Were I a member of the board, Dr. Hislop would be the first doctor to whom I would go for advice.

Amendment put and negatived.

Clause put and passed.

Clause 12—Amendment of Part XII of the Health Act, 1911-1942:

Hon. J. G. HISLOP: I move an amendment—

That in lines 2 and 3 of Subsection (3) of proposed new Section 303 the words "attending a lying-in" be struck out and the words "undertaking midwifery nursing of a" inserted in lieu.

I point out that this amendment is supplementary to the amendment made yesterday.

Hon. H. S. W. PARKER: May I ask the Minister the meaning of the definition "midwifery nursing"?

The HONORARY MINISTER: It has a corresponding meaning to the definition "midwifery nurse."

Hon. H. S. W. PARKER: I do not know what the definition means.

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

Bill again reported with a further amendment.

## **BILL—COMPANIES ACT AMENDMENT.**

### *Second Reading.*

HON. E. M. HEENAN (North-East) [4.58] in moving the second reading said: This Bill seeks to repeal Section 108 of the Companies Act, 1903-1938, which section reads as follows:—

No society shall, after the commencement of the Companies Act Amendment Act, 1929, be registered under the Co-operative and Provident Societies Act, 1903, as a co-operative society.

Section 108 was placed in the Companies Act in 1929 up to which time the various consumer co-operative societies registered and traded under the provisions of the 1903 Act. Since 1929 the societies have had to be incorporated under the Companies Act and experience has shown that the procedure is unsuitable to the particular way of conducting their affairs. It is now proposed to revert to the former position, that is, to allow co-operative societies to register under the Co-operative and Provident Societies Act of 1903. The main reason for the present measure is to facilitate the withdrawal of members' capital in deserving cases, such as when members leave their particular districts and can no longer trade with their particular societies.

At the present time the procedure under the Companies Act makes such a course

difficult and too involved. First of all, a purchaser for the shares has to be found, and that is not always easy. To find a purchaser the shares usually have to be sold at a discount and then there is the formality of effecting registration of the transfer. This procedure is not suitable and has had the effect of hampering the efficient conduct of the societies. If this Bill is adopted the net result will be that in cases where members of these societies wish to withdraw their capital the society itself can be the purchaser, and will be able to pay a price in keeping with the real value of the shares. I may mention that the Bill has the full approval of the Co-operative Federation of Western Australia, and its only effect, as far as I can see, will be to further the efficient and smooth-working of what are known as consumer-co-operative societies. I move—

That the Bill be now read a second time.

HON. C. F. BAXTER (East): I second the motion. I do not know why the provisions of the 1903 Act were set aside later on, because co-operation in this State has been so successful, although not as successful as it has been in other countries of the world. It is a line of business that everyone should encourage. At no time have co-operative societies approached the Government for anything. They are self-contained and have always been built up on a voluntary basis. There is no such thing as compulsion associated with them. At one time in Western Australia we had as many as 64 district co-operative branches operating on their own responsibility. Unfortunately they have dwindled down to a much smaller number, although those that remain are operating very successfully and are proving of great value to the districts in which they are carrying on their undertakings. I will not go into details as to why the others failed.

Many reasons can be given for their failure. In a few instances they were not properly managed, and in other cases societies were started in isolated districts where there was not enough business to keep them going. These have all been producer-co-operative societies. Why there have not been more consumer-co-operative societies I do not know, because those already in existence have proved of great advantage to those concerned. There are countries in

Europe where the co-operative effort has been particularly successful, and where the undertakings have proved of wonderful service to the people of the districts in which that effort has been made. Today I received an extract from the "Co-operative News Service" dated the 20th June, 1944, dealing with Co-operation in Canada. This is worth quoting, and reads as follows.—

Two Government committees have recently submitted reports to the House of Commons in which support of the co-operative movement is favourably recommended to Parliament. The Special Committee of the House of Commons on Reconstruction and Re-establishment submitted this approval in its report—

Your committee feels that agriculture should be provided with new credit facilities, either through extension of the Loan Credit system or in some other suitable manner. Your committee has had some excellent evidence concerning the co-operative movement particularly with reference to Saskatchewan and Nova Scotia, and to the fishing industry in Quebec. We recommend that every assistance be given to the co-operative movement both to consumers and producers, and that this assistance include help in the marketing of production.

The sub-committee on agricultural policy appointed by the Advisory Committee on Reconstruction, in its final report, quoted and endorsed the resolution favouring co-operation passed by the United Nations Conference on Food and Agriculture. It also expressed the hope that the Government of Canada will use all reasonable means to assist the organisation and development of co-operative activities in relation to agriculture; and urged the Government to overhaul the legislation in relation to registration of co-operative societies and organisations so as to ensure that such facilities are adequate for all co-operative purposes.

I am surprised that so long a time has elapsed before a move was made in that direction. These committees are important, and they have left nothing undone. In this State there are several bodies in different centres, and several groups of consumers desirous of adopting the principle of co-operation. As the Act stands today they have been advised not to do so owing to the fact that they would be likely to find themselves in an invidious position. As I have said, the effort is all voluntary. No difficulty arises when a person who holds shares in one of these companies has to leave the district. A shareholder may leave a district and keep his shares if he desires. I have some today, and have no wish to dispose of them. On the contrary, a man may wish to sell his shares. There is not always a market available for them. Much

depends on whether other people in the district require to acquire them. Local co-operative companies do not conduct their affairs as other organisations sometimes do, namely, refuse to allow any more shares to be sold or transferred. There is no doubt that the future holds great promise for the extension of the co-operative movement throughout the world. After the war no doubt a great effort will be made in the direction of extending the principle of co-operation both as to producers and consumers. Although this Bill is a small one it is of great importance, and I hope it will be agreed to.

**HON. W. J. MANN** (South-West): I support the second reading. In the province I represent there are several outstanding illustrations of what co-operation can do. We have the South-West Dairy Co-operative Company, which is an extremely successful one, and has done a great deal for dairy farmers. At Collie we have the Consumer Co-operative Society, and in that regard I may say I recently had the opportunity to inspect its books. I was astonished at the ramifications of the business. In each of the undertakings I have mentioned the directorate has urged that we should make this Bill law because it was considered that the time was opportune for such legislation. I know of no objection that can be raised to the measure.

**HON. A. THOMSON** (South-East): Having received a number of requests from societies in my province, I propose to support the Bill. I would draw attention to the fact that this House generally devotes its time to amending, altering and improving Acts of Parliament. On this occasion we are asked to go back to an old Act which came into force in 1903. That Act provided considerable discouragement to co-operative societies. I have pleasure in supporting this measure and hope it will go through so that co-operative undertakings will be able to act in the way they desire.

On motion by Hon. L. Craig, debate adjourned.

## **BILL—ELECTORAL ACT AMENDMENT.**

*Second Reading Defeated.*

Debate resumed from the previous day.

**HON. G. B. WOOD** (East [5.12]): I do not agree with the principle of adult franchise

for the Legislative Council, and will briefly state my reasons for that view. Over the last two months in this House and over the air and from the lips of the Chief Secretary we have had a most amazing juggling of figures. Perhaps I should not use the word "juggling," but say a comparison of figures. Figures were quoted to us in connection with another Bill in another place concerning the number of people who voted for the Legislative Assembly and those who voted for the Legislative Council. None of the people who made these comparisons drew attention to the fact that there was compulsion in the one case and no compulsion in the other. There is a vast difference between the two types of voting, as well as in the methods employed for putting people on the roll. At the last election for this House I received over 3,000 votes. I value those votes very much more than if I had received 9,000 votes from people who went to the poll to avoid being fined. The vote I received was a "dinkum" vote, and I am proud to have had that number of people vote for me.

Hon. C. B. Williams: You should be.

Hon. G. B. WOOD: Except for one or two old people who were driven to the poll every one of the 3,000 went to the poll willingly and without prompting. Those 3,000 voluntary votes must be very much more valuable than votes given on the adult franchise and under compulsion. That is one reason why I prefer the franchise as it stands. According to Mr. Heenan we must be very close to adult franchise in connection with this House. He stated that if all the qualifications for enrolment for the Legislative Council were fully exploited there would be very few people off the roll. I quite agree with that view. He also stated—

I unhesitatingly tell members that the qualification will be almost tantamount to adult franchise but is surrounded by so much obscurity and hocus-pocus that people do not understand the position.

I also agree with that. It furnishes another reason why I would like all these electoral matters to be referred to a Select Committee so that they might be cleared up and the people advised of the position. When speaking on another Bill I quoted a letter that I shall not read again, but it serves to prove that the writer in common with many others did not know that he was entitled to vote for the Council although he is a bread-

winner. Too many people hold that view, and I am convinced that a considerable volume of deliberate propaganda is indulged in for the purpose of making people believe that only if they possess wealth and property can they be enrolled as electors for the Legislative Council. I think the Chief Secretary himself used that expression, "wealth and property." That is not the position, as Mr. Heenan pointed out. He mentioned that enrolment was very easy when the various qualifications were realised. People living in a small shack worth only 6s. 10d. per week can be enrolled for the Legislative Council. There are many reasons why a Select Committee should be appointed to go into these matters.

I believe the Electoral Department has a lot to learn with regard to putting people on the rolls. Cards are sent out when enrolment is compulsory but that does not apply to the Legislative Council rolls, for enrolment in that instance is not compulsory. Because people receive electoral claim cards for the Legislative Assembly and the Commonwealth Parliament, for which enrolment is compulsory, they think that is all that is necessary, particularly as they receive cards later on intimating that they have been enrolled. But that does not apply to the Legislative Council. Mr. Heenan referred to the fact that he had put 2,000 people on the roll in his province. Why were those people not enrolled before? It is interesting to note that Mr. Heenan received only 1,942 votes altogether, so surely he must have received the votes of others besides those he put on the roll himself. The position is decidedly obscure. All this talk about the difficulty of securing enrolment is useless. People are eligible to be enrolled but do not know it, while some who have been enrolled are not aware that they are entitled to exercise the franchise. I do not understand Mr. Heenan's reference to only 29 per cent. of the people being enrolled for the Council. I worked out the figures for the North-East Province and the enrolment represented more like 35 per cent.

Hon. E. M. Heenan: No, that is wrong. I said that comparing those on the Assembly roll with those enrolled for the Council, only 29 per cent. of the former were on the Council roll.

Hon. G. B. WOOD: Then I must have misunderstood the hon. member. Anyhow the figures that have been quoted in con-

nection with the Bill have been highly misleading. I certainly agree with Mr. Heenan when he said that today the franchise for the Legislative Council is tantamount to the adult franchise. Certainly it does not quite reach that position, but in view of all the seven different qualifications nearly everyone could be put on the rolls.

Hon. C. B. Williams: You have a lot to learn yet. You do not know too much about it. You have quoted Mr. Heenan. Why don't you quote someone who knows better?

The PRESIDENT: Order!

Hon. G. B. WOOD: I am content to quote what Mr. Heenan said. Both he and I engaged in a most intensive campaign and surely we must know something about it. Another howl from some people, particularly those in Beaufort-street and perhaps from another very small coterie, is to the effect that public opinion is against this Chamber. What is the extent of that so-called public opinion?

Hon. C. F. Baxter: "The Sunday Times."

Hon. G. B. WOOD: That paper has made some reference to the subject.

Hon. C. B. Williams: In connection with the Referendum it advocated "Yes," and a "Yes" vote was cast against the advice of you country members.

Hon. J. Cornell: "The Sunday Times" once advocated the downfall of Labour too.

The PRESIDENT: Order! Mr. Wood is addressing the Chamber.

Hon. G. B. WOOD: I am glad that Mr. Baxter mentioned "The Sunday Times." That paper has had a bit to say about the position. I have turned up the files to see what the editor of "The Sunday Times" had to say when he was trying to gain a seat in the Legislative Council. He did not mention the franchise for this House.

Hon. A. Thomson: That was different.

Hon. G. B. WOOD: Yes, vastly different. Yet we have this howl about public opinion. I have something to say about that. During the course of my election campaign only one man had anything to say about the Legislative Council. He did not mention adult franchise but advocated the abolition of this House. He is a communist. That was the extent of public opinion evidenced during my election campaign. On the other hand plenty of people have advised me to stand firm on this question and not to give way one iota. Then we have Mr. Beeby who is broadcasting for the Communist Party.

Hon. C. F. Baxter: Another bird of passage.

Hon. G. B. WOOD: I am not questioning Mr. Beeby's right to express those opinions. He has a large listening audience over the wireless, and he told his listeners that he wanted them to write to their representatives in Parliament telling them to vote for the Bill as it stands, without amendment. I have checked up on the letters received by members.

Hon. C. F. Baxter: I have not received one.

Hon. G. B. WOOD: I find that the average number received by each member has been two.

Hon. H. S. W. Parker: Possibly from the same two people.

Hon. G. B. WOOD: I received five. I intend to quote them to indicate to members the type of individual that is said to give indication of the vast public opinion on this topic. Here is one letter—

Being one of your supporters, I beg to inform you that I want no nonsense, no amendments, the two Bills to be passed *re franchise* for all people, and the Bill to change the Constitution. If you don't pass these Bills when put before you without amendments, out you go next election.

I replied to that writer, and said that he could not have been one of my supporters if he could write in that strain and that in any case he had been guilty of an offence in threatening a member of Parliament. Here is the second letter I shall quote—

As you are my member in the Legislative Council, I strongly urge you to vote in favour of the Bill extending the franchise now before Parliament. Should you decide otherwise, you will be taking a retrograde step that will have repercussions in more ways than one.

I do not know what will happen about the threats.

Hon. A. Thomson: Probably he will not vote for you next time and possibly did not vote for you at the last election.

Hon. G. B. WOOD: Possibly as the result of Mr. Beeby's appeal over the air only between 50 and 60 letters have been received from the thousands who listen to him. Then again the Chief Secretary mentioned the attitude of the Primary Producers' Association. In stressing his claim that public opinion was against the continuance of this House, or at any rate in favour of adult franchise, he mentioned the attitude of that organisation. I checked up on the position

and I received the following letter from the general secretary:—

Following is the information you asked for recently:—

1941. Political Conference: Legislative Council—

Mr. Stott (Wagin) moved—"That conference is of the opinion that the Legislative Council should be abolished as it is undemocratic, totally unnecessary and would be an economic saving."

Seconded by Mr. Rendell (Wagin).

The motion was moved and seconded formally. There is no record of any other speaker supporting. After Mr. Warren (Rockwell) and Mr. Clark (Kulin) spoke against the motion, it was defeated.

So far as I have been able to find out that is the full extent regarding the efforts of any section of the Primary Producers' Association to secure the abolition of the Legislative Council.

Hon. C. F. Baxter: The proposal was not even considered.

Hon. G. B. WOOD: No, when it was put to the vote there was an enormous roar of "No" and that was the end of it. Again we have heard quite a lot about the soldiers and how badly they have been treated. That has been stressed not only here but in another place. Mr. Heenan had something to say about the unfortunate soldier. In my province I had 150 soldier voters. Those men were all written to. My opponent was a returned soldier and worked the soldier vote very extensively. Only 45 out of those 150 soldiers voted. Of the votes cast I received twice as many as did my opponent. That serves to indicate the attitude of these poor soldiers who have been deprived of their right to exercise the franchise.

It is all "hooey," this talk about the soldiers and the vote. The men in my province were extensively canvassed and yet that is all the interest they displayed in their right to vote. The Chief Secretary referred to professional men, doctors, lawyers and other reputable people who were denied the right to vote for this House. I have not heard anything about that. It is so much imagination. Why have not those professional men the right to exercise the franchise? They must possess property; not all of them live in boarding-houses. I spend a lot of my time in the metropolitan area and I have not heard any outcry about people being denied the vote. Of course there may be a few in that category but I do not believe there are many. Then there is the question of the mandate. I am

glad that the Chief Secretary did not say anything about the Government having a mandate on this question.

Hon. C. F. Baxter: He says he did say so.

Hon. G. B. WOOD: I am sorry if that is so. I cannot see where any mandate has been given to the present Government. As a matter of fact, there were 12,000 more votes cast against the Government at the last general election than the Labour votes aggregated—that is, apart from non-contested seats.

Hon. C. B. Williams: And you know the number of voters in those constituencies.

Hon. G. B. WOOD: I am speaking only about the contested seats. Where does the mandate come in? It cannot be claimed that because Labour is returned every one of the points in their political platform became a mandate from the people. There is an interesting point about this mandate question. When the Premier delivered his policy speech at Geraldton, he was so concerned about widening the franchise for the Legislative Council that he put it down as No. 12 in his policy points. Of all the members who contested the seats at the last general election, only one member mentioned anything about the subject. I have gone through the 36 policy speeches of the Labour candidates, including Ministers, and not one of them said anything about it except one candidate. He was Mr. Vivian, who contested the Claremont seat. Out of those 35 candidates, only one! In the reports of the speeches everything under the sun is mentioned; candidates went nearly all round the earth. Mr. Lounie's policy speech was put up by Mr. T. G. Davies, the spokesman of the Trades Hall. How can the Government say it has a mandate? Its members were silent on the subject, but when Labour won three seats they became vocal.

What effect did the Premier's remarks at Geraldton have on the Nelson seat and the defeat of Mr. J. H. Smith, or the Avon seat and the defeat of Mr. Boyle, or concerning the result of the Greenough election? The assertion that the Labour Party received a mandate to introduce this legislation will not bear examination. People say we are afraid of losing our seats. I want to make myself clear as regards the East Province. Adult suffrage would make my task in the East Province very much easier. I could get in on the party ticket. On examination



of the voting in the Assembly election I find that I and Mr. Baxter and Mr. Hamersley would have a majority of 5,000, there being 5,000 anti-Labour votes in the province, as proved by the last election. I do not wish anyone to think that I am taking a selfish view. I believe that at the next election our position will improve, as we had three new members up. Next I want to deal with the suggestion made elsewhere that, if this Bill does not pass, there will be a referendum. I dissociate myself entirely from advocates of a referendum on this subject. Surely we have had enough referendums already! I believe that a referendum on the existence of the Legislative Council would prove a sordid affair. The people would not know what they were voting about. One can imagine the propaganda that would be put out as regards the actions of the Legislative Council. In view of the last Referendum, I hope we shall not have another for a long time.

Hon. T. Moore: The last one beat you badly!

Hon. G. B. WOOD: We have heard, not so much here, but in another place and over the air about the terrible things this House has done in rejecting social legislation—legislation for the welfare of the country. We are never told what Bills that legislation included; the charge is purely general. In my opinion this House has not rejected anything desirable in Western Australia's interest. We have defeated certain things put up by people who are not members of Parliament, and I hold that the State is all the better for our action. There is another side to it. We have sent Bills to the Legislative Assembly and have had them rejected. I do not howl about what the Legislative Assembly has done to my Bills put up on behalf of my friends, but I dislike things being rejected on party issues. Here we at least give proposals consideration. One of the principal reasons why I wish to adhere to the present franchise for the Council is the responsible vote we now have. There must be a responsible vote for one of the two Houses. I believe most people agree that the bicameral system is the better; it is generally considered so throughout the world. I took the trouble to look up the informal votes cast in the East Province. In that province there were 602 informal votes cast at the Assembly elections.

Hon. T. Moore: How many candidates?

Hon. G. B. WOOD: Sometimes two, sometimes three or four. I do not know that that makes much difference. In the Swan electorate there were two candidates, and 215 informal Assembly votes were cast. In the Toodyay electorate there were 49 informal votes, in the Mt. Marshall electorate 57, and in the Avon electorate 64. But in connection with the Legislative Council elections only 45 informal votes were recorded in the East Province. That is to say, the informal votes cast for Legislative Assembly candidates were 13 times greater in number than those cast for Legislative Council candidates. Those figures show the responsibility of a vote for the Legislative Council. Some people do not enrol to vote for Assembly candidates except for fear of being fined £2. I prefer the Bill to be held up until a Select Committee has gone into all the ramifications of our bicameral system. If there is not that opportunity, I shall vote against the second reading of the Bill.

HON. C. B. WILLIAMS (South): The last speaker is a representative of the narrow-minded provincial Country Party, and therefore he has to state that Labour received no mandate at the last general election. The Country Party lost seats to the Labour Party, but Labour lost no seats at all. Yet the hon. member had the audacity to quote those seats. In the North Province there are 6,214 Legislative Council votes.

Hon. J. Cornell: There are 8,000.

Hon. C. B. WILLIAMS: Then I have the wrong roll. Let us say 8,000 Council votes. But there are nearly 18,000 votes on adult franchise for the Legislative Assembly. Mr. Wood tries to make out a case, but honestly admits that candidates were returned unopposed. There was, however, only one contested seat on the Eastern Goldfields, where the Country Party got in the vicinity of 800 or 900 votes. I was elected to this Chamber 17 years ago, and Mr. Cornell was elected 33 years ago. Mr. Wood talked about illiterate voters.

Hon. G. B. Wood: I did not use the word "illiterate."

Hon. C. B. WILLIAMS: The hon. member meant nothing less when he challenged the informal votes. The "Sunday Times" is to be complimented on its efforts in this connection. I am going to make my re-

marks brief on this occasion. Mr. Wood quoted Mr. Heenan, but the hon. member himself did not make one suggestion as to how this House could be improved.

Hon. G. B. Wood: I mentioned the proposed Select Committee.

Hon. C. B. WILLIAMS: That is only a way of shelving the question. A German Jew or a Russian Jew or a greasy Greek from Greece can, after residing in the State for five years, become naturalised and run a shop in Perth and obtain a vote for this House. A returned soldier goes to work on the pipe-track or the railway track and does not get a vote for this Chamber, as does a greasy Greek in a fish and chips shop or a fruitshop.

Hon. G. B. Wood: You agreed to a Select Committee.

Hon. C. B. WILLIAMS: I agreed to nothing. My remarks are in "Hansard," and show that I have never referred to this aspect at all. I did refer to anomalies existing in the electorate, and to a ballot-box having been held up for a fortnight or three weeks. I could not possibly support a motion for referring the subject matter of this Bill to a Select Committee. Part of the Labour platform is to secure abolition of the Upper House. Mr. Cornell was elected 30 or 40 years ago on that pledge. The late Mr. Shean, of Kalgoorlie, told an interesting story about Mr. Cornell's election. Returning to Ireland, Mr. Shean was asked what kind of country was Western Australia. He told of the people. Then they asked who was this Mr. Cornell who had just been elected to Parliament? Mr. Shean replied that he was elected subject to a pledge of the abolition of the Chamber. Thereupon Mr. Shean was asked what was the salary of a Legislative Councillor. He replied that it was about £400 a year.

Hon. J. Cornell: I told that story a few years ago against myself.

Hon. C. B. WILLIAMS: I know the hon. member did. I do not care what members think. Any foreigner can come to this country and when he has been here for five years and is naturalised and has a shop, he can obtain a vote. But men on the pipe-line cannot. Mr. Dimmitt said something about who was to blame. I blame the Governments of the time. These men are not properly housed and consequently cannot obtain a vote. I know a man with a family of

eight children who did not have a vote because he lived in a shack for which there was no rental value. Your memory, Sir, is as good as mine and so are the memories of Mr. Cornell and Mr. Seddon, and we can all remember that many years ago, just after the last war, there were many prosecutions on the goldfields against people for being wrongly on the roll. They were mostly in road board territory.

Hon. W. J. Mann: Who put them there?

Hon. C. B. WILLIAMS: A pretty diligent canvasser, I suppose! The magistrate, since dead, fined them as much, I think, as £10. Photos were taken of the houses and those houses, or some akin to them, are there today. Today the people there can be put on the roll but 20 years ago—

Hon. J. Cornell: Twenty-six years ago.

Hon. C. B. WILLIAMS: I stand corrected. I know it was a long time ago when people there were prosecuted and fined about £10. I am ready to stand corrected on that point too, but I think it was about £10. I know we had to have a tarpaulin muster to pay the fines because those people were illegally on the roll. They said the places were worth £50, but the magistrate said they were not. Of course, when the goldfields were declining in 1921, it was possible to buy such places for £20. I suppose it is useless flogging this topic. I know the Bill will be defeated. I blame the Metropolitan Council of the Australian Labour Party to a great extent for not contesting more seats. Mr. Bolton was returned unopposed, which is a standing disgrace to the Metropolitan Council of the Labour Party. Mr. Bolton is one of the leaders of the Opposition in this House. He is one of the best Tories we have. Yet the Metropolitan Council of the A.L.P. sat down and let him get in unopposed.

Hon. L. B. Bolton: What a shame!

Hon. C. B. WILLIAMS: To the hon. member it was a great pleasure. I think I must have a private yarn and see whether he has any undue influence. It is the same with the Metropolitan-Suburban Province. I do think that could be won for Labour, even with the restricted franchise, if the Labour Party made a 100 per cent. effort. This House is not as conservative as it was in 1928.

Hon. T. Moore: It has been improved.

Hon. C. B. WILLIAMS: Some of the older members have passed on to their makers.

Hon. T. Moore: You have toned it down a bit.

Hon. C. B. WILLIAMS: Something has; I do not know what. My contention is that the men and women pioneering this country in the backblocks are entitled to a vote just as much as is an imported fisherman, or fruiterer, who knows nothing more than how to rob and cheat people going into his fish-and-chip shop or into his fruit shop. People like that have the franchise while our own kith and kin are not allowed a vote for this House. Surely the Act should be suitably amended! I am not going to say I agree with Mr. Albany Bell, who said that a man with a family is much better than a man without a family. Some people are lucky to have families. Some do not want them but some cannot get them when they do want them. Certainly people who marry and have families should have some say in the government of this country.

Hon. J. A. Dimmitt: Even Greeks?

Hon. C. B. WILLIAMS: These greasy Greeks—

Hon. J. A. Dimmitt: Our Allies!

Hon. C. B. WILLIAMS: The point is that in a few years' time those people will own this country. There is talk about preference to soldiers. Preference for what? For hard work! They can do the hard work while our Allies, as the hon. member calls them, run the town and cheat the people. A naturalised German or a Jap, or a naturalised foreigner from any other country who is able to get hold of a shop, can have a vote while our young fellows coming back from the war and working on the pipe-line or the goldfields cannot have a vote.

Hon. J. Cornell: What about if such a man runs a fruit shop?

Hon. C. B. WILLIAMS: Surely we have enough sense of responsibility to refrain from quibbling like lawyers! Of course, anybody can take a shop and get a vote. In the Metropolitan Province and in Kalgoorlie—in Boulder, too, but not to the same extent—people living in flats or tents for which they pay less than 7s. a week rent cannot have a vote.

Hon. L. B. Bolton: Who said so?

Hon. C. B. WILLIAMS: I am telling the hon. member that they do not have a vote.

Hon. L. B. Bolton: You are wrong.

Hon. C. B. WILLIAMS: How can they?

Hon. L. B. Bolton: If they are leaseholders they can.

Hon. C. B. WILLIAMS: I do not think that is so. A flat has one registration with the municipality or road board.

Hon. L. B. Bolton: If there is a separate entrance to the flat and a person is a leaseholder he has a vote.

Hon. C. B. WILLIAMS: I doubt whether that could be substantiated if it were challenged. If the hon. member can have the names of such people put on the roll, good luck to him! If he can do it, then I can. Mr. Wood opposed this measure from the narrow parochial view of a Country Party member. Country Party members have no chance of having their narrow views adopted in another place because there they are in a minority. Here, however, they have every opportunity, because there is no great distinction between a Country Party member and a Nationalist.

Hon. W. J. Mann: Who said so?

Hon. C. B. WILLIAMS: I know of only one occasion on which the Nationalists and the Country Party fell out, and that was when Mr. Baxter was Chief Secretary. That is quite a long time ago. Eight Labour men joined with eight Tories to defeat the Country Party. The Country Party likes this place because here its members can have regulations disallowed. Members of the Opposition have more power in this House. A fruit farmer with 10 acres of land is called upon to pay another 3s. 6d. a year, and members of the Country Party say that he will have to go off his property because the payment of that money will ruin him. That is the sort of thing on which we waste time here.

Hon. G. B. Wood: Who said so?

Hon. C. B. WILLIAMS: I am supporting this Bill and I point out to members that, so long as the Upper House is constituted as it is and does not give due respect to legislation brought down by the Labour Party, the Opposition will not have any power in the Legislative Assembly for the next 20 years.

Hon. J. Cornell: That will be a blessing!

Hon. C. B. WILLIAMS: This House has made the Labour Party in this State by its contemptible method of not giving a fair go to working class legislation. I think it took eight or nine years to induce this

House to grant recognition to the State Government Insurance Office and legalise its activities. Even the Government of which Mr. Baxter was a member tried to bring that about. I hope I have not been unjustly critical towards anybody. I do not mean to be, but undoubtedly there is room for an improvement in the franchise for this Chamber. I put all my people at Kurrawang on the roll some time ago.

Hon. J. Cornell: Some doubtful ones, too.

Hon. C. B. WILLIAMS: There will not be any in the future. Many of them were people living in houses built by the company which supplied them with water and light and firewood very reasonably. Some of them would not have paid more than 5s. in rent. Yet there were 80 or 90 houses.

Hon. L. Craig: They are mostly foreigners, are they not?

Hon. C. B. WILLIAMS: In the town they are 99 per cent. British, but on the woodline 90 per cent. foreigners. The important point is that any alien can be naturalised and after five years can have the vote. Hitler himself would only have to live here for five years and his name could be put on the roll, whereas some of our own people, winged and maimed because of his extravagance, and subsequently working on the pipe-line, would have no vote. For that and other reasons I have mentioned, I support the second reading and would like to see the measure passed.

HON. L. CRAIG (South-West): I oppose the Bill. A question not answered to my satisfaction is: What harm has the Legislative Council done?

Hon. E. M. Heenan: That is not the principle involved.

Hon. L. CRAIG: It is proposed to make this a more democratic House so that the legislation passed in Western Australia will be more democratic—if members can tell me what that means. Is Western Australian legislation so retrograde? Is it behind that of the other States, through the action of this House? Are the laws of this State not so modern or democratic because of the action of the Legislative Council?

Hon. G. B. Wood: The Premier has boasted about our legislation.

Hon. L. CRAIG: Yes, the Premier has boasted about the high social standing of the people of Western Australia. Are our social and economic laws far behind those

of the other States? Is the basic wage here lower than that of any other State? It is higher. Is any of our legislation more conservative or retrograde than that of any other State? I do not think so. What I have said is an indication that this House is democratic, to use that popular word, although I do not know what it means. One argument raised in favour of liberalising the franchise of this House is, as Mr. Williams has said, that it is an undemocratic House.

If members can tell me what is more undemocratic than some of the trade unions, I would like to hear about it. A man cannot get a job in many industries unless he belongs to, and pays tribute to some union or other. Can that be called democratic? I do not know, but I do not think so. This may not be a democratic House, but it works, and I think it works satisfactorily. I think that the legislation of Western Australia is just as modern, democratic and progressive as that of other parts of Australia in spite of a strong conservative Legislative Council. As a matter of fact, I do not think this outburst about the Legislative Council would have been raised except for Dr. Evatt coming here. He had to have a horse to flog in order to get a "Yes" vote for the Referendum. It was he who raised the question of the franchise of the Legislative Councils throughout Australia. It is interesting to note that the Councils interpreted the will of the people far better than did Dr. Evatt.

Hon. T. Moore: In this State?

Hon. L. CRAIG: Generally throughout Australia. Two State Governments gave the required powers to the Commonwealth. The New South Wales and Queensland Governments gave them *holus bolus*, and in both those States a "No" vote was recorded.

Hon. J. Cornell: Even amongst the servicemen in Queensland.

Hon. L. CRAIG: So the Legislative Councils of Australia have interpreted the will of the people, to my mind, far better than have the Legislative Assemblies of Australia. One other point is that if Western Australia is in any way behind the other States in its legislation it is on the financial side. Western Australia has gone back financially quite a bit. Our public debt is greater than that of any other State in Australia; I think it is greater per head

than that of any other country in the world! That, of course, is not the fault of the Legislative Council. It is a pity that the Council did not have some say in the spending of the finances of this State. Had it done so I have no doubt that the public debt would be very much less and the public finances in a very much better position than they are today. The Legislative Council might have been able to do more good in that case. Another question is whether the Legislative Council franchise should be made similar to the Senate. The argument raised in favour of that is that if it is good enough for the Senate to be on a universal franchise then it should be for the Council. I say, "God forbid that we should ever become like the Senate!" The Senate is nothing but an echo of another place. The greatest argument we can use against the Council being elected in the same way as the Senate is that it would become a Party House. Ever since I have been here, and that is about ten years, the voting in this House has not been on party lines.

I have looked up many division lists to show that that is so. I think that the Legislative Council in this State is doing a very fine job, in spite of some members. The Bill proposes that the vote for the Council shall be compulsory. I oppose that suggestion. I used to be a strong advocate of compulsory voting, because at the time I was raw and had just contested an election. I thought it was a shocking thing to find motorcars rolling up to different places and for people to be asked if they would be good enough to vote and, if they would please step into the car to be taken to the polling booth. I made my motorcar available for a friend one day, and he said to me, "Will you go out to such-and-such a place and bring in Mrs. So-and-so because she wants to vote?" I went out, much against my will, because I am not good at that sort of thing. I knocked at the door and felt an awful fool. A shabbily dressed woman with her hair down, said, "I forgot about voting. Would you mind waiting a moment as I must dress?" I went back to the car and waited for ten minutes when she came out with a basket on her arm. She said, "Before going to the polling booth would you take me to the butchers because I want to do some shopping?" I took her to the butchers because I was on my best behaviour. She said, "Now I want to buy

some groceries." I was white with anger. After that she posted a couple of letters at the post office, and then I took her to the polling booth. I had to wait about a quarter of an hour while she talked to someone outside the polling booth, and then I took her home. I was told afterwards that she voted against my man. Whether she did or not, I do not know.

I was a strong advocate for compulsory voting after that, but I am not today. Even episodes of that sort have left me cold. It is better to have a straight-out vote of people who think about politics and take the trouble to go to the poll, than have an unwilling vote of people who go there and deliberately mutilate their voting papers. The number of informal votes quoted by one or two members here means nothing to me, because many of them are deliberate. Many people are not politically inclined, and when they have to record their vote they deliberately mutilate their ballot paper.

Hon. G. B. Wood: They do not in the Council vote.

Hon. L. CRAIG: The hon. member was quoting the number of informal votes in an Assembly election where there were only a couple of candidates. Those informal votes do not point to illiteracy or ignorance, but to deliberate destruction of the voting paper. If I remember correctly, a year or two ago the Government said that no contentious legislation would be introduced during the war. This Bill could not be called non-contentious. It was said that the whole efforts of the Government would be devoted towards winning the war, and that no attempt would be made to introduce contentious legislation. I would call this somewhat contentious. We are not all unanimous about having this Bill passed.

Hon. T. Moore: Why not close up Parliament if we cannot undertake something as necessary as this?

Hon. L. CRAIG: It was proposed that there should be no contentious legislation brought forward during the war.

Hon. T. Moore: It depends upon what you call contentious.

Hon. L. CRAIG: There is a certain amount of stimulated interest in this Bill. It is shown mostly by those disgruntled people who run "The Sunday Times." There is a little hysteria today about reform generally. It is due a good deal to the promises

of post-war reconstruction and the Utopia that we are going to have after the war, and many people without knowledge wanting to change almost everything. Members need only go to some of the meetings of primary producers and other sections of the community where people have more or less one line of thought about the industry in which they are engaged. They will then find that odd people put forward the most outrageous suggestions. They want everyone to work except themselves.

Hon. J. Cornell: A few of the women are guilty of that.

Hon. L. CRAIG: Yes. There is a democratic hysteria; this word "democracy" is ridden to death! We say that everyone shall be all things to all men, except ourselves, of course.

Hon. G. B. Wood: To what organisations are you referring?

Hon. L. CRAIG: I go to many meetings.

Hon. A. Thomson: To the Country Party!

Hon. L. CRAIG: I do not associate my remarks with any particular Party, but one does hear the most outrageous suggested reforms.

The PRESIDENT: Order! The hon. member must address the Chair.

Hon. L. CRAIG: The time is not ripe for legislative reform. The Legislative Council is working very well as it is. The legislation of this State, which has been reviewed by the Legislative Council, is just as progressive and forward as that of any other part of Australia. The good Book says, "By their fruits shall ye know them." If the Legislative Council of Western Australia is judged on its past deeds it will be found that its record is not a bad one. I oppose the second reading of the Bill.

HON. H. S. W. PARKER (Metropolitan-Suburban): I oppose this Bill for many reasons. In the first place, I have not heard one reason for its introduction. The arguments of those members who have spoken in favour of the Bill have, to my mind, been to the effect that we must not alter the franchise. The Chief Secretary started off by quoting the remarks of people back in 1889. He referred to Mr. Hensman, who was in favour of one House. The position in those days was that Mr. Hensman wanted the continuation of the Legislative Council, and

only the Council, with a high property vote. At that particular time the House of Commons was elected on a property vote—an absolute straight out property vote. I do not suggest that this House is elected on a property vote. Members here are elected by people who have taken unto themselves the responsibilities of citizenship, such as a man who has a family. Any man who takes on the responsibility of a wife should take on the responsibility of a house in which to live with her.

Hon. T. Moore: If he does not do it, it is because he cannot do it.

Hon. H. S. W. PARKER: We have a basic wage and an Arbitration Court, which surely will see that a man who is in a position to marry is in a position to house his family properly. Mr. Heenan pointed out that not only the husband, but the wife, too, has a vote. I entirely agree with him. A single girl, as soon as she marries, is entitled to a vote.

Hon. E. M. Heenan: They do not understand it.

Hon. C. B. Williams: That is not so in all cases, but only when the wife becomes a municipal voter.

*Sitting suspended from 6.15 to 7.30 p.m.*

Hon. H. S. W. PARKER: Another reason why I desire to see the franchise for the Council retained is that it is free and voluntary, and to my mind it is very important that this country should be governed by a free people, people who are able to express openly and freely their political views without the danger of losing their jobs. At present a person need not enrol for this House unless he likes; he need not vote unless he likes, and I am opposed to this compulsion and to this proposal to fine a man £2 because he does not take the slightest interest in politics and does not vote. A man who says, "I am not interested in politics; I do not know anything about politics," should not be compelled to vote. We do not compel a person to express his opinion on any other matter. He is not compelled to express his opinion under the pain of a penalty of £2 upon anything else, with the exception of voting for the Legislative Assembly and for the Commonwealth Parliament.

I have previously expressed the view that the introduction of compulsory voting was

a retrograde step in our so-called democracy. Now we have the naturalised foreigners who, I regret, were spoken of this afternoon in terms that I considered very improper, and the person who objects to these naturalised foreigners is endeavouring to force them under the pain of a penalty to vote for this House. He is perfectly satisfied that they should be forced to vote for the Legislative Assembly. Apparently some pressure can be brought to bear on these people, but he objects to their having a vote for this House when they can get it only on condition that they have some property or pay some small amount by way of rates and taxes, something more than they would need to have to get a vote for the Assembly. Is that logical? Mr. Drew wants the franchise altered because he said a man would go to the extreme of buying a cheap, useless block of land in order to get a vote.

If a man will buy a useless block of land and pay local authority, water, vermin and other rates as well as land tax for the purpose of getting a vote, I say he is entitled to one. He is a man who is taking an interest in his country. But the Chief Secretary turns round and with tears in his voice says that an enormously wealthy man with much money in bonds has not a vote for the Legislative Council. That is a type of man that I personally do not like to see in the country. He is a man apparently too mean to rent an office, because if he leased an office he would be entitled to a vote. He is too mean to pay any rates and taxes, but he has this enormous amount of money coming in and does no work. He is content to draw his interest from the Commonwealth. The Chief Secretary thinks this man ought to have a vote. I say that unquestionably he does not deserve a vote. Apparently he is a man without a family and takes no interest in the State, the sort of man who could walk out tomorrow with his bonds in his pocket.

Hon. G. B. Wood: He is a mythical person; I do not think you will find many of them.

Hon. H. S. W. PARKER: I do not think you will find one. Such a man is not wanted here; he is of no value to the country. If he has earned his money here, he must have some stake in the country, and that would require of him the payment of rates and taxes and so he would be qualified to vote.

Hon. C. B. Williams: What about the returned soldiers working on the water supply?

Hon. H. S. W. PARKER: The hon. member will hear my views on the crocodile tears shed about the soldiers. Now what about the outcry we have heard for this change? I will read a letter written on the 2nd October by a lady because it is rather interesting. It states—

In reference to the Bill about to come before the Legislative Council to liberalise the franchise for that Chamber, as a property owner in two provinces (Roberts-road, Osborne Park and the Goldfields), I consider the Bill should be passed as a necessary democratic reform. I therefore trust you will see your way clear to support it. The women's organisations to which I belong are very anxious we should have this reform. I remain, Yours faithfully, Edith Acland Wiles, Justice of the Peace.

The Justices' Association has not communicated with me, and I trust that justices will not at any time take such action in connection with political matters. No organisation of any sort has written to me. But a gentleman wrote to me from North Perth on the 30th September. If I might regard those expressions of opinions as indicative of how I ought to vote on this Bill, I would say that out of 28,000 electors on the roll, only two want me to support the Bill. In the Metropolitan-Suburban Province there are only two such people. On the other hand a great many people have told me how essential it is that the Legislative Council should be retained, but those two people are the only ones who have in any way suggested that I should vote for the Bill, apart of course from the speeches made in Parliament by those who favour the Bill.

I have no hesitation in repeating what I said earlier in my remarks that the arguments advanced in support of the Bill were not reasons and did not, in my opinion, ring with the sincerity one would expect. What would happen if we passed this Bill? We would move closer to national socialism. Members will recall the Referendum taken a little while ago with a view to placing all the power in the hands of the Commonwealth Parliament and so into the hands of the Executive Council, and by a short step thence into the hands of one man. I am pleased that the attempt failed, and it failed because so many of the Legislative Councils stuck out and prevented the original Powers Bill from going through, as Sir Hal Cole-

batch pointed out. Now, however, the prime mover in that Referendum has been to Western Australia holding forth at length about the iniquities of the Legislative Council. When I analysed his remarks, I could not but conclude that he must have thought us an extremely ignorant people because all his remarks against the Legislative Council could have been contradicted had it been worth while to do so. He raised the hogey about the Legislative Council.

I say that the powers-that-be outside of Parliament forced the Government to bring in this Bill as another of the cockshies it has so often introduced for us to knock down. If this Bill were passed it would mean that everyone of the soldiers on his return from service would be forced, before he could get a job as a manual or clerical worker, to join a union. I have no objection to that; if I were a soldier returning from the war, I would do so, but I would object to being compelled to subscribe to the funds of a political party. I would also strongly object to being bound to support in every way the candidate selected by that political party. We are now being asked to compel every unionist, under the pain of a penalty, to vote for this House and to support the selected Labour candidate for this House under pain of expulsion from the union. If a unionist attempts to work for a non-selected candidate, he is liable to be persecuted.

Why are we being asked to do all this? The object is to get the whole of the power into the hands of one small body. This Bill is dishonest. With other Bills its aim is to bring about the abolition of the Legislative Council, which has been a plank of the Labour platform for years. The measure has been introduced at a season when people have not time to think of politics. It is a time that has been described as one of semi-hysteria, and the hope is to get the measure passed under some sort of a threat. The threat has mainly gone out from the communists. Does it not seem strange that there should be this combination of communists and the Labour Party to attain this end?

It reminds me very much of the time when the bookmakers and the clerics of Victoria combined together some years ago to prevent the passage of the Totalisator Bill. Here the Government is taking the Communist under its wing in an effort to secure the passage of this Bill. I wonder whether the

Government is sincere? Does the Government want the Bill? Who is deprived of a vote? The soldier, when he returns? I am afraid those who have been complaining about the soldier apparently hold the same opinion as I do, although hitherto I have not been game enough to express it. The Commonwealth Government has promised the returned soldier the earth, but not sufficient of it to give him a vote for this Chamber, not sufficient to enable him to rent a house. The Commonwealth Government is going to build houses for the soldier, but these will not be sufficient to give him a vote for this Chamber.

I will give members my experience after the 1914-18 war. When I returned, I went to the Electoral Office to get myself put on the roll. I had enlisted in Kalgoorlie and was told that I could not be put on the roll in Perth. I asked, "Why not? I was born here and lived here all my life." The reply was, "You were on the Kalgoorlie roll when you enlisted." I replied that I was. I was then told, "You have not been six months in the State." I said, "I was born here and have been away on active service for over four years." I was then told, "Anyhow, you have not been in Perth for a month." There was an election pending. What has this Government done to alter that state of affairs and give the soldier, when he returns, the right to be put immediately on the roll?

What genuine thing has the Government done for the soldier? Has it made any statement at all that the soldier will have preference? On the contrary, one of the Ministers of the Commonwealth Government when asked the question, replied, "What do soldiers want preference for? There will be work for everybody." That is the way in which the Government gets out of the difficulty. The Government brings up the old cry of "the soldier." I remember the time when the cry was, "the poor widow." Now it is the soldier. I cannot vote for the Bill. Figures show that the people do not want it. On the last occasion when I was opposed by a Labour candidate—he is now Minister for External Affairs in the Commonwealth Government—of 29,000 electors on the roll fewer than 4,000 voted for the candidate who was pledged to do away with the Legislative Council. There was on that occasion a trial of strength, as it were, and in the



Metropolitan-Suburban Province fewer than 4,000 electors out of 29,000 voted in favour of the candidate pledged to abolish this Chamber. Even if I personally wished to abolish this Chamber, I should feel that on the result of that election I would be bound to vote for its retention.

Unquestionably, this Chamber has been a tremendous safeguard; and if we reduce the franchise for it and put it on an exact level with that for the Assembly, it will only mean that we shall be giving a vote to people who do not want to vote, who do not know anything about politics and who do not care two straws who is in and who is out. It is our duty to protect those people, just as it is our duty to protect the soldier and look after his interests, not to endeavour to get something out of him. But what is the object of the Bill? It is to enslave a greater number of people in the political thought of the A.L.P., and force them, under pain of a penalty of £2, to enrol themselves to vote.

I cannot, therefore, in any circumstances support the Bill, nor will I support any measure to alter the franchise until we get down to bedrock and see that our election laws are honestly complied with. These at present contain many scandalous loopholes that could be stopped quite easily. If the Government really has an honest intention to make our politics better, it should start at the bottom of the tree and put the Electoral Act in order. Then it could go a little further and straighten up other matters. Until something in that respect is done, I think it far too dangerous for a Chamber such as this to attempt to interfere with the franchise.

Question put.

The PRESIDENT: It will be necessary to divide the House on this Bill, as an absolute majority is required to pass it.

Division taken with the following result:

Ayes	..	..	..	..	6
Noes	..	..	..	..	16
					—
Majority against	..	..			10
					—

#### AVES.

Hon. J. M. Drew	Hon. T. Moore
Hon. E. H. Gray	Hon. C. B. Williams
Hon. W. H. Kitson	Hon. W. R. Hall
	(Teller.)

#### NOES.

Hon. C. F. Baxter	Hon. W. J. Mann
Hon. Sir Hal Colebatch	Hon. G. W. Miles
Hon. C. R. Cornish	Hon. H. S. W. Parker
Hon. L. Craig	Hon. H. Seddon
Hon. J. A. Dimmitt	Hon. A. Thomson
Hon. F. E. Gibson	Hon. F. R. Welsh
Hon. V. Hamersley	Hon. G. B. Wood
Hon. J. G. Hlasop	Hon. L. B. Bolton
	(Teller.)

#### PAIRS.

Hon. E. M. Heenan	Hon. H. L. Roche
Hon. G. Fraser	Hon. J. Cornell

Question thus negatived; Bill defeated.

### MOTION—ELECTORAL REFORM.

*To Inquire by Select Committee.*

Debate resumed from the 11th October on the following motion by Hon. C. F. Baxter:—

That a Select Committee of five members be appointed to inquire into the question of electoral reform, and to advise on amendments to existing legislation with a view to improving the representation of the people in the Parliament of the State.

**HON. W. J. MANN** (South-West) [7.54]:

In view of the division just taken, I hardly see the necessity for speaking at any great length upon this motion; but I do feel there are one or two matters to which one might draw attention. For years past I have felt that the present Government and its supporters have endeavoured to explain away many of their sins of omission by asserting that the Legislative Council has persistently rejected all important legislation. They have endeavoured to create the impression that the Council is an everlasting stumbling-block in the path of progress, and that but for the attitude of the members of this Chamber the Government of the day would present a really worth-while record of achievement. I think that that impression, while perhaps a little severe, is merited.

There have been many occasions when the opponents of the Government have been blamed for the decisions of this House; but whenever pressure was put upon the Government to explain away its neglect to give effect to the desires of any of its supporters, that has been the excuse. The politically-minded and discerning members of the public have long been accustomed to the Government's excuses, and by and large take them for what they are worth. It seems to me that the electors have fully gauged the sincerity of those claims and know that no effort has been made by the Government to remedy this alleged—and only alleged—

disability. Obviously, it is the clear duty of the Government, if its excuses are valid and possessed of substance in fact, to set about making an improvement.

Had the position been as the Government alleged, then the Government should have demonstrated to the people that it was sincere in its efforts to bring about a betterment. On the other hand, if there is merit in the complaint that the Legislative Council has consistently rejected its legislation, surely there would have been some reaction on the part of the public. What do we find? During the term of office of the Willcock Labour Government, which has extended over a period of eight years, and of the Collier Labour Government, which was in office for many years previously, there has been only one instance where a member of their political party has, at an election, displaced one of the members who sat in opposition in this Chamber. That in itself is worthy of note. That particular instance occurred on the Goldfields. At the biennial elections held early this year the electors returned 100 per cent. of those members who retired from their seats in this Chamber by effluxion of time.

We have heard a lot about mandates during the last few days. If ever there was a mandate from the electors, I think the result of the latest biennial election furnished an illustration that could not be bettered in any circumstances. Can it be denied that, in that decision of the electors, of people who have a real stake in the country, there was an indication that they are satisfied with this House and, I may make bold to state, satisfied with their representatives? The opponents of the Legislative Council and those who would like to see it abolished, assert that this outstanding indication of public confidence was due to apathy on the part of the electors. I admit there is great need for a revival of public interest in matters political. There is a necessity for the awakening of a political conscience so that people will take more interest in the government of their country.

On the other hand, I am prepared to say without fear of successful contradiction, that not one of the members of this House who was re-elected in April last would agree that his re-election was due to apathy on the part of the people. Rather would those members assert, and I would not

blame them for doing so, that they were re-elected because their constituents had confidence in them and realised they had been doing the job for which they had been sent to Parliament. This allegation of apathy on the part of the electors has been flogged considerably. While I admit there is apathy, I also assert that the only way by which that apathy can be overcome is for the Government to take a lead in an endeavour to sharpen up the public point of view. The people of this State do very definitely hold this Chamber in high respect, and I am perfectly confident that the public do not desire to see it unduly interfered with.

On two occasions lately I have made lengthy tours throughout the South-West Province, and I have not heard a single expression of antagonism to this Chamber. I have heard men deplore the fact that when they went to vote they found their names were not on the electoral rolls. Some of them were fair enough to admit that the fault lay with themselves. I hope the motion for the appointment of a Select Committee will be carried and that one of the matters to which attention will be given will be the provision of a formula that will result in our having better electoral rolls. I do not think it is the duty of members of Parliament to spend a lot of time and much money in order to keep their rolls up to date. Surely that is the duty of the Government.

Hon. J. Cornell: But it is one safe way by which one can hold one's seat.

Hon. W. J. MANN: The Government has insisted that there shall be compulsory enrolment for the Legislative Assembly. I assert that the Government should at least take some steps to ensure that enrolment is made easier for the people and that the fear on the part of the electors that they will incorrectly enter the necessary particulars on their enrolment cards will be obviated. Over the years quite a number of people have said to me, "I always get into a fog when I look at the enrolment claim cards for the Legislative Council." Others have said, "I filled in the card by putting down all the information I could and it has been sent back to me." Others have said, "I filled in my claim card and that is the last I have heard of it."

Hon. C. B. Williams: It might have been the card of an opponent.

Hon. W. J. MANN: It would not matter whether the card concerned a supporter or an opponent. The Government should take every possible step to see that the electoral rolls for both the Council and the Assembly are kept up to date, for surely that is part of its duty. Because of the clamour of a comparatively small section of disgruntled people, the Government has made this present attempt to deal with the Council franchise. As a matter of fact, the Government has not made an attempt to improve the position but merely to introduce legislation to hamstring this Chamber and render it of no effect. The same individuals that have been prodding the Government in this direction are mostly in favour of the abolition of the Legislative Council.

It is quite possible that in time these same people will come forward with a request for the abolition of the Legislative Assembly because most of them, I think, are of that peculiar mentality that they wish to see Western Australia governed from the Eastern States. If we could look even further ahead and see the consummation of that desire, we would possibly see the same old individuals turning round and finding fault with the Government centred at Canberra. These people are, in my opinion, not imbued with any desire to assist Western Australia. Their mentality is such that they must interfere with existing institutions. To my mind it would be a calamity if this House were abolished or even if it were made a reflex of a Chamber elected on the basis of adult suffrage. I admit there are occasions when worthy men have experienced disabilities under the present system of enrolment for this Chamber. Some of those disabilities were mentioned this evening during the debate on the Bill that has just been dealt with. References were made to men who were more or less itinerant and also to those working outback.

I do not think it should be beyond the wit of man to devise a method by which those people should be enfranchised, but I am definitely against the promiscuous granting of the franchise for every man irrespective of his worth. A man might be the greatest criminal unhung, a scoundrel of the worst type, an individual who spends the greater part of his time in gaol, but nevertheless the Government would put that individual on the same plane with respect to

the franchise as the most worthy man in the community. That is definitely wrong. In my opinion the Government is quite to blame for the vote that was taken in the House this evening, because had it been sincere in its desire to improve this Chamber, it would, of its own initiative, have brought down quite a different type of Bill. If it had, I think it would have received a fair measure of support in this Chamber.

If the Government had brought down a different type of Bill, which sought to cut out some of the anomalies and to extend the franchise in certain deserving directions, I for one would have been in favour of it. During all the years of its political existence the present Government has failed signally in that direction. If the proposed Select Committee is agreed to, I trust that it will endeavour to do what the Government should have done—show the electors of Western Australia that this Council is not the hide-bound, Tory institution that some people represent it to be. It will presumably be the province of the Select Committee to examine other systems of parliamentary government. In Victoria at the present time Bills have been introduced into Parliament for re-division of seats in both the Legislative Assembly and the Legislative Council. The debate has not yet gone very far, but I have had an opportunity of reading it in the "Hansards" so far as they have been received. It is highly instructive. The Victorian Parliament has devoted a good deal of time to the subject of proportional representation. In the Victorian "Hansard" there are many pages of argument as to whether that system should not be given effect to in preference to the existing system.

I have to admit that I had not been particularly interested in proportional representation, but I confess having also to admit not having studied the subject very deeply. Still, I have to remember that proportional representation has operated in Tasmania for about 35 years, and that it appears to work very well. In what might be termed the most enlightened, academically of course, electorate, in Great Britain, the Universities, those institutions choose their representatives in the House of Commons by proportional representation, and have done so since 1918—quite a long time. After 26 years' experience of proportional representation, the Universities will have

no other system. That shows that there are systems of representation it might be well for the Select Committee to investigate. I trust that the Select Committee will not be unnecessarily hurried, but given all the time necessary to bring down something to its credit and to the credit of this House. I intended to make reference to numerous matters, but the vote of a few minutes ago has done away with the necessity for that.

There is one particular reference I wish to make, and that is to the chorus of howls regarding what is going to happen to the soldier upon his return. I believe the soldiers would resent a lot of the stupid things that have been said about them. I have a much better opinion of the mentality of returned soldiers, and of their place in the scheme of things, than to suggest that they are going to be unfortunate persons drifting about with no idea of making good in this world. Returned soldiers after this war are going to do much the same as returned soldiers did after the last war. They are going to fit into the scheme of things, and will become leaders in many respects of public life. The returned soldier, by reason of the fact that he went to fight for his country, has shown himself to be a man of grit; and he will be a man of grit when he returns. But we have to see that when he does return, there are none of the disabilities that so frequently follow wars, for him to contend with.

I was struck by Mr. Parker's statement regarding the Government making approximately £9,000,000 available for the building of houses. We should be quite safe in assuming that the greater portion of that housing will go by first preference to returned soldiers who want accommodation. Does it not follow that returned soldiers, since they are going to be decently housed, will be eligible for a vote for this House? And does it not also follow that the returned soldier will see that he gets the vote? Reference was made yesterday to the men of wealth in this country. I think it was my dear old friend Mr. Drew who said it was monstrous that a man of money could obtain a vote in more than one province, and that it was monstrous the man of money should be able to enjoy the things that a poor man was denied.

Last Monday—I think it was—an illustration of the Commonwealth Government's

attitude in that regard was given. We had a Lancaster bomber here putting up a stunt for the second victory loan. This Commonwealth Government, which professes to have so much solicitude for the under-dog, decreed that men who could buy a £100 bond would be given a free ride in the Lancaster if they so desired, and that men who could put up a £10 bond should be able to peep inside the bomber, but that the poor fellow who could only buy a 5s. war stamp must stand outside and have a look. Is that consistency? Probably half-an-hour later Commonwealth Ministers, who were over here in connection with public affairs, would be making the same old howl, that the man of wealth has all the preferences. But when they have the opportunity, they continue to give him all those preferences. I hope the motion will be carried, and I am confident that if it is it will bring down a series of recommendations of which this House will be proud.

**HON. H. SEDDON** (North-East): It is my intention to support the motion, for I consider that the mover demonstrated that the electoral system of this State for the past few years needs revision. If it is to be done, it will be with regard to the franchise firstly, and secondly with regard to the administration of the electoral law. In 1926 a joint Select Committee was appointed, being afterwards turned into a Royal Commission; and it investigated the whole question of the franchise and made certain recommendations. Among those recommendations were some that dealt with abuses of the rolls under our electoral laws. There were certain amendments introduced to the Electoral Act and to the franchise. Amendments to the Bill were introduced here with a view to clarifying the franchise and also dealing with certain difficulties that arose.

When that Bill went to another place it was dropped, and no attempt has been made since that time either to deal with those electoral abuses which are becoming more and more prevalent and—shall I say?—more and more blatant. We now get legislation of the type we have just dealt with, legislation designed to hamstring this House. If there is one thing more notable than another in dealing with the problem that confronts us today, and also with the problem which will arise in connection with post-war reconstruction, it is that we

should have an intelligent approach to them; and this pre-supposes in the first place an intelligent voter and, further, a member of Parliament who will always have fully considered and amply studied the problems.

I was interested to note the other day where a Sydney professor made an analysis, by means of intelligence tests, of the community; and in the course of that analysis he pointed out that 40 per cent. of the population could be regarded as below average. The result of his tests was that four per cent. had very good intelligence, and that—

The Chief Secretary: Were they the professor's own personal tests?

Hon. H. SEDDON: Well, I suppose he is qualified. He is a professor. I take it that he gained that position because he had demonstrated himself to be a man of ability. His figures fall out as follows:—exceptional intelligence four per cent., good intelligence 9 per cent., good average intelligence 14 per cent., moderate intelligence 25 per cent., poor intelligence 23.8 per cent., and poor and very poor 24 per cent. I have quoted those figures because under the system adopted every one of those persons has an equal vote. The vote of the Chief Justice of this State is equal to the vote of the man who can only be classed as a waster. The vote of the intelligent, thrifty man, who has tried to raise a family and endeavoured to do his best for each of them, is equalled by the vote of a man who lacks those qualities.

The vote of the man whose intelligence can only be regarded as feeble has equal value to that of the man who has devoted his life to study and benefited humanity by his discoveries. These tests emphasise that if we are going into the question of the reform of the franchise, those factors will have to be taken into consideration and we shall have to devise a system whereby the man who can be regarded as of benefit to the community shall have a vote, but the man who is a waster and does not care shall be relegated to a position of less importance.

Hon. J. Cornell: That is what Hitler has been trying to do.

Hon. H. SEDDON: I do not know that it is.

Hon. H. SEDDON: In practice Hitler glorified brutality. He brought about what a very big section of the Labour Party is trying to bring about here—a dictatorship. Some of the methods that have been introduced into and practised in Australia to-day have been copied from Hitler, not from the standpoint of developing a superior race, but from the standpoint of a servile, subservient attitude on the part of the people towards what their leaders think is good for them. This matter of parliamentary representation needs further clarification. Many people have been trained to look on Parliament as being the means of introducing a new order and bringing about a Utopia.

As a matter of fact, the real advance in the standard of living in the community has been due as much to enterprise and research as to anything Parliament has done. Parliament certainly has had a beneficial effect in policing that advance and that progress and in trying to prevent abuses by persons who can only be regarded as having no conscience so far as their civic responsibilities are concerned. There is an axiom that Government is finance. Yet how many electors have studied the government of the State from the standpoint of finance? Very few could give an intelligent reference to what the progress—so-called—of this State has been with regard to financial administration. There is another factor—the effect of legislative action on production. How often has the one been related to the other? How often have industrial measures been brought forward without any attempt being made to show that they can be regarded from the standpoint of definitely raising the standard of the community? If costs are going to be increased without any corresponding increase in benefits, the community will retrogress and it is because these things have been ignored in the past that the cost of living has increased through the years. Few people think of that; certainly the electors do not.

If democracy can be defined as government by consent—and I suppose that is as good a definition as we can get—how can we regard compulsory voting as democratic? Mr. Parker has elaborated that clearly and has pointed out that the man compelled to go to the poll is not likely to exercise a conscientious vote. As a matter of fact some figures quoted in connection

The Honorary Minister: A superior race!

with the results in the Legislative Assembly have indicated that the effect of compulsory voting has not been to achieve the results expected. This country will never exercise the franchise intelligently until it has learnt to value the franchise. It is from that angle I suggest compulsory voting is far more likely to be a danger to the community on account of the character of the vote than the vote which is exercised intelligently and which is consequently far more likely to be of benefit to the community. How do people elect their representatives today. We know there is a practice whereby candidates are chosen by a selection ballot. Candidates present themselves to a committee and are approved by that committee.

Hon. C. B. Williams: You are referring to the National Party.

Hon. H. SEDDON: I am referring to both Parties. I go further and say I am referring to any Party which is constituted and has any numerical strength. Some method is adopted whereby candidates are selected. But I want to present this point to members: The selection ballot is not compulsory. It is possible in a selection ballot for only five per cent. of the eligible persons to vote. However, once the person has been selected it is more than a man's industrial life is worth to allow it to be known that he does not propose to support that candidate and very often the man selected by a minority is foisted on the community and becomes the representative of the community in Parliament.

Can that be said to be the most democratic way, or even a democratic way of selecting a high type of representative and therefore of securing a high quality of legislation? A little while ago I referred to parliamentary government. What is parliamentary government? Administration departments constitute the real government. But Parliament exists for the very important purpose, more than anything else, of effectually checking the growth of bureaucracy. That is one of the most important functions of Parliament and that is why we have devised our Parliaments along the lines on which they have developed. But we find that Governments are inclined to follow the lead of departmental heads and adopt methods that are becoming more and more dictatorial. When we have parliamentary government with a Ministry having sufficient control in the Party meet-

ing to enforce its decisions on the Party and thereby on the House as a whole, can that be called a democratic system of government? Yet that is what prevails today. It means this: A minority can arrogate to themselves and retain control of the country by maintaining just that degree of cohesion which is necessary to enable them to obtain party support.

There is a tendency today for Ministers to get more and more away from Parliament and for Parliament to be relegated to the position of a rubber stamp rather than to be enabled to exercise a check on the Ministers to whom it trusts the direction and the control of departmental activities. For those reasons and many others I suggest the proposed Select Committee could do a great deal of useful work. But there is another aspect I think the committee should go into and that is the question of the abuses that have arisen through the years with regard to the administration of the Electoral Act, particularly in regard to postal voting.

The calibre of people who have been appointed in recent years to the position of postal vote officers is not what we should expect from men carrying out duties of this kind. They are not entirely free from political bias. What can be thought of a postal vote officer who goes to a house where a woman is desirous of recording a vote and stands over her while she is filling in her ballot paper and almost directs her how to fill it in?

Hon. C. B. Williams: That is the type I would like in my corner!

Hon. H. SEDDON: That has occurred on more than one occasion. What can be said of a postal vote officer who takes the vote before polling day of an elector who is in perfectly good health, and who on election day would be within a quarter of a mile of a polling booth? That type of abuse is growing today, and nothing is done about it. Those things are not only occurring today but they have also occurred in the past. I know of a case in which the postal voting was so abused that the matter was brought to the attention of the department—but nothing was done. That leads us to the conclusion that the franchise is not being given the consideration that should be paid to it and that there is not that jealous regard for the proper conduct of elections that would be

displayed in a community which took an intelligent interest in the franchise. There is another aspect of the use of the franchise into which the committee might inquire.

In our Constitution Act we have certain very definite conditions under which the Legislative Council franchise may be exercised but the history of that franchise through the years has been that it has been broadened, very largely by Crown Law rulings, until today, as Mr. Heenan pointed out, we practically have adult suffrage, not in accordance with the provisions of the Constitution Act but foisted on to us by rulings given by the Crown Law Department which have never been challenged in a court of law, as they should have been. These are things the committee might inquire into and by its report indicate where the Government has very sadly neglected its duty in regard to the administration of the electoral law. As a result of the discussion on the Bill that was brought up in 1936, dealing with the Electoral Act, for a time more attention was paid to the carrying out of the work of the Electoral Office, and that office was strengthened and a number of people made available whose time was to be devoted entirely to electoral work.

The position today is that electoral work has been relegated to the position of an absolutely unimportant side-line. The Chief Electoral Officer is asked to deal with electoral claims, and he has to carry out his duty, well knowing that it is absolutely impossible for him to do it. Reference has been made to the impossible position that arises when a large number of claims are lodged with the department at the time the rolls close. They are lodged during the last day or so. Let me here support the statement made by Mr. Heenan with regard to his activities in the North-East Province, because he did lodge his claims as they came along. But it was impossible for the electoral officer to give proper scrutiny and investigation to a large number of claims that were lodged because he did not have adequate and competent staff.

The Government has treated the electoral officer with scant consideration. As a result one can only think that the Government is not exercising that regard for the right of an elector to lodge his claim and take his rightful share in the government of this country that one would expect

from a Government claiming to have a democratic constitution. For these reasons I strongly support the motion. I suggest that the committee explore the many qualifications which have been adopted in other countries and States, particularly with regard to the possibility of establishing a franchise not only for this House but also for the Assembly which could be held up as an example of which we could be proud. By so doing it would restore this country to democratic freedom, which has always been the basis of British communities throughout the world.

**HON. J. CORNELL** (South): It was not my intention to take any part in this debate. The motion is sure to be carried and the Select Committee is certain to be appointed. I simply rise to direct the committee, when it is appointed, to the deliberations of the honorary Royal Commission that inquired into the electoral laws of both Houses as far back as 1936. When I enumerate who constituted that Commission, members will agree that it was a thoroughly representative and good Commission. The representatives of this House were Mr. Baxter, Mr. Fraser, Mr. Parker, Mr. Thomson and myself. The Assembly representatives were Mr. Willcock, the present Premier, Mr. Latham, Mr. Wise, Mr. Hawke and Mr. McDonald. The House will agree that a more representative body could not have been appointed at that time.

Members will find that all the evidence is included with the Commission's report, together with the Bill finally agreed to by all members of the Commission, with the exception of myself. I submitted a minority report with which Mr. Fraser agreed in one section and Mr. Thomson in another. The Commission's findings were printed in italics in the Bill. That is to say, members could see what was left of the old Act and what was suggested by the Commission. During the whole of the deliberations, Mr. Justice Wolff, in his then capacity of Assistant Crown Solicitor, attended. The secretary of the Commission was Mr. Les Stotter, now a magistrate at Kalgoorlie. Those men, together with the then Chief Electoral Officer, Mr. Harold Gordon, than whom I do not think we have had a more competent civil servant in that office—

Hon. C. F. Baxter: You are right there.

Hon. J. CORNELL: —were responsible for the Commission and its workings. That Commission did good work in bringing our electoral laws up to date. It was unanimous on almost every point.

One amendment suggested by the Commission was far-reaching and shows how closely it probed the whole affair. The judge who presides over the Court of Disputed Returns, as the law stands today, is the sole arbitrator of questions of law and fact. The Commission was unanimous in its opinion that while he could be the sole arbitrator on questions of fact, it was only fair that he should not be the sole arbitrator on questions of law. A Bill was introduced in the Legislative Assembly because the Select Committee was asked for there originally. This House agreed to the Select Committee, which was turned into a honorary Royal Commission. The present Premier was chairman. One of my differences with the Commission's findings was that the Commission suggested doing away with the ratepayer. That was originally Mr. Harold Gordon's suggestion. The march of time has caused me to believe that perhaps he was right.

The only point in difference was that I agreed, and so did Mr. Thomson, that the ratepayer should not go altogether. The other members of the Commission agreed that he should. We suggested that that qualification should remain, provided that the ratepayer had no other qualification. That is to say, if he had another qualification he could not claim to be enrolled as a ratepayer being on a road board or municipal list. If he did not have any other qualification, he could claim as such. The other point in difference was in connection with the transmission of a claim card. If John Brown filled in a claim card for an elector, he was responsible for its transmission to a registrar. He really had to give a receipt to the man for whom he filled it in. That was agreed to by all with the exception of Mr. Fraser and me. We said it would create hardship and make enrolment more difficult.

The last point, on which I stood alone, was in connection with the abolition of postal voting. The Chief Electoral Officer put forward a method of postal voting which was almost as cast-iron and stringent as the Commonwealth system of postal voting.

The whole Commission, with the exception of myself, agreed to the Chief Electoral Officer's recommendations. I admitted that there were abuses, and I admit that there are today. But the abuses, in my long experience, are to be found in the towns and the cities and not in the country. In the towns, even on polling day, an astute and aggressive canvasser can go around and pick up votes, but he cannot do it in the country on that day. I made the suggestion that only certain persons be empowered to take postal votes, and that no postal vote be taken after 6 o'clock on the day prior to polling.

I can remember that in 1930, on the occasion of one of my elections, one person alone at Boulder took 56 postal votes on polling day. Some of them she received in the backyards. The Bill passed the Assembly in all its stages and came to the Council. I took charge of the proposed postal voting and ratepayer provisions, and I moved amendments in accordance with my minority report which, in two of its phases, was agreed to by Mr. Thomson and Mr. Fraser. The Bill was returned to the Assembly, but if members will take the trouble to look it up they will see that the amendments covered only those three points, namely, the ratepayer; the giving of a receipt of acknowledgment, and a heavy penalty for not delivering a claim card; and postal voting.

The Bill contained so many amendments, mostly consequential, particularly in regard to postal voting throughout its ramifications, that the Assembly dropped it. No attempt was made in that Bill to whittle down the present franchise of the Legislative Council. Strange to say, the present Government, which appointed that Commission, retained all the qualifications that were there previously, with the exception of the ratepayer, and it also abolished the term "householder," in order to get over the difficulty of the term "inhabitant," and to clarify the position of "householder." I regret that some agreement was not arrived at on that Commission's report and findings because, from my long experience, I know that it did the job as well as any such job has ever been done. I pay this tribute to the Commission, and it applies to all parties, that during the whole of its deliberations there was no semblance of an endeavour to introduce party differ-



ences. I can remember that at one stage Mr. Wise and I held up the show. We were in opposite camps. I simply rise now to suggest to this committee that, as far as dealing with the franchise and necessary amendments to the Electoral Act are concerned, it can have no better guide than that Commission's deliberations and findings. It is my first recollection of where the system prevailing in the Union Parliament of South Africa, which dealt with all phases of miners' diseases, was considered, and where one of the terms of reference to a Commission was to draft the necessary legislation. It is the only occasion that I know of where a Commission drafted a Bill. The Bill was drafted and presented to Parliament, not as a Government measure but as the final word of the Commission which was assisted by the Assistant Crown Solicitor, Mr. Harold Gordon and Mr. Les Stotter.

When we come to sum up, we must conclude that with the exception of compulsory enrolment and voting, and the provision for the fourteen days to elapse between nomination and polling days, other than for the re-election of a Minister, nothing whatever has been done to meet modern requirements since the amendments were made in 1911. It is high time that something was done. I hope the Select Committee will confine itself to seeking a practical solution of the problem of bringing our electoral laws up to date and will not go seeking after something in the nature of a Utopia. Our electoral laws are in need of an overhaul; there is room for abuse to creep in, but the good points of the Act in this State far transcend all the bad points.

On motion by the Chief Secretary, debate adjourned.

## **BILL—EVIDENCE ACT AMENDMENT.**

### *Second Reading.*

Debate resumed from the 11th October.

**HON. H. S. W. PARKER** (Metropolitan-Suburban) [9.2]: This is a very dangerous Bill. It really sets out to permit of the conviction of a person for a sex offence committed against a small child on the uncorroborated testimony of a child who is too young to take an oath. The Bill was mutilated in another place and now is framed in a very strange way. It provides

that at the hearing of any charge, whether heard before a jury or before a judge sitting alone, certain things may happen. A criminal charge is never heard except before a judge and jury, and so in that way the Bill would have to be altered to make commonsense of it. A judge, in directing a jury, would inevitably point out that it might convict the accused on the uncorroborated evidence of a small child if it so desired, but he would explain what has been the common law of England for a great many years, namely, that although it was within the power of the jury to convict, it would be an extremely dangerous course to adopt. I do not think anyone here would permit of a person being convicted of theft on the uncorroborated evidence of a small child too young to take the oath. It is not a question of the child being dishonest; it is not a question of the parents being dishonest. Small children do not tell lies; they do not realise what they are saying. In cases of sex offences, this is infinitely more dangerous. I think any member would be horror-struck if he went outside this Chamber and met somebody who informed him that a child had been interfered with. All of us would immediately want to rush out and bring in the man thought to be the offender, and the child would probably say that that was the man. We would have no mercy on him. The man would have no chance to say anything; the child would say of the first man brought in "That is the man." The parent might ask, "Did that man do so and so?" and the child would undoubtedly reply "Yes." Yet that is the type of offence for which we are asked to permit the acceptance of the uncorroborated evidence of the child. To do that would be far too dangerous.

No man would be safe against an irate parent if a child accused him. No man would be safe against a vindictive woman who had set out to damn him. Unknown to the man, she would only have to send the child out in the street. The man might tap the child on the head and talk to it in a perfectly normal manner. The mother would come along and would ask the child, "Did you speak to that man?" The child would reply, "Yes." "Did not I tell you not to speak to him?" and again the reply would be "Yes." "Did not he put his hand on your head?" and again the reply

would be "Yes." "Did he put his hand somewhere else"? and again the reply would be "Yes." The child would stick to that answer. I do not suggest that the child would be lying; it is merely what one would expect from a child. Yet we are asked to convict a man of a horrible and disgusting offence on such evidence. For over 150 years this question has exercised the minds of judges, and still they will not allow any man to be convicted on uncorroborated evidence. They will not allow a man to be convicted on the uncorroborated evidence of an accomplice, whatever his age might be. The judge would warn a jury that it would be dangerous to accept such evidence. A judge would still give that warning even if this Bill were passed, though I hope it will not be passed.

The Bill goes further than that and here is the extraordinary part. If a man is charged before a magistrate in the police court with the offence of indecent dealing with a child—this is really something that outrages all sense of justice—the child might be taken by the prosecutor before a judge of the Supreme Court, and the judge would examine the child away from the defendant and no one else would be allowed to ask any questions. Then the judge would direct the magistrate to accept the evidence of the child or otherwise without any cross-examination. No judge would examine a child in that way and then direct the magistrate to this effect, "Never mind two straws what you think; you have to accept this child's evidence." That would be absurd. I feel that it will not be possible to amend the Bill satisfactorily in Committee. We cannot allow a measure of this sort to go on the statute-book.

We might be asked, what are we going to do—protect the criminal or protect the child? First of all we have to get the criminal, and I do not think anyone would dream of protecting any criminal. This Bill, however, has had its origin in some unfortunate cases. They happen every year and throughout Australia and doubtless throughout the world. People suffering from distorted minds and sex perversion interfere with or make overtures to small children and it is an extremely difficult matter to detect them. I understand that what gave rise to this Bill was the case of a man who made indecent overtures to small children. He did not assault them, and from

the story as I heard it from a parent, he did not in fact commit any offence. He certainly deserved a flogging because he made overtures to children. Three different children identified the man as the one who had made overtures to them at different times, and I think there is very little doubt that he was the right man. Still I do not think that he had committed any offence. Anyhow the parents were told that he could not be charged because there was no corroboration.

The point to consider is whether we are going to take the risk of any decent and respectable citizen being charged with one of these offences on the statement of a small child when that child might have had her mind poisoned by a vindictive woman. I regret to say that cases of this kind have actually come under my notice, and it has been proved beyond the shadow of a doubt that the woman had so acted for the purpose of getting rid of a particular man. One instance is that of a wife who made most dreadful charges against the husband of interfering with his children and even made evidence available on the children's clothes. By pure good fortune, the man got out of it. Afterwards, both the father and mother were in my office on more than one occasion and completely satisfied me that the whole thing had been a put up job. That was a vindictive woman acting against her husband. That sort of thing will happen, and no man would be safe. We know how dangerous it is for a man to enter a railway compartment occupied only by a woman.

What are we going to do if we agree to accept the uncorroborated evidence of a child? I do not suppose any member would be more pleased than I would be if this type of crime could be stopped, but I fear this Bill, so far from having that effect, will endanger a great many innocent people. I would like to see a provision that, for offences of this sort, a flogging should be inflicted, whatever other punishment might be meted out, because the great majority of people who commit these offences have one fear, and one only, and that is fear of the lash. I cannot support the Bill as it stands.

On motion by Hon. L. B. Bolton, debate adjourned.

## BILL—NATIVES (CITIZENSHIP RIGHTS).

### *Second Reading.*

**THE CHIEF SECRETARY** [9.15] in moving the second reading said: As the Title implies, this Bill seeks to provide rights of citizenship for certain aboriginal natives. Under existing laws all natives are barred from full citizenship rights and this has become a serious disability to the welfare of natives of good conduct living as white people, and it detrimentally affects their mental outlook. Many natives are living under reasonably good conditions, comparable to ordinary white standards. This has been contributed to by full employment and social benefits; and since such natives are required to observe our laws and pay taxation it seems only right that they should be permitted to qualify for full citizenship rights.

If passed, the Bill will provide an opportunity for the better type of detribalised native to apply for complete citizenship rights, subject to the qualifications set out in the measure. Many natives are working under industrial awards. Because of the shortage of manpower, the better types of natives have been given an opportunity to obtain work, a large percentage of them being employed throughout the rural districts. Natives are also employed as shearers, surface workers on mines and drovers. In the metropolitan area they are to be found in foundries and other industrial establishments, and their earnings in both cases are sufficient to enable them to maintain their families in good condition.

These natives, in the main, hold certificates of exemption under the Native Administration Act, but those certificates do not confer upon them the general rights of citizenship, since the certificates merely exempt them from the provisions of the Act. An exemption certificate does not relieve them of disabilities and disqualifications imposed on native persons by various Acts, such as the Land Act, the Mining Act, the Electoral Act, the Licensing Act and others. They are still natives in blood and this disqualifies them from enjoying any of the rights which a white man has under the Acts I have mentioned. The Native Administration Act of 1936 was certainly important as a step in the transition of our native people, because under the Act of 1905 they

were viewed mainly in the tribal sense; whereas since then large numbers have become detribalised and there is an increasing number of half-castes who are natives within the meaning of the Native Administration Act.

Eight years have elapsed since the passing of the 1936 Act, and since then there has been marked progress in the social circumstances of many of our natives. I refer to detribalised natives of intelligence and good conduct. It is pleasing to say that many of them have done well. They are showing themselves to be law-abiding people of good industrious capacity and behaviour. Yet, notwithstanding that they pay taxation, they do not enjoy the rights of ordinary people that should be the rights of all free people who comply with the law. Quite a number have proved their reliability not only as soldiers in defence of their country, but in its economic life as well. Such rights of free citizenship should be available to our detribalised native people who, by reason of good character, standard of intelligence and development, are deserving of consideration; and the Government feels that progressive amelioration of their conditions might be achieved by the issue of certificates of citizenship as provided for in this Bill.

Under the Native Administration Act, 1936 certificates of exemption were in existence at the 30th June, 1943. These cover husbands, wives and children; and in most cases a single certificate covers a whole family. This means that approximately 600 native people are covered by certificates of exemption, and since these people would doubtless be the first to apply for certificates of citizenship, it would appear that there is not much likelihood of a widespread tendency towards the acquisition of citizenship rights in the near future. There are, however, quite a number of law-abiding native people of excellent living habits who object on principle to the system of certificates of exemption and they have not made application for such certificates because they sincerely believe they are entitled to full rights of citizenship. Approximately 400 half-castes have enlisted in the Armed Services.

The total number of natives at present working under awards and other industrial determinations is approximately 6,000. Many of them are good citizens and their

future as wealth-producers is of considerable interest to the State economically. The total native population is approximately 26,920, of which 5,471 are half-castes. The general welfare of natives and their habits and inclinations are a separate problem, and I do not propose to deal with these in connection with the Bill. From my own personal experience I know full well that these problems have many vagaries and complexities, due to the conflicting viewpoints involved, principally those of scientists, missionaries and employers. The question is not so much a matter for legislation as of warm-hearted endeavour on the part of all sections concerned or interested.

Turning now to the provisions of the Bill, it sets out that adult natives may make application to magistrates for certificates of citizenship. It also provides that applicants must either be qualified by honourable service in the Armed Forces or that they must be otherwise fit and proper persons and comply with certain conditions, in order to obtain certificates of citizenship. Briefly, the qualifications are that an applicant must satisfy the magistrate that he has adopted the manners and habits of civilised life; that full rights of citizenship are conducive to his welfare; that he is able to speak and understand the English language; that he is not suffering from leprosy, syphilis, granuloma or yaws; that he is of good behaviour; that he is of industrious habits; and that he is reasonably capable of managing his own affairs.

Hon. G. B. Wood: Have you any idea how many natives would be eligible?

The CHIEF SECRETARY: No. I would not like to hazard a guess how many would be eligible, and that is the reason I pointed out the number of natives who are today possessed of certificates of exemption under the Native Administration Act. There are some other natives, as I have already pointed out, who decline to apply for an exemption certificate on the ground that they consider they are entitled to citizenship rights. Mainly, they are well-educated natives.

Hon. H. Tuckey: Is there any set standard of education for them to pass?

The CHIEF SECRETARY: No.

Hon. J. B. Bolton: Up to the fourth standard?

The CHIEF SECRETARY: No. The Bill does not provide for any particular standard of education. The native, when making application, has to satisfy the magistrate that he can speak and understand English, that he is of good character and of industrious habits. I have already dealt with those points. There is a provision in the Bill which sets out that due notice of any application shall be given to the Commissioner of Native Affairs. If a certificate is issued by a magistrate, then the holder is no longer deemed to be a native, but has all the rights, privileges and standing of a citizen and is subject to the duties and liabilities of a subject of the King. As a safeguard, it is stipulated in the Bill that upon complaint by the Commissioner or any other person, a magistrate may cancel a certificate if he is satisfied that the holder has resumed tribal or native association, or has been twice convicted for any offence under the Native Administration Act, or of habitual drunkenness, or who has contracted leprosy, syphilis, granuloma or yaws. Yaws is a disease to which natives are susceptible.

The right of cancellation of a certificate is considered necessary in this particular legislation. Experience has shown that holders of certificates of exemption sometimes infringe the law by supplying intoxicating liquor to natives. Since the system of certificates of exemption was established, there have been 75 revocations of certificates, mainly because of the supply of intoxicating liquor to other native persons. That is a serious offence. As members know, several prosecutions have taken place, more particularly in recent times, of whites who have supplied liquor to natives. It does not require me to explain to the House what is the result more often than not, when natives are supplied with liquor of certain kinds or brands.

For medical reasons it would appear that a certificate should be cancelled if a holder of a certificate contracts any of the diseases stated, and no doubt compulsory action would be necessary under the Native Administration Act for his treatment. If a certificate is cancelled, then the late holder of the certificate will resume his status as a native and be subject to the Native Administration Act. Provision has been made in the Bill for a penalty of £25 for a breach of the Act

and its regulations, authority for the making of which is set out in the Bill, the other provisions of which are mostly of a machinery nature.

The Bill should, I suggest, receive the approval of members. It represents an earnest endeavour to give to our native people the opportunities afforded by the full rights of citizenship. It is an inspirational measure for those natives who live under white standards, and it opens up more clearly the transitional path from native circumstances to white standards for detribalised natives, particularly the half-caste who is justly deserving of consideration since he is no more black than white. I know that members appreciate the fact that the native problem is very difficult. We have to be very careful how we deal with matters affecting natives, more particularly when we propose to give them certain rights or privileges to which they have not been entitled previously. The Bill can be looked upon as a genuine attempt to provide for some hundreds of natives who have in many instances over years past been endeavouring successfully to live the life of the white people.

While the Bill may not go quite as far as some people interested in the native question would like, nevertheless I regard it as a step in the right direction, a step justly earned by many natives of full blood, and particularly by half-castes, who will be prepared to apply for the certificate provided for in the Bill. I trust members will give the measure sympathetic consideration and that we shall be in a position to say at long last that we have been able to provide for natives or half-castes, who show that they have the same attributes as have white people, the consideration that is required in every way. I think the measure represents the best means by which that consideration can be granted to them, and I move—

That the Bill be now read a second time.

On motion by Hon. H. Tuckey, debate adjourned.

*House adjourned at 9.35 p.m.*

## Legislative Assembly.

Wednesday, 18th October, 1944.

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

### QUESTIONS (3).

#### AXES.

##### *As to Supplies.*

Mr. PERKINS asked the Minister for Industrial Development:

(1) Is he aware that axes are almost unobtainable in country districts of Western Australia?

(2) Will he take steps to ensure that sufficient supplies are available; requesting the military authorities to release some of their reserves if necessary?

The MINISTER replied:

(1) Yes.

(2) Strong efforts have been made from time to time to obtain supplies and further efforts will be made at frequent intervals.

### TRAINING OF TEACHERS.

#### *As to College Course, Etc.*

Hon. N. KEENAN asked the Minister for Education:

(1) Is he aware that at the Teachers' Conference held last August the following resolution was carried unanimously, namely: "That the executive be requested to press for a Royal Commission to inquire into the selection and training of teachers and the organisation of the Teachers' College?"

(2) Is it his intention to give effect to the above resolution?

(3) Will he give the House an assurance that if the Royal Commission asked for is not granted, the intended two years' course of training for teachers will receive strict