should any distinction be drawn between farmers in a forest area and those outside? There could be considerable areas of agricultural land miles away from a forest area, but because of a certain fire hazard, the farmers in those areas would not be permitted to burn. It may be said that I expressed this view in voting for the amendment by the member for Roe, but I should prefer to see discretion given to the district fire officer.

Mr. HEARMAN: May I alter my amendment, Mr. Chairman, by inserting after the word "State," the words "karri and jarrah"?

The CHAIRMAN: The hon. member may withdraw his amendment and move it afresh after rewording it, or he may get another member to move for the insertion of those words as an amendment on the amendment.

Mr. NALDER: I move—

> That the amendment be amended by inserting after the word "State" the words "karri and jarrah."

Amendment, on amendment, put and passed.

Mr. HEARMAN: The amendment as amended, should overcome many of the objections that have been raised by the Leader of the Opposition. I do not wish to reiterate what I have already said.

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

Ayes	17
Noes	18
Majority against	1

Ayes.

Mr. Abbott	Mr. Nalder
Mr. Brand	Mr. Nimmo
Mr. Cornell	Mr. North
Mr. Court	Mr. Oldfield
Mr. Doney	Mr. Owen
Mr. Hearman	Mr. Wild
Mr. Hill	Mr. Yates
Mr. Manning	Mr. Hutchinson
Sir Ross McLarty	*(Teller.)*

Noes.

Mr. Graham	Mr. Lawrence
Mr. Hawke	Mr. McCulloch
Mr. Heal	Mr. Norton
Mr. W. Hegney	Mr. Nulsen
Mr. Hoar	Mr. Rhatigan
Mr. Jamieson	Mr. Sleeman
Mr. Johnson	Mr. Styants
Mr. Kelly	Mr. Tonkin
Mr. Lapham	Mr. May
	(Teller.)

Pairs.

Ayes.	Noes.
Mr. Mann	Mr. J. Hegney
Mr. Bovell	Mr. Guthrie
Mr. Watts	Mr. O'Brien
Dame F. Cardell-Oliver	Mr. Moir
Mr. Perkins	Mr. Andrew
Mr. Ackland	Mr. Sewell

Amendment, as amended, thus negatived.

Progress reported.

House adjourned at 6.15 p.m.

Legislative Council

Tuesday, 21st September, 1954.

CONTENTS.

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

BILL—FACTORIES AND SHOPS ACT AMENDMENT.

Read a third time and returned to the Assembly with an amendment.

BILL—SUPREME COURT ACT AMENDMENT.

Second Reading.

Debate resumed from the 16th September.

HON. H. K. WATSON (Metropolitan) [4.37]: This is a Bill which I think will commend itself to the House, inasmuch as it is designed to facilitate the day to day working of the Supreme Court, and to attend to one or two other matters which will simplify and expedite the administration of justice. Most of the other amendments contained in the Bill are of a machinery character.

The Supreme Court, like most other organisations and institutions, doubtless finds that the business to which it has to attend today is considerably greater than that of 10 or 20 years ago. Provision is therefore made in the Bill for the definition of "Master" of the Supreme Court, and for the appointment of a deputy. The measure also lays down the duties of the registrar. Opportunity is taken in the Bill to leave it to the discretion of the Chief Justice or, failing him, the senior judge, to decide just when the Supreme Court shall go on circuit.

Apparently the Act at present lays down some hard and fast rule, but it is not always desirable or convenient that that rule should be adhered to by the court. I feel it is desirable that the court itself

should determine at what periods and for how many periods it should go on circuit throughout the State during the year. A couple of further points dealt with in the Bill are concerned with the ordinary processes of law.

It seems extraordinary that when the sheriff is acting and executing his duties under a writ of fi fa, it is not quite clear whether, in the event of a property being submitted to auction and not sold at auction, that officer then has power to sell it by public tender. The Bill makes it clear that if the property which is the subject of a writ is not sold by auction, it may be sold by public tender. There is also a minor provision in the Bill which defines what Australian consular officers may execute notarial acts beyond Australia. That provision has been inserted in the Bill at the request of the Commonwealth Government.

I understand that all the proposals in the Bill have been brought forward at the request of the Master of the Supreme Court with the concurrence of the Chief Justice. I think the measure should commend itself to the House and pass the second reading.

Question put and passed.

Bill read a second time.

In Committee.

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

BILL—ADMINISTRATION ACT AMENDMENT.

Second Reading.

THE CHIEF SECRETARY (Hon. G. Fraser—West) [4.45] in moving the second reading said: Each of the amendments in this Bill was suggested this year by the Chief Justice; and the Bill has been checked and approved by His Honour, who has stated it will deal satisfactorily with certain difficulties in connection with the administration of comparatively small estates of intestate persons. His Honour said that the proposals in the Bill will cheapen administration and give better protection to beneficiaries, almost all of whom are widows and children. He drew attention to the fact that the Bill would not affect any direction or wish of persons who make wills.

The object of the first amendment is to save expense where small estates are concerned, or where the value of the land to be dealt with is low. Section 18 of the principal Act provides that no real estate of which administration has been granted shall be leased for longer than three years, or sold or mortgaged, unless all beneficiaries to the estate give their written consent, or the court makes an order. The Chief Justice has recommended that this provision should not apply where the value of the land proposed to be sold does not exceed £500, or where the gross value of the estate of which the land forms part is assessed at less than £2,000; and the Bill seeks to give effect to this recommendation.

Hon. H. K. Watson: Both of those values are pretty low, are they not?

The CHIEF SECRETARY: They seem to be low on today's values. However, I suggest that we could have a look at them more closely in Committee to ascertain whether any alterations are necessary.

Powers to lease, sell, or mortgage are often conferred by a will; and, in such cases, the testator usually carefully chooses as his executor a person he considers can be trusted to exercise prudence in connection with any possible transaction. In a case where no will has been made, Section 18 provides a safeguard for the protection of the estate.

However, where land of small value is concerned, or where the land forms part of a small estate, the expense of obtaining the written consents of all beneficiaries, or an order of the court, is often not warranted. Frequently, considerable trouble occurs in procuring all the necessary consents; and where any of the beneficiaries is under the age of 21 years, an order of the court must be obtained.

In the event of an administrator abusing the power given him under the proposed amendment, the beneficiaries would have a remedy against him at common law; and, as only small sums would be involved, this should prove sufficient protection for a beneficiary.

The second amendment refers to the bond into which Section 26 of the parent Act requires an administrator to enter. This provision specifies that, except where the contrary is expressly enacted, every person to whom administration is granted, shall, prior to the issue of administration, execute the bond prescribed in Section 27. This bond must be supported by one or two sureties in respect to the collecting, getting in, and administering of the real and personal estate of the deceased person.

However, the Act does not provide that these sureties shall be liable for any defaults of an administrator once he becomes a trustee—that is, after he has cleared the estate by payment of funeral expenses, debts, and legacies. The distribution to beneficiaries or next of kin normally occurs after the administrator has assumed the character of trustee, and these persons should have the protection of the sureties to the administrator's bond. The need for this was brought to mind forcibly by a decision in the Supreme Court this year, as well as by another recent decision in New South Wales. The Bill, therefore, seeks to rectify the position by requiring that the sureties to the

bond are entered into in respect to the distribution as well as to the collecting, getting in, and administering of the estate.

At present, the Supreme Court is empowered by the principal Act, upon the application of an interested party, to revoke any administration, or to require the administrator to enter into a new or an additional bond. The Bill proposes that as well as taking such action on the application of an interested party, the court may do so on the report of the Master of the Supreme Court.

While the amounts of an administrator's bond and sureties should be based on the value placed on the estate by the Commissioner of Stamps, in practice it frequently occurs that a grant of administration is made on a bond, and sureties assessed on the value of the estate as sworn for duty purposes by the administrator. The grant of administration is then issued, following the payment of duty tentatively assessed on the same basis.

Subsequently, after investigation, when an estate is finally assessed for duty purposes at its true value, it is sometimes found that this value is considerably higher than that sworn to by the administrator. In such cases it then becomes necessary to increase the amounts of the administrator's bond and sureties. Unfortunately, the greatest difficulty is sometimes encountered in inducing the administrator to provide the necessary additional security. Such a circumstance would be overcome by the amendment in the Bill, which would enable the Supreme Court, on the motion of the master of the court, to order extra security, or, if necessary, to revoke the grant of administration if the additional security is not forthcoming.

The object of the next amendment is to clarify the power of the Supreme Court to alter the rules and forms which are referred to in the Third Schedule to the principal Act and in the appendix to the Third Schedule. While Section 144 (1) of the principal Act states that these rules and forms may be altered, added to, or rescinded under the power given to the judges by Section 167 (1) of the Supreme Court Act to make rules of court, it is considered that a doubt exists as to the judges' power so far as the rules and forms referred to in the principal Act are concerned.

The Bill seeks to remove this doubt by repealing and re-enacting the present provision so as to give the judges the authority to make and prescribe all such rules and forms as may be necessary or convenient to carry out the objects of the Act. This will include the specific power to alter, add to, or repeal any of the rules or forms which are detailed in the appendix to the Third Schedule of the Act. The Chief Justice has advised that this amendment is necessary to enable the form of administration bond to be safely altered, as provided for in a previous proposal in the Bill.

The last amendment seeks to give the judges the authority to delegate to the master of the court, by rule of court, the authority to deal with applications for grants of administration for estates where the gross value as sworn for death duty purposes does not exceed £5,000. At present, the master's jurisdiction extends only to estates of a value of £1,000 or less. This maximum was set in 1903, and is completely out of line with modern money values. The proposal, if agreed to, will relieve the judges of the burden of dealing with many comparatively small estates.

I think I have explained quite thoroughly the reasons for the proposed amendments. If any further information is desired, I will be only too happy to obtain it. As I have said, each amendment has been recommended by the Chief Justice. They are also considered advisable by the Solicitor General and the Master of the Supreme Court. I move—

That the Bill be now read a second time.

On motion by Hon. H. K. Watson, debate adjourned.

BILL—CROWN SUITS ACT AMENDMENT.

Second Reading.

Debate resumed from the 16th September.

THE CHIEF SECRETARY (Hon. G. Fraser—West—in reply) [4.54]: I am pleased to note that this small Bill appears to have met with the approbation of all members, which is understandable, as the Bill seeks to liberalise the rights of citizens to sue the Crown. Mr. Watson was not quite clear as to the intention of Clause 6. He asked whether it was meant that if the Attorney General or the Minister for Justice refused an applicant the right to take action against the Crown, after a period of up to six years after the cause of action had taken place, the applicant could then apply to the Court for permission. The intention of the provision is to save any applicant expense and time by applying to the Minister in preference to the court. If the Minister refuses the claim the applicant may then appeal to the court. If he would rather apply to the court first he would be at liberty to do so

The hon. member also inquired as to the general nature of actions against the Crown. I am told that these usually relate to such things as dismissal under contract or for breaches of agreements by State

instrumentalities whose statutory powers stem from their own Acts. While I have no actual figures, I understand there have not been many cases. However, even if they were rare, the proposals in the Bill are warranted. As members will appreciate, the rapid industrial expansion of the State has resulted in the Government entering into a number of agreements, and the other parties to these agreements are entitled to the protection afforded in the Bill.

Question put and passed.

Bill read a second time.

In Committee.

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

BILL—TRAFFIC ACT AMENDMENT (No. 1).

Second Reading.

Debate resumed from the 16th September.

HON. J. G. HISLOP (Metropolitan) [4.58]: I have given thought to the moving of agricultural machinery, and I notice that an amendment has been placed on the notice paper suggesting that it be carried out between the hours of sunrise and sunset. The hour before sunset can be a very difficult one, probably the most difficult time of the day in which to move agricultural machinery.

Hon. L. Craig: It is very hard indeed to determine when it is sunrise and sunset.

Hon. J. G. HISLOP: Recently, just at sunset, when travelling on the road to Mullewa, we came across an overwidth vehicle. It was very difficult to see because the setting sun was shining right into our eyes, and we could not determine the exact position of the vehicle. I suggested to the mover of this Bill that provision should be made to restrict the movement of agricultural machinery to certain hours. On a similar journey, previously, we were travelling round a bend, and we were suddenly faced with two oncoming vehicles, one not very far behind the other, and each being towed. They were probably being towed on too long a line, because they were swinging very badly behind the front towing-vehicle. As we rounded a bend in the road, it was quite difficult to pass the vehicle.

When other speakers were addressing the House, I thought it might be a good idea if overwidth vehicles carried a sign which would become as well known as a railway crossing or some of the other signs that vehicles have to carry. It would have to be cheap and it would have to be effective. I suggest a circle painted, say, white, with a "W" in the centre painted red. If that were fixed high on the towing vehicle, the whole motoring world would know that the sign stood for an overwidth vehicle.

I do not say that that idea exactly should be accepted, but something of the sort is needed, because once motorists recognised the sign, they would know the difficulties confronting them. Whilst the mere granting of a permit might not do much in the direction of lessening traffic hazards, a sign known by everybody and recognised as indicating the approach of an overwith vehicle might be helpful.

HON. F. R. H. LAVERY (West) [5.2]: The amendment in the Bill deals with the transporting of farm machinery, and I can claim to know a little of the habits of farmers when transporting such machinery along highways and across roads to get from one paddock to another. I agree with Dr. Hislop that some standard sign should be adopted in the not distant future inasmuch as a good deal of this machinery is being made of greater widths. I believe that ploughs and harvesters are about 24ft. wide, and it is machines of this type that have to be transported by farmers.

Last year, when an amendment was being moved by the Chief Secretary, I directed the attention of members of the Country Party to the fact that it referred to farm machinery. I had in mind the thought that the farmer could suffer a disability if the provision did not prove to be workable. An amendment on the notice paper proposes a limitation of the hours to those between sunrise and sunset. This I consider is a good one, but I support Dr. Hislop in his suggestion to require signs to be carried in view of the new types of machine that are coming forward almost every day.

While I support the farmers, I admit that there are some who do not play the game. On the Thursday before Good Friday, I was travelling south to Albany via Kojonup. At the 176-mile turn-off, one leaves the Albany Highway at right angles and proceeds to Tambellup. In one of the dry creeks, I noticed that some of the guide posts had been put there by the road board. A farmer with a new machine too wide to pass at that spot had cut off the guide posts low down, and even five weeks later, only the stumps of those posts remained. That farmer was not playing the game, because others driving in the dark would look for the guide posts and thus would be faced with a further hazard. I trust that consideration will be given to the suggestion that a standard sign be adopted for overwidth vehicles.

HON. SIR CHARLES LATHAM (Central) [5.6]: The interest that has been created by the amendment contained in Mr. Jones's Bill is really surprising. For years and years overwidth vehicles and implements have been used on the roads,

and I venture to suggest that not one accident has occurred to which any member can refer.

Hon. N. E. Baxter: I know of one.

Hon. Sir CHARLES LATHAM: I do not know of any, and probably I have travelled in the agricultural areas and in the South-West as much as any member of this House. We have to remember that these vehicles are slow-moving, which gives vastly more protection than does a motor-car travelling at 60 or 70 miles an hour, such as I have noticed at times.

Hon. R. J. Boylen: They hold up the traffic sometimes.

Hon. Sir CHARLES LATHAM: No, they do not. Unless a driver is near-sighted, he can see one of these vehicles approaching from a long distance, though if he were travelling at 70 miles an hour, it would be a different matter. I was in a car that came from Kalgoorlie on one occasion—

Hon. R. J. Boylen: I was in one that turned over.

Hon. Sir CHARLES LATHAM: The hon. member was travelling to Kalgoorlie, and that happened on a country road. No matter what we do, it is impossible to prevent accidents happening.

Hon. R. J. Boylen: We can do something to minimise them.

Hon. Sir CHARLES LATHAM: The main roads are quite wide enough to give all the protection that is necessary. There is no great need for all this worry about what might happen. Probably the greatest trouble for an inexperienced driver is to meet a mob of sheep on the road. I have seen a driver run his car at 30 miles an hour right up to a mob of sheep, thinking they would disperse, whereas anybody with a knowledge of sheep would realise that he had to slow down. I have got out of a car and walked ahead in order to get a mob of sheep off the road. That is a far greater danger than any farm implement would be.

When the regulation was introduced, it was not intended to apply to agricultural machinery. It was intended to apply to overwidth vehicles, such as traverse the roads at times, and are branded "overwidth," and sometimes have a vehicle travelling ahead and a red flag displayed in front and behind.

The Chief Secretary: Why do you say the law should apply to everything other than agricultural implements?

Hon. Sir CHARLES LATHAM: I did not say that, but it is usually applied to them. The regulation was not intended to apply particularly to agricultural machinery.

Hon. H. K. Watson: No, it was to overwidth vehicles.

Hon. Sir CHARLES LATHAM: The Commissioner of Police might have thought it would apply to agricultural machines, but probably did not give any consideration to its covering a harvester or a plough.

The Chief Secretary: Why should such implements be exempt?

Hon. Sir CHARLES LATHAM: I do not say they should be exempt. At the same time, there is no need for the worry and disturbance that have been caused. I doubt whether there has ever been one accident with an agricultural machine on a road. As I said before, they are slow-moving, and as long as the person in charge of an approaching vehicle exercises common sense, he knows what to expect.

The Chief Secretary: How would he get on if he met it rounding a corner?

Hon. Sir CHARLES LATHAM: Does the Minister suggest that these corners carry heavy timber and that one cannot see what is approaching? I know of some dangerous corners—there is one this side of Dardanup. But if a driver is cautious, he can see that the road takes a sharp turn to the left; and it is not a main road, though it is used by a great deal of traffic going to Donnybrook.

No matter what we do, we cannot prevent accidents, and I cannot see that there is need for all the worry about this matter. A person owning an overwidth machine is responsible for any accident on the road. Will the Minister agree with that?

The Chief Secretary: That applies to every vehicle on the road.

Hon. Sir CHARLES LATHAM: No, it does not. One may insure against most risks, but I do not think a farmer would insure if he were simply going to take a machine on the road occasionally. If a farmer were transporting one of the ploughs of which Mr. Lavery spoke over a distance of 20 or 30 miles, he would not drag it along a road but would put it on a truck. It would be placed lengthwise on the truck, and so would not occasion any worry. Where a farmer has a property on both sides of the road and is under the necessity of taking his machines across the road, he will have his gates opposite, if at all possible, for his own convenience.

Thus, we do a lot of talking without giving the matter real consideration. There is no justification for the objections that have been raised; and, in saying that, I think I can claim to know as much about the subject as do most members. I admit that driving at sunrise or sunset is worrying, and probably many of the accidents that occur are the result of drivers being blinded by the sun. Sometimes an accident occurs through a driver being blinded by the glaring lights of an oncoming car. We cannot legislate to prevent accidents; the most we can hope to

do is to minimise them, and one of the best means to that end that I know of would be to start with the schools and educate the children.

I hope that the House will be reasonable in dealing with this matter. I do not think there is any need for the amendments on the notice paper. I should like to meet the farmer who would attempt to move an overwidth vehicle along a road after dark or in the early hours of the morning unless the distance to be traversed was very short. He would have enough sense to realise that he would be responsible for any accident that might occur, and he would also appreciate the danger to himself as well as to his vehicle.

The Chief Secretary: You know that a number of accidents are caused because people do not think.

Hon. Sir CHARLES LATHAM: A lot of people talk because they do not think, too. If they did think, there would be a lot less talk. I do not believe we need to worry about all these imaginary things that may happen. I feel sure that people will take a commonsense view of this matter, and I believe that this measure will meet the requirements of the community; if it does not, we can amend it. I think I can stand up and say confidently that there will not be an accident, because of this Bill, within the next 12 months. On the other hand, there may be.

The Chief Secretary: You would be right there. You are pretty game to say it.

Hon. Sir CHARLES LATHAM: I would be game to back the statement, but I will not. Year after year I have seen vehicles being pulled along narrow 16ft. 6in. roads.

The Chief Secretary: Are not some of these vehicles about 18ft. wide?

Hon. Sir CHARLES LATHAM: I should say that some of them would be 12 to 14ft. I do not think there would be any of them over 14ft. in width.

The Chief Secretary: That would be handy on a 16ft. wide road.

Hon. Sir CHARLES LATHAM: It would be just able to travel along such a road. These 16ft. 6in. roads are not main roads; they are feeder roads that carry little traffic. The local authorities are making most of their roads wider than that, and in many cases they have removed the timber along the sides. That timber used to give protection to the road itself; but unfortunately, in many cases, it has been removed. Nowadays the narrowest roads are about 16ft., but quite a lot of them are two chains wide. I hope the House will agree to the Bill. I have a fair knowledge of the subject, and I do not think we will have to worry about our having agreed to this measure.

On motion by Hon. C. H. Henning, debate adjourned.

BILL—STATE ELECTRICITY COMMISSION ACT AMENDMENT.

Second Reading.

Debate resumed from the 16th September.

HON. H. HEARN (Metropolitan) [5.17]: Since we last met, I have had a good look at the Bill, and I heartily commend it to the House. I think the formula laid down, under which there is an appointment from Trades Hall, is good from the Minister's point of view; and we who have something to do with industry are glad to know that the Government intends to appoint a person to represent industry on the State Electricity Commission. It is a measure that receives our full commendation, and I shall vote for the second reading.

Question put and passed.

Bill read a second time.

In Committee.

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

BILL—HEALTH ACT AMENDMENT (No. 1).

Second Reading.

Debate resumed from the 15th September.

HON. SIR CHARLES LATHAM (Central) [5.21]: This is one Bill upon which I shall make only a short speech. I know the Minister would like me to make a long speech about it; but I do not intend to do so, because it provides for only minor amendments to the Act. However, I think members should have a careful look at one or two of them. One of the provisions in the Bill concerns a subject about which I know very little; and I hope that Dr. Hislop will give us some further information on it, because he has only whetted our appetites in this respect.

The trouble with a number of measures such as this is that the local authorities are uncertain as to how long they will have the power to do certain things. Not long ago we passed amendments to this Act, and now we are amending those amendments. It would be better if the local authorities could get together and decide what they really want. I hope that when the Local Government Bill comes before us, members will give careful consideration to it so that those who are governed by that legislation will have some knowledge of what is ahead of them. I have no objection to this Bill at the present stage.

HON. E. M. DAVIES (West) [5.23]: I intend to support the Bill; but there is one portion of it that I do not favour.

I commend the Government for introducing the measure, which deals with various matters of great importance. The question of the disposal of rubbish from premises is one that has caused local authorities a good deal of anxiety at times; because there are some people, notwithstanding the fact that local authorities make provision for a weekly removal of a certain amount of garbage, who will collect a lot of junk in their yards, and then eventually decide to dispose of it. As a rule, the people concerned remove it to some area as near as possible to their own particular residences, and as far away as to ensure that it will not be a nuisance to them.

They usually choose vacant land or a municipal reserve for the purpose. Where local authorities have endowment land, people take the opportunity to deposit their junk there, because, as a rule, these areas are surrounded by trees. While the junk is not visible to the people travelling along adjacent roads, it causes a nuisance to the local authorities concerned. The amendment in the Bill to enable the control of this unlawful depositing of rubbish, at places other than those set aside by the local authority, is one that should be given a good deal of consideration.

Hon. N. E. Baxter: That aspect is already covered in the principal Act.

Hon. E. M. DAVIES: I admit that the principal Act does cover it to a certain extent; but I understand, from the clauses in the Bill, that permission should be obtained from the local authorities. That is not always done. If permission were obtained from the local authority, it would be able to issue instructions as to where the garbage or junk would be deposited. I agree that some people are inconvenienced because some garbage tips are closed during the week-end. While it may be an inconvenience, these local authorities close their tips during the week-end because most people do not deposit their garbage in the places set aside for that purpose. When they take their garbage to the tip, people usually deposit it just inside the gates; and, as a result, it becomes necessary for the local authority to have a general clean-up from time to time.

Another reason for the closure of the tips at the week-end is that some people will scrounge through the rubbish looking for things that may be of some use. I believe that in the interests of people generally, and in order to preserve the health of the community, this practice should be stopped. The only way to do that is to have somebody in control of the tips at the week-ends, or to close them altogether over that period. The Fremantle City Council has now agreed to advertise periodically when the tip will be open at the week-end. Recently the tip was opened over this period, and a number of people took advantage of it to deposit their junk and garbage. We feel that this is one way of encouraging the people to utilise an area which can be directly controlled by the local authority.

There is one provision in the Bill dealing with catering for the travelling public by the creation of facilities for obtaining refreshments at garages. While some opposition has been raised to this idea, I believe it will be of great advantage to the travelling public; and if the local authorities concerned bring down by-laws to control the types of buildings used for this purpose, the idea should find a good deal of favour. It will be necessary for the local authorities to frame regulations to control the types of buildings and the facilities used; such by-laws could be known as dining-room or tea-room by-laws, or by some such appropriate term.

There are a number of other provisions in the Bill with which I do not propose to deal, because I believe they have been considered by those who have the requisite knowledge to draft the necessary legislation. However, there is one part of the Bill with which I do not agree; and I shall be glad to learn during the course of the debate why this particular provision has been inserted. I refer to the clause which proposes to delegate the power of a local authority to an inspector. From what I can see, the reason is that there are some local authorities who do not meet at frequent intervals; and in the meantime, offences may be committed. It is said that the health inspector has not the authority to deal with these breaches of the Health Act.

From the experience I have had, I do not think there is any reason for that provision at all. I believe that if there are breaches of the Health Act, and the inspector reports them to the local authority concerned, there is no reason why the local authority cannot deal with the matter, even assuming it is necessary to call a special meeting to do so. Accordingly, I am not prepared to delegate the powers of a local authority to an inspector.

I believe that those who constitute the personnel of a local authority are the people elected by the ratepayers and the ratepayers must receive some consideration. I do not say that, generally speaking, health inspectors deliberately look for breaches of the Act with a view to penalising ratepayers; but with them, as with all sections of the community, there may be some who, when they are given a little power, use it to the extreme.

The duty of the health inspector is to make an inspection and to report to the local authority. It is for the local authority to take the necessary action, and it is responsible to the ratepayers for the actions that are taken. The health inspector has sufficient power to deal with certain breaches of the Act, and I cannot

see the force of delegating the powers of the local authority to the health inspector. If other sections of the Act are being contravened, then the health inspector should report the matter to the local authority in the district concerned for necessary action.

Reference was made by Dr. Hislop to the fact—and I hope I quote him correctly—that if the health inspector decided to take certain action, the local authority would know about it, and would probably discipline the inspector. I cannot take that as gospel truth because, having been associated with local authorities for a number of years, I know that health inspectors do serve orders on local authorities as on the general public. To say that local authorities can take steps to discipline the health inspector, would not, I think, be right; because, under the Health Act, no local authority can dismiss a medical officer, an analyst, or a health inspector without the consent of the Public Health Commissioner. Accordingly, the health inspector is fully covered.

I feel the Bill will make for improvement, because it will ensure that the health of a district is kept up to the standard which I am sure the majority of people desire. Because of that I intend to support the second reading.

HON. G. BENNETTS (South-East) [5.35]: There is one clause in the Bill which I do not feel disposed to support. It concerns the removal of rubbish, etc., from premises, and refers to an application having to be made to the council to obtain a permit to remove the rubbish. I am pretty well acquainted with the Health Act and the Acts relating to municipal authorities. I have had 18 years on different committees in connection with those Acts; and, in all the districts I know of, they worked very well. On the Goldfields there is a monthly charge for the removal of sanitary rubbish, etc. A rubbish bin is provided and paid for by the householder, and in my particular case the rubbish is removed from that bin every Wednesday.

As members will appreciate, there is a certain amount of rubbish that accumulates in one's yard; and, if a restriction is to be placed on the householder, then that rubbish will continue to accumulate; and before long it will be difficult to remove it at all. To my way of thinking, people are entitled to dump their surplus rubbish on the rubbish tip. I follow that practice myself when I dump my lawn cuttings and hedge clippings. It is much more convenient for one to have the rubbish tip open all the time. If that is not to be the case, then some clever Alec will approach the local governing body and obtain the granting of a contract—allowing the local governing body so much per load—and will charge the householder exorbitant rates for removing the extra rubbish from his premises. At present, people may have a utility or a trailer and be able to undertake this job without much difficulty; but now it is proposed to tax them.

As an example, we may consider the position over the Easter holidays. A person may decide that he would like to clean up his yard, only to find he has no permit to do so. The same thing would, of course, apply over the Christmas holidays; and he would find himself hampered. I think we should leave it open and permit the householder to use his own vehicle in the removal of his extra rubbish. People are paying enough already; and if we permit them to use their own vehicles, it will help to keep their yards clean. Members have remarked that it would result in their dumping their excess rubbish somewhere else. That would, of course, happen; but even if people have to obtain permits, it will not be stopped. If the fact that the tip is open is advertised, people will use it at the times most convenient to them.

Health inspectors were mentioned by Dr. Hislop; and Mr. Davies commented on the remarks he made. I would like to remind the hon. member that the sort of thing referred to by Dr. Hislop does take place, particularly where the secretary of a board carries out the duties of health inspector and traffic inspector, and does everything else. I know of one member of a local governing body who had a certain amount of authority, and who was breaking the law plenty. I will never forget that on one occasion the Governor was present, and this man mentioned how he did it. I must be very careful what I say! The result was that an independent health inspector was sent from the city. This inspector canvassed the district, and insisted that certain provisions be complied with.

Hon. A. F. Griffith: Tell us where it was.

Hon. G. BENNETTS: I must be careful. I do not know whether this was the case to which Dr. Hislop referred. Health inspectors have wide powers.

Hon. C. W. D. Barker: And so they should.

Hon. G. BENNETTS: I agree. They have certainly done a good job in the district in which I live. There were many places where the bath water was running out into the yards, and causing a good deal of odour. That sort of thing is unhealthy for children. A check was made; and I was very pleased to see that two houses on one side of me, and one on the other, were served with notices, and dry wells have accordingly been installed in those places.

Hon. Sir Charles Latham: They must have water for dry wells.

Hon. G. BENNETTS: That is not so. The water that is wasted goes into the dry wells. Hot dog stalls, provided for the

travelling public, were also mentioned. While they are a great asset, they can be a menace to health if the rubbish is not deposited in proper vessels. I support the Bill, with the few reservations I have mentioned.

HON. J. D. TEAHAN (North-East) [5.44]: My own views coincide with those expressed by Mr. Bennetts. There is a provision in the Bill which states that one shall not remove rubbish without a special permit, and when one has obtained the permit, a fee will be paid for the privilege. My experience with local governing bodies indicates that the present set-up is perfectly satisfactory. Under it, one might remove any surplus rubbish or refuse one-self without the payment of any fee. As Mr. Bennetts has stated, it would be irksome to the local governing bodies to have to issue permits, particularly when their staffs are generally limited. It would also be irksome to the person who made application and who might be refused.

Hon. J. G. Hislop: They would not remove the excess rubbish.

Hon. J. D. TEAHAN: They have been doing that. Mr. Bennetts said that the same thing had occurred at Kalgoorlie. Three or four months ago a resolution was passed at Boulder that no further surplus rubbish be removed. The removal of this rubbish was occupying so much of the time of the limited staff that road work could not be proceeded with. Our edict was that people should remove the rubbish themselves, or pay a carrier to do it. Plenty of them desire to remove it themselves to the right place; but if they have to go to the bother of getting a permit when the office is busy, they will probably not do so, but will dump the rubbish elsewhere than at a tip in order not to be hauled up before the courts for not having had a permit. My experience leads me to the belief that it would be better for the Act to be left alone in this respect, and I intend to oppose that portion of the measure.

HON. F. R. H. LAVERY (West) [5.46]: I agree with one or two other speakers that, while the Government is to be commended for having brought down this Bill, the measure is lacking in so far as the health of this city is concerned. If we stipulate what rubbish is to go to a tip and what is not, I consider that there will be a full-time job for a couple of men in Perth alone to go around to the backs of warehouses and factories for the collection of waste material. The amount that is to be seen lying at the rear of the premises of motoring firms in Hay-st. alone would astound an insurance assessor. I know what I am talking about; I am not just guessing.

For a long time I was connected with motor transport, and what I saw when I went to the rear of premises occupied by firms despatching groceries to grocers' shops always amazed me. Stacks of rotten bags and hundreds of milk bottles that had never been collected by the milk depots were to be seen lying on the ground, and the number would have to be seen to be believed. The Bill provides for certain action with regard to the disposal of rubbish, but there is a great lack of provisions to ensure the good health of the community.

Hon. N. E. Baxter: There is laxity on the part of the health inspectors.

Hon. F. R. H. LAVERY: There is very bad management—as in other cases I have mentioned in the past—from the top down. I make no apologies to anyone for saying that, because I regard the health of the State as being paramount. We find owners of eating houses being proceeded against for having dirty kitchens; but if members saw the condition of the places from which food is despatched, they would be astonished. Some of the master butchers have a bin into which they throw their waste; and at certain times each day, men collect it and take it to the blood-and-bone mills. But members would be astonished if they could see the flies which congregate at those establishments, particularly at this time of the year, at the change of season. I am certain that the Bill does not go far enough in connection with matters such as that.

Hon. E. M. Davies: The Health Act deals with such things.

Hon. F. R. H. LAVERY: Probably. But it has never been enforced. One or two speakers have mentioned the provision relating to the prescribing by a local authority of a fee for the disposal of rubbish. This is a matter that affects the oil industry. There is a certain amount of waste by way of residual oils. They are of no use for industrial purposes; and, because of that, the oil companies refuse to pay import duty on them. In their own time, the customs authorities order this waste to be taken to the rubbish tips and burnt.

That may be done on a Saturday or a Sunday, when the tip has to be opened for the purpose and the controller paid for his day's work. At North Fremantle, all the oil companies use the one tip. Before doing so, they notify the North Fremantle Council that they will be carting to the tip a load of inflammable waste; and the council gives them authority to do so, the man in charge at the depot specifying the spot at which the waste is to be deposited.

Again, when vessels call at Fremantle, there is a type of wood in which wasps are to be found; and immediately the ship is unloaded, and all the scantling has been taken off, the waste wood is sent to the North Fremantle or the Fremantle rubbish tip to be burned. All this results in an

added cost to the keepers of the depots, and it is only right that some charge should be made. However, I do not think that any member need be very worried about smaller municipalities or road boards being affected by this provision.

Hon. N. E. Baxter: Did you compare this Bill with the principal Act?

Hon. F. R. H. LAVERY: I confess I have not read the principal Act.

Hon. N. E. Baxter: Have a look at both.

Hon. F. R. H. LAVERY: The question has been raised as to whether the State should pay for foodstuffs or drugs that are confiscated because they have to be destroyed on account of having deteriorated. It is beyond my comprehension why any particular firm or shopkeeper obtaining goods which are not known by them to be harmful, and which have to be confiscated, should be required to pay the cost.

Hon. Sir Charles Latham: It would not be so bad if it were one man, but it is quite a different matter when they are scattered throughout the State.

Hon. F. R. H. LAVERY: If such goods are dangerous—as was the case with the coconut which had to be destroyed—does not the health of the nation come before the matter of costs? The person who imports such commodities may have some knowledge of the fact that they are not of the best, but the retailer would not necessarily have that knowledge.

A few weeks ago, the firm of Robert Harper & Co. Ltd., in Fremantle, received a quantity of rice from the Eastern States. I bought some of that rice from my local storekeeper and put it in a container. When the container was subsequently opened, the rice smelt like iodine. The shopkeeper rang the firm, which had to call in 79 bags of rice that had been contaminated on the ship which had brought it to Fremantle. I do not consider that the shopkeeper who received some of that rice should have to pay for the confiscation, and I feel that the firm of Robert Harper & Co. Ltd., should not be held responsible. I consider that the people on the ship were responsible for not looking after the foodstuff committed to their care.

Hon. Sir Charles Latham: A legal claim would be possible. But that is not easy when the commodity is spread all over the State.

Hon. F. R. H. LAVERY: I still say that it is the responsibility of the State to cover the cost of any confiscation of impure food, just as it provides compensation in connection with swine fever in pigs. With those reservations, I support the Bill.

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

BILL—PRICES CONTROL.

Second Reading.

Debate resumed from the 16th September.

HON. G. BENNETTS (South-East) [5.56]: I thought we would never have price control in this State again, but to my surprise a Bill to bring about control has once more been introduced. It is a shock to me to realise that the people I represent—the consumers—

Hon. H. Hearn: Do you not represent others?

Hon. G. BENNETTS: —have had to suffer a loss of income of 19s. 11d. through the refusal of the Arbitration Court to grant an increase in the basic wage in accordance with the rise in the cost of living. People feel that this has gone far enough. They have been prepared to give the pegging of the basic wage a trial for 12 months, with a view to seeing if prices would fall into line. But if it is good enough to peg the basic wage, it is equally appropriate to peg prices.

Hon. C. H. Henning: Has the increase on the Goldfields been 19s. 11d.?

Hon. G. BENNETTS: Yes; the figure would be about the same.

Hon. Sir Charles Latham: It is not.

Hon. G. BENNETTS: I have heard members quote differences in the prices of household goods, and I have brought along figures from dockets for goods purchased on the Goldfields. I will admit that rents have not jumped in that area in the same proportion as they have down here.

Hon. A. F. Griffith: If rents have not increased, why do you claim that the figure of 19s. 11d. applies in Kalgoorlie the same as down here?

Hon. G. BENNETTS: Because there have been other increases in prices. I propose to give some figures covering the years 1952, 1953, and 1954. The list I have compiled is as follows:—

	1952	1953	1954
	s. d.	s. d.	s. d.
Apricot jam	3 1	3 9	3 10½
Sunshine milk (small)	2 11½	3 6½	3 8
6 Nestles milk	11 6	12 9	12 9
Velvet soap	2 3	2 5	2 5½
Tea	4 2	4 10	4 10
Butter	3 4	4 4	4 4
Sugar, doz.	7 6	9 10	10 0
Eggs	5 2	5 3	6 0
Sunshine milk (lge)	10 8	13 1½	13 4
Signal soap	2 2	2 9	3 0
¼ Blue	1 1½	1 1½	1 1½
2 Persil	3 3	3 5	5 11
5 Starch (small)	2 7	2 6	2 7½
Rosella sauce	3 5	2 10	3 5½
2lb. Rice biscuits	2 11	—	4 9
2 S.R. Flour	1 5	—	1 10
7 lbs. S.R. Flour	4 10½	5 2	5 8½

Hon. Sir Charles Latham: Why do you not buy local sauce instead of Rosella?

Hon. G. BENNETTS: We could; but we do not.

Hon. N. E. Baxter: Do you buy rice biscuits every day?

Hon. G. BENNETTS: We buy them every week. We buy all sorts of biscuits for the grandchildren. These items which are used daily in the house have increased in price. I do not know what has occurred in the metropolitan area, except that I did notice last week that satsuma plum jam in the metropolitan area was 1s. 6d. a tin. In Kalgoorlie, ordinary plum jam this week was marked at 2s. 11d. So, we are paying a little more on the Goldfields than are the people here.

Hon. A. F. Griffith: What do you mean by ordinary plum jam?

Hon. G. BENNETTS: It is plum jam; no special brand. I know that people do not want an increase in the basic wage; they want it to be stabilised. They are prepared to have their wages pegged, provided the cost of living is pegged; but we cannot continue as we are going. Many public companies are making big profits. The figures in relation to a couple of them have recently been published in the Press. McLean Bros. & Rigg, a firm that supplies many household goods, has made large profits; and so has a furniture factory. All this is very disturbing to the workers, who are hostile to these big profits. They are faced with having their wages pegged, whilst these other people get away with it!

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

BILL—INDUSTRIAL ARBITRATION ACT AMENDMENT.

Second Reading.

Debate resumed from the 14th September.

HON. J. G. HISLOP (Metropolitan [6.5]: I do not believe that the real solution to the problem of the wage worker of Australia lies in issuing an order to the Arbitration Court to adjust automatically the quarterly rises or falls according to the statistician's findings. I do not think there is anyone in Australia who is not displaying some degree of anxiety in regard to the wages situation. If it were thought that to give automatically the rises as they occur in the statistician's figures was the solution to our problem, then I do not think anyone would express further anxiety; but for those who have studied this problem at all, there must be room for anxiety, because the granting of such increases could only lead to one thing—further inflation. No matter how much it might be protested that wages can rise without costs rising, I do not believe it is true.

Before the cessation of these quarterly rises, the future of the basic wage was becoming a matter of conversation in almost every house one entered; and certainly in one's own house. People were beginning to express a degree of alarm for the future of the economy of Australia when based on such a principle. Certainly since the cessation of these rises, it has not become the matter of conversation that it was previously. Some degree of stability has been reached.

True, it is known that in this particular State, because of the rise in rents and the cost of meat, a figure of about £1 has been declared; and for this reason an automatic increase of this amount—or an amount of 13s. 9d., which has other factors to commend it, apparently—has been suggested as being due to the worker. That might sound as though the answer would lie in giving this rise; but the moment that the court granted it, there would be an automatic rise in costs.

It would not be the proper thing to do for the economy of Australia, or for the future of the worker, to return to such a system. Those of us who saw inflation in Europe after the 1914-18 war hoped we would never see it here; and those of us who travelled through Germany when Germany was printing money as hard as it could to cope with inflation, saw all the dreadful conditions that arose as the result. It can be said that in a large degree the inflation gave rise to Hitler, because of the foreign element that came in and purchased, for almost nothing, properties within Germany itself. The answer to it, of course, was the issuing of a new currency. Once inflation of that type commences, there does not seem any way of stopping it, except by an alteration in the actual currency.

I cannot myself see any means of stopping the inflationary spiral by passing this measure, and saying to the Arbitration Court, "You must follow the figures of the statistician, no matter what happens. Whether it is good for the country or whether the country can pay it or cannot, you must follow his figures." My own feeling is that we are facing, possibly, the last basic wage as we know it. I feel certain that somebody—possibly the Commonwealth Government itself—will be called upon to do as the court suggests, and request the court to declare a new basic wage on different standards.

A very interesting document, published with the authority of the archbishops and bishops of the Catholic Church of Australia, reached me during the week-end. It contains a suggestion which has a lot of merit. The suggestion is based mainly on the fact that the family man, because of the rising costs in Australia, and the rising basic wage, is suffering badly as compared to the single man. It is proposed that there should be a wage for the single man; and that the family man should be paid more, according to his family's needs.

The Chief Secretary: That could result in a lot of men always remaining single.

Hon. J. G. HISLOP: It has much to commend it, but I admit that there are difficulties associated with it. One point which was made in this pamphlet, and which could get over the Chief Secretary's objection, is the suggestion that there shall be given to a man about to be married, a subsidy to allow him to prepare for the purchase of a house, and for setting up in matrimony.

The only quarrel I have with the principle there is this: As each man would be paid the basic wage, the employer would apparently have to pay into a common pool of some sort a sum of money which would cover the other endowments; and, as a result, there must inevitably be an enormous army of civil servants to cope with the procedure, unless some scheme could be formulated to use the existing organisations in Australia, in order to pay these amounts. But I can foresee that, on the basis on which this is drawn up, there would be a centralised organisation which would become almost as big as our Taxation Department in order to pay out the various sums of money to the workers.

Hon. L. Craig: The employers could make the payments.

Hon. J. G. HISLOP: The scheme has a great deal of merit, if it can be worked at all; because there is no doubt that today many families are expressing concern at the amount of money being earned by their adolescents in relation to their own earnings. Unless such a condition of affairs, economically, is established in Australia, we are going to lead ourselves into avenues where luxury becomes the chase; and then, when a family comes into being, there will be the question of needs and of want. No one in Australia desires to see that position arise.

I believe that, instead of our passing this measure as it appears before us, it would be much better to request the Commonwealth Government to call for an immediate further investigation into the whole basic wage structure of Australia. I do not believe that the Bill is the answer to our problem. I am of the opinion that we would be doing wrong to the worker to pass the measure, because we would find ourselves in an even worse plight, financially, in order to meet the conditions that would follow.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. J. G. HISLOP: Before tea, I was discussing the possibilities of the suggestion which has been made of a family income rather than the basic wage, and I was saying that the idea had a great deal to recommend it. I also made the statement that I considered that the present situation would see the end of the basic wage as we know it. I said, in addition, that there was considerable anxiety in a number of families at the wages being paid to the adolescent, in comparison with the wages received by the head of the family. We are all aware that a lot of these matters have got out of hand.

The pamphlet I have before me points out, quite rightly, that when child endowment was first brought into being, the percentage of the receipts of the family man above the basic wage was considerable—I think 35 per cent.—but that with each increase of the basic wage it had been reduced, until today it was only 17 per cent. or less, while another basic wage rise would destroy it still further.

I believe that a continuation of this principle would place a much increased income in the hands of the younger people in the community with less as the relative income or, should I say, the absolute income, of the man with responsibilities: the head of the family. This may not be the real idea of the future of Australia; but it has merit, and does bring us to the point where I think we could ask for consideration to be given to re-enactment of the laws governing the whole of the wage structure of Australia.

Another point is emphasised in this pamphlet, in which it is pointed out that the court itself had "seemed to envisage that the time might arise when it would be asked 'to fix a basic wage on a true needs basis,' stating that 'the question of whether such a method is correct in principle and all questions as to the size of the family to be selected remain open'."

The other aspect which one must take into consideration in the continuance of quarterly adjustments on a higher scale is the position of the pensioner and those who are dependent upon fixed incomes. The widows of this country have had a raw deal in many instances since inflation took charge of our economy, and the pensioner is a problem to the whole of Australia. Any rise in the basic wage must make the position of both those sections of the community more difficult still. The result of this is that some new approach to the problem must be made. Were we to continue as we are at present, I think we would eventually do a great injustice to the responsible citizens of this State and of Australia in general. The time must come when we allot the earnings of industry in a very different manner from that which obtains at present.

I said earlier that this, or any other scheme like it, might well be discussed provided that it did not lead to the formation of some new branch of the Civil Service, with thousands of non-productive workers taking charge only of the distribution of the wealth arising as a result of the efforts of the real workers. One of the possibilities is that if a basic wage were struck having relation only to the single man, or to a man and his wife, the

addition found necessary owing to the rise in costs could be granted on the basis of child endowment, and that would have this effect: It would place a rising income in the hands of the mothers of families; and that, in itself, would be a very salutary idea as far as our general economy is concerned.

Were the whole idea of the family wage to be put into practice, I think we could envisage throughout Australia a very different economy and outlook from those prevailing at present; and I believe the luxury trades would be the ones to suffer. Were the family to receive an adequate income, much more of the wealth of the country would go into essentials, and much less into luxuries, because the person who looks for luxuries is he or she who has not yet attained that degree of responsibility which comes from family life and from the need to care for the children of the family. It is most interesting to conjure up what would happen to our economy were such a change to take place.

I was interested in an interjection by the Chief Secretary, who said that such a scheme would lead to a number of men remaining single. I do not believe that for one moment; because, while we introduced matrimony throughout our civilisation many years ago, as an order in our social structure, I believe that marriage, as we know it, is physiological rather than economic. I think the time arrives when all creatures are physiologically compelled to mate; and I doubt very much whether anything we might do through the economy of the country would have any effect in altering nature's laws.

The fact that an employer might employ a single man in preference to a family man would not, I think, have any bearing at all; because, in the first place, there would not be a sufficiently large number of single men to supply the needs of industry; and, secondly, any plan envisaged would have to take such factors into consideration if its basis were to be a family wage.

Hon. L. Craig: The wage to the worker would be different, but the cost to the employer might be the same.

Hon. J. G. HISLOP: I am not certain that it would be as easy a solution as all that. Otherwise, I would make a statement that that is how it should be done. I believe there are a great number of other factors to be taken into consideration. Mr. Watson brought up the point that the single man could not be expected to receive only a single man's salary if he had dependent parents. The dependants, as envisaged in the document I have quoted, would have to be taken into consideration in assessing what was to be given to the average worker. What might be called the actual wage in one centre of employment might not exactly fit the amount paid to those particular workers, but there is no doubt that a central organisation would be envisaged.

Believing, as I do, that what is sought by the Bill is not the correct method, and that the time has arrived when we in Australia should look at this question from a more constructive point of view; and believing that continued rises in the basic wage would not be in the interests of the worker, but would be disastrous to the economy of the country—for I have seen inflation at work—I cannot, in all conscience, vote for the Bill.

HON. A. R. JONES (Midland) [7.40]: I desire to add a little to the debate; I rise to oppose the measure because I believe it seeks to interfere dangerously with the principle which has operated successfully in this State throughout the years—that is, the principle of arbitration. I believe it would be completely wrong for this Parliament to direct the court along certain lines, and that is the main reason for my opposition to the measure.

I am not without feeling for the wage-earner, because I realise that at present, when the basic wage is fixed and the prices of commodities are free to rise and fall with the market or with supply and demand, the family man must be having rather a hard struggle. But I do not for one moment think we would cure our ills by directing the court by means of the insertion of "shall' instead of "may" in the Act. I do not wish the House, and particularly members who support the measure, to think I have no feeling for the wage-earner. I believe that we all feel equally concerned for him—

The Chief Secretary: Actions speak louder than words.

Hon. A. R. JONES: I am pleased to hear that interjection, because I claim that while I employ labour—as I still do—I am only too happy to pay the top price for it; and, if a person is prepared to do extra work, I am prepared to pay extra.

Hon. H. K. Watson: That is more than the Government is prepared to do.

Hon. A. R. JONES: I believe in giving the best possible conditions to the worker, because, if one cannot do that, one cannot expect to be given good service. The Chief Secretary can make inquiries, if he wishes, with regard to people I have employed, and still employ; and, if he does that, he will find that actions do speak louder than words.

The Chief Secretary: I accept your word for that.

Hon. A. R. JONES: Another reason why I think the House should not pass the Bill is that at the present time the repercussions on the economy of the country as the result of a wage increase could be very great. Other members have pointed out various aspects of the position. I have no wish to weary the House; but hope, during my remarks, to break

some new ground and put forward arguments in support of the view that we should not pass the measure. At present our economy is undergoing a heavy strain. It has often been said in this House that what we are now producing cannot be sold overseas in competition with commodities produced elsewhere, and that statement is applying with greater force every day. If by passing the Bill we are to load our exports with further costs, owing to increased wages, that will certainly be detrimental to the workers of this State.

As has been pointed out, there are very few people who are receiving only the basic wage today; and, in fact, I personally do not know of any. Possibly some members can tell me of persons receiving only the basic wage; but there seems to be some sort of loading, or extra pay for skill, in almost every instance, with the result that very few workers, if any, are at present receiving nothing but the basic wage. Life must be a struggle for those people, particularly if they are maintaining families. The suggestions put forward by Dr. Hislop are worth investigating, because there does seem a need to give more help to those people who are prepared to raise families today.

Members will recall that some time ago I suggested a plan which I considered had possibilities and which should be investigated. I said that young people these days found it very difficult to establish themselves in a home; and young couples who were able to pay a small deposit on a home could be assisted by money provided by the Commonwealth Government in lieu of child endowment. A certain amount could be written off with the arrival of the first child, and subsequent amounts according to further additions to their family. By that means young people would have an incentive to raise a family.

I submit that instead of our paying child endowment, which costs the country approximately £460 for each child from the time it is born until it reaches 16 years of age, an amount of £500 could be written off for the first child, and an increasing amount for each additional child. In that way, a young couple could establish themselves in a home, and their security would be increased as the balance of the loan was wiped off. By that means we could ensure that every young couple would get a home, and also that the population would be increased.

Hon. G. Bennetts: I think they do that in New Zealand.

Hon. A. R. JONES: That is a proposal that is well worth investigation; and in view of what Dr. Hislop mentioned tonight, I feel that some scheme which would be an improvement on our present set-up could be hammered out. What we need in Australia is increased population and, most of all, an increase of young Australians. I suggest that it would cost approximately £1,000 for each migrant after taking into consideration administration costs, their travelling expenses, and so on. That amount might be conservative; I do not know. However, it would be much better to spend £1,000 for the raising of a young Australian.

It has been suggested in this House by several members on the other side of the Chamber that many business firms and companies are making large profits today, and that the wage-earner should be allowed to share in that prosperity. I have studied carefully the profits distributed by various companies, and in very few instances have noticed any of them making more than about 7 or 8 per cent. I venture to suggest that the average rate of profit distributed would be not more than 5 per cent.

Hon. H. Hearn: The Commonwealth Bank sets it down at 5.7 per cent.

Hon. A. R. JONES: Although some businesses may make 15 per cent. this year, there are others that make a loss. It can also be well reasoned that a firm making a profit of 15 per cent. this year would probably be planning to lower, on the next year's market, the price of the article it manufactures, especially if it is handling a line such as machinery, for example. I also suggest that, even if a firm does make a profit of 15 per cent., that is not a very great return if a large amount of capital is involved. Such a company would naturally look for a return on its capital outlay. When it became successful, was well established, and had plently of capital to draw on, I am sure that one could expect better and greater production from it. Whilst it is making 15 per cent profit, its workers are not neglected. I am sure it would be found that the workers in a concern which made large profits would be given some incentive pay. That probably would be the reason why it was making huge profits.

Hon. H. K. Watson: It is not the losing companies that provide good salaries or permanent employment.

Hon. A. R. JONES: That is so. I cite an instance of one firm in Perth that was concerned over the amount of work that was being returned. It was an engineering firm, and each month it was getting about £200 worth of work returned to it because it was shoddy and had to be redone. The management was so concerned that it held a meeting and decided that it would offer an incentive pay to its employees, and also a certain amount of say in the management and in the handling of staff. It offered its employees certain conditions and percentages over and above wages, and that firm is now paying a 33-1/3rd per cent. share of the profits in bonuses over and above wages. It has also

found that its business is growing; and it is never short of employees. because men are waiting on its doorstep for a job. It seems to me that we cannot condemn any firm because it is making a profit. I would most certainly say that the employees of that firm were receiving a good wage.

Hon. C. W. D. Barker: Do you believe that the employers should share some part of the burden?

Hon. A. R. JONES: Most certainly. I believe that the employer should share with the men employed some of the profit gained, provided that they are prepared to work well. Although I have heaped coals on my head in the past by raising various questions, I do not do so on this occasion with that intention. I suggest that the argument submitted by the members of the Labour Party—namely, that firms making huge dividends should share them with their workers—can be well answered, because I am going to remind them that not very long ago the obligation to the employee by the employer was not carried out in the strict sense of the word. If a fellow-worker wanted a job done, particularly at the week-end, there was no such thing as one worker obliging another by doing a job for a nominal wage. It was all done on the black market.

For example, a bricklayer might put in a copper at the week-end for a fellow worker; but he made sure that he earned good money for it. Members should not run away with the idea that the aim to make profits is held only by those on one side. I suggest that a couple of years ago a worker would do the same as any one of us, because it is a natural instinct to make all we can for ourselves. Therefore, those firms making good profits should not be condemned, because that practice goes on in all walks of life and amongst the wage earners themselves.

Another good reason why the Bill should not be passed is that at present the economics of the country are becoming worse as the result of a falling-off in the sales of our primary products to other countries. Also, we have very nearly drought conditions in the State today. If we are going to load extra costs on to industry—and we are relying mainly on primary production for the wealth produced in this country—and because of the near-drought conditions, which I suggest are more serious than possibly some members imagine, then that wealth will not be there.

During the last three weeks I have visited many primary producing centres throughout the State. I have been to Denmark, Mt. Many Peaks, various parts of the great Southern out as far as Yorkrakine on the East side, and as far north as Northampton and Morawa. I suggest that even if we get heavy rains in the near future, we will not have a bountiful harvest. Therefore, there will be no need to worry about storing our wheat, because we will not have enough of it to fill the storage capacity we have. That is one very good reason why we should not alter the conditions existing today.

The Chief Secretary: We will get rain this week.

Hon. A. R. JONES: If we do, we will have half a harvest. I trust that when the downward trend in the cost of production comes—and I hope it does come—the Arbitration Court will give consideration, as I have no doubt it will, to the conditions over the last 12 months—during which time the worker has not been granted a rise in the basic wage according to the "C" series index—and keep wages on a higher level than the "C" series index would provide.

Hon. H. Hearn: It has done that for years.

Hon. A. R. JONES: If it does, the worker will be compensated for all that he has lost in the past 12 months. On the arguments I have submitted, I do not intend to support the Bill.

On motion by Hon. F. R. H. Lavery, debate adjourned.

BILL—PHYSIOTHERAPISTS ACT AMENDMENT.

Second Reading.

HON. F. R. H. LAVERY (West) [7.58] in moving the second reading said: I am grateful to members for granting me the privilege of introducing this Bill. This proposed amendment to the Physiotherapists Act, 1950-52, is designed to allow registration of certain trained physiotherapists who, by virtue of not having the necessary residential qualifications when the parent Act was proclaimed on the 15th January, 1951, have not been able to be granted registration by the Physiotherapists Board.

The parent Act does not give any discretionary powers to the board, nor does the board desire such powers. It will be remembered that when the Act came into operation, a number of probably not-so-competent persons had to be automatically registered under paragraph (b) of Section 10, whereas a few qualified physiotherapists—who, as I stated previously, were ineligible for no other reason than that they did not comply with the 24 months' practice period in the State—were refused registration by the board.

While the Act was proclaimed on the 15th January, 1951, and an amendment was enacted to allow the board to become a body corporate and to indemnify the board against liability, it was not until the 16th January, 1953, that the first registration was effected, which was, of course, two years and one day after the commencement of the Act. Whereas the Act provides for two years' practising in this State before the 15th January, 1951, in effect the

persons who did not comply up to that date have since completed a further two years' practising up to the date of the first registration by the board—namely, the 16th January, 1953.

I wish to quote two cases in particular. Firstly, one person had two years 11 months' practice before arriving in Western Australia in June, 1949, and has practised continuously since, or for five years in this State. Secondly, another person had two years 10 months' practice before arriving in this State, and he continued in practice in the employ of a registered physiotherapist. Later he purchased his employer's business, and had to close down only when pressure was put on him to do so by the board in July, 1954. He had continued in practice or in employment in the State for three years and eight months. I have quoted only two examples to prove my point and the necessity for this small amendment.

The Chief Secretary: Was the first man you mentioned practising privately, or was he in employment?

Hon. F. R. H. LAVERY: He has been employed by the Royal Perth Hospital at the Infectious Branch, Subiaco, for almost five years.

Under the proviso in Clause 2 the desires of Parliament, as expressed in the parent Act, will be given effect—namely, the public will receive protection from unauthorised or unqualified persons who may be tempted to impose on them.

Section 10 of the parent Act provides, firstly, for the registration of those who have qualified and received diplomas; and, secondly, for those who have practised in this State for at least two years prior to the Act coming into force on the 15th January, 1951. The Bill proposes a new para., which reads—

> (c) he establishes to the satisfaction of the Board that he is competent in the practice of physiotherapy and was *bona fide* engaged in such practice—
>
> (i) at a place or places outside the State for a period of not less than two years prior to the commencement of this Act; and
>
> (ii) in the State for at least two months during the period of three years immediately preceding the commencement of this Act.
>
> Provided that the provisions of this paragraph shall not apply to a person who has not prior to the commencement of the Physiotherapists Act Amendment Act, 1954, previously made application to the Board to be registered under the provisions of this Act as a physiotherapist and been refused such registration.

The idea of the proviso is to prevent from applying, persons who have not already been refused registration.

Hon. J. G. Hislop: Did the two people mentioned apply previously?

Hon. F. R. H. LAVERY: They did.

Hon. H. K. Watson: They applied and were refused registration because they did not comply with the three-year period?

Hon. F. R. H. LAVERY: They applied, but they were refused because they did not comply with the residential qualifications. In the drafting of the Bill, one or two words may be out of order; but during the Committee stage, amendments may be made to correct that. This is the first time I have introduced a Bill in this House. I hope that I shall receive the support of members. I move—

> That the Bill be now read a second time.

On motion by Hon. J. G. Hislop, debate adjourned.

BILL—JURY ACT AMENDMENT.

Assembly's Message.

Message from the Assembly notifying that it had agreed to amendment No. 3, and had disagreed to amendments Nos. 1 and 2 now considered.

In Committee.

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

No. 1. Clause 4, page 2—Delete the words "twenty-one" in line 18 and substitute the word "thirty".

The CHAIRMAN: The Assembly's reason for disagreeing is—

> There is no reason why the age limit for women should be different to that provided by the Act in respect to men. It is advisable that in this respect there should be consistency in respect of both sexes.

The CHIEF SECRETARY: I move—

> That the amendment be not insisted on.

I do so confidently, because the reason advanced by the Assembly is very sound. The same reason was advanced here; but, as often happens, members opposite did not listen to what we on this side of the Chamber had to say. This reason having now been presented by members of another place, the Committee should take more notice of it than it did originally. All it is sought to achieve is to enable women between 21 to 60 years of age to serve on juries. The age limit is the same as that which applies to men. I cannot see any reason why the age of service for women should be different from that of men. I consider that a woman aged 21 is much more stable and better fitted to serve on a jury than a man

of the same age, and more fitted to take on citizenship rights. I hope members will give way and not insist on the amendment.

Hon. A. F. Griffith: Was the disagreement in another place on party lines?

The CHIEF SECRETARY: I do not know.

Hon. A. F. Griffith: You should find out.

The CHIEF SECRETARY: I have enough to worry about here without bothering about what happens in another place. During the debate, it was said that some women's organisations are in favour of women serving on juries. I received this letter from the Women's Service Guild of Western Australia today—

Hon. C. H. Henning: What is the membership of that organisation?

The CHIEF SECRETARY: I have not the slightest idea.

Hon. H. Hearn: Do you not think you should find that out?

The CHAIRMAN: Order! I would ask members to allow the Chief Secretary to continue.

The CHIEF SECRETARY: I do not know the membership of this organisation, but I believe that many women's organisations are affiliated with it. It has been established for many years, and a large number of its members take a leading part in the everyday activities of women's organisations. It is an old established body and we should take some notice of the opinions expressed. The letter reads—

> At a recent State Executive meeting of the above Guilds the contents and proposed amendments of the Bill to admit women to jury service were fully discussed—

So it was evidently not a snap decision.

> —and I was instructed to bring before your notice and, if possible—

I am trying to make it possible—

> —the notice of your fellow legislators the following points:—
>
> (a) That the Women's Service Guilds which are composed of a number of separate guilds, and which represent a strong cross-section of organised and civic-minded women, are wholeheartedly in favour of the Bill being passed in its original form to admit women to jury service on the same terms as men. We recognise the need for an exemption clause on account of the practical difference between the natural contribution of work given by men and women in the life of the community. We fully realise that temporary exemption on account of home and family obligations and maternal reasons are necessary, and exemption on these grounds should be no more controversial than when given to a man who may be engaged in military training or service.

Those are good points.

Hon. Sir Charles Latham: Excellent!

The CHIEF SECRETARY: The letter continues—

> (b) We deplore the mid-Victorian attitude of some of our legislators, who have obviously failed to observe that two world wars proved beyond all doubt that women were capable of rising to the same heights and make the same sacrifices as men, and surely earned the right to play a part in administering British justice, which should not mean half humanity standing in judgment on the other part.
>
> (c) We are at a loss to understand why some of the members we have returned to Parliament are prone to regard Western Australian women as less intelligent or less capable than women in other parts of the world including England, New Zealand and even parts of our Eastern States.

Hon. Sir Charles Latham: We have not said anything of the sort.

The CHIEF SECRETARY: The letter continues—

> We would point out that there is nothing revolutionary in jury service for women; our English sisters have performed this duty for more than 35 years—

That shows we are lagging well behind.

Hon. Sir Charles Latham: Thank goodness we are not their equal in all the things they do.

The CHIEF SECRETARY: The letter continues—

> —and obviously without any of the dreadful consequences feared by some of our legislators. Surely our women, many of whom have sprung from fine pioneer stock, are not less capable.

I do not think anyone can dispute that.

Hon. Sir Charles Latham: They are speaking of a lot of issues that have not been questioned.

The CHIEF SECRETARY: The letter continues—

> (d) We see in the proposed amendments a subtle attempt to nullify the Bill because both or either would make it practically unworkable.

I agree with those sentiments.

> We fail to see how women would be able to prove in advance that they had reached the age of thirty years, and we would urge any man to look carefully at his own son and daughter at the age of twenty-one years and decide for himself which is the more mature. Any amendment which required women to give written notice that they desired to serve on a jury would be a very retrograde step as it could be an open invitation to the wrong types and, in this way, might spoil the balance of a jury.
>
> (e) When we read that statements have been made in the House that members are concerned because they do not know what women really want or on what conditions, we cannot help but express surprise at this unusual consideration. In a few words, we want equality of privilege, opportunity, responsibility, and a chance for women to prove that they can play a part in community life in the administration of British justice, and, above all, we urge that this matter of civic recognition of women be regarded in the light of justice and not party politics. We appreciate and thank you for your support.

That was signed by the secretary. I think that that letter well expresses the point of view of the womenfolk.

Hon. Sir Charles Latham: Especially the final reference—party politics.

The CHIEF SECRETARY: The hon. member might forget that.

Hon. Sir Charles Latham: No, we cannot.

The CHIEF SECRETARY: Why introduce party politics?

Hon. Sir Charles Latham: You read it in the letter.

The CHIEF SECRETARY: If they are right in their assumption that party politics has been introduced, why introduce it now?

Hon. H. Hearn: You do not agree with that part of the letter.

The CHIEF SECRETARY: Surely to heaven we can decide whether the age should be 21 or 30! That is all that is contained in the amendment. We have agreed to the principle of women serving on juries, and it is merely a question of determining the age. I cannot understand why there should be a differentiation between the ages of men and women. No logical reason has been given for it.

Hon. L. C. Diver: You have forgotten.

The CHIEF SECRETARY: I would not have forgotten had it been strong enough to convince me. It must have been very weak indeed.

Hon. H. Hearn: It might be a question of your intelligence.

The CHIEF SECRETARY: I might say the same of members who are opposing men on this question. I wish to be fair, as I always try to be on all questions dealt with in this Chamber. I have a letter from the Western Australian Housewives' Association.

Hon. Sir Charles Latham: And from the fish-wives' association, too?

Hon. H. L. Roche: How many members has that association?

Hon. Sir Charles Latham: About 16.

The CHIEF SECRETARY: Members might change their tune when I have read this letter. It states—

> It has been decided by State Executive of W.A. Housewives' Association in regard to the Jury Bill now amended by W.A. Parliament to support the following:—
>
> 5A. (1) Subject to the provisions of sections seven and eight of this Act any person between the ages of thirty years and sixty years (subject to no discrimination of sex).
>
> Trusting that you as a member of the Legislative Council will give above consideration before the Jury Bill is finally dealt with.

That is signed by the State president. These women evidently did not study the question, because there is nothing in the Bill dealing with menfolk.

Hon. L. C. Diver: It was suggested.

The CHIEF SECRETARY: But we are dealing with facts.

Hon. H. Hearn: You mean that you do not agree with that letter.

The CHIEF SECRETARY: The Bill deals with women, and the letter urges that the ages for both men and women should be 30. Do they mean that when we raise the age of men eligible for jury service to 30, that of women should also be 30? If so, I agree.

Hon. H. Hearn: But you do not intend to do it.

The CHIEF SECRETARY: This letter has not expressed what the organisation set out to do.

Hon. H. Hearn: You seem to be a little biased.

The CHIEF SECRETARY: No; a liberal interpretation of the letter would be that those women approve of the equality of the sexes. Hence I ask the Committee not to discriminate. I would not attempt to convert members.

Hon. N. E. Baxter: You have not converted too many.

The CHIEF SECRETARY: I know how narrow the hon. member's views are.

Hon. N. E. Baxter: People in glass houses, etc.

The CHIEF SECRETARY: The hon. member's views are so narrow that he could peep through a keyhole.

The CHAIRMAN: Order! I ask the Chief Secretary to proceed.

The CHIEF SECRETARY: The first letter definitely supports the Bill as introduced. The second letter, we can assume, supports equality in the matter of ages.

Hon. H. Hearn: I think that is a wrong assumption.

The CHIEF SECRETARY: We can forget the second letter, but I have produced one from an accredited organisation setting out the views of the women. What about members producing letters from other women's organisations giving the opposite view? Can they do it? If so, I should be pleased to hear them. Having accepted the principle of service by women, let us make the age the same for women as for men. I would support an amendment to make the age for men 30 years, but that is not the question at issue.

Hon. N. E. Baxter: You are part of the Government.

Hon. H. Hearn: Bring in a Bill for that purpose.

The CHIEF SECRETARY: The age for men is 21 to 60, and I ask members not to insist on a different age for women.

Hon. Sir CHARLES LATHAM: I hope that the Committee will insist on the amendment. If anything would convince me that we should insist, it was the final paragraph in the letter from the Women's Service Guild to the effect that this question should be removed from party politics. Last year it was not a party matter, and we find members who opposed the Bill on that occasion supporting this measure.

Hon. R. J. Boylen: A very different Bill.

Hon. Sir CHARLES LATHAM: Why are they now supporting the Bill? Because it has been made a party issue.

The Chief Secretary: Did not some members cross from my side and oppose it?

Hon. Sir CHARLES LATHAM: We shall see how they vote tonight. I suggest that pressure has been put on the party, and I shall be amazed if members who supported some of the amendments will tonight vote with us. We are the fathers of the race, and should appreciate that there is a time in the lives of mothers when they should stay at home. I object to putting women on a level with men in this matter. I would place women far above my own level, and I appeal to members to think of their mothers as being on that higher level. Do not ask them to descend to the drudgery of life and associate themselves with some of the filthy cases that we know occur from time to time.

There is no doubt that these little coteries, whether of men or women, suffer from imaginitis. They think they are an influential body when, in reality, they are a very small group. I have seen them over a number of years; some of them are the same as those sitting in parts of the House this evening. I heard one member describe them as "iron-jawed women talking about things they know nothing about in reality." I do not say that, because I have a far greater respect for women. But I think they should have a respect for themselves. There are certain things which are part of a man's duty, and there are others which are part of a woman's duty.

I do not want to see our women brought down to the level of Russian women who work on the streets and wharves. I have seen some of these meetings of, in their own opinion, influential women. I have even attended some of them; and I addressed some of them in my more youthful days when I had some influence in this State. I hope members will stick to the decision we made the other evening, because we have given a good deal of consideration to this measure. The majority of women do not want this legislation. If the age is raised from 21 to 30, it will make little difference. Even younger men are generally challenged today because older men are preferred for jury service.

Hon. C. W. D. BARKER: I hope the Committee will not insist upon its amendments. Sir Charles Latham would have us believe that we are still back in the time of Queen Victoria. We have to look at this question from a modern viewpoint and try to see it through the minds of our modern young women. To say that women of 21 should not serve on juries is casting a reflection on them. Are we going to say that our young women in Western Australia are not as far advanced as women in other States and countries? Women are asking for equal rights in this matter, and I think we should give them those rights.

Hon. Sir Charles Latham: How many are asking for it?

Hon. R. F. Hutchison: All of them.

Hon. C. W. D. BARKER: Sir Charles Latham would have us believe that the Women's Service Guild is simply a pack of old women who sit and haggle over things that mean nothing. It is a creditable organisation; one that has contributed a good deal to the welfare of the State. To say that its membership comprises only a handful of women is completely wrong. This body has hundreds of members.

Hon. H. Hearn: How do you know?

Hon. Sir Charles Latham: He is one of them.

Hon. C. W. D. BARKER: I would be proud to be a member. Several other bodies are affiliated with this organisation, and the letter quoted by the Chief Secretary indicates what its members want. Women have been fighting for this equality down through the ages, from the time of Mrs. Pankhurst. I agree that we do not want our Australian women to work on the roads as they do in Russia. But in times of war our women have come forward and worked willingly. If our women serve on juries from the age of 21, it will assist the administration of the State, because when their names are put on the rolls they will automatically be placed on the jury list, and this will assist in making our administration more simple.

I believe that women would be a great asset on juries, particularly in certain cases. I do not think they would be called upon to sit on sordid cases. But women are experienced in the facts of life; and today our young women know what life means, and can face up to its obligations. The least we can try to do is to promote the rights of women and not retard them. The old Victorian idea is gone. Women in America are playing a large part in the affairs of that country. Many of them are executives of big businesses; they serve in Government affairs and many branches of industry.

There is no reason why our womenfolk should not do the same thing. We should open wide the door and give them the freedom which they desire. They have asked to be allowed to sit on juries, and that right should be given to them so that they can play their full part in the administration of our State. To condemn women's organisations is wrong. We should give the women of this State the same right as women in other parts of the world already enjoy.

Hon. E. M. HEENAN: We have passed the second reading of this measure and, by doing so, have adopted the principle that women should be eligible and liable to serve on juries. There is a most important principle involved in the motion moved by the Chief Secretary. Almost from time immemorial, men between the ages of 21 and 60 have been liable to serve on juries; and during the years that I have been in this Chamber, I have not heard it suggested that the age of 21 should be altered. I put it to members that they have never heard judges or leaders of our society complain about the present age limits as they apply to men.

I think it goes without saying that the jury system in Western Australia has proved a great success. It is by no means perfect; but it has worked satisfactorily, and there has been no public agitation from any section of our society to alter it in any radical manner. We have taken the important step of following other States of Australia, and other countries of the British Empire, in extending the liability for jury service to women.

Hon. C. H. Simpson: This is not the same as in New South Wales or Queensland.

Hon. E. M. HEENAN: I will leave out any further mention of New South Wales or Queensland, except to point out that the age of 21 years applies to women in those States. Having taken the important step —and it is an important one—of extending the liability for jury service to women, why should we apply a different age to the two sexes? I do not think any member could argue that a man between the ages of 21 and 30 has proved to be unsuitable for this work. To my knowledge no judge has ever made such a statement. But now, when we intend to extend jury service to women, members want to alter the age. What logical argument can there be in favour of such a proposal? We give the vote for Commonwealth and Legislative Assembly elections to men and women at the age of 21 years. We do not argue that one is more or less suitable than the other

Hon. C. H. Simpson: But do not 80 per cent. of the womenfolk ask their menfolk which way they should vote.

Hon. Sir Charles Latham: He knows they do.

Hon. E. M. HEENAN: I have just made the statement that since this country formed itself into a Commonwealth, women of 21 have had the same privileges as men of 21 as regards the franchise. Whether that is right or wrong, it is too late to argue now; it is the principle that has been adopted. We have adopted the principle that a girl of 21, the same as a young man of 21, can be elected to the Federal Parliament. We have adopted the principle that a young woman of 21, in the same way as a young man of 21, can be elected to the Legislative Assembly. Whether that is right or wrong, I am not prepared to argue at the moment; but it is a principle that has been adopted, and I do not think anyone could indicate many disadvantages in it.

Hon. C. H. Simpson: Is there any comparison between the classes of duty they are obliged to undertake?

Hon. E. M. HEENAN: I would say that the duties that a person between 21 and 30 years of age would have to fulfil as a member of the Commonwealth Parliament, or as a member of the Legislative Assembly, would weigh up fairly evenly with the responsibilities and judgment required for the ordinary jury service that such a person would have to carry out. We permit men between 21 and 30 to be doctors. We do not say we will not admit a woman as a doctor until she is 30 years of age. I

am sure Dr. Hislop will agree that many women doctors under 30 years of age are doing a splendid job.

Hon. Sir Charles Latham: By themselves?

Hon. E. M. HEENAN: It does not matter whether it is by themselves or with the help of someone else. Although women are admitted to be doctors before they are 30 years of age, some members here are not prepared to permit women under that age to serve on juries. The University of Western Australia does not apply an age limit of 30 years for women who qualify as lawyers. My own wife qualified with very high degrees at the University when she was about 25 years of age. In spite of that, members do not wish women to serve on juries until they are 30. Members say they are not capable of serving on juries until they are 30.

Hon. Sir Charles Latham: We did not say that.

Hon. J. G. Hislop: It has never been said in this Chamber.

Hon. E. M. HEENAN: It has been implied. What other inference could be drawn when members say they are not going to admit women to juries until they are 30?

Hon. N. E. Baxter: It is because of the inconvenience that would be placed on them.

Hon. E. M. HEENAN: Women teachers have a responsible duty to assist in the formation of character.

Hon. C. H. Simpson: That is entirely different.

Hon. Sir Charles Latham: That is their motherly instinct.

Hon. E. M. HEENAN: There is no such age limit imposed on a woman who wishes to qualify as a nurse. It would be a retrograde step to apply a different age limit for women than for men jurors.

Hon. Sir Charles Latham: You have made some progress since last year.

Hon. E. M. HEENAN: I thank the hon. member for the compliment, and hope to continue in that direction. If it is inconvenient for women under 30 to serve on juries, it is equally so for those between 30 and 60. There are plenty of safeguards in the legislation. Women can have their names removed from the jury list by writing in. If called up, they can apply to have their services dispensed with. It would be a retrograde step to fix an age limit.

Hon. C. H. SIMPSON: Judging from the progress of the debate, it would seem that we are still at the second reading stage. The Chief Secretary has moved that we do not insist on the amendment, but I hope the Committee will insist. We have given great consideration to the pros and cons of the Bill; and members know that, had it not been for the amendment which I had placed on the notice paper, the Bill would not have been supported at all. It is debatable whether the measure, without any amendments, would have been accepted. I do not think it would have been. In support of his argument, the Chief Secretary said that good reasons had been advanced by another place for disagreeing to our amendments. No reasons at all have been given, and there does not seem to be any intention by members in another place to accept any amendments at all.

Letters have been read from women's organisations claiming that we should accept the Bill in its entirety. I doubt whether they represent a true cross-section of the opinion of women in this State. In common with other members, I have interrogated ladies in different sections of society in different places in the State, and very few showed interest in the issue; none adopted a positive attitude about the Bill being passed. Most were disinterested. On the other hand, many women would accept service if the Bill were passed in the amended form, and if they were not placed under a mandatory obligation to be enrolled as jurors. They would probably consider it was the law of the land and accept it as their duty if they were not debarred by any physical incapacity from performing that duty.

The legislation is experimental. It has been introduced in only two other States. In other States, the main qualification is that women shall apply to be placed on the jury list. Here, it is in reverse; it is proposed to co-opt all women on the Legislative Assembly roll who are 21 years of age. Our amendments will not prevent a single woman who wishes to be on the jury list from having her name placed on it. It may cause young women a lot of embarrassment when they find they have to tackle a very unsavoury case, and at the last moment they may ask to be excused.

The CHAIRMAN: I think the hon. member is speaking on amendment No. 2 rather than on amendment No. 1; he is talking about being excused and so forth.

Hon. C. H. SIMPSON: The two are to some extent interdependent. The question is whether or not we should accept the proposals from another place, or whether we should adhere to our amendment which provides for an age of 30 years. The substance of our intention to make the age 30 was that women would be dealing with indictable offences; not ordinary misdemeanours, but criminal offences, some of which would be exceedingly unsavoury. While we have great admiration for the sex and feel that they may be superior in the appreciation of culture and beauty, we claim that the duty of serving on a jury should only be undertaken by women who have arrived at the age of emotional

maturity; it should not be thrust on the shoulders of young women who may not know that they are liable to be called on. I hope members will stand by the amendments we agreed on in this Chamber and that they will vote against the Chief Secretary's motion.

Hon. F. R. H. LAVERY: I have not spoken on this Bill before. It appears to me that the question of women of only a certain age being capable of serving on juries is parallel with the great fight put up by the women of England for the right to vote in the country in which they lived. Not many months ago this State was favoured by the visit of one of the finest types of women, who is the mother of two children. I refer, of course, to our gracious Queen. I do not think we need look any further when drawing a comparison than to the Queen herself.

Hon. A. R. Jones: You would not submit her to the sordid side of life?

Hon. F. R. H. LAVERY: It has amused me to listen to this reference to the sordid side of life. The young women who train as nurses in our hospitals see the sordid side of life at the age of 18. In the early stages of the war, before we had sufficient drugs, they saw more of the sordid side of life than any of us here are likely to do.

Hon. C. H. Simpson: They were not dealing with criminals, though.

Hon. F. R. H. LAVERY: Those young ladies have to carry a burden which would make a lot of men sitting in this Chamber squirm.

Hon. C. H. Simpson: We admire them for that.

Hon. F. R. H. LAVERY: No matter what argument is used against women of 21 years of age, somebody can submit arguments in favour. My own opinion was summed up in an interjection by Mr. Watson after the vote was taken last time. He said, "Where is the equality here?" All the women are asking for is equality. So far as the argument that this is a political stunt is concerned, I want to stress that not one woman, apart from Mrs. Hutchison, has spoken to me on the matter; so my mind is absolutely clear. I have had no leads from anywhere else.

Let us advance one little bit in this matter. If at the end of 12 months or two years we find there is need to amend the Act, that can be done. If we want to establish the principle that women shall sit on juries—and that principle has been more or less adopted—then let us provide that they shall sit on equal conditions with males. I hope the political aspect will be completely forgotten, because this is not a political matter.

Hon. Sir Charles Latham: What!

The CHAIRMAN: Order! I will ask the hon. member to keep to the amendment.

Hon. F. R. H. LAVERY: I deny the statement by Sir Charles Latham that this is a political issue. There are bodies of women in every State and every country which have been formed for the advancement of women's interests. There are all sorts of organisations.

The CHAIRMAN: Will the hon. member connect his remarks with the amendment?

Hon. F. R. H. LAVERY: Yes. There is no use anybody saying that the people who wrote the letters that have been referred to during the debate are not responsible leaders of women.

Hon. R. F. HUTCHISON: Along with thousands of other women, I have fought for many years for women to be on an equal footing with men in civics. Life itself is a matter of trial and error, and there is time enough to find out whether we have done the wrong thing. At least let us start to be just. All the debate I have heard has implied that men should judge what a woman of 21 thinks or does not think. I consider that is presumption. A woman of 21 is as capable as any man of that age of thinking, and doing, and judging what is right.

Hon. L. C. Diver: Nobody suggested otherwise.

Hon. R. F. HUTCHISON: I understand that that was the position. What are members objecting for?

Hon. L. C. Diver: You know as well as I do.

Hon. R. F. HUTCHISON: Surely it is not out of blind prejudice, which is the only other deduction I can make. It is about time we realised the changing pattern of our living, which has come about through the education of the masses. I remember the bitter fight we had to secure the vote for women. Only blind prejudice prevented that, and it took a war to awaken men to the position. I do not think that women have shown themselves less capable of exercising the franchise since they obtained the right. In England, it is provided that a British subject between 21 and 60 is liable to serve on a jury. That has been the position since 1919, and there has been no outcry in that country to the effect that it is wrong.

Hon. L. Craig: But there they must serve.

Hon. R. F. HUTCHISON: The same as we want them to do here. They can be excused. This business of excuse is only a smokescreen, because women can be released from the obligation the same as men. I have known men who would go to any lengths to be excused from jury service. That is not to say that women do not recognise their rights, duties, and responsibilities. Women of 21 are capable of setting up homes and undertaking the rearing of families. Thousands of them have

experienced the great miracle of childbirth; and to say that a woman of 21 is not as capable as a man of summing up a case on a jury, is presumptuous. I have never heard anything more presumptuous. I want to ask members opposite—

The CHAIRMAN: I would ask the hon. member to stick to the amendment, and not to worry about other hon. members. The amendment has reference to age.

Hon. R. F. HUTCHISON: It was my intention to ask members whether they did not think it presumptuous to maintain that they know what is best for a woman of 21. I thought the time when that view was held had long passed. The age has gone when that kind of thing occurred; and the change has come through education, and through women becoming aware of the injustices and anomalies of the old laws and customs that were repressive towards women. It is a retrograde step to say that women shall serve on juries at a different age from men. A woman would be able to ask for release from jury service if she was child-bearing or in any other way prevented from carrying out jury service.

I have heard a lot about what women do not want. I have heard it said that they do not want to serve on juries. I have enough evidence around me—and I have not seen any produced to the contrary—to show that this is the very thing that women are crying out for—to serve on juries equally with men, between the ages of 21 and 60. I am a member of the Women's Service Guild, and I know the body of women it represents. It is a very powerful organisation. I also have this letter, which I read to members previously, and which came from the National Council of Women.

The CHAIRMAN: Dealing with the age?

Hon. R. F. HUTCHISON: Yes, asking for equal rights. That council represents millions of women. It is an international organisation and represents hundreds of thousands of women in Australia alone. So to say that we are not speaking for women is utter nonsense. This very Chamber is a negation of justice to women, because the franchise is not given to a woman unless she has property.

Hon. Sir Charles Latham: The qualification is exactly the same as that for men.

Hon. R. F. HUTCHISON: That is not correct.

Hon. Sir Charles Latham: It is.

Hon. R. F. HUTCHISON: A woman can vote only if she has property.

Hon. Sir Charles Latham: The same as a man.

Hon. R. F. HUTCHISON: A man can vote if he is the head of the house.

Hon. Sir Charles Latham: So can a woman.

Hon. R. F. HUTCHISON: That is incorrect. I wish to read an extract from the "Daily News" of last night to indicate to members that this matter is beyond party politics. The extract is as follows:—

> Women Liberals Beat Men On Female Jury List Vote.
>
> BRISBANE, Mon: Women delegates won the support of the Liberal Party State Convention for automatic inclusion of women in the jury list. The motion was carried on a show of hands among a predominantly female audience against strong opposition by men. It read:—
>
> We strongly urge that women of voting age be automatically included on the jury list, and in murder and sex cases it should be compulsory to include women in the jury.
>
> Liberal Women's Council chairman Mrs. J. Voller said if women were entitled to vote they should also be able to serve on a jury.
>
> "A woman can place her name on the jury list," she said.
>
> "But if women are called for jury service they are always challenged, because of the novelty of having women on a jury."
>
> Mrs. H. J. Fox, of Albion East said: "It is a tragedy for a woman to appear before a jury of men only with no women there to understand their psychology."

I ask this Committee not to insist on its amendment, and that the Bill as originally submitted, with the ages of 21 to 60, be retained. At 21 a woman is quite capable of having all the knowledge of a woman's life and feelings, and is capable of serving on juries which try cases of rape and other sex offences. A woman's understanding is very important. We fought for years to have stillbirths the subject of coroners' inquiries.

The CHAIRMAN: Order! I ask the hon. member to connect her remarks with the amendment.

Hon. R. F. HUTCHISON: Women of 21 years of age are quite capable of carrying out these duties. They know these things, and a lot of them have been through some of them. There is no question of age when it comes to the professions. There are women justices, and they have all honourably acquitted themselves.

Hon. E. M. Heenan: There is no age limit there.

Hon. R. F. HUTCHISON: That is so. This is only a refusal to recognise the changing attitude of society. Women, through education, understand inner forces of life that are only now beginning to be

recognised by medical men. To say that women cannot judge equally with men on these aspects when they have been educated in the same schools and universities is wrong, and to say that they are not capable at 21 years of age of serving with men on juries—

Hon. Sir Charles Latham: Nothing of the sort!

Hon. R. F. HUTCHISON: Then what is the quibble about? Is it just blind prejudice? Women of 21 are just as intimately concerned with life as are men of 21. In fact, they are more concerned to see justice done to some people. We have had cases just recently where a woman on the jury would mean a lot because she would have a definite contribution to make on her side of the question. I, with all the sincerity that is in me, ask members to pass the Bill as it was; and to be at least fair. If, later, it is found there is anything wrong with it, I will be the first to get up here and admit it.

Hon. A. F. GRIFFITH: The hon. member who has just resumed her seat intends at all costs to stick to her point, which is that we believe there is a difference in the mentality and ability of a woman between the ages of 21 and 30 years as against the man. In spite of numerous objections and positive assurances that that is not in anybody's mind, she, for the benefit of the gallery, desires to stick to her point.

Hon. R. F. Hutchison: I object to that statement.

The CHAIRMAN: Mr. Griffith is quite within his rights.

Hon. A. F. GRIFFITH: Could I finally assure Mrs. Hutchison that, so far as I am concerned, there is no difference between the mentality or ability of a girl of 21 as compared with a boy of 21?

Hon. R. F. Hutchison: What are you objecting to?

Hon. A. F. GRIFFITH: It is not a question of objection. I support the age of 30 to 60 because I believe there are certain obligations that a woman between the ages of 21 and 30 has which prevent her from serving on a jury.

Hon. R. F. Hutchison: What do you—

Hon. A. F. GRIFFITH: Cannot I continue without these infernal interjections?

The CHAIRMAN: I ask the hon. member to continue his remarks without interruption. After all, he makes plenty of interjections himself. I ask him to continue his speech.

Hon. A. F. GRIFFITH: I spoke against the Bill on the second reading, and then voted for it, and I did so because this amendment was on the notice paper. I did not cast my vote without first communicating with at least one women's organisation and some independent people in my district. Mr. Lavery said that no female had communicated with him on the matter. So important is this subject that nobody communicated with him! It is strange to me that the Chief Secretary can command such respect in regard to the Bills he introduces. One wonders at the quick changes that take place. Mr. Heenan put forward a reasoned speech as to why we should agree to the Assembly's request, but we remember that last year he voted against a very similar Bill.

Hon. E. M. Heenan: Not a very similar Bill at all.

Hon. A. F. GRIFFITH: The measure last year was to allow women to serve on juries, and to give a majority verdict.

The CHAIRMAN: Is the hon. member going to connect up his remarks with the question before the Chair?

Hon. A. F. GRIFFITH: Yes.

Hon. E. M. Heenan: You are utterly wrong.

The CHAIRMAN: Order!

Hon. A. F. GRIFFITH: Last year we found you, Mr. Chairman, of all people saying this—"I do not agree with women acting as jurors." Mr. Bennetts said this—"I am of the same opinion as Mr. Hall."

Hon. G. Bennetts: A different Bill.

Hon. C. W. D. Barker: Read what I said.

Hon. A. F. GRIFFITH: The hon. member made a lovely speech. The Chief Secretary during his speech asked whether any member could produce evidence to show that any other women's organisation, apart from the one that had communicated with him, had written to disclose its ideas. Well, one has written to me. The organisation is the West Australian Women's Parliament. I do not know how many members it has, but since the Chief Secretary has made the request, I feel I should supply this information. The Premier of the W.A. Women's Parliament writes to me, in a letter dated the 15th September, that a resolution was passed in these terms—

> Any person, male or female, serving on juries shall be between the ages of 30 and 60 years of age.

The Chief Secretary: That is the same as ours.

Hon. E. M. Heenan: How old do you have to be in order to be a member of the Women's Parliament?

Hon. A. F. GRIFFITH: I do not know. I am not a member myself.

Hon. R. J. Boylen: Are you in the Girl Guides?

Hon. A. F. GRIFFITH: No.

The CHAIRMAN: Order! I ask the hon. member to speak to the amendment, and I request other members to allow him to continue without interruption.

Hon. A. F. GRIFFITH: These frivolous interjections show the seriousness with which members on the other side view the Bill. I cannot let them go unanswered. Fancy suggesting that I would be a member of the Girl Guides!

The Chief Secretary: It is appropriate to the remarks you make.

Hon. A. F. GRIFFITH: At least two members of the Women's Parliament told me what was behind the motion.

Hon. C. W. D. Barker: Is not that making a party matter of it? It is a Liberal organisation.

Hon. A. F. GRIFFITH: It is obvious that the ignorance of Mr. Barker on the constitution of the Women's Parliament is appalling.

The CHAIRMAN: Order! I ask the hon. member not to cast reflections on members of this Chamber.

Hon. A. F. GRIFFITH: When these two ladies communicated with me, they told me what was in the minds of the members of their organisation when the motion was brought forward. I told them that the Bill did not deal with men but with women, and that it was not possible at this stage to introduce into the Bill any amendment dealing with men. They told me that the Women's Parliament was quite satisfied with the application of the age between the years of 30 and 60. They also informed me that it was the desire of the Women's Parliament, as it was of the organisation that wrote to the Chief Secretary, that women should come within that category. In addition, they desired that they should have equal property qualifications.

Hon. E. M. Heenan: And put men back to 30, too?

Hon. A. F. GRIFFITH: Yes.

Hon. E. M. Heenan: They ought to make it 40.

Hon. A. F. GRIFFITH: We should not go into the merits of this particular phase, because it does not enter into the amendment. There is no question of deciding this matter on the issue of capability or intelligence. I hope the Committee will not insist on its amendment.

Hon. G. BENNETTS: Seeing that women can vote at elections for another place at 21 years of age, I think that should be the age under this measure. We all know of women who at an early age have attained high academic qualifications or have distinguished themselves in other ways in our community. Under this measure a woman can, in certain circumstances, apply to be removed from the jury list. She can apply if she is bearing a child or is in ill-health or—

Hon. E. M. Heenan: Or for any reason at all!

The Chief Secretary: Or for no reason!

Hon. G. BENNETTS: The clerk of courts or the Electoral Office would place all the names on the list—

Hon. Sir Charles Latham: How would he know that they were not more than 35 miles from the court?

Hon. G. BENNETTS: The woman concerned could communicate with him. At all events the Bill will lead to balanced juries. I am thankful to a woman for being here today—

The CHAIRMAN: The hon. member must connect his remarks to the Bill.

Hon. G. BENNETTS: I am referring to the good care my wife took of me years ago. I hope the Committee does not insist on the amendment.

Hon. J. MURRAY: I move—

That the Committee do now divide.

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

Ayes	18
Noes	9
Majority for	9

Ayes.

Hon. N. E. Baxter	Hon. Sir Chas. Latham
Hon. L. Craig	Hon. J. Murray
Hon. L. C. Diver	Hon. H. L. Roche
Hon. J. J. Garrigan	Hon. C. H. Simpson
Hon. Sir Frank Gibson	Hon. J. D. Teahan
Hon. A. F. Griffith	Hon. J. McI. Thomson
Hon. H. Hearn	Hon. H. K. Watson
Hon. C. H. Henning	Hon. W. F. Willesee
Hon. J. G. Hislop	Hon. R. J. Boylen
	(Teller.)

Noes.

Hon. C. W. D. Barker	Hon. R. F. Hutchison
Hon. G. Bennetts	Hon. A. R. Jones
Hon. E. M. Davies	Hon. H. C. Strickland
Hon. G. Fraser	Hon. F. R. H. Lavery
Hon. E. M. Heenan	*(Teller.)*

Motion thus passed.

The CHAIRMAN: The question now is that amendment No. 1 be not insisted on. Before the vote is taken, I cast my vote with the "ayes".

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

Ayes	14
Noes	14
A tie	0

Ayes.

Hon. C. W. D. Barker	Hon. R. F. Hutchison
Hon. G. Bennetts	Hon. A. R. Jones
Hon. E. M. Davies	Hon. F. R. H. Lavery
Hon. G. Fraser	Hon. H. C. Strickland
Hon. J. J. Garrigan	Hon. J. D. Teahan
Hon. W. R. Hall	Hon. W. F. Willesee
Hon. E. M. Heenan	Hon. R. J. Boylen
	(Teller.)

Noes.

Hon. N. E. Baxter	Hon. Sir Chas. Latham
Hon. L. Craig	Hon. J. Murray
Hon. L. C. Diver	Hon. H. L. Roche
Hon. Sir Frank Gibson	Hon. C. H. Simpson
Hon. H. Hearn	Hon. J. McI. Thomson
Hon. C. H. Henning	Hon. H. K. Watson
Hon. J. G. Hislop	Hon. A. F. Griffith
	(Teller.)

The CHAIRMAN: The voting being equal, the question passes in the negative.

Question thus negatived; the Council's amendment insisted on.

No. 2. Clause 4—In Subsection (1) of proposed new Section 5A add a further paragraph to stand as paragraph (c) as follows:—

(c) notifies in writing the Resident or Police Magistrate of the district in which she resides that she desires to serve as a juror.

The CHAIRMAN: The Assembly's reason for disagreeing is—

In view of the fact that all women on the Legislative Assembly roll will be qualified to act on juries, they should so act unless they individually express their desire not to do so.

The CHIEF SECRETARY: I move—

That the amendment be not insisted on.

While I do not wish to comment on the vote of this Committee, I think the position is unsatisfactory when the debate is thus cut short, because then the mover of the motion is denied his right of reply. In view of the closeness of the voting on the previous amendment I think that, given an opportunity to reply, I might have been able to influence the result. I at least made the difference of convincing one member to come over to this side of the Chamber.

Hon. J. G. Hislop: You have convinced two at any rate.

Hon. H. Hearn: They were convinced before.

The CHIEF SECRETARY: At least I have achieved something. I think I could even have convinced Dr. Hislop if I had had the right of reply.

Hon. J. G. Hislop: You might have even convinced me to vote against the third reading.

The CHIEF SECRETARY: I do not think the hon. member would need much convincing to do that. This is a bad amendment. It provides that only those who write in shall serve on juries. By this we are going to make women feel that if they write in, they will be looked upon by everyone else as sticky-beaks.

Hon. H. Hearn: Nonsense!

Hon. C. H. Simpson: Nonsense!

The CHIEF SECRETARY: I think that what the hon. member has said all night is nonsense, but what I say is a fact. If we place the names of all women on the register and say that they all have to serve, they will all be equal, but if we provide that only those who write in shall serve, they could quite easily be branded as sticky-beaks. There are many women who, if they regard it as a duty to serve, will perform that duty. What would be the position if we stipulated that only those men who wrote in to act as jurors should serve? We would be in a nice position!

Hon. H. K. Watson: Your proposal is not much better than the original one.

The CHIEF SECRETARY: It is. There are many women who would feel that the law had said that they should serve and they would not exercise the right to excuse themselves because they could consider that that would be a duty they should perform, and they would serve as jurors. However, they would not write in to apply to be put on to the jury list because they would be branded by many people as sticky-beaks.

Hon. H. Hearn: You are drawing upon your imagination.

The CHIEF SECRETARY: I am not. I am basing my remarks on human nature, and the hon. member knows that that is true. We will ruin all prospects of getting the best women to serve on a jury if we carry this amendment. Does not the secret of the success of the jury system lie in the fact that, with certain exceptions, a man over 21 years has to serve?

Hon. N. E. Baxter: With certain exceptions!

The CHIEF SECRETARY: There will be certain exceptions with women who do not want to serve. In the same way there are certain exceptions with men who are civil servants, members of Parliament, and many others who have property qualifications. Even with all those certain exceptions, we still find that we have a good jury system that represents a cross-section of the public. Will we get a cross-section of the womenfolk from those who are forced to write in to serve on a jury? We will take away the main essential of the jury system; that is, a cross-section of the community.

Hon. C. H. Simpson: By press-ganging them.

The CHIEF-SECRETARY: No, not by press-ganging them; merely by expressing the fact that Parliament has said that all women shall serve on juries, unless under certain circumstances. Much has been said about women serving as jurors on terrible cases. There is no need for them to serve because, right up to the time they are sworn in as jurors, they can be exempted. When they were called, they would know the type of case they were required to serve on. Members set themselves up as judges of what women ought to do and do not leave it to the women themselves to decide. They are imposing their will on the women and not allowing them to be the judges.

Hon. C. H. Simpson: We are definitely allowing them to be the judges by allowing them to apply.

Hon. H. Hearn: The Chief Secretary is being carried away.

The CHIEF SECRETARY: The hon. member is not allowing them to be the judges. He is branding the women who will write in as sticky-beaks.

Hon. C. H. Simpson: Nonsense!

The CHIEF SECRETARY: The hon. member definitely is. If we make it a duty, many women will regard is as such, and they will carry it out. Mr. Hearn is so sure of his point of view. Members are too conservative and do not want to change anything. Why not give this measure a trial and, before their worst fears are realised, members can introduce an amendment on similar lines to the one in question ?

Hon. C. H. Simpson: Let us try it the other way.

The CHIEF SECRETARY: No, let us try it as it is.

Hon. H. Hearn: You want to make it an obligation and not a right.

The CHIEF SECRETARY: I want to place women in the same position as men. Members want to stay in the old rut, but I do not. I want to progress, and I consider that this is progress. I ask the Committee not to insist on its amendment. If members agree with me on this occasion, they will not regret it.

Hon. C. H. SIMPSON: I hope the Committee will not agree to the Chief Secretary's motion. He says that the Bill does not regiment the women, but I say it does. I explained earlier that this legislation was experimental. We have the example in two other States, but they did not enrol women as jurors except on application. As it is an experiment, cannot we say that we should try it in a small way, and if there is a genuine desire on the part of the majority of women to serve as jurors, we can amend the Bill as the Chief Secretary suggests? However, we should not compel them to undertake an obligation which we are sure many of them would not be able to carry out.

In this State we have a population of 600,000, half of which are females. If we take away those over 30 and under 60, that would probably leave about 150,000. They would be subject to being included in lists of jurors and separate lists for various localities would have to be compiled. There would need to be files and files of correspondence dealing with those who objected to serving. On the other hand, if we enrolled only those who desired to serve, there would be a much smaller list, and the correspondence work would be greatly reduced. There would not be an army of men working on an unnecessary task.

I am convinced that if the Bill is passed in the form that we suggest, those women who are free of the handicaps that would prevent many from discharging this obligation, would regard it as a duty to enrol as jurors and carry it out. On the other hand, there would be a great body of women who, for domestic and other reasons, could not possibly discharge that duty and, by a great deal of inconvenience to themselves, would have to contract themselves out of the obligation. I ask the Committee to vote against the motion.

Hon. C. W. D. BARKER: I hope the Committee will not insist on its amendment. I think we are doing the women of Western Australia an injustice by saying that they must write in and apply to serve as jurors. Women are seeking equal civic rights with men. We say to a native, "We will give you citizenship rights, but you must first apply for them." In effect, that is what we are doing to the women with regard to their serving as jurors.

Hon. N. E. Baxter: Has not one to apply for everything else, such as child endowment, etc.?

Hon. C. W. D. BARKER: A man does not apply to be placed on the jury list. There would be great difficulty in the administration of the law in palcing the names of all women over the age of 30 on a jury list. This amendment is insulting the women of this State because we are not offering them equality. By providing that women shall apply for this right, we are carrying things a little too far.

Hon. R. F. HUTCHISON: Some members seem to have made up their minds to insist on the amendment. I want to quote the following extract from "The West Australian":—

> Women Jurors Wanted for Sex Hearings. Many legal authorities believe that both sexes should be represented on juries called on to judge crimes where both sexes are involved.
>
> Supporting the Bill now before the State Parliament, under which it is proposed to list women aged between 21 and 60 for jury service, legal men say that in many ways women are better able to judge cases such as rape and unlawful carnal knowledge.
>
> In all aspects of crime, it is claimed, woman's regard for the law is greater than her pity.

Men will be offering an insult to women if they insist on the amendment. Women will hesitate if they are compelled to apply for service on juries. Many women who are not experienced in public life, but who are quite willing to carry out their duties if the Bill is passed, will hesitate to apply for service. In the other States, the experience is that women are seldom called where they are compelled to apply. The prejudice in this State

seems to be just as deep. It is about time that men began to treat women fairly. Thank heavens, in politics I belong to a party which is progressive at heart.

The CHAIRMAN: I ask the hon. member to connect her remarks to the amendment.

Hon. R. F. HUTCHISON: I would like to quote an extract from "The Western Mail." It was written by a man and is as follows:—

> As a woman, she would be able to understand, in a way a man rarely could, the behaviour, feelings and motives of the woman involved. Many authorities consider that where both sexes are concerned, both should be represented on the jury.
>
> This does not necessarily mean that she would be more inclined to take the side of the woman. On the contrary, her feminine mind might cut through the webs of sentimentality that often ensnare the good sense of men where women are concerned. The susceptibility of men jurors to the charms of attractive females in the witness-box is too well known for further comment.

The CHAIRMAN: I am wondering how the hon. member ties this up with the amendment before us.

Hon. R. F. HUTCHISON: That is what will apply. The extract continues—

> There is yet another aspect—responsibility. If women are to be considered full and equal citizens with men—as we do consider them in a democratic State—then they must be prepared to assume the burdens of citizenship. The manner in which women are admitted to jury service in Great Britain underlines this fact. The obligation was made under the same measure, the Sex Disqualification (Removal) Act.

Without labouring the subject, I again assert that women are being done a great injustice by some members. As a woman, I resent this course of action. I am trying to present logical arguments to support the case of women. Just as this Chamber is a negation of justice to some citizens, the attitude of some members to this Bill is a negation of justice to women.

Hon. E. M. HEENAN: I agree with the Chief Secretary that the amendment should not be insisted on, although previously I voted for it. During the debate, I supported the principle that women should be treated on the same basis, as far as possible, as men. I was greatly perturbed when an amendment was carried which altered that principle by limiting the age of women's service to 30 and over. That was a radical departure from the principle I believe in. As Mr. Simpson and other members pointed out, difficulties will arise in compelling women of 30 and over to apply for service on juries. The difficulties would have been negligible had the age been lowered to 21 years.

In voting for the amendment to limit the age to 30, I had in mind that next year the Government would seek to lower the age to 21. The argument of the Chief Secretary impressed me tonight, mainly that a stigma would be attached to women, especially in small centres, who apply for jury service. For the reasons he gave, I must support the Chief Secretary. This Bill has been introduced on a non-party basis. I am entirely free to vote one way or the other because this matter is not one of the planks of our platform.

Hon. Sir Charles Latham: It is in your constitution and in your platform—equal rights for women.

Hon. E. M. HEENAN: I support the motion.

Question put and a division called for.

The CHAIRMAN: Before tellers are appointed, I give my vote with the "ayes."

Division taken with the following result:—

Ayes	13
Noes	14
Majority against	1

Ayes.

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

Noes.

Hon. N. E. Baxter	Hon. J. Murray
Hon. L. Craig	Hon. H. L. Roche
Hon. L. C. Diver	Hon. C. H. Simpson
Hon. Sir Frank Gibson	Hon. J. McI. Thomson
Hon. A. F. Griffith	Hon. H. K. Watson
Hon. C. H. Henning	Hon. H. Hearn
Hon. J. G. Hislop	*(Teller.)*
Hon. Sir Chas. Latham	

Pair.

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

Question thus negatived; the Council's amendment insisted on.

Resolutions reported, the report adopted and a message accordingly returned to the Assembly.

House adjourned at 10.15 p.m.