

Legislative Council

Tuesday, the 23rd October, 1962

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The PRESIDENT (The Hon. L. C. Diver) took the Chair at 4.30 p.m., and read prayers.

QUESTION ON NOTICE

COUNTRY WATER SUPPLIES

Provision for Morawa

The Hon. A. R. JONES asked the Minister for Mines:

With reference to the replies to my questions on Wednesday, the 10th October, 1962, relating to country water supplies, will the Government give consideration to—

- exploration for a water supply at Eneabba or other sites west and south-west of Mingenew with a view to supplying Morawa and thus alleviating the serious position which exists there; or
- in view of the fact that the Gingin Brook may ultimately augment the northern comprehensive scheme, an extension of the service from Dalwallinu to Morawa?

The Hon. A. F. GRIFFITH replied:

- The Mines Department is currently carrying out geological investigations into underground water west of the Great Northern Highway.
- Final consideration of a satisfactory source of water for Morawa cannot be made until the results of these investigations are available.

ELECTORAL ACT AMENDMENT BILL

Second Reading

THE HON. A. F. GRIFFITH (Suburban—Minister for Justice) [4.37 p.m.]: I move—

That the Bill be now read a second time.

The purpose of introducing this Bill to amend the Electoral Act is threefold; and this is the Bill which is being introduced in conjunction with the Constitution Acts Amendment Bill (No. 2) and to which I referred when I moved the second reading of the Constitution Acts Amendment Bill last week.

This measure supplements the recent Federal legislation in respect of the franchise for natives; and, to that extent, is complementary to the measure recently introduced to amend the Constitution Acts Amendment Act.

The Act presently requires the nomination of a candidate to be signed by a candidate. This measure requires the surname and the Christian names to be written on the nomination form. There are several provisions in this measure which are directed towards the more proper application of the law in respect of postal voting. No reasonable objection could be taken to the requirement as regards the insertion of the surname, and also the Christian names, of candidates for nomination.

Basically, as to natives, the requirement will be that enrolment will be voluntary. For the native having enrolled, voting will be compulsory. There are the necessary penalty safeguards of the natives from subjection to undue influence by promises, offers, recompense, or reward, or benefit for or on account of, or any inducements to enrolment, or the refraining from such enrolment. Further enlargement upon those aspects is not considered necessary.

As to postal voting, the experience of the past has prompted an amendment which will specify more clearly the grounds for obtaining a postal vote. Firstly, let us deal with an elector absent from the State but still within the Commonwealth. Under the provisions of this measure, such an elector will be enabled to make application for a postal ballot paper. This 1962 amendment will rectify an anomaly created by the 1959 amendments. Secondly, with respect to an elector who is outside the Commonwealth of Australia, such an elector will, in future, under the provisions of this measure, be enabled to make application for a postal ballot paper.

The aspects of the Electoral Act that were put into the legislation giving people the right to vote outside the State of

Western Australia and inside the Commonwealth were included, if you remember, Sir, in the days of the late Hon. Gilbert Fraser.

At that time, when I was sitting on the opposite of the Chamber, I championed the cause of electors being enabled to vote in the same manner as people are able to vote in Commonwealth elections in the event of their being outside the Commonwealth. This amendment pertains to the same set of circumstances; and the Bill, when passed, will entitle people to vote not only when they are living within the State, but also when they are outside the Commonwealth.

Not every applicant for a postal ballot paper submits his application as meticulously as the law at present demands. The experience of the past has indicated that the issuing officer be accorded some discretionary power in this regard. This officer will, in future, be authorised to issue a postal ballot paper to an applicant, notwithstanding the fact of his omission by incorrect description of particulars statutorily required.

To elaborate on that, members will recall that an applicant for a postal ballot paper is required to indicate the reason why it is needed. Sometimes in the past ballot papers have not been issued, because the application has not been technically correct. When the issuing officer considers that only a mere technicality is at issue, and the ballot paper is not completely incorrect, he can issue a postal ballot paper at his discretion.

The object of this amendment is to obviate an application for a postal ballot paper being rejected because of a minor defect or omission in circumstances which make it obviously apparent that, otherwise, the applicant was fully entitled to a vote by post. The machinery for effectuating this objective, particularly as regards the directions in respect of postal voting, is to be found in the proposal to repeal subsection (2) of section 92, and in its re-enactment.

The Bill furthermore rectifies an omission in respect of directions to the authorised witness to a declaration made by the elector when recording a postal vote. There is now to be a prescription requiring the authorised witness, if within the State, to insert the address for which he or she is enrolled as an elector for the Legislative Assembly; and in the event of such witness being resident outside the State, there is a requirement prescribing the insertion of the title under which such witness qualifies as an authorised witness.

There is an important provision which defines the Chief Electoral Officer's duties—that is in connection with the receipt of postal ballot papers, and the holding of those papers until the following day, as also a prescribed authority for the Chief Electoral Officer to proceed with the

scrutiny of the postal votes not before the commencement of the poll. Existing provisions in this regard are prescribed by regulation. Now it is intended they be stated in the Act.

This measure contains a provision for the rejection of a ballot paper in the event of the declaration not being signed. To avert the rejection of a ballot paper consequent upon a declaration being enclosed with it in the envelope marked "Ballot Paper," the manner in which such ballot paper shall be dealt with is disposed of in this Bill.

Finally, there is a machinery measure introduced to ensure that the applicant named in an application shall be, in effect, an applicant, or otherwise subject to an offence under the Act, and a corresponding provision in respect of declarants; and the last reference to be made with respect to this measure is to the effect that the authorised witness shall be required to satisfy himself, or herself, as to the identity of the declarant.

Debate adjourned, on motion by The Hon. E. M. Heenan.

MOUNT GOLDSWORTHY-ORD RANGES-DEPUCH ISLAND RAILWAY BILL

Second Reading

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines) [4.48 p.m.]: I move—

That the Bill be now read a second time.

This is the Bill which I now present for consideration, one could say, under direction from the Legislative Council. It refers to the railway which, in turn, was referred to by the Act which authorised the ratification of the agreement between the Government and the Joint Venturers embodied in the Bill for an Act to approve an agreement relating to iron ore at Mt. Goldsworthy.

I have in front of me the plan showing the route of the railway from Mt. Goldsworthy—as the schedule states—to Depuch Island and the diversion of the railway into the Ord Ranges. This measure asks Parliament to agree to a five-mile deviation which is outside the normal application of the Public Works Act.

Members might consider that a deviation of five miles is very considerable. I agree it is, but I ask members to appreciate the fact that the Joint Venturers were obliged, in view of the decision arrived at by this House, to carry out and to complete a survey of the route of the line much sooner than they expected; therefore the delineation of the route, if limited to the distance or deviation set out in the Public Works Act, would have caused the Joint Venturers some difficulty.

This Bill deals with, and authorises, the construction of the railway line relating to the Iron Ore (Mount Goldsworthy) Agreement Bill. The five-mile deviation is applicable on that part of the line from Mt. Goldsworthy to the island, including the causeway; but once the line reaches the island—it has to get on to the island at some point, and then to the point of wharfage—the route will be mutually agreed on between myself, as Minister for Mines, and the Joint Venturers. The reason for doing this is obvious, because the island is not five miles wide. It is a very small island, and it would be quite impossible to provide for a deviation as great as five miles. So, in the Bill it is provided that when the line reaches the island the route is to be mutually agreed on.

Although this Bill deals with, and authorises the construction of a railway line, including a deviation into the Ord Ranges, there is no agreement yet between the Government and the Joint Venturers in respect of mining iron ore, or exporting iron ore from any other places than Mt. Goldsworthy. It was thought that when the permission of Parliament was being sought to construct the railway line from Mt. Goldsworthy to Depuch Island, it would be unwise not to include a deviation to take in the Ord Ranges.

The Joint Venturers hold a number of temporary reserves in that area, in addition to those in Mt. Goldsworthy, which the company is currently testing and proving to ascertain the iron ore thereon. The company expects to request the Government to give consideration for the inclusion of the Ord Ranges deposits under the terms of the Mt. Goldsworthy agreement. So, it seems reasonable to ask for the construction of the railway line in that manner in the Bill before us.

It will be seen that the proposed route of the railway takes a very straight course from Mt. Goldsworthy right to the point where it reaches Balla Balla townsite; then it takes an arc around the townsite, and proceeds to the island. There is no need for me to say any more about the construction of the line. I undertook to introduce this Bill to Parliament during the current session, and I am now doing so.

The comments I am about to make are not meant to reflect in any way upon the decision arrived at by this House in respect of the Iron Ore (Mount Goldsworthy) Agreement Bill, but rather to criticise the action which I took at the time when the question of a Bill to be introduced under the Public Works Act was raised by Mr. Wise, and a ruling was given by you, Mr. President. If I had adopted the proper course at the time I would not have argued that a Bill to authorise the construction of the line in question should, in fact, follow the Bill relating to the Mt. Goldsworthy iron ore

deposits, in the same manner as the Talling Peak railway line Bill followed the Bill ratifying that agreement. The reason is that the two cases are different.

In the case of the Talling Peak deposits it is a Government railway line joining up with an existing Government line, and constructed in accordance with the Public Works Act. There was no question but that a Bill under that Act had to be introduced. The line referred to in the Bill before us is a private railway line, and clause 3 of the Iron Ore (Mount Goldsworthy) Agreement Bill states—

Notwithstanding any other Act or law, the Agreement shall be carried out and take effect subject to its provisions, as though those provisions had been expressly enacted in this Act.

Later on in the agreement power is given for the construction of a railway line.

I am not in any way reflecting on the vote of this House on the iron ore agreement Bill, but I still hold the view personally that had there been more time to consider all the aspects of the matter, the decision of the House and, with respect, your ruling, Mr. President, might not have been the same. I give an example: The Builders' Registration Act provides for builders to be registered under the Act. There is reference in the Act to every builder carrying out certain functions; however, the term "every builder" does not, in fact, include every builder in the State, because country builders are not covered by the Act.

Similarly, when reference is made under the Public Works Act to every railway, it means every Government-constructed railway, but does not mean every private railway. Unless I make these remarks—I do not know whether any other member has given further consideration to this matter since it was last debated—it would go down as a precedent that in respect of the construction of a private railway the introduction of a special Bill under the Public Works Act is required.

The Bill before us is needed, because this House amended the Iron Ore (Mount Goldsworthy) Agreement Bill to provide for the line to be covered by the Public Works Act. I have no argument on that aspect, and perhaps I took the wrong course when I put forward my argument previously. Perhaps it would have been better for me to adopt the other course.

The PRESIDENT (The Hon. L. C. Diver): If the Minister claims this is a private Bill, I draw his attention to the Joint Standing Rules and Orders of the Houses of Parliament relating to private Bills, appearing on page 189 of the Standing Orders. If he insists on his point of view I draw attention to the procedure that will have to be followed.

The Hon. A. F. GRIFFITH: With the greatest respect, I am not arguing this should be a private Bill.

The PRESIDENT (The Hon. L. C. Diver): The Minister said it was a private railway.

The Hon. A. F. GRIFFITH: That is so. The Hon. F. J. S. Wise: I think the least said the soonest mended!

The Hon. A. F. GRIFFITH: That may be. The rule to which you, Mr. President, have drawn my attention refers to the requirements to be adopted in respect of a private member's Bill, as distinct from a private Bill.

The Hon. F. J. S. Wise: That is not so. There is a great difference between a private Bill and a private member's Bill.

The Hon. A. F. GRIFFITH: I will not pursue that matter any further. I am fulfilling the requirement. However, I wanted to say that that was the way I felt about this, having had the opportunity to look at it again. I repeat that it is not with any intent to pass a reflection on the vote of the Legislative Council.

That is all I have to explain. The Bill has been submitted, and the plan is here. I will lay the plan on the Table of the House.

The plan was tabled.

Debate adjourned, on motion by The Hon. F. J. S. Wise (Leader of the Opposition).

LICENSING ACT AMENDMENT BILL (No. 2)

Second Reading

Debate resumed, from the 18th October, on the following motion by The Hon. N. E. Baxter:—

That the Bill be now read a second time.

THE HON. A. F. GRIFFITH (Suburban—Minister for Justice) [5.1 p.m.]: The remarks I wish to make in connection with Mr. Baxter's Bill will be quite brief, because I have previously expressed my views on the matter and they appear in *Hansard*.

The amendment the honourable member suggests to the Licensing Act is very simple and would give the right to certain hotels to trade on Sundays, which right they do not now enjoy. To give effect to this wish, the honourable member seeks to change the wording of the Act in respect of distances.

We have had long arguments about this matter before. I can remember that when the honourable member's previous Bill was being considered by the Legislative Assembly, having regard for the fact that the hotels he mentioned would be brought within the meaning of the Act, someone else moved that another hotel should be given the same privilege—to wit the Armadale Hotel. Then it was suggested that were the Armadale Hotel to be included, we should come down the line a

little to Kelmscott, because that is not much further away, and the same privilege should be given to the hotel there. When it is given to Kelmscott the next point raised was that Gosnells should be given the same privilege, and so on. Ultimately we would finish up, as was attempted in another place, with all hotels in the metropolitan area being allowed to open on a Sunday. That was the downfall, should I say, of the honourable member's Bill when it left here and proceeded in another place.

We have always dealt with these amendments to the Licensing Act on a non-political basis. Members express their views and vote according to the way they think about these matters.

The Hon. F. R. H. Lavery: They are social problems, not political ones.

The Hon. A. F. GRIFFITH: Well, yes. I have given notice on today's notice paper of a Bill to amend the Licensing Act, and I will, when dealing with that Bill, give the honourable member some social problems to deal with. I know I cannot deal with them now.

I have not changed my opinion on this matter. It is the same as I expressed on a previous occasion. I am sure the honourable member would not expect me to say one thing and mean another. I cannot see the reason to alter the Act in the manner suggested to give the hotels the right to trade on a Sunday. I cannot personally subscribe to or support the idea that hotels should be open in the metropolitan area on a Sunday, and I believe that if this Bill were passed it would be the thin end of the wedge and ultimately it would be the objective of some people to have the hotels in the metropolitan area open on Sundays. Personally I am opposed to the idea. I believe that in Western Australia we have the most up-to-date and liberal licensing laws in Australia.

The Hon. F. J. S. Wise: *The West Australian* does not think so.

The Hon. A. F. GRIFFITH: I cannot help that.

The Hon. F. J. S. Wise: I am not blaming you for the point of view expressed by *The West Australian*.

The Hon. A. F. GRIFFITH: I do not write the leading articles or editorials. Those who do write them have the right to express their point of view. I find myself at variance with the opinion expressed. I think we have had proof of it, and that is in the examination of the licensing laws of other States where some are still on the 6 o'clock closing. A lot was said about what would happen when we altered our licensing laws to allow 10 a.m. to 10 p.m. trading. However, nothing has transpired. Everything has gone along quite smoothly and effectively.

I feel that with 10 a.m. to 10 p.m. trading, and the fact that clubs are permitted under the Licensing Act to extend privileges to their members, our laws are very reasonable indeed. Therefore, without wasting any further time, I state that I cannot support the honourable member's Bill.

THE HON. R. THOMPSON (West) [5.7 p.m.]: Like the Minister, I am not going to delay the House for any length of time. I have expressed my views on this matter previously in the Chamber, and I think I said on one occasion that I could quite easily vote for the closing of all hotels and clubs on a Sunday.

The Hon. F. R. H. Lavery: Hear, hear!

The Hon. R. THOMPSON: I still hold that view. However, I consider, as I have in the past, that hotels on the outer metropolitan ring have a monopoly, and this is not good. I have stated before what went on at Rockingham. Admittedly since then another hotel has been built several miles away and this has taken some patronage from the Rockingham Hotel.

Country members should take into consideration the fact that the areas they represent already have legalised drinking hours on a Sunday—two sessions a day are permitted. However, people on the outer ring, such as those at Naval Base—that is the only one in my area—are not afforded this privilege. Why shouldn't people in Medina or Hope Valley, which are country districts, be afforded the same privilege as those who live in Sawyer's Valley, York, or Bunbury?

I think we take rather a narrow view. As long as our electors are being looked after, well, to hell with the rest! This Chamber before has supported the principle contained in this measure. I sincerely hope that it will support this Bill. I do so because one hotel particularly—the Naval Base Hotel—has been virtually cut off because of the construction of the Alcoa alumina refinery. Admittedly a roadway has been constructed into it but I have inspected the figures of that hotel and although I am not going to divulge them to the House I would say that no member here would like to be in business and suffer such a decline as that man has. He has been subjected to nuisance and dust by the construction of this refinery, and that also has contributed to his loss of patronage.

I still do not believe that people should have to travel 20 miles for a drink if they desire one. I do not go into hotels on a Sunday or on many other occasions. But, by the same token, why should people have to travel to Rockingham, for instance, when there is a hotel such as the Naval Base Hotel which is completely isolated in a little country centre in much the same way as the Mundaring Weir Hotel is isolated?

Why should those publicans not have the same right to trade on the same scale as hotels a little further on?

There is before another place a Bill which attempts to extend the trading hours at Rottnest. The Bill before us in actual fact brings the two Bills into a complete line with what Mr. Baxter introduced several times previously, and I sincerely hope that the Chamber will support this Bill.

THE HON. C. H. SIMPSON (Midland) [5.12 p.m.]: On a previous occasion when Mr. Baxter introduced a similar measure, the reasons he gave in support of his argument for the inclusion of certain hotels within a specified radius were sound, as was also his argument that Western Australia is trying to develop a tourist trade, and that if we afforded the facilities which many tourists enjoy in their own country we would cater for a demand which they would appreciate and recognise.

He gave a logical reason that under his Bill the actual distance from the Town Hall was the nearest practicable route by road, which again is within the meaning of the Bill; although, if interpreted strictly as the crow flies, these hotels would be ruled out as at present. It seems logical to me that the hotels should be placed in the same category as, say, the Sawyers Valley and the Rockingham hotels; and, in view of that and the other reasons given by Mr. Baxter, I was quite happy to give my support—and I still am.

During the Empire Games there will be a lot of extra folk here and were this facility provided, it would be availed of by the tourists and would add to their enjoyment. I am hoping for that reason that the Bill will be considered more seriously than it was before.

I remember that some years ago, shortly after I first came into this House, a Bill was introduced covering some aspects of the liquor question. One of the provisions was to give hotel licensees, who had been directed by the Licensing Board to make certain improvements within a specified time, extra time on account of the acute shortage of supplies. Dr. Hislop, who had just returned from America, gave us an interesting discourse on the drinking habits in the saloons in that country. Although it did not have anything to do with the Bill no-one raised the point because we thoroughly enjoyed his speech. What he had to say bears out what I myself have discovered by actual experience.

The Hon. J. G. Hislop: Are you speaking to the Bill now?

The Hon. C. H. SIMPSON: In a way. I am just referring to this aspect of it. One of the points which he made was that in America, under the new laws, those who dispensed liquor were required to

provide for their customers proper accommodation such as seats, tables, and so on, the same as a cafe.

I admit that at the time it was getting away from the Bill then under discussion, but there is no reason why those remarks should not be made in a debate of this nature; and perhaps if this Bill becomes law and these particular hotels are included within the categories of those permitted to open during the trading hours on Sunday, these amenities that have been referred to will be enjoyed by the people wishing to drink.

I do think that as drinking has become distinctly more liberal in recent years we can well try this new law, if only in the way of an experiment for a certain period. It is well known that the easier the conditions are made for drinking, the less abuse there is of the facilities available. With the present restriction in the metropolitan area it very often happens that on a Friday or Saturday a party of people will get together and decide to go to a Sunday session so that they might continue to enjoy their drinking.

If this privilege was provided in the metropolitan area, the necessity for those people to travel would not arise, and it would often happen that a man would not bother to make arrangements which now, in a burst of enthusiasm on Friday or Saturday, he would make. Under present conditions he is committed to make up a party and that party goes on the road and they swill all they can in the limited period available; and, of course, in many cases they are a distinct menace on the road.

That again is just a point that can be considered. One law, and one law alone, should apply to the whole of the State. When the present laws were set down this point of view was very carefully considered, but the Government then decided there should be a restricted zone in the metropolitan area. But the hotels mentioned by Mr. Baxter, though within the range of 20 miles as the crow flies, are further than this by road, and they should enjoy this privilege. That is, the distance by road from the Perth Town Hall is greater than 20 miles, and I think they should be permitted to come within the same category as the other hotels outside that perimeter and operate in the same way.

THE HON. G. C. MacKINNON (South-West) [5.18 p.m.]: One point I would like to clarify, and which was mentioned by Mr. Ron Thompson and Mr. Simpson, refers to country hotels. They both mentioned that country hotels have a benefit which is not extended to city hotels because they have more liberal hours; that is, they are able to trade during the sessions. As I understood it, the introduction

of the particular measure which altered this particular set-up was to rectify an Act which had been in force and had got out of hand. I can remember that if one travelled 25 miles outside the metropolitan area, or had travelled more than 25 miles, one could go into a hotel at any time of the day or night and get a drink; and, of course, that situation had got out of hand. Some publicans were using this privilege to the extent that, in some isolated areas, they were keeping their hotels open all day Sunday.

An amendment to the Act was introduced whereby the country hotels—that is, hotels outside the 20-mile range—were limited to two sessions, one at midday and one in the evening, during which they could serve liquor, and the old *bona fide* traveller went right out of date. Most people I have heard speaking on the subject speak as though the country hotels have been given a special benefit over the city hotels. Long before this amendment was made to the Act the principle had been that a man who had been travelling and wanted a drink could get one. However, the amendment restricted the time to the two one-hour sessions.

Perhaps, like a lot of other legislation, this amendment was introduced before refrigeration became quite so widespread as it is now when people can take home a few bottles and have a social gathering on the back lawn. Until such time as there is a change in our entire concept of drinking, and we get away from this idea of sessions in the country—which operates now instead of the old *bona fide* traveller system—and the Government is prepared to accept the idea that liquor should be sold generally on a Sunday, then I think the Act should be left as it is.

If the Government decides that the fundamental concept should be changed, and there should be drink available on Sundays, then let it apply right throughout the State.

A member: Most metropolitan hotels do not want Sunday trading.

The Hon. G. C. MacKINNON: I believe that is so; it would be so in many cases. But until that time comes, I can see no sense in relaxing the law for the hotels mentioned, because next year we would have others applying for the same privilege.

THE HON. G. BENNETTS (South-East) [5.23 p.m.]: I am supporting the Bill because of the two hotels which are in the Mundaring Weir area. I do not know much about the hotels—I would sooner drink water—but I have been up there on several occasions having a look at the weir.

The Hon. W. F. Willesee: There is plenty of water up there.

The Hon. G. BENNETTS: Yes, there is plenty of water there. However, I am a member who considers the general public, and what is good enough for them is good enough for me. As Mr. Baxter has said, the two hotels in the Mundaring district are under very good management. They provide good accommodation, and the managers are prepared to go out of their way to cater for the tourist.

There is a lot of talk about what is going to be done for the people who are coming here for the Games, but that will only be a ten-day flourish. I think there is ample opportunity for drinking within the ordinary hotel trading hours; and many other establishments cater for drinking with meals. I am supporting the Bill because I think that many people will appreciate being able to have a little refreshment when they go for a drive to see the weir at Mundaring.

When I come from Northam to the city and see some of the rat-bags drinking at the hotels on the way, I sometimes get scared of being on the road with the same type of person. I think that if drink were available over a larger area, this problem would be somewhat overcome. I support the Bill.

THE HON. A. R. JONES (Midland) [5.25 p.m.]: In times past, when similar measures have been before this House, I have spoken against them, and have voted against them. However, I must be mellowing. I think that Mrs. Hutchison has submitted that I am stodgy in my ideas, and now I feel that she may have been right and at long last I am seeing the right of things, particularly in respect of this measure. I have taken the trouble to visit the areas concerned, with the exception of Naval Base which I do not need to visit because I pass it many times. I have made inquiries and have had a look for myself at the other hotels, and I have to agree that if it were not for their situation and the fact that they are just inside the measured distance of the circle—but by road are in some instances miles over the prescribed 20 miles—they would be given consideration for the reasons stated by Mr. Baxter when introducing this Bill, and also because we want to attract tourists.

I feel that if I had to decide whether we were to close all hotels on Sunday I would vote in favour of that, because I consider it is possible to do without drinking on a Sunday. Our legislation permits two sessions. I do not agree with the morning session at all; I think it is just a farce and it would be better if we had a long session in the evening so that people would not have to rush but would be able to drink with more leisure. But that is not the purpose of this Bill.

This Bill is to give four hotels outside the 20-mile distance by road the right to trade on Sunday for two sessions. I have seen the swill at Rockingham, Sawyers Valley,

and Bullsbrook and possibly there are others I have not seen, and I think it is a good thing that at least four others will share the host of people who gather at those places for the two sessions.

So I am going to support the measure on this occasion because I think it will give a service to the people who want it and will encourage the tourist trade to the Mundaring area. It will also help to break up the swill that takes place at the four or five hotels I have mentioned.

THE HON. E. M. HEENAN (North-East) [5.28 p.m.]: I am going to support this Bill introduced by Mr. Baxter, mainly for the reasons which have just been lucidly and capably set forth by Mr. Jones, and which I will not weary the House by repeating.

THE HON. E. M. DAVIES (West) [5.29 p.m.]: I do not intend to have a great deal to say on this measure. The honourable member has introduced a similar Bill on various occasions and endeavoured to change the line of demarcation which gives some hotels the right to serve liquor on Sunday and excludes others which are just inside the line of demarcation. The idea of this Bill is to change that line of demarcation so that four hotels will be able to indulge in the dispensing of intoxicating liquors on a Sunday. I have voted against this measure before, and I intend to record my vote against it on this occasion.

I cannot see that any great benefit will be derived by passing the measure except, of course, that those hotels which are just inside the 20-mile boundary will be able to dispense liquor; but once the line of demarcation is altered the licensees of other hotels which are just inside the new boundary will claim that they are suffering a disability, and they will want the boundary to be altered again, or they will ask for some other means of measurement to be used so that they can be included in the Sunday trading regulations.

So it will go on; and if the principle is continued, people will be able to partake of intoxicating liquor on Sundays anywhere. The butcher sells meat up to noon on Saturdays; and if a person wants meat he buys it before the shop closes; if he does not do so he cannot get any more meat until Monday. By the same principle if people want to buy intoxicating liquor they have the same opportunity to purchase it on a Saturday until 11 p.m.

I have no great objection to the consumption of alcohol provided it is taken in moderation; and I believe that alcohol taken with meals serves a useful purpose, because those who take alcohol with their meals do not usually over-indulge. Therefore in my view the existing circumstances are quite suitable for the time being; and until some better proposition is put

forward, and one which I am prepared to accept, I would rather allow the present situation to remain. Because of that I intend to vote against the Bill on this occasion as I have done in regard to, a previous measure of a similar nature.

THE HON. C. R. ABBEY (Central) [5.32 p.m.]: I intend to support the Bill on this occasion. Members will recall that I supported a similar Bill last year, but on that occasion I attempted to amend it to cover several other hotels which are a little closer to the metropolitan area. I do not intend to take that action this year, and I sincerely hope the Bill will receive the support of the House.

I do not think it is necessary for me to go over the points that have been made, because they have been reiterated so many times. It seems to me that there is justification for passing the Bill; and the Mundaring Weir Hotel, in particular, is in a spot which I think most members would agree could become a great tourist attraction.

At the moment the licensee does not receive sufficient trade to warrant keeping the premises in first-class condition; but if this Bill were passed it would enable him to serve meals at the hotel and provide a good service. This is something which the public really needs, and I fully support the measure.

THE HON. J. G. HISLOP (Metropolitan) [5.33 p.m.]: I am not at all certain whether I always voted in the same way when this measure was before the House on previous occasions. However, there are one or two remarks I would like to make about it at this stage. Firstly I cannot see why we always have to be introducing small Bills to amend the Licensing Act when we have a Licensing Court.

It is not the job of individuals to go around and try to better the business of certain hotels or certain organisations by bringing Bills before Parliament. Surely it is incumbent upon the Licensing Court to make suggestions at times as to what should be done in this regard, and also how the sale of alcohol should be conducted. If the Licensing Court were to inspect these hotels, after the licensees had made an application for some alteration to the Act, the court could advise us whether or not legislation should be introduced, or whether the hotels could be reorganised to such an extent that they could become attractive to tourists. If that had been done on this occasion, and a recommendation had come from the Licensing Court, I would have agreed to the measure.

Take the Mundaring Weir Hotel. My family and I used to go there and have Sunday dinner quite frequently. But it was never a very attractive place—we sat

almost on a back verandah of the hotel—although, at certain times, the meals provided were quite good. Unfortunately the situation was such that it was not very attractive, and consequently trade decreased. One can keep one's trade only if one is prepared to give the public what they want and maintain the service to the normal standard of the times.

I quite agree that in any other country of the world the Mundaring Weir Hotel would be made into a really attractive establishment, and it would provide amenities for the public which would attract them. But I do not know whether in agreeing to this Bill we would merely be allowing further bar trading hours; and I am not in favour of opening bars at all on Sundays. I think that if drinking is to take place at these hotels on Sundays it should be in the lounges where people can sit and drink like civilised individuals rather than stand the whole hour through at the bar absorbing as much liquor as possible in that time.

Mr. Simpson reminds me of what I said when I came back from America a few years ago. On that occasion I said it was not possible, at beer shops in America, where one can buy spirits during the week, to buy spirits on Sundays. One can drink only beer on Sundays, and then only if one sits in a cubicle. A person cannot stand at the bar and drink on Sundays; and if something along those lines were introduced it might be possible for the hotels now under consideration to provide the conditions that we would like to see.

They could become quite attractive tourist places; but I am not at all certain that by voting for this Bill we are not just increasing the opportunities for people to go by car to these hotels, stay there for the hour at lunch time, and then drive off again, possibly to return later for the hour's trading in the evening. If the Licensing Court could investigate the position of these hotels and advise us in the matter I think we might have something that we could really consider.

THE HON. N. E. BAXTER (Central) [5.37 p.m.]: I shall be very brief in reply. Firstly, I should like to refer to a few remarks made by the Minister for Mines. He said that this amendment to the Act, which would make the distance 20 miles by road instead of a 20-mile radius could leave it open for other hotels within that distance to be brought in. But that is not provided for in the Bill; nor is it my intention to provide for hotels which are situated less than 20 miles by road from the G.P.O.

The Hon. A. F. Griffith: I did not say that.

The Hon. N. E. BAXTER: I suppose this Bill could be amended, but so also could the principal Act.

The Hon. A. F. Griffith: I was referring to what happened on the last occasion when you introduced this Bill.

The Hon. N. E. BAXTER: I understand that. But I cannot see the Minister's logic in opposing the Bill as it is drafted; because if the Minister looks at the Electoral Act—which I trust the President will allow me to mention—he will find, in relation to postal voting, that section 90 of the Act refers to the nearest practicable road route, and does not mention a radial distance from the residence of the person concerned. The Minister will support that principle, but in this Bill he will not support the same principle in relation to the nearest practicable road route.

The Hon. A. F. Griffith: Goodness gracious me!

The Hon. N. E. BAXTER: The Minister's argument does not add up when one looks at the two pieces of legislation.

The Hon. A. F. Griffith: There is no relativity whatever.

The Hon. N. E. BAXTER: There is a relativity.

The Hon. A. L. Loton: There is no connection whatever.

The Hon. N. E. BAXTER: There is quite a big connection.

The Hon. A. F. Griffith: Not one jot!

The PRESIDENT (The Hon. L. C. Diver): Order!

The Hon. N. E. BAXTER: If a person is living within seven miles by the nearest practicable road route from a polling place he cannot obtain a postal vote; whereas if the radial system were used, even though he might live further than seven miles by road from the polling place, he could not get a postal vote if he was within a radius of seven miles from the polling place. That principle was used by the Electoral Department in an election in 1960. The department used the radial distance and not the nearest practicable road route.

The Hon. A. F. Griffith: For the purpose of your Bill you are drawing the long bow.

The Hon. N. E. BAXTER: The Minister does not hold the same views in regard to this Bill as he does in regard to the Electoral Act, which relates to a similar matter.

Mr. Mackinnon, when he referred to the amendment to the principal Act in regard to legalised Sunday trading, stated that that amendment was introduced to cater for the *bona fide* traveller. But I would like to inform the honourable member that that was not the only reason for the introduction of that amendment; it was introduced partly because of the *bona fide* section of the Act, but mainly because in many country centres hotels were trading on Sundays, under the eye of the local policeman, who was doing nothing

about it because he did not want to interfere with it. If people in country districts wanted to drink the police did not worry about it, because there was never any trouble.

That was the main reason for the introduction of a Bill to authorise Sunday trading; it was to legalise something that was being done illegally. A member in another place—I know I am not allowed to refer to this specifically—has introduced a Bill to authorise Sunday trading at a place where, until recently, Sunday drinking was done illegally.

The Hon. G. C. MacKinnon: You have the reasons back to front.

The Hon. N. E. BAXTER: I have not. I should now like to refer to a few of Dr. Hislop's remarks. I do not know whether he, or any other member, can tell me of an occasion when the Licensing Court has recommended an amendment to the Licensing Act.

The Hon. J. G. Hislop: Never.

The Hon. N. E. BAXTER: I am glad the honourable member admitted that; because I was going to say that I cannot recollect the Licensing Court ever making a recommendation for an amendment to the Licensing Act. I agree with Dr. Hislop that the court should do that; but if the court will not do it, then somebody else has to.

It will be remembered that a few years ago I moved in this House that a Select Committee be appointed to inquire into the Licensing Act, and that motion was finally amended to make it a Royal Commission and the Government of the day appointed an all-party committee. I suppose from that move came all of the main alterations that have been made to the Licensing Act in recent years; and one of the recommendations of that committee was the same as my present proposal—that the distance from the G.P.O. for Sunday trading should be 20 miles by road and not the 20-mile radius distance.

With those few remarks I leave the Bill with the House.

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

Ayes—14

Hon. C. R. Abbey	Hon. C. H. Simpson
Hon. N. E. Baxter	Hon. R. H. C. Stubbs
Hon. G. Bennetts	Hon. J. D. Teahan
Hon. J. J. Garrigan	Hon. J. M. Thomson
Hon. W. R. Hall	Hon. H. K. Watson
Hon. E. M. Heenan	Hon. R. Thompson
Hon. A. R. Jones	(Teller.)
Hon. L. A. Logan	

Noes—12

Hon. A. F. Griffith	Hon. S. T. J. Thompson
Hon. J. G. Hislop	Hon. W. F. Willesee
Hon. A. L. Loton	Hon. P. D. Willmott
Hon. G. C. MacKinnon	Hon. P. J. S. Wise
Hon. R. C. Mattlake	Hon. E. M. Davies
Hon. J. Murray	(Teller.)
Hon. H. R. Robinson	

Majority for—2.

Question thus passed.

Bill read a second time.

In Committee

The Chairman of Committees (The Hon. W. R. Hall) in the Chair; The Hon. N. E. Baxter in charge of the Bill.

Clause 1 put and passed.

Clause 2: Section 122 amended—

The Hon. A. F. GRIFFITH: Could Mr. Baxter tell me what effect this Bill will have upon the Licensing Act with respect to the present situation if any other hotel is built within this distance? Will the opportunity be provided to take the longer way around purposefully to achieve the right to trade on a Sunday? This of course would make the distance more than 20 miles, whereas it might not be that distance if a line were taken between two points. If that is the case the whole thing is a farce.

The Hon. N. E. BAXTER: I take it the Minister is referring to hotels that are to be built on roads which may constitute the longer way around. I would point out that the Licensing Court is responsible for administering the Act, and before a hotel is built it must issue a permit. I cannot see how advantage can be taken of this provision.

The Hon. A. F. Griffith: Can you tell me any part of the Licensing Act which provides that the Licensing Court has a say as to what is the shortest route?

The Hon. N. E. BAXTER: No. But the court must be informed of the locality of the hotel before a permit to build is issued; and the court will decide whether it shall be a licensed hotel.

The Hon. A. F. Griffith: Do you think the Narrogin Inn hotel should have the right to trade on a Sunday?

The Hon. N. E. BAXTER: Not really; because it is in a town of a fair size. But if the Minister thinks the Narrogin Inn should have the right to trade it is up to him to provide for it. I have mentioned the hotels that would be affected by this Bill and I think it is clear enough.

The Hon. R. C. MATTISKE: I agree with the Minister. As it is, the clause is too loose. One of the hotels referred to by Mr. Baxter could at the present time be beyond 20 miles from the Perth Town Hall by the shortest road route; but if this legislation is passed, and after these hotels have enjoyed Sunday trading for a time, a new road might be constructed bringing any one of them within 20 miles of the Perth Town Hall and thus preventing any future Sunday trading. I wonder what the reaction would be if that occurred! The phrase, "shortest road route" is most indefinite. Does it mean a bitumen road, a gravel road, a dirt track, or simply a surveyed road?

The Hon. N. E. BAXTER: Members are merely putting up Aunt Sallys. When one refers to a road one means a gazetted road.

The Hon. A. F. Griffith: Made or unmade?

The Hon. N. E. BAXTER: If another road is built in the future making the distance from the Perth Town Hall less than 20 miles, the hotels thus affected will not be able to trade on Sundays.

Clause put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

CONSTITUTION ACTS AMENDMENT BILL

Second Reading: Defeated

Debate resumed, from the 17th October, on the following motion by The Hon. E. M. Heenan:—

That the Bill be now read a second time.

THE HON. C. H. SIMPSON (Midland) [5.54 p.m.]: Mr. Heenan's Bill seeks to give the wife of a man who is a qualified voter the right to vote at Legislative Council elections. Broadly speaking that is the essence of the Bill. The restriction as to voting rights for one province only does not affect the broad principle of granting the voting right to the spouse of a regular qualified voter. Generally speaking, this would apply to wives of householders; or, in other words, because of their marriage status women would automatically become qualified voters.

Those opposing the Bill would be labelled as lacking in sympathy with the legitimate and inherent rights of the home partner to voting equality. That statement would not, of course, be correct. We all know that similar measures have been presented on previous occasions, and I think we can all agree that Mr. Heenan is perfectly sincere, and is anxious that this Bill should become law.

It is necessary for those who do not agree with that view to state their reasons for opposing the measure. The Leader of the House has given some practical reasons why he does not believe Mr. Heenan's Bill should be made law. I would approach this question from rather a wider angle.

I think we can say that the principle of restricted voting for the second Chamber is as old as the bicameral system itself. The framers of our Constitution endeavoured to create a second Chamber that would be complementary to but different in essence from the first Chamber. The ages of the members were greater; not by much, but sufficient to make a distinction. The tenure of office was different; the areas represented were different; the dates of elections were spaced differently; and the voters' qualifications were different.

The obvious intention was to create a second Chamber to do a special job, and to give it a distinctive character. I think

it is important to try to visualise what was in the minds of the men who framed the Constitution. It may be necessary at this stage to bear in mind that the men who framed the Constitution had been legislative councillors themselves; and that they had in mind a second Chamber that would not be a mere echo of the first Chamber.

The desire to include a cross-section of interest, and to put that thought into being, caused attention to be paid to the qualifications of voters. The fundamental difference was a property qualification. Originally the qualification for enrolment of a voter for the Legislative Council was the possession of freehold property to the value of £100 sterling.

The Hon. R. F. Hutchison: The good old Tory argument!

The Hon. C. H. SIMPSON: Mr. Heenan mentioned this figure quite correctly in his opening speech. That was the original amount and was amended in 1911. In the first decade of this century that amount was quite a lot of money. But, as Mr. Heenan further pointed out, the Act was amended to reduce the amount to £50 sterling. Further qualifications were added making it comparatively easy for the average man or woman to be qualified to enrol. That is the point I wish to stress. It may be said that those of us who believe the original qualifications should stand are not keen on seeing women have the franchise.

The Hon. R. F. Hutchison: No.

The Hon. C. H. SIMPSON: However, women have exactly the same rights as men; and that would bear out the honourable member's view that there should be no discrimination so far as the inherent rights of either party to vote are concerned. With the diminishing value of money—

The Hon. R. F. Hutchison: That is good camouflage, but it does not go down well.

The PRESIDENT (The Hon. L. C. Diver): Order!

The Hon. C. H. SIMPSON: As far as I can, I am trying to point out what I believe was in the minds of the framers of the Constitution in their endeavour to get a cross-section of thought to exercise some corrective influence, if necessary, or at least bring political thought to bear on the legislation which was being enacted in the sister Chamber.

With the diminishing value of money, the qualification of a voter has become progressively easier. The term "sterling" was abolished; and £50 is probably worth only one-quarter today of what it was worth in 1910. So, if we take these qualifications one by one, we can see how easy it is for either men or women to become qualified separately or jointly.

All of us, as members of the Legislative Council, are familiar with the necessary qualifications; but I will briefly read them from the card. No. 1 is as follows:—

1. FREEHOLDER who has a Legal or Equitable estate in possession situate in the Electoral Province of the clear value of £50.

The Hon. R. F. Hutchison: You will get bogged down if you are not careful.

The Hon. C. H. SIMPSON: The card goes on with the following instructions:—

Quote house number if numbered, otherwise lot or location numbers and where situated.

That, of course, is for the assistance of the officers of the department. No. 2 is as follows:—

2. HOUSEHOLDER within the Province occupying any dwelling-house of £17 CLEAR ANNUAL VALUE.

That is to say, a rental of 6s. 6d. per week. There are not many houses that one would rent today that would not automatically give that qualification. So that again is very easy. Continuing with the card—

3. LEASEHOLDER who has a leasehold estate in possession situate within the Province of the CLEAR ANNUAL VALUE of £17.

4. CROWN LEASEHOLDER who holds a lease or license to depasture, occupy, cultivate, or mine upon Crown Lands within the Province at an ANNUAL RENTAL OF AT LEAST £10. Quote Lot or Location Numbers and where situated.

5. "E.L.A.L." A person whose name is on the Electoral List of any Municipality or Road Board—

which today would be shire council—

—in respect of property within the Province of the annual rateable value of not less than £17. Quote House, Lot, or Location Number and where situated. If the property is rated on the Unimproved Capital Value there is no right of enrolment as No Annual Rateable Value exists.

It is possible that a comparatively small house having a value of, say, £100 or more could be jointly owned by a couple, each of whom would be entitled to vote because of their freeholdership in that property. That property may be leased to, say, a couple, and if the wife were the ratepayer she could be enrolled should her name appear on the electoral list of a municipality or shire council. In addition, her husband would be the householder and would have a vote. Therefore, there could be four votes in respect of that property. That shows how easy it is to possess that qualification and so secure a vote without breaking the essential property qualifications.

I am quite aware that in some States variations have been permitted. I understand that some of the States have allowed automatic enrolment for the spouse of the freeholder or householder; they have provided for returned soldiers; and they have provided for professional men, such as doctors, lawyers, clergymen, and the like. But we here have always contended that our qualifications for voting rights were so easy to comply with that there was no need to break down the conditions, and that an applicant must be enrolled under one of these qualifications.

After all, a returned soldier was encouraged to seek an occupation; and very often the means were provided by which he would have very little trouble in securing a property in his own name or, if married, in the name of his wife and himself, which would automatically entitle him to the right to vote; and very few professional men, even clergymen, would be placed in such a position that they would not be able to vote if they so desired.

At the present time the qualification of "voter" entails a triple responsibility. First of all, he must be a man who is qualified in order to enrol, though that may or may not be his purpose on being qualified. Nevertheless, he has to have that qualification before he can enrol. Then he has to do the actual enrolling; because under our system of voluntary enrolment and voluntary voting, one can be entitled to enrolment and yet not enrol. One can please oneself. If one does take the trouble to qualify and enrol, it is then optional whether one votes or not. So it is a triple responsibility which, I think, results in an older voting age.

As a point of criticism, it has been stated that the percentage of those who vote is low. Societies and associations which provide for annual votes on matters concerning those societies or associations go to the trouble of providing envelopes on which the postage can be collected when the envelope is used. The average response in these cases is about 28 to 33 per cent. I have inquired in quite a few quarters and, as far as I can gather, that would be about the figure. However, with voting for the Legislative Council we do try to arouse the interest of the voter, with the result that in these elections the voting percentage is higher.

As has been pointed out, in England, where voting is entirely voluntary—there is no compulsion and there is no penalty for not voting—the response rises to as high as 80 or 90 per cent., which is rather remarkable. Yet it is not so remarkable when we consider the amount of publicity there is in Press reports from day to day; the actual amount of money spent by the different parties on elections and canvassing; and the fact that anything of a national concern arouses the national

interest, and would attract a much wider response than we would expect under our voting conditions.

Sitting suspended from 6.15 to 7.30 p.m.

The Hon. C. H. SIMPSON: Prior to the tea suspension I was stating in general terms my belief that Mr. Heenan's Bill to amend the Constitution was unnecessary in view of the progressive reduction of values and the easing of voting qualifications over the last 50 years. I stressed the point that I believed that those who framed the Constitution of the Legislative Council intended the qualifications to be, in essence, qualifications of responsibility and of character. Those values have been adopted by most road boards and shire councils over the years.

Adult franchise could result in a person who had little interest in the district concerned becoming the president or chairman of a local body and being in a position where he could influence the character of the local laws, which could, in some cases, seriously affect those who were paying substantial rates and contributing the wherewithal for a programme of work necessary for the development of a particular district. By and large the principle of a person who had no stake in a district becoming the presiding officer has, over the years, been resisted. One can see what results might flow from such a principle. It was recognised that such a person might leave the district concerned after he had effected his purpose; and, so far as he was concerned, there would be no effect at all.

I particularly mention the point because I believe the responsibility qualification or character qualification was uppermost in the minds of those who framed the Constitution. I am sure we all realise that character is a greater factor in human relationships and community relationships than many people are perhaps willing to acknowledge. Generally speaking, there is not much value placed on something which is provided free. In the case of a vote, say, for our sister Chamber, if a person does not vote he will be fined; and he will be fined if he does not place his name on the roll. Many people use their vote even though they are not interested in politics and do not have strong political convictions, because if they do not use their vote they know they will be fined £2.

Therefore, there is lack of pride in possessing something because it is thrust upon us. It is not something for which we have to qualify. On the other hand, there is real pride in earning something and gaining the right to use a privilege because we have complied with the qualifications necessary to secure that right. I have discussed this matter with my Labor friends on quite a number of occasions. I have discussed it with the rank and file—people who own properties, who own

houses, and who rent them. Those people are satisfied there should be differentiation between the responsible householder and the ordinary individual who has no stake in the country at all. Those people are perhaps proud of the fact that they have themselves qualified; that they have that right; and they are entirely in agreement with the principle that that right should be selective.

I know that character is difficult to define. We can measure national wealth; we can impose taxes on it; but we cannot go into a store and order a pound of character over the counter. We all know that qualifications such as courage, compassion, prudence, and perseverance are valuable factors in the make-up of any individual or in the life of a community. I think that those who framed the Constitution, recognising there was some need for such qualities—for some regulation factor—embodied this qualification because they felt it would, in some way, bring about a sound state of affairs.

I repeat that this is a very potent factor in the life of an individual and in the life of the community. I would say, in conclusion, that the value of a second Chamber is, of course, not in question. We believe that the conditions which governed the growth and the maturity of the Council are still sound. We believe that the system which has existed since this House was formed is a good one and has worked well. For that reason most of us, I think, hold the view that it should not be changed.

The Hon. R. F. Hutchison: Who says it works well?

The Hon. C. H. SIMPSON: There is nothing to stop a man, whatever his religious convictions, from qualifying—and that is all that the law expects—in order to obtain and to exercise a vote. In the elections which were held recently, where the response was 50 per cent.—and that is a good response for Legislative Council elections—the voting was close.

The Hon. R. F. Hutchison: You should be ashamed of what you are saying.

The PRESIDENT (The Hon. L. C. Diver): Order!

The Hon. C. H. SIMPSON: I daresay that there were as many people who refrained from exercising their franchise because they were not sufficiently interested, as there were people who exercised their franchise because they were interested in the matter. I doubt whether there would be much leaning towards one side or the other on that account. I think that most people who voted honestly believe that a second House is necessary in order to exercise some form of review on legislation passed by another House.

The Hon. R. F. Hutchison: You debunked that, didn't you; you debunked the idea of a House of review?

The PRESIDENT (The Hon. L. C. Diver): Order!

The Hon. C. H. SIMPSON: I have become very friendly with the honourable member, and I felt that I was bringing her round to my point of view.

The Hon. F. J. S. Wise: Not on this count.

The Hon. L. A. Logan: You are a bit optimistic.

The Hon. C. H. SIMPSON: In any case, for the reasons I have outlined, I intend to oppose Mr. Heenan's Bill.

THE HON. G. C. MacKINNON (South-West) [7.40 p.m.]: It is difficult for any of us to look at legislation to alter the franchise of this House as objectively as could be desired. We all tend to look at such legislation—even if only in our quieter moments—from the point of view of how it might affect us in our particular locality or province.

It is a pity that is so; but that is human nature. I suppose that all of us, in looking at legislation of this nature, might be swayed to some extent as to whether or not it was in our favour.

The Hon. R. F. Hutchison: And not whether it was right.

The Hon. G. C. MacKINNON: I hope all of us would overcome that tendency and consider such legislation from the point of view of whether it was right or wrong, and would make that the predominant point from which to make our decision. Any matter tends to have its personal connotation.

Much has been said over the years about what is required for a franchise in what is known these days as a democratic community. I do not suppose there has ever been a word so misused as the word "democratic" in the way in which it is popularly used today. Even in countries such as Russia—where there is only one party, and candidates are selected for whom one must vote—they refer to their system as being democratic.

The Hon. R. F. Hutchison: I think it is communistic.

The Hon. G. C. MacKINNON: I also think it is communistic; but they use the word "democratic." They use the word even in the official title of their country. We can twist a word as we wish. The real desire of any system of Government such as ours is that we should devise a system of voting which will return capable and honest people to the Legislature.

The Hon. R. F. Hutchison: Why restrict the franchise?

The Hon. G. C. MacKINNON: It has yet to be proved that it can be done any better by allowing all those over 21 years of age to vote, than by allowing every tenth person to vote. It has yet to be proved that either system is better, in the net result, for the purpose of returning people to a Legislature where they will

consider various Bills and pass legislation for the good government of the community.

We have all learned our English history, and we know the progress of the general franchise which is taught in our schools in connection with the history of England. It would require a lot of proof to show that the present full adult franchise in England has produced better statesmen than the extremely limited franchise of many years ago. It does not necessarily follow that an alteration of franchise automatically means that we will get better government, better legislators, and better laws.

The Hon. R. F. Hutchison: I think the rights of people matter; never mind about Governments.

The PRESIDENT (The Hon. L. C. Diver): Order!

The Hon. R. F. Hutchison: You do not believe in that, apparently.

The PRESIDENT (The Hon. L. C. Diver): Order!

The Hon. G. C. MacKINNON: Thank you, Sir. Whether or not we would gain an advantage by widening our franchise is a moot point that we could debate for ever. We could put up justifiable arguments to say that we should drop the present age to 17. At the moment we have an arbitrary age of 21. But there is no magic formula or incantation that one says over a person on his 21st birthday which automatically induces him to vote any more intelligently than he could have voted two months before. So we have a limited franchise even with what we now call a general adult franchise.

Mr. Simpson said that there is some very real basis for having a variation in the franchise for the second chamber, and he mentioned the people who founded this House, worked out the basis for it, and evolved the method of having a different franchise.

The Hon. F. J. S. Wise: But you would admit that there is legality in adulthood.

The Hon. G. C. MacKINNON: Agreed.

The Hon. F. J. S. Wise: There is nothing mythical about that.

The Hon. G. C. MacKINNON: It is an arbitrary legality.

The Hon. F. J. S. Wise: It is a legality.

The Hon. G. C. MacKINNON: It is an arbitrary legality. We happened to select that age as representing adulthood and as being the time when a person should assume normal responsibility. A person at 21 years is legally an adult; and the position has subsisted in that form for many years, and it is an historical and accepted fact.

Had our formula decided that 19 was the age, then we would accept that age today as the age for adult franchise; and

it would have had exactly the same substance with us because it would have represented legal adulthood just as our present age of 21 does.

The Hon. F. J. S. Wise: That would be a difficult Statute to alter.

The Hon. G. C. MacKINNON: Yes; extremely difficult. But the line we have drawn is purely an arbitrary one. By the same token, in the past the age might have been established as 23, and we would have accepted it today.

To get back to what I was saying, I agree with Mr. Simpson that there is reason for a different franchise. In various areas the franchise obviously suits different people. In the West Province it suits one party, and in my province it suits another. It could well be that in certain provinces it would not make one iota of difference to the representation if there was adult franchise as applies to the Legislative Assembly; but I do not know. Members can work it out for themselves by taking the Assembly seats and totalling the figures. There are some in which it would make no difference, and others in which it probably would. But we have a franchise different from the Assembly franchise, and it has become customary to have our present franchise, and it has worked very well. I expected an interjection, and I was waiting for one.

The PRESIDENT (The Hon. L. C. Diver): Order!

The Hon. R. F. Hutchison interjected.

The Hon. G. C. MacKINNON: I am highly delighted, Mrs. Hutchison, to hear that. The point is argued as to whether, in fact, it has worked, because it is put forward that this House is no longer a House of review. If those people who say that mean it is no longer a non-party House, they might have some foundation for their argument.

The Hon. R. F. Hutchison: You have a bit of impertinence if you do not put it that way haven't you?

The Hon. G. C. MacKINNON: If they use the word "review" in its dictionary meaning, of course there is no truth in it.

The Hon. R. F. Hutchison: It means might against right.

The PRESIDENT (The Hon. L. C. Diver): Order!

The Hon. G. C. MacKINNON: The word "review" means to look again; and we surely do look again. We have a Bill at the present time which will probably go to a conference of managers. This indicates that we at least look again.

The Hon. G. Bennetts: But you never change your mind.

The Hon. G. C. MacKINNON: I think those members who have been here for some time—members like Mr. Bennetts—would have very good reason to be proud of many of the things this House has done.

The Hon. G. Bennetts: Why pick me?

The Hon. G. C. MacKINNON: Mrs. Hutchison asked me by interjection if I did not believe in the rights of the human individual. I cannot quite see where that ties in with the franchise for this House.

The Hon. R. F. Hutchison: I didn't think you would.

The Hon. G. C. MacKINNON: Because again I must repeat there has been no real proof that we get better government by letting everybody vote than we do by using any arbitrary system we like to develop; even if we use a system of decimation—allowing every tenth person over the age of 21 years to vote. It could be that such a system would work out quite well; but I do not know. Throughout the world there are many systems of voting. There are compulsory methods; first past the post; preferential; proportional representation. They all have drawbacks, and they all have advantages.

Probably the most effective parliamentary government is that of England, and the method of election there is probably the most unscientific and unfair method that is used in any developed country—the method of first past the post. Probably the most ineffective parliamentary government of the great nations would be that of France which has probably the most scientific and exact method of election for its parliamentary representation.

If we follow that line of thought to its logical conclusion, it would indicate that being scrupulously and scientifically fair in this matter is not advisable; because at least in England we do get workable Governments, unfair though the system may be; and England, through the system that applies there, has been able to show the world the way in so far as parliamentary legislation and government is concerned.

We all know the situation in France where the present leader, De Gaulle, has an extremely poor regard for the institution of Parliament, and has made no bones about declaring his dislike of what I think he referred to as "these childish games" Yet the system in France is scientific and exact.

The Hon. E. M. Heenan: I understand he wants the President—the highest post—elected by the people!

The Hon. G. C. MacKINNON: I do not think we can enter into a debate here on what President De Gaulle requires or wants; although it is an interesting and fascinating subject. In times gone by France, through some of its thinkers at the time of the Revolution, has led the way in giving to the peoples of the world ideas; and it may be that some of President De Gaulle's ideas, when weathered by time, will be good.

The Hon. A. R. Jones: They might not be relevant to this Bill.

The Hon. G. C. MacKINNON: No; and they might not be very successful. Personally I am inclined to think that the English system will still show the world the best way for a long time to come.

The Hon. R. F. Hutchison: The simple proposal in this Bill is to give—

The PRESIDENT (The Hon. L. C. Diver): Order!

The Hon. G. C. MacKINNON: What the Bill does is to extend or change the franchise.

The Hon. R. F. Hutchison: Not change it.

The PRESIDENT (The Hon. L. C. Diver): Order!

The Hon. G. Bennetts: It just adds a little.

The Hon. G. C. MacKINNON: It extends or changes the franchise. The terms are interchangeable, I think, in this context. Whether that is a good thing, I doubt. In some areas it might be a good thing because it might well mean that a particular person will consolidate his seat; but another man might think it is a bad thing. Looking at it objectively, it might be reasonable.

My personal view is that when it comes to a change of franchise, then whichever Government is in power is the authority to alter the franchise. To be quite honest, I do not feel that at this stage, when we happen to be the party in power, there is any obligation on us to accept an Opposition Bill. If the Government in power likes to bring down a Bill and it can get general agreement, well and good.

There has been no proof that this measure will help us to have better government; there has been no proof that it will make all the wives of this country any happier; and there has been no proof that it is going to make them any easier for their husbands to live with just because they get the vote—and that is an important factor. That being so, I have at this stage no intention of supporting the measure.

THE HON. R. F. HUTCHISON (Suburban) (7.57 p.m.): I rise to support the Bill. I also rise to give my views as a very indignant member of this House and as a mother. I am in a full state of rebellion tonight at the sentiments I have heard expressed here. I have heard such things mentioned as democratic rights, fundamental rights, and the rights of every person. I think the right to vote is a fundamental democratic right; and, whichever way Mr. MacKinnon likes to use the word democracy, we understand it as the right of every person to exercise a vote for the Government of the country.

I will go back a little into history, too. I am going to quote from a book written in 1911 by Joseph Clayton, M.A. The first quotation that attracted my

attention is one from the writings of Thomas Paine; and we all know him as a writer in America and France. The quotation is as follows:—

"It is wrong," wrote Paine, "to say God made rich and poor; He made only male and female, and gave them the earth for their inheritance."

I am sorry to say that I sit in a House—the only woman among a number of men—one side of which does not believe in the rights of women in any way.

The Hon. H. K. Watson: We are not opposed to women.

The Hon. R. F. HUTCHISON: Not to some rights for women, but to their right to a democratic vote for this House, unless they have the existing qualification; but I will have more to say about that later.

It may surprise members to know that in the middle ages the position of women politically was quite different from the position of women in Western Australia at the present time in regard to the Legislative Council; and I point out that at the moment one person has absolute power to pass or refuse legislation. By a majority of two, this House is the most powerful in the Commonwealth, and it is elected on a restrictive franchise which denies most women a vote. The following quotation relates to the conditions appertaining to the middle ages:—

The political position of women in the Middle Ages.—Abbesses were summoned to the convocations of clergy in Edward I.'s reign. Peeresses were permitted to be represented by proxy in Parliament. The offices of sheriff, high constable, governor of a royal castle, and justice of the peace have all been held by women. In fact, the lady of the manor had the same rights as the lord of the manor, and joined with men who were freeholders in electing knights of the shire without question of sex disability.

What a shock that must be to the Liberal-Country Party members of this House. Continuing—

In the towns women were members of various guilds and companies equally with men, and were burgesses and free-women. Not till 1832 was the word "male" inserted before "persons" in the charters of boroughs. "Never before has the phrase 'male persons' appeared in any statute of the realm. By this Act (the Reform Bill), therefore, women were technically disfranchised for the first time in the history of the English Constitution. The privilege of abstention was converted into the penalty of exclusion."

That is the very line which this House follows; the line that applied in 1832 in England. I have another quotation to make from this book, and I will elaborate

on this feature further; namely, the link between local government and this House. The quotation is as follows:—

Democracy at Work Local Government

Today in Great Britain, in America, in the self-governing colonies, and in many European countries, we can see the principles of democracy in working order.

The whole system of local government in Great Britain—

and there has been a great deal said about Great Britain tonight—

—and Ireland is essentially democratic. The municipal councils of all the large cities are elected on household suffrage, and have enormous powers. There is now no sex disability to prevent the election of women to these bodies—

I saw this last year in England, and I will elaborate on it a little later in my speech.

The Hon. G. C. MacKinnon: What about their second Chamber?

The Hon. R. F. HUTCHISON: When I first entered this House I did so on the platform that I would work for the abolition of the Legislative Council.

The Hon. H. R. Robinson: Why don't you resign?

The Hon. R. F. HUTCHISON: I would not achieve the abolition of the Legislative Council by resigning. I would like to see the honourable member resign from the shire of Perth, because then we might get a little more democracy in it. This Chamber is conducted on a restrictive franchise. Today, a candidate for the Legislative Council has an insurmountable task.

In 1949, when I first started canvassing to be elected to this House the number on the roll was 15,000, but now it is 43,000. That increase has been achieved by sheer hard work and by tramping many miles canvassing from house to house, with the help of others; mostly Labor members. Further, as we toiled so others toiled to try to even up the numbers on the roll. Such a situation illustrates how few people govern this State. There has never been democracy in this State and this is due, in a great degree, to assistance from the Press.

However, apparently a great change is being made in the policy of the daily newspapers because a leading article in *The West Australian* not so very long ago advocated complete adult franchise for this House. The Bolte Government in Victoria introduced adult franchise for the Legislative Council in that State; and, as members know, the Bolte Government is not a Labor Government. Apparently that Government has no qualms about granting full adult franchise for the Legislative Council in Victoria. Further, the Playford Government in South Australia is going to grant the franchise to women in that State. I

was told that when I was in South Australia a month or two ago. However, in Western Australia that position has not yet been reached. The insult to the women of Western Australia is complete. The Minister said he would not give the vote to the women of Western Australia. He has to stand for election again in 1964 and he will have to prove to the women of Western Australia that he is worth a vote.

I am going to walk the streets when that election is held and canvass every house, and I will show the Minister's speech to every woman to see what they think of it. It is like his impertinence to make the remarks he did in this House.

The Hon. H. K. Watson: There are 15,000 women on your roll.

The Hon. R. F. HUTCHISON: If there were 15,001 women on my roll and there was one still not entitled to vote that would not be democracy. Democracy means granting the right to everyone to vote for the Parliament of the country in which one is residing. The members of the Liberal-Country parties talk with their tongues in their cheeks. They go out and talk about democracy, but there is none as far as the franchise of this House is concerned. One is only entitled to vote for the Legislative Council if one owns a house worth £50 or rents a house. Mr. Simpson elaborated on this qualification. He was surprised to learn that four votes can be cast from the people residing in one house. However, that is the limit; it is only four. Just imagine!

However, the worker who rents the house has only one vote for that house and his wife is denied a vote. That is the disgraceful feature of the situation! The wife is responsible for looking after the family whether it be her husband and one child or her husband and 10 children. She has to look after the home while her husband goes to work and, by doing so, she represents the basic asset of the country. However, while she is performing her duty her husband gets the vote, but she is denied a vote. The farce of the situation is that if she deserted her husband and family and rented a house across the street she would be entitled to a vote because she paid the rent and, therefore, in her own right, would be entitled to a vote for the Legislative Council. Where is the justice in that?

I know of a returned soldier in Bas-sendean and when I visited his home I informed him that he only was entitled to vote for the Legislative Council. He had four sons who had fought through the war, three of whom had been wounded, but only one was entitled to a vote for the Legislative Council because he owned land. One of the other three said, "Why did we go to war, then?" And I replied, "You certainly did not go to war for democracy in this State because there is none."

When I visited New Zealand the first thing I saw in that Dominion was an empty Legislative Council Chamber. I would point out that the Legislative Council in that Dominion was abolished by a Nationalist Party Government. Why should we try to camouflage the position in this State? Mr. Simpson talked about democracy and of everyone having the right to vote, but he was the man who accepted the £400 per annum offered by Mr. Hawke, the then Leader of the Labor Government. He was offered £400 per annum in his position as Leader of the Opposition in this House and he accepted it. Since then we have heard very little about this House being a House of review.

Some members occasionally fall into the trap of referring to it as a House of review, but I soon point out to them that it is not, because the Leader of the Opposition in the Legislative Council is paid for his services. So it is a strongly-entrenched party House. In fact, it has never been a House of review. Much the same circumstances apply today as applied in 1862, so I will not entertain the talk I have heard in this House. I think what the Minister said in this House the other evening was an insult! That is what I think about his remarks!

It was in 1899 that women were granted the franchise in Western Australia, which gave every adult the right to vote for the Legislative Assembly, but it was not until 1920 that women were allowed to nominate as candidates for Parliament. Further, the existing position relating to candidates for Parliament is that one need only be 21 years of age to nominate as a candidate for the Legislative Assembly, but to nominate as a candidate for the Legislative Council one has to be 30 years of age.

We hear a lot of sob stuff today about granting natives their citizenship rights and the full right to vote, but such rights should have been granted to natives years and years ago. I discovered that if a native had served in the forces for six months, had seen service overseas, and had received an honourable discharge, he was able to vote for the Legislature of this State. However, nothing was done in this House to ratify that until I became a member in 1954. Members will probably recall that I took the first native voter to the polling booth in East Perth in the last general elections. His photograph appeared in the Press.

I know that these speeches of mine get on members' nerves because no-one else gets up and speaks in the way I am speaking tonight. Members should not think that women would not come up here to listen to what I have to say because invariably they do not know when to attend in the public gallery. However, let members of this House go out and ask women their opinion as to their right to vote for this Chamber.

I would stress the difficulty, too, of canvassing each house in order to ensure that all those who hold the necessary qualifications are properly enrolled for the Legislative Council. For example, in the provinces in the north members would have to travel hundreds and even thousands of miles to make such a canvass. Even in the metropolitan area, the Suburban Province stretches from the top of Greenmount Hill in Koongamia, down to the edge of the pine forest in South Perth, out to East Cannington, and then to the boundary of the Mt. Yokine golf links. The whole of this area is closely settled, so how could one conduct a canvass to every house in such an area and do justice to an election?

Mr. Heenan has introduced this Bill to the House in the hope that the members here will grant to the women of Western Australia the franchise for the Legislative Council. There has been so much talk about women's rights, but very little is done to grant such rights to them. However, in an emergency they soon turn to women for assistance. I know how women worked during the war in munition factories and in other factories. They rose to the occasion in an emergency and performed their duties with credit.

It was a shock to everyone, I feel, when I was elected as a member of this House. However, I was successful only by dint of hard work. I went out and told the people the truth, because the people did not know the facts. The qualification of a voter for the Legislative Council is that if the husband is renting the house he has the vote, but his wife is denied a vote. However, if the house is under the joint ownership of both husband and wife then both are entitled to vote for the Legislative Council.

But it costs a lot of money to transfer the title of a house from the name of the husband into the joint names of the husband and wife; and that would have to be done under the present set-up to enable the wife to have a vote for this House. During the office of the previous Government, the Minister for Housing (Mr. Graham) made it easy for a husband and wife, jointly, to purchase homes from the Housing Commission; and that had the effect of widening the franchise somewhat. I will not stand by and see the present position in respect of the franchise of this House continue year after year, with no improvement being achieved.

In referring to the enrolment card for this House, the Minister sneered at my reference to it. Yet, he referred to it in his speech and said that to the best of his knowledge the card had remained unchallenged. He said it was set up in its present form in 1949 and had remained unchallenged. I point out to him there is no opportunity to challenge it. The

Liberal and Country parties have the numbers in this House at all times, and this is the only place where the card can be changed.

When a Labor Government is in office and introduces a Bill in another place to alter the franchise, invariably it is defeated in this House. The Labor Party knows it will be defeated here. So, with the present set-up of this House, there is no chance of altering the enrolment card, unless the anti-Labor parties agree to alter it.

The Hon. A. F. Griffith: Don't you know that regulations can be disallowed by either House?

The Hon. R. F. HUTCHISON: The Minister cannot put that silly stuff over me. He knows quite well what I am saying is true.

The Hon. A. F. Griffith: I do not.

The Hon. R. F. HUTCHISON: I have listened to the Minister year after year giving lip service to the part played by the women in this State. They ought to know what he thinks about their rights in this House, and about his attitude towards the democratic right of women to cast a vote at Legislative Council elections.

The qualifications for a woman to stand in Parliament were introduced into the Act in 1920, in a Bill entitled "An Act to amend the law with respect to the capacity of women to sit in Parliament."

The PRESIDENT (The Hon. L. C. Diver): Will the honourable member please connect her speech to the Bill under discussion?

The Hon. R. F. HUTCHISON: I thought I was doing that. My speech concerns the right to vote at Legislative Council elections. I say the existing franchise is undemocratic. I came to this House to work against that franchise; I have always said that; I have not deviated from that course; and everything else is secondary.

The PRESIDENT (The Hon. L. C. Diver): Order! I draw the attention of the honourable member to Standing Order No. 394. The honourable member cannot cast a reflection on this House.

Point of Order

The Hon. F. R. H. LAVERY: On a point of order, this Bill deals with a proposed franchise for this House, and as the franchise is restricted, cannot members refer to it?

The PRESIDENT (The Hon. L. C. Diver): I shall make such determinations.

Debate Resumed on Motion

The Hon. R. F. HUTCHISON: I reserve my right to say what I think in this House. I am not a slave, and slavery was done away with long ago. I claim the right to

say what I want to say; and you, Mr. President, cannot deny that this is an undemocratic House. Here we have 17 anti-Labor members, and only 13 Labor members. We have to overcome this obstacle to enable everyone to be enrolled.

It is said that in this State there is only one Press—the anti-Labor Press. It is like nothing I know of anywhere else in the world. The position in England was mentioned in this House, but in that country the Press represents a variety of political viewpoints, and England is a socialised democratic country. It has a very good free health scheme, and the people there are not left to die or to lie crippled, as they are in this State. England is a worthy country to live in. When I was there—

The Hon. A. R. Jones: It is a wonder you are not advocating the abolition of the House of Lords.

The Hon. R. F. HUTCHISON: I offer no excuses for the House of Lords, but that House is not as powerful as this House. If a Bill is transmitted by the House of Commons to the House of Lords twice, and is rejected, it automatically becomes law. Under such circumstances the House of Lords has no power to stop the passage of the Bill.

The Hon. R. Thompson: This House has that power.

The Hon. R. F. HUTCHISON: My word it has! If the women in Western Australia can hear my views, they will hear me speaking in one voice. I do not care what I sound like or what anyone thinks about my views when I say the franchise for this House is a disgrace to a democratic country.

The PRESIDENT (The Hon. L. C. Diver): Will the honourable member please desist from reflecting on this House.

The R. F. HUTCHISON: I am sorry, but I will not.

The PRESIDENT (The Hon. L. C. Diver): If the honourable member repeats that statement I will have to take certain action, which I do not like to take.

The Hon. R. F. HUTCHISON: I do not mind what anyone does with me, because I am in rebellion tonight.

The Hon. F. R. H. Lavery: You are representing thousands of wives of husbands who are paying rent.

The Hon. R. F. HUTCHISON: This evening I heard a reference in this House to the Statute of Frauds; I think the speech of the Minister upholds the whole fraud of this House which is being imposed on the people, with the power of the few over the many. To me that is fraud.

Today I attended in the city, a meeting of women who have given 50 years of good service to Western Australia. I saw among them some women who, through age, had

to vacate their homes and live with relatives. They are now to be denied a vote for this House—a vote in a State in which they have worked for so many years for the good of the community. They have done wonderful work. There are women in all sorts of organisations in this State who are suffering the indignity of not being allowed to cast a vote in elections for this House.

I am confining my remarks to what is sought in the Bill—the extension of the franchise to the wives of the men who are enrolled. If such wives are not worthy of the franchise for this House, then this State is worth nothing, and this Parliament is worth less. The women of this State have earned their right to vote at elections for this House.

When the Legislative Council was set up, it grew out of the darkness of the Middle Ages when there were bloodshed, riots, and hangings, with the birth and slow growth of democracy. I have read, from the book I have before me, that women, in the Middle Ages had the very rights which are being denied the womenfolk in this State; yet the Minister gets up with all the assurance in the world—I should say with all the effrontery in the world—and affirms that the existing franchise has served us very well; that is, a franchise which denies the womenfolk of this State a vote.

The Hon. R. Thompson: He said they did not deserve a vote.

The Hon. A. F. Griffith: I did not say anything of the kind.

The Hon. R. Thompson: You read your speech.

The Hon. A. F. Griffith: I did not say anything of the kind.

The Hon. R. F. HUTCHISON: If the Minister did not say that on this occasion, he said it before.

The Hon. R. Thompson: The Minister said they did not deserve a vote unless they had property.

The Hon. R. F. HUTCHISON: To use the famous word which I have used so many times in this House, the existing franchise is a great camouflage. We used that word during the war, when green paint was used to camouflage installations, to make the enemy think they were not there. The enrolment card for this House has been similarly camouflaged.

Mr. Simpson said this House is of a special and distinctive character. He never uttered a truer word, but I do not mean in the way he meant it. Indeed it has a distinctive character! When I was a child on the goldfields I knew Mr. Simpson and his family. I am sure he must have seen men dying like flies, because there was nothing available to save miners from the complaints from which they were suffering.

Improvements in respect of employment on the mines were brought in slowly and painfully by Labor Governments.

I take exception to what the Minister said, when he declared it was an effrontery to this House to introduce the Bill twice, that is, following the one introduced last session. The Minister should retract that statement.

The Hon. A. F. Griffith: I think you should not tell lies.

The Hon. R. Thompson: She is not telling lies. You said that.

The Hon. A. F. Griffith: You read the text of what I said. You are the champion at camouflage, and that is what you are doing now.

The Hon. R. F. HUTCHISON: I shall read what the Minister did say; and he did say what I pointed out. He said a few things which, no doubt, he would like to retract. I want this to be recorded in *Hansard*: It is true, as I have said before, that this House is the most powerful one in the British Commonwealth; it is even more powerful than the House of Lords. If a Bill should be transmitted by the Commons to the House of Lords twice and is rejected, it automatically becomes law. This is the most powerful House in Australia, and even the Upper House in South Australia grants the returned soldier a vote. Western Australia, however, does not pay the same compliment to the returned soldier.

Mr. Simpson tried to vindicate the position, and say the Government made it easy for the returned soldier to buy a house. What a paltry and poor excuse he put up! A citizen of this State was good enough to be placed in the front line during the war, so that the people sitting in this House could benefit, but he is not worthy of a vote unless he owns property or is a householder. I thought Mr. Simpson got slightly mixed up when he said that women who were wives of householders in this State could pay the rates and so obtain a vote.

I learned that women could get on the local government electoral rolls if the husbands said they could act at the ratepayers and pay the rates. I placed 24 women on the roll for the Midland Junction Shire Council. When I later approached the local authority—after all, local authorities are the bastions of privilege, specially retained by this House for camouflage—I found that those women had to be enrolled for one year before they could be enrolled for the Legislative Council.

The Hon. E. M. Davies: Then they would have to make application.

The Hon. R. F. HUTCHISON: I shall never forget the attempts made by our past leader in this House, the late Gilbert Fraser, when he stood up and asked members, time after time, to pass the Local Government Bill which provided for adult

franchise for local authority elections. In England there is adult franchise in such elections. When I was there last year and told the people about the franchise in Western Australia they said the statement was hard to believe. I said it was true, and I wished I was making a mistake in saying it.

Here we have one Labor member in local government. I would like to hear what the members from Kalgoorlie have to tell us of the franchise for local governments. They are nothing but little cells of anti-Labor personnel, mostly—except when we can break through now and again; and we do not break through very often—put in to bolster up this House by their camouflage and restricted franchise. We heard a member of the Perth shire the other night in this House nearly having a fit when we suggested he give the people the chance to enrol. If there is anything more undemocratic than that, I would like to know what it is.

The Hon. H. R. Robinson: Why don't you talk on a subject you know something about?

The Hon. W. F. Willesee: She knows what she's talking about.

The PRESIDENT (The Hon. L. C. Diver): Order!

The Hon. W. F. Willesee: She knows very well what she is talking about.

The PRESIDENT (The Hon. L. C. Diver): Order!

The Hon. R. F. HUTCHISON: All that is wrong with the honourable member is that he knows I know too much. I am well informed on these matters. I want to tell the honourable member that the local government laws here are shocking. They are just as bad in this House. The Minister was very scathing in his speech.

Point of Order

The Hon. A. R. JONES: On a point of order, how far are you going to let this woman go—

The PRESIDENT (The Hon. L. C. Diver): Order!

The Hon. F. R. H. LAVERY: You should say "honourable member," not "this woman." I want you to withdraw that.

The PRESIDENT (The Hon. L. C. Diver): Order! I would suggest to Mr. Jones that when he refers to a member of Parliament he refers to "the honourable member."

The Hon. A. R. JONES: I apologise. I mean the honourable Mrs. Hutchison.

The PRESIDENT (The Hon. L. C. Diver): So far, in my opinion, Mrs. Hutchison has been in conformity with the matter in the Bill.

The Hon. G. Bennetts: Hear, hear!

Debate Resumed on Motion

The Hon. R. F. HUTCHISON: Thank you, Mr. President. I think I have put my view forward sufficiently. I have purposely repeated myself many times because one does not get through by saying things once in this House. I have referred to England because reference was previously made to it; and I am going to tell members that Australia, and especially Western Australia, would be a far better place in which to live if we followed England more; because the House of Lords, as I have said, does not have the absolute power which is held by this House.

The change is coming, but it is coming the hard way. I am going to put in a pretty hard two years, and I am going to inform as many people as I can about this matter. I am also going to see if the card can be altered now, because at the moment it is definitely designed to confuse people. The ordinary person does not understand it.

I object very strongly to the reference on the card to a fine of £50 if a person witnesses the signature of a claimant, and the facts are not true. All that a witness has to do is to ask the claimant whether or not the statements contained in the claim are true. If the witness does this and the answer is in the affirmative then the witness is exonerated from any liability. How far can we go in dishonesty and deceit!

I am ashamed to have to submit to these things and do nothing. I get so upset about this, and when I hear a Minister of the Crown make the remarks that the Minister made—well! If it is not in *Hansard*, he certainly said it.

The PRESIDENT (The Hon. L. C. Diver): Order!

The Hon. A. F. Griffith: Good gracious!

The Hon. F. R. H. Lavery: It is in the notes.

The PRESIDENT (The Hon. L. C. Diver): Order!

The Hon. R. F. HUTCHISON: I am going to end on this note: The women of Western Australia have earned the right to the franchise. They have earned it! We only teach people by compelling them to do certain things. If people were given the whole story in the Press then things would be better and easier, but they get only one side of the picture. We saw what happened at the Bunbury election. We do not want a second example of what occurred there.

The PRESIDENT (The Hon. L. C. Diver): Order!

The Hon. R. F. HUTCHISON: While we have this system we have to go about the matter the hard way. We have to walk and teach people. It is a slow, hard way to do it, because not everyone is a good canvasser; but we are all compelled to do

it. If anyone here calls that a democratic principle, then I feel he would exonerate anything.

Year after year I have to sit here and hear all these things—I can be forgiven for being in conflict tonight—which I know are not true, not just, and have nothing to do with democracy; and ours is the only State which puts up with the situation.

THE HON. G. BENNETTS (South-East) [8.36 p.m.]: I did not intend to have anything to say on this subject, but I heard Mr. Simpson say something about this House being formed in 1889, I think it was. I would say that in those days the old Tories worked this system out so that things would be favourable for them for many years to come.

The Hon. R. Thompson: The ghosts are living on!

The Hon. G. BENNETTS: If members will cast their minds back to the situation at that time they will realise that this State was then under slave labour which was brought into the country. Therefore a different system was drawn up for the Legislative Council against the Legislative Assembly. Those who drew up the system knew that in years to come they would have to have a fairly liberal system for the lower House, but they placed restrictions on this House by making a rule that a certain amount of property must be owned before one was entitled to vote. When I entered this House in 1946 there were only five Labor members here. Today we have 13. All Mr. Heenan wants under this Bill is to be fair. He knows the part a woman is playing in the house. He, himself, is a good husband and he considers his wife. He would already have his wife on the roll because he is in a position to be able to make her a property owner. However, there are many working-class people who are renting property and only the husband has the right to vote because he is the ratepayer.

I would defy anyone to say that the woman is not the greatest worker in the home. I give my wife credit for the fact that I am here, and for rearing our family. My occupation during my younger days took me away from home five days a week and that woman had the sole responsibility of rearing seven children, and she made an excellent job of it. It is for this reason that I take the part of the woman. I say she is deserving of every credit she can get, and I would like half the seats in this House to be occupied by women.

As I have said, the present system dates right back to the early days when the Tories—the capitalists—took control. They are working for the big monopolies of this State; the St. George's Terrace capitalists and the big combines of Western Australia.

The Hon. A. F. Griffith: Rubbish!

The Hon. G. BENNETTS: They even have the Press in their corner. Everything today is focussed on them by the Press. I am satisfied that this Bill introduced by Mr. Heenan is worthy of support.

We must not forget that before many years have passed, we will have natives representing some of the provinces in this House. They are being granted a certain franchise now and it will be nice to see some of our native people sitting in some of these seats. Certain migrants who have studied are coming into office, so why should not our own Australian people do so too? If they educate themselves and acquire property, they will be entitled to stand for election the same as anyone else under similar circumstances.

The whole question of the franchise has been gone into by Mrs. Hutchison who made a very able speech tonight. She was able to impress upon members here the standard of her ability. I am sure her speech will go down in the history of *Hansards* in this State. I have much pleasure in supporting the Bill.

THE HON. S. T. J. THOMPSON (South) [8.43 p.m.]: I did not intend to enter this debate but the reflections cast by Mrs. Hutchison on local government in this State have tempted me to do so to defend local government. I think she said that local government was a collection of cells, or something to that effect. I believe that members of local government in this State are the finest band of people we have in Western Australia. They are doing a very good job for the people.

Point of Order

The Hon. R. F. HUTCHISON: I was reflecting on the system, not the people. Let the honourable member withdraw his remark.

The PRESIDENT (The Hon. L. C. Diver): Order!

The Hon. S. T. J. THOMPSON: The wording was that they have developed into a system of cells, which is a reflection on members of local government. I am not prepared to sit here and let the reflection be cast without countering it.

Debate Resumed on Motion

The Hon. S. T. J. THOMPSON: I have on a number of occasions listened to Mrs. Hutchison during my three years as a member here—with a great deal of respect mostly. She has put forward a lot of points of view with which I can sympathise; and, as I have said, I have had a great respect for her. However, I feel that tonight we have been somewhat misled particularly in regard to this franchise. At present the women have an equal right with the men so far as the franchise for

this Council is concerned. There is no discrimination between men and women. If they desire to vote, they must have the same qualifications as men must have if they desire to vote.

The Hon. F. R. H. Lavery: You voted in this House against adult franchise! Of course you did.

The PRESIDENT (The Hon. L. C. Diver): Order!

The Hon. S. T. J. THOMPSON: I say the women have the same franchise rights in this House as have the men.

The Hon. F. R. H. Lavery: That is camouflage!

The PRESIDENT (The Hon. L. C. Diver): Order!

The Hon. S. T. J. THOMPSON: I will go further.

The Hon. R. F. Hutchison: If the man owns the house he gets the vote. The wife doesn't.

The Hon. S. T. J. THOMPSON: The honourable member said that we have to go around getting the women to put their names on the roll. I have had the same experience that she has had. I have persuaded people to place their names on the roll. I was rather amazed by the number of women who had the necessary qualifications but who were not sufficiently interested to have their names on the roll.

The Hon. R. Thompson: I bet you were amazed at the number who had not the qualifications.

The Hon. S. T. J. THOMPSON: Perhaps I am not as unfortunate as the honourable member. There are not as many in my area.

The PRESIDENT (The Hon. L. C. Diver): If the honourable member addressed the Chair, perhaps he would not attract so many interjections.

The Hon. W. F. Willesee: I suggest he sits down. He is wasting his time.

The Hon. S. T. J. THOMPSON: There is a large number of women who are not sufficiently interested to have their names placed on the roll, although they have the necessary qualifications to do so. Furthermore, we do go to a considerable amount of trouble to enrol people. However, what do we find when it comes to election day? Approximately 50 per cent., on an average, of those we have taken the trouble to place on the roll are not sufficiently interested to vote.

The Hon. R. F. Hutchison: They are not informed.

The Hon. S. T. J. THOMPSON: I agreed with Mr. Bennetts when he spoke about what women have done.

The Hon. W. F. Willesee: I bet you wouldn't pay them for what they have done!

The Hon. S. T. J. THOMPSON: I would go further and say that not only in the homes are they doing a wonderful job, but they are also doing a wonderful job outside their homes. I realise what the women of this country have done.

The Hon. R. F. Hutchison: I bet they are flattered!

The Hon. S. T. J. THOMPSON: It would be a very poor world if we did not have them working as hard as they do. I oppose this Bill.

Personal Explanation

The Hon. A. F. GRIFFITH: Mr. President, I would like to take advantage of Standing Order No. 385 to make a personal explanation.

The PRESIDENT (The Hon. L. C. Diver): You may.

The Hon. A. F. GRIFFITH: During the course of the speech made by Mrs. Hutchison I suggest that by quoting text out of context she gave the House a wrong impression about the speech I made in regard to this measure. In order to view the matter in its proper perspective I would like to read what I said. This is what I did say—

When I listened to the introduction of this Bill by Mr. Heenan, and when I subsequently went through his speech, I decided that I had one of two courses to take. Firstly, I could say this Bill had been before the Legislative Council on more than one occasion—and it was before this House last year when a determination on it was made—therefore it was an affront to Parliament to introduce it again this year.

The Hon. R. F. Hutchison: Didn't I say that?

The Hon. A. F. GRIFFITH: Here I interpose and say that anybody who was listening to the debate would realise—

The Hon. F. R. H. Lavery: I was.

The Hon. A. F. GRIFFITH: —that I made a remark because when my colleague introduced a motion two years in succession, Mr. Wise told him it was an affront to Parliament to do so. I went on to say—

The other course which I could take, and which is the one I decided to take, was to undertake some research into the speech made by Mr. Heenan, and into the debates . . .

The Hon. R. F. Hutchison: Then you went on to say—

The Hon. A. F. GRIFFITH: So it is easy to mislead the House when one is prepared to quote text out of context.

Debate Resumed on Motion

THE HON. F. J. S. WISE (North—Leader of the Opposition) [8.48 p.m.]: It may appear to be strange to say that this is a very simple Bill—

The Hon. A. F. Griffith: Mrs. Hutchison didn't make it sound very simple.

The Hon. F. J. S. WISE: —a Bill consisting of two clauses, one giving the short title and the other giving the provision which is the subject of this debate. Shorn of all extraneous matter, the Bill becomes one of a very simple issue: whether the spouse residing with the person entitled, under the qualifications in section 15 of the Constitution Acts Amendment Act, to vote shall also be entitled to vote for the Legislative Council.

The Hon. A. R. Jones: That could also mean a husband, couldn't it?

The Hon. F. J. S. WISE: Yes, it could also mean a husband.

The Hon. A. R. Jones: Thank you very much.

The Hon. F. J. S. WISE: The Bill has provoked very many interesting debating points, and has provoked much debate on subjects which, although relevant to the electoral laws, are quite outside the essential principles contained within this Bill. With due respect to several speakers, the enrolment card itself has nothing whatever to do with the Constitution Acts Amendment Act as a form prescribed by those Acts, but is a matter for and of administrative action.

The Hon. A. F. Griffith: That is quite right.

The Hon. F. J. S. WISE: The enrolment card is the product of the Chief Electoral Officer and approved by the Minister in charge.

The Hon. A. F. Griffith: That is quite correct.

The Hon. F. J. S. WISE: The principles within it are taken from the Act which this Bill proposes to amend, and although the enrolment card presents difficulties of understanding to many people, there is a way, but not through Parliament but perhaps through the Minister in charge of the electoral laws, to have that subject made more understandable—if it is not understandable now—and so to remedy the matter. I repeat: It is a debating point but, in my view, it is quite extraneous to the Bill.

The Hon. A. F. Griffith: It was ever thus—the responsibility of whatever Minister happened to be controlling the Act.

The Hon. F. J. S. WISE: Also, this Bill has nothing whatever to do with the percentages of electors voting, if they have the right to vote under the qualifications prescribed in the parent Act. We may use that as an argument, but it will not necessarily bring us any nearer to a solution of extending the franchise, as this Bill proposes to do, and as this Bill properly proposes to do.

The important angle associated with this Bill is very clear; namely whether the spouse of a householder, enrolled as such, is to be entitled to the franchise for

the Upper House. It is as simple as that, and there is no need to bandy words or to make comparisons of the kind made by Mr. Simpson. His probe into the antiquity of election matters, although quite interesting, was quite irrelevant when considering the need for advancement and reform in our electoral laws. As an examination it was quite interesting, but it has nothing whatever to do with the basic need for a reform of the franchise for this institution.

The Hon. R. F. Hutchison: Hear, hear!

The Hon. F. J. S. WISE: In spite of the interjection made by Mr. Jones, and which I willingly replied to by saying that it could apply to a husband as well as to a wife, this is a case for the joint householder; and in 99 cases out of 100 the joint householder would be the woman.

The Hon. E. M. Heenan: Of course.

The Hon. F. J. S. WISE: It is of no use pretending on that score. It has nothing whatever to do with the other qualification of the joint freeholder. That is provided for. It has nothing whatever to do with any ownership in land, or the entitlement in any other province of either spouse. It is only and all to do with the spouse who is not the person qualified to vote under the existing qualifications.

A person who lives in a home and shares it as a joint householder, in 99 cases out of 100 is a woman; and, in the vast majority of cases she is the very reason why the home is owned and the family is privileged to live in it.

The Hon. R. F. Hutchison: Hear, hear!

The Hon. F. R. H. Lavery: Too true!

The Hon. F. J. S. WISE: She is the person who does not have the qualification as an elector, but she has made it possible for her husband to have the right of ownership and, indeed, to have the right as a householder and to take his place in the community.

I am quite uninspired by all the debate that has taken place on the several extraneous matters that have been introduced; and in my view it boils down, whether we like it or not, to this simple point: That those who vote against this Bill are opposed to any change in the franchise for this Chamber. That is the first point, and whether it is on private grounds or political grounds, that is a person's own business. However, it is a fact and if anyone votes against this Bill he is opposed to a change in the franchise for this Chamber.

The second point is that he is opposed to extending the franchise, particularly to the wives of people already in occupation of homes and who already are entitled to vote. The third point is within the Bill itself. A person who votes against it is opposed to extending to the person who is the spouse, and who ordinarily resides with

a person entitled to be registered as an elector, the privilege to vote for this Chamber.

That is a plain fact. A person who votes against this measure is opposed to those three principles, and no tidying up of words, or presenting of them in any other fashion, can take away the fundamental fact that that is what this Bill represents. I support it strongly on all the grounds I have mentioned, including the political ground. I have a political belief in the broadening of the franchise for this Chamber, and those who vote against the Bill will be found to be opposed to my political views.

That is the situation. So let us have it shorn of all the extraneous matters that have been introduced, and look at the Bill for what it does and what it represents, and so let us express ourselves accordingly.

THE HON. E. M. DAVIES (West) [8.58 p.m.]: I feel I should say a few words and present my views on this small Bill introduced by Mr. Heenan, which is to amend the Constitution Acts Amendment Act to provide for the right for the spouse of an elector to vote at Legislative Council elections.

My mind goes back to the creation of Western Australia as a colony, which is not long ago—134 years. Western Australia was created a Crown colony of what we were then proud to call the British Empire but known today as the British Commonwealth. I suppose the more old-fashioned of us prefer to use the old term and refer to it as the British Empire rather than the British Commonwealth.

When this colony was created as an outpost of the then British Empire, it was governed more or less by the Home Secretary who was based in the Houses of Parliament in the United Kingdom. A Governor was elected to carry out the decisions given according to the Statutes as they applied in the United Kingdom. So for a short time Western Australia was a Crown colony but was actually governed from the Mother Country, Great Britain.

Then it was felt that the people who lived here should have some say in their own Government, and so the Legislative Council with nominee members nominated by the Governor of the day was created. From that we went to what was termed an elected House—elected on a restricted franchise of property. Having looked at that franchise over the balance of years since Western Australia governed itself in its own right, we must see what progress has been made in the franchise which allows people to elect a Government to govern this State.

I would say that very little progress has been made. First we had the property qualification of a freeholder who was entitled to vote. We then provided for the householder and, some considerable time

later, the joint freeholder; because the land was purchased in the names of two people—usually the husband and wife. Accordingly the wife was able to share in the wealth of her husband in the land they owned. We then had the position of the householder who paid the equivalent of £17 clear annual value being entitled to vote. In my opinion the wives and mothers who have reared their families—the generations of the future—and who have assisted their husbands in the rearing of those families, should be entitled to the right to vote for a representative of the Parliament of Western Australia.

When I say that, I would point out that the Bill does not make any mention at all as to whether or not one is going to vote. It simply says that the spouse of an elector shall have the right to be enrolled and record her vote. That is all the Bill seeks to do. We all know that the home is the very basis on which the British Commonwealth was built. It is the foundation on which the State stands. The wives and mothers have played their part in making Australia what it is today; these wives and mothers have helped build Australia up to its present standing over a very short period of years. The least one can expect is that the wife or spouse of an elector should be given the opportunity to record a vote for the election of members to this Chamber.

Unfortunately, however, we find that is not so. We had the spectacle of the Minister saying that the property should be put in the joint names of the husband and wife. As a matter of fact he went so far as to quote his own personal case, and to say that his spouse was able to vote because they were joint freeholders of their property. Because people are able to put their property in joint names, does it mean that the woman whose husband cannot put the property in their joint names is less worthy than the wife whose husband is able to do so?

It is not so many years ago—in fact it was a very short time—since war service homes have been able to be put in the joint names of a husband and wife. I remember that not so long ago the only people who could secure a war service home were ex-service personnel. The wife was not included. It is only recently that the wife of an ex-serviceman has been able to become a joint owner in a war service home. To my mind that in itself is an indication that the franchise should be broadened to enable this Bill to do what it seeks.

I can remember, when I came into this Parliament in 1947, the policy speech delivered by the then Leader of the Liberal Party, Sir Ross McLarty, and the then Leader of the Country Party, Mr. Watts. A plank of their platform was the broadening of the Legislative Council franchise. That was in 1947. A Bill was introduced in the first session of that Parliament; it passed through another place; but when

it came to this Chamber, the members of the two parties that formed the coalition Government voted against it. So when we find parties in their policy speeches having as their plank the broadening of the franchise of the Legislative Council, and then finding their own members in this Chamber voting against it, we do not feel inclined to think much of any policy they might bring down in the future.

I would like to remind Mr. Simpson that he was a member of the Liberal Party at that time, and later he became a Minister in the second McLarty-Watts Government. Mr. Griffith is the Leader of this House; he is Minister for Mines, and holds the important portfolio of Minister for Justice. In 1947 the party to which he belongs said, in its policy speech, that it was going to broaden the Legislative Council franchise; but notwithstanding the fact that it had the opportunity to do so on two occasions, and notwithstanding the fact that it had the majority in this House to carry through any such policy, no action has been taken along those lines.

As Leader of the House, and Minister for Justice, Mr. Griffith has risen in his place and condemned the Bill. He said he proposed to vote against it. I realise that Mr. Griffith is a Minister, and that his job is of course to represent the Government. So apparently it is the policy of the Government not to broaden the franchise of the Legislative Council. In doing this it has double-crossed the plank in its party's policy speech in 1947.

In view of the fact that it was the Government's policy at that time to broaden the franchise of this Chamber, the House should pass this small Bill which gives the right to the spouse of an elector to record her vote for representatives of this Chamber. As I have said, it has nothing whatever to do with whether or not one votes; or for whom one votes. It simply gives the spouse of an elector the right to vote. After all, she is the person who has helped to bring this State to the enviable position it occupies today in the British Commonwealth of Nations.

So I would ask members to do justice to those people who have helped so much in the development of this State: the wives and mothers who are the very foundation stones, not only of this State but of the British Commonwealth. They are the homemakers; and where there is a home there lies the foundation of the British Commonwealth. I support the Bill; and I regret the number of derogatory speeches that have been made tonight on this small measure.

THE HON. N. E. BAXTER (Central) [9.11 p.m.]: When one looks back to the beginning of the State in about the year 1830, and reflects on the progress we have

made in all directions, and particularly with regard to government, in that short period of 130 years, we have certainly gone a long way.

The Hon. R. F. Hutchison: You are a pretty poor traveller.

The Hon. N. E. BAXTER: The honourable member made her speech, without interjection from me; and I trust she will afford me the same courtesy. We have gone a long way since responsible government was granted to the Colony in 1890. Parliament was opened officially on the 30th September of that year, and Sir John Forrest was commissioned to form the first Government.

I listened with interest tonight to the very logical approach made by Mr. Wise to this measure. I also listened to the other speeches that were made; but a number of them contained a lot of extraneous matter which would have no effect on me at all. Mr. Wise, however, made his usual very logical approach, and pointed out that the wife and husband are partners in life, and therefore should be entitled to the same voting rights for the Legislative Council, where one or other possesses the property at which they reside.

I am further influenced in this matter by the Federal policy in respect of pensions. It might appear strange for me to say this, but it dovetails with this measure; because when an application is made by a woman for a pension to the Social Services Department, and her husband is earning an income, the husband's income is calculated as being half the wife's income. So they are considered by the Federal authorities as partners in the income earning of the husband.

If they are partners in the husband's income-earning capacity, then they are partners in the property they have built up in the lifetime they have spent together. With those few words I support this measure, to give the spouse of an elector the right to be enrolled for the Legislative Council.

THE HON. E. M. HEENAN (North-East) [9.15 p.m.]: This Bill has evoked a very interesting debate although some of the speeches have gone somewhat beyond the scope of the Bill. Nevertheless, I think the majority of us enjoyed them and each speaker has been listened to very attentively. I am grateful to all members who have contributed to the debate; and it is my view that the weight of argument is strongly in favour of those who support the Bill.

I think that very able debaters like the Minister (Mr. Griffith) and my old friend Mr. Simpson were labouring somewhat in trying to put forward arguments in the capable manner they usually do. I think that was due entirely not to lack of ability on their respective parts, but to the fact that they had a weak case to argue.

I am most grateful to Mr. Wise who, supported by Mr. Baxter, has hit the nail on the head. This is a small Bill; and the only principle to which we have to say "yea" or "nay" is this: Should we or should we not extend the franchise to wives of householders? There it is. There is no escape from it. Over the years every member will know that every effort has been made to amend this franchise and to liberalise it.

Over the years Bills have been put forward in this House and in another place, newspapers have advocated it, all three political parties have put it forward in their policies from time to time, and now we have a Bill which in the smallest way—and I would suggest in the most meritorious way—proposes to widen the franchise.

The Hon. G. Bennetts: A fair deal for the womenfolk.

The Hon. E. M. HEENAN: As Mr. Wise has put it, anyone who votes against this Bill which proposes to give a vote to a section of the community whom we all admire and respect, and whose worth we appreciate, and whose stake in the country is beyond question is irrevocably opposed to any widening of this franchise. I think that is a factual and truthful statement which no member listening to me will dispute.

The Hon. A. R. Jones: I think that statement is wrong.

The Hon. J. G. Hislop: It has no basis.

The Hon. E. M. HEENAN: This Bill proposes to extend the franchise to the wives of householders—not to all women, but to wives. Surely that is the very minimum of any extension of this franchise. We are not proposing to make it adult franchise; we are not proposing to give the vote to all women, to professional women, to doctors, to returned soldiers, and to individual sections of the community other than wives. I say that is the very minimum. If anyone in the one breath says they are prepared to extend the franchise but will not agree to this small extension to a most worth-while section of the community, they are, I repeat, undoubtedly opposed to any proposition.

The Hon. J. G. Hislop: That is your opinion.

The Hon. E. M. HEENAN: Of course it is my opinion.

The Hon. A. R. Jones: That is where you are wrong.

The Hon. J. G. Hislop: You say it is your opinion.

The Hon. E. M. HEENAN: Of course it is; and it is a pity that Dr. Hislop and Mr. Jones did not stand up and give their opinions.

The Hon. A. R. Jones: As a matter of fact I did not get much of an opportunity as you jumped up when I was going to.

The Hon. E. M. HEENAN: I am sorry for that. I would have welcomed hearing Mr. Jones because as a representative of the Country Party and as a member who, from my experience, approaches all subjects in a fair-minded way, he would, like Mr. Baxter, see considerable merit in this Bill and support it; because if any members in this House should support this Bill it is, in my opinion, those who represent farmers, station owners, and the like.

If any class of women works hard and has played a worth-while part in this community since it was established, it is the wives of farmers and station owners. I have seen the hardships that these women have had to endure and the isolated conditions under which they have had to live. Perhaps eventually wealth comes their way, but by that time, from my experience, the majority of them are worn out and do not enjoy much of it. Surely these women have a stake in the properties their menfolk have built up over the years.

The Hon. G. Bennetts: That hardship was endured by their mothers and fathers.

The Hon. E. M. HEENAN: I think members representing that section of the community—

The Hon. S. T. J. Thompson: How many of that section of women do not have a vote now?

The Hon. E. M. HEENAN: I have not the roll of Mr. Syd Thompson's province, but I have that of the North-East Province. There are three men in Kalgoorlie who occupy prominent positions and who are on the roll. I hesitate to mention their names, but I am going to in order to give examples, as I am sure these examples could be multiplied one hundredfold. I am sure these men command the unanimous respect of everyone who is listening to me.

They are Sir Richard Moore, Mayor of Kalgoorlie, who is a resident in the North-East Province, who has been one of the real pioneers of the Goldfields, who has the respect of all sections of the community, and who was a member of this House for a number of years and has been and is interested in politics. Another one is Mr. Alex. Gillespie, who is the Mayor of Boulder. He is also highly regarded, and is intelligent and capable. Another is the member for Murchison (Mr. Richard Burt, M.L.A.) who has been living in Kalgoorlie for some years. Both Sir Richard Moore and Mr. Burt live in the North-East Province—the province I represent—and they are enrolled for that province. However, Lady Moore is not on the roll; Mrs. Burt is not on the roll; and although I have not

the South-East Province roll with me—I looked at it today—Mrs. Gillespie, the Mayor's wife, is not on the roll.

The Hon. G. Bennetts: If they get on the roll two votes will be against Labor.

The Hon. E. M. HEENAN: I mention these facts because they are relevant, especially when we hear a responsible Minister like Mr. Griffith making the statement that scores and scores of people are entitled to enrol but do not do so.

The Hon. A. F. Griffith: What is irresponsible about that statement?

The Hon. E. M. HEENAN: Let me quote these figures which I did not do when introducing the Bill. Do you know, Mr. President, that in Western Australia there are 381,805 people enrolled for the Legislative Assembly, but there are only 167,212 on the Legislative Council roll. Only 43 point something per cent. In Subiaco there are 11,507 people on the Legislative Assembly roll and 4,458 on the Council roll. In the electorate of Perth 11,173 are on the Assembly roll and only 3,270 on the Council roll. In Mt. Hawthorn, 11,392 are on the Assembly roll and 4,541 on the Council roll. In Claremont there are 10,286 on the Assembly roll and 4,548 on the Council roll. In the Murchison there are 5,565 on the Assembly roll and 2,772 on the Council roll.

The Hon. A. F. Griffith: Those figures prove my point, don't they?

The Hon. E. M. HEENAN: I have just emerged from an election for the North-East Province, and no one can accuse me of not understanding the qualifications; of not working hard at enrolling just about everyone I thought was entitled to enrol. But these are the figures on the Murchison, in spite of my efforts. I think it is unquestionable that, try as hard as we can, we cannot get more than half of the adult population on the Legislative Council roll. I think that is the highest figure to which we can aspire. The over-all State figure is 43 per cent.

The Hon. A. F. Griffith: Don't you think that proves the point I made?

The Hon. E. M. HEENAN: I think it proves the point that it is a very bad set-up. I think it adds point to the agitation which has been carried on in this House over the years—not only by adherents of the Labor Party, but by adherents of the Liberal Party and the Country Party—to broaden the franchise. I think it adds point to the articles which have appeared in *The West Australian* not only recently but over the years. I think it adds point to opinions that are expressed in the Press. Here is one. Here is someone we all know and respect, because she is a woman of capacity and ability. I refer

to Miss Sheila McClemons, who is secretary of the Law Society, which we have applauded so much recently. She said as follows:—

I would like to see the franchise for the Upper House widened. In general terms, the responsibility of ownership of property is shared by marriage partners, so it would be more equitable for both to have the franchise.

I think some members here must find it hard to reconcile their consciences in this matter, because in 1947 Sir Ross McLarty, as leader of the Liberal Party, and Mr. Arthur Watts, as leader of the Country Party, promised the people of Western Australia they would try to widen the franchise of the Legislative Council; it was their policy.

So far as I am aware, that promise has never been withdrawn, and that policy has never been repudiated. That is why I say that members here who belong to those respective parties should feel morally bound to some extent to carry out that promise which was given on their behalf. I am sure that if my party made a promise to the people of Western Australia, and I refused to support them in voting for it, I would not wait to be expelled—I would feel ashamed of myself, and I would resign immediately.

This is not new. This has been mentioned as a Bill which was introduced by myself. It is very necessary, in my opinion, to carry out this widespread desire to widen the franchise. As far back as 1944 we heard about a Select Committee which was appointed. I was a member of that Select Committee. Sir Hal Colebatch was also a member, as also was the late Mr. Baxter. We recommended a number of points.

As the Minister said, there was a minority report by me; but we unanimously agreed on the proposal which is being put forward in this Bill. The Minister made some research. It is a pity his research did not carry him to the remarks made by Mr. Bolton on page 2562 of *Hansard* of 1944. The Minister said the Bill was not proceeded with. I recall that it was either not proceeded with or it was defeated because it came before the House too late. Mr. Bolton said as follows:—

For reasons that I gave earlier in the evening, I intend to vote against the second reading. I am being consistent. I will vote against every new measure brought before this House on the last day or two of the session. I am opposed to rushing legislation of any kind.

That Bill was brought in to implement the recommendations of that Select Committee. It was not brought in as a Government measure or an Opposition measure. It was followed up in 1947; because, as I have told the House, it was in 1947 that Sir Ross McLarty and Mr. Watts made

their promise to the people in their policy speech. The Minister for Mines, Mr. Parker, introduced the Bill. He was the Leader of the House. On page 2790 of *Hansard* for 1947 he said—

Another amendment has the effect of giving the householder's wife or husband the right to vote.

Let us hear what a very highly respected member had to say—in my experience one of the ablest members we have had in this House; and, by his record, one of the ablest Western Australians which public life has produced. I refer to the late Sir Hal Colebatch. I do not wish to weary members. I am sorry that some members, who have not taken much interest in the debate, are not here to listen to what I have to say. I am sure that when the numbers go up they will rush in and vote, and will joke about it. That is why I am grateful to the members present, whether they vote for or against this Bill. It is very creditable of them to give me an opportunity of putting forward my argument.

The Hon. A. F. Griffith: Has the honourable member been so consistently in his seat that the remarks he has directed to members do not apply to himself?

The PRESIDENT (The Hon. L. C. Diver): Order!

The Hon. E. M. HEENAN: Sir Hal Colebatch said the following, on page 2791 of *Hansard* 1947:—

I wish to supplement the remarks of the Minister regarding a number of features of the Bill. The first is the extension of the franchise to the housewife. I cannot see how any objection can possibly be raised to that proposal. It is a fact that women nowadays take as active an interest in politics as do the men. If we assume that the reason for granting the franchise is that the person claiming it has undertaken the responsibilities of citizenship, there is no reason why the housewife should not have the vote equally with the husband.

There is another important reason. Stones are constantly being thrown at the Legislative Council and the chief objection is that it represents only a small percentage of the electors of the Assembly. By granting the franchise to the housewife, the number of electors for the Council will be increased in two ways, firstly, directly by the enfranchising of the housewife and, secondly, indirectly. We know perfectly well that there are many hundreds, many thousands of persons in all the provinces qualified to vote for the Legislative Council who will not take the trouble to become enrolled. When women become interested in the voting, they will see that their husbands apply for enrolment for their own sakes as well as their husbands'. Thus the present utterly

misleading disparity between the number of electors for the Legislative Council and the Legislative Assembly will, to a large extent, be removed.

In 1948 another Bill was introduced by the Chief Secretary, The Hon. H. S. W. Parker. On page 2894 of *Hansard* of 1948, he said the following:—

The second amendment deals with the extension of the franchise to the husband or wife of a householder.

The idea behind the franchise of this Chamber is that the elector should have a stake in the country and it is considered that the wife, who has a vote in the Assembly, and who often does infinitely more work than the husband and works much longer hours, should be entitled to a vote. As the one who brings up the family, it is felt that she should be encouraged to vote, in view of the present state of affairs. The wife carries a great responsibility and, as I have said, does a great deal of the work. It is felt that she should therefore, if the wife of a householder, be given a vote. It is true that she does not earn the money to keep the home going but she does, in fact, keep it going.

Members will know that this agitation over the years has not been one-sided. The merit of making this extension to wives won the support of men of the calibre of Mr. Hubert Parker, Sir Hal Colebatch, and others. It has been a real agitation by the papers, and it has real merit.

I do not want to gild the lily that has been submitted by other speakers; but although the house is rented in the husband's name, it is the wife who really has the stake in it, who rears the children.

The Hon. G. Bennetts: And pays the creditors.

The Hon. E. M. HEENAN: The merit of my argument has also been admitted in the State of Victoria where the franchise has been extended to wives.

The Hon. R. F. Hutchison: It is adult franchise there.

The Hon. E. M. HEENAN: The Minister spoke very capably on the Companies Bill and told us what had been done in Victoria, and mentioned the merit of having uniform laws; and he was on very sound ground. Nothing dreadful has happened in Victoria. The balance of the parties has not been disturbed.

To give Mr. MacKinnon his due, I thought he made a very good contribution. He said we are inclined—and it is an inclination we have to overcome—to look at this question and say to ourselves, "How is it going to affect the various electorates?" I agree with Mr. MacKinnon that that is not a correct way to determine one's vote on an issue like this; and I am

sure all members will rise above that. But really and honestly I do not think the Bill would make a great deal of difference.

The Minister said the measure was adding a seventh qualification to the six which are already numerous enough. If this qualification were added it would, as Mr. Wise pointed out, make the others redundant. Instead of the farmer having to put down the lot number and so forth of the farm he owns, he would simply call himself the householder and his wife would be the spouse; and instead of a person having to say that he has an equitable interest in the home he is buying or selling, all he would have to say is, "I am renting a house," or, "I am occupying a house," and the wife would just claim as the spouse. To that extent the Bill would simplify the position a great deal in the minds of the public, because every husband and wife lives in a flat or house of some sort.

The merit of this proposition is appreciated by Sir Thomas Playford, because in *The Advertiser*, of the 21st September, 1962—only a few weeks ago—there is a big heading "Wider Electoral Franchise. Council Move by Premier." The report under that heading states—

The Premier (Sir Thomas Playford) said last night that he proposed to introduce in the next session of Parliament an amendment to the State Constitution to widen the Legislative Council franchise.

This, he said, would give the marriage partner of any qualified elector the right to enrol and vote in a Legislative Council election.

We were very concerned with what South Australia was going to do over the Companies Bill. I think we can learn from the other States. In regard to the Trustees Bill, a lot of things that we are now agreeing to would not have been thought of or considered in 1899. New Zealand has dealt with various aspects, and Victoria has followed, and so has New South Wales; and, in the light of their experience, we have followed by bringing our Act up to date.

What has been done in Victoria has proved to be all right; and Sir Thomas Playford, who is not a Labor Premier, is not afraid to introduce legislation to give the marriage partner of a qualified elector the right to vote in a Legislative Council election—and I am sure he is introducing it because he thinks it is just.

The Hon. C. H. Simpson: Sir Thomas Playford was doing some electoral bargaining.

The Hon. E. M. HEENAN: I give Sir Thomas Playford credit because I believe he thinks it is just; and I believe that Sir Hal Colebatch, who was a man of stature

if ever there was one, and Mr. Hubert Parker, and the various editors of the daily papers here—

The Hon. J. Murray: Both got defeated soon after expressing their views on the subject.

The Hon. E. M. HEENAN: What a pity that was; and it is true. Whether it was due to giving their views on that subject, or not, I do not know, but if it was, it does not reflect much credit on the people who engineered their defeat; because, be it remembered, the leaders of their respective parties made promises to this country which, surely, everyone who belonged to those parties should subscribe to and honour.

Undoubtedly members have made up their minds on the Bill. I honestly think—and I am sure a number of members must also be thinking along these lines—that we should do something about the present position. It is not pleasant to have these Bills year after year. But I cannot subscribe to the rather guarded view put forward by the Minister that the Bill might be an affront. We are not affronted with Mr. Baxter for persevering with his licensing Bill. I think we admire him.

The Hon. A. F. Griffith: Do not follow the incorrect lead of Mrs. Hutchison on that one, please.

The Hon. E. M. HEENAN: I understood the thought occurred to the Minister, but he thought better of it and would not pursue that line.

The Hon. A. F. Griffith: I thought I might follow Mr. Wise in that line of thought, but decided not to.

The Hon. E. M. HEENAN: I honestly think members should give the Bill a second thought. Our policy is to give adult franchise; the Minister's is against it. I can respect the members who would vote against such a Bill because adult franchise is not their policy.

The Hon. R. F. Hutchison: I cannot.

The Hon. E. M. HEENAN: It is their policy and they subscribe to it. I can question the logic of what they do, but I cannot question their integrity in sticking to their party. But in this issue their party and their leaders and representatives over the years have, to some extent, pledged them.

But quite apart from that, I think the Bill itself has merit. As Mr. Wise so aptly put it: it is just giving the vote to the wives. We can skirt around it and bring in a lot of facts, history, and so forth that have not a great deal of bearing on the issue, but when we come down to the real question it is this: Do we think that here in the year 1962 we should extend the franchise to a section of the community who, perhaps, have not got property in their names, but who, in the great majority of cases, have a great moral and real interest in the property?

I thank members for allowing me to put forward my final arguments. I hope I have not wearied them, and I hope the Bill will pass on this occasion.

Question put.

THE PRESIDENT (The Hon. L. C. Diver): As this Bill requires an absolute majority of the Council, it is necessary to divide the House.

Division taken with the following result:—

Ayes—13

Hon. N. E. Baxter	Hon. R. H. C. Stubbs
Hon. G. Bennetts	Hon. J. D. Teahan
Hon. E. M. Davies	Hon. R. Thompson
Hon. J. J. Garrigan	Hon. W. F. Willesee
Hon. E. M. Heenan	Hon. F. J. S. Wise
Hon. R. F. Hutchison	Hon. W. R. Hall
Hon. F. R. H. Lavery	(Teller.)

Noes—14

Hon. G. R. Abbey	Hon. J. Murray
Hon. A. F. Griffith	Hon. H. R. Robinson
Hon. J. G. Elsie	Hon. C. H. Simpson
Hon. A. R. Jones	Hon. S. T. J. Thompson
Hon. L. A. Logan	Hon. J. M. Thomson
Hon. G. C. MacKinnon	Hon. H. K. Watson
Hon. R. C. Mattiske	Hon. F. D. Willmott
	(Teller.)

Majority against—1.

THE PRESIDENT (The Hon. L. C. Diver): As there is not an absolute majority the question is resolved in the negative.

Question thus negatived.

Bill defeated.

WORKERS' COMPENSATION ACT AND MINE WORKERS' RELIEF ACT

*Inquiry by Select Committee: Amendment
to Motion*

Debate resumed, from the 9th October, on the following motion by The Hon. E. M. Heenan:—

That a Select Committee be appointed to—

- inquire into the adequacy or otherwise of existing provisions in the Workers' Compensation Act, 1912-1961, as they apply to men engaged in the mining industry who suffer from occupational diseases and their effects and if deemed necessary to make recommendations thereon;
- inquire into any incidental matters including the adequacy or otherwise of benefits payable to ex-miners under the provisions of the Mine Workers' Relief Act, 1932-1961, and if deemed necessary to make recommendations thereon.

To which The Hon. J. G. Hislop had moved an amendment—

Delete all the words in the motion after the word "That" and substitute the following:—

this House requests the Government to appoint a Royal Commissioner (or Commissioners) with extensive overseas experience of the diagnosis of pneumoconiosis, and compensation of workers afflicted with pneumoconiosis, to inquire into the bases of diagnosis of pneumoconiosis, and compensation of workers afflicted with pneumoconiosis in Western Australia, and make any recommendations deemed necessary as a result of the investigation which should cover medical conditions associated with, and, or, subsequent to, affliction with pneumoconiosis.

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines) [10.1 p.m.]: The motion moved by Mr. Heenan for the appointment of a Select Committee to inquire into the Workers' Compensation Act and Mine Workers' Relief Act is, as members know, the subject of an amendment by Dr. Hislop which requests the Government to appoint a Royal Commissioner (or Commissioners) with extensive overseas experience of the diagnosis of pneumoconiosis and compensation of workers affected with pneumoconiosis. The remarks I propose to make on the original motion and the amendment will not be lengthy, but at least I will say that the Government is prepared to agree to some sort of inquiry being made into this subject.

I would point out, however, that the Government regards the move by Dr. Hislop for the appointment of a Royal Commissioner or commissioners with overseas experience as being rather difficult to implement.

The Hon. G. Bennetts: I would prefer to see someone appointed who had experience in this State.

The Hon. A. F. GRIFFITH: In that case the honourable member may agree with what I am about to say. The Government regards Dr. Hislop's proposition to be difficult of application and impracticable to fulfil, because the Government would be hard put to ascertain the name of a person or persons capable of conducting an inquiry of this nature. In addition, I think it is only fair to point out that the Public Health Department in months past has been pursuing a certain line of inquiry which the department feels might improve the lot of workers endeavouring to claim compensation under the two Acts that have been mentioned by both Mr. Heenan and Dr. Hislop.

I think that, first of all, it will be quite reasonable to allow the State departmental authorities to pursue their own line of inquiry and, as a result of that inquiry, put forward any suggestions they may have to make for the amendment of both the Workers' Compensation Act and the Mine Workers' Relief Act. Before any amendment can be made next session to the second Act mentioned in Mr. Heenan's motion—the Mine Workers' Relief Act, which I have mentioned—I would point out to the House that this is an Act under which there is constituted a board the members of which are representative of the Chamber of Mines, the workers, and the Mines Department. I might tell the House that it took me a long time—or I should should say more accurately that it took the board a long time—to get the workers to agree to an increase in contributions so as to bring about an increase in the benefits that the workers would receive.

The Hon. G. Bennetts: That is correct.

The Hon. A. F. GRIFFITHS: The honourable member is a member of this board and he knows that what I say is correct and that I have made three or four trips to Kalgoorlie to discuss the matter with the board before we were able to get some of the representatives to agree to increase the contributions by the workers which would enable the benefits to the workers to be increased.

Personally, I do not think that is the great problem which the workers in this industry are facing. I think there are other more important problems which principally come under the Workers' Compensation Act. If we were merely dealing with Mr. Heenan's original motion for the appointment of a Select Committee, I doubt very much whether I would be in a position to let the second part of the motion go without insisting that it might interfere with the rights of the constituted board on which there are the representatives I have mentioned. However, the amendment moved by Dr. Hislop supersedes the original motion and we must consider that first.

As I say, the Government is prepared to have an inquiry made and, in addition to that, the Minister for Labour in the Legislative Assembly has given certain undertakings, during the debate on a motion by a private member in that House, that investigations will be made into various phases of the Workers' Compensation Act and that in the next session of Parliament a Bill will be introduced to amend various sections of that Act.

As I have said, the Government would find that the appointment of a Royal Commission would be difficult, and I do not think members would appreciate the Government being left in the position of having to do so, because of the various difficulties that would be encountered. Therefore, the suggestion I make is that the

House should agree to a motion worded in these terms—

That this House requests the Government to institute an inquiry into the diagnosis of pneumoconiosis and into the existing provisions of the Workers' Compensation Act, 1912-1961, for the compensation of workers afflicted with pneumoconiosis and its effects.

I have spoken to Mr. Heenan about this and I have told him about the announcement of the Government to hold some inquiry. I have indicated to him the difficulties that would confront the Government if a Royal Commissioner were appointed, and I feel that, upon reflection, he may be prepared to accept the proposition along the lines of the motion I have just framed.

The Clerk has pointed out that before I can give effect to the suggestion I have put to the House, according to Standing Order No. 135 the words to be deleted by Dr. Hislop's amendment from Mr. Heenan's motion would, in fact, have to be deleted and, when they are deleted, I could move to insert the words I have proposed, because Standing Order No. 135 reads as follows:—

When it is proposed to leave out words in the original question in order to insert or add others, no amendment to the words proposed to be inserted or added shall be entertained until the question that the words proposed to be left out be left out has been determined.

So that is the order it would have to take.

The Hon. E. M. Heenan: If we defeat Dr. Hislop's amendment, would not that meet the position?

The Hon. A. F. GRIFFITH: The simplest course to follow would be to defeat Dr. Hislop's amendment straight out and then deal with Mr. Heenan's motion in its original form. However, if the intention of the House is to take out the words proposed to be taken out from Mr. Heenan's motion, I cannot see why we should not agree to do this, and thus adopt the first part of Dr. Hislop's amendment.

This would then give me the opportunity to insert in the motion the words I have suggested, which would have the effect of giving to this House an undertaking that an inquiry will be held on a Government level into the diagnosis of this disease, on the understanding that the matter will receive consideration in the amendments which will be placed before Parliament in the next session, which amendments will also deal with other phases or sections of the Workers' Compensation Act.

The Hon. F. J. S. Wise: I do not know whether you are trying to do it in your motion or in your thoughts.

The Hon. A. F. GRIFFITH: I am trying to do it by motion to institute an inquiry into the diagnosis of silicosis and pneumoconiosis and, also, to institute an inquiry into the existing provisions of the Workers' Compensation Act; but that motion I still have in mind. So I do not think there is any purpose in my debating the pros and cons of the amendment to the motion. I merely seek to point out that the Government will find it preferable if the House were to agree to a motion in the terms I have foreshadowed.

In that light I will allow the debate to rest at the moment so far as I am concerned and trust the House will agree to the deletion of the words as proposed by the amendment, which will then leave the way clear for me to move to insert the words I have proposed.

THE HON. F. J. S. WISE (North—Leader of the Opposition) [10.13 p.m.]: I prefer to defeat straight out the amendment moved by Dr. Hislop and substitute the words proposed instead of the words set out in the notice paper. I acknowledge that we would have to move to delete those words again, but we have to deal with entirely different words from those contained in the present proposal. Therefore, I propose that we defeat outright the amendment moved by Dr. Hislop.

THE HON. E. M. HEENAN (North—East) [10.15 p.m.]: After listening to the Minister I feel that both Dr. Hislop and I will, to a considerable extent, achieve our aims if we adopted the suggestion put forward by the Minister. He very kindly showed me the amendment which he proposed, and after due consideration I am willing to accept it.

Regarding the amendment made by Dr. Hislop, I am inclined to agree with the Minister that the Government might experience considerable difficulty in achieving his aim to engage a Royal Commissioner from overseas. What worries me is the great deal of delay which might be involved. We might find ourselves in the position that by next year nothing would be accomplished.

I am sure this House appreciates the efforts which Dr. Hislop has made to educate and assist us, and the interest he has shown not only on this occasion but on other occasions when dealing with the subject referred to in the motion. In proposing the appointment of a Royal Commissioner from overseas he did so after great thought, but with the greatest respect to him I am worried about the delay which might be entailed. I am also worried about the difficulty which the Government would experience in procuring a suitable person.

Finally, I consider there are in Western Australia doctors who have had long experience and practical ability to deal with

this matter. Their wide-spread knowledge should, in my opinion, be adequate to achieve the immediate goal before us. Dr. Hislop might agree that the doctors practising in Kalgoorlie, Boulder and Norseman, and some of those practising in Perth who have had long years of experience on the goldfields, have in the course of their work come into daily contact with the very men concerned in the motion. Such experience, plus the experience of specialist medical practitioners like Dr. Hislop, should be adequate to cover the subject matter of the motion from the medical side, and should be sufficient to guide any committee of inquiry set up.

Therefore, it is with some reluctance that I have to oppose the amendment of Dr. Hislop. I do so mainly for the reason that I am afraid considerable delay might occur and months might elapse without our getting anywhere.

The Hon. A. F. Griffith: If you agree to the deletion of the words in the amendment of Dr. Hislop it does not mean that the words proposed to be inserted will be inserted.

The Hon. E. M. HEENAN: I am not quite certain about the procedure, but the words proposed to be inserted by Dr. Hislop are a bit impracticable. My idea for the appointment of a Select Committee might run into difficulties, in view of the lateness of the session. I am grateful to the Minister for offering to set up an inquiry which will go into the subject of pneumoconiosis, and into the provisions of the Workers' Compensation Act which apply to that disease and its effects. Therefore I accept the proposition put forward by the Minister.

Amendment (to delete words) put and passed.

The PRESIDENT (The Hon. L. C. Diver): The question is that the words proposed to be substituted be substituted.

Amendment on the Amendment

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines) [10.25 p.m.]: I move—

That the amendment be amended by deleting all the words after the word "to" in line five of the amendment and substitute the following:—

institute and inquiry into the diagnosis of pneumoconiosis and into the existing provisions in the Workers' Compensation Act, 1912-1961, for the compensation of workers afflicted with pneumoconiosis and its effects.

THE HON. J. G. HISLOP (Metropolitan) [10.26 p.m.]: I am not at all satisfied or gratified with the amendment on the amendment. I do not think that the amendment I proposed is impracticable. Firstly, a man of very high repute, to whom I referred in my remarks, visited Kalgoorlie

a year ago. I am given to understand that he is prepared to come to Western Australia again, and the firm in which he is engaged is also prepared to let him come here quickly.

The Hon. A. F. Griffith: You are referring to Dr. Scheper?

The Hon. J. G. HISLOP: Yes.

The Hon. A. F. Griffith: He is a salesman working for an organisation.

The Hon. J. G. HISLOP: He was here as a skilled person. If one were to look at the work he performed one would find it was work of a highly skilled nature. Leaving this person aside, I have submitted to the Minister a list of the names of all persons who have taken part in a conference in South Africa, and it would not be very difficult to ascertain from the South African Government which of the men employed in that area have the most experience.

I do not know the effect of the amendment on the amendment, the purpose of which is to bring about an inquiry. Is this another inquiry to be held behind the closed doors of the department, or will everybody concerned be called to give evidence?

The Hon. H. K. Watson: Including evidence by the department.

The Hon. J. G. HISLOP: This will get the miners nowhere. We need somebody in authority to act as chairman of the inquiry, so that any evidence given can be analysed by someone with long experience in dealing with pneumoconiosis, and in the main with silicosis. If this inquiry has to be carried out purely by the officers of the department, I point out there are very few people at the present time specialising in the treatment of silicosis.

The only person who is accepted as an authority on silicosis at the present time is Dr. McNulty of Kalgoorlie. Up to date he has been the arbitrator in all cases that have been submitted of miners suffering from silicosis. Even the State Government Insurance Office sends its cases to him. This doctor gives a report mainly on the appearance of the films of the individual, and he has expressed the opinion that most of the people concerned are suffering from bronchitis. This inquiry will be limited to an inquiry into pneumoconiosis and the existing provisions in the Workers' Compensation Act for the compensation of workers afflicted with pneumoconiosis and its effects.

I have tried to impress upon this House for years that the real problem at the moment is not the question of diagnosis of silicosis but the acceptance of those diseases which occur as a result of silicosis. There are conditions existing in the mines that possibly contribute to bronchitis and other diseases where very little shows in the way of silicosis on an X-ray film.

I quite realise that the proposition I have been putting up to the House is a very difficult medical problem and it cannot simply be solved by an inquiry which is a normal procedure, as it were, into the question as to who should be compensated for silicosis as we know it in this State.

There are areas in the world—and I refer particularly to South Africa where it is a much vaster problem than it ever has been here—where there are men of much greater experience. I am sorry to disagree with Mr. Heenan that the general practitioners in Kalgoorlie are no more experts in silicosis than I am, and I do not feel that I am justified in coming to conclusions about all the various aspects of this condition. However, I do feel there are men whose opinion can be obtained, and all I am trying to do is to see that this is once and for all put on to a proper basis.

Never once in the whole history of this State—despite the number of miners who are involved—have we ever made any research into this occupation. Yet the resolutions that were made by the conference in South Africa filled pages in connection with recommendations and further investigations. I cannot alter the situation if the Government has made up its mind, but I go from this House disheartened.

The PRESIDENT (The Hon. L. C. Diver): The question is that the words proposed to be deleted be deleted.

Amendment on the amendment put and passed.

THE HON. W. R. HALL (North-East) [10.33 p.m.]: I move—

That the debate be adjourned.

The PRESIDENT (The Hon. L. C. Diver): Order! I understand that as a rule, under Standing Orders, it is not permitted to debate the question put by Mr. Hall. Seeing that we are in the middle of a question, we should determine before we adjourn the debate. Therefore I will again put the question which I previously put, and that is that the words proposed to be deleted be deleted.

Amendment on the amendment (to delete words) put and passed.

The PRESIDENT (The Hon. L. C. Diver): The question now is that the words proposed to be substituted be substituted.

Amendment on the amendment (to substitute words) put and passed.

Amendment, as amended, put and passed.

Motion, as Amended

THE HON. W. R. HALL (North-East) [10.35 p.m.]: I have after all this conflict about Standing Orders decided to go on with the debate without adjourning it. I was very pleased to hear the Minister make the statement tonight in regard to an inquiry being made and I was also very

pleased to know that Mr. Heenan acquiesced more or less in what was said by the Minister.

I think that this pneumoconiosis or "oldmoconiosis" boiled down to pure Australian terminology is "miners' complaint" and whether pneumoconiosis or any other "osis" gets into this legislation, it will not make any difference to my thoughts about the matter, or to the effect on those who go into the bowels of the earth and contract this dreaded disease of miners' complaint.

When I was a lad, which was a long time ago, I had some mining experience—but only for four or five years. I have been down to great depths, but I never stayed there long enough to contract any disease; and I would say, I have contracted very little silicosis as it is called, but which boiled down to pure Australian, means "dust". However, it has the one ultimate result if a person stays down too long. He will finish up with the dreaded disease of T.B.

I think all goldfields members, and every other member as well, have some relatives who have passed on as a result of mining operations performed by those particular relatives.

I know Dr. Hislop has dealt with this disease and has had long experience, but at the same time there are a lot of us who have seen many go into the next world, as is said, as a result of the disease.

One point which I wish to emphasise to the Minister for Mines is that in 1903 this industry employed 20,716 men but is now employing about 5,500. Those figures show how the industry has declined over that long period. The statistical reports indicate that the numerical strength is dwindling every year.

We all know that as a result of ventilation and other systems adopted by the big mines, the lives and occupation of the miners today have been prolonged. We know, too, that in the years gone by members of this House—both past and present—have done a considerable amount for mining.

In the days when the ventilation was bad, small winzes were sunk in which there was little or no ventilation. As a result the men had to inhale the dust and fumes which was, of course, impregnated with all sorts of impurities which ultimately meant trouble to the lungs. However, all I want to say is that it is comforting to know that some effort is to be made by the Government to institute an inquiry and some research for the benefit of those who suffer from this terrible occupational disease. I am sure it will be comforting to the ones who are very close to those men to know that something may be able to be done. We know that despite all the medical practitioners, and the medical research which has been carried out,

there is no cure for this disease, and very little has been done to try to wipe it out or lessen it. The mines have done a certain amount by way of ventilation but there is still a lot to be done.

Medical research may be the means of more or less wiping out this disease, or, at least, controlling it to a large extent. We have the brains in Australia, without worrying about going outside Australia. Some great effort should be made to do something for these men who, as I say, once they put their feet into a cage and go underground into the bowels of the earth, start to decline. That is why we now have this word pneumoconiosis; because it has been found that once a man suffers from this disease for a certain period his physical set-up deteriorates and he is subject to pneumonia, bronchitis, and all those other diseases which affect the chest. As there is no cure for miner's complaint, he has nothing to which he can look forward. The longer he stays in the mines the worse he is going to get and the more silicosis he is going to contract.

What do we find? We find that some men have had as many as 13 dust tickets. That is a phenomenal number; and I understand others have received more. Some miners are told at various stages that they have silicosis and the best thing they can do is to get out of the industry. The trouble is that having so many of these dust tickets they are not much good for anything else. Some of them do not have enough wind to blow out a candle. The result is that these men have to be assessed and the result has always been—and Dr. Hislop can tell us this—that the men are never satisfied with the assessments they get. The general practitioners in Perth are inclined to give a higher assessment than the men would get from the Commonwealth laboratory in Kalgoorlie. But what is the result? They are not satisfied with the assessment they get.

However, if this amendment has the effect of doing something which will attempt to curb this particular occupational disease, it will be going a long way towards helping the industry and all those associated with it. No matter what proposals were submitted, I would have very great pleasure in supporting them if they were to give some benefit to the miners who work in the mines in Kalgoorlie and the surrounding districts, or should I say, in the goldmining industry of Western Australia.

THE HON. F. R. H. LAVERY (West) [10.44 p.m.]: I have on many occasions in this House spoken of my early history. On this occasion I wish to say that I am an ex-miner and every February I have to go before the X-ray committee because I have a scar on each lung. However, at my stage in life, I am not one of those who

would ever require to claim on any of the funds in existence under the Act. This is because when I was a young fellow in Westonia, during the first world war, I took an active part in many social activities, including the Red Cross Trench Comfort Committee. One day the mine manager said to me, "I am going to give you a fortnight's wages as a bonus, Fred, because of the services you have rendered here; and if I ever see you in a mine again I will get you the sack." Because of his good advice I have not worked in a mine since.

Very often in this House I support Dr. Hislop in some of the things he says, for the simple reason—and I am not being egotistical about this—that he thinks along the same lines as I do.

There is one question I would like to ask the Minister before I finish, but I have one or two things to say first. Over the last seven or eight years Dr. Hislop and I have had many discussions in his surgery about what should be done under the Workers' Compensation Act for dusted miners.

I should like to quote the case of a man named Bavarich. I took him along to see Dr. Hislop and after a thorough examination, and while the man was getting dressed, the doctor told me that Bavarich did not have long to live. The doctor said, "If you want to do something to help those men who are in a similar condition to this man, I would like you to call for a *post mortem* when he dies."

Unfortunately I was in Adelaide on the day he died and I did not arrive back until three days after he had been buried. There is a question I would like to ask the Minister, and I know he will answer me because he is very keen to see something is done about this matter. I want to pay him that compliment, although I do not often pay compliments to Ministers. But, like Dr. Hislop, I am wondering whether this is just going to be a departmental inquiry; because if it is then I shall vote against it.

It must be more than a departmental inquiry. Only the other day I got into hot water because of the disgraceful things I was supposed to have said about a certain under-secretary. But all I said was what I knew to be the facts, and that is all I am doing in this instance.

Twelve months ago I took a man along to see Mr. Heenan for some legal advice, and to see if anything could be done for him because he had been out of the mines for a little longer than is provided for under the Act. It was found that nothing could be done for him departmentally but then, out of the blue, the State Insurance Office sent him a letter asking him to go to Kalgoorlie to be examined. That man, who has been out of the industry for 10 years, is now receiving assistance. He is completely finished as a worker. He was

only sweeping up the office at the gas company at Fremantle, but he cannot even do that sort of work now.

The point I am making is that we have so many Bills before this House and after Parliament closes sets of regulations are made under those Bills and there the matter ends. That is why I want to make sure that this is not just a departmental inquiry; and while I support Dr. Hislop, I do not believe we need to go to the trouble to get an overseas man because I believe we have men in Australia capable of making any inquiry along these lines. However, Dr. Hislop's attempt was a most sincere one; and I can understand his feelings at the rebuff he received tonight, because he has been trying to get something along these lines for several years now.

When the Minister replies I would like him to give an assurance that this is not just going to be a departmental inquiry because if it is—

The Hon. A. F. Griffith: I do not have the right to reply.

The Hon. F. R. H. LAVERY: Could I ask the Minister to interject.

The PRESIDENT (The Hon. L. C. Diver): You could not.

The Hon. F. R. H. LAVERY: I know I cannot do that, but I would like to ask the Minister whether this is just going to be a departmental inquiry. If it is then I can assure him that his motion will not get my support.

The Hon. A. F. Griffith: The answer is that we will pursue the inquiry on the best possible basis.

THE HON. G. C. MacKINNON (South-West) [10.50 p.m.]: We now find ourselves in the position where there is nothing much we can do but accept the Minister's amendment. I am somewhat at a loss to understand how we arrived at this position; because it really arose from a motion for the adjournment moved by Mr. Hall. All of a sudden we found the whole question was put and here we are.

The Hon. F. R. H. Lavery: Now you are casting a reflection on the House.

The Hon. A. F. Griffith: It was not all of a sudden.

The Hon. G. C. MacKINNON: No. I am casting a reflection on myself because of my inability to follow the motion. The motion I heard was to adjourn the debate, and I am somewhat mystified to find now that we have to accept the Minister's inquiry because Dr. Hislop's words have gone and others have been put in.

The Hon. A. F. Griffith: Goodness gracious me! I foreshadowed this.

The Hon. G. C. MacKINNON: I agree; but I wish the matter had been put on the notice paper so that we could have been given at least 24 hours to study it,

particularly in regard to a matter as serious as this one is. Now we find we are in the position where we cannot do that.

The PRESIDENT (The Hon. L. C. Diver): Order! I would like to direct the honourable member's attention to the fact that the motion before the Chair can be adjourned at this very stage if it is so desired.

The Hon. G. C. MacKINNON: I fully appreciate the point that it can be adjourned, Mr. President, but we cannot now bring up Dr. Hislop's amendment, or debate the matter as we could before.

The Hon. H. K. Watson: Yes we can, by a suspension of Standing Orders which may be necessary and desirable.

The Hon. G. C. MacKINNON: It may be, but this is a matter to which we should give a good deal of attention. Perhaps someone else might adjourn the debate to get this matter back on to its proper footing. At the moment we do not know what authority this inquiry will have. Will it have authority to call witnesses and do all the things we want it to do?

The Hon. A. F. Griffith: For goodness sake get somebody to adjourn the debate.

The Hon. G. C. MacKINNON: I wish we had, before the matter had proceeded this far. It might be said, "What interest have you got in these matters as your area is such a long way from the mining areas?" But I would like to inform the House that there is a chap in Bunbury whom one or two members have met who was dusted in quarrying, and this question of silicosis has been drawn to my attention by that case. I believe it is vitally important, now we have got this far, for us to know the basis of this inquiry.

The Hon. A. F. Griffith: Would you have known the basis of the inquiry by the motion moved by Dr. Hislop? There were no terms of reference.

The Hon. G. C. MacKINNON: But we were able to debate Dr. Hislop's amendment. We have no alternative but to accept the motion moved by the Minister.

The Hon. A. F. Griffith: I stood here for half an hour explaining what we were going to do.

The Hon. G. C. MacKINNON: With all due respect, the Minister has capable advisers to tell him about these matters. We get these questions put to us and we have to absorb the information to the best of our ability. This is a fairly complicated subject and it is a complicated move to put words in and take words out, and so on. It is quite difficult to follow and, as one of our esteemed members who can quite rightly be expected to have this subject at his fingertips, said, "We need a bit of time to study this matter."

I am somewhat confused about it and apparently we have no alternative but to accept the Minister's amendment without knowing a great deal about the ramifications of the inquiry. I think we should have a bit more detail, and it is a pity we did not have a little longer time to examine the matter before we took a vote on it.

Debate adjourned, on motion by The Hon. G. Bennetts.

House adjourned at 10.55 p.m.

Legislative Assembly

Tuesday, the 23rd October, 1962

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The SPEAKER (Mr. Hearman) took the Chair at 4.30 p.m., and read prayers.

QUESTIONS ON NOTICE

MANDURAH

Opening of Bar

1. Mr. RUNCIMAN asked the Minister for Works:

When is it expected that plans will be completed for the permanent construction of the opening for the Mandurah Bar?

Mr. WILD replied:

A preliminary plan and estimate have been prepared. Before the plan is adopted it is intended to carry out a model study and this will take from six to nine months to complete.

Bore: Depth, and Quantity and Analysis of Water

2. Mr. RUNCIMAN asked the Minister for Water Supplies:
 - (1) At what depth was water obtained in the Mandurah bore?
 - (2) What is the quantity of water and what is its analysis?