

Legislative Council

Wednesday, 11th August, 1954.

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

QUESTION.

EDUCATION.

As to Minister's Tour of Guildford-Midland Electorate.

Hon. A. F. GRIFFITH asked the Chief Secretary:

(1) Will he ascertain from the Minister for Education whether he made a tour of the Guildford-Midland electorate on Friday, the 6th August, 1954?

(2) If so, who accompanied the Minister on his tour?

(3) What was the purpose of the tour?

(4) Which schools did the Minister visit?

(5) Will the Minister for Education explain why I was not invited to make this tour with him?

(6) Will the Minister for Education take steps to ensure that what appears to be a discourtesy is not repeated?

The CHIEF SECRETARY replied:

(1) I am advised that the Minister for Education, Hon. W. Hegney, did make such a visit on the date mentioned.

(2) The member of the Legislative Assembly for the district, Mr. J. J. Brady; the Director of Education, Dr. T. L. Robertson; the Chief Administrative Officer of the Education Department, Mr. E. C. F. O'Mahony; and the Minister's secretary, Mr. B. S. Marshall.

(3) A ministerial inspection of educational facilities in the district.

(4) Infants' school, Morrison-rd., Midland Junction; convent school; Middle Swan school; Midland Junction High School; Midvale school; de la Salle boys' school; Bellevue school; Midland Junction Technical School.

(5) and (6) Customary practice was followed on this occasion.

BILLS (5)—THIRD READING.

1, Stamp Act Amendment.

2, Police Act Amendment (No. 1).

3, Reprinting of Regulations.

4, Coroners Act Amendment.

5, Matrimonial Causes and Personal Status Code Amendment.

Passed.

BILL—INQUIRY AGENTS LICENSING.

Report of Committee adopted.

BILL—STATE GOVERNMENT INSURANCE OFFICE ACT AMENDMENT.

Second Reading.

Debate resumed from the previous day.

HON. C. H. SIMPSON (Midland) [4.40]: The Chief Secretary, in introducing the measure, told us that it was practically the same as the one that was before the House last year, with one notable exception; namely, that the provision in the previous Bill to include life assurance had not been included in this Bill. In going through it, I notice that there are other minor alterations which have embodied amendments agreed to by the Chief Secretary in the Committee stage of the previous Bill.

Very rightly, the Chief Secretary said that when the second reading of the Bill was carried, it was on a 16 to 9 vote, and that the third reading was rejected by a vote of 13 to 11. When the Bill was re-submitted, its rejection was confirmed by a vote of 15 to 12. I think some comment, at this stage, on the initial passing of the second reading, is desirable.

Frankly, there was some misunderstanding by members outside the House, with the result that the debate was not continued as anticipated; and, before we could make the necessary arrangements for an adjournment, the motion had been put, and the second reading was carried. The Chief Secretary has told me that he would have agreed to an adjournment had one been asked for; but as several of our members were away, and as the vote was taken unexpectedly, we did, as far as we were concerned, get an unexpected result.

The Chief Secretary: Surely you would not have stopped the second reading and then let the Bill go through to the Committee stage for consideration.

Hon. C. H. SIMPSON: I am coming to that point now. Had the Bill been as fully debated in the second reading stage as it was in the Committee stage,

I think the attitude of those on this side of the House at least, would have been consistent with the attitude that was adopted in previous years when proposals were submitted that would involve the State in trading and an invasion of the field of private enterprise. That is the attitude that this House has consistently adopted over the years. I suggest that as the adverse vote of 13 to 11 resulted in the rejection of the Bill at that stage, it was then that members realised more fully the implications in the Bill. I am sure that it was a considered vote. I assured the Chief Secretary at the time that no prearranged attitude to the third reading had been adopted; it was a conscientious vote on the Bill by all members on this side of the House.

The Chief Secretary: Without any whips being cracked?

Hon. C. H. SIMPSON: No; I do not think so.

Hon. H. Hearn: They never do that with us.

Hon. C. H. SIMPSON: There was consultation, but there was also an intimation that members on this side of the House would still retain their traditional right to vote as they wished. I maintain that that was the understanding given to members regarding the vote on the third reading. They had the right to register their opinions individually, and the voting result was one of those things which occasionally must be expected. The Chief Secretary has now assured us that this Bill is practically identical with the measure submitted last year; except, of course, that the big question of life assurance does not enter into it.

I have gone through the Bill and compared it with that which was presented last year; and I find there are one or two minor additions which need not cause us any concern at this stage. The Chief Secretary intimated that as the Bill had recently been fairly fully discussed, there was no point in his giving us a very detailed analysis of the measure on this occasion. With that, substantially, I agree. However, I think, knowing the persuasive character of the Chief Secretary, that it is just as well for us to re-examine the points for and against this Bill, so that we can reaffirm our attitude towards it, if we so desire, in the light of the latest information available.

My attitude towards the Bill that was presented on a previous occasion, was clear-cut and unequivocal. At that time I said I was a confirmed opponent of the idea of any extension, on the part of the State, into a field of trading, which should be the prerogative of private enterprise. Recently, the Minister for Supply and Shipping accused me of being inconsistent. In effect, he said that while I preached anti-socialism, I did, on one

occasion, conform to the doctrine of socialism. He instanced, as a case in point, the fact that I had advocated the taking over, by the Government, of the Midland Railway system. I want to make my attitude towards questions of this character clear-cut. I believe, and I think most members believe, that there is a field for the State to cover in the conduct of, perhaps, certain public utilities. Water supplies and railways are two of them. They are, essentially, services of a developmental character.

At this stage I wish to interpolate to correct a previous statement that I made. I named the Minister for Supply and Shipping as accusing me of being inconsistent, when I should have said Mr. Davies. I believe it is the function of Governments to do certain work of a developmental character. That is a field in which there are risks, of necessity; and I think it is a function of a community as a whole, through its Government, to take those risks. I believe that, say, the extension of certain transport services into developmental areas—which must show a loss and could not be undertaken by a private individual without his receiving a subsidy—does, in the long run, return to the State revenue of an indirect character which makes these undertakings payable propositions as far as the State is concerned.

I consider, however, that by and large, the attitude of a Government should be that of a competent policeman. A policeman is there to help, advise, and inform, but not to interfere. He is there to see that the law is upheld, and that the rights of the great majority—that is, the law-abiding majority—should be protected against the threat from a law-breaking minority. I believe also, that generally speaking, the best governed State is that which is least governed.

Over the years, the excursion of the State into the arena of trading has either been fairly disastrous; or, where it has held its own, it has been because the conditions of industry and the avenues of trading are on selected grounds, so that it could hardly have failed to show a profit on those particular enterprises. I mention the State Saw Mills, which I believe are very competently conducted. The State Hotels Department is another such utility. There again, differences are apparent in individual hotels in regard to returns received compared with returns which might have been expected had those undertakings been directed by private enterprise. Generally speaking, the State should confine itself to those activities which private enterprise cannot effectively cater for.

Turning to the field of insurance, we find that private enterprise adequately caters for that. There are many companies operating in the State; apparently this business is worth while, otherwise there would not be that number of insurance

companies continuing activities. With the number of insurance companies already operating, there is a guarantee of competition in the business, and a guarantee that the customer will get the best possible service, because those companies which succeed have proved themselves by virtue of the good service they have given.

Let us not forget that there were insurance companies which did not give that good service and which failed. So the guarantee of service to customers, which should be the gauge by which business enterprises are judged is, in my opinion, met by the ability of the individual to select one of many companies that may be operating, and by his freedom to transfer his business from one company to another if he is not satisfied with the service given. But, as I see it, the Government's attempt to enter the field of insurance seriously could easily be the forerunner of an attempt to create a State monopoly in insurance.

The Chief Secretary: We would still have power to deal with that if it arose, just as there is power now to deal with this Bill.

Hon. C. H. SIMPSON: The best way to stop that occurring is to prevent the invasion into the field of insurance threatened by the passing of this Bill.

The Chief Secretary: If you had been present, what would have been your attitude when the State Government Insurance Office was born? I would like you to deal with that question.

Hon. C. H. SIMPSON: I am informed it was an illegitimate child.

The Chief Secretary: Do you know why it was born?

Hon. C. H. SIMPSON: Several attempts have been made to legalise the introduction of the State into the field of insurance.

The Chief Secretary: Why was it necessary to form the State Insurance Office?

Hon. Sir Charles Latham: Because of miner's phthisis and other diseases suffered by miners in this State.

Hon. C. H. SIMPSON: I cannot conceive of anything not covered by insurance.

The Chief Secretary: You had better look up its history.

Hon. E. M. Davies: Because private insurance companies refused to cover those industrial diseases.

Hon. C. H. SIMPSON: An attempt was made to legalise this. As a matter of fact, the State Government Insurance Office remained in operation although it was not covered by any statutory authority, from as far back as 1926. In 1937, after four attempts had been made to pass

the necessary legislation, a select committee was formed. One of the recommendations made by the committee was that statutory approval should be given to the activities of the State Insurance Office, but that its business should be confined to certain classes.

The Chief Secretary: You are getting to the stage when the office was many years old. I want to know why it was born.

Hon. Sir Charles Latham: Because it was impossible to determine the liability.

Hon. C. H. SIMPSON: One reason for its being formed was that it was a pledge of the Labour Party that insurance should be nationalised.

The Chief Secretary: That was not the reason.

Hon. C. H. SIMPSON: It is a plank of the Labour Party platform and appears in the party's handbook.

The Chief Secretary: Do you know why it was born?

Hon. E. M. Davies: Members opposite do not want to tell you.

Hon. C. H. SIMPSON: The facts speak for themselves. Prior to that, the State did engage in trading in butcher shops and fish shops.

The Chief Secretary: You are getting off the track. Answer the question: Why was it born?

Hon. C. H. SIMPSON: I cannot see that that has any real bearing at present. Whether it was born legally or not has no bearing. At the moment, a Bill has been introduced to give the State Government Insurance Office widely increased powers to enter other fields of insurance. I wish to state here and now that I have the greatest respect for those who manage the State Government Insurance Office. They are very capable men, and are carrying out their duties in a perfectly satisfactory manner. It is the policy of the Government, in attempting to widen the field of operations under certain conditions which private companies do not enjoy, to which I object.

The Chief Secretary: What are they?

Hon. C. H. SIMPSON: Invading the field which is adequately covered by private companies, and better catered for because of the spirit of competition.

The Chief Secretary: Then why are you afraid of what is going to happen?

Hon. C. H. SIMPSON: Because I am afraid it will develop into a monopoly.

The Chief Secretary: Not when there is a Legislative Council in the State.

Hon. C. H. SIMPSON: That may or may not be. For myself, I cannot support any extension of the State Government Insurance Office because of that fear. I said that the State Government Insurance Office enjoys certain conditions. The Bill

introduced last year provided—and the one introduced this year is similar—for what might be termed free agents in country centres to represent the State Government Insurance Office. Those agents could be clerks of court, policemen, and other Government officers. The police officer in a country town has a good deal of influence, particularly over business people; and if he went along providing free service for the State Government Insurance Office, he would naturally influence a great deal of business.

I do not think that would be fair trading. That is an advantage which a private insurance company does not enjoy. Let us not forget that there are many estimable people acting as agents in country centres who rely to quite a large extent, sometimes, on the income derived from their services as agents for insurance companies. The State Government Insurance Office has an advantage this way: it has practically a monopoly of workers' compensation insurance. It has an arrangement with local authorities in that regard.

The Chief Secretary: Not a compulsory tie-up.

Hon. C. H. SIMPSON: Yes. It has a big percentage, if not an actual monopoly, of compulsory insurance. That means that all this type of business goes to the State Government Insurance Office with practically no effort on its part and without any expense.

The Chief Secretary: It is quite voluntary on the part of those who insure with the State Government Insurance Office.

Hon. C. H. SIMPSON: Maybe; but private companies generally find that insurance has to be sold. They employ agents, and a sufficient scale of remuneration must be paid in order to hold those agents in a highly competitive business.

The Chief Secretary: That might apply to life assurance but not to other classes of insurance.

Hon. C. H. SIMPSON: That applies to fire insurance particularly. There is a fair amount of competition for business in that line. I ask myself certain questions in trying to arrive at a decision as to whether and extension of the Government service is justified. I ask:

- (1) Is private enterprise ready and willing to give this service?
- (2) Are adequate facilities now available to the public?
- (3) Is there competition?
- (4) Are existing facilities sufficiently stable to meet these obligations?
- (5) Are existing conditions of employment in insurance offices fair and reasonable?

Those questions must be answered with an unequivocal "yes."

The Chief Secretary: You ought to add another question to that list.

Hon. C. H. SIMPSON: What does the Minister suggest?

The Chief Secretary: Are they giving the service at the most reasonable price?

Hon. C. H. SIMPSON: The actual rates are adjusted from time to time by the Premium Rates Committee on which the State Insurance Office is represented. The rates fixed are common to all; on ordinary insurance there is no difference between them. I am afraid that if the powers sought were given to the Government office, and that in course of time it developed into a monopoly, we should be confronted by the same position as that which has arisen in Queensland. It is rather interesting to compare the rates charged by the Queensland Government Office with those charged in Western Australia. For the purpose of record, I shall recite them—

Class	Queensland Rate %		Western Australia Rate %	
	s.	d.	s.	d.
Aerated water factories	42	0	36	0
Boilermakers	52	6	22	9
Builders	49	6	32	6
Bus crews	31	6	7	6
Carters	79	0	46	3
Clerical	3	6		9
Clothing factories	7	0	4	3
Electricians	38	6	23	6
Farmers	38	6	37	0
Fishermen	99	0	31	3
Orchardists	38	6	18	9
Leather goods factories	30	0	14	0
Petrol service stations	17	0	7	0
Roadmakers	59	6	17	9
Tile and brick works	66	6	35	3

The Chief Secretary: Rather incomplete quotations—only the charges, not the benefits.

Hon. C. H. SIMPSON: Those are the rates per cent., and they represent a heavy tax on industry. The profits made by the Queensland Government Office in the last three years on workers' compensation insurance have been as follows:—

1951	£915,006
1952	£889,551
1953	£959,450

I shall be told that a rebate is granted by the Queensland office. I am prepared to admit that. Exactly what that would leave the rates of premium at, I do not know; but why charge that extra amount in the first instance? Why not cut the premium rates down, or have them adjusted by a committee such as we have here, so that the rates would be something like commensurate with the actual amounts necessary to be raised to cover the risks? Under these insurance rates, the business is from year to year. The risk is not carried forward into the second year; second and third years are individual contracts for those years. It should be unnecessary to quote other rates of insurance. The point I have made illustrates what can be done by a monopoly concern as compared with the rates chargeable where a number of companies and a Government office are in open competition one with the other.

Here is a letter that might well be quoted, showing that there is not always an attitude of satisfaction where there is only one insurance office engaged in the business. A letter was sent to the insurance office in Queensland from the Toowoomba City Council expressing extreme resentment at the tone of a letter received from the State Government Insurance Commissioner. The letter acknowledged the decision of the council with regard to insurance business and said it assumed that the council would make other arrangements with regard to future loan requirements.

Aldermen termed the letter a threat to the council with regard to any applications for loan moneys from this source. Alderman R. J. Dunne recommended that the council place its insurance business with a company which would treat it with respect. He considered the term "extreme resentment" too mild in the circumstances. That is an instance where the insurance of a local authority had to be placed with the State office, and apparently the local authority was not too happy about its experience.

I am aware that the Bill contains provision for covering risks by reinsurance; but that is done to a much greater extent by the tariff companies as between themselves, with the result that a great proportion of the revenue is retained in the State. With reinsurance outside the State, the Government or the people lose the use of a certain proportion of the money because of the need for sending it away instead of keeping it within the State.

A good deal more might be said in support of the view we take that this is eminently a field for private enterprise, and that the State should not seek further to invade it. I consider that the existing position might well be maintained. I cannot see that any benefit would be gained by the passing of the Bill and the extending of the activities of the State Insurance Office. I believe that the public is well served under the present set-up, seeing that it has a choice of companies, and that the companies are catering for the business in a competitive way. I hope that the attitude of members on this side of the House will be consistent with that adopted towards a practically identical Bill at the third reading stage in the session of last year. I oppose the second reading.

HON. G. BENNETTS (South-East)
[5.10]: I support the second reading. It is time that the State Insurance Office was given authority to compete with the companies. The State office is doing a great job for the industrial workers on the Goldfields. Having taken over that class of business, it now wishes to enter the general field and participate in the business carried on by private companies.

There are between 50 and 60 insurance companies in Western Australia, and the expense of the buildings they occupy and the wages they have to pay must be considerable. If the work were confined to a few of them, benefit must result to the people in that they would be granted cheaper premium rates. The companies are huge concerns with plenty of capital. Why not permit the State office to share in the business and divert some of the profits to the State Treasury? It is time the House woke up and gave the people a chance to secure some of this profit for the State.

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

BILL—LOTTERIES (CONTROL).

In Committee.

Resumed from the previous day. Hon. W. R. Hall in the Chair; the Chief Secretary in charge of the Bill.

The **CHAIRMAN**: Progress was reported after Clause 4 had been agreed to.

Clause 5—Lotteries Commission constituted:

Hon. Sir **CHARLES LATHAM**: I move an amendment—

That the words "the Governor may determine" in line 8, page 5, be struck out and the words "may be determined by regulation" inserted in lieu.

The adoption of the amendment would provide a connection between the public, the Lotteries Commission, and Parliament. The lotteries represent a voluntary form of taxation, and my amendment would afford Parliament an opportunity to discuss any question affecting them. We propose to give the commission permanency of existence and to remove the right of Parliament to fix the salaries. The idea is that this matter will be in the hands of the Minister, and Executive Council will determine the payments to be made. If this were done by regulation, the regulation would be tabled and Parliament would be in a position to discuss the matter. I am not worried about the immediate future of this legislation, but I feel some anxiety in relation to the years to come.

The **CHIEF SECRETARY**: Neither the passing nor the defeat of the amendment would be vital to the Bill, but I am not accepting it because I cannot understand why we should discriminate between the Lotteries Commission and other commissions and boards. In few, if any, cases are the fees fixed by regulation. Surely, every time that there is an alteration to the fees paid to members of the commission, we do not want it to be kicked around the Chamber! I do not think Parliament needs any more protection than it already has in this regard. Where it is necessary to make some alteration, a member has the right to introduce an amending Bill.

Even if we agreed to the amendment, a member would not be permitted to introduce other phases when discussing the regulation. He would be bound to discuss the fees only. However, the amendment is not vital, and I do not care whether it is agreed to or not; but I could not accept it as being an improvement to the measure.

Hon. Sir CHARLES LATHAM: There is a difference between the Lotteries Commission and ordinary boards. The Milk Board, the Egg Board, and other boards, represent certain industries, and the people in those industries have annual meetings and are able to deal with the boards. It is true that the boards are appointed for a certain period, and the members, as a rule, are paid fees for attending sittings; but the people in the industry concerned have a control over them. Here we are dealing with a commission which, in turn, is dealing with money subscribed voluntarily by the public. That is a totally different thing, and I am surprised that the Chief Secretary should try to compare the two.

Some people have a strong objection to lotteries, and I want Parliament to retain an opportunity to have some say in this connection. When the regulations are tabled, we will have a chance to discuss the commission; and therefore I contend that this is a most important point. Last year the commission handled £1,000,000 of public money, and so far there has been no fault to find with it. I am satisfied with its actions in the past; but I am concerned about the future, because I want the good name that the commission has today retained for all time. This is the only link we will have now that the commission is being made a permanent part of our life.

Hon. H. HEARN: I trust that the Committee will agree to this amendment. We have gone a long way in the development of the Lotteries Commission in Western Australia, and we have now given it a permanent place in our economy. My experience of Governments is that, generally speaking, they are too mercenary when it comes to paying their own servants. We all recognise the magnificent job that the Lotteries Commission has done; and with the developments that are likely to take place in Western Australia during the next ten to 20 years, it may be just as well to have this tiny link with the commission.

We private members look at things far more generously than does the Government especially the payment of salaries to civil servants. Last time I queried the division of the money—not the amount that the chairman would be receiving, but the paltry amount paid to the commissioners. I still think that the Government should review some of the payments made to members of the commission; and it would be a good idea if this Chamber

were given the right, through the regulations, to see what the policy of the Government was from time to time in this regard.

The CHIEF SECRETARY: I am rather amused at the way members are stretching the meaning of this amendment. If it is agreed to, the regulation will affect only the fees paid to members of the commission.

Hon. Sir Charles Latham: I made that perfectly clear.

Hon. H. Hearn: We know that. We have not been exaggerating it.

The CHIEF SECRETARY: Oh, no! The hon. member said that Parliament would be given an opportunity to have a say in the policy of the Government.

Hon. H. Hearn: I did not say that. I said in the payment of the fees.

The CHIEF SECRETARY: The hon. member said "Government policy."

Hon. H. Hearn: No. The Minister wants a hearing aid.

The CHIEF SECRETARY: If the hon. member would check with "Hansard," he would find that he used the words "Government policy". The hon. member might not have realised it, but that is what he said. I cannot see where this will give members a hold over the Lotteries Commission. They would not be allowed to discuss anything other than the fees payable.

Hon. J. Murray: If you paid them phenomenal salaries, it could be classed as policy.

Hon. Sir Charles Latham: This present Government will not be there for ever and ever.

The CHIEF SECRETARY: I cannot see any point in the amendment. If it had been raised in connection with some other part of the Bill, and Parliament had been given some hold over the general policy of the commission, I could have understood it.

Hon. Sir Charles Latham: The policy is pretty clearly laid down in the Act itself.

The CHIEF SECRETARY: It is too small to be considered seriously, and I cannot understand how members can say that it will give Parliament a hold over the commission.

Hon. Sir Charles Latham: Nobody used the word "hold".

Hon. H. Hearn: I said "link".

The CHIEF SECRETARY: A link holds. However, it is not a serious matter, and I do not think the amendment would be an improvement; if I thought so, I would accept it.

Hon. J. G. HISLOP: It is interesting to see what could have been paid to these members when one realises it is provided

the aggregate fees payable in respect of each lottery shall not exceed 2½ per cent. of the gross subscriptions in each case. If we had used that basis on the turnover today, I am advised that £25,000 would have been allotted to members of the Commission.

The Chief Secretary: There is that danger; and if this could be done by regulation, it might be increased today.

Hon. J. G. HISLOP: The payment made to one member is £266—he is on a part-time basis—which amounts to £5 a week; and yet a labourer gets £5 a day. Another one receives £900 a year, and he is supposed to be almost a full-time servant. In order to make a livable wage, he holds a position on the Grants Commission, for which he receives £400 a year from the Commonwealth Government and £5 5s. per sitting. It is a miserable salary, and yet he is almost a full-time official running the lotteries. All told, he would not be receiving more than £1,500 or £1,600 a year.

Hon. H. Hearn: There is something in what I said.

Hon. J. G. HISLOP: I do not think it would do any harm if Parliament were given an opportunity to see the fees payable to these people.

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

Clauses 6 to 8—agreed to.

Clause 9—Matters to be observed in connection with lotteries conducted by commission:

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

That all the words after the word "stock" in line 35, page 8, be struck out.

I would make it clear that my purpose is to leave the Lotteries Commission as a body entitled to raise funds, but not to distribute them. That this should be the position has been my contention since I entered Parliament.

We have listened to the statement that some members of the commission on part-time work receive £5 a week. Yet these people on £5 a week are expected not only to assist in the conduct of the lotteries, but also to fit themselves as persons to decide where these large sums of money should go within the State. I suggest that the distribution of the funds should be in the hands of a body especially trained in the knowledge and the needs of hospitals and charities.

I have not the slightest objection to any of the members of the Lotteries Commission. They have always been most generous to requests made by me, though I have endeavoured not to make any major requests. They were most generous in making a grant to the Coronation Gift Fund when I was secretary. They also

made funds available for the provision of facilities to enable paralysed people to read from literature on the ceiling.

Distribution of the money calls for something more than is laid down in the Bill. The only guide to distribution in the Bill is that the commission may from time to time, with the consent of the Minister, distribute moneys for charitable purposes.

Hon. L. Craig: But that is the main purpose of the commission; the raising of money is automatic today.

Hon. J. G. HISLOP: How can any person on such a small salary fit himself to guide and control the distribution of such large sums of money?

Hon. L. Craig: It is only in the form of directors' fees.

Hon. J. G. HISLOP: Then it is a board of directors distributing these funds. I still maintain that is not the correct method of doing it. There should be a special body supervising the entire needs of the State insofar as the distribution of funds to hospitals and charitable organisations is concerned. If charities receive moneys from the public they should be able to place before the Lotteries Commission a full statement of their needs and of their finances and their method of handling those finances. They should also show how they treat the inmates of their organisation, and the manner in which the money is spent. I realise they have to submit receipts to the Chief Secretary for all charitable purposes.

If we had a commission similar to those which exist in Victoria and New South Wales, it would be far more efficient in providing for hospitals and charities than the method adopted here. In the not too distant future we will probably get a medical school here, and we will need a more organised method for the provision of hospital and like facilities.

In the past, the Lotteries Commission has undoubtedly done well in the distribution of its funds; but whether it has done so or not, it is the wrong method of handling this money in the best interests of the community. Instead of people having to ask the Lotteries Commission for money, the matter should be placed in the hands of individuals who are trained in the needs of hospitals and charities and who can keep an eye on the entire State. The members of the commission may have gathered knowledge over the years, but none of them has been specially trained in either hospital or charitable needs. A permanent body of trained men should be given the right to distribute the money.

The CHIEF SECRETARY: I hope the Committee will not agree to the amendment. This provision is the main reason for the creation of the commission, and if it is wiped out, it will mean that we will have one body to raise funds and another

to distribute them. There is no sense in that. The commission has been in operation a number of years, and no serious complaints have been made concerning the distributions.

Hon. Sir Charles Latham: They are published in the newspapers.

The CHIEF SECRETARY: A report is also placed on the Table of the House. My advice to members would be to leave well alone.

Hon. J. D. TEAHAN: I disagree with the amendment moved by Dr. Hislop. He says we should have one body to raise funds and another body to distribute them. He bases his argument on the fact that some of the members of the commission are not paid enough. The answer to that is that we should pay them well enough to enable them to carry sufficient weight in their duties.

Although the commission has been challenged several times in the last 20 years on various points of distribution, it has always answered the challenge. The distribution of funds is generally reduced to mathematical accuracy, and the commission has achieved that. If we follow Dr. Hislop's advice, we may have a man who is sympathetic towards hospitals, but not quite as sympathetic to orphanages, homes, and other such charities.

The present chairman has an excellent knowledge of distribution; and when he leaves the commission we should be careful in the selection of another man, and ensure that he has a similar knowledge and a soft spot for charities. A man who has gained experience over the years is better than one who has just been trained. One may have a particular leaning towards a medical school, or universities, or colleges, but have no sympathy with orphanages. If the officers are not sufficiently paid, we should remedy that.

Hon. E. M. DAVIES: I disagree with Dr. Hislop. His argument that the members of the commission should not distribute the funds because they are not sufficiently paid carries no weight with me. My experience has been that a number of people are prepared to give their knowledge and ability in the furtherance of charitable organisations and they receive no fees at all. The commission is composed of men who have gained experience over the years, and they have been accustomed to dealing with requests made from a purely charitable angle. When we view their actions over the past, we must come to the conclusion that they have at least done a very good job for the people of this State. I trust that the Committee will not agree to the amendment.

Amendment put and negatived.

Clause put and passed.

Clauses 10 to 22—agreed to.

Clause 23—Offences:

Hon. N. E. BAXTER: I think that the word "wilfully" should be inserted after the word "acts" in line 25, page 16.

Hon. L. Craig: Surely the words "with intent to defraud," at the beginning of paragraph (b) in line 24, mean "wilfully!"

The CHAIRMAN: Is it the hon. member's intention to move in the direction indicated?

Hon. N. E. BAXTER: Yes. I move an amendment—

That after the word "acts" in line 25, page 16, the word "wilfully" be inserted.

The CHIEF SECRETARY: There is no need to insert this word. The objective of the hon. member is covered by the words "with intent to defraud."

The CHAIRMAN: The word seems redundant to me.

The CHIEF SECRETARY: It is absolutely redundant.

Hon. N. E. BAXTER: I am prepared to withdraw the amendment.

Amendment, by leave, withdrawn.

Hon. L. A. LOGAN: I would like to ask for an explanation of the penalty provided in paragraph (d) on page 17. In connection with the other paragraphs, there is a monetary penalty, or else provision is made for either imprisonment or a fine. In this instance there will be no option; the offender will be imprisoned for three years.

The CHIEF SECRETARY: I cannot give an explanation as to why only imprisonment is provided for, except that it may be on account of the seriousness of the offence, which amounts to the conducting of a rigged lottery. Anyone who would conduct such a lottery should not be given the option of a fine; even imprisonment would be too good for him. People could run such lotteries and get a good living out of them, and they would be prepared to pay a fine.

Hon. Sir CHARLES LATHAM: Even if this penalty were not included in the measure, the Criminal Code provides for it. When crossword puzzles were being conducted in this State, a certain gentleman was sentenced to a term of imprisonment, because there was no alternative, for having taken the answer to a puzzle and passed it on to a relative.

Hon. J. G. HISLOP: I think we should look at paragraph (f) on page 17. Here a penalty is provided for a person "not" doing something. The paragraph reads—

not conducting a lottery in accordance with the conditions of a permit granted in respect of the lottery.

I consider that the word "not" is out of place and should appear after the word "lottery." As the paragraph is framed, it

is bad English. The question is not one of "not conducting a lottery," but of "conducting a lottery not in accordance with the conditions of a permit." I move an amendment—

That the word "not" appearing before the word "conducting" in line 19, page 17, be struck out with a view to inserting it after the word "lottery" in line 19.

The CHIEF SECRETARY: I think that in endeavouring to be technical, we are not doing the right thing. The paragraph is correctly phrased. Let me put it this way: A man obtains a permit to conduct a lottery and does not do it in accordance with the conditions of the permit. That man would be told, "You have a permit from the Lotteries Commission but you did not conduct the lottery in accordance with the conditions laid down." He would not be told, "You obtained a permit and did conduct a lottery not in accordance with the conditions." I think that the word "not" is correctly placed in the paragraph.

Amendment put and negatived.

Clause put and passed.

Clause 24—Regulations:

Hon. Sir CHARLES LATHAM: I move an amendment—

That after the word "purposes" in line 33, page 18, a new paragraph be inserted as follows:—

(a) prescribing the allowances and remuneration of the Chairman and members of the Commission.

The CHIEF SECRETARY: In view of the amendment carried earlier in regard to this matter, I think it is necessary for this one to be passed.

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

Title—agreed to.

Bill reported with amendments.

BILL—JURY ACT AMENDMENT.

Second Reading.

Debate resumed from the previous day.

HON. C. H. SIMPSON (Midland) [6.1]: I cannot say that I am particularly enamoured of the Bill. My first reaction is to suggest to the Government that the measure be withdrawn and submitted in a different form. As it stands, it provides for female electors of the age of 21 and up to 60 to be eligible for enrolment and liable for service as jurors, with the proviso that they can notify the authorities that they do not wish to perform this duty.

So far, that is generous enough, but I should say that the majority of women would, because of disinclination rather than disability, prefer not to serve on

juries. While the measure provides that they shall have the right to object, I am of the opinion that many would not be aware of their privilege in that regard, and so would find themselves liable to serve on juries; and possibly they would be surprised when they found they were so liable, and would be embarrassed by having to perform the duty. It would obviously be too late for them to lodge an objection then.

There is a difference between the qualifications set out for a woman juror and those for a male juror. The latter must have a property qualification, whereas no such qualification is demanded of a woman juror. I find another anomaly, inasmuch as, while provision has been made for women jurors in New South Wales and Queensland, they are not provided for in the other three States of the Commonwealth—Victoria, South Australia, and Tasmania. The qualifications in New South Wales and Queensland provide for the enrolment of only those women who make application; but we have approached the question in reverse, as it were, by giving entitlement to all women, and then providing that they may protest against their obligation to serve on juries, and so may evade or avoid that obligation. That is to say, it is optional for them to serve.

The point is that under this measure they have to refuse to accept the obligation; whereas in the other States which have provided for women jurors, the women are enrolled only when they make application, which is a practice I would much prefer. In England, women adults, if their names are in the jurors' book, are not only liable for enrolment and service, but must assume duty when called upon. I have no information as to what entitles them to registration in the jurors' book.

It is interesting to look at the qualifications for men in the Jury Act, and also at the exemptions. Section 5 provides—

Every man (except as hereinafter excepted) between the ages of twenty-one years and sixty years residing within the said Colony, and who shall have within the Colony, either in his own name or in trust for him, real estate of the value of fifty pounds sterling, clear of all incumbrances, or or a clear personal estate of the value of one hundred and fifty pounds sterling or upwards, shall be qualified and liable to serve as a common juror in all civil and criminal proceedings and on any inquisition in the said Colony within a radius of thirty-six miles from his residence.

The exceptions are set out in Section 8—

The following persons shall be exempted from serving on juries, and shall not be inserted in the lists to be prepared by virtue of this Act, or if inserted may claim exemption, that

is to say: Members of the Executive and Legislative Councils, members of the Legislative Assembly, the officers of the Civil and Criminal Courts, persons holding office under the Imperial Government, all ministers of religion, barristers, attorneys, and solicitors admitted and in actual practice, and their clerks, "duly qualified medical practitioners," naval and military officers on full pay, pilots, mariners actually employed, sheriff's officers, peace officers, town clerks, captains or superintendents of fire brigades, schoolmasters, journalists, bank managers, chemists and druggists duly qualified and in actual practice, persons employed solely and exclusively in any department of the public service, all officers and servants of the Commissioner of Railways, and all officers and servants employed upon or in connection with any private railway.

That is a fairly formidable list of exemptions; and it could mean this: that by the automatic enrolment of women, without any property qualification, every woman elector could be added to the jury list. Then, if we take the proportion of men, which is roughly about the same as the proportion of women in this State, we find that the men are restricted in number because of the property qualifications and the list of exemptions provided by statute. So we could have women jurors outnumbering men fairly considerably.

Hon. R. F. Hutchison: They are subject to the same conditions under the Act as the men.

Hon. C. H. SIMPSON: I do not think they are; because, while women jurors qualify for enrolment without any restriction—unless they come within one of these provisions—the men are in a somewhat different position. In my opinion, the number of men who would be exempted and disqualified would be far greater than the number of women who would be similarly disqualified.

Personally, I hold the view that women occupy their most useful sphere in the home. Their qualities are particularly applicable to the domestic sphere. They have charge of the children who will become the citizens of the future; and they are performing a very noble work. I am not decrying the value of their work or influence in the slightest degree; I want that to be clearly understood. When, however, it comes to jury service, I feel that there are many cases that are unsavoury and unfit to be considered by a woman juror.

Hon. E. M. Davies: Some women lawyers take on these unsavoury cases.

Hon. C. H. SIMPSON: I say that by and large it is an unpleasant duty, and one that most men are not at all anxious to be engaged upon.

Hon. Sir Charles Latham: And some women lawyers will not take them.

Hon. C. H. SIMPSON: That may be so. I might be prepared, if I thought the public demand was great enough, to concede that women who have a particular zeal for service in this sphere could be called upon to make application for enrolment as jurors. In special cases, their services might be of value.

Hon. C. W. D. Barker: Do you think you would get the right type like that?

Hon. C. H. SIMPSON: On the other hand, I think there is practically nothing that could be contributed by the sex—I say this with all respect—that could not be ascertained by male jurors and used by them in considering these cases. The lists of jurors would run in alphabetical order, and it could happen that a husband and wife would be called upon to serve on the same panel. In that event, they might have to leave their house for two or three days if the jury were locked up to consider a serious case.

The Minister for the North-West: Do you not think that one would be challenged in that case?

Hon. C. H. SIMPSON: I say it could conceivably happen. If the police officer had to take them in that particular order, he would have no option, because that is what is provided by the law.

Hon. L. Craig: The woman could object to sitting on the jury.

Hon. C. H. SIMPSON: I think there would be a disinclination to accept objections when they were lodged so late. By and large, because I do not think this is a very nice duty to be laid on a woman, and because I think the Bill might be introduced in a different form, I intend to vote against it. We have this precedent: that, in three States of the Commonwealth, no such provision is made. In the two States where the provision exists, liability to serve is incurred by women only if they make special application. Here the obligation is being laid on all women electors, and they can only be relieved of it if they make special application for relief.

Hon. G. Bennetts: I do not think you would have many applications.

Hon. C. H. SIMPSON: I think there would be many of them; because, from my experience of the reactions of women, which is fairly wide, they are by no means anxious to assume this obligation. I say that many women, through ignorance of the law or because they are very young, would be quite surprised when they were summoned for duty on a jury panel.

Hon. R. F. Hutchison: What would that matter?

Hon. C. H. SIMPSON: Why ask people to assume a duty for which they would be the first to admit they were not qualified?

The Chief Secretary: What about men?

Hon. C. H. SIMPSON: Men are different. With them we get a responsible cross-section by demanding a property qualification.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. C. H. SIMPSON: I have little more to say on this measure, except to repeat the suggestion I made earlier—that the Government withdraw this Bill and present it in a more acceptable form—

The Chief Secretary: Do you think that would be possible?

Hon. C. H. SIMPSON: —with a view to easing the conditions under which it would oblige women electors to undertake these duties. I trust that, if the Bill does reach the Committee stage—

The Chief Secretary: How would you suggest such alterations should be made?

Hon. C. H. SIMPSON: This measure is different from the law in the two States of the Commonwealth that have adopted similar legislation, inasmuch as it gives a blanket cover to all female electors over the age of 21 years, imposing on them the necessity to contract out of the obligation to serve if that is their desire; whereas, in New South Wales and Queensland, the law provides that women may serve on juries only where they make application to do so.

The Chief Secretary: Save us from that!

Hon. C. H. SIMPSON: That will be found to be the position in New South Wales and Queensland. In those States women are not placed on the jury list unless they make application, and to my mind that is a better system. In any event, if this measure meets with acceptance by the House, I hope that when it is in Committee consideration will be given to an amendment to stipulate that women called upon for jury service shall be at least 30 years of age, in view of the nature of some of the cases in which they might have to consider the evidence. I oppose the second reading.

HON. L. CRAIG (South-West) [7.34]: I ask myself, "Is this Bill going to do any good to the jury system?"

The Chief Secretary: To talk to yourself is the first stage of insanity.

Hon. L. CRAIG: When one talks to oneself, one does it mentally. I hope. Does not the Chief Secretary ever ask himself questions and get the right answers?

The PRESIDENT: Order! The hon. member must proceed.

Hon. L. CRAIG: Having asked myself whether this measure would improve the jury system and help in the administration of justice, the answer is that I do not think it would. Then I ask, "Will it do any harm? Will justice be weakened? Will the jury system itself be weakened?" And the answer again is, "No, it will not." I believe that the admittance of women to serve on juries is sought more to satisfy the demands of women today than to achieve any useful purpose.

Hon. H. Hearn: You mean that it is a sop?

Hon. L. CRAIG: The hon. member can call it what he likes. It is not exactly a sop, but women today are demanding, with some justification, the privileges and rights of males. However, I would point out to those women that, when they demand such rights, they must be willing also to accept the attendant responsibilities. This Bill does not seek to impose on women the responsibilities that the present law imposes on male jurors, because, if they wish, they may decline to serve; whereas men, if they are qualified to serve and have none of the exemptions laid down by law, must serve. This measure would allow any woman to say that she does not wish to serve on the jury, and in that way it gives to women the privilege of serving without any of the responsibilities imposed on men in similar circumstances. That is one of its weaknesses.

I served on a jury for several days, and the experience left me with a complete contempt for the jury system, which I think is the worst form of justice that I know of. During my period of jury service we dealt with three criminal cases; and in each instance the consensus of opinion of the jury was based not on the evidence submitted, but on the appearance of the accused person and an outlook of sympathy towards him. I came away from that adventure with an utter contempt for the jury system.

I believe that justice is meted out much better by judges; and if I were a legal practitioner of any standing in the community, I would introduce a Bill seeking to allow the accused person to determine whether he would be tried by a judge and jury, or a judge acting alone; because I believe that, before a judge alone, the accused has a much better chance of getting justice, though not nearly such a good chance of getting mercy.

I feel that, if some women desire to sit on juries, they should be allowed to. In New South Wales, Queensland, and New Zealand, women are given that privilege. But they have to make application; and that is the system which I feel should be adopted here, because the vast majority of women would not wish to serve, and the office work involved in sending out notifications to a

great army of women, of whom I think 95 per cent. or more would decline service, would be enormous.

Of the few who would want to serve, some might be of a morbid type, and some might have insufficient other occupation, while the remainder might decide to serve from a sense of duty. The latter type would, I feel sure, be inclined to write in and suggest that their names should be put on the list. That would be a better system than just drawing the names out of a hat and imposing on the women concerned the duty of replying if they did not wish to serve.

If we adopted the system that has been accepted in Queensland, New South Wales, and New Zealand, women in this State could make application to have their names placed on the jury list, and then it would be possible to select a panel from persons known to be willing to do the job. I think women are just as capable and quite as sophisticated—I might even say hard-boiled—as men, and quite as able to listen to the evidence that might be submitted in any criminal case. I do not think they are so soft-hearted or genteel that they could not listen to the evidence normally heard in a criminal court, and I am certain that they are capable of realising what sort of crimes take place. Many of them, I feel sure, are able to help to dispense justice; and those who could not would, I believe, decline service.

I think it was during World War 1, when there was only one woman in Congress, that on the occasion when America was deciding whether to enter the war, a vote of Congress was to be taken. It was a foregone conclusion that America would enter the war; and the Speaker, or his American equivalent, said that the woman member of Congress should record the first vote as to whether the American nation should declare war or not, as that would be a great privilege for her. She stood up to record a vote, but was unable to do so, being so emotionally upset that she burst into tears and said that she could not do it, as the responsibility was too great for her. Perhaps women generally are more highly strung and more emotional than men, but I do not think they are less intelligent.

I do not think the Bill would do much harm or much good to our system of justice and the jury system in particular; but I will support the measure in the hope that, when the Bill is in Committee, there will be inserted a provision that women desiring to serve on juries must make application to have their names placed on the jury list. I support the second reading.

HON. C. W. D. BARKER (North) [7.42]: I rise to support the Bill, as I supported a similar measure which was before this House on a previous occasion. I do not

altogether agree with what Mr. Craig has said, as I believe that justice would be helped a lot if women served on juries in this State, because in many cases they would understand points of view that men could not understand. In such circumstances, two or three women on a jury would be a great help. There are many types of cases where that would apply; and I do not think it would be a good idea to have on juries only those women who would apply to serve, as then we would probably get only the morbid type.

Hon. H. Hearn: But the others can refuse under this measure.

Hon. C. W. D. BARKER: Yes; but from a sense of duty, many of them would not. If women want civic rights, they must take the responsibility that goes with them. If they want rights equal to those of men—and they have earned them over the years—I think the system set out in the Bill is satisfactory.

I do not think much of the idea of allowing to serve on juries only those women who would apply to be put on the jury list, because I do not think that we would in that way secure the services of the types of women we would want.

Hon. L. Craig: It is used in all other States.

Hon. C. W. D. BARKER: I do not know whether that is correct. I have my doubts about it.

Hon. A. F. Griffith: How are you going to overcome the problem when the women have the right of appeal to have their names removed from the jury list?

Hon. C. W. D. BARKER: That could be altered. We could provide for all to be on the jury list, and that they must live up to their responsibilities.

Hon. A. F. Griffith: Are you going to move an amendment?

Hon. C. W. D. BARKER: I may. I have not made up my mind yet. There is nothing to prevent me from moving such an amendment. Possibly that is how it should be. We should not so frame the legislation that women could say, "We do not want to be on a jury." If they desire equal civic rights with men, they must accept equal responsibility.

Hon. G. Bennetts: What about those with half a dozen children?

Hon. H. Hearn: Tell us about them. They would have to get some baby sitters.

Hon. C. W. D. BARKER: Perhaps that could be arranged, too. I believe that women would be an advantage on juries, and I intend to support the Bill.

HON. L. C. DIVER (Central) [7.47]: We have before us an amendment to the Jury Act to allow women to take their place on juries. On the last occasion when a

similar Bill came before the House I opposed it; but I have given this measure a considerable amount of thought, and have decided that I will support the second reading.

Hon. E. M. Davies: We have a convert now.

Hon. L. C. DIVER: With certain reservations. They are on similar lines to those mentioned by Mr. Craig when he stated that, in the circumstances, the names of women desiring to sit on a jury should be placed on a register so that they could have that privilege extended to them. Many women who desire to do so, could serve with advantage to the community. In each court for which a jury was selected, there would be counsel present; and if there were women that either counsel did not like he could always challenge them. That prerogative could be left to counsel if it is desired that certain women should be removed from the jury list.

I believe that if women were allowed to take their place on a jury panel, not only might there be instances when they would be an acquisition, but also it would be desirable that they should so serve. Further, it would prevent the members of the Legislative Council being abused, especially by some sections of the female community, for not extending this privilege to women. There is no better way of toning down such criticism than to place responsibility on the shoulders of the critics. They would then soon realise that the duty of a juror is not all that it is cracked up to be, and the women who serve on a jury could inform others of their bitter experience. I trust that, in Committee, the Chief Secretary will agree to amendments to the Bill in order to make the qualifications of women who are desirous of serving on a jury similar to those that have to be held by males. I support the second reading.

HON. J. McI. THOMSON (South) [7.50]: Before recording my vote on the measure, I desire to make a few comments. The principle behind the Bill is clearly defined in Subclause (2) of Clause 4, and Subclause (2) of Clause 10. In those provisions it is quite clear that no woman would be compelled to serve on a jury against her own wishes and inclinations. If she objected to serving, such objection must be submitted in writing to the sheriff or judge of the court, as the case might be. However, judging by the reactions of women whom I have asked for their opinion, I am firmly convinced that there will be an extremely high percentage who will wish to be relieved of the responsibility of serving on any jury.

Hon. L. A. Logan: Ninety per cent.!

Hon. J. McI. THOMSON: I am not prepared to hazard a guess at the percentage, but I do not think the hon. member is far

out with his estimate. We would not be doing the women of the community an injustice if we rejected the Bill as it is now before us. There is quite a lot of virtue in the suggestion that has been made by one or two previous speakers—namely, that those who are desirous of serving should be permitted to do so—and I see no reason why legislation could not be framed for submission to the House embodying such a proposal.

Also, I am not unmindful of the speech made by Mrs. Hutchison last night, when she referred to the equality of women with men. We males, generally, have a very high appreciation of the services that women render in public life, not only in Western Australia, but also throughout the Commonwealth, per medium of the various organisations to which they belong. Their influence for good is appreciated by all who know to what end they serve. Their influence in such organisations as the Country Women's Association, the Girl Guides Association, Parents and Citizen's Association and many other bodies has a beneficial effect on the community. We know the tremendous part that women play in our ordinary everyday life.

However, I cannot subscribe to a measure which I cannot see is wanted by the majority of women. I trust that if the Government is sincere in its desire to enable women to serve on juries, it will see fit to introduce legislation embodying a proposition such as that already submitted by previous speakers; that is, that information should be obtained regarding those women who wish to serve, and their qualifications checked as to their ability to discharge their duties in a satisfactory manner.

I am sure that justice, as we know it, will not suffer if we depart from our present jury system. I think it is generally agreed that the jury system, as we know it today, leaves much to be desired. There is a good deal to be said for the argument that a person should have the right to say whether he shall be tried by a judge or a jury. I think Mr. Craig very ably explained the difference between the two. From the one, the accused person could expect justice; but from the other, he could expect mercy.

Hon. C. W. D. Barker: We can temper justice with mercy.

Hon. J. McI. THOMSON: The jury system functions, generally speaking, for the person who is on trial. I have had the unpleasant duty, on occasions, of being a member of a jury; and I know that, too often feelings of sympathy outweigh the balance of justice. Therefore, it can be truly said that the jury system, as operating in our law courts today, does lean towards sympathy for the person who is standing for trial. I cannot support the measure before the House in its present form until I have had more conclusive

evidence that the majority of women desire this change. I therefore propose to vote against it.

HON. C. H. HENNING (South-West) [7.57]: As mentioned by Mr. Craig, the principle of women being on juries is accepted in New South Wales, Queensland, and New Zealand. Going further afield we can include the United Kingdom, and the United States of America. Personally, I have nothing against the general principle of women serving on juries. Over the last 50 years in particular, women have extended, with credit to themselves, their sphere of activities, and no doubt they will continue to do so.

Then again, for probably 700 years, through the evolution of the jury system, it has been the prerogative of men to serve on juries. I think that very few of those who have served have willingly done so; but nevertheless, it has been their duty. The Bill now proposes that women should share that responsibility with men. The qualifications regarding age, in particular, are the same as those held by men. The other qualifications are different; namely, that their names should be on the roll of the Legislative Assembly, and also that they should be of good fame and character, which qualification would be absolutely essential.

Some have said that they do not think women would be affected by evidence submitted before a court. I cannot agree with that, although I have never been on a jury or, for that matter, inside a criminal court—

Hon. H. Hearn: Not yet!

Hon. C. H. HENNING: But I have served on many courts martial outside Australia; and three or four of those dealt with sexual offences, two of them being rape charges. I am certain that no woman, particularly a young woman, could sit in a court and witness the exhibits, hear the revolting forensic evidence, and see the photographs of incidents that had relation to the proceedings without the experience having some lasting and, undoubtedly, some emotional effect on her for many years to come. I am not saying that it would have a lasting effect on every person. But to get a young woman about 21, or a little older—one who is not well versed in the ways of the world—to sit on a criminal jury dealing with sexual offences would be more or less criminal. I do not think there would be any effect on their emotions if they were to sit on juries in civil cases. I think that the presence of women on such juries would in most cases be good.

There appear to be two provisions in the Bill. The first provides that any woman qualified and liable to serve as a common juror under the provisions of Subsection (1) of the relevant section shall, upon giving written notice to the

sheriff of her desire to discontinue her qualifications and liability to serve as a common juror, cease forthwith to be so qualified and so liable.

I believe this to be a good provision. But what advice will be given to a woman that she can notify her desire to discontinue her qualification? I admit that publicity will be given in the Press to this matter; but how many of the women will remember? In the Third Schedule of the Jury Act appears the notification that has to be served on those who are to appear on juries. It states—

You are hereby required to attend as (a) jury at the . . . to be held at the courthouse at . . . on . . . (date) and thereunder to attend from day to day until you are discharged by the court. (signed by the sheriff, bailiff, or summoning officer.)

If something is added—

Hon. G. Bennetts: It should be.

Hon. C. H. HENNING: Do I hear the Government speaking? I do not think there is a real and valid reason to allow this Bill to go through as it is. If women are to receive a plain notice that they are required to serve on the jury without any intimation from the Chief Secretary that they could advise the authorities of their desire not to serve—

The Chief Secretary: Women will soon find that out.

Hon. C. H. HENNING: In another portion of the Bill it is provided—

The court or judge shall excuse from attendance as a juror at any criminal trial, every female person who, before being empanelled applies to be exempted from service on a jury by reason of the nature of the evidence to be given at the trial or the issues to be tried or on the ground that she is for medical reasons unfit to attend.

When this was framed, I believe it was fully realised that a distinction existed between civil and criminal cases. If exemption is permitted up to the time a jury is empanelled, will it not create some confusion in the courts—I understand that a jury is empanelled only when a case comes before the court—and when the challenges of defending and prosecuting counsels are made and the jury ready to sit?

The Chief Secretary: I am inserting another amendment to alter that.

Hon. Sir Charles Latham: Is it on the notice paper?

Hon. C. H. HENNING: I agree that women should serve on juries, but I believe that it would be far better to have a voluntary system for a start. When a similar Bill was introduced last year, Mr. Heenan stated that women had had the right to serve on juries in New South Wales for five

years; but that only one woman had served on a jury in that time, and that was in a civil case.

I intend to support the second reading. I can discover no valid reason why I should not do so; but I would like to see, during the Committee stage, some provision made either for the system to be voluntarily, or for notification to be given to a woman juror advising her that she could, if she so desired, be exempted or disqualify herself from jury service by written notice.

HON. E. M. DAVIES (West) [8.7]: I support the Bill. The majority of the speakers during this debate have said that they would support the second reading, and agreed to the principle of woman jurors: but, from what I understand, there were a number of "ifs" and "buts". I believe—and I think most members will agree—that the status of women has materially altered since the end of World War 1.

Over that period of years, generally speaking, there has been a tendency for the female section of the community to engage in many professions and avocations which, prior to World War I, were regarded as close preserves of males. During those years, women have qualified as lawyers, doctors, pharmacists, architects, town planners, and so on. They have also been associated with the Police Force, with transport, and with other callings necessary to the well-being of the people.

Hon. H. Hearn: And in the legislatures.

Hon. E. M. DAVIES: I do not catch the hon. member's inference. I agree that women have entered the legislatures of this State. Whilst that is not new in Australia, I hope that we will have many more women aspirants to the positions offering. Nevertheless I shall not depart from the principles of the Bill to discuss what someone else might do or say.

I believe that women have reached the stage in this democratic age when they should take part and fulfil their proper role in citizenship. So we have a section of the female community of this State who during the past few years have been endeavouring to have legislation passed to permit them to take their place alongside males under the jury system.

It was rather remarkable to hear some of the speeches tonight in which we were told of the disadvantages of the jury system. This, of course, has nothing to do with the Bill. Nevertheless it appears to me to be peculiar in view of the fact that the jury system has been handed down for many years, and has always been recognised and upheld as part of British justice. Whilst we might understand that in some cases the jury system has not been recognised as being most efficient, generally speaking throughout the British Commonwealth it is acknowledged that British law stands second to none. Now there is a

section of the community which desires to be associated with dispensing justice in the courts.

Quite a lot of the argument that has been adduced tonight arose because of unsavoury cases heard by juries. But this is refuted when we realise that women have taken part in many professions previously regarded as the close preserves of males, and have carried out their duties in a professional manner. Who are we to gauge the viewpoint of women generally? Is this not the opportunity for women themselves to decide whether they should be accepted, and whether they should be permitted to undertake duties under the jury system?

In view of the home duties of women it is necessary for exemptions to be provided for in the Bill and that has been done. I feel, however, that women who have reared their families and reached that stage of mature life when they are liable to give reasonable consideration to any question to be considered by a jury, should be given the opportunity to act as jurors.

Today many women are playing a most important part in the organisations that make up our civilisation. Take, for instance, some of the auxiliaries attached to organisations which are regarded as close preserves of males. In many cases the women auxiliaries are called upon to raise the finance for those organisations. In these days it is only right and proper that those women who desire to offer their services in what is regarded as a section of British justice, should be given an opportunity to do so.

So although this Bill may not be all that was desired, it nevertheless does afford an opportunity for that section of the community to offer themselves for this service; and I feel sure that, after a trial of this measure, a large number of women will avail themselves of this opening to play their part in the civic life of the State.

HON. SIR CHARLES LATHAM (Central) [8.11]: I shall certainly vote against the second reading of the Bill. I listened attentively to the remarks of Mr. Davies; and, of course, I have no objection to his holding such views. He spoke about women having engaged in various professions. That is quite true, and they have proved themselves the equal of menfolk in those activities.

But this is a totally different matter, in that it deals with the sordid side of life. I should hate to think that I might be called upon to sit alongside a refined woman and listen to some of the cases that I have heard. I should hate to think that a sister of mine or my mother or other relative might be called upon to sit alongside a group of men, some with filthy minds, and listen to the evidence and view some of the exhibits that are presented

to juries. I know of no better way of defeating the Government than by going out and telling women that it was forcing upon them the duty of listening to that sort of thing. It would be a wonderful opportunity to defeat the Government.

Hon. G. Bennetts: Service for women would not be compulsory.

Hon. Sir CHARLES LATHAM: Their names would be put on the list, provided that they were of the requisite age, and they would have to object subsequently. This provision is an insult to women.

The Chief Secretary: The Government could not force them to do anything.

Hon. Sir CHARLES LATHAM: If this measure is passed in its present form, that is what will happen.

The Chief Secretary: The Government cannot force them.

Hon. Sir CHARLES LATHAM: Then Government officials would.

The Chief Secretary: No.

Hon. Sir CHARLES LATHAM: Every woman over 21 and under 60 years of age would automatically have her name placed on the jury list. Then she could apply to the sheriff to have her name removed; and I foresee a great amount of work in having names removed. Provision is also made that women to be on the list must be of good character.

The Chief Secretary: You are missing the point.

Hon. Sir CHARLES LATHAM: No; I am making every point possible, and I need no assistance from the Chief Secretary.

The Chief Secretary: I am trying to tell you that the Government cannot force anything that the House does not desire to pass.

Hon. Sir CHARLES LATHAM: Now the Minister is qualifying his remark. I dare say that a fair number of members will vote for the second reading, but the Bill will not pass that stage with the help of my vote. I shall not insult the women of the State by telling them that automatically they will be placed on the jury list, and thus put in the position of having to listen to cases dealing with the sordid side of life.

The Chief Secretary: We are proposing to give them a choice.

Hon. Sir CHARLES LATHAM: Under the measure, their names will be put on the list, so long as they come within the stipulated age range. This will entail a terrific amount of work. All the claim cards for women voters for the Legislative Assembly, who live within 35 miles of where they may be called upon to serve, will have to be checked to ensure that they are under 60 years of age. I was surprised that the lady member of this House should indicate that she was prepared

to allow members of her sex—even a girl of 21, 22, or 23—to sit alongside possibly filthy-minded men trying some filthy rape or murder case such as we read about.

Hon. R. F. Hutchison: Why not allow them to serve if they wish to?

Hon. Sir CHARLES LATHAM: The hon. member knows a great deal more than I should like to know, even at my time of life. She is just a member of this House, the same as the rest of us, and cannot expect any special consideration from me.

To my mind it is shocking that the Bill should have been submitted to us in its present form. If a woman wants to serve in this capacity, let her make an application along the lines proposed in the Bill last year—a Bill, incidentally, that I opposed. Then the women who wish to serve may do so. Not a great many men desire to serve on juries—it is a very undesirable class of work—but the system has been handed down to us from centuries ago. The idea was that an accused person should be tried by his peers, and not by the judges controlling the courts. Consequently, men have had to accept this responsibility.

I am pleased that members of Parliament are exempt from service under the Jury Act. In the many years I have been in public life, I have escaped the responsibility—a responsibility that I never desired to undertake. Apropos a remark by Mr. Henning, I witnessed some dreadful cases in France. I had to attend courts martial in a minor capacity; and even with the experience I had had, I was disgusted at having to listen to and see some of the things at those inquiries. I should certainly shudder if I were required to stand alongside women under the compulsion of listening to similar cases.

We respect our women. We do not want to place them on our level; rather do we wish to keep them a little above it. Would any member like to see a sister or his mother listening to some of the things that are placed before juries? I venture to say he would not. Mrs. Hutchison said she was anxious to serve. I have no objection to her sharing in this duty in a voluntary capacity. Let the women who desire to serve come along and indicate their wish.

I am pleased that I have reached an age when I can dissociate myself from this sort of thing. If the Bill passes in its present form, I shall, at the next election, use what little influence I may have to make people realise exactly what it means; and I guarantee it would turn 80 per cent. of the women supporters against the Labour Party. I should simply have to tell them what the Labour Party had forced them to do.

Hon. E. M. Davies: Is that a threat or a promise?

Hon. Sir CHARLES LATHAM: Both.

Hon. C. W. D. Barker: You would not do that.

Hon. Sir CHARLES LATHAM: I can understand what effect this measure would have on the womenfolk. A woman might have children two or three years of age, and might be unaware that there was provision in the Act whereby she might obtain exemption from serving. When their names are put on the list women should be notified that they may be excused.

In many instances, women nowadays cannot obtain assistance in the home, even if they want to go out for a few hours; and what would be the position of a young mother if she were called up for service? Juries are often locked up all night, and occasionally for more than one night. I cannot understand why any woman should want to serve. To me, the idea is disgusting. I hope I never see the day when we force our womenfolk to place themselves on a level with the men.

The Chief Secretary: That is not correct.

Hon. Sir CHARLES LATHAM: Of course it is! Then why has the Bill been introduced?

The Chief Secretary: There will be no force used.

Hon. Sir CHARLES LATHAM: The Minister has introduced a Bill providing that the name of every woman between the ages of 21 and 60 shall be placed on the jury list without her consent; but she may have it removed subsequently. Let there be no misunderstanding. I know there are a few women who could stand up to anything; but I know also that 95 per cent. would not want to place themselves in the position necessitated by this piece of legislation.

I tell the Chief Secretary that if this measure be passed, it will be the responsibility of the Minister for Justice to notify the women whose names have been placed on the list of that fact, and to inform them that, under a certain section, they will be permitted to have their names removed. Then the Government will find that an army of clerks will be required to ensure that the right names are removed from the list. We do not want a repetition of the experience we sometimes have with electoral officers who remove the wrong names from electoral rolls.

Hon. E. M. Davies: Have you had experience of that?

Hon. Sir CHARLES LATHAM: Yes, and I am satisfied that a lot of names will be left on the list when they should have been removed. I have not made an appeal in this House previously, but I do appeal to members now to endeavour to lift the womenfolk to a higher plane.

Hon. G. Bennetts interjected.

Hon. Sir CHARLES LATHAM: The hon. member knows that what I am saying is correct. Would he like a daughter of his, 21 years of age, to be called upon to make a decision in a criminal case that presented disgusting features? I hope members will forget legislation of this sort. I do not want to see any deterioration occur in the minds of our women. I want to help them to grow better and bigger mentally; but this measure will have the effect of dragging them down, instead of uplifting them. We should be careful not to force women to undertake a duty that we ourselves dislike.

Hon. R. F. Hutchison: We were told that before women got the vote.

Hon. Sir CHARLES LATHAM: I assisted them to get the vote. They are taxpayers, and they probably exert a fair influence in politics. I entered Parliament with the first woman to be elected to the Legislative Assembly, and she rendered valuable service. Others have followed, and have done very good work. Of course I cannot claim to possess the qualifications of Mrs. Hutchison. She is rather new here, and my first experience of her was not very encouraging; but there is plenty of time for her to adjust herself to these surroundings.

I am in earnest when I say that we should not do something for which we may be sorry. If it were a matter of limiting service to cases dealing with children's offences, I would not mind so much; but there are cases in which I should not like to see any female relative of mine listening to the evidence.

The Chief Secretary: They could be exempted from service.

Hon. Sir CHARLES LATHAM: Admittedly; but there are many exemptions that even some of us are not aware of. I was never more serious than I am at this moment. Mr. Davies may laugh, but to me this is no laughing matter. Imagine having to sit alongside young women on a jury and listen to some of the disgusting details and see some of the pictures that are presented to a jury! If they can stomach that, they can stomach anything.

The Minister for the North-West: Are you opposed to women justices of the peace?

Hon. Sir CHARLES LATHAM: A woman J.P. need not sit on a case.

The Chief Secretary: In this instance, she need not sit on a case, either.

Hon. Sir CHARLES LATHAM: There are very few women justices of the peace. I know what would happen when women were summoned to appear on a jury. Either side can object to a juror.

The Minister for the North-West: They would be able to do that at the court.

Hon. Sir CHARLES LATHAM: A woman could not be removed from the list at the last minute. If a woman is summoned to appear on a jury, she must attend; but either side can object to a certain number of jurors. The Minister cannot lead the house astray in that way.

The Chief Secretary: A woman could object right up to the time of swearing in.

Hon. Sir CHARLES LATHAM: They cannot object at the last minute. Suppose ten women were summoned to attend a jury in company with a number of men. The plaintiff's counsel, and then the defendant's counsel, could lodge objections. I do not mind women sitting on divorce cases; they might be useful on such occasions. But I do not want them to witness the sordid, criminal side. I do not think it is elevating, and it would not be decent of this House to agree to it.

A male juror must be a property-owner of some sort; but, under this measure, any girl over the age of 21 years can be called up for jury service. She might work in a shop, and have no interests except her home. Such a girl would be put on the list, and I do not think it right. When their names are placed on the list, women will not be notified; and I say quite candidly that they should be told what they are expected to do, and not be left in the dark. I think this is nonsense; and we should not give any further consideration to the Bill, because it will create a terrific amount of work. I am amazed to think we have introduced such legislation into the Parliament of this State. It will be degrading for our women to serve on juries on certain cases, particularly the disgusting ones which occur from time to time.

The Minister for the North-West: Lots of them go to the court just the same.

Hon. Sir CHARLES LATHAM: I know. I know, too, that women who have been in cabinets have been affected. Juries are called upon to listen to all sorts of cases, and this will degrade rather than elevate our women. We do not want to drag them down; we should look up to them, as we look up to our mothers and sisters. I oppose the Bill.

HON. H. HEARN (Metropolitan) [8.35]: I am in a bit of a quandary in regard to this Bill. I have listened to the debate; and I think the Government is on the wrong track, because it should have placed the responsibility on the women who want to serve on juries.

So, amidst all the conflicting addresses and opinions, I went to my old friend, "Hansard", because I think one is able to get some advice from the people who spoke years ago in regard to a particular subject, and frequently it has the effect of settling one's mind. For the information of the House, I would like to quote from "Hansard" of the 17th November, 1953, when

a discussion took place on an amendment to the Jury Act. I wish to quote one or two remarks of Mr. Hall, of the North-East Province. He said—

I do not agree with women acting as jurors. Having known a number of males who have been called upon to serve as jurors on the Eastern Goldfields, I know that 99 per cent. of them have had no desire to act. Therefore, I can imagine what the feelings of women would be who were called upon to serve on a jury.

That influenced me to some extent, and I thought I would go on and see if I could find anything else. I now wish to quote from page 1758 of "Hansard", of the 17th November, 1953, from a speech by Mr. George Bennetts, of Kalgoorlie. Usually, he is a very, very reliable man, but he, too, has changed his mind. Mr. Bennetts said, on that occasion—

I am of the same opinion as Mr. Hall. I do not say that all women are incapable of serving on a jury. I heard one member speak about women acting on juries the other evening, but I do not think he intended to say what he did. I think he said that a woman was not quite up to the standard of a male. I do not think he expressed what he really intended to say.

Further on, he said—

However, taking my wife as an example, I would say that she would not be suitable to act in such a position because she has had no experience of that type of work, and I know how she would react if she were empanelled. She would die of shock if she had to appear in any court.

After listening to the words of wisdom of the people who have contributed to this debate, I feel that I must vote against the second reading. But if it is carried, I hope that we will transfer the responsibility back to the ladies so that that odd 5 per cent.—I know that there is about 5 per cent., and my wife has assured me of that fact—who are most anxious to get on the list, can have a chance to do so. Let them apply; and if the Bill goes into Committee, I shall support an amendment along those lines. In the meantime, I must oppose the second reading.

HON. A. R. JONES (Midland) [8.38]: I feel that I must make a small contribution to this debate, because it is such an important matter. I did not intend to speak; but as there is a possibility that the Bill will be read a second time, I would like to endeavour to persuade some of those members who have stated that they will vote for it.

I am not at all pleased with the idea of women serving on juries, for many reasons. I do not intend to enumerate the reasons because, to a great extent,

they coincide with those expressed by Sir Charles Latham. However, I take exception to the Bill because it is not fair. As has been stated previously, men must have certain qualifications before they are eligible to serve on juries; but, under this legislation, the only qualification for a woman is that she must be over 21 years and under 60 years of age.

During her speech, Mrs. Hutchison said that she wanted women to have equality with men. If the hon. member wants women to have equality, the Bill should be amended to ensure that the qualifications for a woman juror are the same as those for a man. I believe she missed that point, and apparently she has not read either the Bill or the Act. If, as she claimed, she wants women to have equal rights, she should accept the qualifications as laid down for a male juror. My argument is that a woman could not be expected to sit on a jury in certain cases. For many reasons, a woman could not attend a jury on certain occasions, and she should not be asked to do so unless she applies.

Hon. R. F. Hutchison: No; the weakness there is that many men have the houses in their names, and the married woman is not shown as the owner of property. If women had to have the same qualifications as men, many of them would be disfranchised.

Hon. A. R. JONES: As Sir Charles Latham pointed out, women should be held in high esteem; and if we allow them to have their names withdrawn from the list, only the wrong type will be willing to serve. In my opinion, that is not right; and, whichever way we look at it and whatever way we tackle it, this will not work.

Hon. R. F. Hutchison: Do you ever get the wrong type of man?

Hon. A. R. JONES: That is quite possible.

Hon. R. F. Hutchison: Then what is the difference?

Hon. A. R. JONES: Under this legislation, every female over the age of 21 and under the age of 60 will be placed on the list; and, as has been stated, they will not be advised. While there is no compulsion, they do not do anything about it, and suddenly they find that they are summoned to appear as jurors. I wanted to give the reasons why I intend to oppose the second reading, and I trust other members, particularly after hearing the impassioned speech made by Sir Charles Latham, will change their minds, and let us, for goodness sake, keep women away from the sordid business of sitting on a jury.

Hon. R. F. Hutchison: That is so much camouflage.

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

BILL—WAREHOUSEMEN'S LIENS ACT AMENDMENT.

In Committee.

Resumed from the previous day. Hon. W. R. Hall in the Chair; the Chief Secretary in charge of the Bill.

Clause 2—Section 7 amended:

The CHIEF SECRETARY: I move an amendment—

That after the word "amended" in line 16, the following new paragraph be inserted:—

(a) by substituting for the word "arear" in line two the word "arrear."

(b)

The purpose of this is that in the original Act the word "arrear" was mis-spelt. Mr. Watson drew attention to this and the amendment will correct that error.

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

Title—agreed to.

Bill reported with an amendment.

BILL—STATE HOUSING ACT AMENDMENT.

Second Reading.

Debate resumed from the previous day.

HON. A. F. GRIFFITH (Suburban) [8.49]: I am sure it must be very pleasing for those who support the Liberal and Country League and those who support the Country and Democratic League to see that the present State Government is falling into line with the policy of those two parties by permitting people to own their own homes.

The Chief Secretary: Who put the Workers' Homes Act on the statute book?

Hon. A. F. GRIFFITH: The Bill proposes to do three principal things. In the first place it seeks to give either the wife or the husband the opportunity of being a joint participant in the privileges available under the Workers' Homes Act; secondly, it gives the State Housing Commission the right to guarantee an applicant under the Workers' Homes Act an extra sum of money he may require to build his home; and, thirdly, the method of meeting the situation with regard to book-keeping for the Workers' Homes Act is provided for.

The Government has thought fit, and I support the idea, to extend to those people who are commonly referred to as self-helpers, or people who desire to help themselves, some assistance by way of finance which they are now not in a position to provide for themselves. That idea is most laudable. It creates in my mind, however, some doubt because of the definition of "worker," which permits a maximum of £1,010 per

year to be earned to enable them to come within that category and permit them to apply for assistance under the Bill.

I would suggest that today there are a number of people who are just outside that figure of £1,010 per year who can well and truly be classed as workers and who, because of that figure, will not be able to apply for assistance under the Act if this Bill becomes law. Seeing a Bill like this takes my mind back to the Government's Subiaco flat project. We realise that the total amount of money that the State Housing Commission will have this year will be in the vicinity of £1,000,000; and approximately £500,000 of that amount is to be put into the construction of the Subiaco flats.

The Minister for the North-West: Not in one year.

Hon. A. F. GRIFFITH: No, not in one year. When the Chief Secretary was introducing the Bill he gave an example of a man who would probably seek assistance and said that the Bill sets out that assistance will be granted to finance the erection of a house to a maximum cost of £3,000. If we divide £500,000 by £3,000, we see the Government would have been able to provide 166 houses. It would have been far better had it done that instead of contemplating the erection of a ten-storey block of flats. Better still, the Government could have said that with this money it would help a great many people to build and own their homes. If each one of these people were given £500, then the housing position, about which we hear so much, would be very quickly solved.

The Minister for the North-West: It is a wonder the previous Government did not introduce it.

Hon. A. F. GRIFFITH: I am not trying to suggest for a moment that this is not a good Bill; and if the Minister for the North-West can score a point off me by a remark like that, I am quite prepared to let him do so. It is a fact, of course, that some of the Bills introduced by the present Government have been good Bills, and everyone will agree that this is a good one. But the Minister for the North-West will agree that by embarking on a project such as the Subiaco flats, the Government is definitely limiting its scope under the State Housing Act—

Hon. A. R. Jones: It has blundered and knows it.

Hon. A. F. GRIFFITH: —because £500,000—and the Minister might interject and say "not in one year"—is to be spent on that project to erect flats. We also have legislation before the House dealing with other matters. We are told by the Government how desperate the housing position is, and yet we pick up the "Daily News" and read of a person being authorised by the State Housing Commission to offer

people money for land adjoining the Subiaco flats project; that is, money for the houses in which they are already living.

The strangest answers were received from the Minister for Housing in connection with this matter when questions were asked in another place. The Minister said that he was aware that somebody had gone out with his authority and made these offers; he was also aware that the money required to purchase these houses, if they were purchased, was to come out of the State housing funds. He was quite satisfied to give that explanation to the House; but he knows full well that the only way the land upon which those buildings are erected can be made available to the Subiaco flat project is to tear houses down, in spite of the fact that we are so desperately short of homes in Western Australia.

The Chief Secretary: What clause in the Bill deals with the Subiaco flats?

Hon. A. F. GRIFFITH: I am sorry the Minister should ask that; I should have thought he would have known what was in his own Bill.

The Chief Secretary: I did not know the Subiaco flats were mentioned.

Hon. A. F. GRIFFITH: I was talking about the Subiaco flats while the Chief Secretary was absent; and I said that if that project was not commenced, £500,000 could be spent towards assisting people who are really trying to help themselves. If I had my way, I would not give anybody a house under the State Housing agreement unless he paid some small deposit for it. Whether it were a worker's home or a Commonwealth-State rental home, I would see that he paid a nominal deposit. If he were allowed to do that, it would relieve one big factor which is likely to catch up with the State Housing Commission, if it has not done so already. I refer to the question of maintenance. The Minister knows that to be true, and he cannot deny it.

The Minister for the North-West: That would happen to any Government.

Hon. A. F. GRIFFITH: What would happen?

The Minister for the North-West: The question of maintenance would arise.

Hon. A. F. GRIFFITH: It would. I am not talking about what would happen to any Government but about the policy of the present State Housing Commission.

The Minister for the North-West: The Menzies Government would not agree to that policy.

Hon. A. F. GRIFFITH: The Minister is touchy. He thinks I am criticising the present Government. I am not.

The Chief Secretary: We know how interested you are in the Subiaco flats.

Hon. A. F. GRIFFITH: I am criticising the Subiaco flats, certainly.

The Chief Secretary: The Bill will help people to build their own homes. I have not heard you say anything about the Bill yet.

The PRESIDENT: I suggest the Chief Secretary permit the hon. member to continue uninterrupted.

Hon. A. F. GRIFFITH: The Minister is anxious that I should say something about the Bill, and I am doing my best. I really think that is the position so far as the State Housing Commission is concerned. No doubt the question of maintenance will catch up with it, and it will find that a lot more of its funds will have to be used in that direction from year to year.

The Bill, which provides that a man can receive assistance from the Government by way of being guaranteed a second mortgage, and permits the deferment of payment of that second mortgage till the principal is paid off, is very laudable. I suggest that if the Government were to say to all families that wanted assistance, "Here we have £500,000, and we will give it out to you in £1,000 lots, with a view to your building and buying your own homes," that would be a lot better than its entering into flat projects of any description.

If this Bill becomes law, people who apply for assistance will find that there are some difficulties. They will discover that land is not cheap to buy. I lay some of the blame for that on the present Chief Secretary. We know that his policy is not to assist local authorities to declare any more brick areas.

Hon. E. M. Davies: And that is going to reduce the cost of land, is it?

Hon. A. F. GRIFFITH: I think that perhaps it might; because—and I respectfully submit this to the Chief Secretary, so that he can look into it—there are many people who desire to live in brick houses.

The Chief Secretary: I do not stop them.

Hon. A. F. GRIFFITH: I know the Chief Secretary does not. He says that a person can build a brick house if he likes. He can put all his savings into it; and then anybody who wishes to build a weather-board or asbestos house alongside it may do so! That is what the Chief Secretary says; and that very policy is causing land in some places to be at a tremendous figure; because people who want to build brick houses, and do not want their assets to be lowered in value by houses of a lesser standard being erected alongside them, are going into the few brick areas that are left, and are paying high prices for the property that is still available there. I think there is some commonsense in that viewpoint. If the Minister were prepared

to reconsider his attitude—and I know that a number of local authorities have asked him to declare brick areas and he has refused—I consider he might be very greatly assisting people who will apply for help under this measure. Does not the Chief Secretary think there is some sense in that?

The Chief Secretary: No.

Hon. A. F. GRIFFITH: I really did not expect the Minister would.

The Chief Secretary: Then you are not disappointed.

Hon. A. F. GRIFFITH: No. Some of the local authorities have told me that on this question the Minister is—

Hon. L. A. Logan: A little dictator!

Hon. A. F. GRIFFITH: Yes. I have seen that reported, too.

The Chief Secretary: Quite unjustly.

Hon. A. F. GRIFFITH: I would not like to put the Chief Secretary in that category myself; but I think he has adopted a policy in connection with these brick areas for which he may be sorry later on. I repeat that there is little doubt that that policy is making land in certain parts of the metropolitan area sell at an extremely high premium; because the people who want to protect their assets in the way of brick buildings have no other way of doing it, if optional areas are permitted for the erection of houses, than by competing for land in existing brick areas. I know that nobody is forced to build a brick house in an optional area; but I also know that the number of blocks of land in brick areas is becoming so small that the purchase price is getting higher and higher as the scarcity becomes greater. I support the Bill. I feel it will be of assistance to those who want to try to own their homes, and I am pleased to see the Government realise the necessity of helping people who are anxious to help themselves.

HON. L. A. LOGAN (Midland) [9.6]: While agreeing that this is a very good Bill, I think it has certain limitations, as the Minister will probably admit. The intention is to give people some incentive to save sufficient money to enable them to participate in the proposed scheme and so own their homes; in other words, to help those who are prepared to help themselves. I think we all agree that that is an excellent policy. But I would like to know from the Chief Secretary how many of the 2,000 people who have applications before the State Housing Commission for workers' homes would apply for assistance under this measure.

The Chief Secretary: We would not have any idea.

Hon. L. A. LOGAN: It seems to me that the majority of people who would benefit under this Bill would be self-help

builders who own their blocks of land. If people have not land of their own, I cannot see them coming under the measure.

It was mentioned by Mr. Griffith that the price of land had been increased for a certain reason. I think the biggest offender in this connection is the State Housing Commission, which has gone round the whole of the metropolitan area and grabbed blocks of land wherever it could in suitable areas close to transport.

Hon. A. F. Griffith: Forty thousand of them!

Hon. L. A. LOGAN: The land has very often been resumed at a low figure. Blocks that have been left, on the other hand, are realising very high prices. I am not blaming the commission for buying land to build on, but I think it has overstepped the mark.

Hon. E. M. Davies: That was done during the regime of the McLarty-Watts Government.

Hon. L. A. LOGAN: I am not referring to any Government or any party; I am merely stating facts. I am blaming the State Housing Commission. Is that not fair enough? What Government have I mentioned?

Hon. E. M. Davies: None.

Hon. L. A. LOGAN: Then why blame me for blaming any Government? All I mentioned was the State Housing Commission and its policy.

Hon. E. M. Davies: That would be the Government's policy.

Hon. L. A. LOGAN: I think it was wrong. It was that which created the demand for land and led to the increased cost, so that the people this Bill is designed to help are not able to buy blocks, and will not be able to do so, because the price is rising higher every day. Although I believe in the principle of the Bill, I am sure there will be many people who will not be able to come under its provisions. But I am not blaming any Government.

The Minister for the North-West: They will have no trouble when inflation gets going again.

Hon. Sir Charles Latham: Are you going to threaten us?

The Minister for the North-West: The Prime Minister was.

Hon. J. G. Hislop: It is starting now.

Hon. L. A. LOGAN: It seems to me that the majority of the workers who would be eligible to come under this measure will require their own blocks of land, and, in the majority of cases, almost £500 in cash. I admit that there is a lot of detail omitted from the Bill. Probably the reason is to give it a little more elasticity and allow the Minister or the Housing Commission to deal with outside cases. I realise that people who are not eligible

to come under this measure, will have recourse to the workers' homes conditions applying today.

I am mentioning the disabilities that exist, because I am sure that only a few people will be able to benefit from the measure. It seems that the maximum obtainable from the Commonwealth Bank will be £1,350, and I do not think that many houses can be built for under £2,500. So a man would require about £500 of his own.

Hon. G. Bennetts: A block would cost that.

Hon. L. A. LOGAN: Yes; it would cost about £300 to buy a decent block in a decent area. At a sale that was held over the week-end over £300 was paid for blocks in a State Housing Commission area. That is some indication of the general increase in the price of land. It is said that 12 months ago those blocks were worth £120.

The Bill provides for the commission to make an agreement with a husband and wife jointly, and I think that is a very good principle. Often the fact that a husband and wife are allowed to enter into a joint agreement gives them something in common and helps them to keep together. All in all, the principles of the Bill are good, though I am inclined to agree with Mr. Griffith, to a certain extent, that the £500,000 spent in connection with the Subiaco flats could have been put to better use. I am afraid that the project will not be to the benefit of the Government but will be to the detriment of our society.

Hon. L. C. Diver: Why flog a dead horse?

Hon. L. A. LOGAN: I may be flogging a dead horse; but one is entitled to give expression to one's opinion, and I think this is the first time I have mentioned the Subiaco flats. I am not afraid to have on record what I say about that project. I am fearful that what will happen will be to the detriment of our society.

The Chief Secretary: What will be?

Hon. L. A. LOGAN: The Subiaco flats.

The Chief Secretary: Will they be any greater detriment than those at East Belmont? Would you like that type to be erected again?

Hon. L. A. LOGAN: I think they would be. There is a difference between putting 30 or 40 people on an acre or two and putting 300 to 400 there.

The Chief Secretary: Have a look at those Belmont flats, and then have a look at the Subiaco flats!

Hon. L. A. LOGAN: If I saw the East Belmont buildings, I might say they were not any good.

Hon. C. W. D. Barker: What about New York?

Hon. L. A. LOGAN: Thank goodness we are not in New York! We are in a place where there is plenty of land. Why, therefore, should we pile people on top of one another? I do not think it was intended that we should endeavour to raise families under such conditions. I support the second reading. The three main features of the Bill have been discussed, and in principle they are very good. I think that the number of applications will be limited, but the Government is on the right track in introducing the measure, which I support.

HON. L. C. DIVER (Central) [9.16]: I support the second reading of the Bill. The question to be determined is in regard to blocks of land on which to build these homes, but I think that for the future it will look after itself. There will be many applicant who own land, but have not sufficient funds to start building. The Government, in making financial provision for that section of our community, especially coupling it with the definition of "worker," is doing something to assist the requirements of the very needy. Once we get above that category we find men who have met with good fortune and who have, perhaps, a little extra drive and are able to make their own financial arrangements.

The people on the lower income rung are the ones we have to look after with regard to housing. Mention has been made of the excellent influence this will have on the individual who is building his own home. It is a pity that all the homes that have been built by the State, and those in respect of which assistance has been rendered by the State, are not owned by the individual, because I agree with those speakers who have dealt with the question of maintenance. I, too, fear that what will happen in a few years' time with many of the timber-framed structures we have in the outer metropolitan area, will impose a big burden on the Government. If the maintenance on these buildings is not kept up to date, we will have some poor looking suburbs in the years to come.

Hon. A. F. Griffith: One thing preventing many people from buying these houses is that the Housing Commission cannot give them a title.

Hon. L. C. DIVER: I hope the precedent that the Minister has now created will mean that the difficulty will be overcome.

The Minister for the North-West: The Federal Government also wants cash for them.

Hon. L. C. DIVER: It behoves all of us to see that the Federal Government is lenient in this respect. This is above party politics; it is a matter wherein each one of us should do his best to see that those on the lower rungs of the social ladder are catered for. Yet, let them use their own

endeavours to maintain these properties. Let them have pride of ownership in their own homes. In addition, let them look after the gardens and the painting of the buildings. What is going to be the cost to the Housing Commission of the painting of these structures as the years go by? I can visualise the day when the commission will plead with the Government that is then in power by saying: "For heaven's sake let us write the valuation of these homes down, and let the people take them over. The cost of maintenance is too great. We cannot carry on!" We will have that spectacle unless we get to work quickly and let these people take over the homes.

The Chief Secretary: That can apply only to Commonwealth-State rental homes.

Hon. L. C. DIVER: I cannot understand why it should apply to only one section of these homes.

The Chief Secretary: The others are built for ownership and not for rent.

Hon. L. C. DIVER: So long as they are built for ownership, it is all right.

The Chief Secretary: All State Housing Commission homes are built for ownership, and not for rent.

Hon. L. C. DIVER: Ownership should be paramount. It is the keynote. Without it, all we will have will be the maintenance. When a stone goes through an asbestos wall, the Housing Commission knows what the cost is of repairing that wall. I commend the Government for bringing down this legislation which I intend to support right through.

HON. G. BENNETTS (South-East) [9.22]: I am pleased with the Government for bringing down a measure of this sort because it is up to us to help those who help themselves. Mr. Logan spoke about the Government taking land from certain individuals, and buying the land at the Government's price. I know of two Goldfields residents who were members of the Opposition to the Government—very notable men—and one of them had a large number of blocks on this side of the town. He was very liberal with his land. He said that if the Government wanted a site for a school, hospital or children's playground, he would donate land for the purpose, which he did.

The previous Government came along and took all of the land from the two persons to whom I have referred. It took the land belonging to one of them at the Government's own price. The owner protested, but he had no option. He had paid rates on the property. In addition to his earnings for the year—he was a tributer on the mines—he had to pay taxation on the money he received for the land, which left him with very little as a result of the sale.

Hon. Sir Charles Latham: He would not be taxable on the sale of the land if he had only one block.

Hon. G. BENNETTS: He had a large area of land. Another gentleman, who has since passed on, had a site out there where he was going to establish a little colony; but his land was taken from him after he had gone to the expense of getting out plans for subdividing the property and establishing a township there. He had a very good scheme in mind, but his land was taken from him at the Government's price. In addition, I know of several cases of individuals who have had land taken from them at ridiculous prices. They would get four times the amount that they were paid.

Hon. A. F. Griffith: I would say you would be right.

Hon. G. BENNETTS: Yes. I am now getting the title for an old couple who have an acre of land in the same area, and this piece of land is worth £1,400. So we can see what the land that was taken from these people is worth. Mr. Griffith said that the maintenance on these homes will be a problem. I have here the latest annual report of the Housing Commission of Victoria. It was sent to me only last week, and amongst other things it states—

General maintenance complaints for the year reached a total of 18,964, indicating that with the passing of years and the rapidly growing number of houses being completed and handed over to the Commission for future care, maintenance generally could become before very long one of the Commission's major problems. The addition of between 2,000 and 3,000 houses each year to the number to be maintained will only accentuate these problems. The alternative is to devise ways and means of ensuring rapid sales of the houses to the tenants.

The commission there agrees that these houses should be sold rapidly to the tenants to get rid of the maintenance burden.

Hon. J. McI. Thomson: That is an excellent idea.

Hon. G. BENNETTS: The report goes on—

Total expenditure on maintenance for the year amounted to £195,767 12s. 4d., of which £117,670 4s. 1d., was absorbed in external painting and renovation, £15,817 0s. 5d. on internal renovation of 497 houses, £59,015 17s. 11d. in general renovation, £903 10s. 5d. on sewer blockages, £39 5s. on fumigation, and £2,321 14s. 6d. on garden developments around flats, shops, etc.

The maintenance on these premises will be a heavy burden on the commission.

Hon. J. G. Hislop: You are on our side, then.

Hon. G. BENNETTS: No; but I do think that the sooner we can dispose of these properties to the individuals, the better it will be for the State. There are plenty of these people who are not in a position to purchase their own homes; therefore the State has to carry this burden until such time as it can get rid of it. I support the measure.

HON. C. W. D. BARKER (North) [9.28]: I support the Bill, which is a good one. Whoever is responsible for bringing it down should be congratulated. I agree that the right thing is for people to own their homes. This move will help many people do so—people who, in ordinary circumstances, would not be able to. It will also assist the State Housing Commission by making the money that is available to it, go further. In consequence, we will get more buildings. If, by agreeing to these homes being handed over to the individuals for ownership, to escape the heavy cost for renovations, it means that we are on the side of the Opposition, then I am on that side.

Hon. Sir Charles Latham: The thing is to keep you here once we get you.

Hon. C. W. D. BARKER: I have been told that the Federal Government is already discussing a proposal to make it possible for Commonwealth-State rental homes to be sold.

Hon. Sir Charles Latham: A Bill is to be introduced this session.

Hon. C. W. D. BARKER: I am surprised that no one has said anything about it.

Hon. Sir Charles Latham: You are saying something about it.

Hon. C. W. D. BARKER: Yes. Quite possibly in the near future these homes will be handed over to the people. If anyone could have some stake at all, in the home I would hand it over to him because in the long run it would be cheaper. Even if the person could put up only £100 or £150, I would let him have the house, because I am sure that by doing that we will overcome difficulties that will otherwise arise in the future. I think the Bill will also help the State Housing Commission by making its finances go further and so enabling it to build more houses that are urgently needed.

On motion by Hon. J. McI. Thomson, debate adjourned.

BILL—RENTS AND TENANCIES EMERGENCY PROVISIONS ACT AMENDMENT.

Assembly's Message.

Message from the Assembly received and read notifying that it had agreed to amendments Nos. 1 to 13 inclusive, Nos. 17 to 25 inclusive, and Nos. 27 and 28 made by the Council, had disagreed to Nos. 14,

15, 16 and 29, had agreed to No. 26 subject to further amendment, and proposed an alternative amendment to No. 29.

ADJOURNMENT—SPECIAL.

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

That the House at its rising adjourn till 2.15 p.m. tomorrow.

Question put and passed.

House adjourned at 9.35 p.m.

Legislative Assembly

Wednesday, 11th August, 1954.

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

QUESTIONS.

TRAFFIC.

As to Pedestrian Crosswalks, New Zealand Formula.

Mr. JOHNSON asked the Minister representing the Minister for Local Government:

(1) Can he describe the formula whereby the Transport Department of New Zealand determines the suitability of a position for a pedestrian crosswalk?

(2) Would the adoption of this method be advantageous in this State?

The MINISTER FOR TRANSPORT replied:

(1) Nothing is known of the formula referred to.

(2) Answered by No. 1.

HOSPITALS.

As to Financial Experience.

Mr. CORNELL asked the Minister for Health:

What was the financial experience of each of the undermentioned hospitals—

Royal Perth;
Fremantle;
Princess Margaret;
King Edward Memorial;

for each of the following financial periods:—

Year ended the 30th June, 1950;
Year ended the 30th June, 1951;
Year ended the 30th June, 1952;
Year ended the 30th June, 1953;
Year ended the 30th June, 1954?

The MINISTER replied:

Experience over past 5 years.

ROYAL PERTH HOSPITAL

	Expenditure	Revenue, excluding State Government Subsidy
Year ended the	£	£
30th June, 1950	440,995	133,115
30th June, 1951	592,353	156,813
30th June, 1952	781,977	183,113
30th June, 1953	897,223	306,905
30th June, 1954	970,544	357,024

FREMANTLE HOSPITAL

	Expenditure	Revenue, excluding State Government Subsidy
Year ended the	£	£
30th June, 1950	107,555	41,326
30th June, 1951	135,447	45,825
30th June, 1952	180,841	49,908
30th June, 1953	224,640	85,870
30th June, 1954	243,582	103,941

PRINCESS MARGARET HOSPITAL

	Expenditure	Revenue, excluding State Government Subsidy
Year ended the	£	£
30th June, 1950	126,497	34,518
30th June, 1951	149,300	41,913
30th June, 1952	196,448	39,982
30th June, 1953	226,630	88,474
30th June, 1954	283,371	114,455