

to accept his suggestion that this legislation should operate only until the 30th September, 1957.

Hon. F. D. WILLMOTT: I am not agreeable to that suggestion. Growers have approached me to reject this legislation. I tried to persuade them to accept it for a period until the 30th September but they refused.

Hon. F. R. H. Lavery: Would the hon. member who has just sat down tell the Committee how many growers were represented by the men who approached him to reject this legislation?

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

Ayes	13
Noes	9

Majority for 4

Ayes.

Hon. N. E. Baxter	Hon. H. L. Roche
Hon. A. F. Griffith	Hon. C. H. Simpson
Hon. J. G. Hislop	Hon. J. McI. Thomson
Hon. Sir Chas. Latham	Hon. H. K. Watson
Hon. G. MacKinnon	Hon. F. D. Willmott
Hon. R. C. Mattiske	Hon. J. Cunningham
Hon. J. Murray	(Teller.)

Noes.

Hon. G. Bennetts	Hon. H. C. Strickland
Hon. G. Fraser	Hon. J. D. Teahan
Hon. J. J. Garrigan	Hon. W. F. Willesee
Hon. R. F. Hutchison	Hon. F. R. H. Lavery
Hon. G. E. Jeffery	(Teller.)

Pairs.

Ayes.	Noes.
Hon. L. C. Diver	Hon. E. M. Davies
Hon. L. A. Logan	Hon. E. M. Heenan

Amendment thus passed.

Clause, as amended, agreed to.

Title:

The MINISTER FOR RAILWAYS: I move an amendment—

That after the figures "1946" the following be added: "1949".

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

Bill reported with amendments and an amendment to the Title, and the report adopted.

Third Reading.

Bill read a third time and returned to the Assembly with amendments and an amendment to the Title.

Sitting suspended from 10.40 to 11.15 p.m.

Assembly's Message.

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

House adjourned at 11.18 p.m.

Legislative Assembly

Thursday, 6th September, 1956.

CONTENTS.

	Page
Address-in-reply, presentation	645
Questions : Betting, (a) powers of board	648
(b) position in New South Wales	648
Bridges, old Collic River structure	648
Local government, bicameral system	648
Railways, freight and diesels used, Mt. Magnet line	648
Nursing services, trainees	647
Native welfare, (a) State population and employment of full blood aborigines	647
(b) population and employment in specific localities	647
(c) Government assistance to full blood aborigines	647
Drainage, Lockyer area, Albany	647
Water supplies, (a) railway dams and reticulation of Buntine and Pithara	647
(b) provision of dam, Wubin	648
Traffic, (a) drunken driving	648
(b) police testing of vehicles	648
Transport, Inspectorial staff	648
Statistics, forms required by department	649
Housing, "Wandana" flats	649
Collic coal, purchases by S.E.C. and Railways Commission	649
Police, (a) salaries of plain clothes and uniformed men	649
(b) number of offences	649
Regional hospitals, (a) location of first to be erected	649
(b) priority of Bunbury	650
Potatoes, "City of Winchester" shipment investigations	650
Special unemployment aid, financial assistance from Commonwealth	650
Jurors, refreshments and other facilities	650
Orders of the Day, consideration of censure motion	650
Suspension of sitting	650
Bills : Corneal and Tissue Grafting, 3r. Commonwealth and State Housing Agreement, Message, 2r.	674
Profiteering and Unfair Trading Prevention, 2r.	679
Criminal Code Amendment, Com., report Evidence Act Amendment, 2r., Com.	686
Plant Diseases Act Amendment, 2r., Com., report	689
Jury Act Amendment, Message, 2r.	689
Albany Lot 184 (Validation of Title), 2r.	691
Nurses Registration Act Amendment, 2r.	691
Electoral Act Amendment (No. 1), 2r.	692
Marketing of Potatoes Act Amendment, Council's amendments	694

The DEPUTY SPEAKER (Mr. Moir), took the Chair at 2.15 p.m., and read prayers.

ADDRESS-IN-REPLY.

Presentation.

Mr. DEPUTY SPEAKER: I desire to announce that, accompanied by the member for Albany and the member for Murchison,

I waited upon His Excellency, the Lieut.-Governor and Administrator and presented the Address-in-reply to His Excellency's Speech at the opening of Parliament. His Excellency was pleased to reply in the following terms:—

Mr. Speaker and members of the Legislative Assembly: I thank you for your expressions of loyalty to Her Most Gracious Majesty the Queen and for your Address-in-reply to the Speech with which I opened Parliament.

QUESTIONS.

BETTING.

(a) Powers of Board.

Mr. JAMIESON asked the Minister for Police:

(1) In the Betting Control Act, what section gives the board power to issue instructions of a general nature, which have the effect of regulations without their being gazetted as regulations?

(2) What power has the board to discipline persons who contravene these general instructions, if they are not gazetted?

The MINISTER replied:

(1) Section 13, Subsection (1) of the Act and regulations Nos. 92, 108, and 109 give the board power to issue instructions of a general nature within the scope of such provisions.

The Act is authoritative in itself; any provisions contained therein do not have to be repeated in regulations to make them effective.

(2) Section 13, Subsection (6) and regulations Nos. 58 and 72.

(b) Position in New South Wales.

Hon. D. BRAND asked the Premier:

(1) Has any member or official of the New South Wales Government visited Western Australia with a view to investigating the operations of starting price betting shops?

(2) Does he agree with the Premier of New South Wales, Mr. Cahill, who is published as saying that he would not license s. p. shops in that State, because there was already enough gambling?

The PREMIER replied:

(1) No.

(2) I am not aware of the circumstances which apply to this matter in New South Wales.

BRIDGES.

Old Collie River Structure.

Mr. ROBERTS asked the Minister for Works:

(1) Is he aware of the dangerous hazard the protruding and submerged timber work of the old partly demolished Collie River

bridge presents to persons from all parts of this State, who use the lower reaches of the Collie River?

(2) With the possibility of a fatality occurring, could the completion of this demolition work be implemented prior to the coming summer season and what would the estimated cost of such work be?

The MINISTER replied:

(1) No.

(2) The situation will be examined.

LOCAL GOVERNMENT.

Bicameral System.

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

(1) Has consideration been given to the introduction of the bicameral system for local government?

(2) Does he know of any reason why the bicameral system should be less effective in local government than in State government?

(3) Have any non-Labour Governments attempted to apply the bicameral system to local governments during their term of office in this State?

The MINISTER FOR JUSTICE replied:

(1) Not to my knowledge in Western Australia.

(2) It does not appear that the bicameral system would be within the bounds of possibility for local government.

(3) No.

RAILWAYS.

Freight and Diesels Used, Mt. Magnet Line.

Mr. O'BRIEN asked the Minister representing the Minister for Railways:

(1) What amount of money was received by the W.A.G.R. in freight on goods of all descriptions to Mt. Magnet during 1953-54, 1954-55 and 1955-56?

(2) How many "X" Class diesels, and other diesels, are working on the Mt. Magnet-Perth line at present?

The MINISTER FOR TRANSPORT replied:

	£
(1) 1953-54	40,092
1954-55	49,494
1955-56	47,894

Totals include livestock freight.

(2) Three diesel electric locomotives and one diesel railcar operate the goods and passenger services east of Mullewa each week. Some of these services also extend to Geraldton.

NURSING SERVICES.*Trainees.*

Mr. MARSHALL asked the Minister for Health:

(1) How many girls have been awarded bursaries after obtaining the Junior Certificate, and subsequently entered the nursing profession?

(2) What was the maximum number in training at the 30th June, 1956?

(3) How many trainee nurses left, or failed to qualify, during 1955-56?

The MINISTER replied:

(1) Bursaries were awarded for terms of one year and two years, the first of which were allotted in 1955. Of the two-year bursaries, of which a greater number of awards have been made, training will not commence until 1957, but of the initial one-year bursars, 10 have already commenced training of a total of 13 eligible. The total number of bursars attending school is 63.

(2) 953.

(3) 169.

NATIVE WELFARE.*(a) State Population and Employment of Full Blood Aborigines.*

Mr. GRAYDEN asked the Minister for Native Welfare:

(1) What is the estimated population of full blood aborigines in Western Australia?

(2) How many able-bodied adult males are included in the estimated population?

(3) What percentage of the latter have full-time work, and what percentage obtain part-time work?

The MINISTER replied:

(1) 8,351.

(2) Unknown. Estimated number of adult males is 3,359.

(3) No statistics are available.

(b) Population and Employment in Specific Localities.

Mr. GRAYDEN asked the Minister for Native Welfare:

(1) How many full blood aborigines are there in the—

(a) Warburton Ranges area;

(b) Laverton, Mt. Margaret, Cosmo Newbery area?

(2) How many of these are able-bodied adult males?

(3) What percentage of the latter have full-time work and what percentage obtain part-time work?

The MINISTER replied:

(1) (a) 400 to 500 including Warburton and Rawlinson Ranges.

(b) Between 150 and 200.

(2) No statistics are available.

(3) No statistics are available.

(c) Government Assistance to Full Blood Aborigines.

Mr. GRAYDEN asked the Minister for Native Welfare:

(1) In what ways does the Government assist full blood aborigines at the Mt. Margaret mission, the Warburton mission and the Cosmo Newbery mission respectively?

(2) What was the cost to the Government of such aid during the last financial year?

The MINISTER replied:

(1) At the three missions the Government assists the natives by the provision of rations and clothing or cash subsidy on a per capita basis, the payment of medical, hospital, dental, transport and burial expenses, education costs (excepting at Cosmo Newbery where this does not obtain at present), including the salaries and transport costs of one teacher at the Warburton Ranges and two at Mt. Margaret and the supply of school equipment, books and material. In addition, the Government gives grants in aid for the provision of capital cost items directly related to the needs of the inmates. At Cosmo Newbery the Government provided the mission with an established station property, including extra buildings and vehicles.

(2) Mt. Margaret—£15,501.

Warburton Ranges—£6,702.

Cosmo Newbery—£1,591.

These figures do not include education and medical costs and the cost of drugs, dressings and medical equipment. These expenses are not separated for each mission.

DRAINAGE.*Lockyer Area, Albany.*

Mr. HALL asked the Minister for Water Supplies:

Can the drainage of the Lockyer area, Albany, be carried out under the Wilson drainage scheme?

The MINISTER replied:

No.

WATER SUPPLIES.*(a) Railway Dams and Reticulation of Buntine and Pithara.*

Mr. ACKLAND asked the Minister for Water Supplies:

(1) Has the Department of Water Supply taken over the control of the Railway Department dams at Buntine and Pithara?

(2) If this has not already been done, can he advise if and when the transfer will be effected?

(3) Does the department intend to reticulate the townships of Buntine and Pithara?

(4) If the answer to No. (3) is in the affirmative, will he advise when this work is likely to be completed?

The MINISTER replied:

(1) No.

(2) On the 1st October, 1956.

(3) The department contemplates minor extensions and enlargements to existing reticulation.

(4) Some work is listed for consideration in the 1956-57 loan programme which has not yet been finalised.

(b) Provision of Dam, Wubin.

Mr. ACKLAND asked the Minister for Water Supplies:

(1) Can he advise if a dam is to be provided for the township of Wubin?

(2) If the Water Supply Department has decided to provide water for the township of Wubin, when is the work to be undertaken?

The MINISTER replied:

(1) Yes.

(2) The work has been listed for consideration in the 1956-57 loan programme which has not yet been finalised.

TRAFFIC.

(a) Drunken Driving.

Mr. NALDER asked the Minister for Transport:

(1) How many licensed drivers have been charged with drunken driving, first offence, for the years ended June, 1953-54, 1954-55, 1955-56—

(a) in the city area;

(b) in the country areas?

(2) How many drivers have been charged with drunken driving, second offence, for the years ended June, 1953-1954, 1954-1955, 1955-1956—

(a) in the city area;

(b) in country areas?

(3) How many drivers have been charged with drunken driving, third offence, for the years ended June, 1953-54, 1954-55, 1955-56—

(a) in the city area;

(b) in country areas?

The MINISTER replied:

	June-July, 1953-54.	June-July, 1954-55.	June-July, 1955-56.
(1)— (a)	258	247	226
(b)	206	219	224
(2)— (a)	33	47	44
(b)	29	21	32
(3)— (a)	6	5	6
(b)	6	5	5

(b) Police Testing of Vehicles.

Hon. A. F. WATTS asked the Minister for Transport:

(1) When a police officer desires to test a motor-vehicle as to its efficiency and suitability to be on the road, is he entitled to require the vehicle owner to allow him to drive the vehicle for testing purposes?

(2) If the owner objects, is the police officer still entitled to take over?

(3) If the answer to No. (2) is in the affirmative, what statute or regulation authorises such action?

(4) For what testing purpose, other than testing brakes, is it necessary that the vehicle should be moved along the road, and cannot the brakes be tested equally well while the owner is driving under police supervision?

(5) If a police officer is empowered as referred to in No. (2), what is the position if, while the vehicle is thus driven, it is damaged by accident or otherwise?

The MINISTER replied:

(1) Yes.

(2) Yes.

(3) Traffic regulations Nos. 30, 37 and 47 (1).

(4) It is necessary to move a vehicle along a road to test for suspension and steering defects. Stationary tests could reveal defects but the vehicle must be moved to test the effect thereof.

(5) If a vehicle is damaged whilst being driven by a police officer during examination, he would be held responsible if circumstances proved him negligent.

TRANSPORT.

Inspectorial Staff.

Mr. NALDER asked the Minister for Transport:

(1) How many full-time inspectors are engaged by the Transport Board?

(2) How many part-time?

(3) Do any inspectors operate full-time or part-time from—

(a) Bunbury;

(b) Albany;

(c) Geraldton?

The MINISTER replied:

(1) Seven.

(2) Five traffic inspectors employed by three local authorities have been appointed and act as inspectors under the Transport Act, in conjunction with their other duties.

(3) (a) No.

(b) Yes. Two inspectors.

(c) Yes. Two inspectors.

These, as well as a part-time inspector operating from Harvey, comprise the five traffic inspectors referred to above.

STATISTICS.**Forms Required by Department.**

Mr. NALDER asked the Minister representing the Chief Secretary:

Will he table a duplicate copy of all forms sent out to primary producers, pastoralists, fishermen, miners, etc., dealing with or requiring details of production, by the department handling statistics?

The MINISTER FOR NATIVE WELFARE replied:

Yes. These will be tabled next Tuesday. In addition, some statistical forms are sent out by other departments, such as the Mines and Fisheries Departments.

HOUSING.**"Wandana" Flats.**

Mr. COURT asked the Minister for Housing:

(1) (a) Are there any vacant flats in "Wandana"?

(b) If so, how many, what types, and what rentals are required?

(2) (a) What facilities exist for tenants' cars?

(b) Are these to be improved?

(3) Are there any structural or other problems associated with the flats and is he generally satisfied with the operation of the project?

The MINISTER replied:

(1) (a) Yes.

(b) 12 two bedroom types. Action is being taken to allocate.

Three one bedroom types recently vacated. Action is being taken to allocate.

Rents range from £3 10s. 6d. to £3 15s. 6d.

(2) (a) and (b) Parking facilities are being provided.

(3) All new projects have problems and those associated with "Wandana" have now been overcome and I am very well satisfied with the project as a whole.

COLLIE COAL.**Purchases by S.E.C. and Railway Commission.**

Mr. MAY asked the Minister for Works:

(1) Do the State Electricity Commission and the Railway Commission know the actual price, including cost of electric power, of coal supplied to them by Amalgamated Collieries of W.A. Ltd. under the cost-plus system for the half-year ended the 30th June, 1956?

(2) If so, what is the actual total price?

(3) Does the inability of the State Electricity Commission to supply calorific value of coal purchased from each company mean that it purchases its coal without regard to calorific value?

The MINISTER replied:

(1) Not yet.

(2) See answer to No. (1).

(3) Yes.

POLICE.**(a) Salaries of Plain Clothes and Uniform Men.**

Mr. COURT asked the Minister for Police:

(1) As Press reports disclose that Constable Hardy is now in plain clothes in the Liquor Inspection Branch, is it a fact that plain clothes policemen are paid more than uniform policemen?

(2) If that is so, does it not mean that P.C. Hardy has been promoted since the Trobridge case?

The MINISTER replied:

(1) Plain clothes police are not paid any higher salary than uniform police, but receive an allowance of 2s. per day as compensation for out of pocket expenses necessarily incurred by reason of their type of work.

They also receive a clothing allowance in lieu of uniform, which is paid to all members of the Police Force who perform duty in civilian clothes. This is calculated at the rate of £46 per annum.

(2) No.

(b) Number of Offences.

Mr. LAWRENCE asked the Minister for Police:

What is the increase, if any, in stealing, breaking and entering, and false pretence charges for the years of 1953-54, 1954-55 and 1955-56?

The MINISTER replied:

	Convictions Recorded.
1953.—	
Stealing	3,156
Breaking and entering	910
False pretences	334
1954.—	
Stealing	3,072
Breaking and entering	840
False pretences	472
1955.—	
Stealing	3,374
Breaking and entering	924
False pretences	438

The above figures are for the whole State for the years mentioned.

REGIONAL HOSPITALS.**(a) Location of First to be Erected.**

Mr. HALL (without notice) asked the Minister for Health:

Where will the first regional hospital be built?

The MINISTER replied:

As far as we can learn from the requirements of the district, I think it will be at Albany.

(b) *Priority of Bunbury.*

Mr. ROBERTS (without notice) asked the Minister for Health:

What priority has Bunbury in regard to the commencement of a regional hospital?

The MINISTER replied:

I will have to go into the matter and make inquiries. The needs of Geraldton and other parts of the State are also very great.

POTATOES.

"City of Winchester" Shipment, Investigations.

Mr. COURT (without notice) asked the Minister for Agriculture:

(1) Has his department investigated the complaints made by the member for South Fremantle during his speech on the Marketing of Potatoes Bill on the 5th September, 1956, regarding the shipment of 60 tons of potatoes on the "City of Winchester"?

(2) (a) If so, what is the result of the investigations?

(b) If not, is an investigation proposed?

(3) Were the potatoes examined and passed at some stage by his department or the board?

The MINISTER replied:

The hon. member was good enough to give me a copy of his question before the House sat. The answers are as follows:—

(1) Investigations have been made.

(2) The potatoes were collected by a private firm and export arranged by that firm.

(3) No application was made at Fremantle for a certification of quality, and freedom from disease. It may be presumed that this was because the line did not meet the standard required by the Department of Agriculture before a certificate was issued. The fact that no certificate accompanies the consignment could mean in normal circumstances that the consignment could be rejected at its destination or could be accepted only after regrading or rebagging of the potatoes.

SPECIAL EMPLOYMENT AID.

Financial Assistance from Commonwealth.

Mr. HEAL (without notice) asked the Premier:

(1) In view of the number of new Australians in my electorate who are becoming unemployed, will he advise me whether he has received any further notice from the Commonwealth Treasurer in regard to his request for financial help?

(2) If not, will he consider putting into operation immediately Government works that are intended to take place in the latter half of this financial year to help absorb some of that unemployment.

The PREMIER replied:

(1) This afternoon I handed in some correspondence on this matter for tabling for one week.

(2) The Government is financing all the works within its financial capacity.

JURORS.

Refreshments and Other Facilities.

The MINISTER FOR HEALTH: The member for Nedlands yesterday asked me a question without notice and I promised to obtain information for him. It is as follows:—

I am satisfied that the best possible arrangements are made in regard to refreshments for jurors, according to the circumstances of the particular case.

Whilst considering their verdict, they are entitled to be provided with such reasonable refreshment, if any, as the court may allow, but to permit them to leave the court at that stage to be given a meal would be a contravention of Section 640 of the Criminal Code.

When a jury is locked up over a meal hour and the judge allows them refreshments, the court officer does the best he can, often at great inconvenience, to comply with their requirements. Generally, his efforts on their behalf are appreciated by the jurors.

The great majority of jurors accept any little inconvenience they may have to suffer as a necessary incident of their duties as citizens, but at the same time every effort is made to keep such inconveniences at a minimum.

BILL—CORNEAL AND TISSUE GRAFTING.

Bill read a third time and transmitted to the Council.

ORDERS OF THE DAY.

Consideration of Censure Motion.

Hon. SIR ROSS McLARTY (Murray) [2.39]: I move—

That all items on the notice paper under Orders of the Day from item No. 2 to item No. 23, inclusive, and notice of motion No. 1 be postponed until consideration is given to item No. 2 under notice of motion standing in my name.

The Minister for Transport: Taking charge of the House, eh?

Hon. Sir ROSS McLARTY: When I gave notice of this motion in my name on the notice paper I thought the Premier would give it the precedence to which it is entitled.

Mr. Bovell: Hear, hear!

The Minister for Transport: That is what it got.

Hon. D. Brand: The public does not think so.

Hon. Sir ROSS McLARTY: I have made some considerable research today in regard to how motions such as this should be treated, and how they have been previously treated in this Parliament. In this Parliament we base the procedure very largely on what is known as "May's Parliamentary Practice". I shall read from item No. 4, page 290 of the 15th Edition, under the heading of "Votes of Censure". It says—

By established convention the Government never fail to accede to a demand from the Leader of the Opposition to allot a day to the discussion of a motion expressing lack of confidence in the Government, a "vote of censure", as it is called. In allotting a day for this purpose the Government are entitled to have regard to the exigencies of their own business, but a reasonably early day is invariably found. Few sessions fail to provide examples of such motions.

What do we find with regard to this motion?

The Minister for Transport: Nothing but tripe.

Hon. Sir ROSS McLARTY: I shall read it so that members will have a full appreciation of the matter.

Mr. Bovell: The Government is afraid—

The DEPUTY SPEAKER: Order! The Leader of the Opposition may proceed.

Hon. Sir ROSS McLARTY: This is the motion—

That the Government is deserving of censure because of its misuse of public funds in paying £450 of the damages and costs awarded by the High Court against Police Constable Hardy in the action brought by A. L. Trobridge.

Mr. Bovell: The Government is afraid to face up to this issue.

Hon. Sir ROSS McLARTY: Why the Premier has placed this motion of mine on the notice paper below 24 other items is difficult to understand.

The Minister for Transport: That is the proper place for it.

Hon. Sir ROSS McLARTY: We shall see as we go on. I have no real indication of when this motion will come on.

Mr. Bovell: It should be debated today.

Hon. Sir ROSS McLARTY: The position of course, is that the Premier has chosen to regard it as a motion from a private member, so under the best of conditions it could not come on until next Wednesday. There is no certainty it will come on even then, because let us look at the notice paper in regard to private members' business. First there is a motion standing in the name of the member for Leederville, another in the name of the member for Blackwood, then follow five Bills from private members, another motion in the name of the Leader of the Country Party, and the motion of mine comes last. It is very doubtful indeed whether my motion will be considered next Wednesday.

The Minister for Lands: Even the kids here are laughing at you!

Hon. Sir ROSS McLARTY: If the motion is considered next Wednesday, we do not know at what hour of the day or night, so I am moving for the postponement of all other items on the notice paper. I take the strongest possible exception to the treatment meted out to the Opposition by the Government regarding this motion. It is a complete negation of the rights of Parliament. I would say that by its action, the Government has not only shown contempt for the Opposition, but it has also shown contempt for public opinion.

The Minister for Transport: Tommy rot!

Hon. Sir ROSS McLARTY: The Minister for Transport may just as well be in on this. The more he says today, the more will I be pleased.

The Minister for Transport: I shall see if I can make you very happy.

Hon. Sir ROSS McLARTY: Let the hon. member try.

The Minister for Transport: You are the least of my worries.

Hon. Sir ROSS McLARTY: I repeat again that the action of the Government with regard to the treatment of this motion not only shows contempt for Parliament, but shows contempt for public opinion.

Mr. I. W. Manning: That is communism.

The Minister for Transport: That is Churchillian.

Hon. Sir ROSS McLARTY: When similar motions were moved on previous occasions—and I have been interested in parliamentary affairs for as long as I can remember—it was usually the custom to adjourn the House until a no confidence motion had been dealt with, but in latter years that procedure has been departed from. As long as I can remember, when the Leader of the Opposition in this House has given notice of a motion such as the one appearing in my name, the Premier has always given early consideration to it, or I should say given immediate consideration to it.

The Premier: That is better.

Hon. Sir ROSS McLARTY: When the Premier was the Deputy Leader of the Opposition on this side he moved a no confidence motion once and he got precedence over other business immediately.

The Premier: What did that concern?

Hon. Sir ROSS McLARTY: The motion concerned the Black Diamond leases. Only formal business was dealt with that day. The Deputy Premier when sitting in Opposition moved a censure motion. A great number of items appeared in that motion. Notice was given on Tuesday, and Wednesday being the private members' day, as soon as the formal business was completed the hon. member went on with his motion. Surely the Government has no right to regard this as a trivial matter. It appears that, having a big majority, the Government considers it can do what it likes. If this is the treatment to be accorded the Opposition, then I cannot see how it can function usefully in the future.

Mr. Bovell: This House will be like the Kremlin, with one political side only.

Hon. Sir ROSS McLARTY: We have heard members of the Government speaking about democracy, but if that is the type of action they regard as democratic, then we have some idea of what their definition of the word is. I ask the Premier this: What rights has the Opposition got? If the Premier, the Deputy Premier and the Minister for Transport were sitting on this side of the House, and in a situation like the present, what a fuss they would kick up! We would be here for hours listening to them. We would be most violently criticised as being dictators and as people not fit to govern. It would be described as diabolical or by some other term which the Premier has used in the past.

The Minister for Transport: Mind your blood pressure!

Hon. Sir ROSS McLARTY: The Minister need not worry about my blood pressure. What is the reason for the Government refusing to discuss this motion? I know the Government has its own good reasons; it does not want the motion to be discussed; it wants the motion to be buried and got rid of as quickly as possible. By delaying this motion for some weeks, the Government thinks that perhaps public feeling will die down and interest will wane, thereby enabling the Government to get out of a very difficult position.

The Minister for Lands: Who told you to say this?

Hon. Sir ROSS McLARTY: This motion charges the Government with misuse of public funds. Does the Premier not think that a serious matter?

Mr. Ross Hutchinson: The Government has done that before.

Hon. Sir ROSS McLARTY: Does the Premier not think this motion worthy of immediate consideration.

Mr. Ross Hutchinson: This is not the first time the Government has done this sort of thing.

Hon. Sir ROSS McLARTY: Does the Premier think this is a trivial matter? I am not the only one accusing him of misuse of public funds. That is also evident in the daily newspapers.

The Minister for Transport: So that was where you got your inspiration from.

Hon. Sir ROSS McLARTY: The Premier has been accused of the misuse of public funds. Correspondence has also appeared in the newspapers accusing him of such misuse, and many people in the street are also of the same opinion.

Mr. Ross Hutchinson: What about the Government's use of civil servants for securing enrolments?

Hon. Sir ROSS McLARTY: The Leader of the Country Party asked me if the Federal President of the A.L.P. was satisfied, but we have seen the very remarkable state of affairs of a public protest which has been published by the A.L.P. and they have shown concern in regard to this action by the Government.

The Minister for Lands: Why are you looking at me?

Hon. Sir ROSS McLARTY: I do not find any pleasure in looking at the Minister. He does not matter.

Mr. Bovell: The Minister for Lands is a small potato.

Hon. Sir ROSS McLARTY: We had the most extraordinary position of the Federal president of the A.L.P. and other members of the executive voicing a protest about this matter and giving publicity to it, which shows they, too, were concerned at the action of the Government in this particular instance.

The Minister for Lands: Is this part of the campaign to whip up the energy of the Liberal Party?

Mr. Roberts: The Minister should give his attention to potatoes.

Hon. Sir ROSS McLARTY: When we read what happened in the courts, both in our own Supreme Court and the High Court of Australia, followed by the action of this Government in providing £450 to meet the expenses of a certain individual—

MR. DEPUTY SPEAKER: Order! I cannot allow the Leader of the Opposition to discuss the notice of motion.

Hon. Sir ROSS McLARTY: I think probably you are right, Mr. Speaker, but my object, of course, in rising was to voice my strongest possible objection to the manner in which this motion of mine has been

treated. I think it is insulting to say the least of it not only to myself but to all other members of the Opposition. It shows complete contempt of our parliamentary system and I have never known this to happen before; I never expected that it would happen today. On the contrary, I thought the Premier would take the opportunity of saying why the Government did this and of defending his action, because up to now he has been very silent indeed. It is his usual procedure when the Government is attacked to rush into the paper with his very familiar outbursts and come to the aid of the Government straight away, but in this case he would much prefer to keep out of it, and that is why my motion is at the bottom of the notice paper today. I think this is a scandalous state of affairs and it does not reflect any credit on the Government. I wish I could discuss this motion, Mr. Speaker, but I feel your ruling is right. Nevertheless, I take this opportunity of voicing a protest against the despicable and dishonest action of the Government in preventing my going on with this motion today.

The Minister for Transport: You would say nothing else.

THE PREMIER (Hon. A. R. G. Hawke—Northam) [2.58]: This is prompted by a delayed outburst of election defeat bitterness.

Mr. Hearman: You can do better than that.

The PREMIER: I do not want to do better than that. As far as the member for Blackwood is concerned, let us approach this matter rationally and not in a fit of passion or wrath whipped up for the occasion. It is true, as the Leader of the Opposition said, that he gave notice of motion in the House yesterday of his intention to move this motion. As Leader of the Government I gave consideration to its importance and its urgency in relation to business already on the notice paper, including both Government and private member's business, and on what seemed to me to be a reasonable assessment of the importance and particularly the urgency of this motion as against business which had been put upon the notice paper previously, in some cases for days and in some cases for weeks. It seemed to me it did not have any claim at all to go to the top of the notice paper for today and it could fairly take its place in the debates in the House on Wednesday next.

Mr. Bovell: As a private member's motion?

The PREMIER: Yes, it comes from the Leader of the Opposition.

Hon. Sir Ross McLarty: There is no guarantee that it will be discussed next Wednesday.

The PREMIER: The Leader of the Opposition is of the opinion that his motion should have gone to the top of the notice paper and I will deal with that later on, but, in case I forget, I would be glad if Liberal Party members will remind me to come back to the point.

Mr. Bovell: We would remind the Premier that we have an obligation to the people of this State as we represent a big proportion.

The Minister for Transport: We represent a bigger proportion than you do.

The PREMIER: The state of the notice paper as it stands shows that the first item, apart from formal business, is legislation in connection with the Commonwealth and State Governments' housing agreement. I suggest to members that this is very important legislation and I tell them that it is very urgent legislation and it is essential that it be passed through both Houses of Parliament as soon as possible. Until it does become law, no building society in Western Australia will be able to obtain one penny under the provisions of the new agreement already made between the two Governments.

Mr. Bovell: Why do you not move for the suspension of Standing Orders as you did in the case of potatoes?

The PREMIER: I am not dealing with the question of moving for the suspension of Standing Orders. This particular item if the member will look at the notice paper is already at the top, so obviously it comes on immediately in the normal course of events.

The next item on the notice paper has to do with a Bill which the Government proposes to introduce to prevent profiteering and to wipe out, as far as possible, unfair trading and unfair trade practices in trade, industry and commerce. We have heard a lot from members of the Liberal Party section of the Opposition in recent weeks about the serious economic problems which face Australia, and about inflation, which is a handicap and a burden upon industry generally and upon those people in the community.

Mr. Bovell: From newspaper reports, you were not very helpful in Canberra in solving this position.

The PREMIER: How can anyone discuss intelligently the subject now before us when we have a member of the Liberal Party section of the Opposition coming in with interjections which are as silly as it is possible to imagine.

Mr. Bovell: That is your biased opinion.

The PREMIER: I do not know whether the member for Vasse has been imbibing too much potato juice, or what has gone wrong with him overnight, but he seems to be hopelessly off the beam.

Mr. Bovell: Do not get abusive!

The PREMIER: From now on I shall ignore completely anything he might have to say.

Mr. May: The member for Mt. Lawley upset him last night.

The PREMIER: Anybody with a proper sense of balance and not anxious to make party politics out of some particular subject, would freely admit that the Bill to which I am now referring is tremendously important. It is a measure which affects the economic welfare of everyone in the community and the stability of our industries, many of which are already suffering under inflationary pressures of one kind or another. One could run through the rest of the Government's legislation and from many angles it could be argued that most of the Government Bills listed on the paper are of considerable importance either to all the people of Western Australia or to considerable sections of them.

Mr. Court: Would the consideration of the Leader of the Opposition's motion preclude the House dealing with this business today? We have sat through to the next morning before this.

The PREMIER: We could sit through every night until the following morning if that was desirable, but it is not desirable. I shall deal with that angle later when I come to the motion of the Leader of the Opposition, which appears on the notice paper.

Hon. A. F. Watts: You must not debate that.

The PREMIER: I do not intend to debate the motion but merely to make reference to it on the basis of its comparative urgency with many items—not all of them, admittedly—which are ahead of that motion on the notice paper, and which are ahead of it by virtue of a proper ordering of priorities under our Standing Orders.

Private members have rights, as we know, in connection with the priority which is to be given to private members' business. If members care to look at the private members' business, they will find that some of the items are of considerable importance. I am prepared to go this far and say that if the private members concerned—those who have business upon the notice paper—have no objection to the motion of the Leader of the Opposition having pride of place next Wednesday, the Government will have no objection.

Mr. Ross Hutchinson: You should not have any objection to it taking pride of place here, now.

The PREMIER: We will come to that later.

Mr. I. W. Manning: Do you not view this accusation seriously?

The PREMIER: I shall come to that in a few moments if the member for Harvey does not mind. The Leader of the Opposition wanted to know whether I did not

consider the wording of his motion to be important; whether I did not particularly regard as very important the use of the words in the motion—"misuse of public funds." Of course, the Leader of any Opposition could come to Parliament every second day with a motion against the Government and include in it words of that description. A Leader of the Opposition so disposed, could make it impossible for the business of Parliament to proceed in an orderly fashion.

Mr. Ross Hutchinson: It is not the intention of our Opposition that that should happen.

The Minister for Transport: No; you are lily-white!

The PREMIER: I doubt whether the member for Cottesloe knows what the real intention of the Liberal Party section of the Opposition is in this matter. I simply say that the fact that these particular words find a place in the motion, proves nothing at all.

Mr. Ross Hutchinson: They do in the full text.

The PREMIER: They prove nothing at all. It is obvious that any Leader of the Opposition could, at any time he pleased, give notice of a motion to censure the Government in connection with anything at all.

Mr. Bovell: This is a matter of intense public interest.

The PREMIER: The argument put forward this afternoon is that the inclusion by the Leader of the Opposition of such words as "misuse of public funds" in the motion, makes the motion of transcendent importance and of the greatest urgency. I say it does nothing of the kind.

We can only judge the importance of words in a particular setting when we first give attention to the source from where they came, and also give consideration to the purpose for which they are used. We have all been here long enough to know that when a situation arises which might, on the surface, appear to be against the Government and favourable to the Opposition, the Opposition is naturally not slow to try to take advantage of it; and when the Opposition tries to take advantage of the situation, it does not use soft language in any motion which it puts forward. It gets hold of words which are strong, which are suggestive, which are likely to appeal to anyone who might read them, whether he understands the basis of the situation as a whole, or not. So, the fact that the motion contains particular words proves nothing at all.

Mr. Court: If the words are taken with the whole motion, the meaning is more than if you just take the words out on their own.

The PREMIER: I suggest it proves nothing at all, and I repeat that.

Mr. Bovell: Let this Parliament decide whether it does or not.

The PREMIER: It is strange, is it not, that the official section of the Opposition suddenly finds itself in a situation where it has to proceed at breakneck speed.

Mr. Hearman: That is what the Government did last night on potatoes.

The PREMIER: The first move made in the House by the Opposition in connection with this matter was made last night when the Leader of the Opposition gave notice of this motion.

Mr. I. W. Manning: The mention of breakneck speed seems strange, coming from the Premier.

The PREMIER: As far as I remember, the decision made by the Government in connection with this matter was made at least three weeks ago, and probably as long as five weeks ago. So obviously the matter has not been urgent, even in the minds of the Opposition, until the last day or two. In those circumstances, there is no justification for doing as members of the Liberal Party section of the Opposition have demanded this afternoon, and that is to put this motion on the top of today's notice paper.

Hon. D. Brand: How was it that the A.L.P. deputation was delayed so long?

The PREMIER: I suggest that if the member for Greenough wants some information on that point he had better consult the members of that deputation.

Hon. D. Brand: I just thought it was a similar point.

The PREMIER: This afternoon the Leader of the Opposition tried to bring "May's Parliamentary Practice" to his aid; but as he quoted from that volume he did not prove his point. He had to read out that even that great expert of parliamentary procedure said that a motion involving censure upon a Government should be debated at a reasonably early date. I can imagine the sort of debate which would go on here if we were to argue what was intended by this expert on parliamentary procedure by the use of the words, "reasonably early date." The Leader of the Opposition became almost apoplectic—

Hon. Sir Ross McLarty: Do not get personal!

The PREMIER: —in what he had to say—

Mr. Bovell: The Premier cannot help being personal!

The PREMIER: —about the Government's action. He talks about complete negation of democracy; contempt of the Opposition; contempt of the public and all the rest of it. This was all based upon a tremendous upsurge of anger on his part because his particular notice of

motion was not at the top of today's notice paper. I will take members back to the 5th September, 1951, and I will show what the Leader of the Opposition—he stood up a quarter of an hour or 20 minutes ago and raved and ranted, and talked about democracy, contempt of the Opposition and contempt of public opinion—did to a censure motion which I moved at that time against his Government.

Mr. Bovell: Were you the Leader of the Opposition?

The PREMIER: It does not matter whether I was or not.

Mr. Bovell: Yes, it does.

Hon. Sir Ross McLarty: Of course, it does.

The PREMIER: It does not.

Mr. Bovell: You were not the Leader of the Opposition.

The PREMIER: If the censure motion—

Hon. Sir Ross McLarty: I can remember how you treated a censure motion moved by a private member, the former member for East Perth, Mr. T. J. Hughes.

The PREMIER: —did not come from the Leader of the Opposition at that time—

Mr. Bovell: It did not.

Hon. Sir Ross McLarty: It did not come from the Leader of the Opposition.

The PREMIER: —I was acting on behalf of the Leader of the Opposition when I moved that motion, and the Opposition had previously decided to move it as a motion of censure.

Mr. Bovell: Then why did not your leader move it?

The Minister for Lands: What has that to do with you?

The PREMIER: If I remember rightly—

Mr. Bovell: Because I was a member of this Parliament at that time, I recollect the occasion.

The PREMIER: —the Leader of the Opposition was not in Western Australia at the time.

The Minister for Police: That stumped him.

Mr. Bovell: Then the present Premier was acting as Leader of the Opposition at that time.

The PREMIER: Would that be so?

Mr. Bovell: I do not know; but I do not think you were.

The PREMIER: You do not?

Mr. Bovell: No.

The PREMIER: If the hon. member has finished interjecting, I will proceed. I think he would have done better if, in his last interjection, he had finished with the word "think"; he would have been

nearer the mark. I moved a motion of censure against the Government led by the present Leader of the Opposition in connection with a tremendous additional burden which was to be imposed upon the people of Western Australia in regard to the price which they were to pay for butter. Where did the Leader of the Opposition, after he received this notice of motion—

Mr. I. W. Manning: That was a buttery one.

The PREMIER: Of course, it was a buttery one! It was a situation where the consumers, the general public in this State, were going to be called upon to pay a tremendously increased price for the essential commodity of butter. Although that might mean little or nothing to the member for Harvey—

Mr. I. W. Manning: It might have meant a lot.

Mr. Ross Hutchinson: It was nothing compared with the principle involved in this motion.

The Minister for Transport: You would be a great judge of that!

The PREMIER: It was a censure motion.

Mr. I. W. Manning: A frivolous one compared with this.

The PREMIER: The hon. member might think so, but it does not affect the issue as to the urgency which should be given by a Government to a censure motion. What was the attitude of the present Leader of the Opposition at that time? Did he follow "May's Parliamentary Practice"? Did he follow the lines of his outburst here this afternoon? Did he say that the Government was being challenged by way of a censure motion and therefore the issue should be dealt with and cleared up one way or the other as quickly as possible? Of course he did not.

Mr. Heal: What did he do?

The PREMIER: He put the item right down at the end of the notices of motion on private members' day, Wednesday, the 5th September, 1951.

Hon. Sir Ross McLarty: When was the notice given?

The PREMIER: There is no record of that.

Hon. Sir Ross McLarty: If you look at the records you will probably find that you gave notice of it on the Tuesday prior to that Wednesday.

The PREMIER: We have had the records checked and if the Leader of the Opposition had checked them, as he should have done, he would know that there is no record indicating when a notice of motion is given.

The Minister for Works: This much is certain; it was not less than the time given in this instance.

Hon. Sir Ross McLarty: I can imagine what you would say if you were over here in similar circumstances.

The PREMIER: So it is not possible to check up as to whether a notice of motion was given a day before, two days before or a week before. The fact is that the notice of motion was given; that it was a censure motion against the Government and the Leader of the Opposition pushed it right down the notice paper.

Hon. Sir Ross McLarty: How long did you have to wait before it was discussed?

The PREMIER: I think other members have comprehended what I said a moment ago which was to the effect that the records do not include the information necessary to be able to judge that.

Hon. Sir Ross McLarty: You have put this motion down and it may not come up for weeks.

The PREMIER: I have already said this afternoon that if other members who have business on the notice paper are prepared to give pride of place next Wednesday to the motion of the Leader of the Opposition, the Government will be quite happy to co-operate in having the matter debated.

Mr. Bovell: The Government is treating the Opposition with contempt as is done in Russia. There is no Opposition there and there will not be any here if the Government adopts these tactics.

The PREMIER: I would say that the Government does not treat the Opposition with contempt even if the behaviour and inane interjections of the member for Vasse would justify the Government in treating him at least in that fashion.

The Minister for Transport: Hear, hear!

Mr. Bovell: That is just what I would expect from you.

The PREMIER: Then the hon. member has not been disappointed.

Mr. Bovell: No.

The PREMIER: Let me read the type of notice of motion which was considered, on the decision of the Leader of the Opposition when he was Premier, ahead of the censure motion which I moved as soon as the opportunity was given to me. I shall not read the Government notices because they would not take long to consider. There was one by the member for Fremantle in connection with extensions to the Fremantle harbour.

Mr. Bovell: Was he the Leader of the Opposition?

The PREMIER: Oh, Mr. Deputy Speaker!

The Minister for Transport: Chuck him out!

The PREMIER: How the hon. member came to get on to the front bench I shall never know.

The Minister for Police: He will be the next Minister for Police.

The PREMIER: The next notice of motion was one from my colleague on the right, the present Minister for Works.

Mr. Bovell: I certainly would not get a hearing through your efforts, that is one thing!

The PREMIER: This motion dealt with the Increase of Rent (War Restrictions) Act Amendment Bill. Then there was a notice of motion by the member for Blackwood, Mr. Hearman, for a select committee to be appointed to inquire into the agricultural practices of one, Mr. Eric Farleigh. My notice of motion was the next one and this was the last of all the notices of motion that were considered and debated on that particular private members' day in September, 1951.

So it becomes as clear as anything can possibly become clear, that the Leader of the Opposition has, this afternoon, adopted a very lofty attitude on democracy and on the treatment by the Government of the Opposition, but it is an attitude that is totally different from the practical attitude he adopted when he had the power, as Premier of the State, in that month of September, 1951.

Hon. Sir Ross McLarty: There is no doubt about what I would have done with a motion of this kind when I was Premier, and there is no doubt what you would have done if I had treated you in the same way as I have been treated.

The PREMIER: There is no doubt what the Leader of the Opposition will do when he is still Leader of the Opposition. We are all aware of that situation. We have all been in public life long enough to know that we would do very many things whilst we are over on that side of the House and what we would do whilst we are over here. Even the newer members of Parliament, including the member for Nedlands, would know that a situation can be quite different when a member is sitting on the Government side of the House as against what it would be when he was sitting on the Opposition side.

Mr. Court: I have found that out when I have read the speeches made by you when in Opposition.

The PREMIER: Of course, the member for Nedlands would find that out when reading the speeches of anybody who at some time was a Minister of the Crown and then at another time was a member of the Opposition. That is only natural. Quite often it is found that Ministers have almost complete information about a situation and have sources of information that could not be available to a member of the Opposition and so they find, at times,

when they are Ministers, that they have to take an attitude entirely different from that which they might have adopted some years before when they were members of the Opposition.

Mr. Court: I still think that we are more orderly and more reasonable than you were whilst in Opposition.

The PREMIER: Of course the hon. member is.

Mr. Ross Hutchinson: Did the Premier think that there would be no strong opposition from members on this side of the House because the motion had been placed well down on the notice paper?

The PREMIER: I still say that if the members of the Liberal Party section of the Opposition were to compare this motion with other business on the notice paper, they could not reasonably complain that the motion was not brought forward for debate today.

Mr. Ross Hutchinson: You have not answered my question. Did you think there would be no strong opposition on this side as the result of the motion being placed low down on the notice paper?

The PREMIER: Yes, I did think that there would be no strong opposition.

Mr. Ross Hutchinson: Are you really serious when you say that?

The PREMIER: Of course I am.

Hon. D. Brand: You made a statement a short while ago that some of us have been here long enough to know what goes on.

Hon. Sir Ross McLarty: Do you honestly think that I would not have risen to say something about the treatment that you have meted out to us in regard to this motion?

The PREMIER: No, I did not think that the Leader of the Opposition would not rise and say something about it, but that is not the question that the member for Cottesloe asked.

Mr. Ross Hutchinson: It was very close to it.

The PREMIER: No, it was not close to it at all. So I say that this motion will be debated next Wednesday and the Government will have no objection to its being debated next Wednesday.

Hon. Sir Ross McLarty: Only as a private member's business.

The PREMIER: I do not know about that. Every member who wishes to participate will be able to take part in the debate. We could extend the time for the debate to midnight and perhaps beyond if the Leader of the Opposition wanted that to happen in order that the debate could be completed in the one sitting. However, I say again that there is nothing desperately urgent about the motion. It

is not a motion that could fade out. It is not a motion that could somehow drop off the notice paper and not be discussed.

In the circumstances, it seems to me that the fact that this motion will not be debated until next Wednesday, is not serious at all. There is nothing to get excited, or even hot under the collar about. There would be just as much achieved by having a debate on it next Wednesday as there would be by having a debate on it today.

Mr. Court: Do not you think that the public will be incensed about this?

The PREMIER: I know the public fairly well. I have had a lot to do with the public over the years and I know what happens. I know, for instance, how a newspaper can highlight a particular subject and that something more important can be pushed away on a back page and given no headlines at all.

Mr. Court: Like births, marriages and deaths.

The PREMIER: The member for Nedlands is an expert in propaganda. He knows what can be done.

Mr. Court: You flatter me!

The PREMIER: I would say that the member for Nedlands is no babe in the wood. He defeated the Grayden technique and I might say, with respect, that the Grayden technique is something out of this world. So the member for Nedlands knows as well as I know that if a newspaper sets out to drop a particular issue, it can.

Mr. Hearman: Of course, it can also take up a particular issue.

The PREMIER: Of course it could. A newspaper, if it so desired, could crucify any member of this House.

Mr. Bovell: It gives you a good spin!

The PREMIER: I understand the member for Vasse is very jealous about that.

Mr. Bovell: I could not be jealous of the Premier.

The PREMIER: Thank you. That is the nicest thing the hon. member has ever said about me. So we should be sensible about this matter. It is a subject that could be debated fully and quite decisively in a week's time.

Hon. Sir Ross McLarty: It is good political tactics for you to delay it as long as possible.

The PREMIER: I do not agree with that at all.

Hon. Sir Ross McLarty: Oh, yes!

The PREMIER: Oh, no! If the Government had looked at this issue from a party political point of view, it would have been debated this afternoon. That would have suited the Government because it would have meant that the debate would

have been staged this afternoon. It could have been finished today. The newspapers would have had a feast on it tomorrow and perhaps the following day and in a week's time that would have been that. But the Government, by postponing the debate on the subject, is keeping the matter alive for a week longer than otherwise would have been the case. From that angle alone the Government has something to lose and nothing to gain, and the Opposition has something to gain and nothing to lose.

Mr. Roberts: In that case, let us get on our way.

Hon. D. Brand: We will forgo our advantage and debate the motion today.

The PREMIER: It is not a question of forgoing an advantage: it is a question of trying to weigh the relative importance and urgency—and I emphasise the word "urgency"—of all the other subjects on the notice paper as against this particular motion. I say again that if a rational assessment is made of the urgency of all the items upon the notice paper, no one could say that this particular motion is entitled to have a place above all others.

HON. A. F. WATTS (Stirling) [3.30]: I propose to be extremely rational in regard to this matter—even more rational, I think, than was the Premier.

Mr. Ross Hutchinson: That would not be difficult.

Hon. D. Brand: Conservatively rational.

Hon. A. F. WATTS: I do not propose either to be pushed into any reference as to the intrinsic or other merits or demerits of the motion which is on the notice paper for next Wednesday in the name of the Leader of the Opposition, because I do not think that has anything whatever to do with the question now before the House. I think that all we have to consider is the position of the Leader of Her Majesty's Opposition in a British Parliament—and that is what this is—and the traditions and customs which usually have been applied, and which in my opinion still should be applied to motions by the Leader of the Opposition whether they be good, bad or indifferent.

The Leader of the Opposition of any legislature is himself the best judge, and he is entitled, I would suggest, to put his reasons forward. They may not appear entirely in the terms of the motion, but he is entitled to put them forward at the quickest possible time; and that has been the practice in this House so far as I can remember—although the Premier indicated that he had an occasion when such had not been done. Let us suppose for a moment that that is so.

The Minister for Works: There is no need to suppose it; it was so.

Hon. A. F. WATTS: Was it?

The Minister for Works: Yes.

Hon. A. F. WATTS: We will look at it in a few moments, and we will then see whether it is on all fours with this case. We will suppose for a moment that it was so. In that case, following on what I have remarked a moment or two ago, it would indicate that the head of the Government and the Leader of the House at that time was in error in postponing, as the Premier indicated had been done for a considerable time, a motion of censure on butter prices which he had then desired to move.

I think you will agree, Sir, that although it occurred in that case—supposing it were as I said and the Leader of the Government had been in error—it does not justify a repetition of the error now. So far as I know, two wrongs have never made one right satisfactorily, and it seems to me that there are much sounder precedents and a much greater tradition directed at giving the Leader of His or Her Majesty's Opposition in this legislature a considerable measure of priority.

Mr. Ross Hutchinson: Hear, hear!

Hon. A. F. WATTS: At least he should not be held up for a week. That is the part that appeals to me. Had notice of motion been given on Tuesday last and the notice of motion not brought on until today, in circumstances of which we were all well aware, I should not now be on my feet supporting the Leader of the Opposition, as I would suggest that would have been, in all the circumstances, a reasonable hiatus of time. But this is not a reasonable one. In the face of all that has gone before and the relationships that have existed and should exist between the Government and the Opposition in a legislative Chamber of this character, I can come to no other conclusion but that the Leader of the Opposition has, to say the least of it, been treated somewhat scurvily.

I would like to point out to the Premier that the circumstances to which he referred in regard to the motion on the butter prices are not by any means on all fours with this case, because he moved that motion within about 28 hours of the time he gave notice of it. If one looks at the notice paper of the 4th September, 1951, one will find that there is no trace thereon of any motion about butter in the name of the Premier, or, as he was then, the member for Northam.

The Minister for Works: And Leader of the Opposition.

Hon. A. F. WATTS: Therefore prior to that day he had not given notice of it. It does appear on the notice paper of the 5th September, 1951, and on that day he moved it at 8.55 p.m.; quite a reasonable time of the day. So as the House met at 4.30 on the 4th, and presumably he gave notice forthwith, and at 8.55 on the 5th

he moved it, there was a hiatus of approximately 28 hours, and not of one week. So as I said a moment ago, the circumstances are not on all fours with those that happen to exist in this case. I also repeat that had notice of motion been given on Tuesday, and had it not been brought on till today, in all the circumstances I would not have offered any objection, nor would I be supporting this motion. But that is not what the hon. gentleman did at all. He keeps the Leader of the Opposition waiting for a week. I do not want to see the systems, as I have seen them exist here fairly clearly for a long period of years, abrogated or destroyed.

Although we here indulge in very considerable conflict and argument, there has been, through all the time that any one of us can remember in this House, a relationship that has been satisfactory between both sides of the Chamber. That ought to be preserved. I do not think the action taken in this matter is consonant with it, and I would like the Premier to think that over. There is more than one way of doing a thing. I listened very attentively to the Premier's speech and I hoped he would say in the course of it that he went to the Leader of the Opposition last night and told him that it would not be suitable for him, the Premier, to have this matter discussed before a week or more. Apparently, however, that did not take place. I suggest that it has taken place in past times when one side or the other has thought that something else was more urgent.

The Premier: It did not take place in September, 1951.

Hon. A. F. WATTS: It should have. I say again if it did not, it still does not justify a repetition of it, or an abrogation of a standard which existed for many years before, and which, I hope, will continue to exist for many years in the future.

If the facts are as the Premier states—I cannot contradict them, therefore I must accept them—I say that the Leader of the Government in 1951 was in error. But the fact that he was in error does not make it any better under the present circumstances. I repeat that two wrongs do not make a right. I can only ask the Premier to take up a different attitude on this matter, if he will. Then I have no doubt that the question before the House will be withdrawn, and the motion standing in the name of the Leader of the Opposition will proceed with the concurrence of the Premier. If the Premier does not give his concurrence in the circumstances I have outlined, I shall have no alternative but to support the Leader of the Opposition.

THE MINISTER FOR WORKS (Hon. J. T. Tonkin—Melville) [3.41]: In an endeavour to explain away a very awkward precedent for the action which

the Premier has taken, the member for Stirling relies upon the statement that the present Leader of the Opposition was in error when he did not afford the opportunity for the censure motion moved by the then Leader of the Opposition to be debated. If the then Premier, and the present Leader of the Opposition was in error, so was the member for Stirling because he was the Deputy Premier. I am absolutely certain that the Premier would not have taken the action without consulting the Deputy Leader.

Hon. A. F. Watts: Do not try to be spurious because you do not know what happened!

The MINISTER FOR WORKS: More especially as the Deputy Leader was also the Leader of a separate party in this Parliament and therefore more entitled to be consulted than I, in the same circumstances. So it can almost be taken as a certainty that the then Deputy Premier, the member for Stirling, knew quite well how the Premier was framing the notice paper for the following day. There is this difference. The present Leader of the Opposition gave notice of his motion on Wednesday, which is the private member's day, and it could not be debated that day. If it took its ordinary place on the notice paper it would come up for consideration on the following Wednesday.

Hon. Sir Ross McLarty: Oh!

The MINISTER FOR WORKS: It is all right for the Leader of the Opposition to say, "Oh," but let us deal with what he did. The precedent which the Premier used was one where he gave his notice on the Tuesday, and not on a Wednesday.

Hon. Sir Ross McLarty: Does it matter on what day I gave notice?

The MINISTER FOR WORKS: It makes a lot of difference.

Hon. Sir Ross McLarty: Of course it does not.

The MINISTER FOR WORKS: As a private member he gave notice on a Tuesday and it would automatically find its place on the notice paper among private members' business on the following day. That was what happened and it was not debated out of its turn. As a matter of fact, the member for Blackwood was given precedence with a motion for the appointment of a select committee to deal with lime and sulphur. Nobody can by any stretch of the imagination say that that was an urgent matter or that it would cause any serious dislocation if the motion were delayed for a week.

Mr. Ross Hutchinson: Does that make this action by the Premier right?

Sitting suspended from 3.45 to 4.4 p.m.

The MINISTER FOR WORKS: Before the suspension I was endeavouring to establish that there was not much difference between the situation which occurred in

1951 and that which has occurred today, inasmuch as in 1951 the Leader of the Opposition, as a private member, gave notice of a censure motion and his notice was not accorded any precedence at all, but took its ordinary place on the notice paper amongst private members' business for the following day. In this instance, the Leader of the Opposition gave notice of a censure motion, but he gave notice on private members' day.

Hon. Sir Ross McLarty: Does it matter with a motion of this kind, on what day notice is given?

The MINISTER FOR WORKS: Let me show precisely the procedure which has taken place because there is only one difference in this case, and I shall show what it is in a moment; and it is not to the disadvantage of the Government.

In 1951, we had a situation where the then Leader of the Opposition gave notice of a censure motion against the Government. If any credence is to be placed on the argument of the present Leader of the Opposition, what he should have done then was to have accorded precedence to that censure motion so that it would have been the first business of the next day. But he did not do that; he allowed it to take its ordinary place on the notice paper.

Mr. Ross Hutchinson: That is in the past; what about the present?

The MINISTER FOR WORKS: The next day, which was private members' day—

Hon. Sir Ross McLarty: This might be a week or two weeks.

The MINISTER FOR WORKS: It was private members' day. The then Premier did not accord it any precedence whatever; he did nothing about it. It took its place on the notice paper as would a motion moved by any other private member on any other business.

Hon. Sir Ross McLarty: It was dealt with in a reasonable time.

The MINISTER FOR WORKS: The member for Stirling tried to get over that awkward one by saying it was an error. He admits it should not have been done that way. He could not do otherwise, seeing the arguments he adopts now. He says it was an error. It was an error which he, himself, also committed.

Mr. Ross Hutchinson: How about getting on to the present one?

The MINISTER FOR WORKS: I shall make this speech in my own way. The member for Stirling would know full well how his leader was going to treat this censure motion, because my own experience enables me to know that immediately there is any suggestion of a censure motion, the leader of the Government confers with his deputy and more especially would it be done in this case because the member for Stirling was the leader of a separate party.

Hon. Sir Ross McLarty: Did the Premier confer with you yesterday?

The MINISTER FOR WORKS: He certainly mentioned it to me when he was drawing up the notice paper. Of course he did.

Hon. Sir Ross McLarty: And you decided where you would put it.

The MINISTER FOR WORKS: Did not the Premier explain that, and the reasons for it? We find that in 1951, the Leader of the Opposition moved a censure motion. It was known by the then Premier and the Deputy Premier but they did nothing about according it precedence; they allowed it to go on in the ordinary way.

Let us take one of the motions that was discussed ahead of it—a motion moved by the member for Blackwood on lime super mixture as a fertiliser. That was supposed to be of more importance than the censure motion moved by the Leader of the Opposition, so the member for Blackwood was allowed to proceed to try to persuade the House that a select committee should be appointed to go into the question of lime super as a fertiliser. In the ordinary course, the Leader of the Opposition got his opportunity to move his censure motion. In this instance, what has happened is that the Leader of the Opposition gave notice on private members' day and it has taken its place on the notice paper amongst private members' business.

Hon. Sir Ross McLarty: That is a mere splitting of straws.

The MINISTER FOR WORKS: There is not a shadow of difference up to this point in what transpired in each case, but here is the real difference: The Leader of the Opposition in 1951—the present Premier—made no protest.

The Premier: He took it.

The MINISTER FOR WORKS: He did not get up in this House and endeavour to alter the notice paper and take the business out of the hands of the Government; he accepted the situation.

Mr. Ross Hutchinson: Why?

The Premier: Because that was the Government's decision.

The MINISTER FOR WORKS: The reasons do not matter.

Mr. Ross Hutchinson: Yes, they do.

The MINISTER FOR WORKS: The important thing is that the then Leader of the Opposition accepted the situation without protest; he waited his turn on the notice paper and then dealt with his motion. That is the only difference in the two instances. In this case the Leader of the Opposition gets up and puts on a show—

Mr. Evans: And what a show it was!

Hon. Sir Ross McLarty: You are a show on your own!

The MINISTER FOR WORKS: —in an endeavour to prove his case. To justify the course which he has followed, he quoted extracts from "May's Parliamentary Practice." If one searches the Hansards of the Parliament of Western Australia one will find not only one precedent—the one which has been mentioned by me—but a number of others also where motions moved in similar circumstances were accorded similar treatment. There is nothing new in this and the Government was entitled to accord this motion the importance which the Government believed it was entitled to receive. The Government did not think that there was anything in this motion which would justify putting it at the head of the notice paper—at least in front of important Government business.

If the matter is looked at dispassionately by an unbiased observer, and the two cases are examined carefully, the only conclusion which can be drawn is that this Government has not acted differently from what has been the position heretofore nor differently from its predecessors in office. It has taken the ordinary normal course which follows the moving of such a motion in such circumstances. The member for Stirling addressed himself only to that aspect and endeavoured to show that the instance we quoted, of what happened in 1951, was committed in error and therefore it was no justification for the Government's acting in the way it has done in this case.

I do not think there is much strength in that argument in view of the fact that he knew very well at the time what was being done and he is not the man to fall so easily into errors on procedure. If he had been some newcomer to Parliament, without much knowledge of parliamentary procedure, and with no astuteness, one might have accepted that statement; but he is not the type to fall into a simple error like that when it is a question of what treatment shall be accorded a motion of censure moved by the Leader of the Opposition. So I think we can dispose of any suggestion that what the McLarty-Watts Government did in 1951 was done in error.

Hon. Sir Ross McLarty: You have satisfied yourself, anyway.

The MINISTER FOR WORKS: And I think I would satisfy most people who examined the facts. Not only do we rely on that precedent—

Mr. Ross Hutchinson: Your action is right because the other Government did something.

The MINISTER FOR WORKS: —but there are numerous other cases also.

Mr. Ross Hutchinson: No.

The MINISTER FOR WORKS: Yes, there are.

Mr. Ross Hutchinson: You have taken up the time of the House for the last half hour, telling us about only one.

The MINISTER FOR WORKS: Yes, and it is well worth spending a lot of time in discussing. I know the hon. member does not like it, but I am not here to say things he likes to hear.

Mr. Ross Hutchinson: Your case is very trivial. You are not at home at all today.

The MINISTER FOR WORKS: If members opposite want any other precedents they will find plenty of them, where motions of censure moved in these circumstances, or similar circumstances, have come on as private members' business. So they have no case.

Hon. D. Brand: Can you name any one in particular.

The MINISTER FOR WORKS: Yes, one that comes to my mind was in the time when Philip Collier was Premier, shortly after I entered Parliament.

Hon. Sir Ross McLarty: Who moved the motion of censure?

The MINISTER FOR WORKS: I could not say offhand but I could find out in a few minutes, after I sit down. The information might prevent the Leader of the Opposition from falling into the same error in future.

Mr. Andrew: Impossible!

Mr. Ross Hutchinson: Because he had the temerity to move a motion.

The MINISTER FOR WORKS: Temerity! I could find a better word for it than that. An impartial observer would say that no case against the Government's action in arranging the notice paper in this way has been presented this afternoon. The last man who should have objected is the present Leader of the Opposition who, strange as it may seem, had the opportunity to show what he thought ought to be done with censure motions and demonstrated that nothing should be done and that these motions should take their ordinary place on the notice paper.

Hon. Sir Ross McLarty: It shows what the present Premier thought of it at the time. He did not even utter a protest about it.

The MINISTER FOR WORKS: It shows that he accepted the position that the Government was in charge of the House and in charge of the notice paper.

Hon. Sir Ross McLarty: He is not the type to take anything like that lightly if he thought he was right.

The MINISTER FOR WORKS: The Leader of the Opposition is endeavouring to make as much noise as possible.

Mr. Evans: That is why he is the Leader of the Opposition.

Hon. D. Brand: What a profound statement, coming from you!

The MINISTER FOR WORKS: It is definitely not getting the Leader of the Opposition very far.

HON. D. BRAND (Greenough) [4.19]: I believe that we could talk about precedents all night; but the utterances of the Minister for Works, in regard to the then Leader of the Opposition, the present Premier, accepting the then Government's decision quietly and without challenge only go to prove that the present Premier knew that no injustice was being done to him and that an opportunity to debate his motion would be given to him on that day. There would be no opposition from us if we felt that later on this afternoon we would be given an opportunity to debate the censure motion which the Leader of the Opposition wishes to move.

The Minister for Works: You should have given notice on Tuesday.

Hon. Sir Ross McLarty: That is terribly weak.

Hon. D. BRAND: As the Leader of the Opposition said, the Minister for Works' interjection is very, very weak. Matters of urgency and subjects on which the Opposition, rightly or wrongly, may desire to move motions of censure, come up unexpectedly—

The Minister for Works: You knew something about this five weeks ago.

Hon. D. BRAND:—as they did when the members of the present Government were on this side of the Chamber. Those motions have to be moved when and how the Opposition believes they should be moved. No one can deny that the subject matter of the Leader of the Opposition's motion is not of a high priority and not a matter of importance today. Members have only to read the Press, during the last few weeks, to realise that there is a demand for an explanation of the Government's action in this matter. That is why the Opposition is censuring the Government.

When speaking, the Premier asked why we had delayed giving notice of this motion. We have been waiting—and we have waited a reasonable time—for some reply to the criticism and publicity which has been given to this matter over recent weeks—it has not come from our side of the House but from private sources and through the Press itself. Therefore, having allowed that time, we felt that we could not permit another week to pass without challenging the Government and asking it why it had not explained the situation to the general public.

Mr. Toms: Let the Press keep it up for another week.

Hon. D. BRAND: The Press may keep it up for another month! We are not interested. We have decided to press the Government for a reply at this stage and that is the reason why we are challenging the Government on its decision to place this motion well down on the notice paper.

I would imagine that the Minister for Police, as a new Minister in this Government, would have been delighted to have had this issue debated and put out of the way. I should imagine that he is at a loss to know why his leader has not allowed the debate to come on. As the Deputy Premier has pointed out, although there might have been previous precedents of Governments taking similar action, there are also precedents showing that the Government had allowed such a motion to be dealt with forthwith. However, where a Government is censured by individuals, and the Press also offers its criticism by publishing such headlines as "The Government has Made a Great Botch of this Matter," surely the Premier should supply an answer, because we are anxious to know the answer.

Not only the Opposition, but also the Premier's own political party has taken a keen interest in this matter, because we read in the Press about a proposed deputation to the Minister for Police and the like. I should imagine that it would be in the interests of the whole Parliament if this motion by the Leader of the Opposition were allowed to proceed and the whole matter aired today. The people who are involved in this unfortunate affair would also be happy, I feel sure, to have it dealt with and put out of the way.

Therefore, let us press the Government for a decision to give us an opportunity—each member in this House—to express our thoughts on a topic that is on everybody's lips today, and in particular, ask why the Government took the action it did in paying the £450 damages in the case referred to. I imagine that there will be many speakers on this question because they are amazed at the decision of the Government not to have this matter dealt with, especially in view of its vital public interest.

Mr. May: It was a different story on potatoes last night, was it not?

THE MINISTER FOR TRANSPORT (Hon. H. E. Graham—East Perth) [4.24]: In my opinion, the important consideration in this question is whether it is proper that the Government of the day should be pushed around by an irresponsible daily Press and whether the Government should have the business of the country taken out of its hands by the Opposition. The facts of the situation are that 10 years ago since the member for Burnside asked for information on the case about which the proposed resolution by the Opposition deals.

It is exactly three weeks ago today that all the papers dealing with the case were laid upon the Table of this House. Apart from a few questions, the overwhelming majority of which have been asked in the past few days, the Opposition has not been in the least concerned about this matter. However, we have found that the daily Press has been conducting a concentrated campaign over the past few days and the Opposition feels that it should jump on the bandwagon. What is the urgency of the matter today that did not exist a week ago or a few weeks ago?

Mr. Bovell: The Press is expressing public opinion.

THE MINISTER FOR TRANSPORT: The Press is not expressing public opinion. I will give a few examples to the House to show that that is not so. I well remember, in this Chamber, being chided by the Leader of the Opposition, the member for Vasse and the member for Dale in connection with the terrible things the Government had done about land resumptions. I remember how we were told that the people were in a state of uproar; that they were holding protest meetings; that this was the burning question of the day and that we would be finished as a Government when we met the people at the polls. As everybody in his sane moments knows, particularly members of Parliament, that was a campaign whipped up by "The West Australian" and it was kept going and featured for a period of 12 months, but the public as a whole did not care twopence about it.

Mr. Court: I do not think that is correct.

Hon. Sir Ross McLarty: Of course, it is not correct.

THE MINISTER FOR TRANSPORT: I do not care whether it is or not, but I know that the Government came back with increased numbers and I am aware that these people who were making the protests campaigned in my own electorate but I was returned with an all-time record majority and further, I do not know of any member of the Government who suffered any embarrassment because of that campaign. Of course, the Opposition was most vocal because its members thought that, because something appears in their Bible, "The West Australian", such a report surely sums up the situation. From experience, I suggest to them that they might have a look at the situation from the opposite point of view. I will now quote a second example because it affects me personally. There was all the hubbub and uproar in connection with the Subiaco flats project. We were led to believe by the previous member for Subiaco, that the people in that district were incensed. However, what do we find? The elections are held and, for the first time in 20 years, a Labour man is elected to represent that electorate.

Hon. Sir Ross McLarty: Beer and smokes, you know!

The MINISTER FOR TRANSPORT: I think the Leader of the Opposition is casting very grave reflection on his Federal leader, and also on the members of the public.

Hon. D. Brand: Take your tongue out of your cheek!

The MINISTER FOR TRANSPORT: No, the members of the Opposition are not concerned about this question, but they are forced to take it up by their masters, the daily Press.

Hon. Sir Ross McLarty: What rubbish, and how untruthful!

The MINISTER FOR TRANSPORT: That is absolutely correct. In view of the fact that all the information concerning this case has been lying on the Table of this House for several weeks—and it is a fortnight since the file was removed from the Table—why did it not occur to the Leader of the Opposition, in connection with the scandalous thing he alleges the Government has done, to move this motion three weeks ago? I repeat, it is only because of the ballyhoo in the daily Press. We find in this evening's issue of the "Daily News", on the front page, in a prominent position, an article dealing with this particular matter. Then we turn to page three and we find the sentence, "It is clear that a serious division has occurred in the Suez talks". In that item there could be all the portents of a grave international situation, but this trivial thing, a matter of a paltry £450, has pride of place on the front page.

Hon. D. Brand: There is a question of principle at stake.

The MINISTER FOR TRANSPORT: I do not know where the principle of the whole matter lies if there is the prospect of an international conflict appearing. All I am endeavouring to do is to put this matter in its proper perspective. True to its form the Tory-Conservative element of this State is being pushed, pulled and shoved wherever the newspapers care to lead it. I venture to suggest that "The West Australian" and the "Daily News", which have found it impossible to point a finger at this Government on questions of broad politics, now find it necessary to stoop to trivial matters such as this.

If those two newspapers had not concocted this ridiculous campaign, then no word would have been heard from the Opposition benches about the matter. I repeat that all the information—and nothing has come forward since—in the case known to the members of the Opposition, was known to them three weeks ago; yet now with great bulges on their cheeks they come before us pretending that this is a matter of extreme urgency and that the Government must defer all

the important legislation of the State to play up to the vanity of the Leader of the Opposition.

Hon. Sir Ross McLarty: You had weeks to deal with the important legislation.

The MINISTER FOR TRANSPORT: Judging by the efforts we heard from the Leader of the Opposition this afternoon, he has indeed been badly briefed by his office boy!

Hon. Sir Ross McLarty: That just about becomes you.

The MINISTER FOR TRANSPORT: And that was just about what happened, too. If this Parliament and this House are forever to be dictated to by the daily Press and merely because the Leader of the Opposition gets hot under the collar, and that the Government has to turn round and alter the business of the day, on a day which is not private members' day, then there is a second thought coming.

Hon. Sir Ross McLarty: What has the private members' day got to do with my motion? Nothing, and that is just a red herring you are drawing.

Mr. I. W. Manning: And wrapped up in a newspaper.

Mr. Ross Hutchinson: Do not calm the Minister!

The MINISTER FOR TRANSPORT: The position is this: All the facts have been known to the Leader of the Opposition for three weeks and he did precisely nothing about the situation. He could have given notice on Tuesday and the whole business of the House could have gone on last night, even if we had to go on until breakfast time.

Hon. Sir Ross McLarty: We have acted too soon for you.

The MINISTER FOR TRANSPORT: I am prepared to stand on any platform in Australia to say this: I know sufficient of the viewpoint of the newspapers to which I have made reference to realise that the majority of people take almost no notice of them. It is possible, of course, to encourage correspondence, particularly from writers like "Mother of Ten", "Perplexed" and others. If I can give an example to show the dishonesty in connection with this matter—

Mr. I. W. Manning: What about?

The MINISTER FOR TRANSPORT: The hon. member had better concern himself with potatoes. A few weeks ago on a Sunday I made a pronouncement in the Sunday Press and over the Australian Broadcasting Commission. In "The West Australian" of the Monday following, but which was printed on Sunday night, there was a letter from "Perplexed", Nedlands. Of course, there is no postal service on Sundays so it is obvious to me, as it should be obvious to members

opposite, that that letter was written by somebody in the office of "The West Australian", yet we see the so-called responsible people elected to this Parliament of Western Australian being influenced because a newspaper publishes a whole series of letters from the "Claude Swaines" and people of that ilk.

Hon. D. Brand: Can the Minister say what the interest of the A.L.P. is in this matter?

The MINISTER FOR TRANSPORT: The A.L.P. is in charge of its own affairs.

Mr. Wild: That organisation is your master.

The MINISTER FOR TRANSPORT: From the member for Dale we can always expect something silly.

The Premier: And he has never disappointed us.

The MINISTER FOR TRANSPORT: Talking of masters in political matters, we see two members of the Liberal Party sitting on other benches. That tells its own story.

Hon. D. Brand: What about Mr. O'Sullivan?

The MINISTER FOR TRANSPORT: With regard to the A.L.P., it would be found on reference to yesterday's newspaper, if there is any substance in the report, that having discussed the matter with the Minister for Police, the general secretary of the A.L.P. was satisfied in respect of the action taken by the Government, but felt that some other steps should be taken with regard to a person who was one of the principals in the whole of this dispute.

The whole point is that the Opposition is simulating urgency over this matter. This is a reflection on themselves. If members opposite are honest and sincere in saying that the Government has misused funds or has done something against the best interests of the public, then it recoils on their heads because they have had up to three weeks, with all the facts available to them, to shape up to the situation. First of all, the file was laid on the Table of the House for three weeks. Notice could have been given on the following Tuesday and the debate could have taken place on private members' day on the Wednesday; that was more than a fortnight ago. Therefore, their action indicated there was no urgency or seriousness in the matter whatever.

Mr. Bovell: There was no private members' day on that Wednesday because the Address-in-reply was in progress.

The MINISTER FOR TRANSPORT: If the question was so important, they could have dealt with it without any difficulty.

Mr. Bovell: It would have been dealt with by members opposite in the same way.

The MINISTER FOR TRANSPORT: If there is any delay, then it has been caused by the Opposition itself. Surely if this were a matter of such prime consideration, then the Opposition would have made up some sort of resolution long before this. It comes to the point that the Government, as was pointed out by the Premier, has important business which it wishes to place before Parliament. Whilst the Leader of the Opposition has certain undoubted rights because of the position he occupies, he and his supporters should never overlook the fact that the Premier and Her Majesty's Government similarly have certain rights which must be respected by members of Parliament. Surely this is not a game of tug of war in which the Leader of the Opposition can say, "My business is more important than that of the Government." In accordance with all precedents the Government has allotted 33½ per cent. of the time of Parliament to private members' business, that is one day out of three on which Parliament meets.

Hon. Sir Ross McLarty: You did not even carry that out this week.

The MINISTER FOR TRANSPORT: In order to meet the requirements of the private members that is done. It did not occur this week because as the Leader of the Opposition—

The Premier: The Leader of the Opposition was dilatory and slow.

The MINISTER FOR TRANSPORT: — knows, there are occasions when there is urgent business which must take precedence. No protest was made last night by any member of the Opposition, or any other member, to the fact that time was taken by the Government on a private members' day to debate a question. There was a protest about the procedure, but not in respect of that point, which indicates there was an acknowledgment by the Opposition, indeed by all private members, that there was urgency in respect of that matter.

If the Government plays fair with private members of the Opposition by making available that period of time, which admittedly all previous Governments have done in the first two months of the session, then I suggest that the Opposition owes something to the Government and should allow it to proceed with its legislative programme. That is not being done by the Opposition this afternoon. I repeat finally if there has been any delay in this matter, it has been caused by the Leader of the Opposition himself in not bringing forward a motion earlier. I repeat that he moved it at this late stage only on account of the promptings of the daily Press, which has created an artificial situation over this question.

MR. ROSS HUTCHINSON (Cottesloe) [4.40]: It is quite obvious from what has been said from the Government side of the House that it is living in the past in regard to a certain incident in 1951. Indeed, the Deputy Premier's whole speech was devoted to considering that case. But I remember that only the other day he said the Opposition was living in the past. He said, "Forget the past. Come to present-day affairs. What are you going to do now?" That is what we want to know. What is the Government going to do now?

The Minister for Works: You know.

Mr. ROSS HUTCHINSON: What does it matter what happened then? We want some action now. We have given the Government a reasonable opportunity to take action. The Minister for Transport indulged in one of his tirades of abuse which have become so frequent as to be sickening. He does that whenever he gets to his feet.

The Minister for Transport: You will get on!

Mr. ROSS HUTCHINSON: Something needs to be done. The Minister spoke of a simulation of urgency on this side of the House. But the Opposition believes that this is an urgent matter.

The Minister for Transport: What makes it urgent this week and not urgent last week?

Mr. ROSS HUTCHINSON: A reasonable opportunity to take action has been given to the Government. We are not the demanding Opposition the Minister said we were. We have given the Government an opportunity to clean up this case. So has the public.

The Minister for Transport: You have given it, have you?

Mr. ROSS HUTCHINSON: Yes, and the Government has not availed itself of the opportunity.

The Minister for Transport: Thank you!

Mr. ROSS HUTCHINSON: It wants more time. But there is a real urgency about this matter. We believe in that urgency; and despite the Minister's comments regarding the daily Press, what is said in the Press today has very much point regarding this business, and gives some idea of its relative urgency and the importance of the principles involved.

The Minister for Transport: You suggest that this is the most important issue in the world and should take priority and have first place on page 1?

Mr. ROSS HUTCHINSON: The Minister has taken me away from what I was going to read. What he says is not strictly in accordance with what has happened in the Press although I do not run the confounded Press

The Minister for Transport: No; it runs you!

Mr. ROSS HUTCHINSON: How ridiculous can the Minister get? The Suez Canal incident has been featured on many occasions in the Press, and other important matters are featured. The proposed increase in private bus fares has been featured. It is a wonder that the Minister did not talk about that. The newspaper cannot have the Suez Canal incident featured on the front page in the same place every day.

The Minister for Transport: This matter has been on the front page six times.

Mr. ROSS HUTCHINSON: The "Daily News" of today states that the Government—

ignored the lead of the Acting Police Commissioner O'Brien. Acting in the interests of the Force, he rejected a Police Union claim for assistance to Hardy.

It then ignored the principle that Governments should uphold the law. As a self-constituted appeal body, it slashed in half the High Court's demand on Hardy.

But even if people cannot understand why this happened, they would certainly appreciate some frankness.

Then, perhaps, our police force could get on with its job.

Therefore, I suggest there is a real urgency about this matter. This is not a case so simple as merely to involve the Government having paid £450 to Constable Hardy so that he could pay Mr. Trobridge his damages. The secretary of the A.L.P. in this State suggested that the Government took action to help pay Trobridge.

The **DEPUTY SPEAKER**: Order! I must ask the hon. member to confine himself to the motion.

Mr. ROSS HUTCHINSON: Thank you, Mr. Deputy Speaker. But I was trying to show how the Government is endeavouring to say that that was the only important feature of this matter: that its action in paying £450 was taken only in order to help pay Mr. Trobridge. But we believe that a principle is involved; that the Government is not upholding the law; that this action of the Government leaves the way open for any form of brutality, any form of Nazi violence to be perpetrated in this State; and, after having been convicted by a court, the perpetrator could be whitewashed and paid any damages by the Government. That is the precedent that this Government is setting. It has been talking about precedents from 1951, but its action today is creating a precedent.

The argument was advanced by the Premier that we were occupying the time of the House in needless debate. If he had

done the right thing, he would have allowed the motion of the Leader of the Opposition to go forward, and the time taken up with this debate would have been saved. It is obvious the Premier must have realised that the Opposition could not lie down supinely and take this sort of treatment from the Government; that it could not have its leader's motion relegated to such a low place on the notice paper without protest. I am sure he could not have expected the Opposition to take that view of the matter. He must have known that time would be wasted in a debate of this nature.

The Minister for Health: Is it not being wasted now?

Mr. ROSS HUTCHINSON: He spoke about the Opposition being reasonable and logical in its attitude; but he certainly was not reasonable and logical. He certainly did not use his imagination. Let us see what was said about the relative urgency of the motion. This sort of thing could mean that in future any Government could relegate a sticky question to the bottom of the notice paper and so avoid answering for its actions.

The Minister for Transport: The Government has never interfered with the order of business of private members.

Mr. ROSS HUTCHINSON: This is interfering with the traditional business of the House.

The Minister for Transport: The notice of motion has been placed on the paper in its ordinary turn.

Mr. ROSS HUTCHINSON: This is interfering with the traditional procedure which has been adopted over many years. The Minister knows that. He quoted a precedent in 1951. The Deputy Premier went back to an incident in regard to a Labour Premier in the prewar years.

The Minister for Works: It was 1934.

Mr. ROSS HUTCHINSON: There are two precedents.

The Minister for Works: Plenty more.

Mr. ROSS HUTCHINSON: I think that on all other occasions such motions as that of the Leader of the Opposition have been discussed in what, to my thinking, is their proper order. As to the matter of relative urgency, let us consider the comparative merits of the 1951 motion and that of the Leader of the Opposition. The one in 1951 had to do with the price of butter, I believe. I do not know that that is so, but I was informed by the Premier that it is. On this occasion the matter concerns a principle of law. It has to do with the misuse of public money.

The Minister for Transport: No, it has not. That is only the statement of the Leader of the Opposition. His statement does not make it a misuse.

Mr. ROSS HUTCHINSON: We are censuring the Government for the misuse of public money.

The Premier: Alleged!

Mr. ROSS HUTCHINSON: But from the attitude of the Premier, it would appear that that is not a very important thing.

The Premier: Alleged misuse.

Mr. ROSS HUTCHINSON: I suggest that there have been two other instances this year of the Government's misuse of public money.

The Premier: Alleged.

Mr. ROSS HUTCHINSON: Of the Government's misuse of public money—and the Premier cannot get out of it. That is why this is important.

Mr. Hearman: It has not any money left to misuse!

Mr. ROSS HUTCHINSON: This is the third occasion this year on which public money has been misused. It is the third time that the Government has misused its trust and used public money wrongly.

The Minister for Transport: You disagree with it, that is all.

Mr. ROSS HUTCHINSON: In one instance the Government used civil servants, and paid them overtime rates to gain a political advantage.

The Minister for Transport: You are afraid to let people get on the roll.

Mr. ROSS HUTCHINSON: That does not enter into the question, and the Minister for Transport knows that very well.

The Minister for Transport: You are a Puritan.

Mr. ROSS HUTCHINSON: Three times this year the present Government has misused public funds.

The Minister for Transport: Rats!

Mr. ROSS HUTCHINSON: The public can look at those matters for itself.

Mr. Bovell: The Government deserves a censure motion on that point alone.

The Minister for Transport: You made a noise about it and we were returned with greater numbers.

Mr. ROSS HUTCHINSON: The motion which the Leader of the Opposition wants to move is of very great importance; the public thinks it important also. Yet the attitude of this Government is, because it is a sticky question, "Do not let us worry about the public. What do they matter? We will blame the Press because they are blowing this question into something bigger than it deserves. The public has no feeling about it anyway, so what do

we care. We have misused and abused public funds twice before, so we can do so again." It is time the public woke up to this Government and I think they are doing that.

The Minister for Transport: They woke up to your crowd last April.

Mr. ROSS HUTCHINSON: They will wake up to this Government; all they need is a little time. They are a little slow to catch up with the Government because the Premier is so subtle and is so winning in his ways.

The Premier: That is a good excuse.

Mr. ROSS HUTCHINSON: I think the Government is acting very wrongly in this matter by not allowing the motion to take its rightful place on the notice paper.

The Premier: You are quite entitled to think that.

Mr. ROSS HUTCHINSON: I ask members to carry the present motion.

MR. OLDFIELD: (Mt. Lawley) [4.53]: It is a pity that the Premier did not allow a debate this afternoon on the censure motion which the Leader of the Opposition wishes to move. I say that because I have the interests of the two principals in this case—namely, Mr. Trobridge and Constable Hardy—at heart.

Mr. I. W. Manning: They are nothing to do with this.

Mr. OLDFIELD: They have a lot to do with it. This motion has been moved in an endeavour to have the censure motion proceeded with this afternoon and not be postponed until next Wednesday. I think members on both sides will agree that this matter has become one of the greatest political footballs that this State has ever known.

The Premier: Hear, hear!

Mr. OLDFIELD: It has been used for political manoeuvring and to gain a political advantage and forgetting entirely the damage which might be caused to either of the parties named in the case.

The Minister for Transport: Hear, hear!

Mr. OLDFIELD: The Government, in arguing why the censure motion should be postponed has, in my opinion, produced a very good argument why it should be proceeded with immediately. If the debate were allowed to proceed today, it would die a natural death and then both Constable Hardy and Mr. Trobridge would be able to return to a normal existence.

The Minister for Transport: Do not you think that the daily Press should be ashamed of itself for the way it has been carrying on.

Mr. OLDFIELD: I would say that at the moment it is a burning question in the minds of the public and that has been engendered by the reports published in the daily Press.

The Minister for Transport: Of course it has.

Mr. OLDFIELD: Because of the capital that has been made of it, the matter has now reached a stage where public opinion has gone against Constable Hardy.

Mr. Ross Hutchinson: Do not you think the matter is important?

Mr. OLDFIELD: Of course it is! That is why I want the debate on the censure motion to proceed this afternoon. If the hon. member had listened to me, he would have known that that is what I said. The Government, or Ministers, particularly the Minister for Transport, has put up a very good argument as to why the motion should be dealt with this afternoon, without waiting until next Wednesday.

Mr. Ross Hutchinson: Do not you think the censure motion is urgent?

Mr. OLDFIELD: Look! The hon. member has just sat down. If there is anything else he wants to say, I am quite prepared to be co-operative and sit down while he says it. I am with him on this question, if that is what he is worried about as Opposition Whip.

Mr. Ross Hutchinson: Just answer my question?

Mr. OLDFIELD: What was it?

Mr. Ross Hutchinson: Do not you think the censure motion is urgent?

Mr. OLDFIELD: How many times do I have to say it? Of course, it is urgent in the interests of Constable Hardy and Mr. Trobridge. They are the only people to whom the matter is urgent, because what is the position of Constable Hardy at the moment? For weeks now he must have been too frightened to pick up the paper and read what people had to say about him. I was in the same position when a journalist set out to destroy me, politically. I could not pick up a paper without reading some trash or some figment of the imagination of some journalist. Then the Press published 2½ columns about me and gave me a half inch for denial.

The Minister for Police: The freedom of the Press!

Mr. OLDFIELD: As far as Constable Hardy is concerned, whether he was right or wrong in the actions he took, it will have to be argued when the debate on the censure motion takes place. But at the moment, whether he was right or wrong, he is a taxpayer of this country and, as a member of the Police Force, is a public servant. As a citizen of this State he is entitled to live a normal life. But day after day, in fact twice daily, he is being

subjected to criticism; he is the main item of news these days and has even pushed Nasser and Mr. Menzies off the front page.

If this censure motion had been debated this afternoon, it would have been over by now and the Government would have defeated it by virtue of its numbers. Thus the matter would have died a natural death. The morning newspaper would have featured it tomorrow, possibly as front page news; there would have been a few more letters to the editor, and perhaps a few contributed articles between now and the week-end, and that would have been the finish so far as the daily Press is concerned. Quite possibly the "Week-end Mail" would have given a resume of this afternoon's debate and that would have been the finish so far as it was concerned.

But what will happen now? From now until the week-end there will be a building up in publicity, particularly in regard to the debate this afternoon and the Press will make a feature of it. The "Week-end Mail," because it does not have much to write about, will have a full page at least telling its readers of what took place this afternoon and what will probably happen next Wednesday. There will be conjecture as to the outcome of the censure motion and all the alternatives will be discussed. So the publicity will build up until next Wednesday, and after that we will find a report of the debate on the censure motion. That will be featured in the daily Press and again the "Week-end Mail" will have a story about that debate.

The Minister for Transport: What an indictment of the Press the whole thing is.

Mr. OLDFIELD: So that is why I think the Government has failed; it should have proceeded with the censure motion this afternoon in the interests of Mr. Trobridge and also Constable Hardy because, by its actions, the Government has shown that it is favourably disposed towards him. The Government has paid £450 on his behalf and I am not arguing whether that is right or wrong. That is the subject of the other debate. But in the constable's interests alone the Government should have allowed a full debate this afternoon. Thus the matter would have died a natural death and he could have returned home, and his wife could have started to live a normal life again instead of being terrified about reading the newspapers in the morning.

These men have wives and children; the children go to school and while there would be the centre of attraction so far as the other children are concerned. Those other children will be repeating what their parents have said at the tea table.

The Premier: So long as a few more copies can be sold, that is more important to the Press.

Mr. OLDFIELD: Does anybody think that Mr. Trobridge is enjoying his notoriety? Does anyone think that he wants to have this matter prolonged?

The Minister for Transport: He is probably enjoying his £450.

Mr. OLDFIELD: I think it was £530. He has had redress, but does anyone think he wants people to be getting in and out of his cab all day and every day, pulling him up in the street and continually asking him about it. It is a waste of his time and I am sure he does not want to prolong the matter. If this publicity continues much longer, Mr. Trobridge will achieve a certain notoriety and I am sure that he does not want that. I agree with Government members who are blaming the Press for featuring this subject so largely. But, of course, that is the freedom of the Press and I do not deny it that right. But I do criticise the ministerial bench for not allowing the debate to proceed this afternoon so that the matter could, once and for all, be dealt with and allowed to die a natural death in the interests of the two people concerned.

The Minister for Transport: It will die as soon as the papers let it.

MR. COURT (Nedlands) [5.0]: I feel I should join the protest of the Leader of the Opposition in moving this motion. I think the Premier has asked us to swallow a lot this afternoon. He has asked us to swallow that he would concede a political advantage so far as his own party is concerned by allowing this debate to go on this afternoon, and having a further debate at the appropriate time—in his opinion—when the matter comes up in the ordinary course on the notice paper. I have seen the Premier in action far too long to swallow that he would concede that advantage to anyone willingly.

It raises a very serious doubt in my mind as to why this is being done. I agree with the member for Mt. Lawley that if the debate had taken place today, it would have flared up tomorrow; there would probably have been a little flicker over the weekend, and that would have been the end of it so far as the Press was concerned. Now it has become a matter of public interest and it will have to be continued until the main debate takes place. The point made by the Leader of the Opposition in connection with procedure and precedent in this matter is not apparently appreciated by all concerned.

Hon. A. F. Watts: Hear, hear!

Mr. COURT: The authority from which he quoted was Sir Erskine May—not to be confused with the name of one of the members of this Chamber, I believe. The quotation was as follows:—

By establishing convention the Government never fails to accede to a demand from the Leader of the Opposition to allot a day for the discussion

of a motion expressing lack of confidence in the Government—a “vote of censure” as it is called.

He then went on to quote further—

... to have regard to the exigencies of their own business, but a reasonably early day is invariably found.”

There is a further quotation from May which is important and it reads as follows:—

This convention is due to the recognised and responsible position of the Leaders of the Opposition as a potential alternative Government—a position which guarantees the seriousness of such an interruption of the normal course of business. For their part, the Government has everything to gain by meeting such a direct challenge to their authority at the earliest possible moment.

The Minister for Health: What meaning would you give to a “reasonably early day”?

Mr. COURT: I would go so far as to say that had there been a sitting of the House on, say, Friday of this week, still within the same week as the notice given by the Leader of the Opposition, and if the Government felt that it had legislation of a national character which had to be dealt with, any time this week would be reasonable. Once we allow a lapse of Friday, Saturday, Sunday, Monday, Tuesday, with no certainty that the matter will be discussed the following Wednesday, it is stretching it too far. I would not consider that to be reasonably early.

The Minister for Health: Next Wednesday is reasonably early, in my opinion.

Mr. COURT: But there is no guarantee that the matter will be discussed next Wednesday.

The Premier: I would guarantee to undertake to allow that to be done.

Mr. COURT: That would require the concurrence of the House. If the private members objected to the debate being held on that day, I do not think the Government could get the motion through.

The Premier: We would give you an assurance that everybody on this side of the House would agree to it being debated.

Mr. COURT: I do not think it would be wise or fair to bind private members on that side of the House on a matter such as this. Next Wednesday is a long way off. Had the matter been cleaned up this week, today or tomorrow, I do not think we would have had the same grounds for opposition.

The Minister for Health: I think the Opposition should be censured because we have wasted more than £450 on this debate.

Mr. COURT: One cannot measure an important public issue in so many pounds; and this is a vital public issue. I would like to revert to this quotation from May

which emphasises the fact that it is regarded in British Parliaments that the Leader of the Opposition is a responsible person. The Premier, in the course of his speech, did give the impression that we could have the Leader of the Opposition throwing up Aunt Sallys, as it were, one after the other, and completely distorting the affairs of the Government. But that is not likely to happen.

For one thing it has been acknowledged that Leaders of the Opposition are normally responsible people, and I am sure that even the most ardent critic would not deny that we have a reasonable and responsible Leader of the Opposition in this State. We could not imagine him coming to light with a frivolous issue merely for the sake of upsetting the Government's routine. If he did, the Government would then have every right, and be fully justified, in saying to the people, “We cannot stand this nonsense, and we are not going to put up with it. We will place his motion down the page and get on with the business of the country.”

How many motions has the Leader of the Opposition moved during the whole of his three years, plus the expired part of this session, as Leader of the Opposition? To the best of my knowledge this is the first motion of censure that he has moved in three normal sessions plus an emergency session, plus the expired part of this session. I feel the Premier did not do justice to the Leader of the Opposition when he was replying to the motion moved by that hon. gentleman. He was inclined to dismiss this issue as being one of comparative unimportance.

But I do respectfully submit to the House that there are two vital issues. On the one hand, there is the acknowledged prestige of the Leader of the Opposition in a British Parliament. That is a vital principle. On the other hand, there is the equally important issue involving not only public funds but public morals. The people of this State are very concerned, and it does not matter how much the Minister for Transport wants to castigate this newspaper of ours.

Mr. May: You are quite right there.

Mr. COURT: I refer to the newspaper as being as much the member for Collie's as mine.

Mr. May: It is perfectly true.

Mr. COURT: I am glad the hon. member agrees with the last part. The fact remains that this is a vital public issue, and we have people stopping us in the street and wanting to know what is going to be done about it. We cannot deny that it is not something that has been blown up by the Press. There is a certain acknowledged relationship between law as represented by the police in this country, and in all British countries, and the civilians in the community. Once we transgress beyond a certain line we must expect the people to

revolt; and they are incensed at this issue. They are looking for a lead from the Government of the day.

If the Government came out and made a full disclosure of all the facts, and a full explanation of why this or that was done, and a further explanation of what it intends to do, I feel the matter would be cleared up, provided the explanation were reasonable. I am sure it would all soon die down. But the people do not know what to believe. They get a report that the Commissioner for Police said one thing, the Minister for Police another, and that Cabinet resolved something else. On top of that, we get the Federal president and State general secretary of the Australian Labour Party buying into the issue and leading a deputation by way of protest to the Minister for Police.

The Premier: Protest about what?

Mr. COURT: The handling of this case.

The Premier: In what respect?

Mr. COURT: For a start, he said that in his judgment the man was not a fit and proper person to be in the Police Force.

The Premier: That is the point.

Mr. COURT: It would appear that he is dictating to the Government as to who is and is not a fit and proper person to be in the Police Force.

The Premier: That is not true; he expressed an opinion.

Mr. COURT: It will be interesting to see the outcome.

The Premier: If you like, we will have a select committee to see whether or not Hardy is a fit and proper person to be in the Police Force.

Mr. COURT: The issue is a vital public one. The member for Mt. Lawley said that this was being made a political football, and I want to say that as far as we are concerned at no stage has this been used or mentioned politically. I would suggest that the first time politics entered into it was when a deputation led by the Federal president of the Australian Labour Party went to the Minister for Police. If that is not intruding politics into it, I do not know what is. Accordingly I feel that in the general interests of the parties concerned, in the interests of the general public and the stability of the community and their understanding of the law, the Government should have allowed this matter to be debated today. I think the Government should change its mind even now and let us clear up the whole issue once and for all.

MR. WILD (Dale) [5.13]: I want to join with my leader, and the other members on this side of the House, in protesting very vehemently against the decision

of the Government to refuse to allow this motion to be debated. I think there is a very dangerous precedent involved. In the British Commonwealth of Nations where we have had Parliaments which, in years gone by, have been part and parcel of the Mother Country, and in more recent years, with the introduction of self-autonomy, the precedent laid down by the House of Commons has still been followed acknowledging the inherent right of the Opposition to criticise how and when it thinks fit.

Surely nobody can deny—even though we have had a lot of heated words this afternoon about what members have and have not said—that this has possibly created more public interest than any case we have had in Western Australia for years. Whether one goes into a barber's shop, or into the pub for a pint of beer, or into a shop to buy something, the matter is always raised.

Hon. A. F. Watts: Even at a meeting of the potato growers.

Mr. WILD: That is so. It is on everybody's lips today, and they are all asking, "What is happening about the Hardy-Trobridge case". I do not know either Hardy or Trobridge and I am not even slightly interested in them, but there is a terrific amount of vital, public interest in this matter and there is also a principle at stake, namely: Is the Government of the day, irrespective of its political colour, going to override the judiciary of Australia, and the highest court we have in this country? It is in that regard that the people of Western Australia are not sure where we are heading.

The point at stake this afternoon is whether the Opposition is to continue to have the right, which it has had ever since there have been Parliaments in Australia, to be the voice of the people by way of criticism. This afternoon the Government, by putting this motion at the bottom of the notice paper, has stifled members in the criticism that the Leader of the Opposition and his followers wish to place before the Government. It is all very well to talk about something that happened in 1951, but I have been looking through Hansard and the Deputy Premier—who was my particular bete noire when sitting on this side of the House—had no less than five motions debated, and on every occasion they were debated within 72 hours of his giving notice. He was only a private member at the time, but yet here we have the Leader of the Opposition in a British Parliament being denied the right to speak for the people of Western Australia.

The Minister for Lands: He has not been denied the right to speak.

Mr. WILD: He has. His motion has been placed at the bottom of the notice paper to be discussed next Wednesday.

The Minister for Lands: He has not been denied the right.

Mr. WILD: If I were the Minister I would stick to potatoes; he does not know too much about them, either. In adopting the attitude he has, the Premier is creating a most dangerous precedent.

Whether it be the Premier or the Leader of the Opposition, it has always been an inherent right under British rule to criticise, whether it be done through the Press or privately. Here we have a case which has created more public interest than any other I can remember for years and years in this State, and when my leader desires to take the opportunity to ventilate it and obtain an explanation from the Government as to why £450 was given to this police constable, we are gagged. My leader's motion has been placed on the bottom of the notice paper and cannot be dealt with for a further five days. Therefore, I join with him in his protest as it is a dangerous precedent and very bad for the British people of Western Australia.

MR. JOHNSON (Leederville) [5.16]: I feel like the Irishman who says, "Is this a private fight and can anyone join in?" I would like to poke my bib in. The Leader of the Country Party made a very complete and telling speech on this matter, and I was, and am, in considerable sympathy with a lot of his points, but I find on discussing and reading "May" on the matter referred to, there is a point of very great importance in the quotation, and I will read it. It reads as follows:—

This convention is due to the recognised and responsible position of the leaders of the Opposition as a potential alternative Government—a position which guarantees the seriousness of such an interruption of the normal course of business.

We have to ask ourselves whether the Government is justified in regarding as serious this motion of the Leader of the Opposition and whether if he is, in fact, a person who is entitled to be regarded as a leader of a potential alternative Government. We know that the file was laid on the Table of the House on the 16th August, after it was asked for by the member for Bunbury on the 15th August. As this is the 6th September, that represents a total of 21 days. The file is one which most of us have read—at least everybody who has taken an interest in the matter—and certain conclusions have been drawn.

Mr. Court: The file was withdrawn and was in great demand whilst on the Table.

Mr. JOHNSON: I read it at the Table and everybody else who had an interest in the matter could have done the same. There was no queue and there was plenty of time.

Mr. Court: The Minister has stated that he cannot table it again for the time being.

Mr. JOHNSON: There is not the slightest doubt that any of the 50 members in the House could have read it had they been interested.

Hon. A. F. Watts: The file did not tell you the reason, even if you read every word of it.

Mr. JOHNSON: I agree. One has really to draw certain conclusions and I will be interested in the debate, as in most debates which come forward. One thing upon which the reading of the file did illuminate me, was that it is not a matter of very great importance. Also, the time lag since the file was laid on the Table of the House shows that it is not a matter of urgency. It is a matter of great interest and has played a prominent part in the Press. However, I think a far more prominent part has been played by Diana Dors, and it is one in which there is at least as much public interest.

The Premier: Who is she?

Mr. JOHNSON: She is well illustrated, well studied and for more prominent.

Mr. Court: She is a beautiful woman.

Mr. JOHNSON: I see even the member for Nedlands has noticed the matter in the paper and studied it with some interest. The motion is one on which the Press has instructed his political party to try to gain a little measure of political publicity because of the interest which has been taken in the matter by the industrial side of the Labour Party. We have the situation that the Liberal Party acting under advice from the Press, is trying to muscle in on the job being done by the industrial side of the Labour Party for the purpose of rescuing its vanishing prestige. We know its prestige and ability are small.

Mr. I. W. Manning: You know something fishy has been going on in the misuse of the money.

Mr. JOHNSON: The question of any mis-use of money is one which we are going to debate when the motion comes forward. After listening to my leader, I consider that will be next Wednesday. The Opposition is going into this matter in order to waste time, as it did yesterday, speaking on subjects it knows very little about. It came perilously close to treating the censure motion in the same way as it did the matter before the House yesterday and at this rate of progress, next Wednesday we will be dealing with Tuesday's business.

Mr. Hearman: That is no reason.

Mr. JOHNSON: If the member for Blackwood had heard the point I made, he would know that the matter is neither one of urgency nor importance. I will not dispute that it is one of interest and so are many other things, but that does not make them really important or really urgent.

Mr. Court: Do not you think the relationship between the public and the Government employees is one of importance and urgency?

Mr. JOHNSON: It is a very important matter of relationship and will be discussed at the appropriate time, but is not a matter of urgency. The relationship between employer and employee is not the subject under discussion at this moment. The point to which I wish to return is whether the Leader of the Opposition can be regarded as the leader of a potential alternative Government. The rumblings that have been taking place in the party discussions on the other side of the House have been such that I think we are entitled to doubt whether, if there were an alternative Government, the Leader of the Opposition—

The DEPUTY SPEAKER: Order! Will the hon. member please confine himself to the motion.

Hon. Sir Ross McLarty: Do not indulge in personalities!

Mr. JOHNSON: I am sorry, Sir, that you thought I was getting away from the subject because I was developing a thought which is in "May," but I will leave the point at your request.

Hon. A. F. Watts: He is the Leader of the Opposition now and you have to listen to him on that basis.

Mr. JOHNSON: I will not press the point any further, but I do wish to mention in passing, that members of the Opposition have shown a lily-white attitude and pretended utmost disregard for the practice and precedence of the Chamber. I was particularly struck by the speech by the member for Bunbury last night. I followed it up with some research today and I discovered that, despite the lily-white attitude of the Opposition, that gentleman appears to have been speaking on a matter in which he has a pecuniary interest. The records show that a certain George Frederick Roberts is a director of Thomas Haywood Pty. Ltd.

Members: What has this got to do with it?

The DEPUTY SPEAKER: Order! Will the hon. member confine himself to the motion?

Hon. D. Brand: Or sit down for preference.

Mr. Roberts: You are shot!

Mr. JOHNSON: I trust the Leader of the Opposition will withdraw that remark.

Mr. Roberts: He did not make one.

Mr. JOHNSON: This is not the first occasion on which I have asked the Leader of the Opposition to withdraw an offensive remark, and I request him now to do so.

The DEPUTY SPEAKER: I regret that, in the hubbub going on on this side of the House I did not hear any offensive remark by the Leader of the Opposition and in this instance I am not aware of the term that was used.

Mr. Court: Someone said you were shocked.

Hon. A. F. Watts: I think that the member for Leederville has mistaken the word.

Mr. JOHNSON: Apparently I have, but I certainly was shocked by what I thought the word was and I trust it is recorded correctly as the Leader of the Opposition said it. My major point is that this motion is not a matter of urgency as is shown by the time it took the newspapers to whip the Opposition into bringing it forward. It is not a matter of importance; it is a matter of interest. It is purely a manufactured topic and I think it is a great pity that we must waste so much time tonight, as we have done, following the waste of time last night. I much regret the importance attached to this storm in a taxi cab.

HON. SIR ROSS McLARTY (Murray—in reply) [5.30]: I have very little to say in reply except that I am very dissatisfied with the reply of the Premier who, I think, has not made out a case at all that could justify the treatment he has meted out to me as Leader of the Opposition or to those who are associated with me. I also resent the insulting remarks from some of his Ministers. I see on reading a proof of my speech that the Minister for Housing said that in the motion I moved he found nothing but tripe. I know that is characteristic of the language of the Minister, but nevertheless I have a right to resent it. It is of no use the Premier trying to deny the fact that this is an insult to me and that it belittles the position I hold.

The Premier: That is not so.

Hon. Sir ROSS McLARTY: We have had extracts read from "May" tonight which clearly indicate that the position held by a Leader of the Opposition, whoever he may be, is a very responsible one and that the Government should take some notice of the views which he expresses, particularly in a motion such as the one set out on the notice paper today in my name.

In dealing with the motion I submitted, the Premier said he has taken some notice of the motion. He has taken this much notice, that he has shot it down nearly to the bottom of the notice paper! I am told that in the ordinary circumstances it may come up next Wednesday, but that is extremely doubtful, and if it does not come up then, it will, perhaps, come up on the following Wednesday. Now the Premier tells me that he will arrange with private members to postpone their business so that my motion can be dealt with,

The Premier: The Premier did not say that at all.

Hon. Sir ROSS McLARTY: I may have misunderstood the Premier. He said that members on his side would be prepared to agree to postpone their business so that the motion could go up.

Hon. J. B. Sleeman: How could he say that?

Hon. Sir ROSS McLARTY: I do not know, but he said it.

Hon. J. B. Sleeman: He did not mean that.

Hon. Sir ROSS McLARTY: What did he mean?

Hon. J. B. Sleeman: He meant that you could interview them.

Hon. Sir ROSS McLARTY: Does the hon. member think that I should be put in the position of having to go to private members and ask them to agree to postpone their business so that I can proceed with my motion? I am not going to be put in that position.

The Minister for Health: I do not think there is any need for that.

Hon. Sir ROSS McLARTY: I have never known a Leader of the Opposition to be treated in this fashion. Attempts have been made by the Premier and his Ministers to say that when we were in office they received similar treatment, but, of course, that is not a factual statement. The motion, of a similar nature, which the Premier talks about, that was moved by the Premier, when we were in office, was dealt with next day.

Then, again, the Premier talked about a reasonable time being allowed, and all the rest of it. I would say that if a motion like this is dealt with the day after notice is given, then that is a reasonable time. But how am I, or how are we treated by the fact that our motion is postponed for a week? And, as I say, until we raised the question tonight, nothing definite was suggested that the motion would be discussed even then.

I am disgusted with this treatment, and I do not want to stay in this place if the Premier is going to treat me in this fashion, because I feel that in my capacity as Leader of the Opposition I have been belittled; and not only has an attempt been made to belittle me in the eyes of Parliament, but in the eyes of the people, too. Well, I am not going to stand for that treatment, and I do not want to stay here if I am to receive it.

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

Ayes	....	....	....	18
Noes	....	....	....	20
				—
Majority against	....			2
				—

Mr. Ackland	Ayes.	Mr. McLarty
Mr. Bovell		Mr. Nalder
Mr. Brand		Mr. Oldfield
Mr. Court		Mr. Owen
Mr. Crommelin		Mr. Roberts
Mr. Grayden		Mr. Thorn
Mr. Hearman		Mr. Watts
Mr. I. Manning		Mr. Wild
Mr. W. Manning		Mr. Hutchinson

Mr. Andrew	Noes.	Mr. Lapham	(Teller.)
Mr. Brady		Mr. Marshall	
Mr. Evans		Mr. Nulsen	
Mr. Gaffy		Mr. O'Brien	
Mr. Graham		Mr. Potter	
Mr. Hall		Mr. Sewell	
Mr. Hawke		Mr. Sleeman	
Mr. Heal		Mr. Toms	
Mr. Jamieson		Mr. Tonkin	
Mr. Johnson		Mr. May	(Teller.)

	Ayes.	Noes.
Mr. Cornell		Mr. Kelly
Mr. Perkins		Mr. J. Hegney
Mr. Mann		Mr. W. Hegney

Question thus negatived.

[The members of the Opposition, with the exception of Mr. Ross Hutchinson, left the Chamber.]

BILL—COMMONWEALTH AND STATE HOUSING AGREEMENT.

Message.

Message from the Lieut-Governor and Administrator received and read, recommending appropriation for the purpose of the Bill.

Second Reading.

THE MINISTER FOR HOUSING (Hon. H. E. Graham—East Perth) [5.39] in moving the second reading said: My first observation in connection with the Bill is that it is called the "Commonwealth-State Housing Agreement Act," and I think I should point out that last October a conference was held in Canberra, and another one was held in April of this year. At both those conferences everyone of the States refused to agree to any of the proposals submitted by the Commonwealth. At a matter of fact, throughout the whole of these conferences there was only one matter upon which there was agreement, and that was that there should be a new agreement following the expiration of the first one.

The position since then has been that the Commonwealth proceeded with its proposals, and one by one the various States have felt that as there was a definite possibility of the States' suffering a loss of loan moneys for housing purposes—however opposed and reluctant they were, they nevertheless realised that there was no alternative—they had to become associated with the Commonwealth approach to the matter.

It will be interesting to point out to members that under the agreement which expired on the 30th June last, the number of houses built in the Commonwealth,

under the scheme, was approximately 96,000, and of that number, in round figures, 12,000 were erected in Western Australia. The amount of money spent in this State under the scheme was no less than £26,850,000. The total Commonwealth figure was approximately £200,000,000. It can be seen, therefore, that had it not been for the Commonwealth and the States associating themselves for the provisions of homes for the people, the desperate plight of many thousands of our citizens would have continued even until this time.

I repeat that in Western Australia no less than 12,000 homes were erected, the great majority of them going to people who had family responsibilities, and accordingly, approximately 50,000 people in Western Australia were housed under the scheme. The new proposals are designed to operate for a period of five years; and it is essential that, in the interests of the people, there should be a continuation of the scheme. Unfortunately the proposals embodied in the Bill, which are laid down by the Commonwealth, are not nearly as satisfactory as they might be, but at the same time they are a considerable improvement on what was originally submitted by the Commonwealth. It is only because of the consistent pressure and opposition of all the States, that a more favourable document is before us.

Mr. Oldfield: Will this give us more homes?

The MINISTER FOR HOUSING: No, so far as this State is concerned, it will give us a lesser number of homes, as will be appreciated as I proceed. One of the principal changes will be in connection with determining the rate of interest which will be charged on the homes. It appears that, initially, the interest rate will be increased from 3 to 4 per cent. That is to say, a 33½ per cent. increase which, on the average house, is estimated to amount to about 8s. a week. So no doubt there will be complaints made to individual members that there are two houses of the same design in the same street, built at approximately the same time, but one of them will be offered to a tenant at a rental 8s. higher than the other.

I might mention now that that is because of the alteration in the existing interest rate laid down by the Commonwealth. As the period of five years proceeds, it is possible that there will be further increases in the interest rate under this scheme, depending upon the long-term bond rate which is paid in respect of Commonwealth loans. When the Commonwealth originally submitted its proposals there were a number of objectionable features, some of which now, on account of the pressure from the States, have been overcome. But notwithstanding that, in addition to this greater imposition in respect of the increase in the interest rate,

the Commonwealth, under the new agreement contained in this Bill as a schedule, will not in any way be responsible for losses that are sustained under the scheme, and it will make no contribution whatsoever in the matter of rebates.

Hitherto, the Commonwealth has met three-fifths of the rebates commitment. Fortunately for the people of Western Australia, a Cabinet decision was made recently that the State itself would apply a rebate system under exactly the same formula as was provided under the previous scheme and that the whole of the commitment would be met by the State Housing Commission and the Government of Western Australia. Perhaps I should have mentioned that the original agreement, which lasted for a period of 10 years, actually expired last January. So, in addition to providing a new scheme to operate from the 1st July, 1956, this Bill also extends the old agreement until the 30th June of this year.

First of all, I should point out that under this five-year agreement it is proposed that for the first two years 20 per cent. of the allocation to the State shall be made available to building societies and for the three remaining years 30 per cent.—in each of those years—of the funds made available to this State shall be allocated to building societies. At the present moment there happen to be seven of them in existence and the Commonwealth has agreed that for this year the Rural & Industries Bank may be regarded as a building society for the purposes of the scheme. One-fifth, or 20 per cent. of the allocation this year—that is £3,000,000 to Western Australia—or £600,000 of the money which normally, under the old agreement, would be made available to the State Housing Commission, is being allocated to the building societies in conformity with the instructions of the Commonwealth.

Mr. Oldfield: Will the rate of interest charged by the building societies be controlled?

The MINISTER FOR HOUSING: I will come to that point presently. Initially, the Commonwealth in its proposals stated that a certain amount of our money, for which the State of Western Australia is responsible, should be made available to these building societies to finance people to enable them to acquire their own homes.

The State Housing Ministers were most insistent that this money should be used to purchase new homes or to erect new homes because we could have had a situation whereby a certain proportion of the money granted to each State was being taken away from it and given to building societies and that all of that money would be used to purchase homes that were 20 or 30 years old or even more. We felt that it was only proper that all of this

money should be used for the acquisition or erection of entirely new homes. Fortunately we were able to prevail upon the Commonwealth to accept that proposition.

There was another weakness that we detected. There was a complete licence granted to the building societies. They could lend what they liked to whom they liked. I do not know what the position was in the other States, but in Western Australia we were able to convince Senator Spooner, the Commonwealth Minister for National Development, to limit the amount of finance that could be made available to any individual to £2,750. In the same way, under the initial proposals, as presented by the Commonwealth, the building societies were free to charge whatever rate of interest they liked. As this money was being made available from public resources, we felt that that was entirely wrong. I am informed that in the City of Perth at present the building societies are lending money to borrowers who desire to erect homes for themselves at an interest rate of 7 per cent.

Mr. Oldfield: And for temporary accommodation at 17 per cent.

The MINISTER FOR HOUSING: I am talking about long-term repayment, namely, approximately 20 to 30 years. We were able to persuade Senator Spooner that there should be a limitation and the maximum interest that can be charged by building societies is now 5½ per cent. We also insisted that the building societies should not be permitted to sit down in leisurely fashion and use this public money for the purpose of carrying on their operations. We insisted that they, the building societies, should continue to raise money on their own account and use this public money as supplementary funds to expand their building activities.

Finally, a few weeks ago, in conference with Senator Spooner, it was possible to get him to agree to that proposition. Before proceeding further, I think I should make some reference to the overall financial provisions. As indicated earlier, the Commonwealth has decided that the interest rate on the money made available to the States should be stepped up from 3 per cent. to 4 per cent. I want to point out that this money is obtained by the Commonwealth Government absolutely free of charge. This is not money that is raised on the bond market for which the Commonwealth is paying 4½ per cent. or 5 per cent. and therefore making a gesture to the States and to people needing houses by granting a concessional interest rate of 4 per cent., because this is not loan money at all. This is some of the Commonwealth's surplus revenue.

Mr. Ross Hutchinson: What has the Commonwealth said in regard to the protest made in this House?

The MINISTER FOR HOUSING: I think it would be more appropriate if I could, within the Standing Orders, say what Tom Playford, Premier of South Australia said about this. He certainly did not spare himself in his condemnation of the Commonwealth for pretending that it was granting a concession to the States by making available money at less than the long-term bond rates when the Commonwealth was getting it through taxation and therefore was costing that Government nothing. So the Commonwealth has been making profits out of this scheme and it is now making a 33½ per cent. greater profit as the result of its stepping up the interest rate to the States and to the building societies.

Mr. Ross Hutchinson: Have you made any protest to the Commonwealth on that?

The MINISTER FOR HOUSING: I have not put my protest in writing, but I spent four days in conference protesting about the matter, and I was not the only Minister who protested. I was only one among Ministers from six other States.

Mr. Ross Hutchinson: What was the Commonwealth plea?

The MINISTER FOR HOUSING: There was a long story in connection with it and it was something to the effect that if the housing authorities of the States had money made available to them free of interest or merely at a nominal interest rate of, say, half of 1 per cent., the Governments of other States would want to jump on to the bandwagon and ask for money at a similar rate for their ordinary loan works.

Then there are certain private members behind the Commonwealth Government who are concerned with and who are interested in real estate. They do not like either the old agreement or the new one because, from their point of view, it represents unfair competition for them and the businesses they conduct. I was informed by a Commonwealth Minister that this whole business was taken out of the hands of the Government and it was told that if it were proposed that there was to be a continuation of the old agreement, the Commonwealth Ministry would not have the support of their rank and file nominal supporters. I repeat that the substance of the opposition comes from certain members who have an interest in real estate businesses. They were most concerned about protecting their own kith and kin rather than providing homes at the minimum rate of interest.

Mr. Ross Hutchinson: You cannot prove that.

The MINISTER FOR HOUSING: As a matter of fact, I can prove it. The leader of this particular group movement—if I can use that term—is a Minister who has received a certain amount of notoriety in

recent days because of his apparent desire to toss Australians into a possible conflict over the Suez Canal. I will say no more than that. I think I have said sufficient to indicate to the member for Cottesloe that I was not using idle words. The money that is made available to the building societies may be lent for any term up to a maximum period of repayment of 31 years. The money that they make available is to be loaned to the clients with whom they do business who must provide at least 10 per cent. of the cost of the homes by way of deposit.

There is a further proposal made by the Commonwealth which is embodied in the schedule attached to this Bill. Originally, the Commonwealth proposed that not only should 20 per cent. of the State's money be handed to building societies for them to make profits out of it if they so desired—because there was no ceiling on the interest rates that they might charge—but, in addition to that, 10 per cent. of our own money, made available to us by the Commonwealth and on which we pay interest and, of course, the capital repayment, should be devoted to the erection of homes for serving personnel.

We know that all of the States are desperately short of money. We know that the Commonwealth, so far as its defence allocation is concerned, is unable to spend its funds and yet we have the Commonwealth submitting a proposition which stated that 10 per cent. of what was made available to the States should be used for the purpose of providing homes for serving personnel specifically. I do not want that term to be confused with ex-service-men.

It went further than that. These homes were to be erected in places nominated by the Commonwealth itself; in other words, the State could have been commanded to erect with its own money 100 homes at Pearce aerodrome or at some depot in the far North. The Commonwealth might change its mind and the State would have 100 homes on its hands with no applicants seeking that vacant accommodation. Those are the ridiculous extremes to which the Commonwealth went.

I did some querying of officers of the defence departments and they were not happy with this, but, of course, they could not quarrel with their own Ministers. They explained to me that the only reason for tying up accommodation for the Commonwealth with that of the State was on account of the incompetence of the Commonwealth Government itself, because the State could erect houses far cheaper than the Commonwealth. As a matter of fact, I pointed out to Senator Spooner that the State Housing Commission was quite prepared and willing to erect all the houses required by the Commonwealth with Commonwealth funds, and that I could guarantee to erect them for at least £1,000 less

than it would cost the Commonwealth if it managed the business itself. I repeat, a minimum of £1,000 less.

Eventually the State Ministers were able to impress upon the Commonwealth the unfairness of its attitude. There is now an arrangement under which only 5 per cent. of State finances can be used for providing homes for serving personnel and the Commonwealth will through its own resources supply another 5 per cent. In other words, the Commonwealth would match the amount expended by the State.

Mr. Ross Hutchinson called attention to the State of the House.

MR. DEPUTY SPEAKER: I have counted the House and there is a quorum present.

The MINISTER FOR HOUSING: Now there is this important difference: Under the provisions of this agreement the houses will be erected at places determined by the State Minister for Housing and not by the Commonwealth; in other words, these homes to be erected for serving personnel will be in the ordinary State Housing Commission settlements. I think that is proper, but it is with some reluctance that I had to agree—as I had no alternative and neither did the Government—to 5 per cent. of our funds being used to provide accommodation for the class of applicant who perhaps is under no hardship whatever, and to shoulder a responsibility which is definitely that of the Commonwealth.

At the conference we insisted that the provision of accommodation for men in training and those in the permanent forces was as indispensable to the preparation of our defences as were the clothes they wear, the other accommodation they use and the equipment supplied to them. Of course, point is given to that when I repeat that the Commonwealth has, under its defence allocation, moneys unexpended which could well be used in the provision of homes for service personnel to make their lives a little more pleasant, and of essential amenities because many of these people are subject to transfer.

Mr. Jamieson: Who are you trying to convince, the member for Cottesloe or the two independent Liberal Party members?

The MINISTER FOR HOUSING: Some of my observations are such that they should be handed down to posterity. Accordingly, I am speaking to my colleagues, to the member for South Perth and the member for Mt. Lawley. I very much regret there is not one member of the Country Party in the Chamber at the moment, and, apart from the member for Cottesloe, not a single member of the Liberal Party, the official Opposition. Such is their concern for the housing of the people of this State.

Like so many naughty children, they skulk out of the Chamber instead of attending to their official business. I suppose that next week there will be a motion

protesting about a stop work meeting somewhere. Right here we see the same thing happening. The responsibility and duty of those members lie in this Chamber. Relative to the Country Party, following the representations by their leader and most of his supporters, I undertook—

Mr. Ross Hutchinson: On a point of order, I submit that the Minister is not debating his Bill.

The MINISTER FOR HOUSING:—in view of the circumstances and notwithstanding a smaller amount of money available to the Housing Commission this year, that for the current financial year a greater number of houses will be built in the country districts than were built last year. I do not know whether members of the Country Party feel they have got all they wanted and are no longer interested in this matter. This does them little credit. Should there be any scandal, they are here, like a pack of wolves, but where important legislation is concerned not one of their members is in the Chamber.

Mr. Ross Hutchinson: Your words will not be wasted.

The MINISTER FOR HOUSING: I certainly think they will not be wasted.

Mr. May: When will the relief for the member for Cottesloe come along?

The MINISTER FOR HOUSING: If I might be permitted to proceed! We were able to obtain from the Commonwealth a further concession in connection with these homes built for service personnel. Incidentally, these homes will belong to the State, but attached to them is an indebtedness to the Commonwealth. However, the Commonwealth will hold itself responsible for seeing that tenants pay their rent and that the occupants treat the houses reasonably well.

It is appreciated that these houses will be rented to the Defence Departments and not to individuals. The Defence Departments themselves will allocate the homes to those who, in their opinion, are deserving of them; and therefore the State Housing Commission will not be knocking at the door every week or fortnight for the rent, or keeping a check on them. Neither will our inspectors, in the ordinary course, run an eye over the buildings to see whether people are looking after the homes properly.

There is a new—and I should say important—provision in the agreement. It lays down that dwellings shall be of a reasonable size and standard primarily for families of low or moderate means. In order to meet that requirement, which is set out in legislation for the first time, the State Housing Commission has decided—and the Government has approved—that the definition of a family of low or moderate means shall be one who is qualified as a worker under the State Housing Act.

The Premier: Is the term used "low" or "small"?

The MINISTER FOR HOUSING: Low or moderate means. At present, under the Act, a worker is one whose income does not exceed, in round figures, £1,050 excluding overtime with an additional £25 allowable income in respect of every child under the age of 16.

Mr. Ross Hutchinson: I suggest the Minister might take some notice of the Premier's remark regarding low means or small means.

The MINISTER FOR HOUSING: I was merely reading an extract from the measure itself. The words are those of the Commonwealth and not mine. There is another concession, too, so far as the States are concerned, and I am thankful for this one. Instead of the long and involved procedure that was laid down by the Commonwealth in respect of the purchase of rental homes under the old agreement—that is, purchased under terms—on this occasion it is being left entirely to the discretion of the States to decide the basis on which they will dispose of their own homes built under this agreement. I think I should add in that connection that the State Housing Commission can erect the homes for rental purposes or sale purposes at its own wish and fancy.

There are a couple of provisions in the Bill which may be difficult to comprehend, and they appear on pages 3 and 4. The terms of the Bill actually conform to a wish expressed by representatives of the building societies; and the first point is to enable a building society, notwithstanding the terms of its constitution, to become a participant in this scheme. The second one is that, in order to secure the State in respect of advances made to the building societies and to avoid the necessity for separate documents and endorsements on title deeds and the rest of it, concerning every individual transaction, there is a floating charge upon the entire assets of the building societies.

In other words the State has first call on everything that is owned, directly or indirectly, by the building societies as a security against advances that it makes. I repeat that this provision is inserted at the request of the building societies and with the approval of Senator Spooner on behalf of the Commonwealth Government.

Mr. Ross Hutchinson: What is on page 4?

The MINISTER FOR HOUSING: It is a continuation of what is on page 3. I would not be allowed by the Deputy Speaker to say, "Clauses 5 and 6." My final observation is that, because of what I could call obstruction—at any rate, because of the attitude of the States—we were able to get from the Commonwealth a much better and fairer agreement than that originally proposed.

Mr. Ross Hutchinson: It was a good opposition front you put up to achieve that concession.

The MINISTER FOR HOUSING: That is so. I am still disappointed that instead of the Commonwealth making additional moneys available to the building societies, certain money is being denied the States for the purpose of its being passed to the building societies. My feeling is, and always has been, that the State Housing Commission can give a much better and cheaper service to the potential builder and home owner than can the building societies. It has the technical officers and a variety of plans. Its supervision is closer and keener, and so on. There are definite advantages in the State handling this money. But the Commonwealth had the final say and so, initially, 80 per cent. will go to the States and 20 per cent. to the building societies; and after the first two years, 70 per cent. will go to the Housing Commission and 30 per cent. to the building societies.

One final word: Because we have accepted the inevitable, and the societies are taking part of our funds, it is the desire of the Government and will be the intention of the State Housing Commission to make the scheme work as effectively as possible. In other words, we will co-operate in every possible degree with the societies with a view to seeing that the people of Western Australia who are in need of homes and require financial assistance, will get it, whether through the State Housing Commission, a building society or anybody else. I move—

That the Bill be now read a second time.

On motion by Mr. Ross Hutchinson, debate adjourned.

Sitting suspended from 6.15 to 7.30 p.m.

BILL—PROFITEERING AND UNFAIR TRADING PREVENTION.

Second Reading.

THE PREMIER (Hon. A. R. G. Hawke—Northam) [7.30] in moving the second reading said: Every member is aware that today Australia is facing serious economic problems. In this situation there arises considerable disputation as to the best steps to be taken to deal with the more serious of the problems. The word 'inflation' has been applied to describe the whole of the problems. The central feature of the whole situation is that for some years there has been an upward movement in production costs, prices and the general level of wages and salaries; there have also been increases in other directions such as interest rates and rents.

I suppose it is only natural that in a situation of this kind there should be a tendency on the part of well-defined groups

in the community to place most emphasis for the development and solution of the problems upon the other groups. For instance, in the welter of discussion which has taken place in Australia in recent years, we have found some people emphasising that wages and salaries are the cause of high prices, and that as a result of wages and salaries being high, costs of production generally have been increased considerably and, in some particular instances, to a level which has made activities in those instances either only just payable or not payable at all.

Wage and salary earners generally claim that the cost of living has been forced up by the taking of profits which, in their judgment, have been unreasonable. They have claimed that, as a result of excess profits being taken in many directions, prices consequently have risen and some of the increased prices have registered in the cost of living statistics which are used for the purpose of measuring the quarterly increase in what is generally known as the "C" series index. As a result of the last-mentioned increases, wages and salaries, where quarterly adjustments have continued to be applied, have been increased correspondingly and those increased wages and salaries have registered their effects upon the costs of production. Those who are in a position, in regard to their costs of production, to recover increases in the commodities or services which they make available, have made the necessary increases in the prices of those things.

In some instances farmers at least have claimed that those engaged in other industries, and in trade and commerce, as well as the workers of Australia generally, have forced up costs of production in the primary industries to a degree which has made those industries struggle somewhat to balance accounts and to allow of further development where increased production has been assured of payable markets. In this situation there are some groups in the community who have had no protection whatever, those groups being the people who have to depend upon relatively small fixed incomes. They have no means of augmenting their incomes and they have had to bear the burden of increased prices, no matter what the basic reason has been for those increased prices. Consequently the standard of living of people on small fixed incomes has, over the years, decreased very considerably.

By and large, wages and salaries are under strict control. It is a long time since I have heard anyone of any standing advocate that control over wages and salaries should be abolished and that the law of the jungle, if anyone cares to describe it as such, should be allowed to operate as between employer and employee. The system for the control of wages in Australia is a well-established one and has operated for a great many years. It is true that some

people argue that the court or industrial tribunal concerned, when it fixes wages and salaries, fixes only the minimum rates.

Although, of course, that is legally true and true also in fact, nevertheless, the minimum, in a great majority of instances does become the ruling rate. It is true, too, that in times when manpower is short some employers who are in a position to do so will offer above the minimum rates for the purpose of attracting employees from another employer to their establishment. That has been taking place to a greater degree in some Eastern States of Australia than it has in our own State.

We all remember the decision of the Commonwealth Court of Arbitration made in September, 1953, when the court decided that there should be no quarterly adjustments of wages and salaries in respect to cost of living increases which occurred in the previous quarter. The basic reason given by the court for the decision was that Australia's economic stability had deteriorated and that it was necessary for the court to take this step to safeguard, as far as the court was able to do it, the stability of our economy. The Commonwealth court has continued to refuse to grant quarterly adjustments of wages and salaries from that time right up to the present date. The State tribunals in every State followed the lead of the Commonwealth court for considerable periods varying, if I remember rightly, from about 21 months to the whole of the period; the State of South Australia being the one where the industrial tribunal followed, and has followed right through, the lead of the Commonwealth court.

You would know, Mr. Deputy Speaker, that trade unionists generally throughout Australia accepted this situation in a reasonably peaceful way right from the beginning and are doing so today. It is true that there have been grumbings and protests and other signs of hostility. But I am convinced that trade unionists in Australia generally accepted the situation without resorting to industrial warfare because they felt, at least in the early stages, that they were making a contribution to the maintenance of the nation's economic stability.

However, as time went by they found that they were being punished severely by reductions in their standard of living and in reductions in their real wages because of the fact that the cost of living was increasing almost regularly from quarter to quarter. The situation has now been reached in Australia in regard to our total economy as a nation which is serious beyond any shadow of doubt. Even leaders of industry, commerce and finance who a year ago, or perhaps even two years ago, were quite satisfied, and even optimistic, about the situation and the future have, in recent months, displayed unmistakable signs of anxiety.

Out of that situation there seems to me to have developed a set type of propaganda which tried to pivot the whole responsibility of the solution of our difficulties upon the wage and salary sections of the Australian community; and for quite a long time now we have heard and read almost constantly proposals for more severe wage control, with few if any other proposals seriously put forward to give adequate protection to wage and salary earners within the situation in which they now find themselves; and the worst situation in which they would find themselves if more severe controls were to be put upon wages and salaries.

I want to say here that trade unionists generally, and their wives where they are married, do not look upon higher nominal wages and salaries as being necessarily of any advantage. On that point they are as well informed as anyone else. They know that an increase in nominal rates of wages and salaries is just as likely to be of disadvantage to them as of advantage. As a result of their practical experience in battling with the cost of living, more particularly in recent years.

They know it is not the number of pound notes in the pay envelope that is of such great importance but the purchasing power of those pound notes in obtaining for them the things they buy from time to time. However, they fail to appreciate a situation in which they receive no adjustments whatsoever in respect of upward movements in the cost of living at a time when no adjustment is made at all of their wages and salaries in respect of those happenings. Whatever our views might be respecting the solution as a whole that ought to be applied to the situation, I should hope we are all clear and fair-minded enough to see their point of view in the manner in which I have just expressed it.

Obviously, it would be most unjust to leave wage and salary earners in their present situation. It is true that in Western Australia our own industrial tribunal has, over recent quarters, granted cost of living adjustments and therefore to that extent has compensated wage and salary earners in this State for increases that have occurred in previous quarters in respect of the cost of living. But, as I said a few moments ago, no worker, and I think not even the wife of any worker, has any faith in the greater number of banknotes in the pay envelope. Their great concern is the worth of those banknotes in the shops and the places where they are spent.

We seem to have reached a situation where some attempt ought to be made to stabilise the cost of living in this State as far as it is possible for us to do. I am absolutely convinced myself that the

organised workers of this State or of Australia generally for that matter, will not peacefully submit to further controls of wages and salaries unless they are given adequate protection in regard to the cost of living. I know it is easy to develop a short range point of view in connection with these things. I am satisfied that when the Commonwealth Court of Arbitration first refused to grant quarterly cost of living adjustments, and industrial tribunals in other States followed that lead, quite a number of employers felt that Australia's economic stability was now on a safe foundation, that the future was rosy, and that they could proceed to make profits even to a greater extent than previously, because no matter how much the cost of living might move upwards, they would not have to pay any quarterly adjustments to people they employed.

That situation was one charged with considerable danger and the situation, for as long as it lasted, did a great deal of damage—a tremendous amount of damage, in my opinion—to our economy. However, as I said a few moments ago, I think in more recent months those who were taking too much by way of prices for the goods and services which they were making available, and selling, sobered up considerably in their assessment of the more important factors in the total economic setup. The Bill which we now have before us is one that is calculated to prevent to the greatest extent possible profiteering in Western Australia. It is felt that, at least in this serious period of our existence, steps should be taken to ensure that the community is given a reasonable measure of protection against those who might still be tempted, successfully tempted, to take more than a fair thing in the way of profits from the community.

Mr. Court: Has the Government any particular industry or group in mind?

The PREMIER: Yes, we have particular groups and particular industries in mind, but I do not think it would be a reasonable proposition to mention them publicly at this stage because that would be giving them unfavourable advertisement which, on closer examination by experts, might be found not to have been justified.

Mr. Nalder: Does the Government intend to control services as well as goods?

The PREMIER: Yes. I think this Bill is drafted in such a way as to give the commissioner, who will be appointed under its provisions, power to control services of those goods. The main objects set out in the Bill are (a) to prevent unfair profit-making, (b) to prevent unfair methods of trading and (c) to prevent unfair methods of trade competition. It will be seen, therefore, that the Bill makes provision for much more than an attempt to prevent the taking of unfair profits by

those concerned. It aims to prevent unfair methods of trading, and also to prevent unfair methods of trade competition.

We know very well that there have been many new and more or less scientific developments in industry, trade and commerce over the years. We know of many trade practices which exist and all those trade practices at some stage or other have been condemned by many people. I should think that every member in this House has had instances brought under his notice by traders of the unfair practices to which they have been subjected, and the threats which have been made upon them, at least indirectly, as to what would happen to them if they did not submit to trade practices which had been developed by the more powerful companies in Australia; or perhaps overseas where overseas companies have branches of their organisations operating in this country. I had a large manufacturer in my office only this week who indicated to me, and showed me in black and white proof of the existence of endeavours that were being made to force his company to adopt restrictive practices in the supply of goods which his company has so far successfully resisted. However, the company is now finding itself being penalised in many directions and the indications, according to this general manager, could be that his company will have to come into line.

Other instances have been brought under my notice from time to time and we have had debates over the last year or two which show that these practices do exist. I think it can be said with reasonable safety that the tendency in this direction is increasing all the time. I want to make it clear at this stage that this Bill does not provide for any general price fixing system. It does not aim to declare maximum prices for jam of any particular type in an prescribed area of this State, or throughout the whole of the State.

The main principle in the Bill in relation to the attempt that would be made to prevent profiteering is that the profiteering would be investigated only in the individual instance where it was known or thought to exist. In other words, there would be no attempt to bring all industry and all trade and all commerce under control. There would not be a general investigation of traders here and traders there. There would not be any attempt to put upon the shoulders of business concerns which were giving the public a fair deal, any restriction whatsoever. They would be free to carry out their business transactions without any let or hindrance at all as long as it was thought they were trading on a basis which was fair and reasonable to the community. I think in that respect the moving principle in this Bill possesses more advantages over the basic principle which operated in the old prices legislation and also in the national security regulations in connection

with prices, which the Commonwealth Government operated during the war years and for about three years after the war.

The Bill proposes that a commissioner would be appointed and that the person to be appointed as a commissioner would be one having experience in commercial business and trading affairs. This commissioner would of necessity be given very strong powers of investigation and inquiry. He could move on his own initiative to investigate a reported case or a suspected case of profiteering. He could move on reports made to him by the officers who would be employed under his jurisdiction. He, or they, could move on reports which might be made to them by members of the public who considered they were being overcharged with regard to goods or services which they were purchasing. In any instance under any of the headings where the commissioner was satisfied there was justification for carrying out an inquiry or investigation, he could order one to be made.

Under the provisions of the Bill it would be binding upon the business person or company concerned to allow the investigation to proceed. Finally, the commissioner, where he was satisfied as a result of his investigation that a case of undue profit-making existed or that there was justification under the other headings of unfair methods of trading and unfair methods of trade competition, could charge the person concerned under whichever of the three headings was appropriate and could call upon the person or company concerned to show cause why the trader should not be made, under the terms of the proposed law, a "declared trader". In other words, if the commissioner, after close and expert investigation, was satisfied that profiteering or unfair trading or unfair trading competition had taken place, he could call upon the person concerned to show cause or reason why he should not be a "declared trader" under the provisions of the law.

Mr. Wild: Is the commissioner going to be the person to determine what is a fair profit?

The PREMIER: Yes, but in the case of a prosecution it will still be for the court to decide whether a trader considered by the commissioner to have breached the Act, is to be found guilty of the breach and should be punished in accordance with the penalties provided under the Act for a breach of it.

Mr. Court: Is there any yardstick laid down in the Bill?

The PREMIER: No, there could not be a yardstick laid down in the Bill which would be practicable in all situations. For instance, one firm could sell a tin of jam at a lower price than another firm and

still make much more profit out of the jam. In other words, the small trader, perhaps at Scarborough, could not be expected to sell a tin of fig jam at the same price as a big store in the city, especially the self-service type of store. It is because the Government is anxious to avoid as much unnecessary trouble and worry and work for trade, industry and commerce generally and to avoid as much work as possible for the commissioner and the staff which would be under his jurisdiction, that it has developed the basic principle in this Bill of dealing with the individual instead of dealing with an industry, or trade, or commodity as a whole.

Mr. Court: I could not envisage a yardstick.

The PREMIER: We did give consideration to that problem, but I think the member for Nedlands would probably agree that when one tries to develop a yardstick to be applied to a situation such as this proposes to cover, one gets into all sorts of difficulties and confusion. That was the main reason why the Government agreed to put this principle of individual approach into the Bill.

Mr. Court: The commissioner is going to be someone outside the Government services?

The PREMIER: He will be outside the Public Service if that is what the member means.

Mr. Court: I notice by the qualifications envisaged that he would be in all probability outside of the existing Public Service.

The PREMIER: I think that would be undoubtedly so. The inquiry at which the trader concerned would be given an opportunity of proving that he should not be "declared," is explained clearly in the appropriate part of the Bill, and the trader concerned would be given a reasonable period of time in which to prepare whatever case he might have to prepare to present at the inquiry in connection with the notice calling upon him to show cause why he should not be declared under the Act.

The commissioner is given power in connection with these inquiries to admit such members of the public as he thinks fair and reasonable in any particular instance, and the commissioner himself is to make all the inquiries which he deems reasonable at an inquiry of this kind. In other words, the commissioner cannot delegate his powers in regard to this type of inquiry. He must carry out the inquiry himself and give the trader every opportunity to present his arguments and his case and decide upon the merits of the evidence which is made available whether the persons should become and be made, a "declared trader" under the Act.

Mr. Court: What are the circumstances in which it is envisaged that the public will be admitted to an inquiry.

The PREMIER: I should think some members of the public could be tremendously interested in a hearing of this kind. For instance, there could be the aggrieved person who feels he has been overcharged and feels he has been penalised by an unfair trading practice or competition. I should say in a situation of that kind the commissioner would allow the person concerned to be present and of course, to give evidence. However, there might be other people concerned who desire to be present, such as perhaps the president or secretary of the Chamber of Commerce or the representatives of various organisations.

The commissioner is given power to refuse admission and that, of course, could be desirable in some instances. We could easily think of a situation in which it would be unfair to the trader concerned or manufacturer or wholesaler to have members of the public, perhaps competitors, listening in to an inquiry of this kind where he is submitting information which it would not be fair and reasonable for other people to hear. Therefore, provision is made in the Bill for the commissioner, in his own discretion to admit or refuse to admit, and I would think that those portions of the Bill are necessary.

Mr. Court: Is an inquiry envisaged where the general public will be present?

The PREMIER: No, not the general public. It is not likely that the commissioner would hire His Majesty's Theatre for carrying out an inquiry; he would more than likely carry it out in his office, which would probably only accommodate 12 or perhaps 20 people comfortably and in that situation the general public, in the broad sense by which we understand that term, could not possibly be admitted.

Mr. Court: I did not mean a large volume but indiscriminate attendances.

The PREMIER: Certainly not at this stage where a trader has not been shown to be guilty. It is only under investigation that this inquiry should be restricted as greatly as possible.

Hon. D. Brand: The discretion remains with the commissioner under the Bill.

The PREMIER: It is not possible to place the discretion in anyone else; certainly not with the Minister or with the person whose affairs were being investigated. There is only one person to whom that discretion could be given, and that is the commissioner himself.

Mr. Court: I could not understand the set of circumstances where the Premier would want to allow members of the public to be admitted at this stage.

The PREMIER: I would not. I think it would be unfair to admit people who have no associate interest in the matter. I do not think they should be present at an inquiry which was being carried out for the purpose of deciding whether, in fact, the trader concerned had reached the standards which had been set prior to that time by the commissioner himself. The only time that the public, by and large, should be given an opportunity to be present would be in a court of law in the event of the commissioner, following an inquiry, deciding that a prosecution should take place against the person concerned.

Mr. Court: At that stage it is quite normal practice.

The PREMIER: Yes, it is indeed. Provided the commissioner was satisfied that the charge had been proved at the inquiry, the Bill gives him the right to caution the person concerned if the subject matter of the charge is, in the opinion of the commissioner, trivial; or, alternatively, he may declare the person to be a "declared trader" under the Act.

I might say that the word "trivial" does not appeal to me at all, and I propose to alter it when we are in Committee. I cannot imagine that an action should be levelled against a trader simply because it was found he had done something of a trivial character. At the appropriate stage I propose to delete that word from the Bill and substitute something more substantial. I think a trader is entitled to a caution even if he is found to overstep the bounds to some extent, provided it has not been to any worth-while extent.

Mr. Wild: How do you visualise that the commissioner can say what is a fair profit and what is not?

The PREMIER: He would have to decide that from the results of his investigation. It was decided in previous years, and it is still being decided in South Australia and in Queensland, but that is under legislation which we feel is too broad in its sweep; legislation which is more or less all inclusive, once a commodity is declared and a maximum price set for it. We feel that may not be the most scientific approach; we feel that is possibly a cumbersome approach because it brings in everybody.

We are not desirous of bringing in every trader, manufacturer or wholesaler. Provided people engaged in industry, trade and commerce are doing a reasonable thing, that is acceptable and it would be acceptable to the commissioner. But where the commissioner has reason to believe that someone is overcharging the community for a commodity or a service, then the commissioner would follow this line of procedure, would carry out these investigations and would finally decide on the results of the investigations whether in fact the trader concerned had been taking an

undue profit for the commodity which he was supplying or the service that he was making available.

When a person does, in fact, become a "declared trader," the commissioner may call upon him by way of written direction not to repeat or to continue, as the case requires, the unfair trading in which he has been engaged; not to commit any further act of unfair trading; and not to sell the goods or services at a price greater than that specified in the direction or in any subsequent direction which the commissioner may issue. In other words, the commissioner is given the discretion to forgo the initiation of a prosecution in the first instance where a breach of the Act has, by an investigation, been shown to have taken place. This provision has been put into the Bill because it has been thought it would be unfair in many instances to declare a person under the Act when the person would not, on the first occasion, have had any accurate idea, or even perhaps any approximate idea, of the standards that the commissioner would apply in a particular set of circumstances.

It is felt, therefore, that no person should be prosecuted or even declared, simply because he had done something which might have been done in all good faith, and, of course, in complete ignorance of the standard which the commissioner might think reasonable in a particular situation. So, provision is made for a warning to be issued. Once the warning is issued, the trader concerned is from then onwards bound to observe, respect and carry out the direction of the commissioner in regard to his future trade practices or in regard to the prices to be charged in respect of the goods or services which he is manufacturing or making available.

For the purposes of the investigation, it is provided that the Prices Control Act of 1948, or the regulations under that Act, or both, shall be available to the commissioner to ensure that he will be in possession at all times of adequate powers with which to carry out his investigations and with which to apply the method of discipline which the legislation proposes to establish.

Mr. Court: Does not that subclause have the effect of bringing the previous Prices Control Act back into operation?

The PREMIER: No. If during the subsequent stages of the debate, the hon. member can show that that would be so, the Government would be prepared to meet him on the basis of an amendment which will maintain in a supreme position in the legislation, the principle of the individual approach and not the general approach. The Government is anxious to avoid a general application. We agreed, after close investigation, with the contention that has often been put forward by representatives of trade, commerce and industry, that the blanket provisions are not only a nuisance and unnecessary, but

are a considerable expense to all concerned; and we are convinced, too, that it leads to the development of a much greater governmental organisation than is really necessary.

Mr. Court: It often punishes many for the sins of a few.

The PREMIER: It does that, too. This legislation has been drafted on the basis that only those suspected of being guilty are to be approached; are to be interrogated; are to be examined. After members have studied the Bill, they will find that that is, indeed, the dominating principle running through it.

Hon. A. F. Watts: Why does it not make some attempt to define unfair trading?

The PREMIER: We will be quite willing to try to meet any suggestions which are made in that direction. When we set out to define some terms we come against all sorts of difficulties. To define this would be rather like trying to define, in legislation, the term "dangerous driving" and other terms of that description. The terms themselves are so elastic that we have to forgo the attempt to define them in words, and leave it to the discretion of the authority concerned as to what is a fair thing in particular circumstances.

Hon. A. F. Watts: The interpretation of the word "unfair," as I see the Bill at the moment, will rest entirely on the view of one man.

The PREMIER: Yes, it would finally, but there is nothing unusual about that.

Hon. A. F. Watts: I think an attempt should be made to guide him as to the meaning of the word.

The PREMIER: If that can be done successfully, the members of the Government will be happy to help. The penalties provided in the Bill are substantial in regard to the maximum, but discretion is left with the courts as to whether the maximum or some other penalty shall be imposed in the event of a person being found guilty. The punishment for an offence against the proposed law would be a maximum of £500 or imprisonment for a term not exceeding six months. Other penalties are provided and they cover such matters as forfeiture of goods to the Crown. Also, discretion is given to the court in regard to the imposition of an additional fine not exceeding a sum equal to double the amount of the unfair profits which the court had decided were taken in connection with the particular prosecution.

This provision has been put in the Bill to make it unprofitable for anyone to continue profiteering. It would not be effective if the court fined some company £500, which would be the maximum for having indulged in profiteering, unfair trade practices, or unfair trade competition, if the company concerned had already made £100,000 out of its breach of the law. So it is thought that there ought to be some

provision in the Bill—and there is one—which would give the court discretionary power to impose an additional penalty apart from the normal fine so that profiteering imposed upon the community would become unprofitable instead of profitable.

We all know that in these days there are some powerful concerns operating. We know that if they are charging too much for the commodity which they sell, they could make a very great amount of undue profit in a short period because of the huge quantities of the commodity that they sell. So a fine of £500 to them every so often would be chicken feed, to use a term that would describe the situation.

Another provision in the Bill, which is of a disciplinary nature, is to give the court, upon the conviction of a trader or other person, the authority to order that that person shall display in his place of business notices relating to the conviction decided upon by the court and shall maintain this notice of conviction in a prominent place in his business establishment for a specified period.

Mr. Oldfield: Will this Bill have any effect on the purchasing of goods as well as the selling of them?

The PREMIER: Yes, the Bill will give the commissioner power to deal with a situation as between retailer and wholesaler, as between wholesaler and manufacturer, or as between retailer and manufacturer direct. I have explained generally the main provisions in the Bill. In conclusion, I say that the Government has made an earnest attempt to develop legislation to prevent profiteering in Western Australia on the basis that our only purpose is to prevent profiteering, unfair trading practices and unfair trading competition.

Hon. D. Brand: The whole success of the legislation will depend on the personality and type of man that you appoint as commissioner, I should imagine.

The PREMIER: Undoubtedly. However, that situation is not unusual. In many situations almost everything depends upon the calibre of the person who is the head of the organisation.

Hon. D. Brand: But you are breaking new ground here, are you not?

The PREMIER: Yes, we are undoubtedly breaking new ground with this Bill and we feel that it is a move in the right direction. We feel that this measure, in operation, would be much less cumbersome and much less costly to everybody concerned than was the prices control legislation which operated for some years prior to the end of December, 1953.

Mr. Ross Hutchinson: How would the member for Leederville go as commissioner?

The PREMIER: I will go this far and say that the member for Leederville and the member for Cottesloe together, as joint commissioners, would go a long way, but I would not be sure in which direction.

Hon. D. Brand: In opposite directions.

Mr. Oldfield: Would this Bill have the same effect as the previous prices control legislation, when each individual item was priced?

The PREMIER: No, that is not intended at all. The basis upon which this Bill would move would be upon an individual basis, directly and entirely on that basis. If the commissioner had reason to believe that Smith and Jones were overcharging or engaging in some unfair trading practices or some unfair trading competition, the commissioner would investigate the case of Smith and Jones and not that of anybody else. The commissioner, subsequent to his investigation, would make a decision on the case of Smith and Jones and that decision would apply only to Smith and Jones and could not possibly be made to apply to anybody else.

Mr. Oldfield: The Premier wants to be careful! One member lost his seat by introducing a Bill similar to this.

The PREMIER: If the hon. member has some personal fears in this regard we shall be pleased to try to provide protection for him at any rate in the Bill before it finally goes through the Committee stage.

Mr. Ross Hutchinson: He has already had protection.

The PREMIER: On behalf of the Government I would like to appeal to all members to give this legislation careful consideration. It is a genuine attempt on the part of the Government to meet a situation which we think urgently requires attention. Apart from what I said earlier about the cost of living and the relationship of wages and salaries to the cost of living, there is the fact that the primary industries—some of them, at any rate—are not as prosperous as they were. I think we all know that some people make very great profits out of the primary industries; and they are people who are not directly engaged in the industries themselves. This Bill could be of some considerable help in that direction.

I should hope that no member in the House desires that any person engaged in any industry or commerce should receive more than a fair return for his activities and in connection with the real capital that is employed by him in the particular undertaking. If every member approaches the Bill on the basis that I have suggested, it seems to me that it should be possible out of our combined and, I should hope, our co-operative deliberations, to produce a measure that should find itself on the

statute book and which, in operation, would punish those who were guilty and, in doing so, provide reasonable safeguards and protection for the community generally. I move—

That the Bill be now read a second time.

On motion by Mr. Court, debate adjourned.

BILL—CRIMINAL CODE AMENDMENT.

In Committee.

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

BILL—EVIDENCE ACT AMENDMENT.

Second Reading.

Debate resumed from the 30th August.

HON. A. F. WATTS (Stirling) [8.43]: This Bill is in two or three parts as the Minister indicated when he introduced it to the House and the first one deals with the provision which will affect the matrimonial causes and personal status code legislation and to which I have not the slightest objection. I do not propose to take up the time of the House by reiterating all that the Minister has said or to say anything else about it.

I wish to confine myself to the provisions in the Bill which make it easy to prove the identity of a person who is charged with an offence and who is alleged to have a record of previous offences, which is to be done instead of requiring the presence of an officer who is capable of identifying the person concerned by the production of a record card showing his fingerprints and an affidavit by the officer verifying those fingerprints. The Minister indicated that at times considerable expense was incurred in bringing the police officer concerned from a very considerable distance in order to personally verify the identity of a person charged with an offence, and where necessary, prove his previous convictions. Of course, previous convictions are liable to increase the penalty for the offence being tried.

In general terms I am not particularly enthusiastic about this type of identification. I do not for a moment think that the saving of expense is anything like sufficient justification for risking—if that were the position—some miscarriage of justice, no matter how infrequent that may be. In my view, it would be far better for the State to spend £1,000 unnecessarily than for one person innocent of past offences to be blistered because he is alleged to have been convicted of those offences. Of course, the question arises as to whether one can guarantee this fingerprint system

of identification and the circumstances which surrounded the taking of fingerprints under Western Australian law.

A couple of days ago, in answer to questions I obtained considerable information on that subject from the Minister for Police. That satisfied me reasonably in regard to fingerprints taken in Western Australia. In the course of his remarks, the Minister indicated that a record card could be brought from another Dominion and also from other parts of Australia to identify a person charged with an offence here. I do not know whether the same system in operation in this State is also in operation elsewhere; in consequence, I do not know if they are as foolproof as they appear to be in Western Australia. There is no question about that.

The best evidence one ought to have in a matter as important as this, is dealt with in the Bill. It is true the Bill provides that identification by an affidavit and a card of fingerprints is only *prima facie* evidence, therefore if the accused person says that he is not the person concerned and produces some evidence in support of that contention, it would appear that the onus would pass over to the prosecution to establish to the satisfaction of the court, if it could, that the accused person was a convicted person.

The Minister for Justice: Such a case would be very rare. The accused usually admits the offences, especially if there are fingerprints.

Hon. A. F. WATTS: The one case that is rare might be the trouble. I am not quite able to satisfy myself on that subject. I have already said that it would be better for the State to spend £1,000 unnecessarily than for one innocent person to be blistered because he is being given a sentence in respect of offences which he has not committed.

The Minister for Justice: A number of persons would not be prosecuted to the fullest possible extent because the police may not know their past history and because it is cumbersome to get a detective or police officer to identify them.

Hon. A. F. WATTS: Admittedly that could be so, but nevertheless I do not know that it is desirable to simplify in the number of cases where it may be desirable, and risk over-simplification in the case where we might be risking imposing a penalty on an innocent person. I am sure that is the general principle which is followed. It has been reiterated that it is better for a number of guilty persons to escape than for one innocent man to be convicted. That is a time-honoured concept and a very sound one.

In dealing with this Bill it is just as well to let the House know some of the methods that are adopted by the fingerprint branch and the views of the experts

on the possibility of fingerprints not being, in all cases, a fully satisfactory method of identification. So I read the answers to some of the questions which dealt with this aspect. They are—

Experts are completely satisfied that no two sets of finger prints are sufficiently identical as to risk mistaken identity.

Since sets of fingerprints are mentioned, then further amplification of the answer is that it is impossible for such a thing to happen, when the examination is carried out by an expert, and that examination checked by another expert as is normal Fingerprint Bureau practice.

If it is intended that the possibility of error between the impressions of a single finger from two different people be considered, then the answer is that no error can possibly occur if existing Bureau procedure is adhered to, and that is that there must be 12 of the same identifying features of the same type in their correct sequence and relative position on each, before positive identity is established, and once again identity is not declared unless checked by another expert.

Fingerprint identification is the only infallible form of identification of the human being, and has proven this claim by constant usage over half a century, and the constant daily examination of fingerprints involving millions of sets throughout Fingerprint Bureaux of the world.

If this form of protection against mistaken identity is not used, then we would have to rely upon person description details, and/or photographs, and experience has proven that these aids are not completely reliable when used as the sole means of establishing identity.

Fingerprints are taken before conviction, in order that positive establishment of identity may be made with previous convictions, if any exist, in order that the correct record may be presented to the Judge, Magistrate or Justices, when demanded by them after their decision to convict. This identification also protects the individual concerned because his identity has been checked for each conviction by virtue of fingerprints taken in relation to those occasions.

Further, the Prisons Act (see Police Regulation 105, first paragraph) provides, "Every prisoner shall submit himself or herself to be photographed and to have the prints of his or her fingers, measurements and other particulars taken and recorded on reception

and discharge; also at any other time when ordered by the Comptroller General of Prisons."

The fingerprints record is ultimately destroyed as provided for under the Prisons Act (see Police Regulation 105, first paragraph) which continues from the preceding quote, thus — "any photographs or fingerprints taken of any person under remand or committed for Trial, who shall not be ultimately convicted shall, with the plates be destroyed, and not recorded."

The fingerprint records are not destroyed immediately but are kept available for a reasonable period because it has been found that many people come to the department for varying periods after their particular case has been dealt with and demand to have their fingerprints produced and destroyed in their sight. In some cases they desire to take them away with them—this latter course is not permitted, but the fingerprint records are produced on demand and burnt in front of the person concerned. We consider that if we are not able to meet this demand by virtue of the fact that the fingerprints have been destroyed forthwith, that doubt may arise in the particular person's mind as to our motives when we cannot produce the fingerprint sets demanded.

All fingerprints of unconvicted persons are withdrawn from the files during routine checks which are made from time to time and destroyed by us because we consider by that time that we will not be called upon by the affected person to produce these records in order that he or she may personally supervise their destruction.

The possibility occurred to me, because I knew that fingerprints were taken before conviction, that they might not be destroyed and therefore could subsequently be used, as contemplated by this measure, simply because they were on record, appears to have been completely removed by the last two paragraphs of the answer I have just read. I have no doubt in my mind, so far as this State is concerned, that fingerprints are destroyed where there is no conviction within a reasonable time after action had been taken. I can appreciate the desirability of the Police Department holding them for some time to enable the persons concerned to see them being destroyed, rather than to accept the word of the police officers that they have been so destroyed. Once again I hope that similar practices are adopted elsewhere.

The Minister for Justice: They are in Tasmania and South Australia.

Hon. A. F. WATTS: The information that is before me in regard to the taking of fingerprints has at least considerably

modified one of the objections I have to this part of the Bill, because it does seem that not only are reasonable precautions taken, as I have indicated by reading the report, but also that it is generally recognised there is a measure of infallibility as long as experts are handling the matter in determining the identity of a person through fingerprints.

In that this measure would enable a person to be identified from another country altogether where perhaps there is no guarantee that these expert methods have been used, the desirability for the Bill is weakened very considerably, or that part of the Bill which deals with this question. It is just looking for a cheap way, in short, of administering or dealing with one aspect of justice in this State. I do not know whether, if the Minister were sitting in my place, he would be very enthusiastic about this part of the Bill, if I had introduced it. He would probably be saying in much stronger language the things I have been saying very quietly in the last few minutes, and would end up by telling the Minister in charge of the Bill that he proposed to take out that proposal altogether rather than incur the slightest risk.

I suggest that he would not dream of allowing this measure to go through without a very strong protest from himself, because he would be more nervous than I am, if I understand him aright, of the individual case that might crop up where injustice, instead of justice, would be done. However, I am agreeable to the other principles in the measure, so I have to support the second reading. When the Bill reaches the Committee stage we can discuss this aspect further.

THE MINISTER FOR JUSTICE (Hon. E. Nulsen—Eyre—in reply) [9.2]: I followed the argument of the Leader of the Country Party very closely. If I had thought there was any risk at all, I would not have agreed to this clause.

Hon. J. B. Sleeman: It might be worth another look.

The MINISTER FOR JUSTICE: I have had a good talk with some of the detectives and with legal men, and they have informed me that the method of fingerprinting is infallible, and have said that it is very handy, for instance, in the case of twins. The wrong person might be accused, but if their fingerprints were available that would not occur. I know that there is always a risk; but there would be a risk even if we did not have fingerprints. There are people with records; and in the event of their being before the court, and a constable or detective who had a knowledge of them being dead, or for some other reason not available, those people might not receive their just deserts. They would

probably have a list of convictions—perhaps from 10 to 20—but would be treated as first offenders if their identity could not be proved. The use of fingerprints would be a proof of identity and provide a *prima facie* case.

Fingerprints are also taken on affidavit, and there is no doubt about their authenticity. I have been informed that the fingerprints will be taken by experts, and I cannot see that any real risk is involved. If there were a risk, I feel the same as the Leader of the Country Party, that no comparison could be made between monetary costs and a life. However, I have made several inquiries and talked with Mr. Good, the Solicitor General, the draughtsman, and others from the Police Force, and I have been assured that this method would be infallible. I think it is used in South Australia and Tasmania, and also in other parts of the world. There is no doubt about its convenience in a State like Western Australia.

A court may be sitting in Broome and a witness may live in Albany or Esperance and would have to travel all that distance to identify an accused person because there must be proof of identity. On the other hand, a possibility not mentioned by the Leader of the Country Party is that even then a person might be wrongly identified. I knew two people at one time—a man called Brown and a Fred Willis—and I could never tell them apart. In the court, I would probably have identified them wrongly. I would have said a man was Willis when he was Brown. There is always this possibility of a mistake being made. I am inclined to think that we should leave this provision in the Bill; it would be a convenience and even safer than personal identification.

Again, a person might have committed a crime in Norfolk Island, New Zealand, or another part of the British Commonwealth. That is a long way to take a person for identification purposes. It would cost a lot of money, and even then the identification might not be correct and the accused could be dealt with more leniently than he deserved. Of course, I always consider that it is better to under-punish a person than to over-punish him, and that severe penalties are not really a deterrent.

Despite what our learned friend, the Leader of the Country Party, has had to say—and being a legal man, he has had experience—I think we should give this method a trial and prove whether it is the best one or not. It has been used elsewhere and, in accordance with the statement that the Leader of the Country Party read, there is no question as to the infallibility of fingerprints for identification purposes.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Heal in the Chair; the Minister for Justice in charge of the Bill.

Clauses 1 and 2—agreed to.

Clause 3—Section 47 amended:

Hon. A. F. WATTS: There is a qualification in the reference to infallibility in the document of which mention has been made. The document states—

Experts are completely satisfied that no two sets of fingerprints are sufficiently identical as to risk mistaken identity. Since sets of fingerprints are mentioned, then further amplification of the answer is that it is impossible for such a thing to happen when the examination is carried out by an expert and that examination checked by another expert as in normal fingerprint bureau practice . . .

Further down it is stated—

. . . the answer is that no error can possibly occur if existing bureau procedure is adhered to.

In both those paragraphs the answer is that it is infallible so long as the examination is carried out by experts and checked by another expert and that ordinary fingerprint bureau practice is adhered to. As I understand this Bill, it will not only apply to Australia but also to fingerprints taken in other parts of the world.

The Minister for Justice: I would not mind an amendment confining it to New Zealand and Australia.

Hon. A. F. WATTS: That is what I was going to move. The Minister's interjection will stop further argument. I move an amendment—

That after the word "convicted" in line 25, page 2, the words "in the Commonwealth of Australia or the Dominion of New Zealand" be inserted.

The MINISTER FOR JUSTICE: I have no objection to the amendment.

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

Clauses 4 and 5, Schedule, Title—agreed to.

Bill reported with an amendment.

BILL—PLANT DISEASES ACT AMENDMENT.

Second Reading.

Debate resumed from the 30th August.

MR. OWEN (Darling Range) [9.15]: The Minister, in introducing the Bill, gave us the explanation as to why it is necessary, and I can see no objection to it. It will merely be a method of streamlining the Act and avoiding the extra trouble that orchardists, including backyard orchardists or those who own only one, tree, would

be put to if the Act as it stands at present were rigidly adhered to. The subsections referred to require that where an orchard—and for the purposes of this Act, of course, an orchard means a property having one or more fruit trees or vines—is sold or changes hands, it is necessary to transfer the registration from the old owner to the new one. Considering that we have many backyard orchards, where there is only one fruit tree, and the registration fee is a mere 2s., it would be going to a lot of trouble, time and book-work, without any real advantage being gained, if the Act were to be followed in the strict sense.

In the transfer of registrations of motor vehicles, it is necessary for the transfer to be registered so that the department can keep trace of the vehicle. But one must remember that a motor vehicle is something movable; it might be here today and perhaps in South Australia next week, whereas an orchard, as such, is not likely to lose its identity or be shifted from its present place. Although the owner might change, the orchard or trees remain where they are. The procedure which is followed at present, although not in accordance with the Act, is that the new owner, when the registration becomes due, merely fills in the card in the usual way, and in the space provided, he also states who was the owner or in whose name the orchard was registered in the previous year. In that way the department and the registrar have a full record from year to year of any change of ownership. The idea of registering an orchard is so that the department will know the number of trees there are in the State and also to ensure that the orchardist has paid the requisite fee. That is the only part of the Act which the Bill seeks to amend and as I feel that it is a necessary amendment I propose to support it.

Question put and passed.

Bill read a second time.

In Committee.

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

BILL—JURY ACT AMENDMENT.

Message.

Message from the Lieut.-Governor and Administrator received and read recommending appropriation for the purposes of the Bill.

Second Reading.

THE MINISTER FOR JUSTICE (Hon. E. Nulsen—Eyre) [9.22] in moving the second reading said: I hope that on this occasion this Bill will have a smooth passage and give the women of this State

an opportunity of serving on juries. We are making another attempt to have the legislation passed to give women the right to serve on juries if they so desire. In our opinion they should have as much right to serve as the men of this State; and the women have asked for this right. They have expressed disappointment at the failure of the Bill to pass through Parliament on previous occasions and they hope that another try will be made.

A precedent already exists in Great Britain and, nearer home, in other States of Australia, that is in Queensland and New South Wales. Similar legislation also exists in New Zealand. In England every British subject between the ages of 21 and 60 years is qualified and liable to serve if his or her name is included in the jurors' book. There is no distinction between male and female in this respect. In New Zealand the age is between 25 and 60 for women and if a woman notifies the sheriff in writing that she desires to serve she is qualified and liable to serve in the same manner as a man. There is no property qualification. In Queensland, the age grouping is the same as in England. A woman is required to be a householder and to be enrolled on the electoral roll. Again, there is no property qualification. In New South Wales a woman must be enrolled as an elector; and there is no property qualification there either.

It is proposed to provide in this State that, subject to certain qualifications, any woman between 21 and 60 years of age is qualified and liable to serve as a common juror in all civil and criminal proceedings within a radius of 36 miles of her residence. The qualifications to which I refer are—

That she must be of good fame and character.

Hon. Sir Ross McLarty: Who is to be the judge of that?

THE MINISTER FOR JUSTICE: It will be similar to what we have for a man. The qualifications will not be any different in regard to respectability. To proceed with the qualifications to which I referred, the others are—

She must be enrolled as an elector and entitled to vote for a member of the Legislative Assembly;

She must reside in a proclaimed area.

Opportunity is given to a woman to be relieved of such duties by writing to the sheriff. Through one circumstance or another it may eventuate that a woman who has cancelled her liability to serve as a juror wishes subsequently to avail herself of this privilege. It is therefore provided that, after an interval of two years from the cancellation, she can write to the sheriff at the Supreme Court saying that she wishes to render herself liable for jury service.

At this point I would like to explain that a woman may not cancel her liability to serve as a juror at a trial for which she has been sworn as a juror. A female juror shall be excused from attending as a juror at a criminal trial if, before being sworn as a juror at the trial, she applies to be exempted because of the nature of the evidence to be given at the trial, or because of the issues to be tried, or because she is, for health reasons, unfit to attend. If this Bill becomes law, and I hope it will, alterations will need to be made to court buildings to accommodate mixed juries. However, it may transpire that some districts never have women on juries. It has therefore been decided to proclaim areas as the need arises. In order to allow for applications which may be made by women to be relieved of the duty to serve, an amendment extends the number of jurors who may be summoned from 40 to 50.

The Bill contains other amendments. One concerns the session held for the fixing of the jury list for a district. Justices of the Peace for a district hear all objections to the list. It is not always possible for the justices in remote parts of the State to get together on a set day; therefore an amendment has been drawn to provide that at least two of the justices shall suffice at such a time.

Again, the principal Act rigidly fixes a date for the hearing of a special session. Circumstances can arise which necessitate the postponement of such a session. The amendment now submitted empowers the magistrate, on reasonable grounds, to adjourn the holding of a special session for any period up to 14 days from the date appointed. This Bill has been looked for for quite a long time and a number of women's organisations have come to my office to discuss it with me. The measure has been drafted in accordance with their desires and it is similar to the legislation in England, although there women can be exempted by the judges on a number of grounds and, of course, they have all women juries and all men juries. So there is that similarity, although the phrasing is different. It is also similar in the Eastern States and New Zealand. Over there if they are entitled to be jurors they have to apply in writing and that is all that we require.

Mr. Bovell: Will they have to apply to be on the list of jurors?

THE MINISTER FOR JUSTICE: Yes, provided they have the qualifications.

Mr. Bovell: Before they are called? I mean they would not be called and then have to raise objection.

THE MINISTER FOR JUSTICE: No.

Mr. Bovell: Then it is not similar to the previous Bill.

The MINISTER FOR JUSTICE: It is similar but they must make application in writing, provided, of course, they have the qualifications. These Bills have been introduced into the House so often and been so fully discussed that they are now well understood. I hope the House will give the measure favourable consideration and that it will become law when it goes to another place. I move—

That the Bill be now read a second time.

On motion by Mr. Bovell, debate adjourned.

BILL—ALBANY LOT 184 (VALIDATION OF TITLE).

Second Reading.

THE MINISTER FOR LANDS (Hon. E. K. Hoar—Warren) [9.32] in moving the second reading said: This is a very short Bill indeed and I do not expect members to find it at all contentious. Its only purpose is to validate a sale by the Albany Municipal Council in 1874 of what is known as Albany Lot 184 to one Robert Muir for non-payment of rates under the Municipalities Act of 1871 then in force. The Bill has actually become necessary because no record at all exists today of a Crown grant ever being issued in respect to this land, although there are records in the lands department that show that on the 15th November, 1854, the lot had been purchased from the Crown by one A. B. Bain.

Since the sale of the land in 1874, 20 years later, to Robert Muir, there have been several dealings in that land and exchanges of it from one person to another over the years and it is natural, due to the situations which can occur, that the successors from Robert Muir down to today would experience difficulty in undertaking any work without having a clear title. So the only object of this legislation is to make it perfectly clear that the present owner of the land which was purchased for the last time in 1951 should have a clear title to it.

Mr. Bovell: Who is the present owner?

The MINISTER FOR LANDS: It is not often that I can answer questions like that, but in this case I can. The present owner is Frederick Roy Sherwood who purchased portion of Albany Lot 184 on the 22nd November, 1951.

Mr. Bovell: From whom?

The MINISTER FOR LANDS: I do not know. The record from his solicitors does not describe the seller at that time. The records of the Lands Department also show that the Crown grants were issued in respect of Lots 183 and 185 on each side of this particular lot which, incidentally, has now been subdivided into four lots

for building purposes, and accordingly the Lands Department all through the years has taken it to be and actually treated Lot 184 for all purposes as alienated land whereas in latter years it has been found definitely that such was not the case and that no Crown grant, in fact, existed in respect of it.

As it is not possible under existing law to issue the Crown grant in respect to that lot in exactly the same terms as the one that governed the issue in 1854, and as there is some considerable doubt as to the validity of the sale by the Municipality of Albany in 1874 to Robert Muir, because it could be argued that no Crown grant having been issued in respect to that land that the Crown had not in fact alienated the land, this Bill has been introduced to validate the sale by the municipality to Robert Muir as though it conveyed an estate in fee simple in land which had been alienated from the Crown prior to that sale, and a Crown grant had been issued to the grantee subject to the same reservations relating to gold, silver and precious metals as would have been contained in a grant of the land if made in 1854. The object of the Bill is clear and the people now in possession of the land are entitled to receive a valid title to it. I move—

That the Bill be now read a second time.

On motion by Mr. Hall, debate adjourned.

BILL—NURSES REGISTRATION ACT AMENDMENT.

Second Reading.

Debate resumed from the 4th September.

MR. O'BRIEN (Murchison) [9.39]: I am very pleased that this Bill has been introduced because it will prove of great benefit to country hospitals. At present it is necessary to call on qualified sisters who have married and who are now living in isolated areas to assist us overcome the difficulties that exist in the country hospitals. I know several young ladies who, if this Bill became law, would be prepared to enter hospitals because the measure would enable them to become registered and qualify at the age of 17 years.

The Minister has already told us of the difficulties that arise in the supply of staff in several hospitals in this State. This Bill will be of great benefit to the young ladies I have mentioned and it will enable them to qualify should it become law. I know the Bill is only a small one but I have not had much time to study it. From what I can gather, however, it will be of great benefit to country hospitals. I support the second reading.

On motion by the Premier, debate adjourned.

BILL—ELECTORAL ACT AMENDMENT (No. 1).

Second Reading.

Debate resumed from the 4th September.

MR. EVANS (Kalgoorlie) [9.43]: I rise to support the Bill the object of which is to amend the Electoral Act. The suggested amendments seem to me to be such as will cause more than a mere fluttering in the Tory and Conservative dovescotes.

Mr. Oldfield: What did you say?

Mr. EVANS: Would the hon. member like me to repeat that?

Mr. Oldfield: Yes.

Mr. EVANS: The hon. member can read it in Hansard.

Mr. Oldfield: I bet you could not repeat it.

Mr. EVANS: The amendments contained in the Bill are aimed at bringing to bear justice on the rights and responsibilities of those people who are electors of the State Parliament of Western Australia. A true democratic Government is one which is government of the people for the people by the people. But, strictly speaking as far as the enactment and enforcement of laws are concerned, we should really read this cliché as Parliament of the people, Parliament for the people and Parliament by the people.

In Western Australia, under our bicameral system of voting for the two Houses of Parliament, the occasion arises, as it could arise during the life of this Government, when the Government has no power in the Assembly. Sometimes it is doubtful whether it has any power because of the traditions existing in another place, which relate back to the early colonial days when the only interests concerned and considered were those of the capitalistic landowners, and these conditions—let me remind members—still exist. Surely if we agree that under a democratic system of government in Western Australia—that is, under a bicameral system of government—the term “Parliament” should be regarded in a broader sense than merely “government”! Surely this Parliament, which acts for the people, should consider the welfare of the majority of the people!

In one province in which I am concerned—the North-East Province of which my electorate forms part—a mere 48.4 per cent. of the Assembly electors for the two Assembly districts—that is Kalgoorlie and the Murchison—is able to vote for the Legislative Council. I can assure members that my colleagues, the members of the North-East Province have enrolled almost every person who is eligible to be on the roll. I

daresay there would not be a dozen qualified people who are not on the roll. There are 4,228 electors in the Murchison section of the province, but out of that number only 1,848 electors are on the province roll. That represents 43.7 per cent. of Assembly electors. On the Assembly roll for Kalgoorlie for State general elections there are 4,750 electors, and in the province of which Kalgoorlie forms part, there are 2,506 electors on the province roll. That represents a mere 52.7 per cent. of Assembly electors. The average of those two percentages for the Murchison and Kalgoorlie sections of the province amounts to 48.4 per cent. Members can see that more than half of the people living in the North-East Province are barred from having a voice in the activities of the Legislative Council. Despite this fact, laws are enforced which have an effect on them. Is that democracy?

I cannot see why the members of the Opposition should oppose this measure, but I know, from their past activities and traditions, that they will. What have they to fear from adult franchise for the Legislative Council? Do they have to hide in subterfuge? Do they have to shelter behind political jerrymandering or political manoeuvring, which is tantamount to rigging the ballot box, because the system which now operates selects the people who can and cannot vote. We may say a rose by any name smells as sweet, but the system is no rose, and it still smells.

This Bill is an honest attempt to strive for electoral justice for the people. The Labour Party, of which I am proud to be a member, does not concern itself with one section of the people. It strives to bring social justice for the “have nots” as well as for the “haves.” After all, every adult person who is enrolled for a Legislative Assembly electoral district, pays State or Commonwealth taxation, and he has every right, like the early settler in the American colonies, to advance the claim: No taxation without representation. This man—an elector for the Legislative Assembly and a taxpayer—can be deprived the right to vote for the Legislative Council by selfish, conniving capitalists, and any person who opposes the Bill and denies the right of adult franchise must stand condemned as a tyrant.

It seems that a chain mail of class distinction is proudly worn by members of the Liberal Party and the Liberal Party Press who oppose the welfare of the working people. This class distinction practised by these people—this chain mail of class distinction—is cracking in many places. As a result of the last State election, it is badly dented, and certain members of the Opposition are now at the panel-beaters having it repaired. This chain mail is, in places, cracking badly. Even supporters of the Liberal Party are finding they have a conscience. I refer to

a leading article which appeared in "The West Australian" of the 9th March, 1954, and I will quote from it as follows:—

It should worry every person who believes in the principles of parliamentary democracy whether the second chamber has the moral right to reject legislation which the Government deems essential, knowing that there can be no direct and full appeal to the people against its action.

That is from "The West Australian"—a publication which is truly not "Labour"—which now seems to be ashamed of being called "Liberal".

Furthermore, there is another great anomaly in the present electoral Act, and that is to be found in the provision for a member to be elected to the Legislative Council and the fact that he has to be at least 30 years of age. It is very doubtful to me whether the administrative ability and brain power needed to be a legislator in the Legislative Council will be found merely in the age-group beyond 30 years. If I were to think that were so, I could be fooled very easily. Then again, it is just as lamentable that a political party such as the great Australian Labour Party—which in the last general election for the State captured more than half the votes in Western Australia—should be prevented from having its entire legislative programme carried out by the actions of people who are wedded to the past Tory traditions. I ask: Is that democracy?

The Opposition has nothing to fear in any proposal for adult franchise for the Legislative Council. Before 1953, the Liberal Party occupied the Government benches, so it has nothing to be afraid of. Do its adherents have to hide in subterfuge and political gerrymandering and support a restrictive basis? I am not asking for any political advantage, but am appealing to all members of the Opposition to climb down from their monument of intolerance. I ask them to give this Bill a fair go; to support it and pay tribute to democracy, by enabling all electors of Western Australia to elect members to both Houses of Parliament and so have expressions of thought clearly heard in the Parliament of this State.

MR. POTTER (Subiaco) [9.56]: I, too, would like to support this measure. I wonder, when I do, how many have stood in my place since the year 1832 in relation to altering the franchise of a particular place. Just imagine, since 1832 the people have not had the opportunity of voting on this important question! After all is said and done, we have, during the passage of time, made a number of alterations to the franchise of the people. I am not going back over history to repeat that we obtained full adult franchise for this House when the Constitution Act was, I believe, amended in 1907.

I consider that the franchise which applies to another place today, typifies what exists in some of the British possessions in Central Africa. It is a terrible indictment that some people are not aware that they have no vote in quite a number of cases. I believe—and members of the Opposition must realise it as time goes on—that we will find representatives of the Liberal Party in opposition in another place. I think that position will come about by 1962. It has certainly been quite a battle.

The Opposition is full of platitudes, and believes a lot of rot about democracy. So far as I am concerned, democracy cannot exist here, and I wish people would not be so hypocritical as to point to this side of the House and speak about Russia and places of that description where there are dictatorships. Here, even though the Government is elected on the basis of full adult franchise, it cannot govern. Members on both sides of the House have said that the State does not advance. I point out that a lot of the legislation that has been sent on from here but has been thrown out by another place has retarded the growth of the State.

Hon. Sir Ross McLarty: To which legislation do you refer?

Mr. POTTER: Quite a lot of legislation.

Hon. Sir Ross McLarty: What particular legislation? Be specific.

Mr. POTTER: The price control measure is one. That was thrown out in another place, and we are suffering today as a result.

Mr. Wild: Do you think that price control was ever effective?

Mr. POTTER: I do, to a certain extent.

Mr. Wild: You ask the suburban grocer and he will tell you he made more under price control than ever before.

Mr. POTTER: That may be, but it stabilised conditions to a certain degree.

Mr. Wild: The maximum becomes the minimum then.

Mr. POTTER: I understand that, too. The other night the Premier pointed out that price control operated under a Liberal Government in South Australia.

The DEPUTY SPEAKER: Order! Would the hon. member please come back to the Bill.

Mr. POTTER: Yes, I am coming back.

Hon. D. Brand: I thought you were going away.

Mr. POTTER: The Upper House has defeated other legislation. I can mention the rent control Bill. I could enumerate a number of others, but I have not made a research into this matter. I can remember, however, that over the years various items of legislation sent forward by this House

have been rejected. In consequence, the Government, although it is elected by the majority of the people, cannot, by virtue of the restrictions placed upon it, govern to the degree that it should. The Legislative Council has more power than the House of Lords in England. There appears to be some justice in that country inasmuch as if a piece of legislation is sent to the House of Lords three times in 12 months it becomes law. But here nothing can be done apart from removing the House or electing a majority to it; and I suggest this will be done. I regret that members of the Opposition are not motivated by a sense of justice in that they will not realise that adult franchise for that House could mean that it would be truly a house of review. At the present time I believe that it is just a party house.

If the present attitude is continually adopted, the progress of the State will be considerably retarded by members in another place. I think that is typified in this piece of legislation because it has been brought down many times. The Government has, in past years, in various ways tried to broaden the franchise of the Upper House. I could talk about the soldier who goes to fight for his country but has not the right to vote for the Legislative Council, but that argument has been put before members opposite on many occasions. Lads who, when they go overseas, have a vote for this Chamber and for the Commonwealth Parliament are denied the franchise for the Legislative Council.

It seems, in 1956, an anachronism that in Western Australia, in this jet-propelled age, we should have on our statute book this piece of legislation, which had its genesis in 1832. I appeal to members opposite to take notice of what has been said and often mentioned in "The West Australian" and quoted by my colleague, the member for Kalgoorlie. It does not matter how long a person speaks on this subject, he will not get too far. There is only one thing to do, and that is to do it the hard way and it will be done the hard way, and make no mistake about it! But, before that becomes necessary, I suggest to members opposite that they consider liberalising the franchise in keeping with the times and with the psychological feelings of the people.

Hon. Sir Ross McLarty: What do you mean by "the hard way"?

Mr. POTTER: The hard way will be the method that the Labour Party has had to adopt to get the members there that they have at the present moment. I am suggesting that it will not be very long before they will have sufficient members, more than the hon. member cares to imagine. I mean, they will have a majority in that Chamber.

Hon. D. Brand: Have you got a five-year plan, or some sort of a plan to achieve that?

Mr. POTTER: No. I suggest that when it comes to dealing with a Bill like this, a five year plan would come better from the other side. I imagine that if anyone came from the five-year-plan countries and saw this piece of legislation that prevents people from having the franchise and prevents us from being the democratic country we should be, they would learn a lot and they would say, "We are not the only dictatorship in the world." I read somewhere that when Marx saw the House of Lords, it gave him some ideas for his writings, but I am not too conversant with that gentleman's views, so I cannot say very much on the subject. At the same time I do suggest that if people from the U.S.S.R. could see what we have here in the shape of that Chamber—

Mr. Ross Hutchinson: In the shape of what Chamber?

Mr. POTTER: I therefore suggest to members opposite that there is no need to point to this side of the House and talk about a five-year plan because, with all due respect, it should come from the other side. When talking about communism, that sort of franchise would be very suitable in the U.S.S.R., and I think they would agree to it.

I have much pleasure in supporting this piece of legislation and I hope that members opposite will give it a reasoned approach. A lot of bitterness is engendered outside because people have not the opportunity of being enrolled or given the franchise. For that reason, I suggest to members that they support the Bill. I know this seems to be a hardy annual, and probably pages and pages of Hansard have been wasted on it, but the fact that it is such a hardy annual is because of the pressure that is so often brought forward to liberalise the franchise and make the Chamber a workable proposition in the light of today's scientific advances and in relation to the age that we now live in. I support the Bill.

On motion by the Premier, debate adjourned.

SUSPENSION OF SITTING.

The PREMIER: In view of the fact that members had an all-night sitting last night and a very strenuous pre-tea session today, I suggest that you, Sir, might leave the Chair until the ringing of the bells.

Mr. DEPUTY SPEAKER: I shall leave the Chair until the ringing of the bells.

Sitting suspended from 10.10 to 10.40 p.m.

BILL—MARKETING OF POTATOES ACT AMENDMENT.

Council's Amendments.

Returned from the Council with a schedule of four amendments.

In Committee.

Mr. Heal in the Chair; the Minister for Lands in charge of the Bill.

No. 1.

Clause 1, page 1. Add after the figures "1946," in line 10, the following "-1949."

The MINISTER FOR LANDS: I have no objection to the amendment. It is merely to correct an error in the drafting of the Bill. I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

No. 2.

Clause 1, page 2. Insert before the figures "1956" in line 6, the following: "1946-."

The MINISTER FOR LANDS: For the same reason, I have no objection to the amendment and I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

No. 3.

Clause 2, page 3. Delete the word "seven," in line 20 and substitute the word "six."

The MINISTER FOR LANDS: I am disappointed that the Legislative Council has seen fit to restrict the operation of this Act to a mere three months from today. The position could arise where the Potato Marketing Board would have no control over potatoes produced in this State in the new year, or over the crop which is normally planted between November and February next.

Unless the board is given authority to a considerably greater extent than is proposed by the amendment, it could be placed in the position where unlicensed growers, as a result of this Bill failing to pass both Houses before the 31st December, 1956, will prepare to produce potatoes in the meantime for an Eastern States' market which may not at that time even exist. As I understand the member for Blackwood, when speaking yesterday potatoes grown for the Eastern States would be dug around November this year. That would be a week or two before the present session of Parliament adjourns.

If this legislation is not continued and the board is not permitted to follow the lines suggested in the Bill beyond the 31st December, 1956, it will have no opportunity to judge the capacity of the Eastern States demand or how the failure of the normal trading methods with suitable prices will discourage the unlicensed growers to send their potatoes there. It will have no knowledge of the possible outcome.

As a consequence it could well be that, considering the challenge they have made to constituted authority and the unlawful growing of potatoes for someone other than the Potato Marketing Board to handle, the board would be in a position of having to absorb an unknown quantity of potatoes that were originally grown for the Eastern States market but then had flooded the Western Australian market. So the authority of the board and the security of our present method of marketing sanely that has applied all these years, could be destroyed unless this Parliament is prepared at a later stage in this session, to extend the provisions of the Bill.

I do not think the members of the Legislative Council are fully aware of the circumstances that could easily arise. They had an opportunity this afternoon of accepting an amendment which would have included a provision extending the operation of the measure until the 30th September next year, but they declined to have anything to do with it. I am not worried about the potatoes that are going to be dug and marketed as from the 1st October this year, because they are grown under licence and come under the control of the board, but we have to look into the new year without knowing how many growers are going to break away from the standard practice of accepting a licence, and of not being aware of the extent of the acreage, or what the crop will be.

The potatoes will be planted on the assumption that they will find a ready market in the Eastern States and if at a later date they are thrust on the Western Australian market they could cause such chaotic conditions to arise that the authority of the board for that length of time could be seriously endangered.

Personally, I cannot understand how some members of the Legislative Council, representing potato-growing areas, were not aware of that fact; and if they were aware of it, why they failed to act on it. If they were aware and failed to act, it can mean only one thing, that they are far more concerned about destroying what will be a useful measure, if not for all time at least for the period until Parliament can review it again next year. Then there are the effects their action is likely to have on the authority of the marketing board on the one hand and the consumers in this State on the other.

I am bitterly disappointed. It seems to me that members have accepted the Bill partially, whereas in their minds they really do not want to have anything to do with it at all. This brings me back to saying that I have known, during the last three years, of two occasions when the Liberal Party in this Chamber has attempted by a block vote—it has not lost one vote of its members—to destroy useful

marketing legislation. I do not think members have been entirely honest in their approach to the Bill. They have been more concerned about the political consequences of voting against it than with the useful effect it could have by becoming law.

Because of whatever value there is in the Bill for a limited period, I am compelled to accept it, but I do so in the hope that we will, by one means or another, find sufficient evidence between now and the end of the session to justify a continuance of the measure. If we do not do that, then whatever harm to, or upsetting of, the orderly marketing which has been a feature of this State for many years, is brought about, it will be as a result of the attitude of members sitting opposite and those in another place. I regret very much having to accept the Council's amendment No. 3. I move—

That the amendment be agreed to.

Mr. HEARMAN: I am pleased the Minister has agreed to accept the amendment.

Mr. Lapham: Under pressure.

The Minister for Health: Why stone-wall it?

Mr. HEARMAN: If the Minister will give me a chance, he will realise what I have to say. I think the Minister's fears are, to a large extent, unfounded. It will be possible, if we so desire, to put continuing legislation through this session.

The Minister for Lands: On what basis would we do that?

Mr. HEARMAN: I think the Minister's fears about the results of this particular provision lapsing, as it were, by the end of December, are perhaps more imaginary than real. What concerns him is that we could be confronted with a lot of unlicensed growers intending to market their potatoes in the Eastern States and then, finding that there is no market there, putting their potatoes on the local market. The essence of the Bill is to prevent growers from selling their potatoes to the Eastern States. If they cannot sell them there, and the Minister thinks that is going to create a difficulty, the Bill will not make a scrap of difference. A completely different set of circumstances will arise whereby we will have a surplus of potatoes in Australia and no outlet in the Eastern States. I think the Minister's fears there are groundless.

Tonight I listened to the debate in another place and I heard some allegations made by certain members there, something along the lines I made. It was pointed out that growers thought that some ministerial pressure had been brought to bear on the board, and that it accounted for some of the board's actions. I think the Minister is aware of this, but I am putting it to him so that he may know. An explanation of what happened was given by the Minister for Railways.

The CHAIRMAN: Order! Will the hon. member resume his seat? Standing Order No. 130 provides—

No member shall allude to any debate in the other House of Parliament, or to any measure impending therein.

I am afraid I will not be able to allow the hon. member to continue.

Mr. HEARMAN: The point is that when the Minister hears what took place he might feel there is a good deal of merit—

The Minister for Lands: I know all about it.

Mr. HEARMAN: —in accepting the amendment, because it will clear the air considerably.

The Minister for Lands: The air is completely clear.

Mr. HEARMAN: Unfortunately, in view of the Chairman's ruling, I cannot explain my position to the Minister. If the Minister will discuss the matter with me afterwards, he will be much more satisfied to accept the amendment.

The Minister for Lands: I know all about it. It is completely untrue.

Mr. HEARMAN: I hope the Minister is right.

Question put and passed, the Council's amendment agreed to.

No. 4.

Title—Add after the figures "1946" the following "1949".

The MINISTER FOR LANDS: I move—
That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

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

House adjourned at 11.10 p.m.