One of the problems of policing the sale of apples is that up to this year only two inspectors have been appointed to police the whole crop throughout the State. Owing to the lack of finance it was not possible to engage those inspectors for the whole of the year, and at the end of August their services were dispensed with. From that point the regulations were lifted, and fruit held in cold storage could be put on to the market without restriction. This year four inspectors have been appointed, and the regulations will be applied until the end of the year. I think this will possibly assist in keeping a lot of the poor quality fruit off the market. Even with four inspectors it is still a tremendous job to police the regulations and to ensure that good quality fruit is sold. I admit that a lot of poor quality fruit finds its way onto the market.

One other aspect which growers appreciate and look forward to as being of benefit to the industry is the increased processing of apples. At present there is only one factory in the State which processes apples, and the quantity of apples it purchases is limited, although this year—fortunately for the growers—there was not a sufficient quantity of rejected fruit to meet the factory's requirements. I also understand that at this stage there are not sufficient apple rejects to meet the demand that has arisen for apple products and apple juice in Australia.

From the comments I have heard I feel quite sure that in the near future there will be greater competition created within this State which will probably mean a greater demand for fruit which, in turn, will improve the returns growers receive for their processed apples.

So I consider there is no need to appoint a Royal Commission. The last Royal Commission that was appointed did not achieve very much and the growers at present are fully aware of the problems they are facing and they are considering various ways and means which will give them a better price for fruit sold on the local market. As I have said, the growers are aware of their problems and what is needed to solve them. Therefore they do not need a Royal Commissioner to tell them what to do. What they do need is a sympathetic hearing from the State and Commonwealth Governments for additional financial assistance.

The member for Collie mentioned the carton factory at Donnybrook. Unfortunately it has not been the success it was hoped it would be in the early stages, but in spite of what the member for Collie said, it has not closed down but is continuing to operate with a small staff. When speaking to the manager of the factory only a week or 10 days ago, he told me he feels confident that when the season opens up his factory will be working at full capacity to cope with the incoming crop. He considers that the future for the factory is reasonably good. Therefore I feel I cannot support the motion for the appointment of a Royal Commission into the rural industries in the south-west which would include an inquiry into the apple-growing industry.

Debate adjourned, on motion by Mr. Runciman.

ADJOURNMENT OF THE HOUSE

MR. BRAND (Greenough—Premier) [10.54 p.m.]: Before I move the adjournment of the House, Mr. Speaker, may I have your permission to remind members that in all probability the House will be sitting on Thursday evening, the 17th October, and on each Thursday evening thereafter. As we will be getting on to the Budget debate, every member will have to have his speech ready, and I would add that the House will be sitting longer hours than it has been to date. I move—

That the House do now adjourn.

Question put and passed.

House adjourned at 10.55 p.m.

Legislative Council

Thursday, the 3rd October, 1968

The PRESIDENT (The Hon. L. C. Diver) took the Chair at 2.30 p.m., and read prayers.

QUESTION WITHOUT NOTICE

THURSDAY SITTINGS

Duration

The Hon. W. F. WILLESEE asked the Minister for Mines:

As time is getting on and we are nearing the end of the first part of the dual sittings for the parliamentary session, I ask the Minister: Can he give us any idea of what he intends to do as regards Thursday sittings in the future?

The Hon. A. F. GRIFFITH replied:

I think the House should sit after tea on Thursday from today fortnight—that is, the 17th October. I did contemplate asking the the House to sit after tea next Thursday; but, in conversation with the Premier last night, I ascertained that the Legislative Assembly would not sit on Thursday nights until that date and I think it desirable that there should be some degree of uniformity. However, according to requirements, it may be necessary for us to sit earlier on Wednesdays as time draws on.

QUESTIONS (8): ON NOTICE

BRIDGE SITES

Canning River

1. The Hon. J. DOLAN asked the Minister for Town Planning:

In connection with the proposed southern extension of the Kwinana Freeway—

(1) Has a definite decision been made on the site of a bridge over the Canning River?

(2) Will this decision necessitate an amendment to the Metropolitan Region Town Planning Scheme?

(3) What are the comparable costs of building bridges at—

(a) Deep Water Point;

(b) Mt Henry?

The Hon. L. A. LOGAN replied:

(1) Following objections raised by the Melville City Council to the original proposal to cross the Canning River at Deep Water Point, agreement in principle has been reached with that council and the South Perth City Council for the crossing to be made on the Mt. Henry alignment.

(2) Yes.

(3) Detailed costs of either of these structures have not been taken out, but the indications are that there would be little difference in cost between a bridge at Deep Water Point or a bridge at Mt. Henry. However, all the costs in connection with the resumptions, etc. for the approaches and the continuation of the freeway will have to be assessed in determining the final costs.

SCHOOL OF MINES

Closure of Norseman Branch

2. The Hon. R. H. C. STUBBS asked the Minister for Mines:

Is there any truth in the rumour that is prevalent in Norseman to the effect that the Norseman branch of the School of Mines is to close or be transferred to another branch of the Education Department?

The Hon. A. F. GRIFFITH replied:

The School of Mines is to be transferred to the Western Australian Institute of Technology. A decision regarding the Norseman branch of the School of Mines will be a matter for consideration when the transfer is effected.

COOLGARDIE HOSPITAL

Beds Occupied

3. The Hon. J. J. GARRIGAN asked the Minister for Health:

Will the Minister advise—

(a) the total number of beds; and

(b) the daily average of beds occupied

at the Coolgardie Hospital?

The Hon. G. C. MacKINNON replied:

For the financial year 1967-68—

(a) 23.

(b) 21.2.

GASCOYNE RIVER

South Bank: Arresting of Erosion

4. The Hon. G. W. BERRY asked the Minister for Mines:

Have adequate steps been taken to arrest the erosion of the south bank of the Gascoyne River in the area of the levee banks protecting the Morgan Town subdivision?

The Hon. A. F. GRIFFITH replied:

Yes. The existing protective works on the south bank of the Gascoyne River will be strictly maintained, reinforced, and extended to cope with the time-to-time requirements of the area.

PRIMARY SCHOOL CHILDREN

Housing at Bateman Estate Hostel

5. The Hon. C. E. GRIFFITHS asked the Minister for Mines:

(1) What is the anticipated number of primary school children who will be housed in the new Commonwealth migration hostel at Bateman estate?

(2) (a) What school facilities will there be for these children; and

(b) when will such facilities be available?

The Hon. A. F. GRIFFITH replied:

(1) 80.

(2) (a) A new school will be erected during 1969.

(b) Temporary accommodation will be provided at Brentwood Primary School as from February, 1969.

STATE SHIPPING SERVICE

Capital Expenditure

6. The Hon. H. C. STRICKLAND asked the Minister for Mines:

What are the particulars surrounding private loans mentioned in reply to my question on the 10th September, 1968, concerning

capital expenditure by the Western Australian Coastal Shipping Commission?

The Hon. A. F. GRIFFITH replied:

1965-66—$200,000.
1966-67—$200,000.
1967-68—$300,000.

FRUIT FLY PREVENTION

Hollywood Hospital

7. The Hon. E. C. HOUSE asked the Minister for Health:

(1) Is the Minister aware that there are trees in the Hollywood Hospital grounds that are capable of harbouring fruit fly?

(2) Have the trees in the area ever been inspected?

(3) If the answer to (2) is "Yes," has fruit fly been found in the trees?

(4) If the answer to (2) is "No," would the Minister have the trees examined at the appropriate time of the year?

The Hon. G. C. MacKINNON replied:

(1) Yes.

(2) Yes.

(3) No.

(4) Yes.

BANANA CONTAINERS

Fumigation

8. The Hon. G. W. BERRY asked the Minister for Mines:

Is it the intention of the Department of Agriculture to allow bulk containers for bananas to be returned to Carnarvon provided they have been fumigated to the department's satisfaction?

The Hon. A. F. GRIFFITH replied:

The appropriate regulations are in the course of amendment to permit the return to Carnarvon of bulk containers for bananas.

DE VANEY v. QUARTERMAINE

Ministerial Statement

THE HON. A. F. GRIFFITH (North Metropolitan—Minister for Justice) [2.44 p.m.]: In view of the statements made in another place yesterday, a report of which appears in today's issue of *The West Australian*, concerning a particular prosecution which was dismissed by a magistrate, I feel compelled to place on record the Government's confidence in the integrity of magistrates.

To the best of my belief, there is absolutely no foundation in the statement that it is possible to approach magistrates in Western Australia before a case is heard to get them to agree either to let charges be withdrawn or record no conviction; and I deplore the assertion that this is so.

I have no knowledge of any previous allegation to this effect and there is not a shred of evidence that the person who is alleged to have said that he could get a magistrate to allow the case in question to be withdrawn, could, in fact, have done so.

It is difficult to understand how any person could arrange for a particular magistrate to hear a case. The court lists are prepared by the court officers who arrange for any available magistrate to sit. These vary from day to day.

Applications for the withdrawal of cases must be made by complainants. It is customary for a magistrate to require a reason for withdrawal, but if the prosecutor says he does not intend to adduce evidence, there is nothing the magistrate can do about it other than comment if he should think it proper to do so.

The time between the first appearance in court and the date of hearing of any charge where a person pleads not guilty depends on many factors, the most important being when the court has a date suitable to both parties.

The normal course was followed in the particular case, and adjournments had been granted by three magistrates. It is submitted to be quite wrong in principle for a member of Parliament to constitute himself a court of appeal, as is the case in this matter.

The magistrate's reasons for dismissal were given in clear terms. The complainant was represented by an experienced counsel and no appeal has been lodged. It is presumptuous for one who has not had the benefit of hearing and observing the witnesses in court, and the statements made by or on behalf of the parties concerned, to arrive at a decision contrary to the presiding magistrate's, whose notes of evidence in this case comprise 25 pages, and disclose inconsistencies in the evidence given by witnesses for the prosecution.

Magistrates in Western Australia have always carried out their duties in a responsible manner and the fact that, on occasions, an accused person is given the benefit of the doubt, should not be interpreted that they have been induced not to record a conviction.

In the case referred to, both parties were represented by experienced counsel, neither of whom has any connection with the Crown Law Department.

The privilege of Parliament has been used to air a matter which had been properly dealt with by a court. Parliament should not be the place for an unwarranted attack on a body of public officers, such as magistrates, who are unable to defend themselves.

Point of Order

The Hon. F. J. S. WISE: On a point of order, Mr. President; is the manner in which the Minister is approaching this subject in conformity with Standing Order 392?

The PRESIDENT: I rule that the Minister's statement exceeds the requirements of Standing Order 392.

The Hon. A. F. GRIFFITH: I do not wish to disagree with your ruling, Sir, on a matter of this nature. The only reason I sought to make this statement is that I regard it as being in the public interest to bring to the notice of this Chamber the fact that certain allegations were made about magistrates.

In doing so I used the words, "In view of the statements made in another place." You know, Sir, it is accepted practice that this is the manner in which the rule may be overcome. As it is in the public interest, I suggest it is important to have somebody make this statement, and one can only make a statement of this nature by the acceptance of the method used so often in referring to "another place," and I feel it should be accepted on this occasion?

The PRESIDENT: Is the Minister moving to disagree with my ruling?

The Hon. A. F. GRIFFITH: No, Sir. I am pleading with you to allow me to continue with this statement which contains a further two paragraphs.

The PRESIDENT: I cannot do so, because I feel the Minister has exceeded the Standing Order. I appreciate he has referred to "another place." but the debate is going on in another place; and, in the circumstances, I think we have used all our liberties in that regard.

The Hon. A. F. GRIFFITH: With great respect, Sir, the debate is no longer ensuing in another place; it was concluded in another place last night. In the 18 or 19 years I have been in Parliament, I have known presiding officers to permit the use of the words, "in another place," on so many occasions. I would say to you, Sir, with the greatest respect, that on all future occasions you must pull a member up and stop him from alluding to another place by using that expression.

The PRESIDENT: I was not aware that the debate in another place had already been completed. If the debate in the other place is completed, then the Minister is at liberty to continue with his statement.

Ministerial Statement Resumed

The Hon. A. F. GRIFFITH: The privilege of Parliament has been—

Point of Order

The Hon. W. F. WILLESEE: With further reference to Standing Order 392, surely no member shall allude to any debate of the current session.

The Hon. A. F. GRIFFITH: I have not used the words "Legislative Assembly"; I have referred to "another place" and a report in a newspaper.

The PRESIDENT: I rule that seeing the debate in another place has been concluded, the Minister can complete his statement.

Ministerial Statement Resumed

The Hon. A. F. GRIFFITH: The privilege of Parliament has been used to air a matter which had been properly dealt with by a court. Parliament should not be the place for an unwarranted attack on a body of public officers, such as the magistrates, who are unable to defend themselves.

We are all aware of the inclination of people to imply they have a "friend at court," by alleging they know a policeman, magistrate, or even a politician. Such suggestions should be treated with suspicion or scorn, as experience shows that no reliance can be placed on the inference.

I am quite prepared to arrange for any proper inquiry into the administration of justice when allegations of any substance are made. In this case, nothing has been produced to me which raises any concern and it would be improper to authorise an inquiry without proper foundation.

BILLS (2): INTRODUCTION AND FIRST READING

1. Fisheries Act Amendment Bill.
   Bill introduced, on motion by The Hon. G. C. MacKinnon (Minister for Fisheries and Fauna), and read a first time.
2. Dividing Fences Act Amendment Bill.
   Bill introduced, on motion by The Hon. L. A. Logan (Minister for Local Government), and read a first time.

PUBLIC TRUSTEE ACT AMENDMENT BILL

Recommittal

THE HON. A. F. GRIFFITH (North Metropolitan—Minister for Justice) [2.54 p.m.]: I move—

That the Bill be recommitted for the further consideration of clause 16.

Might I explain my reasons for asking for the recommittal of this Bill? It occurred to me that if I gave the explana- to Mr. Wise in regard to clause 16 by way of a speech on the third reading, this would remove any opportunity the honourable member might have—

The PRESIDENT: Order! The Minister is out of order.

The Hon. F. J. S. Wise: What is the stricture?

The PRESIDENT: The Minister may have the Bill recommitted, but he cannot amend it unless the amendment is on the notice paper.

The Hon. A. F. GRIFFITH: That is the point I was trying to make. I do not want to put Mr. Wise in the position where he has no redress in the event of his not agreeing with the explanation I would make.

The PRESIDENT: This is a most extraordinary state of affairs. The Minister is asking for the Bill to be recommitted for further discussion of clause 16. He has now informed the House that it is not proposed to amend clause 16, so it would appear he is moving for the recommittal of the Bill for further debate on clause 16, but simply as a debating point and not for the purpose of an amendment.

Point of Order

The Hon. F. J. S. WISE: Mr. President, will you please advise the House what the stricture is. Where is it to be found that amendments on recommittal must be placed on the notice paper? There are members present in this House who have seen Bills recommitted and amended without the amendment appearing on the notice paper.

The PRESIDENT: Standing Order 204a states—

> No amendment shall be made in, and no new clauses shall be added to, any Bill recommitted on the Third Reading, unless notice thereof has been previously given.

I would point out to Mr. Wise that we are at the third reading stage.

The Hon. F. J. S. Wise: Yes.

The PRESIDENT: The Minister may continue.

The Hon. A. F. GRIFFITH: I assure you, Sir, I do not wish to appear pedantic this afternoon as I have been in enough trouble as it is. Perhaps you would guide me as to what to do next. I think the House knows what I wish to do; that is, make a further explanation on clause 16 as a result of queries raised last night. I gave verbal notice then that I would confer with the draftsman, obtain his reasons, and report back today.

The Hon. F. J. S. WISE: Might I ask a further question. Is our difficulty that the Minister did not, as I thought he would do last night, give notice of recommittal before the Bill reached the third reading stage?

The PRESIDENT: I would not think so. The position is that had the Minister decided last night to move some amendment —regardless of what the amendment was —at the third reading stage, and the amendment had been placed on the notice paper, then we would have been at liberty to go right ahead. I think the problem can be settled by agreeing to the Minister's motion.

Debate (on motion) Resumed

The PRESIDENT: The Minister for Justice has moved that the Bill be recommitted for the purpose of further discussing clause 16.

Question put and passed.

In Committee

The Deputy Chairman of Committees (The Hon. F. D. Willmott) in the Chair; The Hon. A. F. Griffith (Minister for Justice) in charge of the Bill.

Clause 16: Section 36D added—

The Hon. A. F. GRIFFITH: At this point, in this debate, I wish to state that I do not intend to move any amendment. I merely wish to avail myself of the opportunity to satisfy Mr. Wise on a question he raised last night.

The Hon. F. J. S. Wise: If we are not satisfied will the Minister allow a further adjournment?

The Hon. A. F. GRIFFITH: Of course; otherwise I would have simply made a third reading speech, and the Bill would have gone on from there. As the honourable member knows, I said privately that I thought I should ask for the recommittal of the Bill in order that he may disagree, if he wished to do so, with the explanation which I am about to make to the Committee.

Last night the honourable member raised the point that clause 16 of the Bill was in its wrong place, and that it should follow clause 10. I raised this matter with the draftsman, and the draftsman has pointed out to me that the new section 36D, which is the section created by clause 16 of the Bill, is not a defining section, but confers certain powers on the Public Trustee in relation to an infirm person and his estate.

The draftsman said it appears logical to him that clauses 11 to 15, inclusive, should precede clause 16 of the Bill. These clauses provide how a person becomes an infirm person, or ceases to be such a person, and the reader of the Act should first have taken in those provisions before he acquaints himself of the powers of the Public Trustee in relation to an infirm person. The draftsman also said that it seemed logical that we should first have an infirm person defined before we could confer powers on the Public Trustee with respect to him and his estate. That is the explanation.

I think you will also allow me, Mr. Deputy Chairman (The Hon. F. D. Willmott), to refer to the point raised regarding an infirm person. This point was raised by Mr. Medcalf when dealing with the schedule. The draftsman has pointed out that an infirm person does not include an incapable person, who is defined

in section 2 of the principal Act. He sees no objection to paragraph 2 of either the third or fourth schedules. Two independent medical practitioners have to sign a certificate that in their opinion a person is infirm. It is not unusual for medical practitioners, in any case, in order to form an opinion, to obtain a history not only from a patient, but also from persons closely associated with the patient.

The infirm person may be dumb as a result of a stroke and incapable of writing as a further result. It is assumed that the two independent medical men would be honest and capable of sifting unreliable information from that which is worth while. The Public Trustee also is a reliable public authority and he has to be satisfied. If he thinks fit, under new section 35 (4) he can examine the infirm person himself, and take other evidence. No doubt, whether it is in the form or not, the medical practitioners will seek information from relatives.

The vital matter is that two medical practitioners do certify that in their opinion a person is an infirm person. I think the point raised last night was that there would be only one medical practitioner. Two medical practitioners must state that, in their opinion, a person is an infirm person, and they cannot give such certificate on information only. The draftsman refers to new sections 36A and 36B (1) (b), and states that the medical practitioners are disqualified if they are relatives or a guardian.

The Hon. I. G. MEDCALF: I would also like to take the opportunity to have an extension of your indulgence Mr. Deputy Chairman (The Hon. F. D. Willmott), to comment briefly upon the matter raised by the Minister at the end of his remarks. It is not strictly related to a consideration of clause 16, but nonetheless my point arises out of the Minister's comments.

I am indeed pleased that the Minister has taken this opportunity to refer the matter to the draftsman. The only reason I raised the matter—and the other matters—was so that an opportunity could be taken to refer this question to the draftsman. I did not intend to propose an amendment to the Bill and I was, therefore, somewhat taken aback at the turn of events. I raised these matters because I have a fair degree of experience in this subject, and whilst I appreciate that my opinions may well differ from those of other people—who may quite legitimately have their views—I feel it my duty as a member of Parliament to raise matters which come within my knowledge, and to see that they are directed to the appropriate persons.

I am quite satisfied with the explanation, and I understand that the Minister —or the draftsman—will not necessarily agree with my views. However, I wished to have these matters raised and an explanation given to the Committee.

The Hon. F. J. S. WISE: All members are fully conscious that this clause does not constitute a definition. The comments of the draftsman on that point mean that to put the clause in front of the clauses in the Bill to which it refers would be tantamount to its being a definition of what the other clauses contained, or defining something which those clauses contained.

That is not truly the position. My objection was, and still is, that after the shots have been fired and the animal destroyed, one reads the notice that no shooting can take place!

My objection to clause 16 was that, if agreed to, new section 36D would apply. With the application of the preceding sections, decisions could be reached without reference to new section 36D. In other words, there would be a red light showing that, in a certain particular, the other relevant sections would be affected by the proposed new section. I think that is common sense. However, no good purpose would be served by my continuing to disagree and, in fact, it would be quite futile. I am prepared to accept the explanation, with which I am not completely satisfied, and let the matter rest.

Clause put and passed.

Further Report

Bill again reported, without amendment, and the report adopted.

Third Reading

Bill read a third time, on motion by The Hon. A. F. Griffith (Minister for Justice), and transmitted to the Assembly.

BILLS (2): THIRD READING

1. Administration Act Amendment Bill.
2. Offenders Probation and Parole Act Amendment Bill.

Bills read a third time, on motions by The Hon. A. F. Griffith (Minister for Justice), and transmitted to the Assembly.

RAILWAYS DISCONTINUANCE AND LAND REVESTMENT BILL

Second Reading

THE HON. L. A. LOGAN (Upper West—Minister for Local Government) [3.14 p.m.]: I move—

That the Bill be now read a second time.

This Bill makes legal provision for the closure of four small sections of railway. These four sections are described in the first schedule and the first three have been rendered redundant by the construction of the new marshalling yards at Merredin. With the relocation of the marshal-

ling yards, it has been necessary to provide for some rerouting of the branch lines from Bruce Rock and Nungarin, to connect them with the new marshalling yards.

As the main line from Perth has also been deviated through the new marshalling yards, a section of the original main line, which is a little over a mile in length, will also no longer be required, and the Bill proposes its closure.

The second schedule indentifies the land on which these sections of railway to be closed are located and which is to be revested in Her Majesty, as of Her former estate but with the exception of a small area on which the railway barracks are located.

The construction of the new connecting lines from the Nungarin and Bruce Rock branches has been carried out within the limits of deviation provided in the original enabling Acts for those railways.

The fourth section of railway affected by this Bill, is the remaining section of the old Geraldton-Northampton-Ajana railway. The Railways (Cue-Big Bell and Other Railways) Discontinuance Act, No. 76 of 1960, excluded this portion of the line between Bluff Point and approximately the Chapman River, to be held for possible future use as an industrial spur. No requirement in this regard has arisen and it is to be closed now to meet a Main Roads Department's need for this area of land, in connection with its proposals for providing better access to the Geraldton wharf for heavy transport coming in from and destined for the north. The section of the line is redundant and of no further use to the department.

Debate adjourned, on motion by The Hon. H. C. Strickland.

SCIENTOLOGY BILL

Second Reading

THE HON. G. C. MacKINNON (Lower West—Minister for Health) [3.17 p.m.]: I move—

> That the Bill be now read a second time.

The Bill before us today is to prevent the organisation known as scientology from practising its techniques in this State. I approach this Bill with some reluctance, but with a great deal of determination. The reluctance is on account of individuals, not on account of the organisation.

When I explain this Bill in detail it will be observed that, in so far as has been humanly possible, the individual and his particular beliefs have been protected. It is not my desire, nor the Government's wish, that any individual should be forced to some particular line of belief, or away from some other line of belief. There are, within the community, a number of organisations which probably each and every one of us dislikes, and there are some which we dislike intensely. But if a person believes in reincarnation, the retention of the Barracks Arch, or in not having a pool in King's Park, or anything else, he is entitled to his individual beliefs.

When people club together and commence to abide by a set of rules and, indeed, commence to enforce a set of rules which cut across the liberties of other people, then, and then only, does it behove the community—and in this case the community acts through Parliament—to act. I am firmly convinced, and I hope to convince the House, that scientology, as an organisation, has reached this stage.

Many members have read a considerable amount of the Anderson report which was published in Victoria. In case some members may have difficulty in obtaining a copy of this report, I would like to take this opportunity to place on the Table of the House, for their convenience, three additional copies of the Anderson report. Those who have not read it have read excerpts from it, and perhaps have read reports upon the report. The matters which were elucidated in that report were sufficient to give people cause for thought.

Currently, Victoria has applied a ban, and South Australia is proceeding to do so, as now is Western Australia. There are indications that other States will follow suit. This in itself is significant. One can perhaps understand one State in isolation being misled. It is difficult to believe that a number of States could act in error. This is particularly so when we remember the history of tolerance which British speaking peoples have shown to all sorts of beliefs. Indeed, Sir, the very home of tolerance, the United Kingdom, has now found it necessary to take action to restrict the activities of L. Ron Hubbard and his organisation.

I will not recount the history of scientology. This has been published in newspapers and is dealt with in some detail in chapter 6 of the Anderson report. A very excellent summary came into my possession as late as this morning. It is a photostat copy of a report appearing in the *Observer*, and it deals with this matter even more fully than does the Anderson report. I would also like to place that photostat copy on the Table of the House for the convenience of members.

In dealing with this matter one of the difficulties is that there is too much material—literally boxes of books. It is not a matter of what one could say; it is a matter of one being forced to cut out some material. In the first draft of my speech I included the history, but because that added another four or five pages I decided to take it out. However, if some members wish to read that history into the record they are at liberty to do so.

Several reasons have been put forward as to why scientology should be banned. As it has finished up claiming to be a religion, let us examine this one first. People say that it should be banned because it is a false religion. Mr. President, I do not believe that this is sufficient reason to ban scientology. Who among us is there who can say whether this or that religion is a true religion or a false religion? A religion may be true to its adherents; it may be false to its enemies. This does not alter the fact that to those who do believe in it, it is a true religion.

Personally, I do not believe that scientology was thought of as a religion, or is, in fact, a religion. I am firmly convinced, from the inquiries I have been able to make and what I have been told, that it was called a religion for quite sordid reasons. This is also the view expressed in the Anderson report; but that is beside the point. Whilst it perhaps adds weight to our desire to try to control the cult, on its own it would not be sufficient reason.

It is interesting in this regard to quote from a declaration on Christian education and religious freedom made by the Second Vatican Council, and promulgated by Pope Paul VI, in 1965. I would like to place this small pamphlet on the Table of the House for the information of members. I quote from page 20—

> However, in spreading religious faith and in introducing religious practices everyone ought at all times to refrain from any manner of action which might seem to carry a hint of coercion or of a kind of persuasion that would be dishonourable or unworthy, especially when dealing with poor or uneducated people. Such a manner of action would have to be considered an abuse of one's right and a violation of the right of others.

I would like members to bear this statement in mind when I touch on other matters appertaining to the organisation of scientology.

Perhaps a stronger reason for banning scientology is that it does constitute medical quackery of a very bad kind, and I am convinced that this is a more cogent reason. I would like to quote the minutes of a special meeting of the Mental Health Committee of the State Health Council at which it was unanimously resolved—

> Having studied the report (The Anderson report), the committee views the procedures involved in scientology, dianetics and the like with considerable alarm. It considers that scientology is a medical, moral and social danger and a threat to family and home life. The committee thoroughly supports the recommendations of the commission (The Anderson Commission), and in particular urges that legislation be brought down to implement these recommendations in the interests of the public. Pending the introduction of legislation the widest publicity should be prompted to inform the public of the dangers of scientology procedures. The publicity should be repeated at intervals. It seems necessary that some restriction should be placed on advertising concerning intelligence testing and personal efficiency. Meantime the public should be warned that advertisements offering intelligence testing and improved personal efficiency should be treated with great caution.

Scientology makes unfounded and unrealistic claims. I give the following examples:—

> (1) To improve the i.q. by 25 points. The functioning of intelligence can sometimes be improved by reducing emotional tensions. Scientology does not do this—in fact, it frequently increases anxiety. Moreover, even if functioning of the intelligence should be improved in this way, the figure of 25 points is unrealistic and not in any way scientifically validated.

That is the view of a very highly qualified psychiatrist. The words are not my words, but I hold the same view. To continue—

> (2) To cure 70 per cent. of man's illnesses. The international classification of diseases, which lists man's illnesses runs to two volumes of approximately 900 pages each. Diseases are classified into 796 main categories, and each heading is subdivided at least up to nine subcategories, sometimes more. To claim to cure 70 per cent. of these conditions (without enumerating those which can and cannot be cured) is the worst type of quackery and is fantastically grandiose. It plays on the credulity of the ignorant and raises false hopes in the despondent.

I agree with that view. Again they are not my words, but those of a highly qualified medical practitioner.

In the field of mental health the claims of this organisation are even more fantastic, and its results even more dangerous. I quote the first sentence of chapter 23 of the Anderson report which says—

> Although there are several features of scientology which are to be condemned, its threat to health—particularly mental health—ranks paramount.

Operating as they do on a basis of pseudo-psychology and psychiatric tricks, they can indeed confuse people to a very marked extent. There have been people in my office, Sir, who after having been subjected to scientology have told me—and I have no reason to disbelieve them—that they had for a considerable period of

time been most confused and suffered dreadful mental difficulties. These they resolve with the assistance of proper psychiatric care, or by love and attention from their families.

On the other hand, Mr. President, there is scientological criticism of the normal mental health avenues open to the ordinary citizen, such as their violent contempt and agitation against certain of the processes, particularly electro-therapy as used in a normal mental health institution and operated by qualified medical practitioners. Indeed, Sir, they exhibit quite paranoic tendencies with regard to drug houses and constituted medical practice. This, I believe, would constitute a justification for the control of the cult of scientology.

Let us look further. It is claimed that these people are members of a pernicious organisation which secures some sort of hypnotic control over people and extracts from them large sums of money. Of this, there is little doubt. There is sufficient proof in the Anderson report. There is proof in their ordinary advertisements, and there is proof in the number of people in this State who have written to the various newspapers, many of the representatives of which have been to my office to see me.

They have this ability to attract people to the point where they will pauperise themselves and their families in order to continue their studies. This, Sir, is again probably not sufficient reason of itself, and is not to be considered in isolation. Considered with their completely fraudulent beliefs or expressions of opinion that they can cure diseases, it does constitute a great deal of additional weight as to why this organisation should be controlled.

Over and above all this, there is a reason which, to my mind, becomes paramount. It does make the banning of the organisation of scientology absolutely imperative. This is their method of pillorying private individuals who, for one reason or another, decide to leave the organisation. I have heard it claimed that there are many religions and organisations which take action against those who have left their organisation. This is true. In extreme circumstances some of the Christian churches excommunicate their members, denying them the sacraments and the privileges of membership of that church. To one of deep and abiding faith this must be quite a dreadful punishment. But scientology goes further than this.

To my knowledge, there is no other organisation which writes to husbands, wives, children, or friends, ordering them to dissociate from the expelled member on pain of expulsion themselves. I know of no other organisation which writes about people the sorts of things that scientologists circulate about their defectors. They claim to do this to protect their fellow members. This I do not believe.

I would like to make some direct quotations from certain literature sent out by this organisation which will give some idea of the cursive attitude they take. Tedious as it may be, I intend to read this pamphlet in full. In order that members might be able to read the pamphlet, I would like to have it placed on the Table of the House. It is, "Communication, Vol. 9, No. 3. Critics of Scientology," written by L. Ron Hubbard, and reads as follows:—

> If Aunt Ermiltrude each night went through your change purse and extracted divers coins without your knowledge, and then if she found you had joined a group that could discover secrets, her immediate and passionate reaction would be to damn the group and you as well.
>
> If the wife were stepping out with your best friend behind your back and one day she found you had thoughts of joining a group that taught you people's motives and reactions and made you understand them, she would throw a mad dog fit to prevent your progress.
>
> If a Government were busy making capital out of people's ignorance of economics and world affairs and were playing a double game and a group came along and started to make its people smarter and more knowledgeable of true motives, that Government would try to shoot every member of that group on sight.
>
> If a group of "scientists" were knowingly raising the number of insane to get more appropriation and "treatment" fees and somebody came along with the real answer, that group would move heaven and earth to protect its billions of rake-off.
>
> And so individuals, Governments, and "scientists" attack scientology.
>
> It's as simple as that. We do not treat the sick or the insane.

So they say! To continue—

> We break no laws. We do more good in any ten minutes of this planet's time than the combined efforts of all social ministries on earth to better mankind.
>
> Stated that way, however, it looks pretty hopeless and even dangerous to be a scientologist.
>
> Except it is totally hopeless and fatal not to be a scientologist.
>
> Those who are not scientologists are left in complete ignorance of the motives of the dishonest. And they have no chance of personal immortality. It is as simple as that. It is better to be endangered but with a chance than to be condemned utterly and without one.

Those who criticise one for being a scientologist or make snide remarks cannot stand a personal survey of past actions or motive. This happens to be a fortunate fact for us. The criminal abhors daylight. And we are the daylight.

Now get this as a technical fact, not a hopeful idea.

I wish to emphasise that I am still quoting. Continuing—

Every time we have investigated the background of a critic of scientology we have found crimes for which that person or group could be imprisoned under existing law. We do not find critics of scientology who do not have criminal pasts. Over and over we prove this.

Politician A stands up on his hind legs in a Parliament and brays for a condemnation of scientology. When we look him over we find crimes—embezzled funds, moral lapses, a thirst for young boys—sordid stuff.

I suppose I am politician A. Continuing—

Wife B howls at her husband for attending a scientology group. We look her up and find she had a baby he didn't know about.

Two things operate here. Criminals hate anything that helps anyone instinctively. And just as instinctively a criminal fights anything that may disclose his past.

Now as criminals only compose about 20 per cent. of the race, we are on the side of the majority. This is quite true. In one country we have almost exactly 100 scientologists for every member and supporter of psychiatry. They make the noise because they are afraid. But we have more general influence and more votes.

The way we handle the situation now is simplicity itself and we are winning.

We are slowly and carefully teaching the unholy a lesson. It is as follows: "We are not a law enforcement agency. But we will become interested in the crimes of people who seek to stop us. If you oppose scientology we promptly look up—and will find and expose—your crimes. If you leave us alone we will leave you alone."

It's very simple. Even a fool can grasp that.

The Hon. R. Thompson: Pretty good for a religious group!

The Hon. G. C. MacKINNON: To continue—

And don't underrate our ability to carry it out.

Our business is helping people to lead better lives. We even help those who have committed crimes for we are not here to punish. But those who try to make life hard for us are at once at risk.

We are only interested in doing our job. And we are only interested in the crimes of those who try to prevent us from doing our work.

There is no good reason to oppose scientology. In our game everybody wins.

And we have this technical fact—Those who oppose us have crimes to hide. It's perhaps merely lucky that this is true. But it is true. And we handle opposition well only when we use it.

Try it on your next critic. Like everything else in scientology, it works.

Sample dialogue:

"George: . . .

I am "George." Continuing—

George: Gwen, if you don't drop scientology I'm going to leave you.

Gwen (savagely): George! What have you been doing?

George: What do you mean?

Gwen: Out with it. Women? Theft? Murder? What crimes have you committed?

George (weakly): Oh, nothing like that.

Gwen: What then?

George: I've been holding back on my pay. . . ."

If you, the criticised, are savage enough and insistent enough in your demand for the crime, you'll get the text, meter or no meter.

Never discuss scientology with the critic. Just discuss his or her crimes, known or unknown. And act completely confident that those crimes exist. Because they do.

Life will suddenly become much more interesting—and you'll become much less suppressed.

(Signed) L. Ron Hubbard.

I read this and I thought of just speaking on it, but I came to the conclusion that unless I actually put it on the Table of the House, members might find it difficult to believe that a person would write this sort of stuff. It is obvious, if members read the pamphlet, that I was sorely tempted to include little points and comments as I moved along. However, such comments and remarks would be so obvious that it really does not matter. Members can see for themselves, and I am sure the same thoughts will occur to them. However, I thought it important that members should see this pamphlet and realise that such a pernicious and almost overbearingly threatening attitude is a worry in our community.

One might say that this pamphlet is of a general nature. Let me read a specific letter, dated the 26th February, 1968, headed HCO Ethics Order, Perth—

> To: Those concerned.
>
> From: Commander Jill Van Staden.
>
> Subject: Condition of Enemy—Beryl Salmon.
>
> Beryl Salmon is declared in a condition of enemy for not accepting the 1st January, '68 amnesty.

This man issues amnesties to those who might have slipped by the wayside. To continue—

> She is denied admission to any advanced course.
>
> Commander Jill Van Staden
> For L. Ron Hubbard
> Commodore.

The organisation has for its members who infringe its rules certain graded penalties, and I shall quote again from a Hubbard communications policy letter. These are the agreed systems and conditions they have. Just to make sure that everyone can see that it is perfectly true, I will put this paper on the Table of the House. To continue—

> Liability—
>
> suspension of pay and a dirty grey rag on left arm and day and night confinement to org premises.

By the way, in case any member cannot follow the language, the organisation has its own dictionary, and virtually its own language. It may be interesting to members so I will table that information also. I have boxes of this sort of stuff. Org, by the way, means organisation.

The Hon. J. Dolan: I thought it meant an orgy.

The Hon. G. C. MacKINNON: To continue—

> Treason—
>
> suspension of pay and deprivation of all uniforms and insignia, a black mark on left cheek and confinement on org premises or dismissal from post and debarment from premises.
>
> Doubt—
>
> debarment from premises. Not to be employed. Payment of fine amounting to any sum may have cost org. Not to be trained or processed. Not to be communicated or argued with.

Perhaps an organisation might have valid reasons for instituting this sort of corrective punishment, but I ask members to listen to the next condition. It reads as follows:—

> Enemy—
>
> suppressive person order. Fair game.

I will read that again: "Suppressive person order. Fair game." Fair game means exactly what it says—that one is fair game. It is just like kids playing a game and hearing one child tell another that he should not do something. The other child then replies that someone did something to him, and therefore that someone was fair game. To continue the condition of, "enemy"—

> May be deprived of property or injured by any means by any scientologist without any discipline of the scientologist. May be tricked, sued or lied to or destroyed.

The Hon. I. G. Medcalf: The Minister could be classed as fair game.

The Hon. R. Thompson: Like the opening of the duck season.

The Hon. G. C. MacKINNON: Mr. President, I would like you to cast your mind back to when I read the article dealing with critics of scientology, by L. Ron Hubbard, and I quote again—

> Politician A stands up on his hind legs in a Parliament and brays for a condemnation of scientology. When we look him over we find crimes—embezzled funds, moral lapses, a thirst for young boys—sordid stuff.

The Hon. R. Thompson: I think the Minister had better confess now.

The Hon. G. C. MacKINNON: In this pamphlet we find that anyone declared in a state of "enemy" may be tricked, sued, lied to, or destroyed, and he may be injured by any means by any scientologist without any discipline of that scientologist.

Sir, I believe that that alone would be sufficient reason to ban this organisation. Taken in accord with the other matters I have mentioned it leaves us no alternative but to follow the pattern which has developed around the world and prohibit the organisation from operating in this State.

There is so much that I could quote from the tremendously prolific writing of Mr. Hubbard that one reaches the stage where one just has to stop. Even in my office, with the stuff that has been sent to me through the post, and also sent in by people who have become increasingly worried by the cult, we have an almost unreadable conglomeration of material. However, I feel that I have probably given sufficient background. Most of this is covered in greater detail in the Anderson report and if members wish to read anything else in addition I could perhaps make some material available to them.

That being so, let us now examine how it is desired to handle the matter in this State. Might I suggest that members take up the Bill and follow it through with me. If you will permit me, Mr. President, I will take members through it because that is the only way I can see to adequately explain the Bill to members.

A "galvanometer," as it is called, is defined and it will be noted that it is defined as an instrument "that detects or measures, or that is represented as being capable of detecting or measuring, any emotional reaction of a person." There is further reference to a galvanometer in the Bill. Certain exceptions are made to allow certain people to use one. This is essential, because a galvanometer is a perfectly routine piece of equipment in the electrical trade. It is used to measure resistance in small electrical currents, but it is used in relation to things, not in relation to people. In this Bill its use is banned in relation to people.

It has been necessary, of course, to define the practice of scientology and scientology itself. The key to the Bill is contained, however, in the definition of "scientological record," because this refers to various things which may be used in the practice of scientology on, by, or in relation to, any particular person. That will be found in the definition of "scientological record."

If this were written without punctuation marks the place of the commas would be taken by the phrase "any particular person." It would read—

> Practice of scientology on any particular person by any particular person or in relation to any particular person.

I stress this phrase because it is the provision which makes it possible for an individual, for the purpose of study or for his own edification, to own books of or about scientology and to read them himself. Contrarywise, this is the definition in the measure which prohibits the high-pressure salesmanship, the indoctrination, the hypnotic, repetitive auditing, and the subsequent recording of the most intimate of details with regard to the customer or preclear.

The Bill then proceeds by stating that a person shall not practise scientology. This means, of course, that he shall not pursue the organised procedures as laid down by the scientology organisation on, by, or in relation to, any particular person. It then specifies that a person shall not, directly or indirectly, receive any fee or reward, and various penalties are laid down for this and for the use of a galvanometer for scientology, or on a person. Exemptions are made specifically and generally in order to allow legitimate use of a galvanometer.

It will be noted, Sir, in a further perusal of the Bill, that no action can be taken without the normal warrants issued by a justice of the peace.

The Bill has been written so that it may be complete in itself. The normal power of authority which the Police Force needs in such cases has been granted and the necessary penalties for obstruction have been included.

This is an unusual Bill, but it deals with an unusual problem. In explaining the background of scientology and of the Bill itself I have, to some extent, taken it for granted that members have followed the newspaper publicity and have perused the various reports at their disposal. Long as the explanation has been, there is still a great deal more which could be said. I trust that what I have said has convinced members to support the Bill.

I have circulated a precis of the Bill which members might find of some assistance, and I commend the measure to the House.

The report and papers were tabled.

Debate adjourned, on motion by The Hon. W. F. Willesee (Leader of the Opposition).

Sitting suspended from 3.49 to 4.5 p.m.

NICKEL REFINERY (WESTERN MINING CORPORATION LIMITED) AGREEMENT BILL

Second Reading

Debate resumed from the 17th September.

THE HON. W. F. WILLESEE (North-East Metropolitan—Leader of the Opposition) [4.5 p.m.]: This is one of many pieces of legislation which have been put forward in recent years whereby Parliament is called upon to ratify an agreement already made with the Government. In this case it deals with the current glamour metal, nickel.

Initially one might wonder why nickel lay in the ground for so long without having any apparent value. It was discovered from time to time but apparently ignored, because it was believed that the discoveries were not of commercial significance. In addition, it is a metal which is easy to miss, because people can walk over it without locating it.

Time has changed that situation and this agreement is now before us. As part and parcel of the arrangements made in connection with the finding of nickel, the Bill covers the building of a refinery at Kwinana. It is interesting to note that the expenditure involved is some $42,000,000.

I believe the deposit at Kambalda owes its great and quick development to the company concerned; namely, the Western Mining Corporation Limited. From what I have read on the subject, I understand that the company followed what might be described as a not very promising lead. It was only by the energy of the company and modern processes, which have been developed elsewhere and which were used by the company, which brought the probabilities and the potential of the area to the light of day. At the time when the Minister introduced the Bill, 13,000 tons of

nickel were being processed monthly from the deposit. With the nickel refinery, this will increase the figure to 60,000 tons a month, as was mentioned by the Minister.

Consequently this is a very great achievement in the historical development of minerals in Western Australia. There is no reason to suppose there will not be a great demand for nickel in the future. For instance, the International Nickel Company of Canada intends to spend over $300,000,000 in the year 1968-69 on new mines and plant in an endeavour to raise production to 300,000 tons of metal per annum by 1971. Most of the processing in that part of the world will be concerned with nickel of a much lower grade than that which is the subject matter of this Bill.

Accordingly it is quite reasonable to assume that the demand for nickel will continue, and the preliminary work which is taking place all the time throughout the State will surely result in the development of a further field somewhere near the capacity of Kambalda.

As I read the agreement, the royalties are based on a formula which is a world-wide principle. The agreement does cover any variations which may occur with regard to the payment of royalties in sets of circumstances which may develop from time to time. It is interesting to note that the current anticipation is something in the vicinity of $560,000 per annum.

One unfortunate feature which has come about with the advent of the agreement and the company going to Kwinana is in connection with the land situation, whereby land has been made available to the company so that it may develop the refinery. I appreciate it is quite easy to be wise after the event, but I wonder whether the company might not have done much better had it pursued the acquisition of land in the area by way of options and negotiations in its own right. It might have been better to do this and, if the company had struck a hard core of resistance, to allow the machinery of the Government with regard to resumption processes to take place.

I have made those comments because I think there is a tendency among individuals to resist when they find the hand of a Government instrumentality moving upon them. There seems to be that kind of resentment in the nature of people, either individually or collectively, which is not apparent when we use some other process which achieves the same result, but which does not necessarily carry with it the ever-present final threat of resumption. Be that as it may, it is merely a comment in the light of what has happened.

It is the unfortunate note in connection with a very progressive company which is most successful in many ways and has done much for Western Australia in the mineral field, and not only in the field of nickel. Now, of course, the company is reaching such heights of development that one wonders where it will finish.

One of the great features about mineral development from the angle of Western Australian development is that metals—not only nickel, but particularly iron ore—are being found in remote areas of Western Australia. Because of the enormous capacity of the finds, the companies attract international finance through consortiums of banks and are able to put to the Government propositions which would be quite beyond the scope of a Government to carry out in its own right as quickly as the companies.

The Hon. A. F. Griffith: How true.

The Hon. W. F. WILLESEE: It is almost staggering to read of the commitments of Hamersley Iron Pty. Ltd. I did have the figure memorised, but at the moment I cannot recall it. However, I can recall that on examining the last balance sheet of the company its debt amounted to millions of dollars. This can be easily understood, because its commitments in establishing a township and associated amenities for those working in the iron ore industry would run into millions of dollars, without taking into consideration all the other attendant expenditure.

Much the same can be said of the development that has taken place, and is continuing to take place, at Kambalda, where a new town has been established. One could not think of a more appropriate place than Kambalda to find nickel, because it is so close to Kalgoorlie, and new enthusiasm has been kindled among the residents of that centre by the discovery of nickel. The Western Mining Corporation employs 470 men at Kambalda, and it goes without saying that to provide accommodation for such a large number of persons a sizeable town must be built. It must also be borne in mind that that number of men must double, and there is the additional factor that in addition to the deposits themselves it is proposed to erect a refinery to treat the nickel.

From all this development one can readily realise the great potential that lies ahead when further new discoveries of nickel are made, so I hope we have placed before us more Bills of this nature in the near future. Despite what we have read from time to time about the old-time prospector I think we must accept the fact that the days of the pick and shovel are over. With the assistance of modern mining techniques and modern machinery; with the enormous capacity of the exploration companies to develop any discovery of a new mineral, and then to continue on with the next stage of development, these large companies are in a much better position than the prospector to uncover new fields. But it must be accepted, of course,

that a great amount of money is needed for such development, which is quite beyond the capacity of any individual. It is only the rich syndicate or the large financial company that can undertake such work on a wide scale.

Members are well aware that there are many such companies and syndicates carrying out exploratory surveys in and around the Kambalda area on which surveys they are spending a considerable sum of money. Therefore it is only reasonable and fair to hope that every success will attend their efforts. We all know, too, that if success does come their way this will result in decentralisation, which is an essential factor in the future growth of Western Australia.

Also we should hope that these companies attain their objective because in Kalgoorlie and the surrounding districts we have the type of experienced men who can be engaged on this new development with confidence without having to import labour from outside the State, or even within it, because it is simply a question of Kalgoorlie miners moving into this new field if they so desire.

There must be wonderful opportunities for young men arising in this new area of mineral discoveries. It was not so very long ago that such was not the case. In fact, there was a feeling abroad that the activities in the mining industry were showing a downward trend, mainly as a result of the decline in gold production and embargoes placed on the export of other minerals, particularly iron ore. Such embargoes were imposed because the Commonwealth believed there was an insufficient tonnage of ore at depth which could be held in reserve for the future benefit and advantage of Australia, and this view could not be denied. Nevertheless it is quite surprising to realise that such a view was held and put into practice only a few years ago.

Another very sound reason for the minerals of Western Australia having a great future is that they are principally base metals and are therefore available for most of the develpoment that has occurred in this State to date; but in any future development it is reasonable to assume that these minerals will attract companies to widen their exploration field and increase the diversity of their activities. If we have production of a greater variety of base metals in Western Australia it is obvious that we in this State must enjoy the fruits to be gained from a sound mineral development in the future.

Whilst large sums of money are needed to keep these mining companies afloat, the mineral deposits, fortunately, are sufficiently large to attract the required finance these companies need. Of course, we must also bear in mind that secondary industries follow in the train of these major mineral developments. It is not necessary to mention them, but we have seen many minor agreements—that is, minor by comparison with major ones—brought before this House for ratification.

In retrospect, it is difficult to believe that only a few years ago the Commonwealth Government placed an embargo on the export of iron ore because that Government believed the total of the reserves was less than 400,000,000 tons.

The Hon. A. F. Griffith: Much less.

The Hon. W. F. WILLESEE: At the time serious suggestions were made to fill some of our disused quarries with oil in the event of a defence emergency, because we were depending entirely on the importation of oil for our needs. Suggestions were also put forward that small quantities of bauxite had to be imported from Malaya to keep our single alumina smelter in production. With the falling price of wool there was great concern about the level of exports in the immediate future and the ability of those exports to sustain the heavy volume of imports necessary to a developing country with a high migrant intake.

So the transformation in our fortunes since those days is unbelievable, because in that year—1953—and since, there have been great finds of copper, bauxite, iron ore, natural gas, oil, and nickel, and this has caused Australia to be known throughout the world as a country where mineral resources are truly remarkable in their extent and in their diversity.

Quite recently, at a public function, a very prominent man in this country said he thought that Australia was still only scratching the surface potential of the great mineral wealth that exists in this State. I also read recently, in an article published in *The Australian Accountant*, that a speaker concluded his address to the Victorian branch of the Australian Society of Accountants with these words: "Yes, Mr. President, Australia can be truly said to be, 'The lucky country'".

Debate adjourned, on motion by The Hon. J. Heitman.

ART GALLERY ACT AMENDMENT BILL

Second Reading

Debate resumed from the 18th September.

THE HON. R. F. CLAUGHTON (North Metropolitan) [4.24 p.m.]: This Bill seeks to dissipate the uncertainty surrounding the legality of the Art Gallery Board to extend its activities outside its main building located in Perth. I intend to question whether the Bill will actually permit this to be done. If it does not, the Bill will be failing in its objective.

The provisions contained in the measure are designed to establish two types of art galleries; namely, the branch gallery and

the regional gallery. In this instance the regional gallery is most important, because the Minister has told us it is unlikely that branch galleries will be established within the foreseeable future. It will be recalled that when the principal Act was first introduced in 1959, Mr. Griffith said he hoped it would not be too long before a new Art Gallery building would be established in Perth. Despite the fact that almost 10 years have elapsed we must now come to realise we still have a long time to wait before this is brought to fruition, and therefore we can readily understand that the establishment of branch galleries lies some considerable time in the future.

Regional galleries, however, are already being established in various parts of the State. When introducing the Bill the Minister mentioned the one at Toodyay, which is already in operation. Recently I visited the Perth Art Gallery. There is an exhibition there at the moment which has been brought in from overseas and among the various paintings there is a work by an artist named Marcel Deschamp, and members would be well advised to make a visit to the Art Gallary to view this painting. Some of the other works of art are poking fun at art in general. This is important, I think, because we should not take all art seriously.

Members might also be interested in a piece labelled, "Please Touch." It is one of the rather erotic pieces in the exhibition. Included in the general exhibition there is a section on aboriginal art, collected by Mr. Norton during a visit to our far north. In that section there are some truly amazing pieces of art; they were amazing to me, at any rate. The quality of the work which these people have produced is most enlightening.

It would be a shame if all this art was confined only to the main Art Gallery located in Perth and was not made available for the enjoyment of people residing in other parts of the State. I repeat that the Bill has been designed to clarify a doubt about the legal standing of the Art Gallery Board in extending its activities outside the Art Gallery in Perth, especially in the event of loss, theft, or damage to its property. The intention of the Bill, then, is to make lawful what is already being done at present so that the influence of the Art Gallery becomes State-wide.

The importance of the extension work of the board is not to be underestimated. Ours is a very materialistic society, and we seem to be concerned mostly with the acquisition of things material. By extending the work of the Art Gallery we could perhaps help to cultivate an appreciation of things other than those that are material. This work is not to be underestimated in the life of our community.

In Australia we have been, and we still remain, largely a migrant people. We are imposing our influence on what has been to us a foreign environment. We view our surroundings through European attitudes and concepts; in fact, we seem to wage active combat against the landscape. Perhaps this goes back to the days of our original settlement when the people had to cut down the bush in order to build homes and farm the land; this attitude still remains with us. We appear to make very little attempt to blend and harmonise with the landscape. There is very little intrinsically Australian to be found in our homes, in our gardens, or in our town planning.

The Hon. G. C. MacKinnon: What about Geraldton wax plants in our gardens?

The Hon. R. F. CLAUGHTON: I admit that some of these plants are seen in our gardens. In the main, if one examines the gardens in any street in the suburbs one will find that the majority of plants are of the exotic varieties; however, every now and then one would come to a garden where the plants are predominantly Australian varieties. Exotic varieties appear in most of the gardens. Even our homes are modelled on designs which were imported and are suited to a climate other than our own.

I would suggest that it is the job of the artist to look at the landscape. There is need for us to see what is Australian in our landscape; in other words, the artist should help to discover this. A number of artists come to mind, and members might know them—Tom Roberts, Arthur Streeton, Hans Heyson, Sydney Nolan, Arthur Boyd, Guy Grey Smith, and many others. No doubt many of us who are familiar with the works of artists such as those will be able to visualise a gradual abstraction of the landscape and a distilling of the essence of the landscape in Australian terms, rather than in European terms.

Heyson, for instance, showed us what beauty lies in our eucalypts; they are regarded as more than something to be pushed over and burnt. I think it would be difficult to estimate what influence he might have wielded in developing our appreciation of such visions as we have of Australian trees.

People in Western Australia might know the works of Emily Pelloe, a horseriding botanist, who painted Western Australian wildflowers. Her work has gained appreciation for our wildflowers. On display at the moment in the Art Gallery is a well-known work of Streeton—Barron Gorge—and in it we can see something of the transition from the European to the Australian influence. A technique suitable to the Australian environment is used. In Nolan, Drysdale, and Grey Smith, we find the more modern approach where the landscape is simplified and defined. The works of French and Dickerson, who

painted many odd-looking faces, show the more contemporary and city-oriented viewpoint.

The Bill before us will allow the Art Gallery to extend its influence by arranging tours into the country centres, thus allowing many Western Australians to see the progress which Australian painters have made. This will help in the appreciation of things Australian. It is perhaps useful to remind members that the Art Gallery is more than a display centre. It has also an historical or museum function in that, firstly, it shows the roots from which we came and how we have developed, but part of its task also lies in preserving and restoring works of art placed in its care.

This Bill will enable these skills to be provided in areas outside the area served by the Art Gallery. Secondly, it reflects the contemporary scene, and shows what we are; thirdly, it has an educational aspect, in that it allows a study to be made of styles and techniques that are used not only in Western Australia but all over the world. In this way it acts as a stimulus to innovation in our State.

Art should be a part of our contemporary scene, not only through pictures, but in the things we handle and use. The Minister has told us that works of art from the Art Gallery are frequently loaned to various organisations. We should be given the opportunity to come into contact with art in our daily occupations, and in that way we would be helped in the appreciation of art.

We should be able to handle and use things that are well designed and are artistic. Industrial design should also be artistic, and the products of industry should have artistic value. We can only appreciate beauty by having experience of it. Part of the work of the Art Gallery is to encourage an awareness of industrial designing and other things.

In the same way art is to be seen, and every opportunity should be made available to people in their daily occupations to come in contact with fine paintings. Not only should galleries be placed within the community—not somewhere remote from the scene of life—but every opportunity should be taken to display pictures and art objects outside the area served by the Art Gallery so that the people can view them. I would agree with the statement of John Walker, Director of the Washington National Gallery of Art, as reported in *The Australian* of the 14th September. He said—

> Every picture of real quality that you have in storage is a work of art wasted. Compare your study storage here. If you could put a few old masters in Ballarat that would be a good idea.

We could send works of art to Bunbury, Albany, Geraldton, Derby, and other centres. Walker also suggested that the Art Gallery director should be given sabbatical leave, and this is a matter to which the Minister could give some thought.

Our own scheme—these are the proposed amendments to section 18, to be found in clause 3 of the Bill—will enable distribution of paintings to be made. In this way country people will be able not only to view these works but also to study the many techniques used in art. It is only by the study of original works that these techniques can be appreciated. Perhaps it might be said that these works can be seen in prints, but prints are like photographs and they do not show how the different techniques have been applied to the canvas.

It could be said that if original works of art are sent from the Art Gallery to regional galleries the question of their safety and proper care will arise. This is one of the points I shall deal with later. I mentioned earlier the work of an overseas artist to be found in the Art Gallery. We may not always applaud what is known loosely as modern art, and even less what is known as "pop" art; but these forms of art also have a place, not the least being their ability to provoke argument and to stimulate ideas. We do not necessarily have to accept them as art, although they may very well be so.

In this State, and perhaps in most other places, the amateur painters have been with us from the earliest days of settlement. In the Art Gallery there are some examples of their work, which help to provide a pictorial record of the times. Our history books would be very poorly illustrated were it not for some of these early works.

Members may be aware that the most popular medium of the amateur artist is water colour. This comes about because water colour is the medium which teachers have used most commonly in the schools, and it seems to be the easiest medium to teach. If that is the only experience of some people of the techniques used in art, then water colour might be the best medium to use. However, oil colour is quite an easy medium with which to work. If a mistake is made, the artist can simply place more oil colour on top.

Contact with the original works at the Art Gallery should encourage wider experimentation with other media as well as perhaps an urge to use a larger canvas Most amateur artists tend to use a small sheet.

Among other activities this Bill sanctions—other than travelling exhibitions—are bulletins, temporary loans of art, films, and lectures.

The funds of the Art Gallery are obtained from Consolidated Revenue and last year the figure amounted to $102,140,

while the amount for the year before was $82,000. This indicates that the Art Gallery is receiving an increased amount, although the Art Gallery people themselves, I am sure, would like to have more.

This brings us to another point. The Art Gallery is very poorly endowed so far as bequests are concerned. There was one in 1925 of $6,000, and this must have been used up because there is no record of it in the Gallery's report. The only bequest shown at the moment is the Nanny Barker bequest, and the interest of $285 from this bequest is what is used. It is, perhaps, a rather grave reflection on our community that the Art Gallery should be so poorly endowed by its citizens. Great value has been derived from bequests to galleries in other States and overseas. Notable among these is the Felton bequest of $380,000 to the Melbourne Art Gallery. In 1966 the value of paintings purchased from the bequest was estimated at $2,000,000. There can be little doubt that the Western Australian Art Gallery would appreciate and make effective use of similar bequests.

Coming a little closer to the contents of the Bill, I would say that I understand a branch gallery is one built from Government funds and under the sole management and control of the Art Gallery Board. Perhaps the Minister will correct me if I am wrong. A regional art gallery, on the other hand, is one which is established by local interests with advice and assistance from the Art Gallery Board, while the management and control and financing is largely a matter for the particular group concerned.

As the board itself has requested this legislation to clarify its legal position, we should ensure that its request is met. However, I feel the amendments do not fully achieve this objective. It would be wise to define what is meant by a branch gallery and what is meant by a regional gallery. This is not done. If my definition of a branch gallery is correct—that is, one built by and under the control of the Art Gallery—then these amendments will adequately cover the situation. However, regional galleries may be quite diverse in their origin. They might be set up by a local authority or by some business concern and they certainly do not appear to be likely to come under the sole management and control of the board.

If pieces of art are placed in these regional galleries, what will be the position of the board? Will the position remain exactly as it is at the moment? If it does, doubt will be experienced. If some damage is done or some article is lost, where does the onus lie?

Looking more particularly at the provisions of the Bill, clause 3, as I have said, contains the main amendment and gives authority for the board to operate outside the Art Gallery. Clause 4 is an amendment to section 20 and gives authority for the creation of a branch gallery. Clause 5 relates to the funds of the board, while clause 6 extends the prohibition of sale.

Here again the Act contains provisions for the sale of works of art in the gallery and I think the board would require similar authority in relation to the branch galleries. However when I spoke to the chairman of the board and other officers from the gallery I ascertained they did not desire this provision with regard to regional art galleries. If one of these regional art galleries wanted to allow an artist to conduct an exhibition in its building then the Art Gallery itself would have no objection. Here again, I am trying to indicate that the arrangement for the regional gallery is different from that for the branch gallery, but I do not think the Bill differentiates clearly enough between the two. Does this Bill prohibit the sale of pictures in regional galleries the same as in branches?

Clause 7 allows the board to manage the affairs of the Art Gallery and its branches and of any other place under the management and control of the board. This clause amends section 29. The amendment to section 18, paragraph (f), allows the board to advise and assist local authorities and other bodies in the establishment, control, and management of regional galleries. It can advise and assist. It does not stipulate that the board will have sole control.

Here again, doubt will remain as to the legal position of the board in regard to the regional galleries. I said earlier that the regional galleries will be the most important development of the extension work of the board and although it is intended under the Bill to clear up this point, it is still very vague. My reading of it may be wrong, and I hope it is; and I am sure the management of the Art Gallery will hope there is no doubt remaining. I would like the Minister to examine this and make quite certain the Bill does as is intended. I support the measure.

Debate adjourned, on motion by The Hon. J. M. Thomson.

House adjourned at 4.55 p.m.

Legislative Assembly

Thursday, the 3rd October, 1968

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

QUESTIONS (23): ON NOTICE

ROAD ACCIDENTS

Number and Causes

1. Mr. GRAHAM asked the Minister for Traffic:

   (1) What number of road accidents—

   (a) casualty;

   (b) non-casualty;