

would this affect the validity of the contract entered into? If the clause was supported by a provision stipulating that a birth certificate was necessary, I am inclined to think it would be more sound.

Then again, what provision, or safeguard, do we have in the measure that the house, when purchased, will be used in accordance with the principles laid down in the Bill? In other words, will the party concerned live in the house as the occupier, or would he, because of the looseness of the drafting of the legislation, tend to take advantage of it and obtain money which he could put to what he thinks would be better advantage? That is problematical, but as I view the legislation it does not seem to be as tight as one would expect when dealing with contracts, including those which are the subject of the Bill.

However, having made that statement it would be futile to deny the availability of money in this particular form which will present an opportunity to a young person to purchase a home. However, although what I have said represents only minor criticism of the Bill, I think the Minister might review the proposals in regard to their practicability in everyday commercial life so that when the legislation is put into effect it will be completely efficient.

Debate adjourned, on motion by The Hon. V. J. Ferry.

*House adjourned at 8.29 p.m.*

## Legislative Assembly

Tuesday, the 17th September, 1968

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

### SWEARING-IN OF MEMBER

THE SPEAKER (Mr. Guthrie): I am prepared to swear-in Mr. Maurice Clifford Williams, the member for Bunbury.

The honourable member took and subscribed the Oath of Allegiance and signed the roll.

### QUESTIONS (12): ON NOTICE

#### POLICE OFFICERS

##### *Housing*

1. Mr. MITCHELL asked the Minister for Police:

- (1) Does his department come within the scope of the Government Employees' Housing Authority Act?
- (2) If "No," would he give the reason why?

- (3) Is he aware that the housing problem of police officers is serious?
- (4) Are steps being taken to provide houses for this important section of Government employees?

Mr. O'CONNOR (for Mr. Craig) replied:

- (1) and (2) Negotiations are currently in progress with the Government Employees' Housing Authority regarding houses occupied by police in country districts.
- (3) Yes.
- (4) The sum of \$100,000 has been made available for the provision of police houses in country areas.

#### TRAFFIC

##### *Underage Driving*

2. Mr. CASH asked the Minister for Police:

- (1) What is the minimum age at which a person can license a motor vehicle?
- (2) How many instances of underage driving have been recorded by his department in the last five years?
- (3) In how many instances have the underage drivers owned the vehicles in which the underage driving offence was committed?
- (4) How serious is the problem of—
  - (a) the underage owner-driver;
  - (b) the underage driver using a vehicle with the knowledge of the owner;
  - (c) the underage driver using a vehicle without the knowledge of the owner?
- (5) Under what circumstances can an underage driver be in control of a motor vehicle?

Mr. O'CONNOR (for Mr. Craig) replied:

- (1) There are no restrictions in the Traffic Act regarding the age of the owner of a motor vehicle.
- (2) This information is not readily available, but the following convictions were recorded in the Children's Court, Perth, for the offence of driving a motor vehicle whilst not being in possession of the appropriate license—

January-December 1966 175

January-December 1967 123

1968 to the end of August 95

These would have included all persons under the age of 18 years, not necessarily those under the age at which a driver's license may be issued.

- (3) Not known.

(4) (a) and (b) The known incidence by "underage" drivers is slight.

(c) This is the offence of "unlawfully using a motor vehicle" (refer: Section 60 of the Traffic Act). During the past five years convictions in the metropolitan area have been—

Year ended—		
30/6/68	....	463
30/6/67	....	496
30/6/66	....	307
30/6/65	....	447
30/6/64	....	677

These totals include offenders of all ages. Juveniles are not segregated. It is virtually impracticable at this stage to examine all briefs to ascertain the ages of offenders. However, the Child Welfare Department advises that for the year ended the 30th June, 1968, 349 persons under the age of 18 years were convicted for this type of offence, five more than for the previous year.

(5) On private property, but not on a road unless in possession of an extraordinary license.

#### WATER SAFETY REGULATIONS

##### *Lake Gngangara*

3. Mr. CASH asked the Minister for Works:

- (1) Does Lake Gngangara come under the jurisdiction of his department in relation to water safety regulations?
- (2) If so, what water safety regulations are now applicable at Lake Gngangara?
- (3) In view of the increase in the use of this lake for water sports, has his department made any recent survey of this area to ascertain if existing safety precautions adequately protect swimmers and the users of marine craft?

Mr. ROSS HUTCHINSON replied:

- (1) Yes.
- (2) Navigable Waters Regulations.
- (3) At the request of the Wanneroo Shire Council the department is preparing to gazette Lake Gngangara and zone it for water skiing and swimming activities.

#### PERTH RAILWAY STATION: LOWERING

##### *Letter of Intent*

4. Mr. TONKIN asked the Premier:

- (1) Has the letter of intent relating to the proposal for the sinking of the Perth Railway Station been prepared?

(2) If "Yes," will he table a copy?

Mr. BRAND replied:

- (1) Yes.
- (2) As the company has not yet received the letter and proposes having an early meeting to discuss its contents, a decision on tabling must be deferred.

#### WATER SOFTENING PLANTS

##### *Priorities*

5. Mr. MAY asked the Minister for Water Supplies:

- (1) What method of priority assessment was utilised to determine the need for the establishment of water softening plants at Albany and Esperance?
- (2) What additional costs, if any, are paid by consumers in each of these two towns?

Mr. ROSS HUTCHINSON replied:

- (1) Priority was assessed following consideration of numerous factors including the initial water hardness and requirements of industry.
- (2) Nil.

#### POLICE FORCE

##### *Strength at Midland*

6. Mr. BRADY asked the Minister for Police:

- (1) What is the strength of the Police Force at Midland?
- (2) What number of —
  - (a) detectives;
  - (b) women police; and
  - (c) police cadets,
 are engaged at Midland?
- (3) Is there provision for policewomen at the new police station?

Mr. O'CONNOR (for Mr. Craig) replied:

- (1) One inspector, four sergeants, and 18 constables.
- (2) (a) One detective-sergeant and three detectives.
- (b) Nil.
- (c) Nil.
- (3) Yes.

#### SEARCH AND RESCUE VESSEL

##### *Stationing at Jurien Bay*

7. Mr. FLETCHER asked the Minister for Police:

- (1) Is he aware that—
  - (a) an apparently now redundant D.C.A. 40-ton search and rescue vessel is due in Fremantle from Cocos Island in a few days? (see recent Press comment);

- (b) no decision has yet been made whether the vessel will remain in Western Australia?
- (2) Will he endeavour at a Federal level to influence a decision to ensure the vessel remains here, in the capacity for which it was designed, to assist fishing and other craft frequently in trouble between Geraldton and Fremantle?
- (3) As these two ports have alternative rescue craft in an emergency will he, subject to acquisition, give consideration to stationing this or a suitable alternative craft at Jurien Bay to assist in rescue work?

Mr. O'CONNOR (for Mr. Craig) replied:

- (1) (a) and (b) Yes.
- (2) It is considered that the size of the boat would require a large crew and, in view of the limited amount of work that could be anticipated, the cost of operating the boat would be prohibitive. For these reasons, it is not intended to make an approach at this stage.
- (3) The Police Department has no funds available for the purchase of such a craft.

#### DAIRY PRODUCTS

##### *Imports*

8. Mr. I. W. MANNING asked the Minister for Agriculture:

- (1) Is a check made by the department of the variety and quantity of dairy products imported into Western Australia from overseas?
- (2) Will he advise the House of the type, quantity, and value of dairy products imported into Western Australia from overseas during the past 12 months?
- (3) Are products similar to those imported being produced in Western Australia?
- (4) Is any encouragement given by the Government to local dairy manufacturing companies to encourage them to satisfy the market now supplied with imported dairy products?

Mr. NALDER replied:

- (1) No. However, all imports of dairy products are subject to Commonwealth Quarantine Acts and regulations.
- (2) As per list tabled herewith.
- (3) Only cheddar type cheese is manufactured in Western Australia. This provides for about 70 per cent. of the total State consumption with the balance coming mostly from the Eastern States.

- (4) No. The small importation of fancy and special type cheeses is likely to continue. Any attempt to produce most of these types in Western Australia would not be economic.

The SPEAKER: In regard to (2), is the list to be tabled, or handed in?

Mr. NALDER: It is handed in.

The SPEAKER: I have examined the papers, and they cover six pages of foolscap. I direct that they be tabled, rather than handed in.

*The list was tabled.*

#### FISH

##### *Imports*

9. Mr. I. W. MANNING asked the Minister representing the Minister for Fisheries:

- (1) Is any study made by his department of the variety and quantity of fish which are imported into Western Australia?
- (2) If so, can he give the House an indication of the extent and value of fish importations from—  
(a) Eastern States;  
(b) overseas?
- (3) Is there a variety of fish obtained from Western Australian waters comparable with the main varieties imported from overseas?

Mr. ROSS HUTCHINSON replied:

- (1) All States and the Commonwealth have agreed upon the species of aquarium fish which may be imported into Australia. This list is available to any members of the public. In Western Australia, an officer of the Department of Agriculture inspects each consignment from overseas. However, compilations of variety and quantity are not kept.
- (2) (a) The movement of aquarium fish interstate is not recorded.  
(b) Because of (1) it is not possible to give an indication of the extent and value of the fish importations into Western Australia from overseas.
- (3) The majority of fish imported are freshwater fish. Similar varieties are not indigenous to Australia.

#### LAND AT BALCATT

##### *Zoning and Subdivision*

10. Mr. GRAHAM asked the Minister representing the Minister for Town Planning:

Will he lay on the Table of the House or supply a sketch or plan

showing the zoning and subdivisional proposals of the area bounded by North Beach Road and Cedric and George streets; also the adjacent areas at the intersection of North Beach Road and Cedric Street, Balcatta?

Mr. LEWIS replied:

The subdivisional design of the area bounded by North Beach Road, Cedric, and George streets is the subject of a town planning scheme proposed by the Perth Shire and may be viewed at the Perth Shire Council's offices.

The whole of this section and the adjacent areas mentioned are zoned residential in the council's zoning by-laws.

There are no known subdivisional proposals for the other areas adjacent to the intersection of North Beach Road and Cedric Street.

## DUPLEX PROPERTIES

### *Separate Titles*

11. Mr. CASH asked the Minister representing the Minister for Town Planning:

Under what circumstances will the Town Planning Board approve a subdivision of land on which a duplex residential property is erected, so that each section of the duplex is the subject of a lot, to enable a certificate of title to be issued for each lot?

Mr. LEWIS replied:

There are no specific circumstances laid down in which the Town Planning Board will approve such a subdivision. It is the board's policy to consider each case on its merits, having regard to the comments of the local authority and servicing departments and the board's subdivisional policy for the area concerned.

## LAND AT WANNEROO

### *Development by Company*

12. Mr. CASH asked the Minister representing the Minister for Town Planning:

- (1) Has he received a report from the Town Planning Board relating to a company that has sold shares to develop land at Wanneroo which is now zoned deferred urban?
- (2) If so, what is the nature of the report?

Mr. LEWIS replied:

- (1) Yes.

- (2) The board has advised me in the following terms:—

The board has noted the recent publicity given to the syndication as a group holding of the interest in lots 12 and 14, Swan Loc. 2405, Napier Road, Wanneroo Shire. It wishes to stress, in the interests of the public at large and with reference to like enterprises that, although group ownership of deferred urban land is lawful in terms of the Town Planning and Development Act, there are procedures which have to be completed before an individual can actually take possession and develop a portion of the group holding and that these procedures may, in fact, prevent an individual from ever obtaining title to a separate parcel of land.

Before the board would approve the subdivision of urban deferred land, the Metropolitan Region Planning Authority would have to take statutory action to rezone the land for urban purposes. The board understands that that authority requires satisfaction on three basic items before it is prepared to take such action. These items are—

- (i) The preparation of an appropriate and acceptable master plan to control in broad terms the future development of the locality in question.
- (ii) Evidence to show that the land can be serviced feasibly with standard urban services.
- (iii) A realistic plan of staged development phased in accordance with the master plan and the supply of services.

Having satisfied the authority on these counts and obtained rezoning of deferred urban land, a developer would then have to submit a plan of subdivision to the Town Planning Board for its approval. The board would, having regard to the master plan, the requirements of the local authority, and of the servicing authorities, then take a decision whether or not to approve the application. It might be that the provisions of the master plan, setting out areas for schools, industry, open space, civic and other community uses, would mean that subdivision for residential use could not be approved.

Certainly, if subdivision were approved by the board, not only would the layout have to conform in principle with the master plan, but also conditions of approval relating, *inter alia*, to construction of roads, provision of open space, installation of water and probably sewer reticulation systems, drainage of land, and possibly a contribution towards installation of sewer and water mains at the cost of the subdivider, would be required. To achieve economies in the servicing of land, the board would also have regard to the rate at which land approved for subdivision was being developed when it looked at applications to subdivide other land in the same locality.

All of these things are done with the objective of securing in the public interest order, economy, and efficiency in the suburban expansion of the metropolitan region. All of these things should be considered by persons contemplating participation in a scheme of group ownership of deferred urban or urban land.

#### QUESTION WITHOUT NOTICE EMPLOYMENT BROKERS

##### *Special Investigation*

Mr. HARMAN asked the Minister for Labour:

- (1) Did he read a Press report on Friday, the 13th September, wherein some employment brokers were described by Trades and Labour Council Secretary (Mr. J. Coleman) as "Nothing more than leeches on the employment scene?"
- (2) In view of this serious allegation, plus information provided in a Press article in the *Weekend News* on Saturday, the 14th September, would he arrange for a special investigation of employment brokers, their activities, and charges?

Mr. O'NEIL replied:

I want to thank the honourable member for having given me some notice of this question. However, he referred to the item appearing in the *Weekend News* on Saturday, the 18th September. The article I am referring to, however, appeared on Saturday, the 14th September, and was written by Mr. Ted Joll. Is that the article to which the honourable member has referred?

Mr. Harman: That would be right.

Mr. O'NEIL: The reply is as follows:—

- (1) Yes; but the report indicates that "all agencies" not "some" of them are regarded as leeches on the employment scene by the Secretary of the W.A. Trades and Labour Council. I have also read a Press report in the *Daily News* of the 13th September wherein employment agencies refute the allegations.
- (2) The Press article in the *Weekend News* is essentially a statement by the Secretary of the Trades and Labour Council amplifying his previous remarks. I note that amongst other things, the Secretary of the Trades and Labour Council is reported to have said—

Though the Trades and Labour Council was opposed in principle to private employment agencies fairness compelled him to admit that some were supplying a needed service and operated honestly.

I do not intend to arrange for a special investigation of employment brokers, their activities, and charges, on the basis of this outburst.

Regular inspection of agencies is undertaken by the factory inspectorate in the normal course of its duties.

#### ART GALLERY ACT AMENDMENT BILL

##### *Third Reading*

MR. LEWIS (Moore—Minister for Education) [4.47 p.m.]: I move—

That the Bill be now read a third time.

In moving the third reading of the Bill I crave the indulgence of the House to enable me to make a statement. I regret that when replying to the second reading debate of this Bill, and when paying tribute to the efforts of various people in stimulating art in Western Australia, I omitted to mention Sir Claude Hotchin.

For many years Sir Claude Hotchin was Chairman of the Art Gallery in Western Australia. Not only was he a good chairman, but, in the course of his philanthropy, he played a very important part in furthering art. He presented over 450 paintings to various local authorities, and these are exhibited in the larger towns of Western Australia. A few of those towns have been stimulated, thereby, into establishing local art galleries.

Mr. Tonkin: How did the Minister come to omit reference to a matter of such great importance?

Mr. LEWIS: I think it is important for the record. I paid tribute to the present director, and to the chairman, and in line with that I should pay tribute to the efforts of the previous chairman. Sir Claude Hotchin did a wonderful job in Western Australia, and I feel that this is the least I could have said. I regret the omission and take advantage of this opportunity to express my appreciation.

Question put and passed.

Bill read a third time and transmitted to the Council.

### ILLICIT SALE OF LIQUOR ACT AMENDMENT BILL

#### *Third Reading*

MR. COURT (Nedlands—Minister for Industrial Development) [4.48 p.m.]: I move—

That the Bill be now read a third time.

MR. JAMIESON (Belmont) [4.49 p.m.]: I regret having to take the time of the House at the third reading stage, but I want to put forward some points. Due to circumstances, mainly beyond my control, I was unable to be present at either the second reading stage, or at the Committee stage of the Bill.

I have had a brief look at the debate which took place, and I regret to say that the Minister did not take the matter as seriously as he should have done. I refer to some of the complaints made, and I feel that fooling around with legislation, without knowing what it is doing, appears to be the case of the Government in this instance. That is not doing justice to anybody.

There are certain features about this legislation, and its associated legislation, that leave a lot to be desired. Apparently the Minister is not one of those who visit night clubs or night spots, because some of his arguments appear to be rather strange. For instance, the Minister maintains that some of the new provisions contained in the legislation before us are aimed at stopping the sly-groggers—those nefarious people who sell liquor for profit. I do not have a great deal of truck with those people, but there are certain circumstances, which I intend to outline, where I think it will be agreed a certain doubt exists.

We already have an Act which covers licensing matters, apart altogether from the Illicit Sale of Liquor Act, and if a person conforms with the provisions of the Licensing Act he cannot be charged with the illicit sale of liquor. Therefore, why we need to have two Acts to cover the one set of circumstances, I do not know. Instead of introducing amendments to this very old Illicit Sale of Liquor Act, I think it would be better to amend the Licensing Act to cover the position. In that way

people would know where they were going because we would have one law, and one law only to cover the position instead of having two Acts, one of which was introduced to prevent sly-grogging on the gold-fields—people making hooch, and so on—as far back as 1913. To require an Act to cover that sort of situation in these modern times is ridiculous.

However, I draw the Minister's attention to the fact that if he is one of those who visit night clubs, as some other members do—I have been guilty of this, and probably the Premier has too—then he has probably been guilty of contravening the Act in some way by involving the proprietor of the premises he visits in illegal trading in liquor. One does not have to be actually selling liquor to be trading illegally in liquor; because I draw the Minister's attention to section 241 of the Licensing Act which states—

The delivery to any person of liquor by a licensed or unlicensed person or by the owner or occupier of any licensed or unlicensed house or premises, or by his servant or other person in any licensed or unlicensed house or premises, shall be *prima facie* evidence of money or other consideration having been given or exchanged for such liquor.

In other words, if you and I, Mr. Speaker, or may be the Minister, in one of his more hilarious moods, went to a night club and, at the end of the evening, when there were several bottles of amber fluid left over, left those bottles on the table, we would be placing the proprietor in the position where, if he put his hand on those bottles, after we had left, he would be guilty of trading in liquor. That is how stupid the provisions of the Act are at the present time.

The obvious thing to do is to have a thorough investigation of all aspects of our licensing laws because, as the Deputy Leader of the Opposition said, we are a very backward State in the matter of our liquor laws. In my view we could have a good look at the South Australian legislation where that State seems to have gone from the sublime to the ridiculous in about 12 months. All the illegal trading that used to take place on Sundays, evenings, and at other times, has been completely legalised, and the hours set out in the Licensing Act are very liberal.

My colleague, the member for Northam, also made reference to sporting clubs and this is a matter that does concern me. I have attended gatherings of different sporting clubs in the Minister's area, and in the area represented by the Minister for Works, during the past few weeks, and there is no doubt that the committees of those organisations are guilty of offences against the Act, and they could be charged and fined the amount set out in the legislation. Most members are, or have been,

associated with amateur sporting bodies and they realise that the committees make very little out of any liquor that is served these days. However, the fact is that liquor has to be provided and it has to be paid for. Surely we are not so naive as to believe that the liquor is supplied free. Because it has to be paid for, the committees concerned are committing an offence.

The Minister said that by Parliament increasing the penalties, the magistrates would realise that Parliament considered such offences warranted more attention being paid to them and more severe penalties being applied. Therefore, if the secretaries of any of these sporting bodies are charged with offences against this Act in the future, magistrates will take the view that Parliament considers heavier penalties should be applied. In my view, in most cases these officials would be unjustly penalised; because I am sure Parliament does not intend that increased penalties shall be applied to such bodies or organisations as exist in every member's district.

Because these amateur sporting bodies exist in every district, surely members do not intend to sit quietly by and allow the penalties to be increased when they can be applied to any one of a dozen secretaries of various organisations in every electorate! These people are conducting legitimate organisations without any idea of becoming millionaires from the sale of liquor. However, it is abundantly clear that these people transgress the law in many respects. To me it is no laughing matter; although the Minister seemed to think it was, because he passed it off as such when he indicated that the legislation was designed to prevent certain illegalities.

In addition, there are some people who conduct a legitimate business at their night clubs. I have been in the presence of other members of Parliament at these night clubs, and when we have got up to leave there have been probably a couple of bottles of beer and half a bottle of Scotch on the table. Nobody wants to take that amount of liquor home because it is impossible to share it between five or six people; so it is left behind. But as soon as the proprietor puts his hand on that liquor he is guilty of an offence. I suppose he could knock it off the table onto the floor with the aid of a broom, but then it would have to be cleaned up. However, if he puts his hand on it he is guilty of an offence.

If several customers leave liquor on the table each day in that way, at the end of the week the proprietor will have a room full of bottles and half bottles of various types of liquor. Obviously, if the police raided his premises the fact that he has liquor there indicates that he has

it for sale and he would be guilty of an offence, irrespective of whether he intended to sell it or not. That is the law.

All members were invited to a show at the Old Music Hole, but the invitation clearly stated that members would have to bring their own liquor. The people in charge of this place of entertainment are not permitted to sell liquor; they are not even allowed to give liquor away to any guests that they may have. So it can be seen there are many provisions in our licensing laws that need to be tidied up instead of attacking the position in this piecemeal way in the hope of catching some nefarious people who are indulging in illegal practices.

I am more concerned about the fact that the amendments contained in this Bill will be an indication to the magistrates that we want higher penalties imposed on people who, because of the activities in which they indulge—such as those who are connected with sporting clubs, to whom I have already referred—are breaking the law as it exists at the moment. Most will agree that some form of liquid refreshment is required at these gatherings, otherwise they do not click—they are not a success. Whether this is a desirable practice or not I am not prepared to say, but that is the pattern these days. We all know it goes on and it is up to us to find a way out of the present situation in order to protect those who are becoming involved as a result of our out-of-date laws.

There are a dozen and one ways in which the Act could and should be amended—and amended urgently. I hope the Government will give the matter urgent consideration to ensure that people who are only doing their best for organisations in their district are not penalised by the rather steep increases in the penalties provided by this legislation. It appears that the idea is to indicate to the magistrates that we want the present practice stamped out and that it is Parliament's desire to impose increased penalties, but we do not say what action should be taken. What is being dealt with is the illicit sale of liquor, irrespective of whether it is in a night club, in a sporting club, at a local P. and C. cabaret evening, or elsewhere. No matter where it is, it is still the illicit sale of liquor.

If justice is to be done as the magistrates see the position, everybody must be treated alike. The same penalty must be imposed if these people are found to be trading in liquor.

I have no great desire to be associated in supporting this legislation, and because of what I have said I wish to record very clearly that I am opposed to increasing these penalties, because the Government has not indicated who it intends to attack by this imposition of higher penalties.

**MR. COURT** (Nedlands—Minister for Industrial Development) [5.1 p.m.]: I appreciate the circumstances under which the member for Belmont was unable to attend last week and contribute to the discussion on this piece of legislation. I also appreciate the fact that he has taken this opportunity to express his views.

Let me assure the honourable member that I did not treat the legislation facetiously at all. There may have been one or two bantering interjections, but there was certainly no desire on my part to treat the legislation lightly, because it is a very serious matter. I also want to assure the honourable member that the Government is conscious of the fact that we are passing through changing social times. I think the Premier has from time to time indicated that the Government is conscious of this fact, and it will keep the licensing laws under review.

One must realise, however, that the next time we review the licensing law in a major way it will be a colossal task. It is not something that can be done overnight.

**Mr. Tonkin:** Why not?

**Mr. COURT:** It is not something that can be done at the whim of somebody who wishes to scrub all the laws or rewrite them. When we rewrite such laws we must know the circumstances for which provision is being made, otherwise greater anomalies can be introduced.

I do not say that the licensing law is perfect; it never will be. But when it is altered there is always a chance of bringing about a further anomaly. There will, of course, be a pattern of social change over the next 50 years, as has been the case over the last 50 years. The attitude to drink has changed immeasurably in the last generation.

I want to assure the member for Belmont that the reason this legislation is brought forward is to deal with a specific problem. At no stage did the Minister in another place, or I here, indicate that this was intended to be a sweeping amendment of the licensing laws. Had that been the case we would have dealt with the matter in the appropriate Act.

The Bill before the House seeks to deal with the situation, which can only be dealt with effectively and quickly through this particular legislation. The member for Belmont referred to section 241. He knows as well as I do, I am sure, that this provision is in the legislation for a particular purpose.

When we are dealing with things like liquor, betting, and so on, we are dealing to some extent with a group of people, the minority of whom—and I want to emphasise that—have their own particular ideas as to what the laws mean.

It is therefore necessary for the Legislature, from time to time, to bring in these rather sweeping powers, in this case in relation to section 241. The evidence is *prima facie* evidence, and it is up to the proprietor or person charged to prove, as is reasonable and proper, that the circumstances were such that he was not trading in liquor.

This might seem a bit harsh, but the reason it is done is to make people more responsible, and to avoid subterfuge, which is so often resorted to by this type of person. We hear a great deal about the effect of alcohol and drinking, but it seems to me that every time we bring down legislation to control this aspect there is a hue and cry which indicates a desire to give more freedom to everybody concerned.

**Mr. Graham:** It is control which causes more heavy drinking, as you should have learnt from your travels abroad.

**Mr. COURT:** That is only a matter of opinion. It has been said by some people that if there were no liquor laws they could not be broken, which, of course, is true. But this is not a sensible approach, because we must have laws of this type to ensure the sensible handling of liquor. The Government did not put this legislation forward as a sweeping amendment to the licensing laws, but as something to deal with a particular situation; and this is the only effective way to handle it.

Question put and passed.

Bill read a third time and passed.

### THIRD READING DEBATE

#### Extent

**THE SPEAKER** (Mr. Guthrie): I wish to draw the attention of members to the somewhat limited nature of what is permissible in a third reading debate. I appreciate the difficulties that beset the member for Belmont last week, and I also appreciate the fact that my predecessor permitted, more or less we might say, a repeat second reading debate on third reading.

I must make it clear, however, that this is not permissible, and I shall read to members the appropriate passage from *May's Parliamentary Practice*. It can be found in the 17th edition at page 524. It reads as follows:—

Third reading.—The purpose of the third reading is to review a bill in its final form after the shaping it has received in the earlier stages. For this reason amendment, other than verbal, is no longer permissible on third reading. Hence also debate is confined strictly to the content of a bill, and cannot wander afield as on second reading.



## MENTAL HEALTH ACT AMENDMENT BILL

### *Third Reading*

Bill read a third time, on motion by Mr. Ross Hutchinson (Minister for Works), and passed.

## MEDICAL ACT AMENDMENT BILL

### *Second Reading*

MR. ROSS HUTCHINSON (Cottesloe—Minister for Works) [5.8 p.m.]: I move—

That the Bill be now read a second time.

On the 3rd August a 15-bed hospital, complete with operating theatres, delivery suite, and the like, was opened at Exmouth. It is confidently believed that this hospital will be used by both Australian and American nationals. It is indeed a further step in the general integration of the town.

Naturally enough, most of the Americans desire to be treated by their own doctors and this particularly applies to service personnel. There are two qualified American service doctors currently stationed at Exmouth. Whilst under the laws of Western Australia these doctors can treat their own nationals in our hospital, they cannot, at the present time, treat Australians.

On the face of it, this may appear to be somewhat inexplicable. However, lack of reciprocity between the respective countries is the real reason. America demands that Australian doctors wishing to practise in America should undergo an examination. I am advised that some 55 per cent. of our graduates take an examination which does entitle them to registration in America. Naturally, this requirement precludes automatic reciprocity between Australia and America. American doctors, likewise, must undergo an examination before they are accepted for registration in this State. In ordinary circumstances this presents little or no difficulty. However, in Exmouth, it is desired to change the situation.

The position at the present time is that we have one registered medical practitioner working in Exmouth. We are faced then with the situation where there are two American registered doctors legally entitled to work on their nationals in the Exmouth Hospital and one Western Australian registered medical practitioner legally capable of working on Australian nationals in that hospital. It stands to reason that the two American doctors would desire to assist the Western Australian registered medical practitioner if the occasion arose when it was desirable for them to do so. There are matters such as anaesthetics and the like in the normal routine, and then, of course, there is always the possibility of an emergency situation developing.

Under the present legal position these American doctors would be running grave risks in assisting. This would be quite unfair and it is desired to correct the situation by the terms of the Bill.

The matter has been discussed with both the doctors and with Captain Friedman. The best method of overcoming the problem would appear to be a small amendment to subsection (2) (c) of section 11 of the Medical Act. This section states, *inter alia*, that any person who satisfies the board that he is registered as a person entitled to practise medicine or surgery in any State or Territory of the Commonwealth and his sole occupation is that of a medical officer permanently attached to any of the armed services of the Commonwealth may, if the Minister in his absolute discretion thinks fit, be registered as a medical practitioner under the Act.

The amendment therefore proposed in this Bill is to allow the Minister, in his absolute discretion, to register medical officers attached to armed services other than those of the Commonwealth. The routine would then be that the two American medical practitioners would satisfy the board as to their good fame, and character, etc., as specified under section 11 (2) of the Act, and the Minister, in his absolute discretion, could agree to their registration to practise without fee or reward in the Exmouth Hospital.

Mr. Bickerton: Will that be at Exmouth only, or will they be able to practise anywhere once they are registered?

Mr. ROSS HUTCHINSON: Whether they can practise or not would be subject to the Minister's absolute discretion. This would then give these doctors the necessary legal protection to allow them to practise in the hospital and to assist our own doctor as and when it was felt fit and necessary. I commend this Bill to the House.

Debate adjourned, on motion by Mr. Jamieson.

## JUSTICES ACT AMENDMENT BILL

### *Receipt and First Reading*

Bill received from the Council; and, on motion by Mr. Court (Minister for Industrial Development), read a first time.

## BILLS (2): RETURNED

1. Metropolitan Water Supply, Sewerage, and Drainage Act Amendment Bill.
  2. Superannuation and Family Benefits Act Amendment Bill.
- Bills returned from the Council without amendment.

**TRUSTEES ACT AMENDMENT BILL***Second Reading*

**MR. COURT** (Nedlands—Minister for Industrial Development) [5.14 p.m.]: I move—

That the Bill be now read a second time.

This Bill has been drawn up in response to representations by the Law Society. It amends the parent Act in three respects.

Firstly, it authorises the common funds of the two statutory trustee companies and the Public Trustee as modes of investment open to trustees. Secondly, it clarifies some wording in the section of the Act providing some miscellaneous powers in respect of property and with reference to appropriation of any part of the property in or towards satisfaction of any legacy. Thirdly, it clarifies existing provisions covering the allowance of commission by the court for the trustees' services, whether it be at the termination of the trust or from time to time.

In sponsoring the first amendment the President of the Law Society of Western Australia advised that, for some time past, its Law Reform Committee had been studying the position of the common funds of the two companies in relation to investments trustees are authorised by law to make. Mention was also made of the Public Trustee, operating on a similar fund.

The Law Society points out that the companies invited investors to deposit money in their respective common funds and that a dividend paid to the depositor, in the case of the Perpetual Trustee Company, is usually in the vicinity of 7 per cent.

The fund itself is not an investment in which trust moneys may be deposited, but the 1951 amendment to the Perpetual Executors, Trustees and Agency Company (W.A.) Limited Act and the West Australian Trustee Executor and Agency Company Limited Act provided that the moneys held in the common fund can only be invested in the modes of investment permitted to trustees, which is the statutory safeguard for investment of trust moneys.

While the Law Reform Committee of the society considered that there were certain aspects of the administration of the funds which might cause trustees to reflect a little before investing in principal, those funds are nevertheless a very suitable source of investment for trustees. The main administrative detail which might cause some concern is the restriction which at least one of the companies places on the amount which it will accept for deposit. At present, this company is not prepared to accept an amount less than \$3,000. This restriction can be altered by the company itself, however, at any time,

and if trustees are permitted to invest in this common fund, the restriction may well be removed.

It was considered that the society's proposal merited favourable consideration, as it would remove the difficulty which trustees have in finding authorised investments for particular funds.

The trustee companies are jealous of their reputation, and ensure that investments of their common funds are on a conservative basis and restricted to authorised trustee investments. Under these circumstances there would be no risk in authorising their common funds as trustee investments. They provide a secure investment which at present is not available to trustees, generally, as the Act does not authorise such investment of the many extraneous sums a trustee would want to invest. In themselves they are too small to permit of favourable investment but, when combined with other trust moneys, would amount to a considerable sum capable of being invested in the common funds, the profits of which are distributed *pro rata* among the various contributors.

The second amendment affects section 30 of the Act, and will clarify certain wording which appears in paragraph (k) of subsection (1). This section, dealing with miscellaneous powers in respect of property, permits every trustee, in respect of any property for the time being vested in him, to appropriate any part of the property in or towards satisfaction of any legacy payable thereout or any share thereof to which any person is entitled. The words "or any share thereof" have no clear application, however, so some doubt has arisen as to the proper construction of the paragraph.

Opportunity is taken, in introducing this Bill, to remove an ambiguity in the interpretation of the section as to whether "share" is restricted to share or part share in a legacy only, or to a beneficiary's entitlement to a share of the estate.

Paragraph (k) requires a trustee who is appropriating property to give notice to all persons of full age and full mental capacity, who are interested in the appropriation, and to the parent or guardian of an infant who is interested in the appropriation.

In many cases, the trustee is, in fact, the guardian and so is required to give notice to himself. The Law Society considers that, where the trustee is required to give notice to himself in another capacity, an application should be made to the court for an order confirming the appropriation. This is a matter of an additional safeguard. A new subsection is added to eliminate the former requirement and to require the trustee to obtain leave of the court in those cases.

Whilst there have been no instances which might give rise for concern, the proposal submitted by the society would avoid any appropriation contrary to the interests of other beneficiaries, particularly minors, and a suitable amendment will authorise the procedure desired.

Another amendment in this Bill will make it clear that the trustee is entitled to be allowed commission on the gross value of the trust property, either at the termination of the trust or in appropriate portions allowed by the court from time to time, in respect of services progressively rendered. It is normal practice for trustees to obtain interim payments of commission not exceeding in the aggregate the maximum amount allowable by the court. The fact that the Act stipulates that the maximum commission is not to exceed 5 per cent. does not, in practice, mean that trustees receive that maximum percentage.

The practice of the court is to vary commission according to the complexity of the work that the trust entails; as, for instance, where all assets consist of money in a bank account, the trustee might be allowed only a fraction of the maximum commission, as generally the court allows much less than the statutory maximum. But the court does not necessarily wait for the termination of the trust. Some go on for a fairly indefinite period; sometimes there is a number of successive trustees; and sometimes a trustee dies and another carries on in his place. The relative subsections of section 98 have been redrafted to leave no doubt that a trustee is quite entitled to approach the court from time to time with a view to receiving an allowance of commission for work progressively carried out.

Debate adjourned, on motion by Mr. T. D. Evans.

### **MOTOR VEHICLE (THIRD PARTY INSURANCE SURCHARGE) ACT AMENDMENT BILL**

#### *Second Reading*

**MR. NALDER** (Katanning—Minister for Agriculture) [5.23 p.m.]: I move—

That the Bill be now read a second time.

This Bill to amend the Motor Vehicle (Third Party Insurance Surcharge) Act, 1962-1965, is a small measure which is designed to add further categories to a list of vehicles that are exempt from the payment of a surcharge in respect of the appropriate premium payable under the Motor Vehicle (Third Party Insurance) Act, 1943.

Provision is also made for the amendment to have retrospective application to embrace certain classes of vehicles that are already in receipt of exemption from payment of the surcharge, and so legalise an existing practice.

Vehicles which are presently exempted from payment of this surcharge under section 3 subsection (2) of the existing legislation are—

- (a) vehicles that are used or intended to be used solely for interstate trade, commerce, or intercourse;
- (b) a caravan (trailer type) as described in the second schedule to the Traffic Act, 1919;
- (c) a trailer as so described;
- (d) a tractor (other than a prime mover type) as so described; or
- (e) a motorised wheelchair designed for the use of or by incapacitated or crippled persons only.

The amendment proposed in this Bill will add to these exempted vehicles the following:—

- (f) a motor vehicle in respect of which a vehicle license issued under part IIA of the Traffic Act, 1919, is in force;
- (g) a motor vehicle in respect of which a vehicle license limited to private use issued under part II of the Traffic Act, 1919, to the Governor, is in force;
- (h) a motor vehicle in respect of which a vehicle license issued under part II of the Traffic Act, 1919, to a person engaged in a full-time capacity as an accredited diplomatic representative, consul, or consular officer of a country, is in force; or
- (i) a motor vehicle that belongs to the Crown or a local authority in respect of which a vehicle license issued under subsection (3) of section 2 of the Traffic Act, 1919, is in force.

The proposed exemption provided in paragraph (f) was submitted following representations by the Minister for Shipping and Transport, Canberra, and is made to conform with the provisions of the United Nations Convention on the taxation of road vehicles for private use in international traffic adopted in Geneva in 1956. It refers to vehicles licensed under part IIA of the Traffic Act, which deals with overseas motor vehicles when temporarily in Australia.

I will read the text of article 2 of the convention, which will explain the provision agreed on in respect of international traffic. It states—

Vehicles registered in the territory of one of the Contracting Parties, and vehicles allowed to be brought into circulation on such territory and exempted from the obligation to be registered, shall, when temporarily imported for private use in the territory of another Contracting Party, be exempted, under the conditions laid down below, from taxes and charges

levied on the circulation or possession of vehicles in the territory of that Contracting Party. This exemption shall not apply to tolls or to taxes or charges on consumption.

This means, of course, that Australian subjects who travel to any other country which is a party to this convention receive the same exemptions as those applicable to anyone coming to this country. The amendment puts into effect what is actually standard practice in these other countries.

The remaining three categories, under (g), (h), and (i), were suggested by the Commissioner of Police to legalise the existing practice in exempting vehicles registered by His Excellency the Governor, diplomats, career consular representatives, local authorities, and the "Crown."

Debate adjourned, on motion by Mr. Graham (Deputy Leader of the Opposition).

## **RAILWAYS DISCONTINUANCE AND LAND REVESTMENT BILL**

### *Second Reading*

**MR. O'CONNOR** (Mt. Lawley—Minister for Railways) [5.29 p.m.]: I move—

That the Bill be now read a second time.

The purpose of this Bill is to make legal provision for the closure of four small sections of railway. The first three sections have been rendered redundant by the construction of the new marshalling yards at Merredin. With the relocation of the marshalling yards it has been necessary to provide for slight rerouting of the branch lines from Bruce Rock and Nungarin to connect them with the new marshalling yards.

I have a Railways Department plan which I shall table, as this shows clearly the new branch line connections and the small sections of line which are now no longer required. As the main line from Perth has also been deviated through the new marshalling yards, a section of the original main line, a little over a mile in length, will also no longer be required. The Bill proposes to close this section of line.

Provision is also made in the Bill for the land, on which these sections of railway to be closed are located, to be reverted in Her Majesty as of her former estate, with the exception of a small area on which the railway barracks are located.

In case some members may be interested, 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 these railways.

There is another small length of railway which this Bill deals with, and that is the remaining section of the old Geraldton-Northampton-Ajana railway. The provisions of the Railways (Cue-Big Bell and Other Railways) Discontinuance Act, No. 76 of 1960, (Geraldton-Northampton section) excluded that portion of the line between Bluff Point and approximately the Chapman River for possible future use as an industrial spur. Requirement for this has not arisen and the Main Roads Department now has need of 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.

I do not think there is anything controversial in this Bill. The sections of line referred to are redundant and are of no further use to the department. In certain instances they are required by other departments. I commend the Bill to members, and I submit for tabling the plan to which I referred.

*The plan was tabled.*

Debate adjourned, on motion by Mr. May.

## **POLICE ACT AMENDMENT BILL**

### *Second Reading*

**MR. O'CONNOR** (Mt. Lawley—Minister for Transport) [5.32 p.m.]: I move—

That the Bill be now read a second time.

This Bill to amend the Police Act has a two-fold purpose. The first objective is to amend section 76G of the Act, which at present deals with male persons who live on the earnings of prostitution. At the last meeting of the Standing Committee of Commonwealth and State Attorneys-General, the question of extending our law to meet the requirements of the International Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others was discussed and, as a result, the Commonwealth has requested all States to take this action so that Australia may accede to the convention.

The only respect in which our law does not presently meet the requirements of the convention is that it does not punish the female who lives on the earnings of prostitution. There is no valid reason for such an omission and the Bill seeks to amend the Act to cover any person, male or female.

The second section concerns that part of the Act which deals with opium and dangerous drugs. Last year, certain amendments were made to this section of the Act and to the Poisons Act, but no action was taken to bring the prohibited plants and specified drugs under section 94A subsection (2) (c) of the Police Act, although they remain under the Poisons Act.

As prohibited plants include marijuana, it is felt that, although the drug problem at this stage has made little impact on this State, its control should also be linked to the Police Act as, from the information available from other countries and States, it is apparent that marijuana is generally used by people who attend what are commonly known as "pot" parties. At these parties marijuana is rolled into cigarettes and passed from one person to another for smoking.

In the event of police visiting any premises where such a drug party is being held, it would only necessitate the dropping of the marijuana and the cigarettes containing marijuana onto the floor and then possession under section 94B subsection (2) could only be proved with extreme difficulty, particularly if a lesser number of cigarettes containing the marijuana was being smoked than there were persons actually smoking the cigarettes.

In view of this, it is considered that the smoking of marijuana could be more easily controlled if it were brought under section 94B subsection (1) of the Act. I commend the Bill to the House.

Debate adjourned, on motion by Mr. Brady.

## WESTERN AUSTRALIAN MARINE ACT AMENDMENT BILL

### *Second Reading*

**MR. ROSS HUTCHINSON** (Cottesloe—Minister for Works) [5.38 p.m.]: I move—

That the Bill be now read a second time.

Over recent years a number of matters which have received the attention of the Harbour and Light Department have indicated that the following proposed amendments to the Western Australian Marine Act, 1948-66, are necessary to enable the department to administer the Act more satisfactorily.

The Bill proposes to amend section 17 of the Act and this amendment is intended to enable the State to ratify the International Labour Office Convention requirement that the operators of harbour and river ships shall keep a register of all employees under the age of 16 years. This provision is to ensure that, in accordance with International Labour Conference Convention No. 58, children under the age of 15 years shall not be employed, or work, on vessels other than vessels upon which only members of the same family are employed.

Other relevant clauses refer to penalties under section 17 of the Act and provide for an increase in the penalty for a breach of any regulations applicable to requirements for coast-trade and harbour and river vessels. The existing penalties were set in 1948 and are not considered to be an adequate deterrent in present-day conditions.

Another amendment, to section 21 (3), seeks to delete the proviso to this subsection which states that engineer's certificates are not necessary on vessels used north of the 27th parallel of south latitude. In 1948, when the Act was proclaimed, marine activity in the north-west was negligible and considerable difficulty was encountered by the employer in meeting the requirements of the subsection which relates to engine room manning. This situation no longer exists with the current north-west development, and certificated personnel are available.

Another clause, relating to section 21 (5), provides for increases in penalties for uncertificated persons acting in the capacities of masters, mates, and engineers on coast trade and harbour and river vessels and also for persons employing uncertificated personnel in these capacities. Here again, the existing penalties were set in 1948 and it is considered they are an inadequate deterrent in present-day conditions.

The Bill also provides new subsections (7) and (8) to section 21 to enable the department to ensure that certificated personnel are on their duty stations on harbour and river vessels when they are considered most necessary. There have been cases where personnel with suspended certificates have continued to operate in the capacity of the certificate whilst employing a certificated person on board the vessel to perform other duties such as deckhand or barman. This amendment will obviate the practice of dummyming, which has received a good deal of attention from a number of people who have been in touch with the department and myself claiming that it should not be allowed to continue.

An increase is provided in the penalty for overloading any passenger vessel, and an additional penalty is provided for the carriage of every passenger over the permissible number to be carried. Here again, the existing penalties were set in 1948, and the deterrent will be more satisfactory under the new schedule.

A new section 91A is proposed, and the purpose of this new section is to require coast-trade vessels meeting with any serious dangers to navigation, such as those listed in the Bill in the appropriate clause, to make a report to ships in the vicinity and to shore stations of the danger. This ratifies the Commonwealth Government's acceptance of the requirements of the Safety of Life at Sea Convention at Geneva in 1960.

Another provision adds a new amendment to section 92. The purpose of this new section is to require coast-trade vessels to proceed to the assistance of distressed ships or aircraft. Provision is made for the master of the distressed vessel or aircraft to requisition any

vessels in the area which he considers may be capable of rendering the best assistance. Provision is also made for the release of vessels from this obligation when a vessel has been requisitioned to proceed to the assistance of the vessel or aircraft in distress. Under the new section, penalties are provided for non-compliance with the requirements of the section. This amendment will, as requested, enable the State to ratify the Commonwealth Government's acceptance of the requirements of the Safety of Life at Sea Convention at Geneva in 1960.

A further clause proposes the repeal and re-enactment of section 98 of the Act to clarify the authority of the Harbour and Light Department to refer the matters of casualties, incompetency, and misconduct of vessels or persons under State jurisdiction to a court of marine inquiry. The existing section was found to be ambiguous in that there was some doubt as to the department's authority to prefer charges where a collision had not actually occurred. This clause will remove the doubt.

An amendment to section 105 repeals subsection (1) and re-enacts it to clarify the authority of the Court of Marine Inquiry to hold formal investigations into casualties affecting licensed fishing and whaling vessels, and into charges of misconduct and incompetency of persons holding certificates to operate these vessels. The amendment also clarifies the authority of the Court of Marine Inquiry to hear joint charges of misconduct and incompetency against multiple offenders involved in the same incident.

Yet another amendment to section 185 (2) provides for an increase in the penalty for non-possession of a boat license in connection with fishing, pearling, whaling, or hire vessels. The penalty of \$100 was set when the Act was proclaimed in 1948 and is now considered an inadequate deterrent under present-day conditions.

Amendments to penalties under section 204 of the Act provide for increases in the penalty for a breach of any regulations applicable to requirements for fishing, pearling and whaling vessels, and hire boats. Here again, the existing penalties were set 20 years ago and are not considered an adequate deterrent at the present time.

An interesting amendment is proposed to section 205 in division 2 which deals with private pleasure boats. The relevant existing section defines a "vessel" as being other than one propelled solely by oars or other prescribed power. Under the existing interpretation, the department has not the power to enforce the carriage of safety equipment on rowing boats in unprotected waters. Rowing boats are subject to the same dangers as power boats when in unprotected waters and should for

safety reasons carry the prescribed equipment. It is not intended that this equipment be elaborate in any way; but, in the interests of boat safety, rowing boats should carry a waterproof red hand flare, a waterproof orange smoke flare, an efficient anchor and line, and a life jacket for each person on board.

A provision is included for increase in the general penalty covering breaches of sections of the Act for which no penalty is specifically provided. The existing penalty of \$20 is considered to be inadequate as a deterrent.

Debate adjourned, on motion by Mr. Graham (Deputy Leader of the Opposition).

## EDUCATION ACT AMENDMENT BILL

### *Second Reading*

Debate resumed from the 3rd September.

**MR. DAVIES** (Victoria Park) [5.48 p.m.]: The measure proposes to do five things. Firstly, it provides a subsidy for students attending high schools. Secondly, it proposes allowances for special reading and reference books for matriculation students. Thirdly, it suggests there shall be library subsidies for all schools. Fourthly, the annual subsidy paid to students attending primary schools and non-Government schools will be raised from \$10 to \$20; and the fifth amendment relates to school attendances.

Let me say that we do not propose to oppose the Bill in any way whatsoever, except to criticise its inadequacies and also its vagueness. When I mention "vagueness" let me say that, contrary to the usual procedure in the House, no estimated amount of what the proposed concessions will cost the Government each year was given. I would have thought the Minister would be able to say that the amount of subsidies would cost X-thousand dollars, the amount of textbook subsidies would cost Y-thousand dollars, and so forth. In this regard the measure is particularly vague and we criticise it from that aspect.

The Opposition also criticises the measure because, although it states there shall be allowances for special reading and reference books for matriculation students, that is about all it does say. We would have liked some detail as to the amount of money to be spent in this direction and as to how the money will be disbursed amongst the various schools, institutes, etc., which will qualify. In that regard the Bill is delightfully vague.

I am sure every member of the House, in addition to anyone outside of Parliament who takes an interest in the future of the State, would agree wholeheartedly that the whole of our future depends on education. It does not depend on industrial development nor does it depend on

mineral finds; because if we do not have properly qualified and educated people who are able to look after industry then we will be in a pretty sorry state.

Every member of Parliament at least, I should think, would like to see a more adequate education system than that which exists at the present time. If the system is to be improved, then we need adequate schools, staff, and, above all, a properly prepared plan; we must know where we are going with our education. I am not referring only to tertiary-level education but to secondary and primary education as well. In fact, I am referring to the whole of our education system. We must be prepared to spend much more money on education than is being spent at the present time.

I was shocked to find that Australia is slipping in the list of countries which spend money on education. In a recent publication which I came across, I found that we now stand fourteenth in the world in regard to the amount of gross national product which we spend on education.

Mr. Lewis: Are you talking about Australia, or Western Australia?

Mr. DAVIES: I am talking about Australia. Whereas Canada spends something like 8.5 per cent. of its national product, Australia spends only 4.3 per cent. They are the figures for the year ended 1965, which are the latest obtainable. Unfortunately, I have not been able to find any figures relating to subsequent years. Indeed, I must thank the Young Liberal Movement for publishing these figures.

Mr. Lewis: What do they include in the general term "education"?

Mr. DAVIES: I cannot answer that question adequately, but I should imagine it is instructing children so that they will be properly prepared to take their place in the community. I cannot be pedantic and go into detail.

Mr. Lewis: I thought you might have known, or that some detail might have been given.

Mr. DAVIES: Perhaps the Minister will be able to find this out if he writes to 140 Hay Street, which is the address given here. Personally I think it should read 1140 Hay Street.

Mr. Gayfer: 1080.

Mr. Fletcher: That is poison.

Mr. DAVIES: On this occasion the paper which I am quoting from is the official magazine of the Young Liberal Movement. I am pleased to see that this movement, together with other sections of the community, is expressing some concern at the amount of money being spent on education in Western Australia. It is easy to be profound on a matter such as this, but I do not propose to be profound. I merely wish

to express some concern over the lack of a proper plan in connection with the various facets of education.

We should give to those who want as much education as they can take, and I consider that education should be given to them at an absolute minimum cost. Nevertheless we find that the trend in regard to education costs is continuing to mount, even for students attending primary schools. At University level, one finds that many students are being costed right out of attending University at all.

This is a great pity. We talk about our high standard of living but this, too, is something of a myth. The other day, I was reading an article in the Chamber of Commerce magazine, I think it was, which gave figures to illustrate that we are nowhere nearly as highly placed on the list of countries which enjoy a good standard of living as popular opinion would have us believe. However this is getting away from education.

As recently as the 3rd September, *The Australian* printed an article which says that approximately 20 per cent. of pupils who could matriculate and go to universities are being forced to leave school too early because of poverty. This is a very pertinent point. We should try to see that our education system is geared so that no-one is denied an education because of cost.

Every member will be aware of the recently announced increases in University fees. I am rapidly becoming concerned with the trend at the University and I wonder whether it is being administered as cheaply as it could be. At times there seems to be quite a considerable waste of money in some of the performances which go on down there—if I can use that expression. I am mindful of the occasion when Haile Selassie was given an honorary doctorate during his recent visit to Western Australia; the pageantry on that occasion fairly sickened me. I did not think I would ever see in a country, such as Australia pretends to be, the bowing and scraping which went on that evening.

This is not the only matter of which I complain, because various things are reported to us from time to time. I just wonder whether the financial affairs of the University are as carefully scrutinised as they could be.

To return to the point under discussion, whilst I welcome the proposals contained in the Bill, overall they do not go very far towards giving us the answer to as complete an education system as we would desire.

Many people within the community are actively concerned with education. There are groups at the University and groups within the Teachers Union. In fact the journal of the Teachers Union over the

past 12 months has been one of the brightest things to hit my desk out of the second-class reading matter which comes to every member of Parliament.

Mr. Ross Hutchinson: Particularly just before the elections, I would think.

Mr. DAVIES: Yes, that was one of the most delightful editions I have seen. I will never cease to wonder why the Government did not take advantage of the union's offer to publish its policy in the journal. As members are aware, the Australian Labor Party availed itself of that opportunity, and very much of what was contained in the Labor Party's policy was also contained in the policy of the Government.

Mr. Lewis: We did not want to encourage it to become a party organisation.

Mr. DAVIES: I think that is a rather narrow viewpoint. If one is proud of the party one represents and proud of the policy it proposes, then one will take every opportunity to propound that policy, whether it be in the daily newspapers, over the TV and radio media, through a journal of a trade union, or through a journal of the Chamber of Commerce.

Mr. Lewis: It is quite unjustified.

Mr. DAVIES: It is not my experience that the Government has been shy in pushing matters of industrial development into any journal which will print them, including overseas newspapers. As I have said, it is a source of wonder to me that the opportunity was not taken by the Government on that occasion.

As the Minister for Works has said, it delighted my heart just prior to the elections, and I think the Government did miss an opportunity, because many of the items in the Government's policy were much the same as those in the policy of the Australian Labor Party. However, we felt that we had put before the public a more complete proposal with regard to all forms of education. In my opinion a lot of the support we received was due to the many items which we put forward to the public.

What is the Government doing with regard to the preparation of a plan? We have had the Jackson report on tertiary education on a State basis, and we have had the Martin report on a Federal basis. In June last year the Government announced the appointment of a 10-member committee to examine the future of secondary education in Western Australia. To the best of my knowledge that committee has not yet completed its hearings or made any proposals to the Government. Of course the Minister would know this. In my opinion it was rather an odd committee because of some of the members who were appointed to it. In addition—and this deserves particular reference—no representative of the parents and citizens'

associations was appointed to it. We managed to get three representatives of independent schools on the 10-member committee and, in addition to Mr. Dettman, the members were—

Mr. J. H. Barton (Deputy Director-General of Education).

Dr. D. Mossenson (Director of Secondary Education).

Mr. J. Paul (Principal of Hollywood Senior High School).

Miss U. Mitchell (Headmistress of St. Hilda's School for Girls).

Mr. P. Moyes (Headmaster of Christchurch Grammar School).

Monsignor J. Bourke (Director of Catholic Education).

Professor C. Sanders (Professor of Education, W.A. University).

Mr. N. R. Collins (Director of Public Examinations).

Mrs. M. Williams of Tuart Hill (a member of the 1963 Secondary Education Committee on which she represented parents and citizens' organisations).

On this occasion she was not representing parents and citizens' organisations.

Mr. Lewis: There was no representative at all.

Mr. DAVIES: There were representatives of three independent schools.

Mr. Lewis: There were not any representatives of independent schools at all.

Mr. DAVIES: In *The West Australian* of the 29th June, 1967, there appeared a report which reads—

#### Inquiry on Future of Education

Three representatives of independent schools are on the ten-member committee . . .

Mr. Lewis: Do not blame me for what is reported in the newspaper.

Mr. Graham: It was probably your handout!

Mr. Lewis: I never appointed representatives to this committee, at any time.

Mr. Jamieson: You need a qualified public relations officer.

Mr. DAVIES: I cannot imagine how the Minister can appoint a committee without appointing people from various sections of the community who are vitally interested in education; and then, having appointed people because they represent a particular section, I cannot see how the Minister can say that they do not represent that section.

Mr. Lewis: They do not represent that section. They were people selected for their knowledge of education; not as representatives of any particular area.



Mr. DAVIES: Regardless of whether the Minister appointed them in this capacity or not, I can imagine that those associated with independent schools would certainly be putting forward the views of the independent schools.

Mr. Lewis: They were advised, when appointed, that they were not representatives.

Mr. DAVIES: I should certainly think Professor Sanders would be dealing with secondary education as it affects students who matriculate, and I can imagine that Dr. Collins would be concerned with secondary education and public examinations. I do not see how they could possibly divorce their opinions on education from their own specialised fields. I can only take the Minister's word when he says—

Mr. Lewis: You can please yourself.

Mr. DAVIES: If it will lower the Minister's blood pressure, I will be delighted to accept his word that they did not represent the parents and citizens' organisations, but I will add that they must be mighty men if they can divorce their minds from their special knowledge when sitting on a committee such as this. However, the fact remains that a committee was created, as is reported in *The West Australian* on the 29th June, 1967. I do not know whether it has concluded its sittings or if its findings have been announced. Perhaps the Minister will be good enough to let us know what has happened in regard to the findings of this committee, because it is at least having a look at secondary education in Western Australia.

The committee still does not go as far as the Australian Labor Party would like an inquiry to go, but it is investigating one field of education. If the Minister is able to tell us that the committee has had a number of successful meetings and has come forward with any findings as a result of those meetings we will look at them with interest, if they are available. Nevertheless, I do not know whether Mrs. M. Williams, who was a member of the 1963 secondary education committee, qualifies as a member of a parents and citizens' association, or not, but she may have a string of educational qualifications as long as one's arm.

The fact remains that there are persons who, although not representing the parents and citizens' associations, would have close associations with them and would be prepared to sit on such a committee, but not necessarily representing a parents and citizens' association. I find that is the latest committee that has been appointed, but I still maintain it does not go far enough. We want to know what the Government has done in regard to approaching the Commonwealth Government on education.

In the last Budget quite a reasonable amount was allocated to the States for assistance to establish libraries, mostly, and we are indeed grateful for such assistance. However, has the Government, at any time, asked for any particular help, or has it waited for the Commonwealth Government to decide that this year assistance will be granted for libraries; that last year it was for science blocks; that next year it will be for playing fields; and that the year following it will be for language laboratories? Has any approach been made to the Commonwealth Government in regard to this State's educational requirements? More particularly, has this State approached the Commonwealth Government to suggest a Commonwealth-wide inquiry into all aspects of education? It is recognised that this will be a huge task, but the longer it is left the harder it will become, and the longer it will take to finalise.

So instead of this fragmented approach to education I would prefer to see an inquiry held now and, in particular, an approach made to the Commonwealth Government to find out what it can do to assist in providing for this State's educational needs. If the Commonwealth is to continue to ignore the States and only to dole out money as it so desires, I think this State itself can appoint a committee to investigate the educational field as a whole. There is the field of primary education; the field of what is to be done with Commonwealth aid that is allocated to the State; the field of integration of the various forms of education; and the follow-on from one school to another.

There is also the question of independent schools. Who knows what their basic requirements are? Are we to continue to use the independent schools as a political football, or are we, if our attempts to help these schools are genuine, not required to find out what the needs of these schools are, or to prepare a plan on how to help them?

There is also the formulation of curricula for schools. Some time ago a committee was investigating the curricula of various sections of education, but I do not know whether its findings still stand, because there have been such vast changes in recent times. Indeed, since that committee made recommendations, I think we have made new approaches to education and, on the other hand, have reverted to some of the older approaches. I think the teaching of reading, particularly, is not now based on the phonetic system, but on the system of sight and understanding, if I can call it that. Under this system the pupil understands the whole word because it has relationship to other words at the place on the page, and eventually the pupil recognises it and understands the word in relation to what is seen in conjunction with it in any context.

I do not know for sure—I am only going on what I have been told by various teachers from time to time—but I believe that system is not now adopted and there has been a reversion to the phonetic system. I feel the concern which is paramount in the community at present in regard to education warrants some concerted action both on a Federal and State basis to ascertain where we are headed and if the greatest possible use is being made of the funds available. As I have said, I do not want to limit this to any one particular section of the community.

Subsidy payable on textbooks is a very vexed subject and I can only say that I am sure every parent will be indeed pleased to receive such a payment. This will provide \$5 a year for a first, second, and third-year student at a high school, and \$10 a year for a student attending a high school after that time. This means that this payment will be considered as income to the wage earner of the family unit and of course he will have to show that amount on his taxation return, or, alternatively, reduce the amount claimed for books by that amount. This is one of the anomalies of taxation. Here again whenever any person is in a high income bracket and is able to claim this subsidy as a concession it is worth much more to that person than to one who is in a low income bracket.

Mr. Rushton: Can you think of anything more suitable as a basis for a means test?

Mr. DAVIES: I have thought about this at some length, but I cannot see how one can—

Mr. Rushton: It would be difficult to implement.

Mr. DAVIES: It would be almost impossible when the amounts are so small, but with Commonwealth scholarships and the like, the means test can be applied. The textbook subsidy is reflected as being quite inadequate when it is compared with a Commonwealth scholarship, because, as the Minister said in his second reading speech, the Commonwealth scholarship allows \$50 a year for textbooks—that is for the fourth and fifth year student—whereas we are able to grant only \$10. Nevertheless, we consider the community at large will no doubt be grateful for this assistance, but I am wondering whether any serious review of textbooks has been made by the Education Department.

People who come from overseas are quite astounded to learn the cost of textbooks even in primary schools in this State, and it would seem the Education Department could have a close look at the textbooks which are selected to ensure they are adequate and that headmasters are not, to a large degree, restricted. The department could also ensure that the books are made available by the cheapest possible method.

I am sure every member, at the beginning of this year, had representations made to him in regard to the mathematics books which were not available at that time; which were written by our own departmental officers; which were illustrated by our own departmental officers; and which, apparently, were very good types of books. However, the Government would not allow the Government Printer to print the books, and directions were issued to send the printing out to private enterprise, where the cost was greater than it would have been had the printing been done by the Government Printer. Further, the books did not arrive at the schools until the students had been attending for several months.

The question of textbooks is one of great concern because of the growing cost. I understand that many of the schoolbooks these days are printed overseas, and this is causing a great deal of concern among local publishers. I also believe that in its policy of private enterprise above all else, the Government has paid too little attention to the work which can be performed by the Government Printer and which, no doubt would mean a reduction in cost.

From the rumours that abound it would seem that one method of reducing the cost of books to the parent would be to allow them to be printed by the Government Printer. In this regard I am thinking not only of textbooks, but also of pads and other school supplies. I understand that at one school the students pull the pads apart and then they punch holes in the sheets so that they can use them in loose leaf form rather than in pad form. Surely this is a basic adjustment that can be made at the printing works. The schools could be asked whether they want pads in loose leaf form or whether they want them stapled, and the requisitions could be made accordingly. This would obviate the cost of manufacturing the pads initially only to have them pulled apart by the students when forwarded to the schools.

I repeat, that in regard to all school supplies the Government could make a review of the cost with a view to ensuring that the best possible use was made of the funds available. If economies were practised it would help the schools and there would be a chance of some reduction being made in the costs of current school supplies.

*Sitting suspended from 6.15 to 7.30 p.m.*

Mr. DAVIES: In my final submission on the question of textbooks, I draw the attention of the House to a motion which was carried at a conference of the Parents and Citizens' Federation in August last, when it held its annual conference at Point Peron. I believe this conference was highly successful, and there was some very good discussion on education trends generally.

Some quite reasonable resolutions came from that conference, and the main ones very aptly expressed the concern with education trends generally.

In regard to textbooks the resolution which was passed at that conference states—

In order to cope with the chaotic situation in the cost and availability of school text books, Conference requests the Minister to consider the following proposals:

(a) The Government should provide all basic text book materials to be used in schools, or

(b) The Minister should provide a direct book subsidy to parents along the same lines as the subsidy for fees in private schools, and consult with his departmental officers with a view to reducing the present cost of books, ensuring ready availability, and without necessarily reducing flexibility, arrange for some advance estimates to be provided to parents,

(c) In addition, the Minister be asked to examine the form and nature of prescribed paper materials, with a view to improving their quality and format, e.g. provide paper in loose leaf punched form, if teachers prefer this.

This was a matter which I had brought up previously, and I had hoped that something could be done. This is a relatively simple matter to attend to, and is one which could more easily meet the requirements of the schools by simple administrative procedures.

Lastly, the resolution relating to textbooks states—

(d) To place further restrictions on the frequency of changes in text books and reduce inter-school differences in text books.

The matters that are reflected in that resolution are matters which I had discussed previously, and I would ask the Minister to assure me that they will receive very careful consideration. The real need is to supply, free of charge, all textbooks to schools, but at this stage the federation is prepared to accept, as an alternative, a subsidy. Of course, the amount of subsidy is not mentioned, but I am sure the federation wishes it will be more generous than is provided in the Bill.

The last comment I wish to make is in regard to distribution. In his second reading speech the Minister said—

Care will be taken to devise a system of distribution which will ensure that correct use is made of the subsidy.

I do not envy the departmental officers who have to work out such a system. I do not know whether the Government intends to provide directly to students a cheque for \$5 or \$10, as the case may be,

and to tell them to spend the money on textbooks; or whether it is prepared to purchase a supply of textbooks at discount rates and make them available to the students. If the latter proposal could be put into effect, it would be most desirable.

No doubt there are textbooks used in all high schools which would meet the curriculum requirements and which could be standardised. If such books could be obtained at a discount rate and provided to the schools in kind—in lieu of a subsidy in cash—then the subsidy would go a little further than if the money was handed directly to the students or parents.

The second matter I want to refer to in this debate concerns the money that is to be made available to the schools. It is the allowance for special reading and reference books for matriculation students. This item is interesting, but delightfully vague. The Minister said this money will be made available to both the independent and Government schools, and we do not cavil at that decision. We feel that both classes of schools should be treated in the same way when handouts of this kind are given.

It seems to me that the department itself does not yet know how it will be able to make these books available, what the cost will be, or what restrictions will be placed on the purchase of the required textbooks. I should imagine the funds could best be spent in equipping libraries. I do not know whether that is the intention of the Minister, because he has not said so. He merely said that reading and reference material will be made available to Government and non-Government schools; but he did not say how much will be made available. I imagine it will be as much as the Government can afford, but I would like to know whether the amount is to be \$100 or \$1,000, or whether the Government has thought of a sum in this regard.

I do not doubt that the Minister for Education will be badgering the Premier and the other Ministers at Cabinet meetings for as much as possible to be allocated to education, but by the same token there has been no indication from him. It is a courtesy which he should have extended to this Parliament; that is, to let members know a little more about the Government's intentions in this direction. Otherwise we could be applauding this move, but the Government might spend only \$20 during the next financial year. Of course, the Government will spend more than that, but I would like to know the intentions of the Government. Under this Bill we are giving the Government *carte blanche* and I hope it will be heavily endorsed.

Libraries will benefit from the subsidy which I have just referred to: an allowance for the provision of reference books for matriculation students. However, that is where the expenditure on

libraries by the State Government seems to stop. It is true that earlier this year, just after the Government had announced its policy in regard to education, the Premier mentioned some funds which were to be spent on education.

I now quote from *The West Australian*, but I cannot give the date. The report appeared during March of this year, just after the Premier made his policy speech. Dealing with moneys to be spent on education he said—

Library subsidies (all schools) to P. and C. groups will be increased from July 1. For primary schools, the maximum subsidy will be 40 cents a pupil and not less than \$80 for the smallest schools. At present subsidies are paid at a rate of \$1 for \$1 up to maximum sums which vary with school sizes.

Secondary schools with more than 400 pupils will be subsidised \$1 for \$1, with a limit of 60 cents a pupil. Secondary schools with fewer than 400 pupils will be subsidised \$1 for \$1 up to a limit of \$80, as at present.

This would indicate a considerable amount of money is to be spent on libraries, but the key word is "subsidy." The Government will do nothing in regard to libraries unless the parents and citizens' associations or some like bodies raise a certain amount to help themselves. This is not good enough, because increasingly we are becoming conscious of the need for adequately equipped libraries. Indeed, education itself is not a matter of learning rules, tables, quotations, and dates. It is a matter of the student researching a subject for himself so as to make the subject interesting; and it is a matter of giving the student the work to do. No-one will deny this is the trend these days from the primary school onwards, and I think it is a very desirable trend. Unless the schools have adequately equipped libraries to which the students can go to research various subjects, we will not have a very successful method of teaching.

In a report in the supplement of *The Australian* of the 21st August, 1967, considerable concern was expressed because the community at large was not pressing this question of libraries sufficiently hard. There is a Library Association of Australia, of which Mrs. Margaret Trask, is the President. The report states—

Mrs. Margaret Trask is one librarian fighting to change this—and looking desperately for community support.

"We Australians don't seem very keen about education, and our children are suffering as a result," she said. "We need community consciousness of this problem. Parents don't realise the paucity of school library resources—and how poorly off their children are. They go to tertiary education at a disadvantage."

The University of Chicago's Professor Sara Fenwick spotlighted flaws in Australian school libraries when the Library Association invited her to Australia in 1964.

"There are many schools with excellent collections, but to characterise the majority of school libraries is to speak of a poverty of library resources," she said.

The association has formed committees in each State to publicise the inadequacies, but community inertia (and Federal and State government complacency) has blocked much progress.

Mrs Trask said: "Thirty-two cents is the Australian average government subsidy per child per year over six Australian States, ranging from 60 cents in Tasmania to eleven cents in Western Australia.

"This is nowhere near good enough—the standard to give adequate school library resources is \$3 per child per year.

"This is an age, we are told, of great changes in society and education. Changes in the recognition of individual differences and independent study, changes in the impact of science and technology, changes in the greater numbers of students seeking further education.

"But no change in school library resources to go with these changes . . ."

The association is now pushing ahead with two-year programme to develop a library-conscious community—and try to fulfil these aims:

**SCHOOL** library to be mandatory government responsibility.

**A LIBRARY** service through State and Federal funds to a minimum of \$3 a child.

**ACCEPTANCE** of a syllabus for the education and training of school librarians at the infants, primary, and secondary levels.

**A COURSE** in teacher-training on the place of the library in the school syllabus.

**MODEL** school libraries in each State to act as demonstration units.

The association wants libraries to enrich schools—to be the heart from which the educational activities of both teachers and children radiate.

And it declares that:

**SCHOOLS** with less than 200 pupils should have 20 books per pupil, plus regularly changed bulk loans from the central authority.

**SCHOOLS** with more than 200 pupils should build up to a minimum book stock of 6,000 to 10,000 within 10 years of starting the library.

SCHOOLS with more than 1,000 pupils should have at least 10 books per pupil within 10 years of starting the library.

Mrs Trask warned: "The 'Great Library Skimp' is assuming fresh urgency..."

I have read that to the House because I cannot say anything better in fewer words to show the concern which is now expressed regarding the inadequacies of school libraries. Not one library in any school in Western Australia comes anywhere near the standards which are demanded by the association.

On the 13th August last I asked some questions regarding payments by the Education Department to parents and citizens' associations—I refer to subsidies for library books—and I also sought information as to the amount which had been spent by the department on library books. I did not make any mention of library buildings, but I understand there is a trend these days to supply new schools with a library building and some shelving, but very few, if any, books.

I wanted to know the figures in relation to primary schools and was told the figures comprised primary schools and junior high schools. For the current year there were 103,113 primary students and 14,147 primary and secondary junior high students, making a total of 117,260; and, in the financial year ended the 30th June, 1968, the amount of money paid by subsidy was \$28,357, or an average of 24c per student. The number of students in secondary schools was 41,726 and the subsidy paid was \$15,163, which works out at 36c per student.

So, taking the average of primary and secondary students—\$43,520 spent on 158,986 students—an amount of 27c was spent per student by way of subsidy. Using an average of 27c per student is very misleading because some schools would not have any amount spent on them by way of subsidy whereas other schools would have more than that as a result of the greater activity of the parents and citizens' associations.

This goes back to the argument I have heard raised in this House on many occasions, that schools in affluent districts enjoy greater amenities than schools in poorer districts because of the money that can readily be obtained from the parents, who subsidise those schools. The schools can then enjoy the subsidy from the Education Department.

For the year ended the 30th June, 1968, outside of the subsidies, what do we find? We find that as a direct payment by the Education Department—ignoring subsidies—to primary schools, 117,260 students received, \$18,883, or an average of 16c per student. I am very pleased to note that for secondary school students there was

a substantial increase. Outside of subsidies, 41,727 secondary school students received direct payments totalling \$26,462, or an average of 63c per student.

I think this is possibly reflected in some of the new libraries which have been put into schools; but having established a basic number of books in a library, I believe that any future development rests solely with the parents and citizens' associations.

If we take the total number of primary and secondary students, we find the department spent some 28c per student on library books for the year ended the 30th June, 1968. This indicates that the figure of 11c per student in the earlier quotation from *The Australian* is not quite accurate; and I assume the figures given by the department are correct. I have not the slightest reason to doubt this; but the fact remains that any additional payment directed towards schools in regard to improving their libraries would be solely as a result of subsidies and not direct payments. The Government must spend more money on schools and not wait for the parents and citizens' associations to raise money in order to receive the subsidy.

I am sure the Minister was just as heartened as I was to see by the last Budget there had been some recognition by the Commonwealth of the need to help schools in regard to libraries; and it was reported in *The West Australian* of the 14th August—the Minister quoted it in his speech—that Western Australia's share of the money to be spent on school libraries over the next three years would amount to \$503,200 for Government schools, \$110,400 for Catholic schools, and \$63,600 for other non-Government schools, making a total of \$677,200 to be spent on libraries as a direct grant by the Federal Government over the next three years.

This is very heartening because during the past three years the Government in Western Australia, by way of subsidy and direct payment to schools to assist with libraries, has spent only \$211,017. That is in accordance with the figures I received by way of answer to my question on the 13th August this year. This means that in the next three years, with the Commonwealth Government spending alone, we can expect to see three times as much spent on libraries in schools as has been spent over the past three years—money which has come solely from the State Government.

As well as the money which will be made available to the Government by the Commonwealth as a result of its recent Budget decisions, I should imagine that the moneys quoted earlier by the Government will still be available by way of subsidy; and I hope that the Minister's recognition of the need to improve school libraries will mean that the State Government, in addition to the Commonwealth Government, is going to spend additional amounts to those of which

I was informed in the answer to my question, which I have just been discussing.

There are one or two other matters on which I would like to comment. One is amount of money which is to be made available to non-Government schools by way of direct subsidy to the student; that is, the \$10 which has been paid to primary school students in the past is to be raised to \$20.

The A.L.P. in accordance with its last election policy, wholeheartedly endorses the proposals in this regard. I am sure the Minister will be pleased that we wholeheartedly endorse something the Government has done, but I would point out that the plea made in the last elections was based on the fact that this State came under the Grants Commission. We were very conscious of the fact that moneys could not be paid out in this form if they were not being paid in a similar form by the non-claimant and standard States.

Because of this, we were forced to direct our policy making into what we imagined we could get away with before the Grants Commission because, unfortunately, we did not have any knowledge of the true financial position. We did not know the figures for governmental receipts and expenditure; nor did we have a detailed knowledge of the position which is known to the Government. Because of this we had to propose an amount which we thought we could get away with before the Grants Commission. However, since that time it has been indicated that this State will no longer be a claimant State, and, under those conditions, the amount which we can pay to non-Government schools by way of subsidy will be unrestricted.

Because of this, I believe the suggestion of the Opposition that there be a general inquiry into education is all the more important, because where previously we were limited in what we could give, now we are limited only by the amount of money available. By the same token, we do not want to give more to independent schools than Government schools are getting; but no-one knows what the non-Government schools require, as related to the requirements of Government schools. Until we have an inquiry of the nature that has been suggested, I think we are just whistling in the dark; we are making a political football out of the vote which we believe is available to either party by the offers each is able to make to students attending non-Government schools.

I think this is a great shame. Assistance is required and warranted, but I have not the slightest idea of what a fair amount would be. As far as I know, the \$20 proposed could be a fair amount, but on the other hand it may be grossly inadequate. Until some inquiry is carried out and some reliable conclusions arrived at, we can have only Government schools on the one hand making claims and non-Government

schools on the other making claims, while we are left in the middle to take whatever step we can afford.

Now that this will be a non-claimant State and financially independent, surely the position must be cast in an entirely different light from what it was, and we should know where we are going in regard to this very important subject.

The last matter dealt with in the Bill is a new provision giving the Minister power to ensure that where practicable all children will receive an education. No-one would disagree with this provision being in the Bill, but its inclusion indicates that the Act in the past has proved inadequate. Much to my surprise the Minister indicated that some people had been using the existing provisions in the Act to dodge their responsibilities in seeing that their children received an education. I can hardly believe this, but naturally the Minister has the figures available to him.

I do not know whether this refers to any particular section of the community. I do not know whether we have a "hill-billy" class in Western Australia! I do not know, for example, whether the need for the provision in the Bill is in regard to natives. Once again we are not told anything; we are simply told some people are using the existing provisions in the Act to avoid meeting their responsibilities, and the position has to be made a little tighter by giving the Minister extra power.

I would like some more information on that point because, as I have already said, I can hardly believe that people would stop their children from going to school. I am wondering what particular section of the community, if any, is adopting this attitude.

Arising out of this debate, could I make a plea to the Government to have the Education Act reprinted. I think since 1962 there have been six or seven amending Bills and the Act is very difficult indeed to read.

We could, with considerable advantage, reprint this Act, because it is used by members on many occasions.

The Government has honoured its election promises in this amending Bill, and I am sorry if the Minister feels some annoyance that we have not registered full agreement with the proposals it contains. As I have said, we do not feel they go far enough, and we feel the Bill has been a stab in the dark in practically every point raised. We consider that no reasonable help can be given to overcome the deficiencies, or otherwise, in the education system in Western Australia until we have had an inquiry.

We shall continue to press for such an inquiry, as we have done in both the State Parliament and the Federal Parliament. The parents and citizens' associations, and others, also want an inquiry. Perhaps the

Minister can tell me whether the Government has approached the Federal Government on the question of education. Nothing has been published as yet.

We accept the amendments which the Bill proposes. I must agree that it is very difficult to adequately assess the amount of money which Australia is spending on education, because the figures quoted by the various authorities—indeed, even the figures I quoted tonight—do not give any clear indication of the scope of the education expenditure which has been taken into consideration when the figures have been worked out.

The proposals in this Bill certainly do not make clear the educational shortcomings in this State. There are others in this House far more capable and far more experienced than I in matters of education, and I am sure we will hear some of their practical experiences on the points with which the Bill deals. I do not propose to oppose the measure in any way. I can only say that I am disappointed with the small amount of detail given to us, and I would appreciate some further explanation, to say the very least.

**MR. MITCHELL** (Stirling) [8.3 p.m.]: I want to make a few comments on this Bill, which sets out to fulfil the promises made by the Government during the last election campaign. It is very pleasing to have those promises put into effect at such an early stage. It is very often said that the Government makes promises and does not carry them out. However, on this occasion—as is only right—the Government has taken early steps to put its promises into effect. I want to say that this is not unusual for this Government; that it mostly carries out promises which it makes. This is a case in point.

The matter of subsidies for textbooks is dealt with in the Bill. Here, again, it is pleasing to see that the Government and the department recognise the difficulties facing many parents in providing adequate education—and adequate textbooks—for their children. The Government is prepared to subsidise the books to relieve the parents of the added burden. We all know that the more exacting education becomes, the more costly the books become, and the more costly it is for parents to educate their children.

It is also pleasing to know that the Government is making the same provision for the parents who send their children to non-Government schools as it is for those who send their children to Government schools. The department will have the responsibility of seeing that the correct use is made of the subsidy. It is very often said that the Government introduces subsidies, but takes no steps to see that they are correctly used. As I said earlier, I note that the subsidy will also be paid to non-Government schools.

Referring to the matter of subsidies for library books—I do not intend to quote a lot of figures on this matter—I was rather surprised to hear the member for Victoria Park say that not enough was being done, and then quote a lot of figures to prove that the Government was, in fact, accepting full responsibility. I think the figures quoted show evidence that the Government is making a serious attempt to supply textbooks and library books.

Whilst the Government does subsidise parents and citizens' associations to provide library books for primary schools, it does not make any provision for the accommodation of the books in suitable rooms. Many primary school parents and citizens' associations make sacrifices and raise money to buy books, and then the books are inadequately housed. I believe the Government might be able to do something in the way of providing accommodation for the books in primary schools. Full provision is made in secondary schools for libraries, and very generous subsidies are made for the books. This problem, of course, applies particularly to the smaller, or medium, primary schools in the country areas.

It is essential that the Government should encourage children to read. We have TV and radio, and many children are losing the value of reading. I believe that unless children are taught to read, and given the opportunity to read, their education will suffer. They cannot get the same result from looking at TV or listening to the wireless, as they can from reading.

Teaching aids are mentioned in the Bill. Very often the department will suggest that certain teaching aids are essential for the children, and then expect the parents and citizens' associations to subsidise or provide portion of the money for those aids. If these teaching aids are so essential they should be provided by the department. If they are not so essential, then the department would not suggest that they be provided.

I do not think it is the duty of the parents and citizens to provide equipment that is essential. All of these matters directly affect country schools, and I am pleased to see that the Government is facing up to its responsibilities in the provision of subsidies.

Another section of the Bill deals with the provision of the subsidy to independent schools. As the member for Victoria Park said, most of us are not quite sure what amount of subsidy is really necessary for independent or religious schools.

It is interesting to note that in 1872—less than 100 years ago—there were only 2,338 children attending Government

schools in Western Australia and 1,137 children attending non-Government schools. Today, of course, we see from the 1966 report that 146,000 children attend Government schools, and 45,000 attend non-Government schools. This does indicate the very important part that non-Government, or independent, schools are playing in the education of the children of this State.

I have been approached by various organisations which have suggested that the whole of the expenditure on education should be paid by the Government. Others have suggested that 50 per cent. of the cost should be paid by the Government, but nobody is really sure how much should be paid.

I believe that the Government should make a reasonable contribution to education in non-Government schools. I also believe that these schools are absolutely essential so that we have two classes of education—one a Government standard, and one which has, perhaps, a more christian or religious background. Many parents desire their children to have this type of education, and I believe those people are entitled to some assistance from the Government. However, I do not think the whole of the cost should be borne by the Government.

If they want to call themselves independent schools, then surely they have to provide some of the cost and pay for that independence. If we had a full Government subsidy we would eventually finish up with one type of education, and that is the type dictated by the one department.

It is also interesting to note that there are 550 Government schools in this State, and 383 non-Government schools. That would indicate, perhaps, that the children attending the non-Government schools are placed in smaller classes. I pay a tribute to the non-Government or independent schools for the education they are providing for the children of the State. Of course, it is only right that the Minister should insist that the independent schools be of a recognised standard.

Another section of the Bill deals with the fact that the Minister has some power to force parents to send children to school. Many of the native children in our State are not receiving all the education they should receive, and very often their parents are loth to send them to school and do not accept the responsibility. They do not understand the need for the children to be given a full and proper education. It is only right that the Minister should have some power of direction in this matter.

The Bill sets out to do what the Government promised—to provide subsidies to non-Government schools, and to improve the situation of the parents who have great difficulty in overcoming the problem

of finance when trying to keep their children at school. I give it my wholehearted support.

**MR. T. D. EVANS** (Kalgoorlie) [8.13 p.m.]: I would confirm and, in doing so, very briefly support the attitude of the Opposition to the provisions contained in this Bill. I do not intend to speak at length, but to say that the provisions can be classed, generally, in two categories.

The second category, of course, provides the Minister with greater powers with regard to the compulsory attendance of children at school. We know that this goes right to the root of compulsory education, and this was written into the Education Act of Great Britain in 1870. That was the parent Act of the British Commonwealth.

I do not intend to say anything further on this point, other than, of course, that this is an essential principle of the compulsory scheme and, as such, any measure to augment or to further this principle must meet with our support.

Other provisions are to provide—or make further provision—for certain material benefits for children attending various schools, whether they be Government schools or independent organisations.

Again, I would indicate that we support this measure. I do regret, as did the member for Victoria Park, that in at least two of these provisions we feel the Government has not gone far enough. This Government cannot be blamed, solely, for the practice that has gone on of encouraging, and, indeed, leaning on and becoming dependent upon, outside bodies. I am referring to parents and friends' and parents and citizens' associations, which provide essential teaching aids for children.

This is a practice that has grown up in our education system and it is one which, although it has been most convenient for the Government, has been a stopgap as far as the teachers and the children are concerned. Also, it is one which I believe we should look at very closely, and Governments should be sufficiently mature to realise that they have a very much greater responsibility in fields which are now being left to parents and citizens' associations. I am speaking now of the provision which will enable a subsidy to be paid for school-books for children attending secondary schools.

Of course, a subsidy can only be paid where someone else meets the balance of the costs involved, and it is this latent reference in the Bill about which I am concerned. A subsidy, or a payment to parents of school children attending efficient schools where fees are charged, can be said to be the only provision in the Bill which is aimed at providing what has been called aid to private or independent school children.



I do not like a measure such as this to be described as one aimed at providing aid for children attending private schools. I prefer to look at such a measure as being one aimed at bringing about education justice for parents of children attending private schools, provided such schools are efficient. I think it is more widely accepted that this is a better description of such a measure where the public, who commonly donate to the common purse, are prepared to see that common purse provide money to enrich the education of all children attending all schools, provided they are efficient.

I regret that the humble amount of \$20 per annum has not been increased. I believe it is most inadequate and, along with the member for Victoria Park, I feel we should have our sights quite clear on what we hope to achieve in this aim of bringing about education justice for the parents of all children attending efficient schools. As each year comes along we should not just pluck something out of the air and say, "This year we will do that and next year we will do something else." We should have clearly in mind what we hope to achieve, and before a plan can be arrived at we should have the subject matter fully researched.

In my view it is in the primary schools that we shall find the plight of parents of children attending independent schools to be the greatest. However, that is only my opinion, but I am sure it would be substantiated, corroborated, and explained by a full-scale inquiry into primary education generally.

I promised, and indeed I threatened, to be brief; I intend to keep that promise and to maintain the threat. I would make just one further comment. This Bill is to amend the Education Act of 1928, as last amended in 1967. I agree with the member for Victoria Park that one faces a Herculean task to go back over recent years and try to fit all the amendments into the principal Act. I do not think it has been brought up to date for at least five or six years and there are some seven or eight loose-leaf amendments which have to be incorporated in the last reprint. In one year I think there were two, or maybe three, amendments made to the Act.

It is of some interest to note that the parent Act was passed in 1928 and that this Bill is to amend the Education Act, 1928-67, and perhaps it could be said that the Act is right up to date. However, this is only as things should be because, after all, the pursuit of education is like rowing upstream against the current; if one does not keep up with it one must slip behind. I support the Bill.

**MR. RUSHTON (Dale)** [8.21 p.m.]: It is with a great deal of pleasure that I support the Bill which gives effect to the policy enunciated by the Government at

the last election. The Bill reflects tremendous credit on the Government in that it shows how good has been the housekeeping of the Treasurer in maintaining the finances of the State in a healthy condition, so much so that we are able to proceed with this measure, which will extend a very much desired helping hand to people throughout the State.

We are all keenly interested in education throughout our various electorates. I would like to mention the problems connected with education in my own electorate, which shows material demands for education—I refer to the need for new buildings and other facilities. Next year we will need something like 28 new classrooms with additional toilets, storerooms, teachers' administration rooms, and so on, in the primary school section alone. These increased facilities will make provision for an extra 1,000 to 1,100 primary school children.

Who would have imagined a few years ago that extensions such as those would be necessary? In addition there is a need for increased facilities for high schools. Indeed, in my own electorate, we have a programme, which we hope will be carried out as soon as possible by the Government, covering an expenditure of something like \$250,000-plus for the Kwinana High School, and a programme for the Armadale High School which involves an expenditure of between \$100,000 and \$200,000.

**Mr. Norton:** Does this Bill provide for that?

**Mr. RUSHTON:** I am covering the position generally and am trying to indicate the attention this Government is giving to education. It has been claimed that the Government has not placed sufficient emphasis on education, but I would make the statement—and I think all of us could clearly and emphatically make the same statement—that we could allocate the whole of our Budget to education.

**Mr. Jamieson:** How does this State compare with the others in regard to the expenditure on education as shown in the Budget—that is, per head of population?

**Mr. RUSHTON:** To answer that interjection, let me say that when one compares our figures, on a percentage basis, with those of other countries and other States, one is battling to arrive at a fair answer; because it is difficult to find an effective basis upon which to make a comparison. I have endeavoured to carry out this exercise and to make comparisons, particularly with overseas countries, but it is difficult to do this because of the different methods of arranging finances and the different accounting procedures.

I have tried to make a comparison because of the claim that our contribution to education is meagre. From what was

stated in the last teachers' journal one would think we should hang our heads in shame because of the amount spent in this State, but these figures cannot be authenticated. If one does a little study one can see that the figures do not reflect the true position.

Mr. Jamieson: What about the teacher-pupil ratio? We are the worst in the Commonwealth.

Mr. RUSHTON: This might be thought to be so, but it is not supported by evidence.

Mr. Jamieson: It is in the Commonwealth Statistician's report.

Mr. RUSHTON: I think the member for Belmont is picking out of the air a certain figure for a certain situation.

Mr. Jamieson: Not at all.

Mr. RUSHTON: It cannot be substantiated. As I said earlier, if we adopt a uniform basis and compare the figures of this State with those of other countries the picture shows a very creditable performance by this Government.

Mr. McIver: We are still seventeenth in the world.

Mr. RUSHTON: As regard the participation by parents and citizens' associations, the Bill before us will inspire the associations and will be of great help to them. I have served for some considerable time as a member of the P. & C. movement, and in my view it is essential that we have co-operation between parents, teachers, and the Government. This brings about the best result. I like to see, particularly, the closest relationship between parents and teachers, because this ensures that the teachers have an understanding of the children who attend their schools. This is of tremendous help to both the parents and the teachers.

However, even if the parents and citizens' associations do not contribute in a monetary sense, I believe it is essential that they should take an active part in bringing about a greater understanding between the parents and the teachers.

Mr. Jamieson: Who was trying to argue about that? Nobody was contesting that point of view.

Mr. RUSHTON: I am only making the statement because I believe the P. & C. movement deserves the greatest praise.

Mr. Jamieson: Are you still a president?

Mr. RUSHTON: However, I think the association should forget about item 19 in the agenda for the conference held at Point Peron. The association got itself involved in regard to the land at Point Peron but it should make itself better informed on the issue to give its members a greater understanding of the position.

I would now like to touch on other aspects covered by the Bill and the first deals with the payment of subsidies for the purchase

of schoolbooks. I know that at the Armadale High School the \$5 a year for students up to third year will cover the full cost of the books required, but we will have to make sure that every effort is made to ensure that the books provided are produced as cheaply as possible so that the subsidy will be of the utmost help to those who find it most difficult to pay for their children's books. I think the payment of \$5 a year will go a long way to bringing that about.

The member for Victoria Park said he would like to see this subsidy used to help those in the lower income group, and possibly we could bypass those with the higher incomes in our efforts to help those in the other group. That would be the ideal, but it would be difficult to achieve. The help that is being extended to the high-school children in the form of a subsidy will in fact help the parents in the lower income bracket; and, indeed, at present the high schools are helping children whose parents, through no fault of their own, find it difficult to provide their children with books. With the passing of this Bill the book situation will become much simpler and easier.

In the primary education field I believe we could do much to standardise the books used. If people live in the electorate of Swan and they shift to the electorate of Dale, their children should be able to use the same set of books at primary school level. However, that is not so in many schools at the present time.

Mr. Jamieson: Have you taken this up with Mr. Dettman?

Mr. RUSHTON: I have expressed this thought whenever I have had an opportunity.

Mr. Toms: I did in 1961.

Mr. RUSHTON: Generally speaking, I find the teachers are not unhappy with this point. There must, of course, be some allowance for variation, because we have different conditions to meet. When we move to the high school level—to higher education—some flexibility must be exercised.

Mr. Jamieson: I am afraid Mr. Dettman has a more liberal view than you on this.

Mr. RUSHTON: I do not think his view would differ very greatly from my own. I am sure he would feel that the teacher at the fourth or fifth year level should have an instrument for teaching which he feels is the best. There must be some allowance made for the selection of the books he uses. To my mind these views would not be contrary to the thoughts that might be expressed by Mr. Dettman.

I have every confidence in Mr. Dettman's judgment in these matters, because I think he has shown a tremendous understanding for the educational needs of our State.

Mr. Jamieson: He is at variance with your comments.

Mr. Bickerton: Naturally! He would not be the Director of Education if he were not.

Mr. RUSHTON: I do not think there would be a great difference in our thinking on this.

The next point on which I wish to touch is the increase in subsidy for library books. It is only natural that schools throughout the State should try to provide libraries which are adequate for their needs. I think a previous speaker mentioned the question of a little more help being provided to enable the schools to house these books.

We all know that schools go to a great deal of trouble to make their libraries most effective and adequate. For example, I know the Armadale Primary School has implemented a scheme which has resulted in the establishment of a library of outstanding quality and of considerable benefit to the school. This has not been achieved in particular by any one individual, or by any number of individuals; it is a joint effort which has been backed by the teachers and it is providing a wonderful service to the school.

I would now like to raise the question of new schools. In the coming year two new schools will be established in my electorate, and it is possible that these schools will be confronted with problems which were met by the older schools a long time ago; problems which have been overcome by the provision of various facilities over a lengthy period.

The new schools to which I have referred will be established among communities which have mushroomed; they will not possess the traditions which we have come to regard as the Australian way of life. Schools do need a tremendous amount of encouragement, and the parents need to be brought together in the happiest way possible. Quite apart from this, the matter of grounds and facilities, generally, need to be reviewed. I am looking forward to the Minister replying to the debate, because I am sure he will detail some of the assistance to be made and the facilities which are to be provided.

Last week I asked a question concerning the schedule of facilities to be made available, and the terms under which these facilities would be made available. I am sure the details I sought must be nearly ready, and I am looking forward to hearing them.

The question of Federal help for secondary school libraries is very commendable, and it will enable the State Government to provide buildings and books for these schools. There is a school in my electorate which requires a new library to permit the rearrangement of teaching staff facilities and the greater housing of

a number of students, and I am looking forward to this programme being assisted by the subsidy to which I have referred.

While speaking of the Commonwealth Government's contribution to education, I would like to make the point that from time to time in the Commonwealth Parliament statements are made by members of the Opposition who suggest that if it is too difficult for the States to cope with the question of education, they should hand it over to the Commonwealth.

To my way of thinking the basis of education should be one of grants or contributions made by the Commonwealth Government to help us in our endeavours to provide the best education possible for our children. The States should be given complete autonomy in this matter, while at the same time being provided with grants from the Commonwealth. It is natural, of course, that there will be limitations on certain items, but I think the whole matter should be liberalised so that we can look forward to an ever-increasing grant from the Commonwealth to enable the States to continue to cope with the problem of education.

I applaud the Commonwealth Government for making this extra contribution to help us meet our need, and I feel we can look forward to continued co-operation, because it is the most effective way of improving the standard of education in the State.

The last clause in the amending Bill—clause 6—gives the Minister extra power to ensure that children will obtain the standard of education we all desire. This could apply in isolated cases, and this is a most necessary provision where a child is deprived of the education we think it should have.

Before I close I would like to refer to the Government's contribution to schooling. We are experiencing a tremendous growth in our population, and because of this the enrolments in the schools are increasing at a greater rate than ever before. I cannot remember having seen such wonderful morale amongst the teaching staff as I see at the moment.

There are 15 schools in my electorate and there is no doubt that the standard in each is tremendously high, and so is the morale. The building of schools is being maintained at a high standard, and in closing I would like to pay a tribute to the Government, to the Minister, and to all concerned with education, for bringing about a maximum result from the money that has been spent.

As I said before, one could allocate the entire Budget to education and still not have enough. We must, however, use the funds available to us according to the necessary priorities. There is no doubt that all children, whether they be in Government or non-Government schools, are entitled to the best education possible.

I acknowledge the tremendous contribution made to our education system by the non-Government schools. While the Government schools possibly enjoy a higher standard in the material sense, there is no doubt that both the Government and the non-Government schools play an important part in turning out good citizens.

This Bill is helping to bring about that situation and I accordingly support the second reading.

**MR. HARMAN** (Maylands) [8.39 p.m.]: I feel that one of the most important functions of the Government is to provide the best possible standard of education for all the children of Western Australia. Whether this responsibility should be transferred completely to the Federal Government is an argument I do not intend to pursue this evening. Whilst it remains the province of this Government, I am sure we would all agree that it is the Government's responsibility, given it by the people of this State, to carry on and ensure that we have the most effective educational policy possible. This is a responsibility which the Government must pursue with diligence, with purpose, and with energy.

This Bill provides the opportunity for us to examine a part of the Government's record in respect of education. There are three matters with which I shall concern myself this evening, and the first is in relation to non-Government schools and the assistance provided to them. It has become a fact of life that in this State we have two systems of education—the Government system and the non-Government system. I do not think there is any likelihood that this situation will change in the future; and we have to accept it as a fact of life.

What we must then ensure is that both systems will attain the same standards, and that we do not have one system operating at a reasonably high standard while the other is operating at a lower standard. It should be the aim of the Government to ensure that both systems attain a reasonably high standard.

Looking at the Government's assistance to the non-Government schools, we find that in his policy speech at the last election the Premier said the Government would lift the subsidy in respect of primary education in non-Government schools from \$10 to \$20 per child per year. Apart from that aspect the policy speech of the Government in respect of education was most uninspiring, particularly when we compare it with Labor's announced policy at that time.

The other evening the Minister admitted that the Government agreed that students attending non-Government schools were also citizens of the State and would play a major part in its future; yet

it doles out a mere \$20 per child per year to those attending non-Government schools in the primary grades. It goes no further than that. On the other hand, Labor had a much more positive approach, and I intend to read the relevant section from Labor's policy speech so that it will be incorporated in *Hansard*. As a preamble, I must re-emphasise—

Mr. O'Connor: Labor has changed its views a little.

Mr. HARMAN:—this policy was based on the principle that each child in the State shall have equal opportunity of education.

Mr. Davies: Labor has not changed its policy.

Mr. O'Connor: How many times has Labor changed its policy?

Mr. HARMAN: The following is from Labor's policy in regard to education:—

Labor believes that a full public inquiry by the Commonwealth in conjunction with the States into primary, secondary and technical education in both government and non-government schools should be instituted for the purpose of formulating a plan and determining what financial arrangements are necessary to enable adequate provision to be made for the education of all Australian children.

If such an inquiry is held and the contents of its report are implemented, the existing unsatisfactory position resulting from the competition for support between political parties in this field of administration will cease. Political considerations will no longer be the criteria upon which decisions are made for financial provision for government or non-government schools and instead, expenditure will be determined by the needs of the children for full education.

Until such time as the intended inquiry is held, Labor will endeavour to meet the exigencies of the present position now obtaining.

This policy is much more positive than the Government's policy, because the Government proposes only to increase the subsidy in respect of primary school children and to provide additional subsidies by way of textbooks in the secondary field.

I now turn to the second point I wish to raise, and I regard this as very serious. I asked a question of the Minister for Education on the 10th September, and I was very perturbed as a result of the information with which I was supplied. I was asking a question about the exemption of children from further attendance at schools. The question was—

How many children were exempted from further attendance at school as provided under section 13 in 1966, 1967, and 1968?

The answer was—

1966	711
1967	2,241
1968 (to 6/9/68)	1,311

In order to put this matter in its right perspective we should analyse these figures. In 1966 the number of exemptions, as related to the number of children in the category, represented 4.2 per cent.; in 1967 it represented 13.1 per cent.; and up to the 6th September, 1968, it represented 7.7 per cent.

It means that in 1968 the Minister exempted children at the rate of three per school day from further attendance at school; in 1967 he exempted children at the rate of 10 per school day from further attendance; and so far in 1968 he has maintained his record of exempting 10 children per school day from further attendance. This is a shocking situation—10 children per school day are exempted from further attendance!

What is the reason for these exemptions? Is it because the children are unable to absorb any further education at the age of 14 years? Is it because they are unruly in their behaviour? Is it because the children have an unfortunate home background, with social disorders reigning perhaps for many years in their earlier lives which prevented them from fitting into the normal situation that most Western Australian children find themselves in? Is it that prolonged sickness in their earlier years at school meant that when they reached 14 years of age it was deemed necessary to exempt them from further schooling, rather than to persevere with them? Or is it just the easy way out, because educational facilities and opportunities in this State are not available for one in every eight children of the age of 14 years? Or is it, as someone suggested to me the other day, the State does not have a decent social welfare department that can concern itself with families the children of which are not as we would like them to be?

I think this is a very serious situation. We are exempting children from further attendance at school at the rate of 10 per school day. I am sure that if I were the Minister for Education I would be very worried if I had to sign more than 50 or 60 exemptions in a year. I would certainly be concerning myself as to the reason we have this great number of exemptions from further attendance at our schools.

The last point on which I wish to touch was dealt with by the Minister in the last paragraph of his second reading speech. I refer to the provision in the Bill which sets out the machinery for the Minister to serve notice on parents who are living outside the school limits of compulsory school education. I agree with the principle of having compulsory education, but the

point which concerns me—I have no additional information and I hope the Minister can elucidate further on this—is this: if this provision becomes law, and the Minister serves notice on parents who are living outside the school limits obliging them to send their children to a school, does he specify in the notice served on the parents the school to which these children have to attend? Does he indicate to the parents the type of assistance he will provide—whether it will be an educational allowance, whether it will be a subsidy for a boarding school, or whether some provision will be made in a hostel so that these children can attend school?

If the parents decide to disregard the Minister's notice what will the position be then? Will the Education Department proceed against those parents under the compulsory attendance section of the Act? Will this mean that in the final analysis a magistrate will determine whether, in fact, a parent is required to observe the notice from which the Minister has commenced this action?

I have been over most of Western Australia and I know of cases in one or two areas where this particular provision could be used; but I want to be assured, if it is intended to use this proposed new section, that the people against whom it is used will have the opportunity in a court, before a magistrate, to state their cases rather than have the Minister usurping a power to place a parent in the situation where he has to submit his child for education, but cannot meet the expense because of poverty or some other reason.

I would like the Minister to be specific on the point that some regard will be had for the financial and social position of the parents against whom this notice is served. With those remarks I support the Bill.

**MR. H. D. EVANS (Warren) [8.55 p.m.]:** The implementation of the Premier's pre-election promise to provide a textbook subsidy to all secondary school students is one that, in principle, I must applaud and endorse; but, as a former teacher with over 20 years' experience, I cannot let this opportunity go by without passing some comment upon the Government's inadequate financial efforts to meet the demands of modern education.

In subsidising textbooks to the extent of \$5 and \$10, as the case may be, the Government tacitly admits—even more than tacitly; and the member for Dale endorses this—to an awareness of the need for practical assistance to parents. It can only be described as regrettable that the Government cannot go the whole of the way and make free education a reality, as it should be in this State.

I sometimes feel this Government does not have a full appreciation of the hidden costs of education; and this is the view, I might add, that is shared by many among

the community. It is not just my own view; and I would read one brief paragraph from the presidential address at the last parents and citizens' conference, as follows:—

The problems confronting Associations today are not growing less, for the rising costs that parents have to meet to enable their children to continue attendance at high school for both Junior and Leaving level, are creating economic problems for many parents. They are seeking some relief; however, the replies from the Minister for Education on the 1967 Conference Resolutions that were presented to him, Resolutions that may have been the means of giving some relief, have, as I see it, been rejected. At any rate, his replies give little encouragement to Associations that they can expect any change in the near future.

Textbooks, or book-hire fees, are consistently most onerous but, in addition, there are various other charges such as library fees, amenities fees, and other charges of this kind, which are frequently levied.

In addition, third and fifth-year students are faced with Junior and Leaving Certificate fees at the time of the examinations; and the average fee for an eight-subject Junior is currently \$11.10, while for a seven-subject Leaving the fee is currently \$14.75. These charges strike hardest at those who can least afford them. To illustrate the lack of appreciation of textbook costs on the part of the Government, I would point out that for the five years prior to 1968 one of my duties was to assist with the operation of a book-hire scheme in a senior high school. So, with the compiling of annual lists of textbooks and costings—this represented a decision on fees to be charged—I was made acutely aware of the burden which textbooks represent.

Last year in Parliament, the Minister gave the cost of textbooks for fourth year as varying between \$22 and \$60; while for fifth year the cost varied between \$13 and \$26. I know his figures were far too conservative, because I took out the exact amounts for each course in every year in one particular high school and the Minister's figures did not come within \$10 of the actual figure, which I could quote. This is one instance where I suggest there is a lack of appreciation on the part of this Government in regard to the real burden and the hidden costs involved.

In the distribution of the textbook subsidy, it was pointed out that some difficulty would be incurred—that the Minister and the administrators were faced with a complexity of problems in this regard. Although the Minister has not indicated the method of allocation, I think it is fairly obvious that the transfer of children from one school to another is going to be quite a difficulty that will have to be faced if the payment is made directly to schools.

This problem will be accentuated if Government and non-Government schools become involved. A priority payment for a portion of the year would be difficult in the extreme to transact. I do not think the interstate problem will be of any great significance; the problem as I see it will be intrastate. Direct payment to parents is going to create further difficulties of a slightly different kind and I do not envy those involved the task of administering this particular scheme—I feel for them rather acutely.

Mr. Lewis: How would you suggest we should get around the problem?

Mr. H. D. EVANS: I am more interested in hearing the Minister's solution first—

Mr. Lewis: Yes, I thought so!

Mr. H. D. EVANS: —but I do acknowledge that it is a fairly difficult problem.

I appreciate that the Minister cannot give precise details of the manner in which the allocation for libraries is to be used, but I would like to say that the importance of increasing library facilities and reference books cannot be overstated.

I would ask members to bear in mind that in 1969 the new regulations for matriculation will become operative. A pass in English plus three or four other subjects at matriculation level, dependent upon the nature of the course chosen, will then be required for the students to matriculate for the University. Candidates for matriculation will have to sit for additional papers on the Leaving course, but these papers will, of course, be at an advanced level—a more searching level, than the present Leaving, perhaps. This will bring with it a further obligation on our part in terms of textbooks and reference facilities, as well as in teacher availability.

At present the community at large is concerned with the failure rate in the first year of tertiary institutions. We all know that when the failure rate of first-year University students is announced there is an outcry by the individuals as well as in the Press. In 1966 the failure rate for all those who enrolled as first-year students at the University was 28 per cent.; in other words, 28 per cent. failed their complete course. Also, 44 per cent. failed to complete the total requirements of the course they had undertaken.

Various reasons are advanced for this—there always are—and various remedies are suggested. Invariably the University is accused of being too exacting in its demands on first-year students. However, no-one can deny the right, and, indeed, the responsibility, of the University to set its standards at acceptable levels, and also to use the first year as part of its selection process. Therefore only part, if any, of the blame lies with the institution.

The student himself, or herself, as the case may be, is frequently castigated for failing at the beginning of a tertiary education career. The student has to make social adjustments and environmental adjustments, as well as adjustments required in the new educational methods now confronting him or her. Frequently these are very great indeed.

But is the student prepared to cope with the new educational situation? Hardly, I submit, in many cases. At times the blame for University failure is levelled at the school or at the teacher, but the essential point I would like members to remember is that our schools are not equipped to fully prepare students for University-level education. They are unable to develop attitudes, work habits, and outlooks which are necessary for tertiary success.

However keen a teacher is to instil these qualities in secondary students, that teacher is frequently frustrated and has to convert his teaching to a form of specialised coaching. As I say, the teacher is frequently frustrated in his efforts in this regard; but he knows that his professional reputation, upon which often depends promotion and the financial reward this brings, is gauged by the success of his students at Junior or Leaving level. The teacher also knows that the status of his school often depends on the number of passes its students gain in public examinations. He knows that the public at large will ask of his school each February, "How many got through last year?"

He knows, too, that the prospects of the student in the outside world will often directly depend upon the possession of that certificate—that magic bit of paper—which he knows the employer will be asking to see. The employer frequently demands to see the Junior or Leaving Certificate; and the whole direction of life may depend upon the possession of this magical piece of paper. For this motive alone, if for no other, a teacher feels very acutely that he must prepare his student for examination rather than endeavour to cater for the years beyond by preparing him in the self-reliance needed in the higher academic fields.

If the blame for University failure is to be apportioned, to whom must we apportion it? To the University itself, to the student, to the school, or to the teacher? I rather feel that the bulk of the responsibility lies with the system under which we have been forced to operate.

To cater adequately for matriculation students under the new requirements, well equipped libraries are a prerequisite. If a student is to be trained to use reference material, to develop a spirit of inquiry, and to resolve problems of his own volition, he must first have the facilities and surroundings to enable him to do so. If

and when the examination system as we know it is abolished, then the absolute necessity to provide further facilities of this kind will be even greater.

So, with the proposed new matriculation requirements in the offing, the provision of libraries in high schools is vital. So, too, is proper tuition, and this tuition is necessary to enable the students to use these facilities in the correct manner. It is no good having 100,000 books if they are not accompanied with the proper facilities, preferably cubicles, small classes, and expert personal attention. This personal attention which a fully qualified fourth year teacher can give has no substitute. Back we come to the Government's responsibility to give education the priority it must have in this age in this State.

To demonstrate the importance which some people place on education, I would like to refer to the *Bulletin*, which is considered a fairly conservative paper in many regards. The following appeared in *The W.A. Teachers' Journal*, 1967—

The "Bulletin" is concerned with the real facts of modern industrial and commercial development, in an article published in the August 19 issue this year, and makes a careful comparison of the Australian and the Japanese attitude to national and economic development, which, in our opinion, should be compulsory reading for all members of the Australian Loan Council. Two sentences in an arresting column stand out: "A very high regard for general education, especially advanced education, and a special emphasis on technical training seem to be essential characteristics of a technological society", and: "Seventy per cent. of Japanese youth have a full secondary education; we get by with about half that proportion."

As a matter of fact, the Minister (Mr. Fraser) quotes it as 38 per cent. The article continues—

Those of us that have managed to obtain a full secondary and tertiary education, including geography, history and economics, know that, by our standards, Japan is not a "wealthy" country—there is a chronic shortage of raw materials, of arable land, of coal, iron and steel, of the textile fibres, and of food crops, yet this is one of the leading nations of Asia. Wealthy in the only way a nation can become permanently wealthy, by the development to the full of its greatest national asset, the skill, intelligence and mental capacity of the whole of its people.

In this country we have never had much respect for academic achievement, for cleverness in human affairs, for outstanding qualifications in any field other than sport. What is worse,

we are politically content to relegate the education of the Australian nation to a position of secondary importance in financial allocations, and to limit the tertiary education of those who achieve full secondary education to a pre-determined fixed number—the number we can afford!

I know the Minister will quote the amounts that have been spent, and the items on which expenditure has increased. As far as I am concerned education ranks only second to defence in this nation, and I would like to point out further that Australia's allocation for 1967, according to Mr. Fraser, was just over 4 per cent.—4.01 per cent.—of the gross national product. This was determined by UNESCO report standards.

Great educational changes have occurred in this State in recent years; nobody will deny that. A most revealing remark was made at the principals' conference at the end of last year. On that occasion, a headmaster, on the verge of retirement, observed that he had seen, during that three days of the conference, more changes than he had seen in his 40 years of service. I feel those remarks sum up, to a very large extent, the trend which has been occurring.

I cannot, in any great measure, attribute to the present Government the advance that has been made. If we look closely I think we will find that credit for this performance is due, in the first instance, to the outstanding qualities of the administrative staff. The staff has been bold in its innovations, and has extended research and experimentation, which is a great tribute to those men who have been on restricted budgets, but who have been able to solve issues of the first magnitude.

I would also mention the contribution by the Teachers Union, and, in particular, the education committee of that body. I could not let the opportunity pass without expressing some admiration of the members of the teaching profession itself. I look back, with considerable pride, on my association with that body. The parents and citizens' associations have made a considerable contribution to education in this State by the vast sums of money which, over the years, they have raised; sums which the Education Department or Governments have not had to find.

Education in this State has progressed, despite the attitude and the financial restrictions of this Government. The member for Dale referred to the tremendous credit that should be reflected on this Government. I think that if he viewed the actual contribution of the Government, on the broader canvas and perspective of national and international affairs, he might have cause for second thought. It is with some regret, and many reservations, that I support the Bill.

MR. LEWIS (Moore—Minister for Education) [9.15 p.m.]: Mr. Acting Speaker (Mr. Toms), as was expected, the debate on the second reading of the Education Act Amendment Bill provoked quite a deal of discussion from members on both sides of the House. I think it would be a sorry state of affairs indeed if members did not take an interest in a matter which is of such prime importance to the future welfare of this country and, indeed, to other countries, too.

I have said in this House previously that education is this nation's best investment, and I do not go back on that comment. Members, generally, have supported the Bill. Even the last speaker, the member for Warren, said he supported the measure, but with some reservations. He did not say what those reservations were, although he did offer some criticism.

Generally speaking, members have said that the Bill is all right, but it does not go far enough—that we ought to be spending more. Tonight we are discussing a Bill dealing with education, and what we propose to spend on a certain aspect of education. Were we discussing some other matter of social welfare—whether it be hospitals or something else—I suppose members could be just as vehement in saying that we are not spending enough, and should be spending more in that direction. It all comes back to the fact that one cannot pay out more from the money-box than one has in it.

Members opposite have criticised the Government for its lack of attention to education. Well, I want to remind the House that 20 years ago this State—out of its total financial resources—was spending one-twelfth on education. Ten years ago, when members from the other side were in office, Western Australia was spending one-eighth of its financial resources on education. Today, we are spending one-fifth on education, so if there is any criticism of Governments, with regard to the small amounts being spent on education, comparatively, and the great need to spend more, then we can say that if this Government has transgressed in this regard it is apparently in good company. We have, indeed, set our sights still higher.

The member for Warren concluded his speech by paying a tribute to the administration. He said there had been no fault to find with the administration; that those men had been earnest in their desire to do more and more for education but had been frustrated. The member for Warren also paid a tribute to the Teachers Union, and the parents and citizens' associations. Well, I go along and say that generally speaking we have had co-operation from the Teachers Union, and a great deal of support from the parents and citizens' associations. Without their efforts our standard of education would be lower than it is.



In regard to administration, I think it would be fair to say that Governments—Governments come and Governments go—are advised by the departments about what should be done in any area of government. I have yet to know of a Government that has told a department that it does not agree with the progress desired by the department. I can truthfully say that at no time have I frustrated or discouraged the department when it wanted to do something for education. Indeed, on the other hand, I have made many suggestions to the department with regard to what we should be doing. Sometimes we have been able to do more, but not always because of the lack of resources in manpower and finance.

Nevertheless, I am not at all ashamed of the fact that this Government has devoted an increasing amount out of its total financial resources to the cause of education. I also noticed tonight that members generally—and this is something which is quite a new pattern in recent years—have commended the Government for its increasing attention to non-Government schools.

There is a general recognition of the great part which non-Government schools are playing side by side with our State system in the education of today's youth. It is true that not all areas have the same dire need with regard to education, and particularly with regard to non-Government education. The Government recognised that in the field of primary education the non-Government schools needed some assistance, even more than in the field of secondary education. It was this thought which actuated the Government into saying—and I would remind the House that we are the first Government to do this—"Firstly, we will give you \$10 per child in primary schools as a subsidy to assist you in your difficulties."

It was only 12 months after this was given effect that the Government said, "We will increase the subsidy to \$20 per child." This was done for the purpose of enabling some of the non-Government primary schools to get out of their difficulties, both in regard to school fees and in regard to teachers. The subsidy is given without any strings attached and the schools can spend it how they like. The money is being used for the betterment of education.

Quite a number of points have been raised tonight and, firstly, I would like to refer to the remarks made by the member for Victoria Park. He certainly did traverse all the purposes of the Bill and mentioned the five points which it enumerates. May I repeat them: The first one is to give effect to a textbook subsidy for all secondary school students irrespective of whether they attend a Government or a non-Government school. The second proposal is to give a subsidy for reference

books for all matriculation students. The third proposal is to give a library book subsidy to all schools; and the fourth proposition is to increase from \$10 to \$20 the amount of subsidy payable to primary school children. Lastly, the Bill intends to make provision for the compulsory education of all children.

The member for Victoria Park expressed some curiosity with regard to the cost to the Government. I am genuinely sorry about this, but I must confess I do not have the figure for the total cost of this assistance. I cannot say at the moment just what the total cost will be.

Mr. Davies: It does not really matter; it was only a point of interest.

Mr. LEWIS: I have seen the cost, but it was quite some time ago; and because I might give incorrect information, I would not attempt to state just what the cost will be in a full year. I do have figures on some aspects and I can say that the increase in the tuition fee subsidy from \$10 to \$20 is expected to cost the Government \$135,000 for the first half of 1969. The increase will not be effective until the 1st January, 1969. The increase in cost for the following financial years will naturally depend upon the increase in primary enrolments for non-Government schools, but it should approximate between \$250,000 and \$270,000. When this amount is added to existing costs, it should give a total annual cost of \$500,000 to \$540,000.

The figures for the tuition fee subsidy for non-Government schools is not available on a dissected basis between primary and secondary students. Based on enrolments for primary school children in non-Government schools in February, 1968, the expenditure for the 1968 calendar year, which is the current year, at \$10 per child, should be approximately \$250,000. That is the cost of one of the subsidies which will be given.

The member for Victoria Park mentioned—and we have heard this one before—that Australia now ranked fourteenth among the various countries in the world with regard to the proportion of gross national product spent on education. I have made some inquiries on this point, too, and it is exceedingly difficult to obtain a proper basis for comparison. Indeed, I think the member for Dale pointed this out.

Some countries include all forms of education and in fact everything to do with education. They include tertiary education, kindergarten and adult education, and even public libraries. Of course, formal education is included, too; but all of the various amounts are lumped together. Those countries take the attitude that they are spending that money on education and consequently it is a fair figure to show, because it represents the amount spent in one way or another on education.

However, in Western Australia when we estimate the amount of money which is spent on education, we exclude tertiary education altogether, take into account and include the more formal education, such as primary and secondary education, and say that the amount spent in the primary and secondary fields is what the State is spending on education. We do not take into account what we spend on other things, such as art galleries, museums, and libraries, as some countries do.

Accordingly, it is very difficult to arrive at a fair comparison. It is not only difficult to compare Australia with other countries of the world; but for the same reason, it is very difficult indeed to compare this State with the other States of Australia.

I am not so very concerned with how we rank; I am concerned with the end product that comes out of our schools. My main concern is: How does our end product compare with the end product of other countries?

I have posed many searching questions to the Director-General of Education and have asked him many times: "How do we compare? How do we measure up?" From my own observations, and from what I have learnt from the department and from successive Directors-General over the years, I am assured that the system in Western Australia will compare with those of the other States of Australia. There may be one or two areas where we are behind, but in other areas we are indeed in front. I am advised that by and large our education system and the standards in Western Australia compare quite favourably with those of the other States of Australia.

Some mention was made of Japan. I commend the Japanese people for the great progress they have made, particularly in the last 25 years. I have been to Japan and I have been in their schools. Some of them are very modern, but some of the schools to which I went were over 90 years old. I mention, too, that these were in the capital city of Japan.

I shudder to think what some members of Parliament would say if some of the schools in Western Australia were 90 years old. I am sure there would be quite a deal of criticism of the Government if there were such old buildings.

I am not criticising another country's education system. I did not see sufficient of it. However, in the short time I was there and from the questions I posed, my impressions were that Japan is probably not quite up with us in the primary field, with the exception that it devotes a little more attention to music in the primary schools than we do. I believe, too, that in the field of secondary education Japan

probably devotes a little more time to electronics than we do. This is not surprising when one bears in mind that Japan is only one-sixth the size of Western Australia but contains 100,000,000 people; in addition, the country is electrified from one end to the other. Perhaps a greater need exists for tuition in electronics in Japan than in Western Australia.

A good deal was said—and I can understand this, too—about the cost to the parents; that is, the cost of schoolbooks and of textbooks generally. The department is most concerned about this, and so am I. For this reason, at the suggestion of the department, the Government made a textbook subsidy which the member for Warren, I think, said was unrealistic. Perhaps it is; I do not know. I am not now a parent buying textbooks, but I obtain my advice from the most reliable source I know—that is, the department itself. I should imagine the department is in a very good position to know, down to the last cent, what is a reasonable cost for textbooks to the parents in any area of education. The department has granted a subsidy of \$5 a year for the first three years a student is attending high school, and \$10 a year for each of the last two years that secondary students continue at school. An increase in the supply of reference books to matriculation students has also been made.

Not for one moment are we professing that this is the ultimate and all that is needed right along the line. In this respect I refer back to the remarks I made earlier; namely, the Government has many areas of this society to care for, and after a careful assessment of the needs of the people it is providing all the money it can devote to education in this year, as it has in past years, according to the resources available and the needs of other areas of government. As the member for Dale pointed out, if we could devote all the financial resources of the Government to education, people would still not be satisfied.

So I would say this is a very useful step the Government is taking towards assisting parents to solve their problems in regard to schoolbooks, and I would point out the department is taking every possible step to examine still further all other means to try to ease the cost of schoolbooks to parents.

I, too, am very pleased the Commonwealth Government has entered the field of education, which brings me to another question posed by the member for Victoria Park. He asked what representations had been made to the Commonwealth by the State Government for assistance in the field of education. Even before I became Minister a notable research study was made by the Ministers

and the directors of the various Education Departments throughout the Commonwealth, the results of which have appeared in the form of a publication entitled, *Some Needs of Australian Education*. At the time this document was presented to the Commonwealth Government. It was a fairly careful assessment made of the needs of Australian education; not only of the training and education of children, but also the education of teachers who, in turn, would be teaching the children. An assessment was also made of buildings, and so on.

The assessment has been revised. A Commonwealth Office of Education has been established which is the central point for assembling this information and of making further research studies, and constant inquiry is passing from the States to the Commonwealth and, in turn, from the Commonwealth to the States for information concerning all areas, or some particular area of education. Frequent conferences are now held among Ministers for Education, Directors of Education, and Superintendents of Education at least once a year on some field of education, and before long a conference will be held on the question of television being used in schools, and the possibility of greater use being made of it.

As a result of these conferences being held over the years the Commonwealth made its first step into the educational field. First of all it granted Commonwealth scholarships, then followed assistance for science classrooms and science equipment, and still more recently the Commonwealth has granted assistance for the establishment of teachers' colleges and other colleges of advanced education. Currently, it is granting assistance for libraries. Requests for such assistance have been vigorously made by the States at the various conferences that have been held, and as a result of reports being made to the Commonwealth, but to date the Commonwealth has not granted assistance in the textbook field referred to in the Bill. However, I believe that, given time, and in accordance with the rest of its obligations, the Commonwealth Government will grant assistance in this field also.

Reference was made to the clause in the Bill dealing with compulsory attendance of children at school. I can assure members there is no intention to harass any parent over the attendance of his child at school. The area in which the department feels some further action is needed is in the north-west of this State where there is a group of native parents and, to date, they adroitly—and I use the word advisedly—escape the sections of the Act dealing with compulsory attendance. At one time this group of natives lived fairly close to a school and,

very diplomatically, they were asked to send their children to the school. The answer was, "These children are not well enough dressed; they would feel self-conscious when associating with other children." Following this, the Department of Native Welfare said it would provide clothing for the children to enable them to take their place alongside the other children at school without feeling any embarrassment. The next excuse was that the natives were living too far away from the school and there was no transport for the children.

The department then volunteered to provide free transport for the children so that they could receive their education. The group then just moved away beyond the reach of any bus transport. In effect, the parents of those children have resisted the most earnest efforts of the Department of Native Welfare to allow their children to obtain some education, even if only to the point of literacy.

The position has now been reached that if this Bill becomes law it is proposed that the parents shall be advised, "You must send your child to school," and it will then be up to the parents to decide which school the child shall attend. However, the department will go further by offering to board the child at a hostel, if necessary, without any payment on the part of the parent, in order to reach the prime objective of the department; that is, to educate these children.

Mr. Jamieson: I suppose you would consider shifting the Payne's Find school to wherever the Taylor family happen to be?

Mr. LEWIS: This is not Payne's Find. So it is hoped that as a result of this legislation we will be successful in getting these children to attend a school and have them educated. That is the principal reason for this provision in the Bill. There is no desire whatsoever to harass a parent so long as that parent shows a genuine desire to have his child educated.

Mr. Harman: What happens if the parent disregards this provision?

Mr. LEWIS: If the parent will not take advantage of the Government's offer to board his child in a hostel so that he may attend school, he will be liable to prosecution in the same way as any other parent is prosecuted when failing to send his child to school. Further, in the same way as any other parent, he would have the opportunity to argue his case before a court and then the decision would lie with the magistrate.

Mr. Davies: Would this compulsory provision apply to a child from six years of age?

Mr. LEWIS: It will apply to a child who has reached his sixth birthday and right through to the end of his school life; that is, till he reaches 15 years of age.

Some reference was made, incidentally, to the number of exemptions that have been granted. I must confess I do not deal with these personally any more, because the numbers became too great. I have delegated this duty, and I deal only with appeals, but most of them are granted if the school report of the child shows he would not gain anything by continuing at school and there was a job waiting for him as at that date.

There are two considerations on which exemption can be granted. In the first place the child must be offered suitable employment; and the department is the judge of this. In the second case it must be considered in the child's best interests for him to be granted exemption from school to enable him to go to a job.

Many applications for exemption are turned down, because the employment offering is inadequate, or the exemption from school is considered to be not in the best interests of the child. Only today I was approached by a market gardener who is under treatment for a heart condition. He wanted exemption for his child. He was turned down by the department and he appealed to me. The child is in his second year at high school and he has every chance of passing his Junior Examination. I told the father this and said that even if the child was considering taking up market gardening, he would still need all the education he could get to cope with the circumstances with which he would be confronted as a producer. Accordingly the application was turned down.

Members will know that from time to time they have been most ardent in their representations to me on behalf of their constituents in seeking exemption from school for a particular child who has been turned down by the department. The appeal has come to me for another look because Mr. So-and-so thought that this was a case where the child could be given exemption, to enable him to apply for a job which would not be available perhaps later in the year when he would be in competition with all the other school-leavers.

Mr. Harman: Has this increase from 711 to 2,000 come about since you delegated your authority?

Mr. LEWIS: I would not know how many there were previously and how many have occurred since. I must confess I have not made a particular inquiry as to the number of exemptions that have been granted. A few appeals come to me, however, though not very many.

I know the department is anxious that all children should continue their schooling. It is not a question of taking the easy way out. Many heartrending appeals are made and an inquiry is undertaken into these. A few of them are made on the grounds of the financial circumstances of the parent, and this has worried

me considerably, because in this day and age no child should be granted exemption or denied the facilities of education because of his parents' inability to pay.

In these cases a personal investigation is made and an officer attends the parents and questions them as to their income, and so on. This is done when an application is made on the grounds of a lack of finance. Fortunately there are one or two funds which enable us to meet some of the more pressing cases, though I must add that the funds will not stand the demands made by too many such cases.

Mr. Gayfer: Would not the figure referred to by the member for Maylands have come about as a result of the school-leaving age being increased?

Mr. LEWIS: There would be a few such cases. It is all very well to suggest that the school-leaving age be extended, but many of these young people will be needed to help support the home, and so on. I was pressed at the time to be fairly liberal when dealing with these applications.

I thank members for their interest in the matter of education, and I can assure them that the Government is just as anxious and earnest as they are to see that the best is done for education in this State.

Mr. T. D. Evans: Would the Minister use his best endeavours to get the Education Act reprinted and consolidated?

Mr. LEWIS: That is something that we can well have a look at, and I will do all I can to have the Act reprinted. I commend the Bill to the House.

Question put and passed.

Bill read a second time.

#### *In Committee*

The Chairman of Committees (Mr. W. A. Manning) in the Chair; Mr. Lewis (Minister for Education) in charge of the Bill.

Clauses 1 to 4 put and passed.

Clause 5: Section 9D added—

Mr. DAVIES: The Minister was very generous in his reply, but he did not cover the manner in which the subsidy would be paid to the students—\$5 for the junior high school and \$10 for the senior high school. He is given an open go as to the manner in which it shall be paid subject to such conditions as are prescribed; but I wonder whether any further consideration has been given to the manner in which the payment will be made. Perhaps the Minister can comment on the suggestion that payment could be made in kind instead of cash. We are all conscious of the need for safeguards. It is not a question of giving the money to the student and saying, "Go ahead."

Mr. LEWIS: I am informed this will be done by regulation. It will pose no difficulty in the high schools, because they will make their requisition for subsidies to the department for so many secondary

students in the first three years, or for students in one of the first three years, and for so many students in the second two years. The subsidy will be paid to the school which will supply the books.

In regard to the others, vouchers will be issued which will be presented to the book-seller from whom the books are being purchased. I am told this is the practice the department will use.

Clause put and passed.

Clause 6 put and passed.

Title put and passed.

#### *Report*

Bill reported, without amendment, and the report adopted.

### **MOTOR VEHICLE (THIRD PARTY INSURANCE) ACT AMENDMENT BILL**

#### *Second Reading*

MR. NALDER (Katanning—Minister for Agriculture) [9.51 p.m.]: I move—

That the Bill be now read a second time.

The amendment which this small Bill sets forth has been found necessary to give effect to the intention of the amendment made in 1966, that, when a spouse is injured because of the negligence of a driver spouse of an uninsured vehicle, the injured spouse would be entitled to claim only to the extent of the degree of negligence which might be attributable to a third party.

Previously, if a wife were injured in a collision between a car driven by her husband and another vehicle driven by a third party, she could not sue her husband but had the right of action against the third party if she could establish any degree of negligence on his part and could recover the full amount of the claim. In other words, if the husband were 99 per cent. and the third party 1 per cent. at fault, the trust was called upon to pay the full amount of the claim on behalf of the third party as though he were 100 per cent. negligent.

Following the 1966 amendment the wife can now sue both her husband and the third party if both are insured with the trust, and the proportion of negligence between them is immaterial. In the hypothetical case mentioned, the trust pays the claim in full—99 per cent. again her husband's policy and 1 per cent. against the third party.

It has now been agreed that the words "the Trust shall not be liable" in section 8A, subsection (1), as it now stands places the third party in exactly the same position as before the amendment; that is, he can still be called upon to meet the full claim, but the trust is not liable to indemnify him for the portion of the claim not attributable to his negligence.

In order to provide for the original intention that a spouse may not claim in full when injury is caused by the negli-

gence of an uninsured husband, this small, but important, amendment proposes to replace the words "the Trust shall not" in lines 8 and 9 of subsection (1) of section 8 with the words "neither the Trust nor the other person shall."

Acceptance of this amendment will establish the position which was intended when the 1966 amendment was agreed to by adding section 8A to the Act.

Debate adjourned, on motion by Mr. T. D. Evans.

### **LOCAL GOVERNMENT ACT AMENDMENT BILL**

#### *Second Reading*

MR. NALDER (Katanning—Minister for Agriculture) [9.54 p.m.]: I move—

That the Bill be now read a second time.

The amendments proposed in this Bill relate to matters which have arisen during the last 12 months, and result from representations from the Local Government Association or the Country Shire Councils' Association. It is intended that a second Bill be submitted before the conclusion of this session to further amend the Act.

Apart from the formal clause to make the necessary adjustments to the title of the Act, there are eight substantive clauses. The first of these is to amend subsection (10) of section 45 by substituting for the word "first" in line 15, the word "fifteenth." This amendment follows a request from the Avon-Midland ward of the Country Shire Councils' Association, and is designed to enable companies to nominate representatives, to be effective at the same time as other enrolments are entered on the council roll; that is, the 15th January of each year.

The next amendment refers to section 281 of the Act which enables a council to enter land within a district, other than that specified, to take road-making material for use within one mile of the land so entered upon. The executive of the Country Shire Councils' Association has requested that the Act be amended to delete the one mile limit. Delegates to the association have expressed the view that, so long as the landowner is compensated for damage and for the materials taken, the needs of the public should be met and therefore no limit, as currently expressed in the Act, should be placed on the locality from which the material may be obtained.

The following clause deals with street levels; and this amendment, which has been requested by the Local Government Association, is framed to ensure that when a road has been constructed and levels have not been fixed by the council, the level of the pavement of the road shall be deemed to be the established level, and any change in this level will give rise to the right of compensation.

Clause 5 of the Bill is designed to provide authority for a council within the metropolitan area to utilise its borrowing powers to construct sewers and works connected with sewerage, and to sell these works to the Metropolitan Water Supply, Sewerage and Drainage Board.

The amendment to section 525A, which is provided in clause 6, arises from a doubt expressed by the Local Government Association, because of the present phraseology, as to whether a council could borrow to establish the function of providing parking facilities and to recoup itself from the revenue of the undertaking instead of from loan rates. This amendment is designed to make it plain that parking funds may be expended for the repayment of loans and advances made to the council for the actual construction and provision of parking facilities.

Clause 7, which follows, concerns section 548 of the Act, and is designed to provide for the increase in the limits of rating on unimproved value, with the approval of the Minister.

The reason for this amendment is that in rural townsites, because of low values, councils cannot raise sufficient revenue from rates on unimproved value and are obliged to change to annual values. Many councils, however, prefer the unimproved value system, and the fact that the higher rating can only be levied with the approval of the Minister will ensure that this power will not be used without good reason. The increase provided is from the present limit of 7.5c in the dollar, which may be raised to 15c in the dollar, subject to the approval of the Minister.

The next clause—that is clause 8—proposes an amendment to section 592. This section currently provides that if at the expiration of 12 months from the date of delivery to the Registrar of Titles of the memorial of the advertisement mentioned in section 584, the land is not sold when submitted for sale for unpaid rates, the advertisement and subsequent proceedings cease to have effect and the land ceases to be bound by the noting of the memorial. The conference of the South-West Shire Councils' Association has recommended that the Act be amended to provide for the registration of the memorial from time to time. This amendment provides for this to be done, but only with the consent of the Minister to recommence proceedings for the sale of the land.

The final clause in the Bill is a consequential amendment following the amendment of section 364 in Act No. 90 of 1964. The reference to subsection (6) should now be to subsection (8).

Debate adjourned, on motion by Mr. Davies.

*House adjourned at 9.59 p.m.*

## Legislative Council

Wednesday, the 18th September, 1968

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

### QUESTIONS (12): ON NOTICE METROPOLITAN REGION SCHEME

#### *Rights of Landowners*

1. The Hon. J. DOLAN asked the Minister for Town Planning:
  - (1) What are the provisions under the existing scheme which safeguard the interests of objecting landholders, and to which the Minister refers in his statement on the tabling of the amendment to the Metropolitan Region Scheme?
  - (2) Does the Minister imply, in the last two paragraphs of his report—
    - (a) that the Metropolitan Region Planning Authority would not initiate the acquisition of land to vest in the Crown as a result of a subdivision against the wishes of the owners; and
    - (b) that the Metropolitan Region Planning Authority would not initiate the acquisition of land with rights to river uses against the wishes of owners?
  - (3) If these are not correct inferences to draw what did the Minister wish to convey?

The Hon. L. A. LOGAN replied:

- (1) The provisions under part II relating to reserved land (clauses 12 to 20).
- (2) (a) Yes, but the question of conditions of subdivision is within the jurisdiction of the Town Planning Board and the Minister for Town Planning on appeal.
  - (b) Yes, as at present anticipated.
- (3) Answered by (2).

#### "STOP" SIGN

*Stewart Street-Calais Road, Scarborough*

2. The Hon. R. F. CLAUGHTON asked the Minister for Mines:
  - (1) Is the Minister aware that a private individual has erected a "Stop" sign at the intersection of Stewart Street and Calais Road, Scarborough, and that as a consequence, the dangers to traffic have been reduced?