

# Legislative Council

Wednesday, 17th November, 1954.

## CONTENTS.

	Page
Questions : Milk, as to research on solids-not-fat content .....	2980
Police Act, as to issuing of warrants .....	2980
Picture theatres, as to opening on Christmas night .....	2980
Standing Orders suspension, new business, time limit .....	2980
Bills : Married Women's Protection Act Amendment, 3r. ....	2980
Fauna Protection Act Amendment, 3r., passed .....	2980
Supply (No. 2), £15,000,000, 3r., passed .....	2980
Milk Act Amendment, report .....	2981
Vermin Act Amendment, report .....	2981
Stock Diseases Act Amendment, 2r., Com., report .....	2981
Bush Fires, Assembly's message .....	2981
Dried Fruits Act Amendment, 1r. ....	2982
Native Welfare, 2r. ....	2982
Marketing of Eggs Act Amendment, 2r., Com., report .....	2983
Standing Orders Committee, consideration of report, Com. ....	2986

The PRESIDENT took the Chair at 7.30 p.m., and read prayers.

## QUESTIONS.

### MILK.

#### *As to Research on Solids-not-Fat Content.*

Hon. C. H. HENNING asked the Minister for the North-West:

In view of the statement in the report of the Milk Board for 1954 that "The investigation and research into the solids-not-fat content is continuing"—

- (1) Who are the officers conducting this investigation and research?
- (2) What are their academic qualifications?
- (3) Are they working in conjunction with any Government department or organisation?
- (4) Is the research embracing genetics?
- (5) What is the result of the research and investigations to date?

The MINISTER replied:

(1) The investigation and research into deficient solids-not-fat, as revealed by some samples of milk, are being carried out by the Milk Board as part of its inquiries into this subject. Information is also being obtained through its field officers by special samples taken from individual cows, and composite samples of milk.

(2) Varied qualifications in agriculture and dairying are held by these field officers, some of whom hold diplomas in dairying and one holds also a diploma in agriculture.

(3) Samples are being examined by the Government analyst and the Department of Agriculture.

(4) Information is being obtained on hereditary influences.

(5) The inquiry to date indicates that the fault, where it exists, appears to be mainly with the type of cattle in use.

## POLICE ACT.

### *As to Issuing of Warrants.*

Hon. C. H. SIMPSON (for Hon. H. Hearn) asked the Chief Secretary:

Will the Minister for Justice consider introducing legislation to amend Section 85 of the Police Act, to avoid warrants under that section being issued under the hand and seal of the justice issuing the warrant?

The CHIEF SECRETARY replied:

This is a matter not for the Minister for Justice but for the Minister for Police, who does not understand quite what the hon. member desires, and suggests that he be more explicit.

## PICTURE THEATRES.

### *As to Opening on Christmas Night.*

Hon. C. H. HENNING (without notice) asked the Chief Secretary:

As the Minister has agreed to the showing of motion pictures on Sundays, will he reconsider his decision to refuse permission for theatres to be open on Christmas night?

The CHIEF SECRETARY replied:

Very definitely, no.

## STANDING ORDERS SUSPENSION.

### *New Business, Time Limit.*

On motion by the Chief Secretary, resolved:

That Standing Order No. 62 (limit of time for commencing new business) be suspended during the remainder of the session.

## BILLS (3)—THIRD READING.

1, Married Women's Protection Act Amendment.

Returned to the Assembly with amendments.

2, Fauna Protection Act Amendment.

3, Supply Bill (No. 2), £15,000,000.  
*Passed.*

**BILLS (2)—REPORT.**

- 1, Milk Act Amendment.
- 2, Vermin Act Amendment.  
Adopted.

**BILL—STOCK DISEASES ACT  
AMENDMENT.***Second Reading.*

**THE MINISTER FOR THE NORTH-WEST** (Hon. H. C. Strickland—North) [7.40] in moving the second reading said: This Bill is to enable the introduction of compulsory pullorum testing. A scheme which has been carried on in a voluntary manner for a number of years has proved so successful that the Poultry Farmers' Association, the Poultry Science Association, and the Breeders and Hatcherymen's Association have all pressed for it to be made compulsory. Some members might wonder just what pullorum disease is, and for their benefit I will outline a few brief details.

It is also known as bacillary white diarrhoea, and is a disease that attacks very young chickens and has a high mortality rate. The chicken which becomes infected but recovers is a great danger when it matures and begins egg production. The germ remains in the ovary and is present when the egg is laid. Should this egg be incubated with healthy eggs, the infected chicken, on hatching, spreads the disease in the incubator before passing to the brooder where it further spreads the disease. The idea of a pullorum testing scheme, therefore, is to detect and eliminate the adult carriers, and this is done by means of a blood test.

Officers of the Department of Agriculture have carried out this blood testing of adult stock; but, as mentioned before, participation in the scheme has been voluntary. To prove how successful the testing has been, I shall quote some figures of cases diagnosed by the department's veterinary pathologist—

Year.	Cases.
1946-47	595
1947-48	442
1948-49	65
1949-50	39
1950-51	31
1951-52	3
1952-53	3

These figures prove the success of testing, and of eliminating affected adult stock. Because the disease can have such an effect on the production of both eggs and chickens, the industry is anxious for the department to go a step further. Originally it was intended to provide for the compulsory scheme by means of regulations, but the Crown Law Department advised that a small amendment to the Act was necessary. The Bill therefore

seeks to widen Section 6 of the Act governing regulations to give the necessary power to prescribe regulations for the control of pullorum disease. The measure is desired by everyone in the poultry industry. It should therefore be acceptable to the House. I move—

That the Bill be now read a second time.

**HON. C. H. HENNING** (South-West) [7.43]: The Minister has fully explained the Bill, which is to make compulsory a practice that has been carried on voluntarily for some time. The measure has the blessing of the various poultry growers' organisations. Some idea of the mortality rate resulting from this disease—which may be over 90 per cent.—is given in a pamphlet issued by the Department of Agriculture in 1944. Pullorum is a disease which breaks out extremely quickly—probably within the second or third day of hatching. It is useless to try to control it once it has occurred. The intention of the Bill is that the carriers shall be dealt with. As the Minister stated, the birds that suffer from the disease and recover, are the carriers. Not only is the disease contracted in the incubator, but also through the droppings in the hatchery. I support the Bill.

**HON. C. W. D. BARKER** (North) [7.45]: I, too, support the Bill. The people who requested this measure are to be commended; and also the department for having it brought down. The Minister has explained that pullorum is a highly contagious disease. Once it starts, it spreads like wild-fire. At one stage, pullorum threatened the whole of the poultry industry in Western Australia. For a long time it affected the export of live chickens from the metropolitan area. I am pleased to learn that such rapid progress has been made in this matter that the disease is now practically under control. The compulsory pullorum testing scheme that is provided for in the Bill has been asked for. It is much better to have the scheme on a compulsory basis than to have it continued as at present; and apparently this is the opinion of the poultry farmers.

Question put and passed.

Bill read a second time.

*In Committee.*

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

**BILL—BUSH FIRES.***Assembly's Message.*

Message from the Assembly received and read notifying that it had agreed to amendments Nos. 1, 3, 5, 7, 14, 15, 18 and 21 made by the Council, had disagreed to

Nos. 2, 6, 8 to 13, 16, 17, 19, 20 and 22, and had agreed to No. 4 subject to a further amendment.

### **BILL—DRIED FRUITS ACT AMENDMENT.**

Received from the Assembly and read a first time.

### **BILL—NATIVE WELFARE.**

#### *Second Reading.*

Debate resumed from the 11th November.

**HON. J. McI. THOMSON** (South) [7.50]: Legislation designed for the welfare of the native population is never easy to approach because of the complexities involved. But while we are fully conscious of our responsibility to the natives, we cannot be unmindful of our obligations to the white community. It is because of those two factors that the various conflicts arise.

It is but right to say that the great majority of the white population is anxious to improve the lot of the natives, although, at times, some natives are exasperating, and people despair of them because of their irresponsible attitude to things which are intended to assist in their well-being. That being so, the responsibility devolves upon natives to endeavour to assist in raising their standard of living. Progress in regard to this social reform has been slow; and, because of that, I fear that many people are apt to try to jump too many hurdles in one stride in an endeavour to make up the leeway. However, the way of life of our natives today leaves much to be desired and their present conditions need considerable improvement.

But as I said a moment ago, it is as much the native's responsibility as ours; and if he has the will to exert himself, and to raise his standard and educate himself, he can go a long way towards achieving what we all desire. Over the years, various Governments have adopted certain methods and embarked upon schemes which they have considered will raise the standard of our native population. In many cases these schemes have proved costly, and unfortunately some of them have not proved very successful.

I commend the decision of the Government to hand over the native settlements to the church missions; an explanation of this was given in the report of the Commissioner of Native Affairs. I wholeheartedly congratulate these missions on the work they have done and are doing to assist our natives to improve their lot. But the missions need more than words of praise and commendation to enable

them to carry on their work. Though the Government subscribes annual grants, the missions require further financial assistance to enable them to do the job they want to do and to expand in the various directions planned. Because the native problem is of national importance, I sincerely hope that more financial assistance will be made available to the missions to assist them in their work.

I am one who doubts the wisdom of the payment of social service benefits to native families: I refer particularly to the payment of child endowment. I consider that the money so expended could be directed into other channels which would prove of far greater benefit to our natives. It is said in many country towns that the native people regard the bearing of children as a good investment because it increases their child endowment payment. Though the payment of child endowment money is necessary, I think it could be directed into more profitable channels, so far as our natives are concerned, with more beneficial results. I consider that education, closely associated with religious influence, will materially help to solve this problem, which concerns us all.

Those natives who live at the missions are indeed fortunate, and are given an opportunity to take full advantage of the many benefits offering. But those who live outside the missions need all our attention, particularly that of Parliament. I refer mainly to those whom I have seen in the Great Southern areas and who are living under conditions which could be regarded as primitive. Their children must attend our schools, and I think that is a step in the right direction. Although the process will be slow and long, and will require all our tolerance and patience, we will achieve some results in that way.

Those native children who do attend our State schools are usually well dressed, and are kept clean and tidy. The responsibility for it has been instilled into the parents by those in charge of the departments concerned; and because of their association with the white children at school, and the discipline and school life, these native children have acquired, and will continue to acquire, a sense of responsibility, respect and decency. But the thing that strikes us all is that, on leaving school, they lose the benefit of the associations they have developed, and we lose a grip on them by permitting them to return to the irresponsible environment of the native camp.

That environment is well known to members, because I am sure they have all formed their opinions of the conditions that exist in such environment when they have from time to time driven past a camp. We are fully aware of the degradation that follows when children have finished their

schooling and revert to such dreadful conditions. Their minds are not improved, and the result is revealed in the number of incidents that occur in country districts from time to time. The housing of natives is a particularly important matter. It is one to which we shall be compelled to give more consideration, and we shall have to see that more funds are available to improve their living conditions.

The children having reverted to the bad conditions to which I have referred, after having lived in a decent home environment and received a good education over the years, lose something we have endeavoured to give them. This is because of the conditions under which they later exist, and the temptations offering, and because of the fact that their time is not occupied. Their knowledge is not properly improved; and we do not engage them in various little activities, such as our own children undertake, with a view to improving their minds and bodies. If we were able to do this, they would be more acceptable in the white community than they have been in the past. While we are prepared to do all in our power to help them, it is for the natives to exert the will and initiative to help themselves. Prejudices built up by people remain consistent only so long as they see the attitude adopted by others.

I commend the Government for endeavouring to improve the housing conditions of the natives; these have been outlined in the Press, and have been referred to by the Commissioner of Police in his report. This, of course, is a costly undertaking. We know what it costs to house white people, and it will be no less for the coloured population. I sincerely trust the Government will be able to secure more financial assistance from the Commonwealth-State housing scheme to enable it to embark on a bigger programme than heretofore. If that is possible, I feel sure it will be a step in the right direction, for it will improve the social position of the natives and give them that sense of responsibility which is most essential. It will impart to them a greater sense of reliability, which is now so lacking in their make-up.

The most contentious provision in the Bill is Clause 50. This deals with the question of whether it should be permissible for a native to enter and remain on licensed premises to obtain food and lodging. Having received communications from various country hotelkeepers, members are fully aware of the great concern that exists today because of this clause. Not only does it concern hotelkeepers but also people living in the country, because they have not been informed of the intention of the provision. Hotel licensees are very perturbed about the possible repercussions. One has only to live in the country to realise the serious position that can arise as a result of such a provision.

I know there is a difference between natives in various parts of the State, and I do not presume to discuss what should be done in other areas. I will confine my comments to the areas I frequent, and I refer particularly to the lower Great Southern. I would say, however, that my remarks would apply throughout the State. I have visited several country towns recently and seen the great influx of natives when an agricultural show has been held. Members can visualise the position in a town of any size when the native population has increased to such an extent, particularly if the natives have the right to demand hotel accommodation.

Nobody denies that they are entitled to some accommodation; but what the public is entitled to know is whether this legislation will permit a native to demand accommodation and be given it over the heads of the white population. If he has citizenship rights, of course, it is a different matter. It must be left entirely to the discretion of the licensee to say yea or nay when the position arises. It is very necessary for us to ensure that the Licensing Act will not override the decision of the licensee. When the Bill passes through the Committee stage, I hope that angle will be seriously and closely watched, having in mind the repercussions that are likely, particularly in towns south of Perth, and more so in the Great Southern.

The other clause that calls for comment and further consideration by the Minister and members is Clause 58, which deals with Section 61 of the principal Act. It seeks to repeal Subsections (2), (3) and (4). I think it would have been better had the whole of Section 61 been removed from the Act. That would have met with the whole-hearted approval of the Commissioner of Police, in particular, and no doubt would have been supported by many others.

Let us consider what this section permits. It lays down that no admission of guilt or confession before trial shall be sought. That is the crux of the whole thing. As I said earlier, we educate the native to a standard comparable with that of our own children; but when he commits a misdemeanour, we do not treat him in the same manner as we would the children with whom he has been educated. If the object of this Bill is to improve the position of the native in life, and to bring him to an equal footing with the white man, it is reasonable—and indeed sound commonsense—that he should be treated as whites are treated when they commit misdemeanours, particularly if he has knowledge and education. In that event the admission or confession he makes should be accepted as evidence against him.

Hon. N. E. Baxter: Provided he has citizenship rights.

Hon. J. McI. THOMSON: That is so. The point I am submitting is that this Bill attempts to cover all natives, and I am endeavouring to make it clear that it is my desire to see the native who has the intelligence of a white man treated in the same way as a white man. It is different with a full-blooded native, who has no knowledge of our laws, and has every right to be protected in this way.

Hon. C. W. D. Barker: On the one hand you say we should treat him like a white man; and on the other, you say he should not be treated like a white man.

Hon. J. McI. THOMSON: The hon. member can put his own interpretation on what I say if he wishes to: I do not intend to be sidetracked in that way. There is room for amendment of the Bill in order to ensure that natives after the education they have received, shall be treated the same as the white population. It is very desirable that all people should be treated fairly and reasonably, but we need to be practical when dealing with this matter.

The apparent lack of co-operation between the Police Department and the Department of Native Affairs is a matter for regret. If any two departments should work in close co-operation and harmony, these are they. But because of the provisions for which the Department of Native Affairs has been responsible, an attitude has been created in the natives savouring of defiance of the police. Over the years the police acted as protectors of the natives, who realised that they were officers of the law and treated them with the necessary respect. Just as it is essential for the whites to respect the authority of the police, so it is necessary for the natives to do so. Therefore, I repeat that it has been deplorable on numerous occasions to find an apparent lack of co-operation between the two departments.

Hon. F. R. H. Lavery: Is not an attempt being made by this Bill to streamline some of those things?

Hon. J. McI. THOMSON: I believe so, and I shall support those portions of the measure. The Commissioner of Native Affairs seems to assume an attitude that everyone who is not with him is against him. That is regrettable, and I am satisfied that there is room for a more realistic approach to this problem by the department than there has been in the past.

Hon. H. L. Roche: He makes it more difficult for the police.

Hon. J. McI. THOMSON: Yes, he is making it far more difficult; and unless we can obtain close co-operation between the heads of those two departments, we are not going to reach a satisfactory state of affairs.

I have before me a copy of a letter from the Gnowangerup Road Board dated the 10th November, 1954; and here I may

mention that a local authority has much to put up with in endeavouring to mete out justice to the natives, and its position is made extremely difficult when lack of co-operation exists. The letter states—

#### Gnowangerup Native Reserve Rubbish & Sanitary Removals.

The board has received an adverse report from the regional health inspector relating to sanitary provisions on the above reserve, which reads as under:

Gnowangerup native reserve. An ablution block and two privies constructed here. The privies are placed in scrub about five chains apart. Roadways should be graded into and around privies and the natives ordered to camp nearby. Some are now camped 25 chains away. Only cold showers are provided. I wrote to Mr. Webster, native administrator, suggesting to provide a bath for women and children. I have not received an answer. Could you take this matter up with him?

The reserve is in close proximity to the residential area, and unless the place is kept in a reasonable state of cleanliness, it will become an incubation spot for numerous infectious diseases.

The board on several occasions has protested against the unsanitary condition of native reserves within townships. The conditions would be bad enough if only a few persons were involved, but the number of permanent camps is increasing, due mainly to school facilities, and the stage has been reached where some positive action to rectify the position will have to be taken.

It appears to be governmental policy to compel the white population to comply with the requirements of the Health Act; yet only token facilities are provided on natives reserves for even elementary sanitation.

The board requests that urgent consideration be given to the provision of adequate sanitary and rubbish facilities on all native reserves, and that the necessary finance be made available for such facilities to be properly serviced.

That is an indication of what is being experienced by one local authority, and no doubt it applies to numerous others where there are native people. There should be no occasion for a local authority to have to lodge a complaint of that sort. In the interests of the health of the whole community, prompt action should be taken by the administrative head of the department because he is responsible, not only to the native people but also to the people

of the State generally. According to the notice paper, one or two amendments will be proposed in Committee.

Hon. F. R. H. Lavery: Are there not 28?

Hon. J. McI. THOMSON: Is that so? I have been pleased to make my contribution to the debate and intend to support the second reading.

HON. H. L. ROCHE (South) [8.25]: I intend to be brief in my remarks on the second reading. I have little enthusiasm for the Bill; but I imagine that there is no reason why the House should not be prepared to pass it, with some amendments.

To be quite frank, it seems that the main purpose the Bill will serve will be to change the name of the department from Department of Native Affairs to Department of Native Welfare, and that it will give legislative blessing to the Daddy Christmas attitude that the department seems to adopt towards the people who should be under its control. On previous occasions when dealing with legislation of this sort, I have mentioned that virtually in all responsibility in connection with native affairs, the department seems anxious that someone else should exercise the powers. The departmental officials evidently want to be the hall fellow well met, with these people, who should be under control by the department.

After reading the annual report, and judging from the legislation we have passed and the attitude of the department, we should bear in mind that the white people who have the native problem on their doorsteps are those in the country. I believe that the department would achieve more if it took greater responsibility, and the State would get better value for the £250,000 which is being expended by the department at the present time.

Hon. F. R. H. Lavery: On what is that money spent?

Hon. H. L. ROCHE: On various things—£90,000 on missions, which is money well spent; and some on Alvan House and McDonald House, which are two channels in which, in my opinion, the greatest improvement could be made in dealing with the problem. It is rather disconcerting to find from the report of the Commissioner of Native Affairs that there are only five inmates of McDonald House and 18 of Alvan House. It does not seem that Alvan House is fully occupied over the year. I hold the view, which I have expressed on previous occasions, that through these means the greatest progress can be made in the assimilation of the half-caste population and the eventual solution of the problem; and it is disappointing to find that this is the best the department can do. However, I am not surprised.

Whether it is ineptitude, or a desire to shoulder off more of its responsibility, I do not know.

I do not profess to have a knowledge of the conditions in the North, but it is amazing to find that the department should recommend its being relieved of the Moola Bulla Station. It surely should have been possible, on a station with 14,000 cattle, for it to have been able to make some use of the property, unless the administration is not capable or the responsibility was too much for it to exercise.

The Minister for the North-West: It is too far away.

Hon. H. L. ROCHE: Whether it is the actual purpose of the department and its officers to persuade the half-caste population of the South-West portion of the State that everyone, except the departmental officers, is against them, and that the natives have nothing to expect from anyone else, I do not know; but I can assure the House that in the areas with which I am most familiar, the average person today, and, particularly public men and public bodies are concerned with the problem and are only too anxious to do something to help towards its eventual solution.

The departmental attitude, which has been repeated year after year—perhaps not so badly in this year's report—is that every body and person in authority in those areas is against the department and the half-caste. That, of course, is a lot of rubbish; and it is a waste of public money to keep the officers concerned in their jobs if they are going to continue with the attitude they have adopted in the past. Despite what has been said, and the propaganda that has been spread, I believe that the average member of the native population, in the areas to which I refer, aspires to citizenship rights. This belief of mine is strengthened by the commissioner's report, page 24. I have been approached by some of them, and I know many of them are anxious to obtain those rights.

But it seems to me that if any of them are contemptuous of citizenship rights and believe such are beneath their dignity, and that they should not apply for them, they are those natives that are in closest touch with the department and its officers. If there were a change of attitude and mind on the part of the department and some of its officers, we might not have that feature illustrated and publicised year after year.

I find it difficult to fathom the attitude of certain reverend gentlemen connected with the missions, towards proposals which were put forward, and about which some of us in this House had reason to express certain doubt. They largely tie up with the question of citizenship rights for natives, a question which I have said—I do

not think anyone can deny it—mainly revolves about the right to drink and vote. It amazes me that some of these gentlemen, who are horrified at the sight of a pot of beer or an extra length of well-filled silk stocking, are prepared to pitchfork the natives into the pubs in order to effect their salvation. It is an extraordinary commentary on the approach of these gentlemen to the practical problems that face us in dealing with this question.

While on the subject of the missions, I trust that if he has time, when replying, the Minister will endeavour to clarify for me the position in relation to how the grants to the missions are arrived at. Does the biggest cut or the biggest proportion go to the mission or missions that follow the departmental line, and talk departmental propaganda; or are the allocations merely made—apart from the per child allocation—by guess and by God? I have tried to follow it all from the reports of the Commissioner of Native Affairs, and a study of his financial statements, but find the greatest difficulty in arriving at any conclusion.

I notice, for instance, that at Gnowangerup there appear to be 30 children, and something like £1,500 is disbursed there. I was past the United Aborigines Mission about a fortnight ago, and I saw no accommodation, on the site where the mission used to be, that would accommodate 30 half-caste children, even under the sub-standard conditions under which so many of them normally live; and I wondered what was the basis for those payments. Then there is the extra grant, under "grants in aid," to Mogumber, of £3,000, in addition to an amount of £4,000 odd. At that settlement there are 70 children, and I think some check could be made by the department of the figures submitted to Parliament. They are possibly reliable but do not add up.

We find that a sum of £3,000 is not carried forward in the total expenses. A total of £92,360 is given as expenditure on missions and the actual figure is £89,360. This is one of those matters which I think the Minister in charge of the department might, in justice to the House, ensure does not recur; and I think the whole statement could be checked. We are inclined to accept figures put before the House by a department as being accurate; and while the inaccuracy I have mentioned might not be material at the moment, in some circumstances it could be.

Another matter that brings me to my feet in any discussion on native affairs—the so-called improvements in the conditions of natives; the help that has to be extended to them; and the understanding that they need, in order to better their conditions, and raise them to the level of the white man—is that the suggestions of the natives' well-wishers and all

the Government proposals that we have had in the last couple of years in this regard involve only one section of the community—the community living in the country. They are the people who have this problem and appreciate it; and, naturally and understandably, those of us that know those conditions are somewhat concerned at the extraordinary claims that are made as to what would be the result if this or something else were done to improve the lot of the natives in a particular district, because we know very well what their conditions are, and how little improvement is likely to result from some of the proposals put forward here. •

**HON. C. H. HENNING** (South-West [8.40]: I believe there is much good in the Bill; but I think members are under a disability in relation to it, in view of the shortage in the number of amended copies of the Act available to them. When the Bill is in Committee, with its 67 clauses, we will find it difficult to follow the debate intelligently unless every member is supplied with an amended copy of the Act. I hope that before we reach that stage the Minister will do everything he can to make available to members the extra copies that are required.

I would like the Minister to tell me what is the exact policy of the Department of Native Affairs today. At the 1937 conference in Canberra a motion was carried which had its genesis in Western Australia, and it became a resolution under the heading of "Destiny of the Race." Could the Minister let me know whether that is still the policy? The motion read—

That this conference believes that the destiny of the natives of aboriginal origin, but not of full-blood, lies in their ultimate absorption by the people of the Commonwealth and therefore recommends that all efforts be directed to that end.

I know that there is the problem of the full-blood also, but that was dealt with separately; and I take it that this Bill, on the whole, deals more or less with the absorption and gradual assimilation of the coloured people, other than full-bloods, into the population of the State as a whole.

I believe the Bill starts off quite well by changing the name of the Act from the "Native Administration Act" to the "Native Welfare Act," because the welfare of the natives is a problem affecting not only Parliament, but also every member of the community; and its solution lies not alone in the hands of Parliament, but in the hands of everyone in the State. Parliament and the Department of Native Affairs have their responsibilities; but so, also, have the public generally a great responsibility in this matter. One can make citizens in law, but not as far as their social relationships are concerned; and

that, after all, is the main problem where the natives are concerned. It will be a happy day for us all when no further laws are required to deal with the natives, but that time is a long way off.

All laws dealing with human relationships are difficult to administer; but when we find such great variations between the races as are represented in this Bill, the solution of the problem becomes increasingly hard. The State has assumed guardianship of the natives, and with that goes a great responsibility which, on the whole, is passed on to the Commissioner of Native Affairs. Laws are needed in order that he may achieve what he has to do, but he is the man mainly concerned with carrying them out. Sometimes, however, when reading his report, I am inclined to believe that he is trying to hurry the whole assimilation period too rapidly. I feel that if we endeavour to do that, whatever work has been done will only be ruined, and it will be increasingly difficult to assimilate these people in the future.

I have here a book written by the late Mr. A. O. Neville, who was for many years the Commissioner of Native Affairs in this State. The volume contains some interesting passages. One which I propose to read is fairly lengthy and deals with the hurrying of certain matters, particularly exemptions. He states—

In some States there is already displayed a too hasty disposition to grant exemption. This follows an appeal to sentiment rather than to reason, perhaps leading to serious repercussions later because, if used unwisely, it will retard assimilation. I have pointed out that our whole plan is a gradual one, and this is definitely one of the directions in which we can go too fast. The persons thus exempted will be the first to suffer and suffer badly. It will debar them from the benefits which the Native Administration Acts provide without compensating advantages from the other side. There is a tendency too to arrange a sort of wholesale exemption of natives said to be approaching white living standards. This is possibly more dangerous still because it is liable to perpetuate just those conditions from which we are trying to free our native people. If these exempted persons are in every way fitted to live on the same plane as the average Australian well and good, if they are not they will beat it back to their old haunts and revert to what they were before—aboriginal in thought and in manner of living, and their children will follow them into this undesirable retreat. Exemption embracing full rights of citizenship should only be granted in the case of those completely emancipated—to those who live in all respects as

we do and are socially acceptable, or at least living on an equal plane beside us.

The Minister for the North-West: When was that book written?

Hon. C. H. HENNING: It is a book by Mr. Neville dealing with Australia's coloured minority.

The Minister for the North-West: Yes; but in what year was it written?

Hon. C. H. HENNING: There is no date shown on the fly-leaf; but the foreword was written on the 27th March, 1947, by A. T. Elkin, who is Professor of Anthropology at the Sydney University, President of the Association for the Protection of Native Races, and also Vice Chairman of the Aborigines Welfare Board, New South Wales.

Hon. C. W. D. Barker: We have advanced a long way since that was written.

Hon. C. H. HENNING: I also want to deal with that portion of the book which refers to an aspect of which we hear so much, and to which Mr. Roche referred—namely, that natives do not like showing their exemption certificates. They regard them in the same way as dog licences, as some members have said. In dealing with this feature Mr. Neville says—

The danger of exempting natives not ready for it was particularly emphasised at the Canberra Conference.

Curiously enough, some few exempted natives dislike having to possess exemption certificates, that is documents indicating that they are exempt from the provisions of the Native Acts. They feel that the production of such a document upon demand belittles them and affects their pride, and so they decline exemption and prefer to fight the police and any other authority in the doing of forbidden acts. They claim that if a person is fit to be exempted he should not need to produce a document to prove it, but unfortunately the fact of his not holding a certificate nullifies his object, because the white man is obliged to treat him as under the native law until he can prove that he is not.

From what I have seen at various times, it definitely appears that there are people in the State who try to foster the belief that a certificate of exemption is something that should not be carried rather than—as I believe—that a native who holds an exemption certificate should be proud to possess it.

Successful assimilation, in my opinion—for whatever it is worth—depends, in the main, on two things. The first is the attitude of the community in which the native is to be assimilated; and the other is the general behaviour, bearing, and standard of hygiene of the native to be



assimilated. It is definitely a two-way proposition. In his report for the year ended the 30th June, 1954, on page 1, the Commissioner of Native Affairs says this—

The great obstacle to their development, uplift and eventual assimilation is colour prejudice.

And on page 2 he remarks—

With only a few exceptions he is forced to carry the heavy burden of his colour, and even the few exceptions have the oppressive menace of the colour bar standing over them like a sinister shadow which never passes.

Then again, on page 5 of his report, he refers to colour bar legislation. I do not believe that colour is the great obstacle which the commissioner claims it to be.

Hon. L. Craig: Quite right.

Hon. C. H. HENNING: I believe that the first thing to be considered is hygiene, and that cannot be maintained in native camps. I thoroughly agree with what was reputed to have been said by Mr. Barker last year; namely, "houses before votes." Unfortunately, the natives today have not enough houses provided for them. But the Government is the guardian of the natives and it is its job to provide housing for them. Also, it is its responsibility, and that of the Department of Native Affairs, to ensure, when houses are provided, they are used in a proper manner and kept reasonably well, both inside and out.

In particular, it should be incumbent upon the occupants of the houses to use freely whatever ablution facilities are provided. Members of the public will base their initial judgment of the natives on the outside appearance of their houses. If a native's dwelling has a reasonable appearance and seems to be well kept, one can assume that the person occupying it cares for his own appearance in the same way.

However, as has been mentioned previously, one of the greatest difficulties lies with children leaving school. They are raised to a reasonable standard of education, and are taught to mingle with other children; and yet as soon as they leave school, their deterioration commences. The report by the Education Department for 1953 makes particular mention of this aspect. An extract reads—

In preparing the native for assimilation into the white community, too much responsibility is placed on the school. Without more adequate provision for his entry into the economic life of the community when he leaves school, his education will make him more conscious of his disabilities; he will become discontented, bitter and

defiant and will drift back into camp life, as many of the former Carrolup boys have done.

Further, in the matter of social acceptance, classroom education will avail but little if opportunity is not afforded the growing child to develop a pride in his person and in his home and its environment, and a feeling of self respect. Desirable habits of hygiene will not be established and the gulf between black and white will not be bridged successfully unless native children can live as we live, not only during the 25 hours per week they spend at school but during the other 143 hours as well.

In the four years I have heard debates such as this, it has been stressed that the necessity is to get the child before he leaves school; and instead of letting him drift, he should be lifted up. If we do that, we will overcome the whole problem better than by the use of any other method. This handicap that occurs after school is not caused entirely by legislation or by an attitude adopted by Parliaments, as has been claimed by the Commissioner of Native Affairs. But I believe that such a claim is partly true, because past Governments have not accepted the responsibility they should have done as guardians of natives. Even today, the dozen or so houses provided are absolutely inadequate. Year by year, as these children go back to native camps, we will see the same effects as those mentioned in the report of the Education Department.

Liquor constitutes another question. In the same report by the Commissioner of Native Affairs, I was very interested to read this under the heading of "Liquor and Licensed Premises"—

I do not want to be misunderstood in this matter. I am not here concerned with whether an aborigine drinks or not—that is a matter that concerns the individual in Australia where general prohibition is not in force. I am concerned with the discriminatory aspect of it, and its effect on those worthy young aboriginal men and women who are striving to establish themselves within the entire framework of our white community, and subsequently on their children. In the more general sense, and speaking as an Australian citizen, I personally regard the enforcement of prohibition on one particular section of an adult community, while being legally permissible as anomalous and, in principle, of doubtful justice.

I accept that the commissioner is an expert on native affairs; and so was Mr. Neville, whom I quoted previously. Under

the heading of "Prohibition," Mr. Neville's remarks on drink are very interesting. They are as follows:—

Generally speaking, intoxicating liquor to the native is sheer poison and its effect disastrous. Its consumption accounts for most of the crimes and a lot of the ill-health. It reduces him in many instances to an impotent creature, and those who supply it to him commit a moral as well as a civil crime.

Further on he says—

One wonders why it is that the drinking of liquor by a native is so deleterious to him. Perhaps it is because he gets so few opportunities of indulging in it that when he does, he indulges to excess, or because, being so unused to it, it affects him unduly, or there may be something in alcohol which is peculiarly harmful and repellent to the nature of the human creature we term a native.

There we have the comment of a man not concerned with natives drinking liquor, and another who says that liquor is sheer poison to the native. I believe that we should accept Mr. Neville's view. Although he is now deceased, he had long experience with natives. I for one am not prepared to put in the way of a native the opportunity to obtain liquor easily.

There is another point that arises here: The whole purpose of the Bill is to accelerate and increase the opportunities which are made available to the native to be assimilated. The report of the commissioner continues under the heading of "Whose Problem?" as follows:—

Problems, social and economic, still face them, but they are problems which in the main they decline to accept, preferring to leave their solution to the people they hold responsible for their biological status and current plight.

We are asked to assimilate these people into our community. We are told that we have certain obligations, and that the persons to be assimilated also have obligations. But when we read in the report that the natives—who, we are told, desire assimilation—decline to accept their responsibilities, what are we to do? The teaching of those responsibilities is the function of the department. I believe there is much in this Bill that will help; but if it is passed, in whole or in part, the responsibility of the Government and of the department will be very great.

Reading these reports, one wonders whether natives are capable of realising fully the very great responsibility placed on them. I sincerely hope they do; because, not only in this State but throughout Australia, the problem is indeed great

and is increasing. The quicker we can solve it within reason, without antagonising one section of the community or another, the better. I support the second reading.

**HON. F. R. H. LAVERY** (West) [9.2]: In support of the second reading, I wish to make a few observations. Firstly, I refer to some remarks I made in my maiden speech in this House, reported on page 322 of "Hansard", 1952. I said—

but between the ages of 14 and 15 and 18 and 19 he has no place in which to educate them or assist them in finding employment.

That is the whole crux of the problem. Whether we like it or not, we must realise that these people will eventually have to be absorbed into the white community. The provision of housing for some of the aborigines is the first step. We can then observe how they will react and I am sure that, if given reasonable opportunity, they will eventually conform to our standards. I refer, of course, to hygiene and so forth. If we could provide just one proper home for a native family, we would make a start in the right direction.

I am indeed pleased with the tone of the debate on this Bill; it is quite different from the debate on a similar Bill introduced last year.

**Hon. N. E. Baxter:** It was a very different measure.

**Hon. F. R. H. LAVERY:** It might have been different, but it had the same potential directive to the people that they must show their responsibility for the natives who are not capable of helping themselves.

**Hon. L. C. Diver:** The implications are very different.

**Hon. F. R. H. LAVERY:** I have a full realisation of the difficulties encountered in the southern portion of the State, by country people particularly. I know nothing about the condition of the natives in the northern portions; but members with knowledge of that area—the Minister for the North-West, Mr. Barker and Mr. Craig—can speak with authority. I am aware that the difficulties encountered in the south are many, and it is a big task to overcome them. All the difficulties will not be solved by this Parliament or the next; but probably each session a little will be added to the legislation for the betterment of the native population.

**Hon. N. E. Baxter:** This Bill takes away a lot more than it gives.

**Hon. F. R. H. LAVERY:** I appreciate the difficulties of country members. I cannot follow the reasoning of Mr. Baxter, who, during the second reading, said many derogatory things about the department.

Hon. C. W. D. Barker: He did not have a good word to say about the Bill.

Hon. F. R. H. LAVERY: He first made an attack on the Government, and then on the department.

Hon. N. E. Baxter: When did I make an attack on the Government?

Hon. F. R. H. LAVERY: There are amendments standing in the hon. member's name to delete 26 clauses. It is incumbent on members, when speaking on this Bill, to make themselves au fait with the desires of the departments concerned, so that they can judge the merits or demerits of the measure. On a previous occasion I referred to railway administration when an attack was made against the workers in the Midland Junction workshops. When members made an attack on the housing position in this State, I also spoke. Similarly, when members make an attack on the Department of native Affairs, and they do nothing to enter the doors of the department to investigate, I must protest.

Hon. N. E. Baxter: Is it necessary to enter its doors?

Hon. F. R. H. LAVERY: I put it to Mr. Baxter that before he has the audacity to castigate a departmental officer, he should at least have the common courtesy to go to the department to see if the observations he desires to make can be substantiated.

Hon. N. E. Baxter: And I put it to you that you have not compared the Bill with the principal Act.

Hon. F. R. H. LAVERY: I have not done so. I am waiting to do it in Committee. A short time ago I went to the department and discussed some matters, not with the officer who seems to be the target for abuse in this House—namely, Mr. Middleton—but with Mr. Anderson. The information I received from the latter indicates that Mr. Baxter should at least do the right thing and spend some time in the department to see if he can understand the reasons of the department for wanting the amendments to the Act.

Hon. N. E. Baxter: It is the most ridiculous statement I have heard.

Hon. F. R. H. LAVERY: The change of name should in itself be a direction to this House. The attempt to improve the administration and welfare contained in the parent Act, and the attempt to revitalise the measure, will be for the better administration of the department.

Hon. N. E. Baxter: That is what you think.

Hon. F. R. H. LAVERY: And it will be for the betterment of the coloured population of our State, and for the betterment of the country people in whose areas the natives, according to Mr. Baxter, seem to be a scourge.

Hon. N. E. Baxter: I did not make that remark. Your comment is quite uncalled for.

Hon. F. R. H. LAVERY: One of the questions I asked during my maiden speech was this: After the native children have been educated to the fifth or seventh standard, or when they reach the age of 15 or 16 years, what is the method to be adopted to get over the difficult period of the following three or four years? The department sincerely hopes that this House will pass the Bill with as few amendments as possible. If that is done, it will be able to spend a greater amount of time on the welfare of the natives, which it is not able to do now because it is hamstrung. At present an officer of that department appears in the police court each day.

Hon. J. McI. Thomson: Do you not think that Alvan House and similar places would be the solution of the problem?

Hon. F. R. H. LAVERY: They would, if they were like high schools, with accommodation for 700 or 800 children, instead of 10 or 20. I agree with members who express the opinion that those places have taken a step in the right direction. But we cannot accommodate anywhere near 700 or 800 children in buildings of that type. Now that the Government has taken on the responsibility of uplifting these people to our high standards—I often wonder if they are really high—will it find the accommodation for further education of native children?

Reverting to the point I was making when Mr. Thomson interjected, I repeat that a member of the department has to appear in the Police Court each morning and waste two or three hours while the court deals with drunks, and a number of minor crimes.

Hon. L. Craig: "Misdemeanours" is a better word. The word "crimes" is too severe.

Hon. F. R. H. LAVERY: Yes, "misdemeanours" is a better word. The department feels that if the purpose of the Act were changed from administration to welfare, it would be on the way to being able to assist these children, who have been and are the responsibility of the Government. The department desires that, as the natives become educated through the work of the Education Department, employment should be found for them. I have not visited either Alvan House or McDonald House, but I should imagine that they would cater for children who have a higher aptitude for educational attainments than the children whom I have in mind.

There has, however, been a change in the ability of native children. A few years ago, it was known that they did not leave school with qualifications as high as those acquired by white children of the same

age; but many of those leaving school at 15 today have reached the same standard as the whites. The only way to prevent native children from returning to the unhygienic native camps after they have been educated is to find some form of employment for them and to provide suitable housing, such as is made available to white children attending high schools.

Hon. N. E. Baxter: Then you would agree with my suggestion for community centres.

Hon. F. R. H. LAVERY: Yes; I entirely agree with what the hon. member said on that point. It is a matter of the Government being able to find the money for that purpose.

Hon. N. E. Baxter: A sum of £15,000 spent in that way would do more for these children than Alvan House and McDonald House put together.

Hon. F. R. H. LAVERY: The position in the city is different from that in the country. Here, children attending school have opportunities that country children do not enjoy. Officers of the department have visited business places in this city and inquired whether the employers would engage native children. They have asked whether boys of a suitable age could be apprenticed, and whether girls could be employed in factories. The department ascertained that quite a number of business people would be prepared to find employment for natives; but was sad to discover that there are also many who will have nothing to do with them. The statement by Mr. Roche that the department has not made any attempt to assist natives in this way, and that it is only a grandfatherly kind of department, is not correct. Officers of the department are yearning to get out and do the job they should be doing.

Hon. N. E. Baxter: They do not know how to go about it; that is all.

Hon. F. R. H. LAVERY: Doubtless they will encounter many difficulties before reaching their goal. How can anybody who reads the report of the commissioner for this year attempt to deny that what he said therein came from his heart? Who would say that he is trying to castigate the Government, or private enterprise, or anybody else? Who, reading the report with an unbiased mind—whether he believed the statements contained therein or not—could declare that the commissioner did not write it wholly with the idea of furthering the interests of the natives?

I think Mr. Jones said that in the Moora district trouble was experienced with natives, and that they had to be removed because of their inattention to hygiene. I spoke to Mr. Anderson about that, and what he told me could be right or wrong, though I presume it would be right. I mentioned that members here had said

the department was handing its responsibilities over to other departments, such as those of education and health. His reply was, "Who is better fitted to educate the children than the Education Department? And who is better fitted to attend to their health than the Health Department?" One does not go to a butcher's shop to buy a yard of silk, but one goes to a draper's. Is it not right that the department should attempt to get other departments to accept their responsibilities to the community?

I would point out that it is not only natives who do not pay attention to hygiene. Probably a great number of members of this Chamber would be offended if they were to visit the rear of many business premises in this city. Many firms provide first-class ablutionary and lavatory amenities. But one has only to go inside and see the state they are in to be astounded. It is astonishing how many white people do not live up to hygienic standards, let alone coloured people! I feel that the department is right in asking local authorities to see that the health inspectors do their job properly and ensure that amenities are supplied for these native people. Who is responsible—whether it be the Government or local authorities—I do not know; but if I am told it is other than the Health Department, through health inspectors, I will know I have something to learn!

Hon. N. E. Baxter: Is that mentioned in the Bill?

Hon. F. R. H. LAVERY: It was mentioned to no small extent by the hon. member.

Hon. N. E. Baxter: You will not find any reference to it in my second reading speech.

The PRESIDENT: Order!

Hon. F. R. H. LAVERY: Mr. Baxter had quite a lot to say about the unhygienic condition of native people, particularly when speaking about hotel accommodation.

Hon. N. E. Baxter: I do not think you will find anything of that kind in my speech. I challenge you to do so.

Hon. F. R. H. LAVERY: Another point to which I wish to refer is the publicising in the Press of misdemeanours of natives, and making headlines out of their offences. When a white person is charged with being drunk, he is classified as a labourer, a machinist, and so on.

Hon. J. McI. Thomson: The names are published.

Hon. F. R. H. LAVERY: But when a native is charged, attention is drawn to the fact that he is a native or a half-caste. I think this is something that the Good Neighbour Council could take up. At Fremantle, a young quarryman was killed in a fall of rock, and the Press published a notification to the effect that a young

Yugoslav had died. That man was very popular, and over a hundred bereavement notices appeared in the paper concerning him. He was Australian-born, and his parents were naturalised. They resented the reference to him as a young Yugoslav. Why should the Press not attempt to ascertain facts before publishing such statements? The same sort of thing occurs with regard to natives, and I feel that coloured people are done no good in the eyes of the general public when the offences some of them commit are publicised in such a way. If it were a case of murder or assault, that would be a different matter.

Hon. N. E. Baxter: Drunken driving charges are given headlines, too.

Hon. F. R. H. LAVERY: A couple of months ago, I had the pleasure of visiting a private home in Fremantle, when Sister Eileen, who is in charge of a mission at Alice Springs—incidentally, she is a Western Australian girl—showed a number of people some coloured movies of the mission. To me and others the pictures were very illuminating. At Alice Springs, native children are taken from their parents at a very young age and put into the school. They are educated to the age of 16 or 17. Some who have received such education now hold good positions in the Civil Service in South Australia, though the greater proportion of them become domestics or station employees. The pictures indicated that their education is carried beyond the school-leaving age, and they are given a proper home life, especially at night-time, when they are under some sort of control. These young people compare quite well with the whites in that State.

Something similar, I think, should be done here. When our native children reach the age of 16 or 17 and have to leave school, it is the duty of the Government and the Employers' Federation to try to assimilate them, and see that they receive a suitable type of employment until they reach the time when they desire to marry and can then live in conditions equal to our own.

Together with my wife, I attended the Coolbaroo ball a few weeks ago. Several other members of Parliament, including Hon. Sir Ross McLarty, were present. Anyone who was at that ball could see how the natives conducted themselves. They certainly lost no points in regard to their social standing and behaviour in comparison with what I have seen at other balls in recent years, because they were exceptionally well dressed and well behaved. There was a belle of the ball competition, and 20 girls entered. Mrs. Nimmo was one of the judges. It was a most difficult task to decide who was the belle, so beautiful were they all. My wife

and I spoke to each one of those 20 girls, and we felt proud to be associated with them.

I met one young native there whose wife is living at Geraldton with their children because he cannot get accommodation in the city. This man was educated at Christian Brothers' College, and he applied several times to get work around the city, but was not successful, because of his colour. Eventually he saw an advertisement for a truck driver at Cox Bros. When he applied for the job he said, "Do you take exception to my colour?" He was told, "So long as you have the qualifications, we will employ you." That man is employed on a truck delivering parcels to the homes of the customers of Cox Bros. He does not believe in the principle of being downtrodden. He wants to come up, and he wants the other natives to come up with him.

If the Bill is passed, I feel that some of the restrictions that have been placed on the department as a result of the existing Act will be removed. Some amendments may be necessary to the Bill—I do not know of any measure that does not need to be amended at times—but if the debate, which has been in favour of the Bill, is any indication as to how the measure will be treated during the Committee stage, I feel that we shall be making the start that we have been looking towards for a long time. Our present Minister for Housing has made available about 20 houses for natives.

Hon. C. H. Henning: It is not enough.

Hon. F. R. H. LAVERY: I agree. The number should be 200.

Hon. C. W. D. Barker: It should be 2,000.

Hon. F. R. H. LAVERY: No; I would say 200 for a start. Mr. Henning spoke of the natives having gardens around their homes, and everything looking nice, so that the whites would have reason to say, "These people are doing all right. We will support them." I agree with that; but I say that we should get young people into these homes. They may have been brought up in the slum areas out in the country, and it might take three to five years to accustom them to living in homes. Their children who attend our schools and go to the homes of other children will, as they grow up, be the ones who will receive the benefit of this home training and hygiene. When I talk of hygiene, I know that the habits of many white people leave much to be desired.

I feel that the charges made against our present commissioner have been brought about by the very honoured and dear old gentleman, Mr. Neville, who has been mentioned tonight. I think that in the past he made the position difficult; because if anyone wanted to do anything

either for or against the native, he seemed to pull the native under his wing, as it were, and say, "Do not touch him! I am looking after him and will see that right is done by him." He adopted that attitude to such an extent that other departments considered that the native was his responsibility. That is not the correct outlook.

The attitude of our present commissioner is the right one; namely, that he is there to administer welfare on behalf of the native people of the State; and it is incumbent on other departments; on Parliament, on road boards, and on the population of the State as a whole to do their best now and in the future to assist the younger generation of the natives towards assimilation. Anything that can be done by an Act of Parliament to overcome the segregation of the natives will be a Christian act.

On motion by the Minister for the North-West, debate adjourned.

#### **BILL—MARKETING OF EGGS ACT AMENDMENT.**

##### *Second Reading.*

Debate resumed from the 11th November.

**HON. L. A. LOGAN** (Midland) [9.40]: This is a necessary amendment to the Act in this respect: If the Egg Board were to go out of existence, the colossal amount of assets that the Government would hold—money which is owned by the board—would go into Consolidated Revenue. The industry which has made the credit available would then be debarred from having the use of it. This measure will ensure that if at any time the board is disbanded, the money must be used by the Government for the benefit of the industry.

We might say that, with the rumblings going on today, we could well do without the Egg Marketing Board; but I would sound a note of warning to those people who are endeavouring to create dissatisfaction among the producers by saying that all is not well with the board. I agree that there are certain matters in connection with the board that could be cleared up. I believe its administration costs are too high; and that it has taken certain action in the past that has not been altogether correct; but I would say it would be a matter of woe betide the producers if they got away from the orderly marketing that they have today and went back to the chaotic conditions that obtained before the board came into existence.

**Hon. L. Craig:** The producer is not represented on the board.

**Hon. L. A. LOGAN:** Yes. There are many people who are endeavouring to create the impression that the Egg Board does not function in the best interests of the producer. Probably some producers are in a better position than others to market their product. One feature of the board that is unfortunate is this: To my mind the board is doing an excellent job from the commercial producer's point of view; but in endeavouring to cater for the country producer, or what one might term the part-time producer, the returns are not so good.

**Hon. N. E. Baxter:** Neither are some of the eggs.

**Hon. L. A. LOGAN:** That may be. I am not altogether satisfied with the country set-up.

**Hon. L. Craig:** Do not the eggs come in at a flush time when they are at a low price?

**Hon. L. A. LOGAN:** Irrespective of the price, the egg that is candled in the country depot brings a different price from the same grade of egg that is candled in a city depot.

**Hon. N. E. Baxter:** There is a lot of difference in the eggs, too.

**Hon. L. A. LOGAN:** If they are both graded A1, I do not see why there should be any difference in the price. Were members to see some of the conditions under which the eggs are produced, they would wonder how the returns were made up. I have seen farmers' eggs. I have produced eggs—

**Hon. C. W. D. Barker:** Eh?

**Hon. L. A. LOGAN:** Having at one time been in the industry, I carried quite a number of poultry which produced eggs. The board endeavours to look after the interests of the commercial producer, and the country producer suffers to a certain extent. Some inquiry could be made into the ramifications of the board in an effort to clean up the suspicion that all is not well. If that were done, we could tell the public that everything was fair and above-board, and that the best job possible was being done. Thus, the dissatisfaction and suspicion would be dispersed. This board was created for the benefit of the producer; and, in the same way as the Milk Board, for the benefit of consumers as well. I can quite understand that a housewife, when she buys a dozen eggs, wants a dozen good ones and not four or five bad ones.

**Hon. H. L. Roche:** They are paying a heck of a price for them.

**Hon. L. A. LOGAN:** I suggest that is one of the questions that could be investigated—whether the cost of the Egg Board is too high.

**Hon. C. W. D. Barker:** The producer is not getting it.

**Hon. L. A. LOGAN:** No; he is not getting it, and there seems to be a wide margin between the two. I think we all know that eggs are being exported overseas at a figure below the home consumption price—below the price at which eggs are sold in local stores. In order to stabilise the price to the producer, a stabilisation fee is taken out of all returns, and that has something to do with the question. It might be better if the Egg Board ensured that more eggs were sold on the local market, even if at slightly reduced prices, and we cut out some of our exports. But, in my opinion, a reduction of our exports would not be to the benefit of the country. We can develop only if new money is brought into this country; and the more we reduce our overseas exports, the less new money comes into the country for the benefit of our expansion. So it is essential that our export market be retained.

Those are factors which must necessarily be taken into consideration. I know that my remarks are somewhat away from the subject matter of the Bill, which is to ensure that the funds of the board, if it goes out of existence, will be spent for the benefit of the producers. But I thought I would make those observations in passing, because I know that there is some dissatisfaction. I hope the Minister will make some reply, not necessarily on this debate but at some other time, to the remarks I have made. He might ask the department to conduct a departmental inquiry into all the ramifications of the board. If that were done, I think the result would be of interest to all producers and consumers. I support the second reading.

**HON. SIR CHARLES LATHAM** (Central) [9.49]: For some time the producers of eggs have been concerned because of the fact that the contributions they have made to the funds of the board have been invested in bricks and mortar—they are not liquid funds. There has been a good deal of dissatisfaction—probably the board has been blamed for it, without justification—in this regard. There are many difficulties associated with the marketing of eggs; and I suppose that of all industries controlled by boards, that of egg production is the most difficult.

Firstly, everybody who is able to do so keeps a few fowls—each person can keep not more than 20 laying hens—and supplies his next door neighbour when he can. So the egg producer, on occasions, finds great difficulty in getting a remunerative price for his eggs.

I am glad that the Minister has introduced the Bill, because, when I was Minister for Agriculture, the position was discussed with me and I gave an undertaking that if, during my term of office, the board went out of existence and the poultry people desired to control their business in their own way, something would be done

so that the funds would be used for the benefit of the poultry industry. I know of no better way to use the funds than to establish a research farm and I am pleased to know that one has been started at Herdsman Lake. I understand that there will soon be an official opening, and the other day when I was there I noticed that there were a number of fowls in the runs.

**Hon. L. A. Logan:** I hope you get an invitation.

**The Minister for the North-West:** Of course he will!

**Hon. Sir CHARLES LATHAM:** It would be an extraordinary thing if I did. If the Minister for the North-West were Minister for Agriculture I might; but I think the Minister for Agriculture is a busy man, and he might forget that I had anything to do with this business. I am one of those who takes the good with the bad, and I do not worry if at times I am overlooked. I do not want this to be thought an advertising medium for the purpose of getting an invitation. However, I think the establishment of a research farm is a step in the right direction.

I was rather interested in the Bill which amended the Stock Diseases Act, and I wondered how it affected the poultry industry. I suppose if a person wanted to find out something about the poultry industry, he would have to look up diseases of cows, horses, or other such animals. I think matters affecting fowls and egg production should be under the proper legislation so that it is easy to follow. This money from the fund should be used for further research work, and I commend the Minister concerned for the establishment of this farm. I know it will be pleasing to those producing eggs for a living, and I intend to support the second reading of this Bill.

**Hon. N. E. BAXTER:** I move—

That the debate be adjourned.

**The Minister for the North-West:** No!

Motion put and negatived.

**HON. N. E. BAXTER** (Central) [9.55]: I moved that the debate be adjourned in order to check up on this measure; but on looking at the Bill, I find that it seems quite a simple one. I am not trying to be contrary, but there are many aspects of it that I do not like. I refer to the fact that it provides that in the event of the board being wound up, after liabilities and expenses have been met the money remaining shall be applied in such manner as the Governor directs for the benefit of the egg industry of the State.

I am in favour of the money being applied to the egg industry of the State; but, as it will involve many thousands of pounds, I think Parliament should have a say as to its allocation. If Parliament does not have a say, then the egg producers, who have supplied the money,

ought to be able to stipulate where it shall be expended. I do not consider that the Governor—after all, it would be Executive Council—should have a say in the allocation of the funds. As a result, I oppose that clause in the Bill; and when we reach the Committee stage, I shall move to amend it by striking out reference to the Governor and including either the producers or their representatives in Parliament.

**HON. L. CRAIG** (South-West) [9.57]: This Bill envisages the Egg Board being wound up; but I would regret to see an organisation which has grown up and developed over a good many years, ending in this fashion. It is all very well to say that there is no necessity for it; but who knows what will happen next year or the year after? To take the short view is not a good idea; and it is always advisable to take a long-sighted view on these matters. Who would have thought that in 1939, or even in 1942, the price of wool would have risen so high? No one in his wildest dreams expected it; and who can say that the overseas price of eggs will not be doubled in the next year or the year after?

Experience has shown that one selling authority is much better than innumerable small selling organisations. It is easier to make a contract with one organisation which can sell—in this case, millions of eggs—than it is to have a number of small authorities selling only small quantities. The history of the Australian Wheat Board is a shining example of that. That authority has made contracts for large quantities of wheat to be sold to Egypt and other countries. So it is with the Egg Board. If a country is in short supply, the board can immediately offer a large quantity of eggs; whereas that would not be possible with a number of small organisations. So I hope that the Egg Board will not be lightly thrown over.

But if it does go out of existence, I can see no harm in the provision set out in the Bill. Who else but the Government could hold funds that belong to nobody? They do not belong to the present producers of eggs; they belong to the producers who have been producing eggs over the last 10 or 12 years, or for the period that the board has been in existence. The present producers do not own the funds.

**Hon. C. W. D. Barker:** They are always in and out.

**Hon. L. CRAIG:** The Government is the only authority that could determine what should be done with the money; no other authority is competent to say what is the best way to use it on behalf of the industry. To bring the question into Parliament would make the position chaotic. We would all have different ideas, if we had any at all. So I can see no objection

to the provision in the Bill regarding the disposal of the money, and I support the second reading.

**THE MINISTER FOR THE NORTH-WEST** (Hon. H. C. Strickland—North—in reply) [10.0]: I would like to reply to one or two queries that have been raised. I will have to obtain the information sought by Mr. Logan and let him have it later. Sir Charles Latham was concerned as to why, in a previous Bill, poultry came under the Stock Diseases Act.

**Hon. Sir Charles Latham:** Don't worry about it.

**THE MINISTER FOR THE NORTH-WEST:** It is rather interesting. It is an old Act which dates back to 1895; it has not been amended since. The definition of "stock" reads as follows:—

"Stock" shall include all horses, cattle, sheep, goats, swine, camels, deer, antelopes, llamas, buffaloes, and other ruminants, dogs, poultry and the carcases or portion of the carcase of any such stock . . .

So it covers a very wide field of animals. That is how poultry diseases come under the Stock Diseases Act.

I would like to refer now to the point raised by Mr. Baxter in relation to the distribution of funds. As Mr. Craig asked, who is better fitted to distribute the funds than the Government? They have been built up since 1945 by various producers, many of whom have left the industry, while many others will be coming in to market through the board. The Bill provides that the money shall be spent in the interests of the egg industry in such a way as the Governor thinks fit. That is the only way to do it. It would not be possible to find individuals and give them a share of the assets if the board were wound up tomorrow.

However, I would like to dispel any idea that the Bill has been introduced because there might be some prospect or fear of the board being wound up. The fact is that the Poultry Farmers Association has been making requests for legislation of this nature over the past four years. As Sir Charles Latham pointed out, he received requests during his short term as Minister for Agriculture, and I notice from the departmental papers that he did promise to bring the matter up at the 1953 session of Parliament. I would also like to assure Sir Charles that the department controlling poultry, and the department that will be officiating and making arrangements for the function to be held at the Herdsman Lake experimental farm will not overlook him. The Bill is a good one, and is necessary, and I trust it will receive the support of the House.

Question put and passed.

Bill read a second time.



*In Committee.*

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

**STANDING ORDERS COMMITTEE.***Consideration of Report.*

Report of Standing Orders Committee now considered.

*In Committee.*

Hon. C. H. Simpson in the Chair.

Standing Order 29:

The CHAIRMAN: We shall take each proposed amendment separately. The first recommendation is—

Delete the words "members present, if a quorum, shall proceed to elect some other member to" in lines 4, 5 and 6, and substitute the words "Chairman of Committees shall."

The reason for the proposed amendment is.

This amendment is necessary to bring it into line with the Constitution Acts Amendment Act.

Hon. W. R. HALL: I support the amendment and would inform members that the Standing Orders Committee gave consideration to several Standing Orders; and in view of the fact that a Bill has been passed by both Houses to amend the Constitution Acts Amendment Act as it referred to the Chairman of Committees performing the duties of President in the event of the President being absent through illness or through some unavoidable reasons, this amendment to Standing Order 29 was proposed. Members will recall that for one period last year there was no President, and the Chairman of Committees was not empowered under the present Standing Orders to act as Deputy President during that period. This amendment will permit the normal business of the House to be carried on and will bring our Standing Orders into line with the Constitution Act.

Hon. L. A. LOGAN: Members will recall that last year we introduced a Bill to enable the Chairman of Committees to take the place of the President when he was unavoidably absent. That Bill was defeated in another place. We were of the opinion that the same position should apply to conform to an amendment made to the Constitution Act; hence the reason for the amendment.

Recommendation put and passed.

Standing Order 324:

The CHAIRMAN: The next recommendation is to amend Standing Order 324 as follows:—

Add after the word "suspended" in line 2 the words "or adjourned as the House may decide."

The reason for the proposed amendment is:

This would enable the House either to suspend or adjourn according to circumstances.

Hon. W. R. HALL: I support the proposed amendment to Standing Order 324. Under the present Standing Orders the business of the House remains at a standstill during conferences. As members are aware these have been known to go on for some considerable time. If the recommendation is adopted, it will mean that the routine business of the House can be carried on while a conference is in progress. There have been occasions when sittings have had to be suspended from one day until the next because of a conference, and this amendment will alter that position.

Hon. Sir CHARLES LATHAM: This is a very important departure, as it will apply not only to conferences, but also to sittings of select committees. The understanding is that managers do not leave the conference room until they reach a decision, although we know they do so. It would be dangerous if important legislation were dealt with in the House and managers of a conference did not have an opportunity to represent their constituents.

The Chief Secretary: How do you arrive at that?

Hon. Sir CHARLES LATHAM: If three members were acting as managers at a conference and thus conducting business for the House, it would be dangerous for the House to proceed with its business during their absence. On no occasion has a select committee been permitted to sit while the House was in session. If we adopt the amendment, we shall be justified in saying that a select committee may sit while the House is in session. I had no idea that this matter would be discussed tonight, otherwise I would have consulted authorities on the point.

A conference of managers is really a Parliament in itself. We delegate authority to managers; three are appointed from this House and three from another place to discuss important legislation upon which the two Chambers have been unable to agree. Consequently we would have two Parliaments sitting at the one time.

Hon. L. Craig: I do not think that is right.

Hon. Sir CHARLES LATHAM: That is what I understood from Mr. Hall's remarks, although I am afraid he did not make the position quite clear. I would strongly oppose any idea of having the House sitting while a select committee or a conference was in progress.

The CHIEF SECRETARY: I have been trying to understand Sir Charles Latham's objection. I cannot see that select committees would enter into the question.

Hon. Sir Charles Latham: It would have the same application.

The CHIEF SECRETARY: No; the amendment refers to a conference.

Hon. Sir Charles Latham: The same thing would apply to both.

The CHIEF SECRETARY: I do not think it would. A select committee is authorised to sit at times over which the House stands adjourned, but that does not apply to a conference of managers. The object of the amendment is to legalise what has been done in the last two or three years. When a conference has been arranged, the President has suspended the sitting until the ringing of the bells. The amendment would permit the House to be adjourned and for a conference to proceed.

Hon. L. A. LOGAN: Some members have gathered a wrong impression. Standing Order 324 states—

During any conference the business of the Council shall be suspended.

The amendment is to add the words, "or adjourned as the House may decide." That is what has been happening. The President has suspended the sitting until 4.30 p.m. the next day or until the ringing of the bells. After such a suspension, some members wanted to ask questions and the Minister desired to table papers; but as the sitting had merely been suspended—it was a continuation of the previous day's sitting—questions could not be asked and papers could not be tabled. The amendment would permit of the House being adjourned while a conference was being held and a new sitting would begin at the conclusion of the conference.

The Chief Secretary: In the old days we had to wait as much as 16 or 17 hours for a conference to finish.

Hon. L. A. LOGAN: Yes. The amendment will facilitate the business of the House.

Hon. Sir CHARLES LATHAM: I believe that this report has been placed before us only today. If the House is adjourned, it is adjourned to a certain time. That is why, if the House is to meet again outside the hour fixed by the Standing Orders, the Minister moves a special motion. This amendment will have no different effect from suspending the sitting.

Hon. W. R. Hall: The President is the only one who may suspend the sitting.

Hon. Sir CHARLES LATHAM: The amendment does not provide that a member shall not leave the precincts of the House. I cannot see what difference the amendment will make, unless it be to

throw on the Chief Secretary the responsibility of saying when a conference will finish. I can see no reason for questioning the procedure adopted last year or the year before. The sitting may be suspended for any length of time, and members then know when it will be resumed.

Hon. E. M. DAVIES: I support the recommendation. Managers have gone into conference in the evening and continued their work during the night. Members have been informed that the bells would be rung at a certain time the next day and so were able to go home to sleep. The amendment is intended to enable the House to be adjourned.

Hon. Sir Charles Latham: Members acting as conference managers are still part of the House.

Hon. E. M. DAVIES: Nobody denies that; no business could be done by the House until the managers reported back. The amendment would permit of a conference being continued during an adjournment of the House. It is to facilitate the business of the House.

Hon. Sir Charles Latham: I think it should be submitted to a legal authority.

Hon. E. M. DAVIES: I do not claim any legal training or ability, but I see no reason why the recommendation should not be adopted.

Hon. N. E. BAXTER: I agree with Sir Charles that we may be doing something dangerous if we agree to the amendment. There is a vast difference between suspending the sitting and adjourning the House. I see no reason why, after the business of a conference had been dealt with, the Minister could not adjourn the House for half an hour, following which questions could be dealt with. When the House is adjourned to a certain time, it must meet at that time whether some of its members are in conference or not, according to the amendment.

Hon. C. W. D. Barker: Cannot we adjourn the House while a conference is sitting?

Hon. N. E. BAXTER: The House cannot meet while there is a conference in session at present, but under the amendment it could do so.

The CHIEF SECRETARY: I see no danger in the amendment. If it were agreed to, Standing Order No. 324 would read—

During any conference the business of the Council shall be suspended or adjourned as the House may decide.

The House could decide to adjourn until 4.30 p.m. the following day and the conference could continue. The motion could be, "That the House adjourn till 4.30 p.m. tomorrow, or until the bells are rung." On

the 15th April last, the sitting was suspended from 11.5 p.m. to 4.38 p.m. the next day, but by following that unorthodox procedure it was anticipated that the bells would be rung at a certain time the next day; while, in fact, the House did not meet until 4.38 p.m. If the House were adjourned until 4.30 p.m. the following day, under the amendment, members could go about their business, while the conference was sitting. The amendment would allow questions to be asked the next day when the House reassembled; and in the last few days of the session, that would be a valuable privilege for members. I believe a similar motion is to be moved in another place, and we would like to keep our Standing Orders as uniform as possible. This will allow us to do constitutionally what we have done unconstitutionally in the last few years.

Hon. Sir CHARLES LATHAM: These laws could be the subject of an appeal to the Privy Council. In some Parliaments, instead of a conference of six managers the two Houses meet to try to iron out their disagreements; but here we have a hotchpotch system that has grown up over the years. The conference managers report back to the House if they have reached agreement and advise the House if they have not, in which case the Bill is dropped. I do not think the agreement reached by a conference has ever been rejected by this Chamber. The six conference managers have frequently amended the law—

Hon. L. A. Logan: Only with the sanction of Parliament.

Hon. Sir CHARLES LATHAM: They must report back. I venture to say that some while ago when a conference made decisions on a Bill dealing with housing, only three members in this Chamber understood them and what their application would be.

Hon. L. Craig: That will not be altered by this amendment.

Hon. Sir CHARLES LATHAM: Our Constitution sets out how we shall transact our business; but we have departed from that, as it does not provide for conferences. I will vote against the amendment, because I think it is wrong. Nothing is more important than the laws of the country.

Hon. L. Craig: These are not laws, but rules.

Hon. Sir CHARLES LATHAM: I have mentioned the processes that we use and under which we have delegated three men from this Chamber to confer with three from another place.

Hon. L. A. Logan: Neither House has to agree.

Hon. Sir CHARLES LATHAM: Frequently I have been unable to follow the legislation passed by this Chamber, and

I have heard the courts say they could not understand what the law meant. Our laws are often passed by an exhaustive process because, when members have sat here for 22 or 23 hours, they reach a stage where they are willing to agree. I would like the Minister to report progress until we can have another look at this proposal. What is being done now is bad enough, but what we now propose is worse. If the sitting were suspended I would be associated with the three members who were in conference; but if the House were adjourned, I would be away. Actually we are setting up another small Parliament among these six men. I would like an opinion obtained from the Crown Law Department. If we are to legislate in a little room—

Hon. L. Craig: They would not be legislating.

Hon. Sir CHARLES LATHAM: What would they be doing?

Hon. L. Craig: Conferring in an attempt to reach a decision.

Hon. Sir CHARLES LATHAM: They would be making a decision on something upon which Parliament could not agree.

The CHAIRMAN: The hon. member is out of order in referring to the conference. The question before the Chair is the adoption of the recommendation.

Hon. Sir CHARLES LATHAM: If this recommendation is accepted the sooner we wind up Parliament the better, because I get hopelessly sick of that which is called legislation. Only recently I tried to piece legislation together, but without success.

The CHIEF SECRETARY: If what the hon. member has in mind were correct I would agree with him; namely, if we were going to delegate to three men the powers of this House. However, we do not seek to alter the present set-up. A conference will continue; and when the House reassembles, the managers will submit their report in the same way as has been done down through the years. All the recommendation proposes is that the House shall adjourn until the conference is finished.

Hon. Sir Charles Latham: What is the difference between suspending and adjourning?

The CHIEF SECRETARY: The difference is that when the House adjourns the conference is suspended; but if we adopt this proposal we can adjourn the House, and the conference can still continue to sit.

Hon. N. E. Baxter: I do not agree with that.

The CHIEF SECRETARY: That would not be unusual.

Hon. N. E. Baxter: A conference could sit during an adjournment.

The CHIEF SECRETARY: If we considered that the conference would be short, the House would merely be suspended; but if the conference were likely to sit for a day or more, we could adjourn the House. A very good illustration occurred last December. The House sat on the Friday; and I moved that the Assembly's request for a conference be agreed to, that managers be appointed, and that the conference be held in the Chief Secretary's room on Monday, the 21st December. That motion was moved on Friday, the 18th December. The conference continued from the Friday night until 3.10 a.m. Saturday. The sitting was then suspended and the House reassembled on Tuesday, the 22nd December. In the meantime the conference met at 2 p.m. on the Monday in the Chief Secretary's room. When the House reassembled the report was presented. However, in a similar case, if this recommendation were adopted, the House could have adjourned until the following Tuesday, with a conference being held on the Monday in the same way as during last December. I think that to permit the House to adjourn during the holding of a conference would be an improvement.

Hon. Sir Charles Latham: Has it struck you that that would have been done years ago if it is as simple as you say it is?

The CHIEF SECRETARY: Over the years many things have been accepted as being the custom.

Hon. Sir Charles Latham: The position will become more slipshod than ever.

The CHIEF SECRETARY: I do not think so. In the old days members had to hang around the House all the time the conference was sitting. The hon. member will recall a conference that sat for 25 hours on a Workers' Compensation Bill. If this recommendation is adopted I think it will effect an improvement.

Hon. L. A. LOGAN: We are not dealing with the laws of the country when considering this recommendation. We are dealing with the rules of debate under which the House conducts its business.

Hon. Sir Charles Latham: You are discussing the law.

Hon. L. A. LOGAN: We are discussing whether the House will be suspended or adjourned whilst a conference is being held. Surely this House has the right to work out rules under which it will conduct its business!

Hon. N. E. BAXTER: The question of whether the House shall adjourn or suspend could be decided by the President. He could say that he would leave the Chair until a certain time; and prior to the conference meeting, the Minister and those concerned would have a fair idea when it would end.

The Minister for the North-West: You're telling me!

Hon. N. E. BAXTER: The President could say that he would leave the Chair until a certain time or until the bells were rung. That problem could be fully overcome by the Leader of the House.

Hon. E. M. Davies: We would have to wait until 4.30 p.m.

Hon. N. E. BAXTER: The hon. member would not understand.

Hon. E. M. Davies: I have difficulty in understanding you.

Hon. N. E. BAXTER: I am not prepared to support this recommendation. I do not profess to be an authority on the question, but I think there might be a constitutional danger if we accepted the recommendation.

Hon. E. M. Davies: How could there be?

Hon. N. E. BAXTER: By adjourning the House while a conference was sitting. Such action could be challenged by the High Court or the Privy Council. That is a possibility, and I am not prepared to take the risk.

Hon. E. M. DAVIES: I think the conduct of the business of Parliament is in the hands of the President here and in the hands of the Speaker in another place. The Standing Orders Committee is a joint committee comprised of members from both Houses. I cannot understand how constitutional difficulties could arise. I have always understood that the House is the master of its destiny, and that legislation is passed after both Houses have agreed to it. This is a recommendation by the Standing Orders Committee to this House and to another place. If we agree, and those in another place agree, it becomes law in the same way as any other piece of legislation that passes through both Houses. Therefore I am unable to understand how a constitutional difficulty could arise.

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

Ayes	....	....	....	....	15
Noes	....	....	....	....	5
Majority for					10

#### Ayes.

Hon. L. Craig	Hon. L. A. Logan
Hon. E. M. Davies	Hon. J. Murray
Hon. G. Fraser	Hon. H. C. Strickland
Hon. J. J. Garrigan	Hon. J. D. Teahan
Hon. Sir Frank Gibson	Hon. J. McI. Thomson
Hon. W. R. Hall	Hon. W. F. Willesee
Hon. E. M. Heenan	Hon. R. J. Boylen
Hon. F. R. H. Lavery	(Teller.)

#### Noes.

Hon. C. W. D. Barker	Hon. H. L. Roche
Hon. L. C. Diver	Hon. N. E. Baxter
Hon. Sir Chas. Latham	(Teller.)

Recommendation thus passed.

**Standing Order 321:**

The **CHAIRMAN**: The recommendation of the Standing Orders Committee is—

Delete all words after the word "shall" in line 5 and substitute the words "be four".

The reason for the proposed amendment is that it will overcome the necessity of having to obtain a unanimous decision on matters referred to a conference.

**Hon. W. R. HALL**: At the request of the Speaker, the Standing Orders Committee of each House met with a view to discussing the subject of conferences. There was a long discussion, and serious consideration was given to Standing Orders 321 and 329. The result was a recommendation that the Standing Orders be amended. It was thought that four managers should be appointed from each House; that they should be equally representative of the Government and the Opposition parties; and that if six members agreed to a settlement, on any particular line, that should be the decision of the conference. It was thought that this might obviate a deadlock through one member standing out. It would also overcome the necessity to obtain a unanimous decision on any subject matter referred to a conference. I support the recommendation.

**Hon. Sir CHARLES LATHAM**: In the past a unanimous decision of the six managers was required. The recommendation is that a majority of six to two shall be required. The reason for this is to take away the authority of this Chamber and hand it to four members appointed as managers by this Chamber. I would refer to the wording of Standing Order 316. I have no doubt that these conferences have gone further than was intended.

The Minister for the North-West: There should be no conferences.

**Hon. Sir CHARLES LATHAM**: If there is a dispute between the two Houses, then the Bill should be dropped and reintroduced later. The solution is, of course, to have the two Houses sitting together.

**Hon. E. M. Davies**: From whom or where is that constitutional right obtained?

**Hon. Sir CHARLES LATHAM**: The Constitution can be amended at any time.

**Hon. E. M. Davies**: That is what we are doing. The conference system between the House of Commons and the House of Lords was recently altered. If a measure passes through the Commons three times consecutively, it becomes law.

**Hon. Sir CHARLES LATHAM**: England has no written Constitution, and that altered system was decided by an Act of Parliament passed by both Houses. At one time the House of Lords had exactly

the same powers as the Legislative Council here, except in measures dealing with finance. Now it is intended to fritter away the powers of this House. But I wish to record my vote against the recommendations.

**Hon. E. M. Davies**: The hon. member is wearing his retrospective spectacles.

**Hon. Sir CHARLES LATHAM**: If I do it in a good cause, it does not matter. We are now asked to throw away the rights of the people and to override their decision on this matter. We did not give an indication during the last election that we intended to alter these Standing Orders. As the Committee has made up its mind—

The Chief Secretary: It may not have done so on this recommendation.

**Hon. Sir CHARLES LATHAM**: I leave it to the wisdom of individual members to decide on this recommendation. It is bad enough to have three managers from each House to decide the fate of a Bill; but now it is proposed to decide it on a majority decision of six to two.

**Hon. L. CRAIG**: This question of altering the number of conference managers from each House from three to four must be decided by members individually, as also must be the question of whether the decision should be unanimous or a majority of six to two. I would point out one weakness in such a procedure. It means that even if two members stand out, a decision can be reached. For the benefit of new members with no experience of conferences, I would point out that when the two Houses cannot agree, after a Bill has gone backwards and forwards, each House appoints three managers. They meet and determine the fate of the Bill. Unless those six managers come to a unanimous decision the Bill is lost.

It is proposed to increase the number of managers from six to eight, and any six may determine the fate of the Bill. Two managers may dissent, but their decision will not affect the result. The weakness is that the discipline of the Labour Party will always ensure that the four managers appointed by it will vote en bloc. If there is any giving way, the forces which are not allied to Labour will be the ones to do it. We know the rules of the Labour Party; that is their business. The point is that four Labour members will go to a conference determined that under no circumstances will they split.

The Chief Secretary: We do not do that.

**Hon. L. CRAIG**: In 20 years I have never known it to happen.

**Hon. C. W. D. Barker**: It is the same on the other side.

**Hon. L. CRAIG**: I am saying that if a conference broke up and it was known that there was a majority decision of

four to two, it would also be known that the four belonged to the Labour Party. That is the weakness which I put to the Standing Orders Committee, though I did not raise sufficient objection to warrant my submitting a minority report.

Hon. H. L. ROCHE: I agree substantially with Mr. Craig. If we accept the amendment to the Standing Orders we have to face the position that there could be a majority in this Chamber adamant on some amendment, but it is quite probable that that majority in this House would have only two members at the managers' conference. I think I am right in saying that this place has had decided views on matters on occasion, and has had no adamant support from another place, or any political section.

The position is that though it wished to insist on some amendment, the will of this Chamber could be ignored owing to the constitution of the conference. Serious consideration should be given to this amendment before it is agreed to. It is a matter for regret that we have been called upon to decide this issue, in view of the number of members absent through one cause or another. I am not blaming anyone, but it would be better if the matter could be held over until more members can be present.

The CHIEF SECRETARY: I was going to suggest the same before Mr. Craig rose. This is a matter to which members should give serious consideration before casting a vote, and I was going to propose that the debate be adjourned so as to allow members to study the amendment and think over the complications that could arise. We should give a considered and not a snap decision.

Progress reported.

*House adjourned at 11.21 p.m.*

## Legislative Assembly

Wednesday, 17th November, 1954.

### CONTENTS.

	Page
Questions: Transport, as to power for trolley-bus loads	3001
Pig Iron, (a) as to Wundowie and B.H.P. supplies	3002
(b) as to request to B.H.P.	3002
(c) as to ensuring equal treatment for State	3002
Water supplies, as to Wadderin Dam, Kondinin and Corrigin connections	3002
Claremont Mental Hospital, as to provision of additional accommodation	3002
Motion: Air Beef Pty., Ltd., as to continuance of Government subsidy	3005
Bills: Canning Lands Revestment, 1r.	3003
Petroleum Act Amendment, 1r.	3003
Dried Fruits Act Amendment, 3r.	3003
Parks and Reserves Act Amendment, 2r.	3003
Married Women's Protection Act Amendment, Council's amendments	3003
Fauna Protection Act Amendment, returned	3005
Supply (No. 2), £15,000,000, returned	3005
Dog Act Amendment, 2r.	3008
Pharmacy and Poisons Act Amendment, 2r., Com.	3010
Betting Control, Com.	3011

The SPEAKER took the Chair at 7.30 p.m., and read prayers.

### QUESTIONS.

#### TRANSPORT.

*As to Power for Trolley-Bus Loads.*

Mr. JOHNSON asked the Minister for Railways:

(1) Is he aware that at peak periods the trolley-buses on the Reserve-st., Floreat Park and Mt. Hawthorn routes do not always have sufficient power to proceed with the loads carried?

(2) Are steps being taken to improve this situation?

The MINISTER replied:

(1) Wembley districts—Yes.

Mt. Hawthorn—No.

(2) An additional power line will shortly be installed to serve the extension along Grantham-st. This will serve as a temporary relief until a new traction substation is erected.