

they do not need to have 9,306 electors—the figure the member for Mt. Lawley gave; and I think it is correct—but something in the vicinity of 7,910.

That is in respect of the area quota. When they come to apportioning the area quota among three districts, they get another margin of 15 per cent. so that it is possible, and, in my opinion, quite probable—unless they are going to make a specialty of this halo around the central mining area that I referred to—that we shall have three seats each with a total electoral population of less than 2,300.

Even that might not be so bad if the Bill made any provision for the abandonment of that idea if, unfortunately, the population of those areas continued to decline, as it has in recent years. But it does not. In the clause that provides for the subsequent adjustments of which incidentally, as far as I can see, the first could be postponed till about 1968 under the Bill, it goes on to provide that the area of the outer mining and pastoral section shall not be altered and therefore will still remain with three seats, irrespective of the number of the electors—

Hon. A. V. R. Abbott: For 12 years.

Hon. A. F. WATTS —so it would be possible under that provision, on the subsequent adjustment, for those particular areas to have virtually no electors at all and yet still have three members. It will be quite apparent, therefore, that there is nothing in that proposition to commend itself to me.

Had there been in the Bill a provision that the number of members for the metropolitan area should be increased straight out to 21, and the number in the outer mining and pastoral areas increased to a given number to make up a total of 52, or even if there had been an even distribution of the two extra seats between the two great sections, the metropolitan and the agricultural, pastoral and mining areas as we now know them, without tinkering with and making a special quota for this outer mining and pastoral area, I would have looked upon it with a great deal more favour.

But as the member for Mt. Lawley said, the provision seems to have been specially designed to preserve for a considerably long period of years the present representation of those areas, irrespective of what might be the effect on the other areas of the State which are to be reapportioned by the commission.

Lastly, I fully appreciate the comment of the member for Mt. Lawley on the proposed Legislative Council province adjustments. I cannot see why the three province areas, when they have been determined, should not be divided into areas with approximately the same number of electors.

They would, it is true, be Legislative Council electors, and therefore the figures mentioned by the member for Mt. Lawley would need some amendment, but the principle is the same.

The additional electors brought in, whatever their number might be—qualified to vote at Legislative Council elections—should be added to the total and a fair apportionment made as equally as possible between the three provinces, following on a design which has always been approached as closely as possible—although, of course, there has always been some deviation—for Legislative Assembly seats. I cannot understand why that specific provision should be placed in the Bill, that the boundaries of the West, Metropolitan and Suburban Provinces, as far as practicable, should not be altered and that the electors brought in should as nearly as possible be equally divided between them, because that will preserve the present anomaly of having one province with two and a half times the number of electors of another province. I do not think that is a reasonable proposal. Without labouring the subject, and mainly for the reasons I have mentioned, I propose to oppose the second reading.

On motion by Mr. McCulloch, debate adjourned.

*House adjourned at 10.35 p.m.*

## Legislative Council

Wednesday, 1st December, 1954.

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

**BILLS (2)—THIRD READING.**

- 1, Soil Fertility Research.
  - 2, Public Service Act Amendment.
- Passed.*

**BILL—NATIVE ADMINISTRATION ACT AMENDMENT.**

Report of Committee adopted.

**BILL—NATIVE WELFARE.**

*In Committee.*

Resumed from the 25th November. Hon. W. R. Hall in the Chair; the Minister for the North-West in charge of the Bill.

The CHAIRMAN: Progress was reported on Clause 58, to which Hon. L. A. Logan had moved an amendment to insert after the word "by" in line 14, page 20, the following:—

- (a) Adding after Subsection (1) the following proviso:—

Provided that nothing in this subsection shall apply to natives living or domiciled in the South-West Land Division; and

- (b)

Hon. C. H. SIMPSON: I think the purport of the proviso moved by Mr. Logan is clear to members, because the amendment was discussed at length. It means, in essence, that the original Subsection (2) of Section 61, which related to admissions or confessions by natives, will be withdrawn so far as natives in the South-West are concerned but will be preserved to cover tribal natives. I have discussed the amendment with Mr. Logan and the Minister, and I think we were in agreement that there was no longer the necessity for that protection to remain for civilised or educated natives, but the problem was to define an area that would include those natives who have reached an educated standard and at the same time preserve protection for those who are not educated. Eventually we decided on an area east of Burracoppin, which meant that Southern Cross, Coolgardie, Kalgoorlie and the whole of the Eastern Goldfields as well as the area east of Pindar—that is, Warrego, Mt. Magnet, Yalgoo and Mee-katharra—would be excluded, and also Norseman and Esperance.

On looking at the map, it was found that the south-western corner of the State, bounded on the north by the 26th parallel as far east as the 123rd meridian of longitude, would include the whole of the eastern part of the State, but would exclude the whole of the north-western portion. I move—

That the amendment be amended by striking out the words "the South-West Land Division" and inserting in lieu the words "that portion of the State bounded on the North by the

26th parallel of latitude reaching from the coast to the 123rd meridian of longitude, thence by that meridian of longitude, southwards to the Southern Ocean."

This would meet the wishes of the Committee. It might be contended that this amendment would not solve the technicalities, such as the position of an educated or a tribal native going over the borderline. The term "domicile" would make the position clear; apart from this the two boundary lines as specified run through very sparsely populated areas of the State. That would mean there would be a considerable distance between the populated areas within that division and the other areas where tribal or uneducated natives reside.

Hon. L. A. LOGAN: In company with Mr. Simpson, I have studied the map since yesterday. The term "South-West Land Division" might not meet all the eventualities, and would be hard to define.

Hon. C. W. D. BARKER: Does this amendment on the amendment not go too far?

Hon. L. A. LOGAN: I do not think so. The area specified in the amendment on the amendment would cover the majority of the places concerned. I do not know whether it would cover the South-West Land Division; only time will tell. I am prepared to accept this amendment on the amendment if the Minister agrees to it.

The MINISTER FOR THE NORTH-WEST: This area was pointed out to me by Mr. Simpson, and I have since discussed it with the Minister in charge of the Department of Native Affairs. In some respects, it appears to go too far, because it extends to Wiluna and takes in many pastoral properties, where the natives are not so knowledgeable or educated as those in the South-West Land Division. We are of opinion that the proposed area would take in places not desired to be covered. I realise that it is difficult to draw a line of demarcation.

The main objection to the amendment on the amendment is that it extends to the backblocks of the Murchison, the Gascoyne and right across to Wiluna. In this area there reside a large number of natives who are not familiar with court proceedings and are nowhere near the standard of education of natives in the South-West Land Division. We would prefer the South-West Land Division to be retained.

Hon. L. CRAIG: A great deal of importance has been attached to the proviso and to the amendment, but it is not as great as would at first appear. The whole question is whether a magistrate shall or shall not accept evidence from a native. At present, the Act provides that he shall not. He is given no discretion. If natives in the South-West Land Division or in the area suggested by Mr. Simpson are exempted, a magistrate is still permitted, if

he feels that a native is not capable of giving evidence, to refuse to accept a plea of guilty. It is not binding. In effect, if we agree either to the South-West Land Division or the new area, it means that a magistrate may accept a plea of guilty in those areas. If the Act is left unaltered, the magistrate shall not accept evidence.

Natives are being emancipated, particularly caste natives, and it is only right that some responsibility should be placed on those capable of accepting it. In other words, natives who have lifted themselves in the social scale should accept the responsibility of being able to say yes or no. Therefore, if we place this responsibility on them, we must exempt some parts of the State. If, in the opinion of the magistrate, a native is capable of pleading, the plea will be accepted, and vice versa. Either amendment would have the effect of lifting up the natives who were capable of giving evidence while leaving the others in the position they occupy to-day. I would have thought it preferable to exempt all full-blood natives, but I shall not complicate the question by moving in that direction.

**THE MINISTER FOR THE NORTH-WEST:** The subsection concerns a confession of guilt by a native previous to the trial—in other words, a confession obtained by a policeman—and that could not be used at the trial. A provision dealing with pleas before a magistrate comes later. Subsection (1) was inserted years ago to protect uncivilised natives.

**Hon. C. W. D. BARKER:** We ought to be very careful in adopting an amendment along the lines suggested because there is room for doubt. If it be made to apply to an area outside the South-West Land Division, it will include all the goldfields. Periodically tribes of natives appear in Kalgoorlie from as far away as the Warburton Ranges and those natives are below the standard contemplated by the amendment. I cannot agree with Mr. Craig. A policeman would receive a confession in order to get a conviction. The magistrate might not accept it, but there is no guarantee that he would not do so. Only a few natives might suffer under such an amendment, but we should be careful not to injure even those few.

**Hon. C. H. SIMPSON:** Mr. Craig was not quite right in his impression. The proviso seeks to exempt certain natives from the application of Section 61(1), which lays down definitely that admissions or confessions by natives shall not be accepted by the court. I pointed out previously that charges for serious offences had gone to the Full Court and had been ruled out on that subsection. The proviso proposes to exempt some natives from the operation of that subsection, but the natives not so exempted will be in the same position as before.

The cases I quoted previously applied to North-West towns, and they would be outside the area that I have suggested should be adopted. The trouble is that we are trying to apply location qualifications to character qualifications. Mr. Craig was right in saying that the magistrate had certain powers, and it is the practice of courts to exercise discretion in accepting or refusing to accept evidence or pleas of guilty if the native mentally is not capable of understanding what is happening. That power would still exist.

I know the Murchison area fairly well and the natives there are not much, if at all, below the standard of those in the South-West Land Division. Many of them have attended mission schools and are able to speak and write English well, and on stations they are able to undertake work as efficiently as whites can do. On that score there need be no anxiety as to their intelligence qualifications. It would be most desirable to include such natives in an area embracing Kalgoorlie, Meekatharra and suchlike places where the native problem can at times become fairly acute.

That line does bring them in and does not interfere with the tribal natives. It does not matter if the Warburton Range natives come into Kalgoorlie, because they would not be living or domiciled in that area and would therefore still be tribal natives who come under the discretion of the court. It seems that we are generally in favour of some area being declared. The natives in my area would be substantially and in some cases wholly up to the standard of those in the South-West Land Division, and that would apply also to Roebourne and Carnarvon; but I have not suggested that the natives there should be included, because I believe the Committee would prefer a defined area rather than that the clause should be struck out.

An attempt was made two or three years ago to frame a proviso along these lines; and a Bill was introduced, I think, in 1952, to give effect to that intention, but was not proceeded with, the reason being that it is so difficult to frame legislation to determine the mentality and character of a particular person. I suggest that the area mentioned would be suitable and that we would be unwise to restrict it.

**Hon. C. W. D. BARKER:** What Mr. Simpson has said about the educational level of the Murchison natives is true to a certain extent. The natives working on stations in that area are intelligent to some degree; but once they come face to face with the law and are confronted by a police officer they go to pieces, and the result is that he can get any kind of confession from them. I believe the provision should be confined to the South-West Land Division for the time being, as the natives in the North are not yet ready for this responsibility. I have seen confessions

being belted out of natives. I have seen them hung up by the thumbs and made to confess—

Hon. A. F. Griffith: And what did you do about it?

Hon. C. W. D. BARKER: I did all I could to stop it. I have seen some horrible things in my time, and that is why I hope the Committee will not agree to the amendment.

Hon. C. H. SIMPSON: There seems to be still some misunderstanding. Section 61 (1) debars the discretion of the court or judge as to accepting confessions from natives. The natives in this area would come within the discretion, and that would be a means of protection for them, but the court would have no discretion in relation to those outside. Subsection (5) says the protector may, on behalf of the native charged with any crime, misdemeanour or offence, address the court or jury on behalf of the accused and examine and cross-examine witnesses; and so they would have that protection.

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

Clause, as amended, put and passed.

Clause 59—Section 62 repealed:

Hon. N. E. BAXTER: I hope the Committee will not agree to this clause, because the section is a safeguard to natives. Sometimes the Minister decides that a person convicted of a criminal offence should be released on certain conditions, and restrictions are then placed on him. I feel that the section is essential for the welfare of the natives—

The Minister for the North-West: It applies only to certain offences.

Hon. N. E. BAXTER: Yes, but the provision does no harm in the Act and might at times be very useful.

The MINISTER FOR THE NORTH-WEST: The section is a relic of the chain-gang days when natives, in chains, built the court house and customs house, together with other buildings in Roebourne; and it applies only to natives convicted of killing or spearing cattle, an offence of which there has not been a single case known in the past five years. At one time the natives convicted for the offence were placed in gaol on Rottnest Island, and later they were put to work, Roebourne being the centre for many years. The reason for this provision was to give the Minister authority to remove the natives from Rottnest Island gaol and put them to work anywhere that he considered necessary. I hope the Committee will agree to the clause.

Hon. C. W. D. BARKER: Most of those guilty of the offences that the Minister mentioned were desert natives who came into the stations and continued to live off the land. Now all the natives in that part of the State are either working on the stations or at the missions. Just before entering Parliament, I travelled 120 miles into the desert and did not see a single native.

Hon. Sir Charles Latham: Do they not go walkabout into the desert still?

Hon. C. W. D. BARKER: No, the only tucker in that country is boodie-rats, snakes, dingoes and lizards.

Hon. Sir Charles Latham: And wild cattle.

Hon. C. W. D. BARKER: No, it is a desert.

Hon. Sir Charles Latham: Do they not bring cattle down over the Canning stock route?

Hon. C. W. D. BARKER: Yes. But how many blackfellows are there on the Canning Stock Route today?

Hon. Sir Charles Latham: I do not know.

Hon. C. W. D. BARKER: There are none there. They are all at Jigalong mission station. There has not been a case in the past five years. Where is the chain gang today? The Minister is trying to clean up the Act, and I have heard the hon. member advocate this on several occasions.

Clause put and passed.

Clauses 60 to 62—agreed to.

Clause 63—Section 66 repealed:

Hon. N. E. BAXTER: I trust the Committee will not agree to repeal this section. We have heard a lot about natives not being educated in the North-West Land Division; but, on the other hand, we have also heard that they are educated. The natives in the north-west part of the State who are not educated should have some protection under the Act, and we have taken a good bit of that protection away by this Bill. I will fight to see that as much protection as possible is retained.

The MINISTER FOR THE NORTH-WEST: This is only to cut away dead wood, and it matters little whether the provision is in or out.

Clause put and passed.

Clauses 64 to 67—agreed to.

Postponed Clause 43—Section 42 repealed:

Hon. N. E. BAXTER: This was postponed because there was some doubt in the mind of the Committee. The clause deals with a police officer or a justice of the peace having the right to order a native out of the town if he is loitering or not properly clothed. There is no doubt that

the majority of natives today are clothed after a fashion, but that does not mean they are properly clothed. I have known policemen to order white men out of the town because they were not properly clothed, and the same should apply to the natives. The police officer knows when a native is desirable in the town and when he is not. The police have to administer the law, and they should have the right to decide whether a native is clean or not.

**THE MINISTER FOR THE NORTH-WEST:** We have changed the name of this Act and called it the Native Welfare Act. It is considered that provisions such as this one should be removed. We agree with Mr. Baxter that the white man's law should apply to the natives, and this section is only being repealed to remove dead wood. Who is to judge in these modern days who is decently clothed and who is not? The provision was put in the Act when the natives ran around with nothing on.

**Hon. N. E. BAXTER:** This section of the Act was passed in 1936.

The Minister for the North-West: It was amended in 1936.

**Hon. N. E. BAXTER:** That is so; and it was done when a Labour Government was in office. In spite of what the Minister and other members say, if a police officer interferes with a native, the Commissioner of Native Affairs comes down on him. The Minister knows that as well as I do. The purpose of this Bill is to ensure that police officers will lay off the natives. These officers are not pleased with the provisions in the measure because they will be put in an awkward position when handling natives in the country districts. If the Committee agrees to the deletion of this section it will regret it.

**Hon. C. W. D. BARKER:** As the Minister said, natives who are loitering or are indecently dressed are governed by the same laws as we are; but I have seen this provision cruelly administered, and I have seen natives being ordered out of town holus-bolus.

Postponed clause put and passed.

Title—agreed to.

Bill reported with amendments.

## **BILLS (2)—FIRST READING.**

1, Wheat Industry Stabilisation.

2, Petroleum Act Amendment.

Received from the Assembly.

## **BILL—RADIOACTIVE SUBSTANCES.**

### *Recommittal.*

On motion by the Chief Secretary, Bill recommitted for the further consideration of Clauses 4, 5, 11, 12 and 17.

### *In Committee.*

**Hon. W. R. Hall in the Chair;** the Chief Secretary in charge of the Bill.

### **Clause 4—Interpretation:**

**The CHIEF SECRETARY:** I move—

That the definition of "dentist" in lines 5 to 7, page 2, struck out by a previous Committee, be reinserted.

This is necessary in view of my intention later to move for the reinsertion of the words "or dentist" elsewhere in the Bill. I am taking the rather unusual course of having this Bill reconsidered in Committee because of the consternation caused by the amendments made by this Chamber. At the time, I tried to emphasise the need for the measure being carried as it was presented. I realise that the matter contained in the Bill is something that is entirely new, and neither I nor most members had anything but a vague idea of what was intended and the serious consequences that were involved. Naturally I had to be guided by the information supplied to me by the department.

Exception was taken by Dr. Hislop to certain parts of the Bill and he moved amendments thereto. It was for the purpose of further consideration being given to some of those amendments that I had the Bill recommitted. Concerning this definition of "dentist," when we were discussing the matter in Committee previously, I tried to tell the hon. member that while he was taking up the cudgels on behalf of the medical profession, this Bill covered more than merely the medical and dental professions. As a matter of fact, the information supplied to me at the time led me to believe that the phase with which the hon. member was concerned was a minor one. I have found out since that that was quite correct. I have some comments on the matter here. I have so many, in fact, that it would take hours to consider the various aspects raised by those vitally concerned.

**Hon. Sir Charles Latham:** It is just as well for us to understand it, if we can.

**The CHIEF SECRETARY:** Yes. While I do not intend to read all the information I have, I think I will be able to give sufficient to convince members that it is necessary to reinsert various passages that were deleted from the Bill. The notes with which I have been supplied are as follows:—

The main purpose of the Bill is to ensure that radioactive substances and irradiation apparatus in this State will not constitute a danger to the general public, or persons employed in any duties that bring them in contact with or in the vicinity of radiations from these substances and equipment.

The use of these radiations in medicine and dentistry is a very small portion of the hazard to be controlled.

Yet Dr. Hislop has confined himself to considerations of medical and dental use and nullified the whole purpose of the Bill in an attempt to represent the medical practitioner as some sort of superior person to whom the ordinary laws and safety measures should not apply.

I said that Dr. Hislop was concerned with the medical aspect, because on many occasions he asked, "What do those people know about the human body?" It was mostly on those lines that he opposed various portions of the Bill. The information given to me is that that is a very small phase of the measure. My notes continue—

Members should realise that X-ray radiations and radioactive substances of much more powerful and dangerous types than those used in medicine are at present being used in industry in Western Australia without adequate supervision by a properly constituted expert body or adequate legislation for their control.

During the debate, Dr. Hislop moved amendments to the Bill, notwithstanding that the Federal Council of the B.M.A., the College of Radiologists, and the National Health and Medical Research Council have accepted the substance of this Bill and the controls we seek to introduce.

I have here a copy of the Bill agreed to by the National Health and Medical Research Council. Members who wish to do so may go through it; and if they do so, they will see that the measure agreed to by those people is practically identical with the Bill before us. That model Bill was considered at the 37th session of the National Health and Medical Research Council which was held at the School of Public Health and Tropical Medicine, Sydney, on the 19th and 20th May, 1954. Members present were—

Professor Edward Ford (Acting Chairman), Dr. F. G. Morgan—Representing the Commonwealth.

Dr. H. G. Wallace—Representing New South Wales.

Dr. K. Brennan—Representing Victoria.

Dr. A. Fryberg—Representing Queensland.

Dr. G. H. McQueen—Representing South Australia.

Dr. L. Henzell—Representing Western Australia.

Dr. J. Edis—Representing Tasmania.

Professor H. R. Dew—Representing the Royal Australasian College of Surgeons.

Dr. J. G. Hayden—Representing the Royal Australasian College of Physicians.

Dr. S. Devenish Meares—Representing the Australian Regional Council of the Royal College of Obstetricians and Gynaecologists.

Dr. W. F. Simmons—Representing the Federal Council of the British Medical Association.

Professor A. J. Arnott—Representing the Australian Dental Association.

Matron A. M. Walsh—Laywoman appointed by the Commonwealth.

That is the body that considered this Bill and agreed to it. The minutes of the conference state—

The Council was informed by the chairman that the proposed Radioactive Substances Act was now in a form acceptable to both the Federal Council of the B.M.A. and the College of Radiologists.

The Council recommended that the Commonwealth Minister for Health approach the State Ministers for Health with a view to having the Act proclaimed in each State.

Hon. Sir Charles Latham: Do you know whether he did that or not?

The CHIEF SECRETARY: Definitely. That is the reason the Bill is here. The Federal Council of the B.M.A., which also endorsed this proposal, was represented by the following:—

New South Wales:

Dr. A. J. Collins—President,  
Dr. W. F. Simmons,  
Dr. H. R. R. Grieve,  
Dr. A. J. Murray.

Queensland:

Dr. A. E. Lee,  
Dr. H. W. Horn.

South Australia:

Dr. L. R. Mallon,  
Dr. C. O. F. Rieger.

Tasmania:

Dr. J. B. G. Muir,  
Dr. L. N. Gollan.

Victoria:

Dr. H. C. Colville,  
Dr. C. Byrne,  
Dr. R. Southby.

Western Australia:

Dr. D. E. Copping,  
Dr. C. W. Anderson.

Those are people who agreed to the necessity for this legislation. I also have a copy of a Bill on similar lines which was introduced in Tasmania this year. Dr. Hislop was not too happy about dentists being included; and, in the course of his remarks, he said—

The Bill will allow dentists the complete right to use radioactive substances in ordinary practice. Nothing could be more inaccurate or misleading. No dentist would use these

things in ordinary practice and no dentist would be allowed to by virtue of the fact that he must first obtain a licence. One must grant to the Council, to be formed under this Bill, recognition for sufficient intelligence and regard for their responsibilities as to prevent them issuing a licence except to persons suitably qualified and equipped to use these substances safely and in a manner of which the Council would approve.

A dental student does five years' academic and hospital training and is educated in the same basic sciences as the medical student. There is therefore no reason why he should not further train himself in the use of radioactive substances or irradiation equipment in the limited field of his speciality and if he can do so to the satisfaction of the Council, it is right that he should be licensed for such work in his limited field.

I have also a letter from Professor Sutherland.

Hon. Sir Charles Latham: Where does he come from? Queensland?

The CHIEF SECRETARY: No. I thought that the hon. member would know that he is in charge of the Dental Hospital in this State, and he has medical qualifications as well. I cannot find the letter at the moment; but if members wish me to do so, I will read it later on. I think I have said enough to induce members to agree to the reinsertion of the definition of "dentist" in the interpretation clause.

Hon. J. G. HISLOP: There are some words in the documents handed to the Chief Secretary to present to us to which I take exception. I have never suggested that the medical profession was composed of superior persons who were beyond the law. Such rubbish brought into a debate of this sort will only lead to personal enmity. This is one of the most serious matters that has ever come before us. The Chief Secretary also made the statement that I said that the Bill would allow the dentists to use radioactive substances in ordinary practice. He said that was far from the truth; but it is the actual truth, for the reason that the Bill will allow a dentist to be licensed; and if he is licensed, he cannot be prevented from using radioactive substances. The Chief Secretary also referred to the issuing of licences, which is an extremely difficult matter to control. He said that the dentist will not be able to use radioactive substances unless he is licensed; and neither will a medical practitioner.

The fact is that the board will be totally incompetent to decide which medical men and dentists shall be licensed; because, apart from one radiologist, its members will be ignorant of the facts that are necessary to decide who will be licensed. To all intents and purposes it

will be a lay council. We know how the Physiotherapists Board inquired into the competency of physiotherapists. All it could do was to visit the rooms of a physiotherapist and ask him a few questions; and if it was satisfied he had some sort of a practice, it would register him. That board knows that there are a number of people who have been registered, but who have no real claim to be physiotherapists.

More or less the same thing will occur with this lay board. If, with the degrees I hold, I went to the board, I would defy it to refuse me a licence. Any member of the profession who had a higher degree would, if he took the matter to court, be able to obtain his licence because it would be a restriction on his method of practice if the board failed to issue him with one. The same thing can occur with the dentist. To say that dental education is basically the same as medical education is arrant nonsense!

Let me refer to the statement by the Federal Council of the B.M.A., and so on. The men in the other States would be quite entitled to pass such a Bill, because medical schools exist there, and they would have research institutes. Nothing I have done would prevent Professor Sutherland from doing research work in the dental hospital here, because he holds a medical degree and would be able to obtain his licence, and those working with him would come under his cover.

Hon. Sir Charles Latham: Could he do it without this amendment?

Hon. J. G. HISLOP: Yes, because he is a medical man. He has qualified in medicine and dentistry. Here we have no research institute capable of handling the work; and, until we have, it is nonsensical to pass a measure of this sort. The Bill, so far as this particular part of it is concerned, is years ahead of itself.

I have made it my business to inquire what the dentists could use in the way of radioactive substances. I find that the work which has been done is purely research. A good deal of it has been carried out with the idea of learning whether there is a dynamic character to the enamel of the teeth, and how the elements of the body are laid down in the enamel; that is, how it is formed and maintained in the body. Most of the experiments have been carried out on rats. Radioactive phosphorus was administered by stomach tubes to rats. The incisors were divided into three parts, etc. This is obviously laboratory work which cannot be done anywhere in this State.

In order to emphasise that the work is of a character that can be done only on animals, let me point out that two men reported the presence of radiophosphorus in the enamel of cats after subcutaneous injections of "very potent preparations of radioactive phosphate."

Radioactive phosphorous cannot be injected into an individual without producing a great deal of effect on parts of the body other than the dental enamel. This work is likely to damage the bone marrow and alter considerably the number of red cells in the blood.

It was found the experiments did not produce the desired results because the dosages were too small, so further work was carried out by Sognnaes and Shaw who decided to investigate the same problem in higher animal species and at a higher level of radioactivity; and they used rhesus monkeys. There is no possibility of the Dental School here using rhesus monkeys because we have not got the equipment or the people to do the work.

It will be seen, by the bibliography of this volume entitled "Preocutiv Dentistry," which I have before me, that the vast majority of the work has been reported in the Journal of Dental Research, and so on. Practically the whole of it has been carried out not by dentists but by biochemists and physiologists. What is suggested here will work when we have a medical school and a team of people to carry out the research. We have already considered having an isotope section in the Perth Hospital, but no one here can take charge of it. In order to have such a section we would need to look for someone trained in the work.

Any consternation that I may have caused as a result of what I have done, is nothing to what the Bill has caused in the minds of most of the profession. I have put the matter to the B.M.A. Council which is holding a meeting tonight to discuss it. One person whose signature lies on the Federal Council's document is one who is most anxious about the whole position as it appears in the Bill.

Hon. Sir Charles Latham: Whose signature are you referring to?

Hon. J. G. HISLOP: To Dr. Copping's. I spoke to him and he immediately got in touch with the council. If what is suggested is to be reinserted, the Bill should be defeated on the third reading because it is far too dangerous. I will not let the Bill go through without a great protest. I do not usually protest in this way, but I am just as emphatic as the Chief Secretary. If we put back into the Bill what we have struck out, the effect will be to place in the hands of a lay body the control of the use of radioactive substances in medicine. I am not prepared to allow this. I am prepared to stay here for a long time to convince the Chamber of the unwisdom of the Chief Secretary.

The CHIEF SECRETARY: I cannot understand Dr. Hislop at all. He talks about this committee being a lay body. It is to be composed of the person who for the time being is the Commissioner of

Public Health, a radiologist, an engineer of the Metropolitan Water Supply, Sewerage and Drainage Department, a physicist, a physiologist or biochemist, and an x-ray engineer. Why make statements like that which are not true?

Hon. J. G. Hislop: They are true.

The CHIEF SECRETARY: I leave members to judge whether this is to be a lay committee. There will be two if not three medical men on it.

Hon. Sir Charles Latham: They may have only a limited knowledge of this subject.

Hon. J. G. Hislop: Very limited indeed. It is a lay committee for this purpose.

The CHIEF SECRETARY: Is there anyone else in the State who would have more knowledge of it?

Hon. J. G. Hislop: Yes; and when you sit down, I will tell you who.

The CHIEF SECRETARY: The Bill has been agreed to by all the bodies that I have mentioned. All these men in high positions, medically and otherwise, have agreed that this measure is required; yet Dr. Hislop says he will fight it to the bitter end, or words to that effect.

Hon. J. G. Hislop: And so I shall.

Hon. C. W. D. Barker: Has a Bill similar to this gone through the other State Parliaments?

The CHIEF SECRETARY: I have one from Tasmania. This is a model Bill put up from the Federal point of view with the idea of being passed after receiving the approval of the bodies I have mentioned.

Hon. L. C. Diver: With a similar lack of qualifications?

The CHIEF SECRETARY: Would one expect that an Australian council would lack qualifications?

Hon. L. C. Diver: I am speaking about the other States' legislation, to which you referred.

The CHIEF SECRETARY: I assume that boards in the other States would be the same as the one proposed here, because our Bill is a model from the Commonwealth.

Hon. Sir Charles Latham: Has Tasmania the same kind of board?

The CHIEF SECRETARY: I have not checked it, but I can do so. Dr. Hislop also said that research facilities do not exist in this State. The information given to me is that such a suggestion is belittling the Dental College in this State, the hospital and the university. I have a letter from the president of the Australian Dental Association, Western Australian branch, which reads as follows:—

We feel that it is relevant to indicate that the argument for the amendment has not been based on a full



appreciation of the conduct of dental practice and education. Some of the points are as follows:—

- (1) It is suggested that there are no facilities for research—On the contrary, there are excellent facilities available at the laboratories of the Perth Dental Hospital, University Dental College and other Government laboratories.
- (2) It is suggested that there is not therapeutic application in dental procedures—In view of current developments in other countries, it is apparent that this will soon follow and will necessitate some measure of control, such as the present Bill provides.
- (3) It is suggested that a dentist has not the ability or qualification to properly control the use of radioactive substances and apparatus—Medical and dental graduates have the same sciences—biological and exact—as a basis for their respective professions, but a dentist has the advantage of a course of radiography.

We are deeply concerned that the profession should be deprived of what may become one of the greatest therapeutic aids known. The possibilities of intra-oral radiography, of caries prevention and the use in oral surgery, warrant serious consideration and strong encouragement. If these amendments are allowed and the matter carried to a logical conclusion, then no progress in this branch of dentistry will be possible in any State in the Commonwealth.

We open this subject in solicitude for the welfare of the public and the advancement of our profession and trust that you will give the matter your earnest consideration.

I also have a letter from Professor Sutherland, addressed to the Minister for Health, which reads as follows:—

Quite recently I was approached by the Commissioner of Public Health (W.A.) who sought from me information relating to the dental aspects of the Radioactive Substances Act, 1954, now before the House. As there appears to be some general confusion and lack of knowledge on the use of these substances in the field of dental science, I would like to take this opportunity of supplying you with the following information which I hope will be of

some help to you in assessing the importance of these substances to the dental research worker.

Research in this field has now gone beyond experimentation with animals, and already experiments on man are being carried out. Furthermore, even in these early days of our knowledge of radioactive isotopes, it would appear that these substances are showing promise in the fields of diagnosis and treatment of dental patients. There is an abundance of dental literature available to support my remarks, but a very good summary of the position to date appeared in the Journal of the American Dental Association of December, 1953, entitled "New Dental Uses of Radioactive Materials," from which I now quote—

In this issue of the Journal several new departures in the use of radioactive materials in dentistry are presented. These include such varied applications as the taking of roentgenograms (x-rays) without an x-ray machine, the determination of growth sites in the jaws and skull with radioactive calcium, the testing of the seal of the margin of acrylic fillings, the use of radioisotopes in the study of radiation injury, and the determination of the retention of radioactive iodine in teeth of patients treated for thyroid disease.

The lines of dental research already anticipated in the early forties, before the advent of isotopes from the uranium pile were in themselves enough to entice the dental investigator into the field of radioactivity. The developments which have occurred since 1945, when radioactive compounds were released in large quantities from the uranium pile at Oak Ridge, have each year brought new developments in dentistry, and it appears now that dental institutions will need to establish radioisotope laboratories where graduate students can be trained in the use of these new tools of dental science.

Following these opening remarks is a series of some five articles, resulting from research carried out by dentists along the lines indicated, and concluding with a list of some 70 references on the uses of radioactive materials in dental science.

From this information alone it is not improbable, therefore, that these materials in the future may have important uses in the actual treatment of dental patients.

I cannot understand the attitude that has been adopted. The Bill has been considered and agreed to by the bodies I

have mentioned, and the members of those bodies hold high positions in the medical profession in Australia. Therefore, if it is good enough for them, surely it is good enough for us. These men would not support legislation such as this unless they agreed with it.

Hon. J. G. HISLOP: I think the Chief Secretary had better give up his story of these important bodies making decisions, because members must be tired of hearing it. It is the only argument he has. Members of these bodies agreed with this legislation because they were dealing with something for Australia; they were dealing with places such as Victoria, where research facilities exist. They do not exist in this State. To say that I am decrying the medical profession is just too stupid for words. Professor Sutherland said in his letter that it had become essential for dental institutions to form their own isotope laboratories. When they get to the stage of being able to have a laboratory of that type at the Dental Hospital, I will give them every support. But they should not be allowed to fiddle with these things before they have proper laboratories.

The board of the Royal Perth Hospital has decided to put in its own isotope laboratory. But the staff know quite well that they will have to import someone with sufficient knowledge to handle the subject. So we could not suggest that the Dental Hospital be allowed to use these things before it has the requirements that Professor Sutherland said are necessary. The Chief Secretary also asked me about the qualifications of the members of the board. First of all, the knowledge of the Commissioner of Public Health, as chairman, is purely that of chairman. That is all he knows of the subject.

The Minister for the North-West: But he is a doctor.

Hon. J. G. HISLOP: It is extraordinary that when one is a doctor people think that one knows everything about all aspects of medicine. To use the words of the Chief Secretary, that is far from the truth. I do not know anything about certain aspects of medicine and surgery, and I do not know anything about anaesthesia. The Commissioner of Public Health is expert in the field of public health; but when it comes to the application of radioactive substances in the treatment of human beings, he knows about as much as I do of anaesthesia. What do the x-ray engineer and the man from the Metropolitan Water Supply, Sewerage and Drainage Department know about the handling of these substances for the treatment of human beings?

The Chief Secretary: He is not there for that purpose, and you know it.

Hon. J. G. HISLOP: He will be a member of the board and will have his say as to what will happen.

The Chief Secretary: He is there to cover a certain angle.

Hon. J. G. HISLOP: The physicist need not be a qualified member of the profession, and the radiologist never comes near a patient in regard to treatment. On the board, there will be nobody who handles a patient. Yet, on the Therapeutic Trials Committee, there are people who have done valuable service and who keep themselves abreast of the world's literature. Dr. Cyril Fortune and Dr. Eric Saint are highly qualified, and should have seats on this board.

Hon. L. Craig: Is not the board capable of issuing licences? A judge is not an expert in every field. Could not the board call evidence to decide whether a person is capable of using radioactive substances?

Hon. J. G. HISLOP: This board has not been told that it should call evidence on the matter of issuing licences. I hope that even if the Council does agree with the Chief Secretary, he will allow me to recommit the Bill tomorrow so that I can give the views of the council. The Chief Secretary just read a letter from Professor Sutherland on the use of iodine and radioactive iodine in regard to thyroid diseases and the deposition of it in the teeth. Let me quote this—

Bartelstone reported a study that was undertaken to determine whether  $^{131}$  applied to the internal surface of enamel would penetrate through this tissue and through the dentin and concentrate in the thyroid gland of cats. A solution of  $^{131}$  was applied to the external surface of intact enamel of eight animals, and significant counts were observed over the thyroid gland . . .

That means to say that when a dentist starts to give radioactive iodine in the mouth, it can go through the rest of the body; and if it does, the dentist knows nothing outside his field of work.

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

Hon. J. G. HISLOP: It is my hope that the Committee will not agree to the amendment and will leave the Bill as it has been amended. I have given many reasons why it would be dangerous at this stage to do as we are requested, and I sincerely trust that the efforts I have made to put the matter fairly before the Committee will meet with success. The Chief Secretary, in referring to the National Medical and Research Council, fails to realise that by far the greater majority of medical practitioners on that council are members from departments, and there would be one from each State. They are the men who are expected to look towards control. The number of practising physicians on that council is very small. The College of Physicians is represented by Dr. Haydon who comes from

a medical centre where, in the Eliza and Walter Hall laboratories, the research has reached the highest peak in Australia; and its work is probably equal to any that is done in other research centres in the rest of the world.

If a radioactive isotope is given to a patient one must know where that isotope is to be found and what area of the body it will influence. Radioactive iodine placed in apposition to the enamel of the teeth would be found in the thyroid, and surely before such work is contemplated in dentistry the question of whether the patient's thyroid could stand up to that must be investigated. I emphasise once more that the whole of this work is in the merest research stage. Further, it is limited only to the stage where such research is possible.

We have nowhere here where we can do research on rats and rhesus monkeys; and we never will have until such time as we have a medical school and have reached the stage where the work can be done in conjunction with research carried out in centres of similar type. In the main, research in this field is not being done by dentists. It is being carried out by trained chemists and physiologists; and I doubt whether there is either a trained chemist or physiologist in this State capable of estimating the action of radio isotopes on any individual.

The Bill as a whole is of a somewhat restricted nature; it is attempting to put restrictions upon progress so far as the practice and use of radioactive substances are concerned. There has never been any previous difficulty when any radical advance has been made in science. There has never been any board set up to control the use of any new drug for human consumption. That has always been carried out with the most meticulous care by medical practitioners without Government control. There was no board constituted when penicillin was first used, or when the present antibiotics were brought into use; and the efforts of the medical profession all over the world are directed towards the control of any advance in science in the interests of the human being.

To say that a council which is to consist of six people, without one practising physician on it, is to be able to direct the use of radioactive substances for medical purposes is a very retrograde step. It makes me think that the attitude of our Health Department is growing more and more towards control. I know quite well that medical men who take up administrative positions believe in control and that they could do much better than the practising medicos themselves. We have had signs of that from Canberra.

This Bill would be much better if it were put in its original state so that it could be qualified and would not include the use

of radioactive substances for medical purposes. If the great desire of the department is to have control over these radioactive substances in industry, well and good. I am sorry that Mr. Hearn has not been able to express the view of industry in asking that it be allowed to carry on under its own devices with this council simply delineating the methods of control for the packing and use of these substances. Therefore, I am merely going to ask what the Chief Secretary desires at the moment before appealing to him that the Bill be put back in the same form as it was before.

The CHIEF SECRETARY: I realise that the whole bone of contention is on this point. If we settle the argument on this amendment we will agree on the whole Bill. Dr. Hislop referred to the National Medical and Research Council and the members who are serving on it, and said that most of them were members of departments. That may be so as far as six States are concerned. I have no knowledge whether Dr. Morgan and Professor Edward Ford, representing the Commonwealth, are attached to a Commonwealth department.

Hon. J. G. Hislop: Dr. Morgan is with the Commonwealth Serum Laboratories.

The CHIEF SECRETARY: Apart from that, there are five other persons, excluding Matron Walsh; so I suppose six of the members belong to departments. I appreciate the interest that Dr. Hislop has taken in the matter, but I think he has allowed his enthusiasm to go too far. He referred to this advisory council doing certain things medically, and he also referred to the Therapeutics Trials Committee. I have a note here in connection with that. It reads—

The purpose of the advisory council is not to dictate to medical practitioners which substances they will use on which patient for medical treatment, but merely to ensure that adequate safety measures for the general public are maintained. Another committee with no statutory authority—the Therapeutics Trials Committee—maintains the former function. Medical practitioners form the major portion of this committee. At least three of the six members of the advisory council will be members of the Therapeutics Trials Committee, so that the medical use of radioactive substances and the rights of medical practitioners will be well represented in the controlling council. As physicians are well represented on the Therapeutics Trials Committee, it is unnecessary to waste their time by putting them on the Control Committee to discuss a whole host of matters not connected with their speciality.

There will be at least two, and perhaps three, medically qualified men on the control committee and with the assistance of the other technical experts, they are perfectly capable of forming an adequate medical appreciation of any question arising without the aid of more physicians.

Should the necessity for further medical advice arise, the Council has power in the Bill to set up special sub-committees, the members of which need not be on the council.

So it will be seen that the Bill will give statutory authority so far as radioactive substances are concerned; and, in my opinion, will be of assistance to the Therapeutics Trials Committee. So all the necessary safeguards are present for the use of these radioactive substances medically.

Hon. J. G. HISLOP: The Chief Secretary made a very misleading statement by saying that the majority of the members of the Therapeutic Trials Committee will be on the control committee. It is misleading because the members relied on in the former committee are the two physicians. Because a person holds a medical degree, it does not necessarily follow that he is an expert in all medical fields. If the control committee is to be of any use to the profession, then it must have a physician on it. It is no use having a Therapeutic Trials Committee consisting of persons who are not in contact with the patients. Those in contact should have a voice on the controlling council. Anything could happen under those circumstances. It is misleading to say that the council would be of use to the medical profession. In fact it could be a great deterrent to progress. I hope the Committee will not agree to the insertion of the words. I suggest it is highly dangerous to restore the definition.

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

Ayes	17
Noes	6
Majority for	11

Ayes.

Hon. C. W. D. Barker	Hon. F. R. H. Lavery
Hon. R. J. Boylen	Hon. J. Murray
Hon. L. Craig	Hon. H. C. Strickland
Hon. E. M. Davies	Hon. J. D. Teahan
Hon. G. Fraser	Hon. J. McI. Thomson
Hon. A. F. Griffith	Hon. H. K. Watson
Hon. E. M. Heenan	Hon. W. F. Willesee
Hon. C. H. Henning	Hon. J. J. Garrigan
Hon. R. F. Hutchison	(Teller.)

Noes.

Hon. N. E. Baxter	Hon. Sir Chas. Latham
Hon. J. G. Hislop	Hon. C. H. Simpson
Hon. A. R. Jones	Hon. L. A. Logan
	(Teller.)

Amendment thus passed; the clause, as amended, agreed to.

Clause 5—Radiological Advisory Council established:

Hon. L. A. LOGAN: I move an amendment—

That the words "the chairman or his deputy as the case may be has a second or casting vote in addition to his ordinary or deliberative vote" in lines 38 to 40, page 3, be struck out and the words "the question shall be resolved in the negative" inserted in lieu.

I said during the second reading that the chairman is given a casting as well as a deliberative vote under this Bill. In the case of two other Bills introduced in this House earlier in the session, the provision governing the appointment of the boards and the voting power of the chairman differed from this one. Although the duties of those boards and the Council proposed under this Bill are the same, the wording is entirely different. It seems strange that such different verbiage is used. Surely the draftsman responsible for these Bills should adopt some uniformity in wording. That would be to the advantage of everyone concerned. I hope the Chief Secretary will take this matter up with the draftsman. My amendment seeks to bring the chairman of this Council under the same conditions as the chairmen of other boards; that is, he will have a deliberative vote and no casting vote.

The CHIEF SECRETARY: I accept the amendment.

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

Clause 11—Control of radioactive substances:

On motion by the Chief Secretary, clause amended by reinserting the words, "or dentist" in lines 9 and 13, page 7, which had been struck out by a previous Committee.

Clause, as amended, put and passed.

Clause 12—Control of irradiating apparatus:

On motion by the Chief Secretary, clause amended by reinserting the words "or dentist" in lines 30 and 32, page 7, which had been struck out by a previous Committee.

Clause, as amended, put and passed.

Clause 17—Regulations:

The CHIEF SECRETARY: I move—

That the word "use" in line 18, page 9, struck out by a previous Committee be reinserted.

The Committee dealt with the medical use of radioactive substances, attention should be drawn to their industrial use. Today there is the industrial use of x-rays for

testing welds, casting and other articles. I understand that Tomlinsons Ltd. uses industrial x-rays to test the Kwinana pipeline.

Hon. L. Craig: And also the tanks.

The CHIEF SECRETARY: I know that the workmen have to be very careful in the use of these industrial isotopes. I understand that the substance is kept in a wire cage. It has to be taken out by a fishing line when it is to be used. It must be kept at a certain distance away from a human being. It is put into a pipe and drawn along by rope to the welds or joints. It is essential that the council be given the right to make regulations governing the use of radioactive substances for industrial purposes.

Hon. N. E. Baxter: They would be used on the machines on the oilfields also.

The CHIEF SECRETARY: I suppose so. It is probably more necessary to reinsert this word than some of the other words.

Amendment put and passed.

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

That after the word "use" in line 18, page 9, the words "excluding medical and dental therapeutic purposes" be inserted.

The council, in my opinion, is not the body that should be constituted for this purpose. The tremendous amount of work being done all over the world means that methods of use can be brought sometimes rapidly to the fore; and if a place like the Royal Perth Hospital, where most of the work for years will be done, has to appeal to the council before it can use these substances, the position will be highly undesirable. Most medical men at present are unaware of the nature of the radioactive substances being used, and the number using them outside the Royal Perth Hospital would be almost negligible. These substances would be used for many years by honoraries at the hospital, and it would be a long time before they would be used in the field of general practice.

Nothing should be allowed to hinder the purposes for which these radioactive substances might be used. The Therapeutic Trials Committee is the body to which we have looked for advice and has been practically the controlling body so far as these substances are concerned. The Bill would be much more useful if we excluded use for medical and dental purposes.

Hon. L. CRAIG: I am afraid that the amendment would produce a result different from that desired by Dr. Hislop. It would mean that the use of these substances could be controlled except for medical and dental purposes, and that would permit of an engineer who had permission to use them for x-ray work using them for medical and dental purposes.

Hon. J. G. Hislop: That is not so.

Hon. L. CRAIG: The Council would determine whether a doctor or dentist was capable of handling these substances; and if he satisfied the council of his capability, he would be allowed to use them on the human body.

Hon. J. G. HISLOP: Mr. Craig is quite erroneous in his suggestion, because the Medical Act and Dental Act would safeguard the position.

The CHIEF SECRETARY: I hope that the amendment will not be accepted. All that we desire is to empower the making of regulations to govern the use of these substances. If the amendment were adopted, we might find later that the council was powerless to promulgate regulations governing the medical and dental portions of the Bill, and that would be deplorable. I cannot see why anyone should be exempted from the provisions of the measure. It is not the intention to direct what a doctor may do. The desire is merely to give the council power to make regulations governing the use of these substances.

Hon. J. G. HISLOP: There is a very grave danger which I must point out. The use of drugs for the treatment of human beings has been the province of the medical profession since time immemorial, and now we are proposing control by a department or a body composed of men who know relatively little about the subject. This is going very close to Government control of the profession, and it would be a sorry day if that came about.

Unfortunately there is a growing tendency on both sides of politics to look for control of sections of the public, and this is a particularly dangerous one. It is extraordinary to think that the profession has been able to advance so tremendously over the centuries, and now is regarded as being incapable of protecting the public. The control is to be placed in the hands of a lay committee, and "lay" it is. Here is the first step towards control of the profession.

If the Committee is happy about it, well and good; but the day will come when a department will be able to lay down what the profession may do for the ailing, and the public will suffer in consequence. This matter was fought very strenuously when a Labour Government was in power in Canada, and here we have the same sinister movement telling the profession, which has done such sterling service in the way of making progress, that it is to be controlled by a lay body.

The CHIEF SECRETARY: Evidently Dr. Hislop fears that, because Labour is in power here, there will be control of the profession, but that is entirely wrong. I have emphasised that this is not a baby of the local Labour Government; it is a baby sponsored by the Federal Liberal-Country Party Government and has been

adopted by Liberal and Labour Governments in other States. Earlier in the evening, I stated that the purpose of the advisory council was not to dictate to medical practitioners which substances they may use for medical treatment, but was merely to ensure that adequate safety measures for the general public were maintained. To this end, it is necessary to have power to make regulations regarding the use of these substances. That should dispel Dr. Hislop's argument regarding control of the medical profession.

Hon. Sir CHARLES LATHAM: As a layman I find it very difficult to decide what is the right thing to do. Is there any need for this measure to be passed hurriedly?

The Chief Secretary: Yes.

Hon. Sir CHARLES LATHAM: I hope that if the Bill is passed it will not be responsible for causing human beings to suffer. I know that in the past surgeons have crippled patients simply by experimenting, and I would not like to think these new substances were going to be used by people lacking the proper qualifications. Surely the proposed council should have some qualifications in order to judge those who apply for licences! I understand that one of the substances concerned is used to determine defects in steel fabrications, while others are employed in the treatment of various maladies in human beings, and I would not like to think I was to be treated by some person not qualified in the use of substances of this nature.

Hon. C. W. D. Barker: The Bill provides for the licensing of qualified men.

Hon. Sir CHARLES LATHAM: How would the council judge? The hon. member could possibly judge, seeing that he is such a knowledgeable man—

The CHAIRMAN: The hon. member must confine his remarks to the amendment.

Hon. C. W. D. Barker: My qualifications are as good as yours.

Hon. Sir CHARLES LATHAM: The Bill seeks—

The CHAIRMAN: The hon. member was referring to Mr. Barker's qualifications. He must confine his remarks to the amendment.

Hon. Sir CHARLES LATHAM: I have little confidence in the information so far placed before the Committee, and I think we could easily leave this measure for another six or 12 months.

Hon. E. M. HEENAN: The subject matter of the debate is difficult for a layman to comprehend, but I was impressed by the Chief Secretary's argument that the Commonwealth has submitted this legislation and that the other States have adopted it. On the other hand, I was equally impressed by the sincerity of Dr. Hislop's point of view, but I am nevertheless convinced that

the measure will safeguard the public adequately, and therefore I believe we should pass it in its present form.

The CHIEF SECRETARY: I repeat that the Bill has been approved by the National Health and Medical Research Council of Australia and the Federal Council of the B.M.A. What more does Sir Charles want?

Amendment put and negatived.

The CHIEF SECRETARY: There is some doubt as to whether paragraph (g) was struck out. To make sure, I move an amendment—

That paragraph (g) on page 10 struck out by a previous Committee be reinserted.

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

Bill reported with further amendments.

## BILL—BETTING CONTROL.

### *Second Reading.*

Debate resumed from the previous day.

HON. SIR CHARLES LATHAM (Central) [8.27]: At about this time of year, 16 years ago, I was taking part in a debate in another place on a measure similar to this, and I had it in mind that in all probability I would never again have an opportunity of discussing it as I am tonight. It is surprising to me to know that a Labour Government has introduced this measure, in view of the attitude adopted at that time. I believe the betting position has become much worse in this State in the intervening years, and I can recall the debate that took place and the fact that some of the leading Labour statesmen of that day were opposed to the legalisation of betting. Now we find the Government making an experiment—that is all it is—which I do not think it is justified in making. The only State in the Commonwealth that ever registered bookmakers—that was done by a Labour Government—has found it necessary practically to repeal that law, with the result that, except at Port Pirie, there is no starting-price betting in South Australia.

The Minister for the North-West: It is not legalised in Adelaide.

Hon. Sir CHARLES LATHAM: Then they must have repealed their Act.

The Minister for the North-West: You said there was no betting—

Hon. Sir CHARLES LATHAM: I said there was no law authorising it. We find that the other States have each at some stage tightened up their law in regard to betting, with the result that in those States it is almost impossible today to do any betting without breaking the law. Ever since 1938, when the last Government betting measure was introduced in this State, the position here has become

worse, yet no attempt has been made by any Government to remedy it. I am not blaming the Labour Government, because I believe all Governments in this State have been equally responsible for the present position.

They have driven operators out of houses because they were brought under the Gaming Act and the Criminal Code which provided a penalty of up to three years' imprisonment. It certainly seemed a pretty harsh penalty; but when that was put into the Criminal Code the offence must have been regarded as a heinous one. Since then the operators have been driven on to the streets. In all the other States it is provided that any piece of land, whether enclosed or not, will be regarded as a betting place. In this State we have made no attempt to close in on it to that extent.

I know nothing about betting except the stories I have heard. I have seen people congregate close to hotels and so on, but I have never been interested in it. I am concerned, however, in the action taken by the police since 1938. There is no doubt that there has been an organised system of not attempting to stop betting in this State; indeed there has been an endeavour to foster it to a some extent so that a certain amount of revenue could be collected from it. I am fortified in what I say because I have here a cutting from this morning's paper which I shall read. It is as follows:—

#### Betting Control.

Sir,—I was rather surprised to hear that the Rev. Alan Walker considered that legalising s.p. betting would be to encourage people to bet. If Mr. Walker knew the facts about s.p. betting as it is today, he would not have made such a statement. Does he consider that it would be better for people to place their bets, in an hotel? In a laneway directway with an incinerator holding up the "bookie's" board? Under a gum tree in front of an hotel? In a laneway directly opposite an undertaker's mortuary? In the bar of an hotel? Where most places are in full view of respectable women and children?

The PRESIDENT: Is the hon. member reading a quotation in connection with the legislation before the House?

Hon. Sir CHARLES LATHAM: I am reading a letter written to the Press.

The PRESIDENT: Standing Orders do not permit the hon. member to read anything in connection with the legislation before the House. If it is only a letter to the Press the hon. member may proceed.

Hon. Sir CHARLES LATHAM: The letter continues—

While I was a member of the Police Force I actually saw and arrested such bookmakers. Also, while I was stationed at a suburban station, I, as part of my duty, used to ride round to such places on a motor cycle and sidecar and, without dismounting, ask who was to go off. Usually an aged pensioner or dead-beat with an old betting book and £20 in his pocket would come along. Incidentally, these were a sergeant's instructions.

Finally, doesn't Mr. Walker consider that in the circumstances it would be better for those who will bet to be taken out of the public eye and kept under control by a uniformed police officer? If this were done and no person under the age of 21 years admitted, it would be better for all. I say legalise and control s.p. betting, and get the under age people to church and tell them of the evils and stupidity of such a practice.—Yours etc.,

Ex-Police Constable,  
Perth.

Here is an ex-constable telling the story. A man who left the Police Force saw me the other day and said he was stationed at Kalgoorlie. He did a tour of the starting-price shops in that town. I have been to Kalgoorlie often, but I have never seen one of these shops there. However this police officer informed me that he had been given instructions from the inspector to keep away from these shops. Mr. Logan told us that while he was in Kalgoorlie he walked into the shops there and saw men standing around; the boards were up and he knew full well they were betting shops. If Mr. Logan could find this out in the short space of time he was there, it indicates that the police have never attempted to deal with the situation.

Hon. E. M. Heenan: The problem has grown beyond them.

Hon. Sir CHARLES LATHAM: I am not going to listen to interjections. I will make my speech in my own way. I must conform to the rules of the House. I know I am picked, and I refuse to provide the bait. This police officer said that he was instructed to keep out of the betting shops. If that is the case, I want to know whether the Government is going to do anything to clean up starting-price betting outside of registered premises if this Bill is passed.

Hon. E. M. Davies: It says so in the Bill.

Hon. J. J. Garrigan: Under the Traffic Act.

Hon. Sir CHARLES LATHAM: The Traffic Act is used and it provides a fine of £20 for a misdemeanour for which the Criminal Code provides three years' imprisonment.

The Minister for the North-West: What did you do about it?

Hon. Sir CHARLES LATHAM: Like the Minister for the North-West, I had no say. The Minister knows full well that the Minister for Police is responsible for matters pertaining to the police department; it is not the Chief Secretary who is responsible, unless the department comes under his jurisdiction. Accordingly it is no good blaming some other Minister. I did nothing because it was not in my province to take action. I would have had no opportunity of taking such action unless the matter came before Cabinet.

The Minister for the North-West: No previous Government attempted to do anything.

Hon. Sir CHARLES LATHAM: I am not blaming this Government, because this has been going on since 1938. I would like to indicate what some prominent Labour members think of this matter. A Bill was introduced by Hon. F. J. S. Wise, who was then Minister for Agriculture, and it was supported by Cabinet just as this measure is. There is no doubt that although the Leader of the House tells us that this is a non-party Bill, it has been discussed at a party meeting and has been made a party matter.

The Chief Secretary: No.

Hon. Sir CHARLES LATHAM: The Labour members may not have been tied, but they were under an obligation to support the measure. I will now quote what Hon. P. Collier had to say in 1938. This will be found at page 2462 of Vol. 2 of "Hansard" of that year and it reads as follows:—

The question of gambling in betting shops has been argued over and over again. As I understand the Labour Party and have understood it for the last 40 years, our object is to elevate the working man, to do everything possible to improve his position, but if this Bill becomes law it will drag him down. It will provide facilities for working men to waste their substance in a direction in which they cannot afford to spend money. It is all very well for members to indulge in the sort of claptrap of which we have heard so much, concerning the poor man having his bet. It is all very well for the man described by the member for East Perth last night, who is getting £20 a week, to put £5 on a racehorse. He is able to meet his obligation. If he oversteps the £5 and spends the whole £20, he can recover that money in a week or two. But can the man who is able to wager 5s. in a betting shop stop at the 5s. if he has money in his pocket? Of course he

cannot; of course he does not. It is no use telling me that. I know the workers of this country as well as any man on this side of the House. Men in such circumstances waste their money, and their homes go short, because they cannot stop at 5s. Not much harm would be done if they could, but they take their wages to the shop and do not stop at the 5s. bet. They attempt to recover their loss, and spend 10s., and then half their wages, and the home suffers as a result.

If the Labour Party stands for anything, it stands for the elevation of the workers of this country. Is the legalising of betting shops going to contribute to the elevation of the workers? Of course not. If men will examine their consciences, they will see that this shop betting will lead to degradation. In my young days, and later on, when men were striking for higher wages and better conditions, our greatest weakness was the man who did not have £1 because he had spent it in other ways; he soon gave in. This Bill will provide opportunities for that waste to occur. Somebody has said that we are going to control and regulate betting. Does anybody believe that if this Bill becomes law we will control or regulate betting? Of course not. Someone else has said that people bet in clubs, or that they play cards and gamble in other ways. But clubs are not open to the public. They are open only to those who are members, and only members can go into a club and play poker, or any other game. But this Bill will establish betting shops that will have the sanction of the law. There will be an open door, and the shops will operate with the respectability that the law will impart to them. Those places are called "parlours." I could find another name for them.

Mr. Patrick: "Will you come into my parlour?" said the spider to the fly."

Hon. P. COLLIER: Members have said that the measure will reduce betting, but every sensible person in this country knows that betting will be multiplied fivefold. All those who have been betting in the past will go to bet in these registered, respectable, legalised shops. If it stopped there, it would be all right; but these shops will be an invitation to everybody to go along and bet. I view the matter this way: There are men today that bet in these shops. If the shops are legalised and made respectable, not only will they be frequented by the men who at present bet in them, but they will be an inducement to other men to bet who formerly would never bet at all. That is the position.



The Minister for the North-West: And shops flourished.

Hon. Sir CHARLES LATHAM: After they were licensed in South Australia betting became so thick that it was difficult to control the public on the streets, which shows that the legalisation of betting is an invitation to gamble.

I cannot understand the Labour Party inviting people to bet on anything. I listened to Mrs. Hutchison and I must say she influenced me to a certain extent when she talked about the unfortunate labouring man having very little money at the end of the week. But now I understand the hon. member is proposing to support the Bill. This would be an inducement to them to bet and so leave them with less money for their household purposes and family responsibilities.

I would like to read another opinion expressed on this subject by Mr. J. Hegney. It will be found on page 2475 of vol. 2 of "Hansard" of 1938. It reads as follows:

Supporters of the Bill assert that its passage would eliminate problems associated with betting. The Criminal Code and the Police Act already deal with gambling, and it has been suggested that the Government ought to enforce those existing laws. Doubt exists as to whether such action would prove effectual, because the laws have not been put into force. If the Government admits that it cannot enforce the existing law, I do not see how it will be able to enforce the proposed Act. Provision is made for the betting shops to be closed between 1 p.m. and 5.15 p.m., but in view of the experience we have had, we know that bookmakers will carry on their activities during the prohibited hours. There is an obligation on the Government to enforce the law. All Governments undertake that responsibility. If this Government desired to enforce the law at present, it could do so. Governments use the police, and, in many places, the military, to assist in the enforcement of the law.

If a democracy refuses to enforce the law, it is heading for a dictatorship. Is a democratic Government going to admit that it cannot enforce the law? That appears to be the position at present. If this measure is rejected, that will be a direction to the Government to take action immediately against the evil existing in our midst. I have held these views since I came into the House, and the sentiments and opinions expressed by the member for Boulder coincide exactly with my own. I agree with him about the fundamental principles of gambling. I am sorry to have to disagree with the Government of

which I am a supporter, but I am certainly opposed to this measure, which conflicts with the principles I hold.

Since then that hon. member has changed his opinion. But what I want to emphasise is that if ever a man did anything in Western Australia to uplift the Labour Party it was the late Phil Collier. I can go back to my first experience of Parliament in 1921, and I consider that Mr. Collier laid the foundation for the political side of the Labour Party that made it an outstanding political organisation in Australia. Members of the present Government can be sure that in him was a man who built a structure that placed the party to which they belong in a very high position in the Commonwealth today. I know that the Labour Party of Western Australia is regarded very highly in the Eastern States, and I do not want it to lose that standing. I want it to maintain the standard that was established for it.

Perhaps members may be afraid of being accused of changing their minds. But it is better to do that at the last minute than to look back with regret on something that was done and should not have been done. It is surprising to me that members on this side of the House, who are supposed to be enemies of the workers and friends of the capitalists, have been the ones concerned with seeing that the workers are not provided with avenues for the extravagant expenditure of the money they possess.

The Chief Secretary: They have all the avenues they need now.

Hon. J. J. Garrigan: That is only your opinion, of course.

Hon. Sir CHARLES LATHAM: I am only expressing my own opinion, and not that of anybody else. I do not know whether the South Australian legislation has been repealed, but it is certainly dormant. I want to quote some statements that have been made concerning the operation of that legislation. They were made just after the closing of the betting shops in Adelaide.

Hon. E. M. Heenan: Not all those over again, surely!

Hon. Sir CHARLES LATHAM: The statements were as follows:—

The Hon. R. S. Richards (Leader of the Opposition): Parliament has to face the problems associated with betting shops, which it created.

Mr. Lacey (Port Pirie): Betting shops in the metropolitan area eventually became objectionable and insulted the susceptibilities of people living in the vicinity of them.

Mr. Nieass (Norwood): When betting shops were open, I, as a union official, had more worries and troubles in trying to settle the domestic affairs

of many of the workers as the result of the betting shops than I had in the whole of my experience previously . . . . . Since betting shops ceased to operate I have not had one of these cases to deal with.

Hon. E. M. Heenan: That is about the fourth time they have been read.

Hon. Sir CHARLES LATHAM: One cannot distribute good information too frequently. However, I am not going to take any notice of interjections. I hope members will appreciate what has been done in other States. I do not know whether they think they can wave a magic wand and control this evil that we have in our midst. The amount of money spent on gambling is terrific. In New Zealand, totalisators have been licensed, and I have seen the last balance sheet. Just after the system was started in 1951, the gross turnover was £135,360. At the 31st July, 1954, the turnover was £19,470,425. That was the turnover on the totalisators from which all the money was paid out to the winners, less the cost of running them.

The Minister for the North-West: Do you advocate totalisators?

Hon. Sir CHARLES LATHAM: The net profit to the Totalisator Agency Board was £724,296. The tax paid to the Government for the year was £1,711,344, and the profit made by the agency board was £724,296. The figures I have given indicate that the provision of facilities encourages gambling. One favourable feature about the totalisator is that a proper share of the proceeds is paid to the bettors. If one bets with a starting-price bookmaker, he has a limit. If one backs a rank outsider which pays a big dividend, the bookmaker does not hand over all the money. I understand that is so; but as I have not bet with a starting-price bookmaker in my life, I do not know. I understand, however, that the limit is fixed at 12½ per cent.; that is the information supplied to me.

If members look at the Federal Constitution Act, they will find that the preamble to Section 51 provides that Parliament shall, subject to the Constitution, have power to make laws for the peace, order and good government of the country. I think that when studying this measure we might bear that in mind. If the licensing of betting shops is good government—

The Chief Secretary: Are the present conditions good government?

Hon. Sir CHARLES LATHAM: No, bad government. I have said so before; and the reason is that responsible Ministers will not enforce the law. If the law is not good enough to enforce, let the Government come to Parliament and ask for further powers. They will never be refused.

Hon. E. M. Heenan: Why has the law not been enforced for about 30 years?

Hon. Sir CHARLES LATHAM: I can answer that no more than can the hon. member. I am not going to be led astray by a question of that kind. I believe that starting-price betting began about the depression period, when people could not afford to go to the racecourse.

The Chief Secretary: Long before then.

Hon. Sir CHARLES LATHAM: At that time, starting-price betting shops began in Perth. In those days, not only the keeper of the betting shop was arrested, but also those who were caught betting. They were all put into the Black Maria, taken to the police station and released on bail of £1 per head.

The Minister for the North-West: By one Government.

Hon. Sir CHARLES LATHAM: By the Government in office during the depression period. I know that that Government stopped picking men off the street and taking them in the Black Maria, and prosecuted only those who were running betting establishments, because at the time I asked why an attempt was not made to stop the practice. Since then, control has gradually become weaker, and now this business is an income-producer for the Government.

Hon. E. M. Davies: People betting on the racecourse are breaking the law.

Hon. Sir CHARLES LATHAM: Of course they are not.

Members: Of course they are!

Hon. Sir CHARLES LATHAM: Do members mean to tell me that when a Government imposes a tax on betting that does not legalise it?

The Chief Secretary: No fear!

Hon. Sir CHARLES LATHAM: Of course it does!

The Chief Secretary: Very well; we have no need to get this Bill through, then. We need only issue stamped tickets to the s.p. men.

Hon. Sir CHARLES LATHAM: Try it! As a matter of fact, I am not too sure whether, if the business were traced back sufficiently far, we would not find that betting on racecourses is not gambling. I remember tracing it back on one occasion, though I have not bothered to do so since. But when the Victorian laws were handed down to us, they provided that betting on racecourses was legal.

The Chief Secretary: It has never been legal here.

Hon. Sir CHARLES LATHAM: It has never been made legal here. But we adopted the Victorian laws; and unless they have been repealed, betting on racecourses is still legal.

The Chief Secretary: No.

Hon. Sir CHARLES LATHAM: There is no doubt in my mind that this business could be handled. I cannot be convinced that Parliament would impose a tax on something that was illegal. It could not be collected.

Hon. R. J. Boylen: It is being collected.

Hon. Sir CHARLES LATHAM: It could not be collected if a query were raised.

The Chief Secretary: What about the Federal Government issuing a special postal note for totalisators? That was illegal.

The PRESIDENT: Order!

Hon. Sir CHARLES LATHAM: A postal note?

The Chief Secretary: Yes. It issued a special postal note for the price of the ticket, although it was illegal.

Hon. Sir CHARLES LATHAM: I do not know anything about that.

The Chief Secretary: That is a fact.

Hon. E. M. Heenan: Surely you know that the Taxation Department collects taxation from s.p. bookmakers!

Hon. Sir CHARLES LATHAM: The principle that is being applied with regard to starting-price betting might just as well be applied to other offences, such as stealing. The Government might just as well say, "We will not imprison people for stealing; we will legalise it." This Bill is a start in the wrong direction. I have not altered the opinion I held years ago when I led the opposition to a similar Bill in another place.

The Chief Secretary: What would you suggest instead?

Hon. Sir CHARLES LATHAM: The law could be enforced the same as it is elsewhere.

The Chief Secretary: We have a lot of room in Fremantle gaol, but not sufficient to house all who would have to be imprisoned in that case.

Hon. Sir CHARLES LATHAM: They could be fined. We could do what Queensland is doing.

Hon. L. A. Logan: Have you read the report of the Commissioner of Police?

Hon. Sir CHARLES LATHAM: Yes. It is a very weak one. In Queensland, legislation has been passed to deal with this matter. The State has been divided into zones; and, if 10 per cent. of the population of a zone submits a petition, a plebiscite may be taken within that zone; and if a majority are in favour of starting-price betting shops being established, those shops will be permitted. I wish to quote from the "Courier Mail" of the 19th November, 1954, as follows:—

These are the main points from the Betting Bill introduced into State Parliament yesterday by the Treasurer (Mr. Walsh).

Referenda for legalised off-the-course betting to be held in any of the State's four electoral zones if requested by 10 per cent. of electors.

Petitions to be based on electoral rolls up to the previous December 31.

A fine of up to £100 against a person who improperly signs a petition.

Penalties for illegal bookmakers of £50 to £200 for a first offence, £150 to £500 or imprisonment of up to three months or both for a second offence, and £175 to £750 or imprisonment of up to six months or both for a third or subsequent offences.

A pretty heavy penalty is provided. The extract continues—

Punters convicted of betting illegally will be fined £5 to £50 for a first offence, £20 to £75 or up to 14 days' jail or both for second offence, and £30 to £100 or jail for up to one month or both for a third and subsequent offences.

Voting at a referendum to be for "yes" or "no" and voting to be compulsory.

No betting in shops between noon and 5.30 p.m. on any day when a race meeting is held within 20 miles.

An off-the-course betting board of three members to be established if a referendum is carried in any zone.

One licence to each person. Licence not to be issued to a corporation or to a partnership.

The Bill will also:

Continue the ban on night coursing and night racing.

Continue the general ban on mid-week racing and coursing in Brisbane and provincial cities.

Lift the mid-week ban in Warwick.

Allow metropolitan horse race meetings postponed by the weather to be held mid-week within the following fortnight.

Leave control of horse racing in the hands of the principal clubs, but subject them to regulatory control by the Governor-in-Council.

Force all racecourses and trotting and coursing grounds to be licensed.

They intend to get control in that State. There will be no betting on anything without a referendum of the people. I will be perfectly satisfied if this Government will have a referendum of the people. I am always willing to bow to the majority. I may be in the minority. If the Government holds a referendum on the matter, and then brings down a Bill, I will wholeheartedly support it—or rather, if I do not support it, I will not oppose it. I challenge the Government to accept that advice and to include the penalties that are provided for in Queensland.

Under the Criminal Code the man who bets—not the bookmaker—is just as liable as the person who runs the betting shop, but the penalty is not as heavy.

In the old days, people used to be picked up, and fined on Monday mornings; but that does not apply now. If the person who runs the betting shop can be fined under the Traffic Act, then the person who bets there should be fined as well. Such people would then have less money to bet with; and in a little while they would probably stay home or go to some better and more informative form of amusement.

I hope the advice I have given—that this matter should be referred to the people—will be accepted. I do not propose to move any amendment, but if an amendment along those lines is moved, I shall support it. I point out that Disraeli once made this statement—

Individuals make communities; institutions, they make the nation.

If this kind of institution is going to be used to build up our nation we will have a very poor nation with a poor outlook. I appeal to the Government, at this late stage, to consider whether this measure is in the interests of young Australia because, in my opinion, it is not. It is demoralising and will be the means of turning money into such channels that it will go to people who do not work but live on what they make out of people who bet. The s.p. operators limit their winnings. They do not pay starting-price when the odds get beyond a certain amount.

The Minister for the North-West: They are not the only ones who do not work to make a living. There are plenty of others.

Hon. Sir CHARLES LATHAM: I do not know them.

The Minister for the North-West: What about the Stock Exchange?

Hon. Sir CHARLES LATHAM: I have heard the story before that members of the Stock Exchange are gamblers. I say they are not. Money is invested in industry through the Stock Exchange. People club together to become shareholders in companies, and the shares are sold on the market. There is no gamble about that. I know plenty of people who have put money into companies in order to get an income for their old age. I would not compare that with starting-price betting. I would not say that I could put £1 a week into s.p. betting and get a living out of it, but I might put £100 into shares in a good company, and the only way I could do that would be through a stockbroker. The Minister has had a lot more experience of these things than I have.

The Minister for the North-West: No.

Hon. Sir CHARLES LATHAM: I am sure he has, because he knows a great deal more about them than I do. I shall oppose every clause of the Bill once it passes the second reading, which apparently it will. If I have support, by way of a seconder, we will have a division on each clause.

HON. F. R. H. LAVERY (West) [9.6]: I am one of those who will not have to jump the fence, because in my first session here, when another Government brought down legislation to impose a tax on winning bets, I opposed it as being sectional taxation. During that debate I outlined the deplorable state of affairs that had gradually grown up in the State in respect to s.p. betting. Some time ago I was in hospital and a nurse treating me said, "You do not smoke, Mr. Lavery?" I said, "No, I do not." She said, "You do not drink?" I said, "No, I do not." She said, "Do you do any betting?" I said, "No, I do not." A few moments later she came in with a couple of other nurses. She had a tablet in her hand, and she said, "Do you suffer with headaches?" And I said, "As a matter of fact, I do." She said, "I thought so. Your halo is too tight." It seems to me that a few of the halos that have been flying round the Chamber in the course of the debate are very tight.

Hon. C. H. Simpson: We have other vices.

Hon. F. R. H. LAVERY: There is such a word as hypocrisy, and I feel that the time has come when there should be some outspoken remarks about the Bill. I have heard it said by people outside the Chamber that this Government is courageous in its attempt to do something about this deplorable business. I support that, and I say that Mr. Logan was most courageous for giving us his clear and decisive explanation of what is going on today; and I commend him for it. I support everything he said. What he had to say about the action of the police over a period of years was true. Degrading as it may appear to be to speak of the police along these lines, I feel that the actions of past Administrations have brought about the position where the police have, unfortunately, become involved in a machine which is lowering to the high profession that they follow.

I commend the churches for their attempt to place their views on this matter before us. I know that Mr. Baxter hears my opinions with a certain amount of hilarity, but it may be news to him to know that for 15 years I have been on the vestry of my church. I have this to say that, as a result of my active part in the government of that church, I have found there is a certain amount of burying the head in the sand. I say that with all due respect to those people who have tried to place their ideas and

ideals in regard to betting before the general public and members of Parliament. To the authorities who have sent us letters and who brought the Rev. Mr. Woolacott from South Australia, I say that they are only half doing their job.

It is not many years ago when we were at war. We saw thousands of youths going into military camps and, on their first night's leave, being issued with contraceptives. They would then catch the train to West Perth where they would leave it in their thousands and, jumping the fences, go to the houses of ill-fame. Did I see the churches try to do anything to stop them; or to prevent the ordinary grocer from selling cigarettes to children of 10 years of age? Have the churches done anything to provide homes for delinquent children so that they will not be placed in prisons? Of course not! If they have, they have kept it very quiet. Having got that off my chest, I commend the churches for the attempts they have made to convince us of the errors of our ways. I feel and have felt for many years that something drastic must be done about this canker which is growing amongst us.

During the debate it has been suggested that members on this side of the House have not kept to the principle that this is a non-party Bill. I offer no apology, because, when I spoke here during my first session of Parliament, betting was a worry to me. If the records of the meetings of our party could be placed before the Chamber members would know that on many occasions I brought this matter up, until at one meeting last year it was decided to make investigations into the question. A sub-committee of Cabinet was formed and, contrary to the remarks that have been made by one or two members who spoke earlier on the Bill in this House, it devoted many months to making investigations.

It did not get news only from South Australia, but it got all the data it could from all over Australia, New Zealand and other countries—South Africa, Ireland and England. It was only after a number of meetings and many hours of deliberation that this committee, in its wisdom, brought the Bill forward. Before it was printed a lot of suggestions were made about the various ways to attack the problem. Whether we are attacking it in the right or wrong way, I have no hesitation in saying that we think that this is the method best suited to the conditions as we find them in Western Australia today.

Hon. L. C. Diver: It sounds like a non-party measure!

Hon. F. R. H. LAVERY: This Bill was not introduced because some departmental head wanted to alter one of the Acts under his control. The measure received more than 12 months' consideration; and at times the sub-committee of Cabinet which

dealt with it must have felt that the task was getting beyond it. In answer to Mr. Diver's interjection, I still say that before this matter was introduced in either House, the Premier discussed it with Sir Ross McLarty and Hon. A. F. Watts. So do not let us say that this is purely and simply a Labour Party matter. It is a Government matter; and after all, we are expected, through the Acts we pass in Parliament, to do things to improve the moral standards and the social life of this State.

But if this is not the right type of legislation, or the right way to handle the problem, only two members who have spoken against it have suggested alternatives. The churches have not suggested an alternative. Mr. Murray gave us one, and tonight Sir Charles Latham suggested one. But so far I have not heard any other members suggest any alternatives. I must admit, however, that I did not hear Mr. Craig's speech.

Hon. N. E. Baxter: I gave you an alternative.

Hon. F. R. H. LAVERY: I feel that the time has arrived when we must face up to this problem. People who are supposed to be advising the Government as to the error of its ways use pamphlets, such as the one I have in my hand. They tell us about the experiment in South Australia. The pamphlet reads —

What Legislators had to say about  
the Eight Years' Betting Shop  
Experiment in South Australia!

At the bottom of the pamphlet appears the following:—

Wake up West Australians! The Bill to establish these betting shops in Perth and Western Australia has now passed the second reading in your State Parliament. It goes before the Upper House now.

That was on the 16th November, 1954, and at that time the Bill had not passed the Committee stage in the Legislative Assembly. I would like to quote what Mr. Playford, the Premier of South Australia, had to say.

I believe there is no public demand for the reintroduction of betting shops in the metropolitan area . . . there is tremendous public opposition to it.

That gentleman repealed the South Australian legislation, but he could not give us any alternative. When the Rev. Mr. Woolacott was speaking to a number of people, including myself, he was asked the question, "What do you think is the correct thing? Leave it as it stands or try to introduce this legislation?" As far as I can remember, his words were, "This legislation is not the way to attack it." He said that he would rather let betting continue as it is in South Australia today — and he knows that it is going on in the

bars under the lap—than attempt to control it by shop betting. I think that Mr. Woolacott was sincere when he said that, but he did not give us an alternative. Some members tell us that the totalisator is the right way to overcome the problem. Yet in the same breath they say that legalised shop betting will increase the amount of betting carried on in this State. Those members cannot have it both ways.

Hon. L. C. Diver: What do you—

Hon. F. R. H. LAVERY: The hon. member who is trying to interject—

Hon. A. R. Jones: You will get it three ways if this Bill is agreed to.

Hon. F. R. H. LAVERY: —was one of those who said we could not expect to lessen betting if we legalised betting shops. Yet in the same breath those members tell us that the totalisator is the way to overcome the problem. By the use of a totalisator system we will not reduce the amount of betting in this State. For the information of members, I would like to quote from the fourth annual report of the New Zealand Totalisator Agency Board. This report is dated 1954. I intend to quote only one or two small items, and the first reads—

Members of the board,

Gentlemen:

It is with pleasure that I present to you the Fourth Annual Report on the activities of the board for the year ended 31st July, 1954.

The upward trend shown in the previous year's operations was well maintained.

They are proud because they are increasing the amount of betting. It continues—

The popularity of the service being rendered to the public for off-course betting is evidenced by the very substantial increase in investments received.

How can anyone say that this legislation is the wrong way to tackle the problem because it will increase the amount of betting and then, in the same breath, say that totalisators are the answer to the problem? The report continues—

Turnover: During the year under review a number of new agencies were opened and were responsible in some measure for the continued upward trend in the weekly gross turnover. This averaged approximately £37,000 a week, making the total gross turnover for the year £19,470,425.

The next paragraph is headed "Profit" and reads—

The profit earned for the year was £724,296 14s. 8d. To earn this figure within four years of commencement is an achievement.

Yet people tell us that the totalisator is a better method. On page 2 of the report is another item which reads—

The number of offices operating telephone betting has increased during the year from 28 to 90. It is intended to provide this facility as close as possible to investors in all parts of the Dominion, especially in the rural areas.

The report concludes—

Once again it will give me pleasure to hand to the Vice Chairman, Mr. H. R. Chalmers (upon his return from overseas) the direction of the board, confident that the progress shown in the past year will be maintained.

How can any member, after reading that report, say that the use of a totalisator system in Western Australia will curb betting? On looking at schedule A of the report I find that there are 63 racing and trotting clubs in New Zealand and if each of those clubs had only one race meeting a year there would be more than one racing or trotting meeting each week.

If we legalise shop betting, we will be doing something that the Commissioner of Police has asked us to do for a number of years. Whether he desires this way or not, I do not know. But, on reading his reports. I find that he has asked for legislation to be introduced which will enable him to use an Act of Parliament to stamp out illegal betting. I do not care what sort of legislation is introduced; we will not completely stamp out starting-price betting, because there will always be somebody who will bet. It goes on every day of the week, and it will always go on; somebody will always try to beat the law. Some people make a lot of money by keeping just outside the law; and no matter what type of legislation is introduced to control s.p. betting, there will always be those who will bet under the lap, and those who will try to.

I am sorry that Mr. Hearn is not in his seat this evening because I would like to mention what goes on in the factories in this State. In almost every factory today there is a wireless playing while the employees are working. Other members have said that wirelesses could be the means of encouraging people to bet more than they did in the past. As I said, in almost every factory one can hear a wireless blaring out; and whether people are religious or keen on betting, there is so much racing information broadcast over the air that they all become more interested in racing and betting. That interest will continue despite any legislation that is passed. The police will have control over betting, but they will not be able to enter factories and pick up the chap who is collecting 2s. bets from all the employees. That sort of thing goes on and will continue.

During his speech, Mr. Simpson mentioned the cleaning up of the shops in Quorn and Peterborough in South Australia. But Mr. Simpson did not tell us that that did not stop s.p. betting in those towns. I was there and I saw what went on.

Hon. C. H. Simpson: I think I said they had applied for licences which had been granted and then withdrawn.

Hon. F. R. H. LAVERY: Yes, but that did not stop s.p. betting in those towns. Even the Rev. Mr. Woolcott admits that s.p. betting is still going on—and there is plenty of it in South Australia. Yet he says that he prefers that system to legalised shop betting. That is his opinion. He came to this State knowing nothing of our conditions. I have seen some of our conditions both in the country and in the city areas. People hide around corners listening to motorcar wirelasses and laying their bets. Others stand at the corner getting their £5 a day in order to keep nit and watch for the police. If that is the sort of thing we want in 1954, then let me state that I am not at all happy about it.

An alternative was to have been suggested by Mr. Baxter. He was going to tell us about his experiences; about the totalisator in the Eastern States; and about the use of the telephone; and he was going to explain the time lag in regard to horse-races that are held in this State and in the Eastern States. However, apparently he was side-tracked, because he did not mention any of those items, and therefore he could not have had a very good case when he started.

Hon. N. E. Baxter: You want to read "Hansard"!

Hon. F. R. H. LAVERY: I feel that one of the outstanding disagreeable features of the present set-up is that many people are being arrested and fined for s.p. betting, but there are also many people who engage in s.p. betting who are not arrested or fined. Also, the police control varies between one town and another. That is the sort of thing we should try to overcome. We should have uniform police control throughout the State. The stigma attached to the Police Force today is unwarranted. There are too many people being paid to take the rap for the man who is actually engaged in s.p. betting operations, and I do not speak about them disrespectfully. However, when we have people giving signals to the police and they ask, "Who am I to take today?", it is time we did something about the position.

On this subject I received letters from seven families representing 11 persons. Those letters were written by church people who are opposed to the Bill. I also received a letter from a Presbyterian church. I know of no organisation in the State that has submitted a stronger case against all kinds of gambling, and I respect

it for the stand it has taken. The members of the Maylands Methodist Women's Fellowship have stated that they are convinced that an adequate Act giving the police full power and providing for similar penalties to those proposed in the present Bill, together with a limitation of broadcasting facilities, would be effective. There is no doubt that one of the main factors of s.p. betting is the availability of racing radio broadcasts. More time is devoted to the broadcasting of descriptions of horse-races in this State than is the case in any other State, because we have a two-hour time lag compared with the Eastern States.

I also received letters from the Anglican, Baptist, Presbyterian and Methodist ministers in the East Fremantle district. In answer to all those letters I can speak according to my conscience, and say that, whilst I respect what is asked of us, I have to support this attempt by the Government to do what it thinks is right. Whether it is right or wrong only time will tell.

I feel that the suggestion by the Western Australian Trotting Association that the establishment of totalisators is the answer to the problem is activated by business motives. The concluding paragraph of the circular distributed by that association reads as follows:—

We believe that you will find from a careful perusal of this report that the advantages of totalisator investments are overwhelmingly in its favour and that the proposed legalising of book-makers is a retrograde step which will have far-reaching effects on the culture and economy of this State.

It makes me laugh when the trotting association speaks of culture.

Hon. N. E. Baxter: You will learn.

Hon. F. R. H. LAVERY: I will learn all right. There is one thing I do not have to do. I do not have to stand up here and condemn something that I take an active part in.

Hon. N. E. Baxter: Are you referring to me?

Hon. F. R. H. LAVERY: If the cap fits wear it! I believe that those who have spoken in opposition to the Bill have done so with sincerity because they think that the Government is doing the wrong thing. They consider the position is bad. I have not heard more than two members suggest an alternative to the Bill, and I ask them to accept that the Government, by making an attempt to control s.p. betting, is doing what it thinks to be right. Whether it is right or wrong will only be discovered in the course of time, as a result of the operation of the measure. I support the second reading.

**HON. J. J. GARRIGAN** (South-East) [9.37]: This measure is designed to control what has been known over the years

as the unwritten law of s.p. betting. The Bill seeks to legalise this form of betting and do away with the morbid and sorry aspects of it in this State which have been in existence for years.

I am speaking on behalf of the people who cannot speak for themselves and who reside in the South-East Province. Those people live in the great, brown outback where they measure distance by miles, and they cannot come to the metropolitan area to have a bet, because they are so far distant from the city. They have no rivers or beaches where they can go swimming; nor do they enjoy many of the other amenities that are afforded those in the metropolitan area. So surely they are entitled, in the same way as are the aristocrats in the city, to have a small gamble.

If these betting shops are established people will not be forced to bet in them. At present they are not forced to go into hotels to have a drink, to enter churches, or to buy charities tickets. This is a democratic country and we live according to what we think is right. The people that will be entitled to enter these betting shops will be over the age of 21 years, and surely they can make up their own minds whether they want to bet or not. Without any more ado, I support the second reading of the Bill.

**THE MINISTER FOR THE NORTH-WEST** (Hon. H. C. Strickland—North) [9.40]: My remarks will also be brief, seeing that so much has been said on the subject. I think every aspect has been well covered by those who support the Bill, by those who oppose it and by those who are more or less in Fiddlers' Green; that is, not completely opposed to it and not completely in favour of it. My view is that the Bill is a courageous move on the part of the Government in an attempt to control a situation which has more or less got out of hand. It is not intended to thrust something upon the public which is new to them.

There is nothing new in betting. Betting shops, betting in the street, on corners or anywhere else has been quite common for many years past. It has been going on for 40 years, or as far back as I can recollect, and probably much earlier than the time I acquired the knowledge that it was possible to have a bet on a racehorse no matter where the race might be held. I doubt whether there are many people in Australia who do not invest some small stake on the Melbourne Cup when it is run; others, of course, invest large sums. I know that in this State during the hour when the Melbourne Cup is being held business practically comes to a standstill. During lunch-time on the day that that race is conducted practically everyone listens to the broadcast of the Melbourne Cup.

The great majority of Australians are known to be fond of horse-racing, and there are others who are fond of other forms of gambling. However, by and large, the average Australian is favourably inclined towards horse-racing and extremely partial to having a bet on a horse. Of course, there are some who bet beyond their means. We know that there are a few who have ended in prison for using their employers' funds, and they are certainly in their right place. But they are extremely few; and if there were no bookmaker to bet with, they would still gamble by some other means. They would still play cards or toss pennies because, to some extent, they are instinctive gamblers. During my 40 years of knowledge of betting on horse-racing I do not know that any calamity has occurred in the community except for an odd case when a person holding a responsible position has got himself into deep water and has attempted to get himself out of trouble by betting on horse-races, but instead, has been found out before he has achieved his object.

It has been stated that the working man cannot afford to bet and therefore should not do so. Why should he not bet to the extent that he can afford? The great majority of people only bet to the extent they can afford, and they will go on betting illegally as they have done over the years. It will become more rampant as time goes on. Mr. Jones said that the Government wants to make it easier for people to bet. That is just what we do not desire. The position could not be made any easier than it is today.

Hon. N. E. Baxter: This Bill will make it easier for people to bet.

**THE MINISTER FOR THE NORTH-WEST:** The hon. member may think so; but in my opinion it would not make it easier, because the position could not be made any easier for people to lay a bet than it is today.

Hon. N. E. Baxter: I think you are wrong.

**THE MINISTER FOR THE NORTH-WEST:** The hon. member can think so, but he will be unable to substantiate his claim. This legislation is designed to control and regulate betting. Betting is illegal on and off the course.

Hon. N. E. Baxter: If illegal betting cannot be controlled, how can legalised betting be controlled?

**THE MINISTER FOR THE NORTH-WEST:** Because there is no law to control illegal betting.

Hon. C. H. Simpson: There is a doubt about that.

**THE MINISTER FOR THE NORTH-WEST:** There is no doubt at all.



Hon. N. E. Baxter: If you read the Gaming Act you will find there is some doubt.

The MINISTER FOR THE NORTH-WEST: Every person who issues a pamphlet or any sort of literature dealing with betting is liable to six months' imprisonment.

Hon. C. H. Simpson: The highest legal authorities differ on that point.

The MINISTER FOR THE NORTH-WEST: The hon. member knows that the Police Act was amended in 1952, and knows what it relates to. I do not know why that Act is not enforced; probably it is because of a custom which has existed for over 40 years.

Hon. N. E. Baxter: It is in the statute that betting is illegal, yet you say that you can control legalised betting.

The MINISTER FOR THE NORTH-WEST: That is correct. Instead of having law-breakers by the thousands, the Government proposes to control them and to register betting premises, which will have to meet with the approval of the board. Once betting is legalised and controlled in this State, we say that the up-the-lane bookmaker will disappear.

Hon. L. C. Diver: Who will police that?

The MINISTER FOR THE NORTH-WEST: Who does the hon. member think will do it?

Hon. L. C. Diver: Tell us.

The MINISTER FOR THE NORTH-WEST: The Police Force will police it.

Hon. A. F. Griffith: Why does it not do so now?

The PRESIDENT: Order! I ask the Minister to address the Chair.

The MINISTER FOR THE NORTH-WEST: The Police Department will control the Act. There are provisions in the Bill designed to reduce, rather than to expand off-the-course betting. I am supporting the Bill because I believe that every person should be free to bet if he wishes. Why should the person who can afford to go to the racecourse—it is not a cheap place to get to—be privileged? What logical reason can be given that one person who has sufficient wealth can go to the racecourse, which in the eyes of the law is a common gaming-house, and be privileged to bet, when another person with 5s. to £1 a week to spend on betting is not given the same opportunity?

Hon. A. F. Griffith: Is that principle applied to two-up schools?

The MINISTER FOR THE NORTH-WEST: I am not dealing with them. If the hon. member advocates them, I do not.

Hon. N. E. Baxter: Would you apply the same principle to hotels and public-bar trading?

The MINISTER FOR THE NORTH-WEST: This Bill will apply some of the principles contained in the Licensing Act. No person under 21 years of age will be allowed to bet. There is also a provision to prohibit a person from betting, the same as in the Licensing Act. The Licensing Act is not 100 per cent. effective. Because provisions are in existence, it does not mean that they cannot be broken. Because provisions are in this Bill, it does not mean that they will not be broken, either. I know of no law which is not broken at some time or other. To go back to the privileged section of the community—

Hon. A. R. Jones: You said the wealthy section—

The MINISTER FOR THE NORTH-WEST: I refer to the privileged section. The person who has not sufficient money to fly from the North or from Kalgoorlie to a metropolitan racecourse to place a bet, should be given some facilities. Parliament should make it legal for him to bet in the area in which he resides. Betting premises have always been referred to as betting shops. One can understand that, because in former times betting shops were tolerated in this State, when the late Mr. Collier was Premier. We do not want to bring them into existence again.

Hon. N. E. Baxter: You want the same thing. The proposed licensed premises will be no better than the former betting shops.

The MINISTER FOR THE NORTH-WEST: Under this Bill there is to be control, and the premises will have to conform to certain standards; and like hotel-keepers, the licensees of those premises must be decent persons.

Hon. C. H. Simpson: The same arguments were used in South Australia.

The MINISTER FOR THE NORTH-WEST: Much has been said about that State. Had there been no war, there would have been no closure of any shops in South Australia. They were closed because racing was abolished in South Australia during the war when there was a Liberal Government in power. That was the only State which abolished it. When the war was over, racing was resumed, and so were the betting shops. Sir Charles Latham stated that the basis of Mr. Collier's opposition to legalised betting was that the working man could not afford to gamble. It is strange that the South Australian Liberal Government did not think along the same lines, because the only town now operating betting shops is Port Pirie, a large industrial centre.

Hon. Sir Charles Latham: They might be kept open for the same reason as betting is permitted in Collie without interference.

**THE MINISTER FOR THE NORTH-WEST:** The shops are legalised, and they are registered.

Hon. Sir Charles Latham: Would it not be better to legalise it in Collie?

**THE MINISTER FOR THE NORTH-WEST:** Can anyone imagine that just because the shops are open in Port Pirie, and closed in Adelaide and other towns in South Australia, the people in that State who desire to bet do not ring up the shops in Port Pirie and place their bets? There is nothing to stop them.

Hon. N. E. Baxter: The scope is limited.

**THE MINISTER FOR THE NORTH-WEST:** I dare say that if a person from Port Pirie had an account with one of the shops there he would be able to phone a bet through from Western Australia.

Hon. N. E. Baxter: How many working men have credit accounts with bookmakers in Port Pirie?

**THE MINISTER FOR THE NORTH-WEST:** I have no idea. I am looking at this question broadly. I do know that betting shops exist in South Australia. Once they had been closed, they need not have been reopened; but a Liberal Government did reopen them, and left country districts an option.

Hon. N. E. Baxter: At the local option in any town there.

**THE MINISTER FOR THE NORTH-WEST:** I heard a member asking a gentleman from South Australia to explain why those shops operated in Port Pirie, but he did not put up a satisfactory explanation at all.

Hon. A. R. Jones: I shall tell you afterwards.

**THE MINISTER FOR THE NORTH-WEST:** I am firmly of the opinion that legislation on the South Australian pattern should not be introduced here. Parliament should be big enough to make an attempt to control betting instead of allowing it to become more rampant year after year, and putting the law into disrespect by prosecuting people for obstructing the traffic, but at the same time allowing the big financial institutions to carry on, never to be prosecuted.

If the Police Act were enforced, any persons keeping premises for betting—that is the occupiers or the owners—could be fined. But are they ever? Of course not! Only the little man around the corner is constantly apprehended and prosecuted—but in a very unsavoury manner, under the charge of obstructing the traffic. I expect that in hundreds of these cases there was no traffic in sight.

It is time that Parliament made an attempt to control betting. Every speaker I have listened to has mentioned the fact that betting could not be

stamped out. That is recognised. If it cannot be stamped out, should we allow it to continue as it is today, when any woman or child can place a bet? The racecourses cater for them, and people can even take their babies on to the racecourses if they so desire. But they cannot take them into the enclosure. They may take them in the leger, and they may be seen at a lot of the country meetings. A race-meeting is an event in a country town and the whole population turns out to attend.

To say that the introduction of a Bill like this will encourage betting is just too stupid, because nobody will be able to obtain a bet any easier in future than he can today. I know of no town in the State where there is not a local bookie. As Mr. Lavery told us, there are even bookmakers in the factories, and I know that they operate on ships. I suggest that there are bookmakers, large and small, throughout the community and no attempt has been made to discourage betting.

The broadcast stations give a full coverage of almost all of the principal race-meetings in Australia. The prices, barrier positions, jockeys and in fact all the details are blared into almost every home each Saturday, and yet I have not heard members raising any protest against that sort of thing in order to discourage betting—not a word.

Hon. Sir Charles Latham: I do not think that prices are given.

**THE MINISTER FOR THE NORTH-WEST:** They are.

Hon. Sir Charles Latham: I have not heard them.

**THE MINISTER FOR THE NORTH-WEST:** Yes, at 6.30 in the evening.

Hon. Sir Charles Latham: After the races are over.

**THE MINISTER FOR THE NORTH-WEST:** Anyone interested in the prices has only to take up "The Daily News" of Friday or "The West Australian" of Saturday. Special sections are even published.

Hon. N. E. Baxter: Do you think that is good?

**THE MINISTER FOR THE NORTH-WEST:** Not at all, but what I cannot understand is why there is no protest against this fundamental principle of betting.

Hon. C. H. Simpson: A protest was made here.

**THE MINISTER FOR THE NORTH-WEST:** I have not heard any protest against it.

Hon. C. H. Simpson: I made a protest.

**THE MINISTER FOR THE NORTH-WEST:** I did not hear all of the hon. member's speech. While that sort of thing is allowed to continue, it is hopeless for anyone to say that betting can be stamped

out. I should not like to think of what might happen to any Government that embarked on a crusade to stamp out betting. Since the recent demonstration on the Esplanade, I believe that the great majority of the people favour control of betting.

Hon. Sir Charles Latham: Then let us have a plebiscite on it.

The MINISTER FOR THE NORTH-WEST: I base that belief on a brief 10 minutes I spent watching the 2,000 or 3,000 people who attended the Esplanade meeting. After the publicity it received, I expected to find the Esplanade crowded as it is on Anzac Day—at least half covered with a crowd of interested people—but on glancing over the crowd, I saw many faces which I have seen on racecourses on the occasions when I have been there.

I suggest that the great majority of the listeners at that demonstration were interested in betting from the legislative angle and not from the angle of prohibition. I heard one of the speakers start political campaigning by saying, "Wipe out at the next general election anyone who supports this Bill! Do what we did in South Australia; put them out of Parliament!" The applause that greeted this remark was very small; from the crowd of 3,000, I doubt whether more than 100 clapped.

I believe in some freedom for the people and I believe that laws of the country should be respected, but I do not consider that the present state of affairs should be allowed to continue. Let us give the measure a trial! A fixed term of three years is proposed. I suggest that it would take 12 months to set up the machinery, and so it would be in operation for about two years. If it then proved to be a failure, Parliament would have the right to try something else.

Hon. A. F. Griffith: What about enforcing the law in the meantime?

The MINISTER FOR THE NORTH-WEST: I expect the usual custom will prevail. It is always necessary when one thing is abolished to replace it with something else. We cannot stamp out betting and, if Parliament decided to legalise it, I cannot see that anything would be gained meanwhile by jumping on people for obstructing the traffic or attempting to stop them from making a bet unless they went to the racecourse.

Hon. Sir Charles Latham: And keep on drawing £900 a week from them.

The MINISTER FOR THE NORTH-WEST: The hon. member was a Minister for several years and was also Leader of the Opposition in another place, but I cannot recollect any time during his terms as Minister when the set-up of off-the-course betting was as good as it is today. In 1931 and 1932, when the betting shops started to operate in a big and open way—

Hon. Sir Charles Latham: And both parties were arrested.

The MINISTER FOR THE NORTH-WEST: Yes, the punter also was arrested—the poor old worker.

Hon. Sir Charles Latham: The poor old worker!

The MINISTER FOR THE NORTH-WEST: If he spent 5s. to go to the racecourse, he had nothing left to bet with, but if he had a bet of 1s. 6d. each way in town, that was illegal, so he was arrested and put in gaol.

Hon. Sir Charles Latham: Because the law provided for it.

The MINISTER FOR THE NORTH-WEST: That was the procedure in 1931. That was a time when money was very scarce and men were camped in the hills or somewhere else and getting 5s. a week.

Hon. Sir Charles Latham: Do not exaggerate; they never received less than 15s.

The MINISTER FOR THE NORTH-WEST: I cannot argue with the hon. member on that, but 15s. was an enormous sum to live on!

Hon. Sir Charles Latham: It was very hard to get.

The MINISTER FOR THE NORTH-WEST: I am afraid I am wandering from the provisions of the Bill. I suggest that now is the time to do something to control this terrible so-called evil of betting away from the racecourse—a national trait almost. It is something that we have no chance of curtailing so long as it receives the publicity that is given it at present. I am not objecting to the publicity, but I object to people—not only members—who protest against the legalising of something which they admit cannot be abolished, and who raise no protest whatever against the fundamentals that set it up and hold it up to the public as being more or less a national institution. I support the second reading.

HON. J. McI. THOMSON (South) [10.12]: I do not propose to weary the House by speaking at this late hour. I consider that the Bill will pass the second reading; and, this being so, I shall content myself by saying what I have to say during the Committee stage.

HON. R. J. BOYLEN (South-East) [10.13]: I support the second reading. I consider that we are confronted with a problem with which we must grapple. We are not actually dealing with the question of legalising s.p. betting or any betting at all for that matter. The Bill has been introduced with the object of controlling and regulating betting.

In 1947, just before the Assembly elections, very many promises were made by the people who formed the new Government in April of that year as to what they would do to control s.p. betting. Of course,

we cannot deny the fact that that Government did something, but all the "something" amounted to was to pass the buck to a Royal Commission. About six Royal Commissions were appointed during the first year of that Government's regime, but nothing was done regarding the findings of any of them, including the findings of the commission on the s.p. problem.

I think the present Government deserves to be congratulated on having introduced this measure. Members were given the opportunity of treating it as a non-party measure, but advantage was not taken of that offer and the Government has been compelled to deal with it more or less single-handed. We have been told that betting in itself is an evil, but I do not hold that opinion. If people wish to indulge in betting and can control themselves so that it does not harm other people or themselves, I do not think it constitutes an evil in any sense of the word.

We have been given the power of free will by our Creator, and we know that there are some who will indulge in excess in regard to betting, just as others abuse the use of alcohol. It is because of this abuse of alcohol that we have the Licensing Act which prevents people making asses of themselves through drink, or tends to do so. The present position in this State in regard to s.p. betting has in many instances made a fool of the law; and it is therefore high time that legislation was brought down to control betting, whether on the course, or off the course in shops or on the streets.

Hon. N. E. Baxter: And under this measure, people will be able to make legal asses of themselves.

Hon. R. J. BOYLEN: They are able to do that in the hon. member's hotel, but he would find himself in trouble were in not for the Licensing Act. We have as an illustration what happened in America, where prohibition was tried, the result being the growth of all sorts of rackets, just as s.p. betting has become a racket in this State. In America, the bootleg racket was in the hands of the big men, and that applies to betting here. The small s.p. operators are not getting out of the game as much as some think they are, but the big men are doing extremely well.

I repeat that the present position is such that it is necessary for us to pass this legislation. Betting in itself is not an evil, in my view, but may result in a number of evils, particularly in relation to the Police Department. In the vast majority of our country towns s.p. betting exists at the whim of the local policeman because he is the man who decides whether or not it can take place. We know that in the past there have been many abuses, and that at times police officers have been corrupted through having the opportunity to make something out

of s.p. betting. It is a temptation to which they are at present subjected, and I believe it is the responsibility of the Government to remove that temptation.

We have had repeated requests from the Commissioner of Police to do something about s.p. betting because it has been a source of worry to him. The existing situation is degrading, particularly in regard to the type of individual that the police charge for betting offences, while the actual starting-price operators get off. One rarely sees the operator or his clerks being arrested. It is usually some person down on his uppers or an old-age pensioner. Often it is some unfortunate individual who is simply hard up and is willing, on payment of a few pounds, to be convicted, possibly for the first time in his life, in spite of the fact that later on the conviction may be to his detriment, particularly in the matter of obtaining employment should times get hard.

We have heard a great deal about what happened in South Australia, but I am convinced either that the Act there was not given the consideration this measure has received or else it failed because it was not administered properly. Whether it was given a reasonable trial, I do not know. From the reports we have received, however, the legislation in Tasmania has been comparatively successful, and has proved that under strict control betting is far less of an evil than when it is under no control at all.

It has been suggested that we should adopt the system that operates in New Zealand, and install totalisators; and if that were practicable, I would support the proposal as regards betting both on and off the course. The fact, however, is that that system simply would not work here. The Royal Commission appointed in Queensland to inquire into the position found that in a State of that size it was not practicable to run totalisators as they are run in New Zealand, and that would apply equally here. That Royal Commission in its report, said, *inter alia*—

At the outset the fact emerged that the difficulties of establishing a system of off-course betting by means of the totalisator were many and insurmountable in the towns and settlements in our outback mining and pastoral centres. In fact, until a network of trunkline and local telephone facilities is available in the more settled parts of the State, a totalisator system is impracticable.

Western Australia compares closely with Queensland in this regard; and, while the totalisator might operate satisfactorily in the metropolitan area, it would be impracticable in the outback portions of the State; and apart from that, it would be too costly to install. A system of totalisators throughout the State would probably cost millions of pounds; and, in view of

the problems that face us in relation to housing, schools, hospitals, water supplies and so on, it would not be fair to spend such a sum of money in this way at present, although the time might come when eventually we could consider it.

We have been given a great number of figures relating to betting in South Australia, and have been told what will happen in this State if the measure is passed; but I would remind members that figures are often misleading, as they are in this instance. A Methodist minister came here from South Australia and quoted the figures from that State where s.p. book-making had been legalised, but I believe there were reasons for what occurred there. He quoted the years 1933 and 1934, and compared them with the years 1938 and 1939, but I would point out that in 1933 and 1934 South Australia was in the grip of the depression. The years 1938 and 1939, however, constituted a prosperous period.

Wages and salaries paid in South Australia in 1933-34 reached a total of £4,615,000; and in 1938 and 1939, £8,181,000, or nearly double the previous figure, the increase being £3,500,000. In those circumstances, there would naturally be an increase in betting, owing to the far greater amount of money available. It is natural to assume that if the total wages are doubled, people will spend about twice as much on sport, irrespective of its nature. I repeat that the figures are misleading.

It has been stated that so much was spent on the racecourse, or went through bookmakers' hands or through the s.p. betting shop; but I know one betting shop in Kalgoorlie where the figures on a Saturday would go as high as £1,000, yet there was never that sum of money in the shop. That would be the total turnover, but actually it was the same money circulating through the hands of various people, perhaps again and again.

If the bookmakers are properly regulated, they will be in a legitimate business and will be entitled to make a legitimate profit, and the punters will be on a much better wicket than they are at present. Sir Charles Latham told us what he thought the people would say if a referendum were held, but I say we were elected by the people to legislate for them, and not to pass the buck to them, as the buck was passed to a Royal Commission in 1947.

Hon. Sir Charles Latham: This Bill was not mentioned during the election.

Hon. R. J. BOYLEN: The hon. member began his speech by saying he did not know much about the subject; and, after listening to what he said, I believe him. I do not think a referendum would do much good.

Hon. A. R. Jones: I take it you are a full bottle on betting.

Hon. R. J. BOYLEN: Yes, I have done a good deal of it, sometimes to my sorrow. I do not believe a referendum would solve the problem. By means of a referendum, the people might tell us what they wanted, but perhaps they would not tell us what was good for them. I was amazed at the referendum held in New South Wales, where the Government told the people what it intended to do irrespective of the result of the referendum.

Hon. A. F. Griffith: The Government there does not like to take notice of the people.

Hon. R. J. BOYLEN: I know only what I read in the Press about that, and I do not think a referendum would solve our problem. I am convinced we must have control over betting, and all we need is courage to pass the necessary legislation, no matter what the people think.

It has been said that betting is an evil, but it is only an evil because of the conditions that exist. That applies to drink also. In both instances, it is excess that causes the trouble and we must legislate to control excesses. I believe that excessive drinking causes more suffering and misery in the homes of the people than gambling does, even when it is not controlled. At the moment, we are endeavouring to control gambling only on horse-racing and trotting, but if the control proves a success, we may in future have reason for bringing other forms of gambling under control. I have indulged in most forms of gambling, and I do not think they do very much harm.

We recently read in the Press of a meeting held on the Esplanade, attended by thousands of people, but there again the figures are misleading. I think it would be reasonable to assume that of the 3,000 people who were present 50 per cent. would be there just to see the fun, and that would reduce the effective figure to about 1,500. That number could be halved again, because I believe that there would be no more than 750 of them who attended because they were not in favour of this measure. If my contention is correct, we find only 750 people out of a metropolitan population of about 300,000 attending a meeting in protest against this legislation; and so I do not think there was really much public interest taken in that demonstration.

As Mr. Lavery said, the people concerned there have plenty of other social evils with which to concern themselves, but that might be unpleasant. Just as our passing this measure might reduce the number of electors who will vote for us, were the sponsors of the meeting on the Esplanade to attend to various other social evils, they might find a reduction in the number

of their church-goers. It is all right to tell the politicians what to do when they may lose their seats through doing it!

One of my main reasons for supporting the measure is to give country people an opportunity of indulging in the same pleasures as are available to metropolitan residents who are able to attend the race-courses on a Saturday and have a bet. In Kalgoorlie and other isolated centres people cannot do that. But why should they be deprived of punting in a small way and risking their few shillings? If betting shops are opened, controlled and legalised to an extent, they will do no more harm than what already occurs on race-courses.

The Government condones s.p. betting, because if one goes to a race meeting one sees it in operation. There is s.p. betting on the course at Kalgoorlie on the Eastern States and metropolitan races, and if the last race on the Kalgoorlie course is at 5 p.m. and racing finishes at 5.15 in Perth, many people remain on the Kalgoorlie course to bet, s.p., on the last metropolitan race. I live in Boulder and see s.p. betting in operation every day of the week. I believe if betting is legalised, and controlled in the way that s.p. betting is on the Kalgoorlie racecourse, we will not go far wrong. I have two friends who studied the position there only a fortnight ago, and they told me they were very favourably impressed with the way s.p. betting is conducted in Kalgoorlie and Boulder; and I am certain that it could be controlled and operated in Perth in a way that would enable us to feel proud of having passed legislation that would take the people out of the back lanes, wine saloons and so on in the metropolitan area.

I congratulate the sponsors of the Bill, and hope it will be passed. I hope all the threats that have been made to some of us for having supported the Bill will not be carried into effect. I believe that every member with a conscience will realise that it is his duty to vote accordingly on this measure. I support the second reading.

**THE CHIEF SECRETARY** (Hon. G. Fraser—West—in reply) [10.30]: I delayed for a moment before rising because I did not wish to be accused of having cut somebody out of the debate. I think we have had a pretty fair discussion on this Bill. From memory I think about 24 or 25 members have spoken. By and large, I have been very pleased with the course of the debate. Members have been prepared either to support or oppose the measure according to their beliefs. I was sorry, however, that one hon. member who got to his feet did not declare himself. I was disappointed because I think that when a member speaks he should declare himself, and, in view of his attitude in past years, I was anxious to see what he thought. During the course of his speech

last year I think the hon. member I referred to was regretful and he said, in fact, that no Government was game to tackle the question. There is very little difference between what he said last and what is in this measure.

Hon. L. A. Logan: He intimated what he intends to do.

**THE CHIEF SECRETARY**: He left me in the air; it would be a good thing if he had declared himself, or if he would even do so now.

Hon. A. F. Griffith: It is not a bad thing for the Chief Secretary to be left in the air.

**THE CHIEF SECRETARY**: All other members have intimated their views quite clearly.

Hon. J. McI. Thomson: You said I did not declare myself.

**THE CHIEF SECRETARY**: I did not understand the hon. member's declaration, and I had hoped he would declare himself before the close of the debate because if there were any points on which he wanted information I might have been able to supply it. I would like to quote part of the hon. member's speech. It will be found at page 433, Vol. 1 of "Hansard," 1953. It is as follows:—

I trust the Government will do something about the matter as it is the responsibility of the Government of the day to grapple with this problem. S.p. betting is a wonderful source of revenue and I do not think the Government should drive it underground as at present there is some supervision over the activities of the bookmakers. In legalising s.p. betting any Government would be doing a good job.

As I have said, I cannot quite understand what the hon. member intends to do.

Hon. A. R. Jones: Cannot you wait until there is a division?

**THE CHIEF SECRETARY**: If there was any point that had made the hon. member change his mind on this matter, I might have been able to explain it to him. I thank Dr. Hislop for saying that I made a clever speech.

Hon. J. G. Hislop: That is quite true.

**THE CHIEF SECRETARY**: If that is so, I am very pleased. I have been accused by other members, however, of having said nothing when introducing the Bill. So, on the one hand I am told I made a clever speech; and on the other, I am told I said nothing. In introducing this Bill, I adopted the policy I have always adopted, that of dealing with the principles of the measure. Naturally I did not go into the details because I thought that could be left to the Committee stage.

The principles of this Bill are to legalise betting on and off the racecourse, to set up a betting control board and to wipe out the winning bets tax. Having dealt with those principles, I am told I said nothing about the Bill; and that accusation was made because I did not give any details. I asked members during the course of the debate to be constructive and not destructive in their criticism, but in the main I have to admit that most members were destructive in their criticism. They endeavoured to destroy the Bill without putting anything in its place.

Hon. H. L. Roche: We do not want anything in its place.

The CHIEF SECRETARY: Members cry out about the great social scourge that has been allowed to continue in our midst for years, and yet they decry an attempt to correct that position.

Hon. L. C. Diver: You do not imagine it will correct the position!

The CHIEF SECRETARY: I would not be so foolish as to imagine that. The Bill is an attempt to clean up a very unclean situation.

Hon. H. L. Roche: What part of it does it clean up?

The CHIEF SECRETARY: With the exception of a few members, all others who oppose the Bill did everything they could to destroy it. Mr. Simpson gave us a lot of evidence in connection with what happened in South Australia. I do not know if that has improved the position very much. Very few members, except Dr. Hislop, Mr. Watson and Mr. Davies, mentioned Tasmania another place where this type of betting has been going on for 20 years.

Hon. C. H. Simpson: I mentioned it.

The CHIEF SECRETARY: Then I will include the hon. member with the others. It is funny the different opinions we get on this question. Mr. Watson talks about having to delve around back lanes; other members talk about latrines being in the vicinity of betting shops and so on; yet Mr. Davies said he walked into a shop off the main street.

Hon. H. K. Watson: Off a lane.

The CHIEF SECRETARY: Well there you are! "You pays your money and you takes your choice." I think Mr. Watson gave the best indication of what would happen if this Bill became law; I refer to the hope of decreasing betting. The hon. member gave the best build-up of the lot, because he said this would allow people to bet like the Watsons. The only Watson we know is the hon. member and he would not bet at all, not even on the rising of the sun; so it might prove to be a good thing after all. Some members said there has been no demand for

the Bill. Do we have to wait for demands before we introduce Bills? Did we wait for demands before introducing Bills to control drunken and reckless driving?

Hon. H. K. Watson: There was a big outcry before you moved in that direction.

The CHIEF SECRETARY: What has happened in regard to illegal betting down through the years? Has not there been some outcry about it? We must have the same yardstick to measure both these problems. I say there has been a demand. Is not the report made by the Commissioner of Police every year a demand that something be done?

Hon. A. R. Jones: It is a request.

The CHIEF SECRETARY: Here is a most responsible officer making this demand or request. What better demand or request could we have?

Hon. H. K. Watson: It is an admission of inefficiency in his own force.

Hon. Sir Charles Latham: My word it is!

The CHIEF SECRETARY: Sir Charles Latham said we legalise betting on racecourses because we impose a tax on it. The hon. member knows that the only legal form of betting is the totalisator; the fact that we place a tax on something does not legalise it.

Hon. A. F. Griffith: What about the Lotteries Commission?

The CHIEF SECRETARY: That is legal. What a very small amount of opposition there really has been!

Hon. A. R. Jones: The opposition has been more than the support.

The CHIEF SECRETARY: The support has not been organised. I would consider that I had failed if I spent money to organise support for something like this and then found I had only an attendance of 3,000, and many of those who attended that meeting were opposed to the ideas being proclaimed.

Hon. A. F. Griffith: What about the Trades Hall?

The CHIEF SECRETARY: I am not dealing with that, but with the opposition to this Bill. That meeting was an absolute failure in trying to organise opposition to the Bill. The Minister for the North-West was right when he said that the majority of people in this State are in favour of the Bill. If that was all the opposition that could be whipped up after bringing people from another State for the purpose, it does not say much for it. If that is the best they could do it was a very poor best.

The only suggestion of a constructive nature that has been made during the debate was that put forward by Mr. Diver and endorsed by one or two other members. I refer to the proposal that a totalisator should be established. I dealt with that matter when introducing the Bill, and was told I was wrong in what I suggested. I said it was impossible and impracticable to run a totalisator on Eastern States events, and I think that anybody who knows anything about betting will agree with me. That subject was reported on by a Royal Commission in Tasmania, before the establishment of betting shops in that State, and that Royal Commission said that it was not practicable. Tasmania is comparable with Western Australia in the matter of racing.

Hon. A. R. Jones: Why should we need to cater for Eastern States races?

The CHIEF SECRETARY: We have to cater for patrons, whether they want local or Eastern States races.

Hon. N. E. Baxter: Do you know how many New Zealand caters for?

The CHIEF SECRETARY: That is an entirely different proposition.

Hon. N. E. Baxter: How many does it cater for?

The CHIEF SECRETARY: At least ten races a day.

Hon. N. E. Baxter: How many race clubs are there?

The CHIEF SECRETARY: I do not know.

Hon. N. E. Baxter: There are 124.

The CHIEF SECRETARY: It would not matter if there were 224. New Zealand is a tight island on its own, and the betting is on New Zealand races. In order to make it successful, there is a tie-up with the telegraph and telephone services to the totalisator, and that could not operate in this State.

Hon. J. G. Hislop: It operates for the starting-price bookmakers.

The CHIEF SECRETARY: They have their special telephones. We have no control over telephones or over the telegraph. So do not hold New Zealand up as a comparison. The comparison should be with States like Queensland and Tasmania.

Hon. N. E. Baxter: Where they have never tried the tote.

The CHIEF SECRETARY: Where Royal Commissions have investigated the subject. Both Queensland and Tasmania decided that the tote was not practicable.

Hon. N. E. Baxter: Without trying it.

The CHIEF SECRETARY: Wherever evidence has been taken by bodies appointed to investigate the matter, they have

reported that the tote is not practicable. Yet members try to tell us it is! What would happen in this State with a totalisator? Races in the Eastern States sometimes start at 10.30 a.m. and the tote would have to be open about 8 a.m. I previously instanced what would happen when a Western Australian horse took part in a race. I referred specifically to "Raconteur". I pointed out that 98 per cent. of the money in this State would be on such a horse. The totalisator can only pay out what it gets in, less 13½ per cent. which goes in taxes. What would people investing on a horse of that description get back? Last Friday I asked an s.p. man to take a record of the betting on the main race at Moonee Valley on Saturday.

Hon. H. K. Watson: Did you ask him with a view to getting evidence to prosecute him or was it only a friendly query?

The CHIEF SECRETARY: The reason I asked him was in order to obtain information for this House. I nominated the main race at Moonee Valley, expecting that most Western Australian money would be invested on that race. I have the figures in connection with it.

Hon. A. F. Griffith: Did you tell him not to worry?

The CHIEF SECRETARY: There were eight horses in the race. When I dealt with this question previously, I said that most Western Australian punters take the tips of the Melbourne papers and bet on three or four horses. There were eight horses in the race at Moonee Valley. Not one penny was bet on three of them, either for a win or for a place. With regard to the other five, the money was distributed in this way—

	Amount Invested Straight Out.
	£
Sun Charm .....	105
Sun Salute .....	26
Wodalla .....	19
Gay Helios .....	20
Great Caesar .....	2½
	<hr/> £172½

Sun Charm was the favourite, but it was beaten. Had it won, the people who invested on it would have received for 5s. the sum of 7s. 3d. They would have won 2s. 3d. They would have been laying more than 2 to 1 on the winner. The starting price was 6 to 4. Therefore the difference is that on a tote run here, Sun Charm would have paid straight out 7s. 3d. and the starting price would have returned 12s. 6d.

Hon. N. E. Baxter: You are only handing the smaller amounts of money.



The CHIEF SECRETARY: It is typical.

Hon. N. E. Baxter: It is not general.

The CHIEF SECRETARY: The hon. member would not accept anything. He would not accept the sun rising tomorrow. He would try to argue about it.

Hon. N. E. Baxter: It might be a cloudy sun.

The PRESIDENT: Order!

The CHIEF SECRETARY: I am giving actual examples. Sun Salute won the race. It had £26 invested on it straight out. The dividend on the local tote would have been 29s. 3d. The starting price was 6 to 1, and there would have been a return of 35s. Now let us turn to place money. The amounts invested in this connection were as follows:—

	Place.
	£
Sun Charm	67
Sun Salute	25
Wodalla	16
Gay Helios	18
Great Caesar	2½
	<hr/> £128½ <hr/>

The local tote in this State would have returned 2s. 6d. to people who invested 5s. on Sun Charm. The Melbourne tote paid 6s., so people won 1s. for each 5s. invested. On Sun Salute, which won, the local tote would have paid 7s. 3d. The Melbourne tote paid 10s. That is an example which verifies the statement I made when introducing the Bill that the running of the tote in this State is impracticable. That was a race in which no West Australian horse competed.

Hon. L. C. Diver: You have the local bookmaker as against the State Totalisator.

The CHIEF SECRETARY: Betting trends are very similar throughout the State. The hon. member would know that, if he knew anything about betting.

Hon. A. R. Jones: According to you, that fellow will go broke soon.

The CHIEF SECRETARY: When I was discussing this matter the other night with Dr. Hislop, I said that 98 per cent. of Western Australian money would be on Western Australian horses. The hon. member said, "Are you saying that the bookmaker would lose on that race", and I said, "Yes". And that is a fact. That is what happened in this race.

Hon. H. K. Watson: Would you complete your illustration? You said the winner paid 6 to 4.

The CHIEF SECRETARY: No. The favourite's price was 6 to 4, but it did not win.

Hon. H. K. Watson: What was the winner's price?

The CHIEF SECRETARY: It was 6 to 1 and gave a return of 35s. to the punter.

Hon. H. K. Watson: Can you tell us how much the s.p. man laid off on the course? He probably got 20 to 1.

The CHIEF SECRETARY: I am not worrying about that phase. The tote does not lay off. I am telling the hon. member what would happen if a tote were established here. This is an actual example. The amount invested was £172 10s. The sum invested on Sun Salute was £26. The horse won at 6 to 1 which is £156, plus £26, a total of £182. So the bookmaker would lose £10 on straight out betting. That was an instance where there was no Western Australian horse racing. But suppose a prominent Western Australian horse had been racing. In this case punters lost 2s. 6d. on Sun Charm. If there had been a Western Australian horse running they would have been lucky to get 6d. back out of 5s. But Mr. Diver would stick to his tote!

I agree that a tote could be satisfactory for local races, but it would be impracticable for Eastern States races. When I say I agree that it could be utilised here for local races, I mean that that would be the case so far as the metropolitan area is concerned; but it would be impracticable outback. I would like the hon. member to do a little bit more research into this question before coming to a decision on it.

Hon. C. H. Simpson: You have not explained how a totalisator could not be operated for Eastern States racing.

The CHIEF SECRETARY: Then I do not know what I have been doing! Let me put it simply this way: A tote can only pay out what goes into it less 13½ per cent. deducted for taxes. If 98 per cent. of the sum invested were put on one horse, there would be only 2 per cent. on the other horses which must supply the dividend for the 98 per cent.

Hon. C. H. Simpson: That applies on all totes, whether for local or interstate races.

The CHIEF SECRETARY: That is so. But I want members to understand that with regard to Eastern States races, local people bet only on two, three or four horses.

Hon. N. E. Baxter: Only on occasions.

The CHIEF SECRETARY: That happens every day and several times a day; and the hon. member, if he knows anything about betting, knows that that is true. However, I do not want to get any further embroiled in the matter. I have

dealt with the principle of the Bill. The other phases can be considered in Committee.

I suggest that members give serious consideration to the problem we are trying to cope with. I am satisfied that if they will examine the present situation and the principles in the Bill, even though they may be prejudiced against betting, they can do nothing else but vote for the measure, because from all angles it must lead to an improvement on the present situation. As a Government we believe that to be so, and that is why the Bill was introduced. It is up to Parliament to do something about this matter. If members think that what we have suggested is not correct, let them submit proposals and have them debated. Then, out of chaos, something worth while may arise.

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

Ayes	15
Noes	12
Majority for	3

#### Ayes.

Hon. C. W. D. Barker	Hon. F. R. H. Lavery
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. W. R. Hall	Hon. W. F. Willesee
Hon. E. M. Heenan	Hon. R. J. Boylen
Hon. R. F. Hutchison	(Teller.)

#### Noes.

Hon. N. E. Baxter	Hon. Sir Chas. Latham
Hon. L. C. Diver	Hon. H. L. Roche
Hon. Sir Frank Gibson	Hon. C. H. Simpson
Hon. C. H. Henning	Hon. J. McL. Thomson
Hon. J. G. Hislop	Hon. H. K. Watson
Hon. A. R. Jones	Hon. A. F. Griffith
	(Teller.)

#### Pair.

Aye.	No.
Hon. G. Bennetts	Hon. H. Hearn

Question thus passed.

Bill read a second time.

### BILLS (3)—FIRST READING.

1. Fire Brigades Act Amendment.
2. Reserves.
3. Road Closure.

Received from the Assembly.

House adjourned at 11.5 p.m.

## Legislative Assembly

Wednesday, 1st December, 1954.

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

### QUESTIONS.

#### FREMANTLE HARBOUR.

(a) As to Requirements for Port Expansion.

Hon. J. B. SLEEMAN asked the Minister for Works:

(1) Is he aware that Col. Tydeman in his report said—

The site for a port for port expansion must allow safe approach of a ship to the port from the open ocean. Approaches to the port must be of sufficient width, depth and capable of easy identification day or night to allow safe navigation at all times. The actual entrance or entrances to the port must be navigable with or without the assistance of tugs?

(2) In view of the recent happenings to the tanker "Stanvac Canberra," is it his intention to bring Fremantle harbour up to this standard?

(3) If not, why not?

The MINISTER replied:

(1) Yes.

(2) The entrance to the existing inner harbour at Fremantle is in process of being bellmouthed, but is now up to safe standards for ships of normal behaviour.