

existing practice where beneficiaries can recover from the trust account of a solicitor, accountant, or any other person in a position of trust. If that is the proper construction of the proposed new section, there is much in what the Law Society has brought to the notice of the Attorney-General. I would be obliged if the Minister would look into the matter before he replies.

On motion by the Hon. E. M. Heenan, debate adjourned.

## FATAL ACCIDENTS BILL

### *Third Reading*

Bill read a third time and passed.

## ADJOURNMENT—SPECIAL

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines) I move—

That the House at its rising adjourn till 2.30 p.m. tomorrow.

Question put and passed.

*House adjourned at 8.54 p.m.*

## CONTENTS—continued

	Page
<b>QUESTIONS WITHOUT NOTICE :</b>	
Water shortage, position at Marble Bar ....	1634
Muja coal, conversion into char fuel ....	1634
Corrobooree sticks, theft ....	1635
Sittings of the House, adjournment during visit of overseas parliamentarians ....	1635
Used-car dealers, fidelity guarantee ....	1635
<b>MOTION :</b>	
KA railway wagons, Examination of contract by Auditor-General ....	1636
<b>BILLS :</b>	
Land Tax Assessment Act Amendment, 1r. ....	1636
State Electricity Commission Act Amendment (No. 2), 3r. ....	1636
Industrial Development (Kwinana Area) Act Amendment, 3r. ....	1636
Noxious Weeds Act Amendment, 3r. ....	1636
Interstate Maintenance Recovery, 3r. ....	1636
Motor Vehicle (Third Party Insurance) Act Amendment, 1r. ....	1661
Health Act Amendment, returned ....	1661
Industry (Advances) Act Amendment, returned ....	1661
Fatal Accidents, returned ....	1661
Natural Therapists, 2r. ....	1661

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

## STRANGERS IN THE HOUSE

### *Admission to Lobbies*

THE SPEAKER: I draw members' attention to the fact that apparently there is some laxity being shown in connection with the admission of strangers to the House. Last night I noticed strangers in the lobby whilst the House was sitting, and again today I received a complaint about strangers being in the lobby and being served afternoon tea long after the time when they should have been in the strangers' room. Staff members are reluctant to interfere in such matters; but they have a duty to perform, and I would ask members to bear in mind that strangers are not to be admitted to the lobbies 1½ hours before the House sits.

## QUESTIONS ON NOTICE CEMENT

### *Price in Capital Cities*

- Mr. HAWKE asked the Minister for Industrial Development:  
Will he obtain the selling price of cement per ton—
  - in each capital city, other than Perth, to the respective Governments;
  - in each capital city, other than Perth, to the industrial users;
  - in each capital city, other than Perth, to the general public?

## Legislative Assembly

Wednesday, the 16th September, 1959

## CONTENTS

	Page
<b>STRANGERS IN THE HOUSE :</b>	
Admission to lobbies ....	1629
<b>QUESTIONS ON NOTICE :</b>	
Cement, price in capital cities ....	1629
Water shortage, methods to combat ....	1630
Prospectors, number assisted, etc. ....	1630
Mines Regulation Act, definition of "small tools" ....	1630
Forrest Street School—	
Replacement of fence ....	1630
Renovation of house ....	1630
Sir James Mitchell Park, filling ....	1631
Mill Point retaining wall, stabilisation of area ....	1631
Corrobooree sticks, theft ....	1631
Tomato crops, damage from aerial spraying ....	1631
Housing Commission Homes—	
Rental for houses under construction ....	1632
Cost of stone and of stump foundations ....	1632
Beachlands School, additional classrooms ....	1632
Television, censorship of films ....	1632
Coal, contract tonnages ....	1632
Police Boys' Clubs, comparative costs and numbers ....	1633
Mt. Eliza tunnel, construction for metropolitan water supply ....	1633
Land resumptions, Mt. Yokine-Wanneroo districts ....	1633
Midland Junction Abattoir, sale of hocks and sheep's skulls ....	1634
Osborne Park Hospital, commencement and tenders ....	1634

Mr. COURT replied:

Inquiries are being made to see whether there are any changes from the prices stated in the answers to similar questions by the honourable member on the 23rd July, 1959.

### WATER SHORTAGE

#### *Methods to Combat*

2. Mr. KELLY asked the Minister for Works:

(1) As there is every indication that the most serious water shortage that this State has ever experienced is likely this summer, is it his intention to—

(a) impose rationing at an early date;

(b) eliminate the system of concessional water allowance;

(c) inaugurate a policy of charging only for water consumed?

(2) Is it the Government's intention to sink a series of deep bores in the metropolitan area with a view to supplementing existing available water supplies?

(3) Is the Government seriously considering assisting householders to install individual water systems in order to reduce the strain on the M.W.S. mains?

Mr. WILD replied:

(1) (a) The date for imposition of water rationing is dependent upon weather conditions in the immediate future. The position is being closely watched and restrictions will be imposed when and as thought necessary.

(b) and (c) Such a policy is being examined.

(2) Consideration is being given to reopening two deep bores which have not been used in recent years, and to a limited programme of bore sinking.

(3) This matter is under consideration.

### PROSPECTORS

#### *Number Assisted, etc.*

3. Mr. EVANS asked the Minister representing the Minister for Mines:

(1) How many men were engaged in the prospecting assistance scheme in 1958?

(2) How many men are at present assisted?

(3) Are any age pensioners receiving assistance?

(4) Are supplies of petrol and fracture permitted to be included in the ration order?

(5) If not, why not?

Mr. ROSS HUTCHINSON replied:

(1) Sixty-eight as on the 31st December, 1958.

(2) Sixty-five today.

(3) No.

(4) (a) On the recommendation of an inspector, fracture is supplied additional to ration order.

(b) Small quantities of petrol are permitted, in certain circumstances, i.e., if the prospector has a motor vehicle or petrol-driven engine on his mine.

(5) Supplied.

### MINES REGULATION ACT

#### *Definition of "Small Tools"*

4. Mr. EVANS asked the Minister representing the Minister for Mines:

Would he please obtain his department's definition of what type of tools would be classed as "small tools" as mentioned in regulation No. 100 under the Mines Regulation Act No. 54 of 1946?

Mr. ROSS HUTCHINSON replied:

The regulation was framed to allow such as pipe-fitters, timbermen, and maintenance men to move about from level to level on the mines with their tools: these would comprise the ordinary hand tools used by tradesmen, such as wrenches, hammers, chisels, etc.

### FORREST STREET SCHOOL

#### *Replacement of Fence*

5. Mr. GRAYDEN asked the Minister for Education:

(1) Is it the intention of the department to replace the dilapidated fence on the northern boundary of the Forrest Street State School, South Perth?

(2) If so, when will the work be commenced?

Mr. WATTS replied:

(1) Not at present. The question of replacement will be considered.

(2) Answered by No. (1).

#### *Renovation of House*

6. Mr. GRAYDEN asked the Minister for Education:

(1) Is it the intention of the Education Department to renovate the house situated in the north-east corner of the Forrest Street State School, South Perth?

- (2) If so, what renovations are intended?

Mr. WATTS replied:

- (1) and (2) This matter is at present under consideration.

### SIR JAMES MITCHELL PARK

#### *Filling*

7. Mr. GRAYDEN asked the Minister for Works:

- (1) Will it be possible to undertake the work of filling Sir James Mitchell Park during the current financial year?  
(2) Will consideration be given to the possibility of allowing private enterprise to do the work?

Mr. WILD replied:

- (1) Yes; a start will be made this financial year.  
(2) The work will be undertaken by the dredge "Stirling", which was especially designed for this type of work.

### MILL POINT RETAINING WALL

#### *Stabilisation of Area*

8. Mr. GRAYDEN asked the Minister for Works:

In view of the fact that sand is apparently not available in the river adjacent to Mill Point for the purpose of constructing a beach at that point, will he investigate the possibility of using an alternative method of stabilising the area inside the retaining wall, in order to prevent further deterioration?

Mr. WILD replied:

Yes.

### CORROBOREE STICKS

#### *Theft*

9. Mr. GRAYDEN asked the Minister for Native Welfare:

- (1) Has the Department of Native Welfare received complaints that 38 native corroboree sticks were recently stolen from secret hiding places on Mt. Maiden, near Mulga Queen, about 100 miles north of Laverton?  
(2) Is it a fact that a native was paid by the person or persons concerned, to do the pillaging?  
(3) Is he aware that the articles stolen comprised almost the entire tribal secret cache on Mt. Maiden?  
(4) Is he aware that the articles concerned are said to be worth up to £50 each overseas?

- (5) Is it a fact that for centuries Mt. Maiden has been regarded as a ceremonial ground where only the most secret native rites are practised?

- (6) Is the theft of the articles an offence under the Native Welfare Act?

- (7) Has any action in respect of the matter been taken by the Native Welfare Department?

- (8) What further action is intended?

- (9) Will action be taken to ensure that the corroboree sticks are returned?

- (10) Is it a fact that further raids have been made at Cosmo Newbery and that a number of corroboree sticks have been seized in that area?

- (11) What action is intended in respect of the latter incident?

Mr. PERKINS replied:

- (1) No.

- (2) to (4) See answer to No. (1) above.

- (5) Mt. Maiden was known to be a ceremonial ground, and for that reason was proclaimed a native reserve. It is not known what native rites are practised there.

- (6) No. Theft as an offence is dealt with under other legislation.

- (7) to (11) See answer to No. (1) above.

### TOMATO CROPS

#### *Damage from Aerial Spraying*

10. Mr. SEWELL asked the Minister for Agriculture:

- (1) Is he aware that recent aerial spraying to destroy noxious weeds has done serious damage to a number of tomato gardens in the Moonyoonooka area?

- (2) If so, will he take the necessary measures to see that this does not occur again?

- (3) Will the Government give favourable consideration to some measure of compensation to those growers who have suffered loss?

Mr. WATTS (for Mr. Nalder) replied:

- (1) Recent inspection has shown the presence of slight growth effects on tomatoes in the Moonyoonooka area similar to those caused by hormone-like substances. There is no evidence that these effects have been caused by aerial spraying to destroy noxious weeds.

- (2) Regulations have been framed to prevent aerial spraying with substances likely to cause damage within a 12-mile radius of Geraldton townsite.

- (3) Compensation for damage resulting from spraying activities is a matter between growers and those responsible for the damage.

### HOUSING COMMISSION HOMES

#### *Rental for Houses Under Construction*

11A. Mr. JAMIESON asked the Minister representing the Minister for Housing:

What is the estimated rental for houses at present under construction for State Housing Commission of the 2-bedroom and 3-bedroom types in—

- (a) brick;
- (b) brick veneer;
- (c) timber framed?

Mr. ROSS HUTCHINSON replied:

The commission is building only the equivalent of 3-bedroom houses (3-bedroom or 2-bedroom, plus sleep-out).

- (a) The commission is not at present building brick houses for rental because of the necessity to keep rents within the means of applicants.
- (b) £3 12s. 0d. to £3 17s. 6d. per week.
- (c) £3 7s. 6d. to £3 15s. 6d. per week.

#### *Cost of Stone and of Stump Foundations*

11B. Mr. JAMIESON asked the Minister representing the Minister for Housing:

- (a) Having any timber-framed houses been erected for the State Housing Commission on stone foundations?
- (b) If so, what was the difference in cost and rental to the normal stump-type foundations?
- (c) If not, what is the estimated difference in cost and rental for such a style of home?

Mr. ROSS HUTCHINSON replied:

- (a) and (b) The State Housing Commission has not for some years built timber-framed houses on stone foundations.
- (c) Estimated, on present costs, at £50 to £60 more, reflecting an additional rent of approximately 1s. 6d. per week.

12. *This question was postponed.*

### BEACHLANDS SCHOOL

#### *Additional Classrooms*

13. Mr. SEWELL. asked the Minister for Education:

- (1) When will work commence on the additional classrooms at the Beachlands School?

- (2) How many classrooms is it intended to add?

Mr. WATTS replied:

- (1) Tenders closed on the 1st September, 1959.
- (2) Two.

### TELEVISION

#### *Censorship of Films*

14. Mr. HALL asked the Chief Secretary:

- (1) What are the censor's various classifications for television films?
- (2) Could he give an explanation why television stations are not compelled to advertise film censorship classifications?

Mr. ROSS HUTCHINSON replied:

- (1) and (2).

The matter referred to by the honourable member is covered by Commonwealth law; namely, the Broadcasting and Television Act, 1942-56. Therefore, the State has no jurisdiction.

According to information supplied to my department, television films are classified in accordance with the television programme standards determined by the Broadcasting Control Board in pursuance of the Act to which I have referred. These classifications are:—

- (a) Suitable for unrestricted television, "G."
- (b) Not suitable for children, "A."
- (c) Not to be televised before 8.30 p.m., "A.O."
- (d) Not suitable for television. Unlike motion picture exhibitors, television stations are not required to advertise classifications.

### COAL

#### *Contract Tonnages*

15. Mr. MAY asked the Minister representing the Minister for Mines:

- (1) What tonnage of coal was specified under the present contracts to be supplied by each company to the Railways Commission between the 16th September, 1957, and the 13th September, 1959?
- (2) What tonnage of coal was specified under the present contracts to be supplied by each company to the State Electricity Commission between the 16th September, 1957, and the 13th September, 1959?
- (3) What coal has actually been supplied by each company to each Commission between the 16th September, 1957, and the 13th

September, 1959, including coal in transit, and what was the total amount paid to each company for coal supplied during the period?

- (4) Did the contracts specify that after certain dates all coal supplied under the contracts shall be deep-mine coal?
- (5) If the answer to No. (4) is in the affirmative, what was the date for each company?
- (6) Has open-cut coal been accepted by either or both commissions after these dates?
- (7) If the answer to No. (6) is in the affirmative, for what period with dates was open-cut coal supplied in lieu of deep-mine coal specified in the contracts?

Mr. ROSS HUTCHINSON replied:

- (1) Amalgamated Collieries of W.A. Limited—449,280 tons.  
Western Collieries Ltd.—117,120 tons.
- (2) Amalgamated Collieries of W.A. Limited—750,720 tons.  
Western Collieries—170,880 tons.
- (3) State Electricity Commission—  
Amalgamated—764,706 tons  
£2,046,340.  
Western—174,257 tons £466,801.  
W.A. Government Railways—  
Amalgamated—431,822 tons  
£1,155,848.  
Western—119,367 tons £319,757.
- (4) Yes.
- (5) Amalgamated Collieries of W.A. Limited—the 1st January, 1958.  
Western Collieries—the 14th September, 1958.
- (6) Yes.
- (7) The 1st December, 1958, to the 22nd June, 1959.

### POLICE BOYS' CLUBS

#### *Comparative Costs and Numbers*

16. Mr. BRADY asked the Minister for Police:

- (1) What number of Police Boys' Clubs are in existence in Western Australia?
- (2) What number of Police Boys' Clubs were in existence in 1954?
- (3) What is the cost to the Police Department to run the clubs now in existence, and what staff is used for running clubs?
- (4) What was the cost in 1954 and what staff was used for running clubs in that year?

Mr. PERKINS replied:

- (1) There are 27 active clubs in existence in the State.
- (2) In 1954 there were 11 active clubs.

- (3) It costs the department £14,267 to run the clubs now in existence, based on the salary paid to superintendents being that of a 5-10 year constable. There are nine full-time superintendents and two superintendents appointed on a fifty-fifty basis, plus the general secretary of the federation.
- (4) The cost in 1954 was £7,255, on the same basis. The staff then comprised six full-time superintendents plus the general secretary of the federation.

### MT. ELIZA TUNNEL

#### *Construction for Metropolitan Water Supply*

17. Mr. JAMIESON asked the Minister for Works:

- (1) How many tenders were received for the construction of the tunnel at Mt. Eliza for the Metropolitan Water Supply Department, as a result of the first calling of same?
- (2) How many tenders were received after the second calling?
- (3) What were these tender prices?
- (4) Is Government equipment being used by the contractor for construction of this tunnel?
- (5) Has a Government supervisor been loaned or seconded to the contractor to show the method of use of equipment?

Mr. WILD replied:

- (1) Two tenders were received.
- (2) Tenders were only called once.
- (3) £3,921 and £5,250.
- (4) No.
- (5) Engineers and a foreman are keeping a close watch on the work in view of the known instability of the cliff face, as evidenced by falls of earth and rock in past years.

### LAND RESUMPTIONS

#### *Mt. Yokine-Wanneroo Districts*

18. Mr. HEAL asked the Minister for Works:

- (1) What was the total number of landowners who had their land taken or resumed in the Mt. Yokine-Wanneroo districts by Mr. Brand when Minister for Works in the McLarty-Watts Government?
- (2) What was the average price per acre offered or paid to the landowners for such land?
- (3) What is the highest and the lowest price per acre for which the Government has sold the land that was so resumed?

Mr. WILD replied:

- (1) 629.
- (2) £23 per acre.
- (3) The highest price paid for land sold by the State Housing Commission was at a public auction on the 14th December, 1957, when £2,390 was received for the betting shop site at Nollamara. As the site had an area of 11.4 perches, the rate per acre was approximately £33,460. The lowest price for land sold by the commission was £25 per acre received for approximately 9½ acres of land transferred as a replacement site to a person from whom other land had been resumed.

19. *This question was postponed.*

### MIDLAND JUNCTION ABATTOIR

#### *Sale of Hocks and Sheep's Skulls*

20. Mr. TONKIN asked the Minister for Agriculture:

- (1) What arrangement is at present operating in connection with the sale of hocks and sheep's skulls, pending a new contract?
- (2) What is the name of the purchaser who is obtaining the available supplies at present?
- (3) Is the price at which the goods are being made available less than any of the prices which were tendered?
- (4) Is the person who is obtaining the goods at present one whose tender was rejected?

Mr. WATTS (for Mr. Nalder) replied:

- (1) The former contractor is continuing to receive hocks and sheep skulls at the former price, pending consideration of re-called tenders.
- (2) Messrs. Cicerello and Bachhouse of East Fremantle.
- (3) Yes.
- (4) Yes.

### OSBORNE PARK HOSPITAL

#### *Commencement and Tenders*

21. Mr. W. HEGNEY asked the Minister for Health:

- (1) Is he yet in a position to indicate the approximate date of commencement of building of the hospital at Osborne Park?
- (2) What is the present position in relation to the calling of tenders?
- (3) If the reply to No. (1) is not positive, can he give any idea as to when he will be in such a position?

Mr. ROSS HUTCHINSON replied:

- (1), (2), and (3) As I have already indicated, the Government proposes to build a new hospital on land fronting Balcatta Beach Road, Osborne Park. However, it has been decided to re-design the original plan and to place the hospital in a better position on the road frontage. To this end, the Public Works Department has been requested to negotiate for the purchase of additional land.

I am not yet in a position to give an approximate date for the commencement of work on this project, but it is expected that this will be towards the end of this financial year.

22. *This question was postponed.*

### QUESTIONS WITHOUT NOTICE

#### WATER SHORTAGE

##### *Position at Marble Bar*

1. Mr. BICKERTON asked the Minister for Works:

With regard to the reported water shortage at Marble Bar—

- (1) Will the Minister advise what steps are being taken to overcome the shortage?
- (2) How long will it take to equip the new bore, reported to have yielded a regular supply, and pipe the water to the town supply?
- (3) Does the Minister consider this new supply sufficient to overcome restrictions; if not, will further boring be carried out to obtain additional supplies?

Mr. WILD replied:

I am not at this stage able to give a factual reply to this question, except to say that yesterday the matter was brought to my notice. I instructed a telegram to be sent immediately to Marble Bar to ascertain what was the latest position. No reply had been received, prior to my coming to the House this afternoon. If the honourable member will place this question on the notice paper, I feel sure that by tomorrow I shall have the answer.

#### MUJA COAL

##### *Conversion into Char Fuel*

2. Mr. MAY asked the Minister for Industrial Development:

Would the Government be prepared to process, without charge, 25 to 26 tons of Muja coal if supplied free, and produce approximately 100 bags of char at the

Industrial Development Department's research section, to be made available for use in slow combustion stoves as demonstration fuel?

Mr. COURT replied:

Not at this stage. To produce the 100 bags of char suggested would cost approximately £500.

The char of the type needed would have to be over  $\frac{1}{2}$  inch in size. This is only approximately 30 per cent of the production that would need to be undertaken.

It is considered premature to produce this demonstration fuel on the basis suggested, as it would be undesirable to create a demand which could not be divorced from the overall considerations that are at present receiving attention in respect of the processing of Collie coal.

The suitability of char in slow combustion stoves has already been established.

### CORROBOREE STICKS

#### *Theft*

3. Mr. GRAYDEN asked the Minister for Police:

In view of the fact that the reported theft of native corroboree sticks at Mt. Maiden, approximately 100 miles north of Laverton, is causing the residents of Laverton considerable concern, will the Minister request the police officers stationed at Laverton to investigate the reported theft?

Mr. PERKINS replied:

I shall have this matter investigated as the honourable member has requested; but so far as I am aware at present, the theft has not been reported. However, I shall have the matter further investigated, although nothing is known about it at the Department of Native Welfare.

### SITTINGS OF THE HOUSE

#### *Adjournment During Visit of Overseas Parliamentarians*

4. Mr. JAMIESON asked the Deputy Premier:

In view of the visit of the Overseas Empire Parliamentary Association members, on what days next week is it anticipated the House will be sitting?

Mr. WATTS replied:

I am quite certain that the House will be asked to adjourn over Thursday, and I think also on

Wednesday. However, I would like to confirm that, and will advise the honourable member later.

### USED-CAR DEALERS

#### *Fidelity Guarantee*

5. Mr. CORNELL asked the Minister for Police:

- (1) Is the Police Traffic Branch now insisting on used-car dealers providing by way of security, a fidelity guarantee with an insurance company, as a condition precedent to the renewal of a license?
- (2) In the past, has not the individual dealer's own surety or bond been accepted as adequate guarantee?
- (3) What would be the average premium payable on a fidelity guarantee policy for £3,000?
- (4) If a fidelity guarantee policy is now being insisted upon, what is the reason for the change in the type of guarantee now being required?
- (5) Seeing that insurance companies have a right of recourse against the policy holder or his bondsmen, will the Minister agree to revert to the previous arrangement whereby a dealer could act as his own surety?

Mr. PERKINS replied:

- (1) No, but any security which is not in the form of an insurance policy requires approval of the Treasurer.
- (2) Owing to legal difficulty in relation to actual form of the bond, used-car dealers were not required to supply any bond prior to July of this year.
- (3) Not known with certainty, but it is believed to be in the vicinity of £30.
- (4) The bond which is now required by the department is in accordance with amendments which were made during the last session of Parliament to section 22 AC of the Traffic Act.
- (5) Section 22 AC, subsection (3a) confers upon the Treasurer the power to approve of a surety other than an insurance policy.

6. Mr. CORNELL asked the Minister for Police:

Will he make representations to the Treasurer to see that the bond he refers to is suitable and will be acceptable as adequate security in respect of these licenses?

Mr. PERKINS replied:

As a result of the representations to me, I am giving further consideration to this question, and I hope to arrive at some decision in the near future.

## LAND TAX ASSESSMENT ACT AMENDMENT BILL

### *First Reading*

On motion by Mr. Watts (Deputy Premier), Bill introduced and read a first time.

### BILLS (4)—THIRD READING

1. State Electricity Commission Act Amendment (No. 2).
2. Industrial Development (Kwinana Area) Act Amendment.
3. Noxious Weeds Act Amendment.
4. Interstate Maintenance Recovery.  
Transmitted to the Council.

### KA RAILWAY WAGONS

#### *Examination of Contract by Auditor-General*

Debate resumed from the 9th September on the following motion by Mr. Tonkin:—

That the Auditor-General be requested to examine and report to Parliament upon the contract with Tomlinson Ltd. for the construction of 200 KA wagons with specific reference to—

- (1) the method of costing being used by the Railway Department when compiling estimates of the cost of construction;
- (2) the estimated price at which the Railway Department could construct KA wagons;
- (3) the estimated saving, if any, which would have resulted if the wagons had been constructed by the Government.

**MR. COURT** (Nedlands—Minister for Railways) [4.56]: As I interpret this motion, the Auditor-General is requested firstly to report generally on the contract that has been let to Tomlinson Ltd. for the construction of 200 KA wagons; and, presumably, in reporting generally on the contract, would give an assurance to the House that the Government had used the normal Tender Board procedure in calling tenders and letting the contract. I assume the Auditor-General would cover that matter in the ordinary course of his duties without any prompting from this Parliament.

The more specific references which the honourable member seeks to have reported on by the Auditor-General are, in my opinion, far too restrictive; and it is my intention to move an amendment to this motion which will enlarge it to give a more correct and comprehensive picture of the whole of the story in connection with the 200 KA wagons, the contract for which has been let by the Government to Tomlinson Ltd.

I consider that the only way we can expose the hypocrisy behind this particular move by the honourable member is to make sure that the Auditor-General, in reporting to this House, gives a comprehensive picture of the whole of the circumstances surrounding the calling of tenders and the letting of the contract for these wagons.

As I said before on a previous debate in this House in connection with the tabling of papers, it was never intended by the previous Government, acting on the advice of the then Commissioner of Railways, to build the wagons in the Midland Junction Workshops, because it had been told on at least two separate occasions that to build the wagons in the workshops, with the programme envisaged for 1959-60, would create an unbalance of work there.

It was in respect of these particular trucks that the Hawke Government negotiated with the unions, which sought to obstruct the Government's desire to let a contract to Tomlinsons or, alternatively, call tenders for the building of 100 KA wagons by private industry. To get a complete picture, I think Parliament should know, in specific terms, the conditions that were laid down by the unions to the Government of the day, under which they would agree to the Government calling tenders for these wagons to be constructed by private industry or, alternatively, give a contract to Tomlinson Ltd.

During those discussions, conditions were laid down which were not acceptable to Tomlinsons; and they were such that the then Government saw fit to comment, to Tomlinsons, that it acknowledged that the conditions would increase the costs of Tomlinsons in the construction of the KA wagons.

I have no intention of going over the whole of the comments I made during a previous debate, although in many cases those comments would be pertinent to this motion. The mover of the motion has expressed the view that his motion and the action he has taken would benefit the morale of the railways. I wish to assure him that the effect is far from that. On the contrary, when the motion was made public, the general reaction, so far as I have been able to gather it, was "Here is another inquiry being foisted on to the railways."

Having just come out of 2½ years of inquiry under Royal Commissioner Smith, the immediate fear of many railway employees was that here was yet another tribunal being set up to inquire into the railways. However, I have endeavoured to allay the fears of those who mentioned the matter to me.

Mr. May: The employees?

Mr. COURT: Yes.

Mr. Evans: They have nothing to fear from an inquiry of this nature.



Mr. COURT: I have endeavoured to allay their fears; and have said that I could not imagine, for one moment, that the Auditor-General would want to set himself up in the form of an inquisition or grand inquiry into the railways. On the contrary, I imagine that, with his many other duties and responsibilities, he would be most anxious to confine himself to the actual matters covered by the motion, which motion I hope the House will see fit to amend in accordance with an amendment which I will move at the conclusion of my remarks.

In his speech, the Deputy Leader of the Opposition made some rather sweeping statements. Of course, we are used to his making sweeping statements; but this is one occasion on which he is not going to get away with them. The words that he used in respect of disclosing information regarding unsuccessful tenderers, were as follows:—

His secondary reason was that it was a tender, and normally information regarding unsuccessful tenderers was not available.

Proceeding, he said—

Of course, that is not so; because one has only to ask the newspaper men who report these things from time to time and they will state that upon the opening of tenders the matter is public property.

I interjected—I suppose, strictly, the interjection was disorderly—by saying, “Not all tenders. The Tender Board confirmed what I said.” The honourable member, continuing, said—

Tenderers make it their business to find out why they did not get the tender. The unsuccessful tenderers know who the successful tenderer is and how much they missed out by. They know who was above and who was below them. Members know that is so and always has been so. However, that was the reason advanced by the Minister. That was his complete case.

I had previously checked by telephone with the Tender Board to see whether the claim that I had made in this House during this session, and the claim made by my predecessor in 1957, were correct—my predecessor being the Minister for Railways in the Hawke Government, who, through the Minister representing him in this Chamber, said it was not usual practice to disclose information in respect of unsuccessful tenderers; a verdict which I, as a member of this Chamber, then accepted. This is what the Chairman of the Government Tender Board says, in a minute under date the 14th September, 1959—

The Honourable Minister for Railways. With reference to your inquiry I would advise that Government

Tender Board does not disclose the prices tendered by unsuccessful tenderers.

I understand there have been occasions—the honourable member referred to a specific occasion—where the unsuccessful tenderers have been disclosed; but the general principle is that the unsuccessful tenderers are not disclosed by the Tender Board; and, in fact, the only tenderer publicly known is the successful tenderer. In the case of works contracts, which have nothing to do with the Tender Board in the ordinary course of calling tenders for Government supplies, I understand the same practice is followed as is followed by private architects: the whole of the tenders are exhibited. But that is an entirely different thing from calling for tenders for supplies for the Government services—in this case the Western Australian Government Railways.

The claim I have made is strictly correct, as confirmed by the Chairman of the Tender Board; and I think the Deputy Leader of the Opposition, when replying to the debate, should have the grace to withdraw the allegation he has made against me, of having virtually made a gross mis-statement, when, in fact, I have stuck to the confirmed facts. It is quite obvious that my predecessor in office was also following the standard practice of the Tender Board in respect of these tenders.

Mr. Graham: I think it is time the practice was altered.

Mr. COURT: If the honourable member will reflect, he will see there is a good reason why the Government Tender Board has followed this practice.

Mr. Graham: I cannot appreciate it.

Mr. COURT: The honourable member must understand that when one calls tenders for any commodity or service, that is not the end of the matter. The Government could be calling tenders for the same thing again in six months, 12 months, or two or more years; and it is not considered good practice to make available to the public the details of the unsuccessful tenders.

Mr. Graham: The State Housing Commission, probably the biggest spending department of them all, actually welcomes members of the public to be present when the tender box is opened.

Mr. COURT: I have already said that the Public Works Department follows that practice in respect of building contracts; but that is an entirely different thing from an item which could be repetitive. If tenders are called for a building such as the R. & I. Bank, there is only one building such as that. Every school building, even though it might be of somewhat the same design as others, has different features; different land levels, or type of

land; or different foundations. Each of those can be taken in a separate or watertight compartment—

Mr. Graham: You are still wrong. There is a great deal of repetitive building for the commission, but adjustments are made.

Mr. COURT: It is still building.

Mr. Graham: What is the difference between building a house and building a truck?

Mr. COURT: I would remind members who were Ministers in the previous Government that they have resisted, as have previous Governments of similar constitution to the present one, the inclusion on the Tender Board of representatives of industry. For as long as I can remember, representations have been made by industrial bodies, such as the Chamber of Manufactures, for representation on the Tender Board. One of the arguments advanced is that they could give expert advice; but that argument breaks down; because no man can be an expert in the whole line of goods and services for which the Tender Board calls tenders and lets contracts; and that outside entry into the Tender Board has been resisted so that, so far as is humanly practicable, the activities of the Tender Board are kept free from outside influence.

The Tender Board is in the position that it has often to reject the lowest tender for good and sufficient reasons; and there is no danger in the fact that it does not disclose the unsuccessful tenderers, for the simple reason that every tenderer knows his own price and conditions of tender; and in due time, if he does not get it immediately from the Tender Board, he will see the published announcement of the tender accepted. One can be assured that if any person felt that he had been aggrieved by the action of the Tender Board in accepting some tender other than his own, he would be quick to protest; and he would quickly run to members of Parliament if he did not get redress through the normal channels.

Mr. Graham: But that happens nearly every week at the Housing Commission, when the lowest tender is rejected on certain grounds; so where is your argument?

Mr. COURT: That does not break down the argument. The point is that it has been suggested that, because all the tenders are not disclosed, there may be scope for manipulation. But it is quite obvious that the fact that every tenderer knows the price and conditions upon which he tenders, ensures that the sanctity of the system is preserved; because such people who feel they have been done wrong will be quick to protest, as the honourable member knows they often do; and their cases are given due consideration. There is a distinct difference between the normal work of the Government Tender Board, and the calling of

tenders and letting of contracts by the Public Works Department for buildings—and by the State Housing Commission.

Mr. Graham: Only a red tape difference.

Mr. COURT: One could, with fairness, ask the honourable member, if he feels that the practice is so wrong and is overdue for amendment, why his Government did not take action to correct it.

Mr. Graham: I took action in my own department.

Mr. COURT: But the honourable member was not bound by the normal provisions of the Tender Board. He could take isolated action. The Deputy Leader of the Opposition, when Minister for Works, was able to continue in his department the practice of making all building tenders available; a practice followed by private architects.

Mr. Graham: Whatever happened previously, the suggestion now is that you or the Premier should take some action in respect of this matter.

Mr. COURT: I can assure the honourable member that we have no intention of taking any action to interfere with the Tender Board.

Mr. Graham: But surely there is nothing to hide.

Mr. COURT: This is a well-established practice, and we would have to be given some very sound argument as a reason for interfering with it. If we interfered with it without very good reason, we would be suspect.

Mr. Graham: No; because every other department does what I suggest.

Mr. COURT: We would not do what your Government did over the sleeper tenders, when it made a decision on those tenders and left the Tender Board tagging along behind, so that all it could do was to be a rubber stamp—

Mr. Graham: Which is the Government of the day—the Cabinet or the Tender Board?

Mr. COURT: I know this is a touchy subject with the honourable member. He says the Government is the supreme body. If it is—and we know it is—one asks why we should go through the motions—if that is to be the attitude—of having these boards entrusted with certain responsibilities. Nothing would sap their initiative and responsibility more than the usurping of their responsibility by the Government, even though it were constitutional to do so.

Mr. Graham: No Government hides, or should hide, behind a Government department.

Mr. COURT: It is not a question of hiding behind a Government department; it is a question of allowing a Government department to fulfil its normal statutory

functions. It is so much safer for any Government if the normal machinery is allowed to work.

Mr. Graham: You overlook the fact that Governments have statutory obligations and responsibilities.

Mr. COURT: Obligations, true; and responsibilities, I agree; but they are used only in an extreme case, when a board has to be overridden because it is doing something which the Government considers to be against the public interest.

The honourable member could not say that the fact that the Tender Board had not considered a tender and given a recommendation on it was against the public interest. The board was not given a chance; the first it knew about the matter was a Cabinet minute.

Mr. Hawke: It was in the public interest to let the tender to the lowest tenderer if he was considered capable of supplying the goods.

Mr. COURT: I am being diverted on to the question of the sleeper tenders. But I would like to ask a question, in answering the interjection of the Leader of the Opposition: Was there any suggestion that the Tender Board would recommend other than the lowest tender in respect to the sleepers? I cannot imagine there would be; but, for some reason, on the 20th March the then Government saw fit to issue a Cabinet minute accepting that tender and leaving the Tender Board trailing along in the rear with no alternative but to note the Cabinet approval.

Mr. Hawke: Except that it was the lowest tender.

Mr. COURT: That is all right. I have not suggested that it was anything but the lowest tender. But I cannot understand why the then Government cut across the normal established machinery which is allowed to work in 999 cases out of 1,000.

Mr. Graham: Do you intend to revoke the decision?

Mr. COURT: No. As a matter of fact, if the honourable member reads laboriously through the *Government Gazettes* he will find that we honoured the then Government's action.

Mr. Hawke: It would have been difficult to do anything else.

Mr. COURT: How true!

Mr. Hawke: Otherwise you would have done it.

Mr. COURT: No.

Mr. Hawke: Not much!

Mr. COURT: I can assure the honourable member that he is reading something into what I have said that is not correct.

Mr. Graham: We will see next year.

Mr. Hawke: We will study your form in 12 months' time.

Mr. COURT: As the honourable member well knows, the acceptance of this tender has caused a certain amount of embarrassment to some of the smaller producers of sleepers. But that is another story.

Mr. Graham: I bet you cannot substantiate that, either.

The SPEAKER: Order! The motion does not deal with sleepers; it deals with the Auditor-General's report, and the question of sleepers does not come into it.

Mr. Graham: It has for the last 10 minutes.

Mr. COURT: I apologise, Mr. Speaker. I was trying to illustrate the position of the Tender Board in the scheme of things today. A further point raised by the honourable member moving the motion was the question of the examination of the papers privately. He seems to be out of step with most members in this Chamber on that matter, because members are examining files privately practically every week; and there has been no difficulty over this procedure. Every member that I know of understands that when he examines files in a Minister's office he does so under a happy arrangement that has existed in this Parliament for years, irrespective of which Government has been in power. If the honourable member considers that the examination of a file in a Minister's office is "open season," once he has seen it, what is the use of differentiating between seeing the file in a Minister's office and having it laid on the Table of the House?

Mr. Hawke: Because if the honourable member is satisfied, he does not take the matter any further.

Mr. COURT: That is so.

Mr. Hawke: Then it is not laid on the Table of the House.

Mr. COURT: That is so.

Mr. Hawke: That is the answer. Do you want any more answers?

Mr. COURT: I cannot think of any question on which I wish to seek the honourable member's advice immediately.

Mr. Hawke: Let me know later if you can think of another one.

Mr. COURT: I thank the honourable member for the advice, and I may accept his offer at a later stage.

Mr. Hawke: Thank you.

Mr. COURT: The member for Melville referred to some figures quoted by the Royal Commissioner who was examining the railways. The Royal Commissioner gave certain estimates of figures which he considered would be the costs of construction in 1957; and I think he quoted the figures for some years prior to that. I want to emphasise that the figures quoted by the Royal Commissioner, Mr. Smith, were purely estimates.

There is no suggestion by him that they were actual costs; in fact, when the Auditor-General's report is available to the honourable member, if my estimate is correct I think he will be surprised at the great difference between Mr. Smith's figure for 1957—that is the estimated figure in that year—and the figure at which the department currently considers that it could manufacture these KA wagons.

If one examines the whole of the circumstances in cost movement, industrial conditions, and the changes that have taken place between 1941 and 1959—which is the period under discussion for the purpose of this motion—it will be quite obvious that the rises in costs and the reflections in price are infinitely greater than a mere hypothetical calculation based on basic wage movements. There are many other factors which have intruded themselves into our economy, and which have had an effect on the price of certain commodities today; and an estimate for 1959 cannot be arrived at by a mere mathematical sum, using any particular year as a base year.

In supporting the motion, subject to amendment, I want to make the point that the Auditor-General has considerable normal duties to occupy his time. He is a very busy man and he has serious responsibilities. During his term of office, the present Auditor-General has made considerable advances in trying to streamline the accounting system and bring the accounts of the State up to a more modern and commercial form. In addition, at this time of the year, he and his staff have their hands pretty full. I mention these things because we cannot expect the Auditor-General to abandon his other duties and rush in, with his staff, to complete overnight the report required.

Knowing the Auditor-General as we all do, I have no doubt that he will be anxious to complete at the earliest possible moment the request made to him by Parliament, consistent with his other responsibilities and duties; but I do not think we as a Parliament should expect him to dump everything and spring to it and prepare this report. I can assure the House that so far as I am concerned I will ask the Premier to approach the Auditor-General and put the request before him to see what can be done to have the report produced at the earliest possible moment. However, there is more work in this than might appear apparent on the surface.

I refer particularly to the examination of the costing system to comply with paragraph (1) of the honourable member's motion, which calls upon the Auditor-General to inquire into the method of costing being used by the Railway Department when compiling estimates of the cost of construction.

There is one point that comes readily to mind. During the latter part of the previous Government's administration, the Railway Department changed its percentage of overhead from 110 to 80 per cent. on direct labour; and, in doing so, left out a considerable number of normal overhead items which I enumerated in my speech on another motion. The reason is, broadly, that railwaymen have their own particular ideas of accounting. Over the years in this Chamber we have heard arguments regarding their method of accounting—for instance, the apportionment of revenue on particular branch lines. It is an argument that goes on and on; and no-one is ever really satisfied, except the railwaymen, who have a standard system—and they claim theirs to be a practical system.

Mr. Hawke: How is the Bonnie Rock line going?

Mr. Watts: Still bonny.

Mr. COURT: The line is still there. I mention these points because, if I guess aright, the Auditor-General will have to do a fairly careful examination of the costing system. First of all, he will have to examine the system that was prevailing, say, in 1941; the system that was prevailing during part of the previous Government's administration; and the current system employed by the department—a system to which I took exception and which I personally feel is not correct and proper costing, because it ignores certain very important costs which no business firm in its right mind could ignore.

Therefore, the task of the Auditor-General will be considerably more than a mere superficial examination of the accounts and files if he is to produce the report requested by this motion, which I propose to seek to amend. Having made the observation that we cannot expect the Auditor-General to drop every function and responsibility that he has in order to prepare the report, just to launch into what I personally consider to be a witch-hunt, I propose to move an amendment to add four further paragraphs to the motion moved by the Deputy Leader of the Opposition. I consider these paragraphs to be necessary to give a more comprehensive picture of the whole transaction concerning the 200 KA wagons and to show the position in its true perspective when the Auditor-General's report is submitted to this House. I move—

That the motion be amended by adding after paragraph (3) the following paragraphs:—

- (4) the amount per wagon by which the contract let to Tomlinsons is less than the estimate submitted to the Hawke Government by the Western Australian Government Railways on the 25th March, 1959;

- (5) the total saving that the amount in No. (4) represents for 200 wagons;
- (6) the amount per wagon under discussion between the Hawke Government and the unions December, 1958, to February, 1959, when that Government was negotiating with the unions regarding the letting of a contract for wagons to Tomlinsons or other private engineering firms;
- (7) assurances sought during the discussions referred to in No. (6) by the unions from the then Premier and the conditions laid down by the unions under which the Hawke Government could let a contract to Tomlinsons or other private engineering firms for wagons.

**MR. TONKIN** (Melville—on amendment) [5.31]: The Minister for Railways is certainly difficult to follow. After going to some pains to show that the Auditor-General could not be expected to get on with this inquiry straight away, because it would involve a lot more work than was expected and would appear on the surface, the Minister for Railways then proceeded to load some more work on to the Auditor-General in connection with this inquiry. A little examination will show that with regard to the first two additional items no good purpose can be served whatever; it will be useless labour.

**Mr. Court:** That is your opinion, of course.

**Mr. TONKIN:** I am entitled to my opinion, and that is what I am expressing. I would not attempt to express the Minister's opinion.

**Mr. Graham:** Does he ever have an opinion?

**Mr. TONKIN:** The Minister for Railways keeps on referring to the estimate given to the Hawke Government. I tell him that no estimate was given to the Hawke Government.

**Mr. Court:** I tell you it was; it was given in writing to your Government on the 25th March, 1959.

**Mr. TONKIN:** I propose to ask the House to agree to the addition of certain words to the amendment to find out whether the Auditor-General will call this an estimate; because I do not.

**Mr. Court:** What will he call it?

**Mr. TONKIN:** We will ask him what he calls it. My opinion is that it is not an estimate at all; and this figure of £1,400 to which the Minister for Railways continues to refer is, in my opinion, not an estimate, and never was.

**Mr. Court:** What is it?

**Mr. TONKIN:** Since the Minister has asked the question, I feel he will agree that we should ask the Auditor-General.

**Mr. Court:** You know it was an estimate.

**Mr. TONKIN:** So I propose to ask the House to agree to the addition of certain words to the Minister's amendment. I propose to add, after "1959" in paragraph No. (4), the words "and whether this so-called estimate can be properly so regarded."

**Mr. Court:** You are being more childish than I thought you were. It is no wonder they are calling you "KA Jack" all over the town.

**Mr. Heal:** You want to hear what they are calling you.

**The SPEAKER:** Order! I would like the Deputy Leader of the Opposition to let me get the words of the amendment.

**Mr. TONKIN:** I have not moved it yet, Mr. Speaker.

**The SPEAKER:** I know, but I would like to get the words.

**Mr. TONKIN:** You will get them in good time, Mr. Speaker; when I move my amendment.

**Mr. Court:** Are you being rude?

**Mr. TONKIN:** The Minister is the one who is being rude; he said that my utterance was hypocritical.

**Mr. Court:** It is pure political hypocrisy on your part.

**The SPEAKER:** Order! I will not allow these exchanges across the Chamber.

**Mr. TONKIN:** The Minister for Railways—whom I did not interrupt in connection with this subject, not by a single syllable, because I preferred to deal with him when on my feet—referred to the hypocrisy behind the motion I moved. I accordingly waited to hear some argument advanced to prove that assertion; but not one single word did he utter, because he could not.

**Mr. Court:** Nonsense!

**Mr. TONKIN:** What hypocrisy could there possibly be behind this motion?

**Mr. Court:** You know what your Government expected to pay.

**Mr. TONKIN:** This motion is here because the Minister for Railways refused to table the papers, and then imposed such conditions with regard to my seeing the papers in his office that I could not take the risk of looking at them in the circumstances; because he had already referred to the great leakage which has taken place from the Railway Department.

The Minister himself has said, and it is on record in *Hansard*, that he has refused to look at papers offered to him under those conditions. So can he charge me because I did not take advantage of

that offer? The only other course open to me—and there is no hypocrisy behind this—is to get the Auditor-General to ascertain what I want to ascertain myself. The Minister seeks to impose upon an already overworked Auditor-General—to use his own words—some additional tasks which will be of no value at all.

Mr. Court: You would like the complete story, wouldn't you?

Mr. TONKIN: I would; and I would not object to this. But I am pointing out, in the first instance, the futility of it. It can go ahead as far as I am concerned; but it is absolutely unnecessary and, if the Auditor-General is overworked, Parliament should not impose this additional burden on him, because it is of no value.

It is my firm view that the figure of £1,400 to which the Minister keeps referring was never an estimate of the cost of constructing KA wagons; and to test that out, I propose to move, as already indicated, to get the Auditor-General's opinion about that. But whether it was an estimate or not, what purpose do we serve in asking for the total amount of saving which would result, purely hypothetically, from the job being undertaken by Tomlinsons as against this so-called estimate?

The only worth-while figure so far as the State is concerned is the actual saving which would have occurred under different circumstances. Nobody is interested in a hypothetical saving. What value is that to any member in this House? What we want to know is whether there would have been a saving or not if the department itself had constructed the wagons instead of Tomlinsons; not what savings would have resulted because a certain figure was quoted. What is the good of that?

Mr. Court: It is very pertinent.

Mr. TONKIN: It reminds me of what could happen if one's wife went into a grocery store and purchased an article for 1s., which she could have purchased somewhere else for 6d. But she is told that in another shop down the street the article is priced at 1s. 6d.; and she says that she has made a profit of 6d.

Mr. Hawke: You are causing the Minister for Railways to eat and distribute lifesavers to Ministers on the front bench.

Mr. Brand: The point is well taken.

Mr. TONKIN: The only saving in which I am personally interested is the actual saving which could have been anticipated if the work had been done by the Railway Department, irrespective of any estimate it might have made; or so-called estimate. I do not care if it made 50 estimates. I want to know the price for which the department could construct the wagons; and

if that cost is less—and I believe it to be substantially less—than the Government is going to pay Tomlinsons, then we should know about it. It is of academic interest only to have an answer to the additional question posed by the Minister.

If the Government wants the Auditor-General to look at that, it is all right with me. But while he is looking at that, I would like him to say whether he regards it as an estimate or not. The sixth paragraph that the Minister wishes to add to the motion I have moved reads—

The amount per wagon under discussion between the Hawke Government and the unions December 1958 to February 1959 . . .

I have no objection to the Auditor-General reporting on that if the Minister wishes; nor have I any objection to a report in connection with these assurances, because I am familiar with them; I know the circumstances under which they were asked for, and I know that no business resulted with Tomlinsons.

If the Minister wants that information to be supplied to Parliament, that is all right with me. But I would point out that he is the one who said the Auditor-General was overworked; and he must take the responsibility for putting this additional labour upon that gentleman. Naturally, I reserve the right to reply. I propose to add, after the figures "1959" in paragraph (4) of the Minister's amendment, the words "and whether this so-called estimate can be properly so regarded". It will then read—

The amount per wagon by which the contract let to Tomlinsons is less than the estimate submitted to the Hawke Government by the Western Australian Government Railways on the 25th March, 1959; and whether this so-called estimate can be properly so regarded.

We will then have that point cleared up by the Auditor-General, and that is most desirable in view of the difference of opinion between the Minister for Railways and myself. I move—

That the amendment be amended by adding after the figures "1959" in paragraph (4) the following words:—

"and whether this so-called estimate can be properly so regarded".

MR. COURT (Nedlands—Minister for Railways—on amendment on the amendment) [5.45]: I have heard the Deputy Leader of the Opposition in action on many occasions and marvel at the way he can weave words around nothing at all—

Mr. Graham: Look who is talking!

Mr. COURT: —trying to give the idea that he is on to something really big.

Mr. Graham: The prince of word spinners!

**Mr. COURT:** When one analyses it all and ceases to be mesmerised by the honourable gentleman, one realises he is spinning words around nothing. The fact is that the previous Government, on the 25th March, in response to its own request, received estimates on many things from the railways, including this particular figure which is causing the honourable gentleman such discomfort.

He now proceeds to question the veracity of what I say when I call it an estimate. He cannot give it a name. He cannot say whether it is a guess, or supposition, or whether it is something I have dreamed up. It is an estimate. It gives me no satisfaction to spoil the smooth wording of the amendment I have submitted by adding this clumsy phrase to it, but I have no objection to doing so, knowing that the answer from the Auditor-General would be the same as that of any person of commonsense: that it is an estimate.

An estimate was requested and an estimate was given. If it gives the honourable gentleman any satisfaction to add a few words on the end, I have no objection to his amendment on my amendment.

**MR. BRADY** (Guildford-Midland) [5.47]: I want to say at the outset that I support the motion moved by the Leader of the Opposition; because, after all, if the Minister for Railways had done the right thing at the time—

The **SPEAKER:** Order! The question before the Chair is the amendment on the amendment, not the original motion.

**Mr. BRADY:** I see, Sir. I will resume my seat and reserve the right to speak later.

**Mr. Hawke:** The Government is becoming very co-operative since last night.

**Mr. Brand:** It will not worry us.

**Amendment on the amendment put and passed.**

**MR. HAWKE** (Northam—on the amendment) [5.48]: I take it the amendment to the motion is still before the Chair?

The **SPEAKER:** Yes.

**Mr. HAWKE:** Like the Minister for Railways, I can talk in any circumstances, and under any conditions, for hours on end, sometimes without stopping once to think.

**Mr. Court:** I am glad you put yourself in the same bracket.

**Mr. HAWKE:** The wording of the suggested paragraph (6) is not factually correct. I am not intending to move anything in connection with it; I simply mention it, because the Minister for Railways, in heaping a little derision upon the recently-moved amendment by the Deputy Leader of the Opposition, talked about clumsy wording.

The point I wish to make in connection with paragraph (6) is that the unions were not negotiating with the Government regarding the letting of a contract to Tomlinson Ltd. or anyone else; they were negotiating with the Government regarding the question of a contract or the advisability of a contract being let for the supply of KA wagons. However, I will let that pass, because it is not important.

But the wording of suggested paragraph (7) is very important. It is entirely incorrect. It is grossly misleading; and I would not agree to the present wording at all. This paragraph reads:—

Assurances sought during the discussions referred to in (6) by the unions from the then Premier and the conditions laid down by the unions under which the Hawke Government could let a contract to Tomlinsons or other private engineering firms for wagons. Those statements are quite untrue—completely untrue. I want to alter them—I want to make the paragraph read:—

Assurances sought during the discussions referred to in (6) by the unions from the then Premier and the conditions which the unions considered the Hawke Government should include in any contract let to Tomlinsons or other private engineering firms for wagons.

The alteration of the paragraph to read in that manner would set out the facts of the situation. The paragraph would then be a true representation of the actual position which existed as between the unions concerned and the Government of the day. I would add that some of the conditions which the unions suggested the Government should include in any contract which might be let by the Government to Tomlinsons were rejected by the Government as being impracticable or unreasonable.

The Minister has not given any indication as to whether he would agree to the paragraph being altered in the way I have suggested; but I will read again for his particular benefit the way the paragraph would run if the amendments which I will move are accepted—

(7) Assurances sought during the discussions referred to in (6) by the unions from the then Premier and the conditions which the unions considered the Hawke Government should include in any contract let to Tomlinsons or other private engineering firms for wagons.

**Mr. Court:** Read it again.

**Mr. HAWKE:** The conditions which the unions considered the Hawke Government should include in any contract let to Tomlinson Ltd. or other private engineering firms for wagons. As the paragraph is now worded it conveys only one main impression: that is, unless the Government

of the day agreed to include in the contract or in any contract which might be made the conditions which the unions sought, the Government could not let a contract. I think that on careful consideration the Minister will agree that is most unfair.

Mr. COURT: That is not the meaning of the amendment as it is.

Mr. HAWKE: Yes it is. I will read it again.

Assurances sought during the discussions referred to in (6) by the unions from the then Premier and the conditions laid down by the unions under which the Hawke Government could let a contract to Tomlinsons or other private engineering firms for wagons.

I am sure that if the Minister studies it more closely, he will agree that my interpretation of the paragraph is correct. Even if he does not, I think he will agree the suggested alterations made by me are fair and reasonable and would accurately set out the true position. I would hope that the Minister is anxious to have the true position stated in the paragraph. So it will be necessary for me to move several amendments to the paragraph. I move—

That the amendment be amended by deleting the words, "laid down by" in paragraph (7) with a view to substituting the word, "which."

MR. COURT (Nedlands—Minister for Railways—on amendment on the amendment) [5.55]: I regret I must oppose the amendment on the amendment.

Mr. Hawke: Now we can see where the hypocrisy is.

Mr. COURT: If the Leader of the Opposition calmly studies the amendment as I did when I framed it—

Mr. W. Hegney: You framed it, all right.

Mr. COURT: —he will see that it is fairly worded.

Mr. Hawke: It is loaded full of political hypocrisy.

Mr. COURT: It says—

Assurances sought during the discussions referred to in (6) by the unions—

It is not the Government, but by the unions—

from the then Premier and the conditions—

I deliberately added these words—

—laid down by the unions under which the Hawke Government could let a contract to Tomlinsons or other private engineering firms for wagons.

If they were not laid down, the Auditor-General will so report to Parliament.

Mr. Hawke: Paragraph (7) as now worded is a lie. I want to alter it.

Mr. COURT: It is not a lie. I framed it; and in saying it is a lie the honourable member is saying that I personally told a lie. I ask for a withdrawal.

Mr. Hawke: In response to your request, I say the paragraph contains a wilful misstatement of fact.

The SPEAKER: Does that constitute a withdrawal? Does the honourable member withdraw the words, "It is a lie"?

Mr. Hawke: Yes.

Mr. COURT: Apparently this is a sore point with the Opposition.

Mr. Hawke: It is with me.

Mr. COURT: They do not for one minute consider the feelings of the Government if they feel there is anything embarrassing; and I suggest that the move of the Deputy Leader of the Opposition was made because he felt he might embarrass the Government. He is not embarrassing us one scrap.

I ask members, in considering this amendment to the amendment, to study the words in the original proposition which I put forward as paragraph (7), in which I have specifically included the words, "laid down by the unions." That does not reflect on the then Government. It does not suggest that the then Government succumbed to dictation. It does not say that the Government accepted these conditions; but I think it is important that the whole of the conditions laid down in writing by the unions to the previous Government be made public in conjunction with the Auditor-General's report. For that reason I stick to the wording in my amendment, which contains the words "laid down by the unions." I cannot imagine anything more fair. For that reason I oppose the amendment on the amendment.

Mr. HAWKE: Mr. Speaker—

The SPEAKER: Does the honourable member wish to close the debate?

Mr. HAWKE: I would not close the debate.

The SPEAKER: I do not think the honourable member can speak again on the amendment.

MR. EVANS (Kalgoorlie—on amendment on the amendment) [5.58]: I support my leader on the question that the words, "laid down by" should be deleted from the amendment moved by the Minister for Railways for the purpose of inserting the word, "which." The amendment will then provide, "various conditions which the Hawke Government acted on". I do not think there is anything that will be detrimental to the Minister for Railways if the words are deleted. The Premier of the day, who is now the Leader of the Opposition, would know what conditions prevailed at that particular time.



He has told the Minister that the Minister's use of the words, "laid down by" is a wilful mis-statement of fact. The Minister objected to another word being used, but a rose by any other name would smell as sweet. The Leader of the Opposition is adamant when he says that what the Minister for Railways is contending is untrue; and the Leader of the Opposition was the Premier of the day, and was in the box seat to know what went on at the time. Therefore I support the amendment.

**MR. FLETCHER** (Fremantle—on amendment on the amendment) [6.0]: I also support the amendment on the amendment moved by my leader. I would like the attention of the Minister.

**Mr. Court:** I am listening.

**Mr. FLETCHER:** I support my leader on the ground that the Minister is indulging in implied criticism of the union movement.

**Mr. Court:** No, I'm not.

**Mr. FLETCHER:** I maintain that the Minister is.

**Mr. Roberts:** That is only your opinion.

**Mr. FLETCHER:** The Minister said that the wording had been carefully framed; and I say that it is for the purpose of implying that the unions imposed conditions. The Minister implies that the unions imposed conditions on the previous Government. It is quite reasonable that our side of the House should say to the public that that is not true.

At the time, I was a shop steward of the union concerned. I was not a paid official as was believed by some members. I was a shop steward of the union, in an unpaid capacity. I have always been a shop steward, and had the interests of the union at heart. At that time, the union was concerned to see that the industrial conditions of its workers were not pulled down; and naturally the union saw our Government to endeavour to ensure that its industrial conditions were maintained. Now the Minister is implying that there was something wrong with the motive of the union.

**Mr. Court:** Where do you get the "implication" from?

**Mr. FLETCHER:** The Minister said that this was deliberately framed by him. I can see the purpose of it; and I particularly allude to the words "laid down" which are tantamount to saying that some sort of threat was implied. That is far from the truth. I know the background of the union concerned, and of the metal trades unions. There was no threat implied. The unions only asked our Government to look after the conditions of the men working in the trade.

**Mr. Brand:** Who mentioned any threat?

**Mr. Watts:** If you lay down conditions, you do not make threats.

**Mr. FLETCHER:** I refer to another word—"could."

**The SPEAKER:** Order! The amendment is to strike out the words "laid down by."

**Mr. FLETCHER:** Good. I support my leader; but I do feel that the word "could" is tied up with the purpose of the Minister in inserting these words.

**MR. GRAHAM** (East Perth—on amendment on the amendment) [6.4]: As I rise, I emphasise that it is not my intention to be caught by a strict interpretation of Standing Orders; namely, that I can speak only on the three words sought to be deleted. I have been here long enough to know that it is possible to speak of the effect of the words to be deleted, and of the effect of the proposed change. Accordingly, to ask anybody to make a sensible contribution to a debate by merely discussing the pros and cons of three words which, grouped together, mean nothing, means virtually that Parliament could not consider any proposition; it certainly could not debate it. To come to the point—

**Mr. Watts:** Hear, hear!

**Mr. GRAHAM:** I heard someone interject "Hear, hear." I thought I was in duty bound to make my position perfectly clear, and to say that I would not accept any proscription of my rights without some protest; and I am giving that indication in advance.

**Mr. Roberts:** You are not going to talk about the word "could" though.

**Mr. GRAHAM:** I only wish that the member for Bunbury were the subject for debate; I would not need any license in order to give members a treat, if he were.

**Mr. Roberts:** You attempted to do that in 1956, as you will see if you refer to *Hansard*.

**Sir Ross McLarty:** You lost the Bunbury election.

**Mr. GRAHAM:** If the member for Bunbury would like a recitation of the 1956 episode, he can have it.

**Mr. Roberts:** Any time suitable to yourself.

**Mr. Brand:** That would be a threat.

**Mr. GRAHAM:** It can be taken in any way that the member for Bunbury or the Premier cares to take it.

**The SPEAKER:** Order! I will not permit any personal discussions or quarrels between the member for East Perth and the member for Bunbury on something that took place in 1956.

**Mr. GRAHAM:** Now if I may proceed without these diversions from the other side of the House.

**Mr. Watts:** "May" is permissive.

Mr. GRAHAM: I was asking a question. It is obvious that certain Ministers of this Government—I refer to them as the little men—are going out of their way to provoke discord in this Chamber. I should say that the rejection of the amendment sought by the Leader of the Opposition, as indicated by the Minister for Railways, is deliberately calculated to affront the Leader of the Opposition, and is a studied insult to him.

Mr. Court: I can assure you it is not.

Mr. GRAHAM: Such an assurance means nothing whatever to me.

Mr. Court: I am giving you the assurance.

Mr. GRAHAM: Surely one who has occupied the position of the Premier of the State for a period of six years, and was one of Her Majesty's advisers for many years prior to that, is worthy of a little dignity and respect.

Mr. Roberts: Like the member for Murray at times receives from you.

Mr. GRAHAM: I think the member for Bunbury might keep out of this; and allow me and the member for Murray to resolve our own differences. I can think of many occasions in the past, and even to this date, when we have had agreement on many matters. In any event, I do not think our personal relationships have been disturbed one iota.

How could one draw a conclusion other than that this is a studied insult to the previous Premier, because of the words themselves? They do not imply, but say that before the Hawke Government could do certain things—that is, let a contract—it had to conform to conditions laid down by a union. In other words, the Government led by the present Leader of the Opposition, could not, when it was in power, let a contract unless it conformed to the conditions laid down by the unions. That, of course, is totally false, as was stated by the leader of the Opposition by way of interjection.

This is a slur and an insult. The unions were enjoying certain industrial conditions, and they—somewhat naturally, as many of their members were engaged in the production of wagons and wagon parts for the W.A. Government Railways—wanted some assurance that if other people were to be engaged on identical work, those in the second category should not be paid less, or have any amenities less, than the pay or amenities enjoyed by the people who customarily did the work. Is there anything wrong with that? The unions—again somewhat naturally—were most insistent. That, surely, is understandable.

For the Minister for Railways to ask the Parliament of Western Australia to agree to a proposition which, I repeat, does not

imply but asserts that the Government of the day could not let a contract unless it agreed with the claims of the unions—

Mr. Court: Paragraph (7) of my amendment does not say anything of the sort. You are just inferring something that is not there.

Mr. Hawke: What is wrong with the amendment? It is the same thing.

Mr. Court: No it's not.

Mr. GRAHAM: Mr. Speaker, you can read and understand English. This refers to the conditions, laid down by the unions, under which the Hawke Government could let a contract. If there was no acceptance of the conditions, then no contract could be let; the Government was completely under the domination of those who were making representations to it. That is why I conclude that these words are a studied insult to the previous Government.

What the Minister seeks to achieve in paragraph (7) can be achieved with the amendment moved by the Leader of the Opposition; and without this untruth in it. The deletion of these several words, and the insertion of others, will have no effect whatsoever upon the scope of the inquiry by the Auditor-General.

Mr. Court: If you are so concerned about this, you could achieve your objective in a much better way by adding something to paragraph (7) requiring the Auditor-General to state clearly the points that the Government laid down to Tomlinsons. You would then have the full story.

Mr. GRAHAM: We can deal with that on its merits if the Minister cares to submit it.

Mr. Court: I am not going to submit it.

Mr. GRAHAM: But the Government for which the wagons would be built, and which would be paying for the work, would surely be entitled to lay down the conditions. An organisation outside is not in charge of the affairs of this country; but that is what is stated in the wording of paragraph (7) submitted by the Minister for Railways, and objected to by the Leader of the Opposition.

We all enjoy a game of politics from time to time; and if the objective is that the Auditor-General is to inquire into certain matters, including paragraph (7), then that point can be investigated just as thoroughly with the changes sought by the Leader of the Opposition as with the wording which appears in the proposition at the moment; but with this difference: that the slur on the previous Government—totally unjustified—would be removed.

Mr. Court: You are only reading that so-called slur into it.

Mr. GRAHAM: Anybody who can read can draw only this one conclusion.

Mr. Hawke: The Minister is being stupidly stubborn in the matter; that is the trouble.

Mr. GRAHAM: In the interests of having paragraph (7) properly worded; in the interests of the business of this House; and to save time—because I think that in the attitude of the Minister for Railways there are all the ingredients of a prolonged debate on this point, which could be avoided if the Minister would listen to reason, and would not try to satisfy his ego by endeavouring to score a political point—

Mr. Court: It has nothing to do with my ego. I made a sensible suggestion to you.

Mr. GRAHAM: If the Minister did, it would be the first one!

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

Mr. GRAHAM: As there are now several more Ministers present in the House than there were before tea, I repeat my appeal to the Government to have some regard for the Opposition's point of view. If my leader's amendment were designed to destroy the terms of reference—if I may use that term—which are to be used generally by the Auditor-General, it might be a different matter; but the amendment we are debating at the moment will not do that. It will only mean that a certain matter will be investigated if the House agrees to the amendment. Therefore, why all this haggling?

As somebody said to me a few minutes ago—I think it is apropos the proposition—even assuming the Opposition is being a little sensitive and thin-skinned about this matter, what will the Government lose in conceding the point? I ask that because I repeat it does not in any way destroy the terms of reference that are proposed by the Government in respect of paragraph (7) as well as paragraphs (4), (5), and (6). From the adoption of this obstinate attitude, the only result will be that several members on this side of the House will be displeased. A fair amount of time will be devoted to discussing this point, and all that could be avoided without damaging in any way what the Government seeks to achieve.

It is all very well for the Minister for Railways to say that there is nothing offensive in the present wording. That is true in regard to the wording in the first part of paragraph (7) wherein it is sought that the Auditor-General should investigate the matter and an assurance sought, during the discussions referred to in paragraph (6) by the unions, from the then Premier. Nobody is arguing about that. In fact, I think that is embracing all the Government desires with the addition of the words relating to Tomlinsons so as to tie the matter up. There would be no objection to that.

However, the words, "to go into the matter of the conditions laid down"—I emphasise those words—"by the unions under which the Hawke Government could let a contract" would be an affirmation—not by the Government, because we expect the Government to say things about the Opposition and the Opposition to say things about the Government—by the Legislative Assembly placing on record, as one of its decisions, that the previous Government was tied hand and foot by the unions and that it could not take certain steps unless it conformed to the conditions laid down by the unions.

That is certainly extreme and most offensive language. Without any bitterness or criticism of the Government, the Leader of the Opposition—who was Premier of the State for six years—sought to amend those words which were offensive to him and which, whilst they might be described in more direct language, can be said not to conform with fact; because at no time did the previous Government allow an outside body to assume the powers, duties, and responsibilities of Government—and certainly not in respect of this matter. Therefore, why should we agree to that wording?

What does the Government want to do? Does it want to have in our permanent records, as a decision of this Assembly, that the previous Government was so weak-kneed it would not move unless it was permitted to do so by an outside body; or does it want the Auditor-General to investigate this matter, which investigation the House sought from the Government if it decided on a certain course? That is what the Minister for Railways and his Government desires. So why not express it in language that is not so offensive to the Opposition?

Mr. Court: I do not know what you are so sensitive about.

Mr. GRAHAM: Even if we are unduly sensitive, if the amendment is not destroying the worth of paragraph (7), why not concede that the Opposition has a sensitive disposition and allow the changes to be made?

Mr. Court: I made a suggestion, which is a practical one; but apparently you have not given it any thought.

Mr. GRAHAM: In the half-dozen lines which now appear, there is something offensive and something contrary to fact. It serves the Minister for Railways no purpose to suggest that we should add another few lines on the end of the existing wording, because it still leaves those offensive passages in the motion. Let us deal with this wording on its merits now in the interests of getting on with the business; and if the Minister for Railways or anybody else feels like adding additional words, we can have a look at that proposition and decide it on its merits in due course.

So far as the previous Government is concerned, the present Administration can go as far as it likes and inquire into anything and everything in connection with these contracts. Let the Government impose no limitation whatsoever. In fact, as you are aware, Mr. Speaker, for some weeks the Opposition, feeling that it has nothing to hide, has been at great pains making an endeavour to persuade the Government to allow, not some, but all the facts to be made available to the public. However, for reasons best known to itself, the Government has decided otherwise.

The Deputy Leader of the Opposition sought an investigation, on three points, by one who is subject only to Parliament and not to the Government. The Government has accepted that position. It has gone further and now proposes that there should be investigated an additional four points, and the Opposition is not quarrelling with this amendment to the original motion. So it can be seen that the Government is in agreement with the proposals put forward by the Opposition and the Opposition is in agreement with the Government's further proposals. It is merely the terms employed that are in dispute in one of the four proposals that have been submitted by the Government. That is the only difference between us.

If it can be demonstrated—as it can be and as it has been—that an alteration of the words will remove all that is offensive to the Opposition, but will not reduce in any way the scope of the inquiry, surely that is all the Government desires. We can even give consideration to further extension of the wording. Why should the Government be so pig-headed?

Mr. Hawke: Not the Government; the Minister for Railways.

Mr. GRAHAM: Indirectly; but I suggest, through you, Sir, that if and when the division bells are rung, all of the others comprising the Government will be found arrayed round about the Minister for Railways. So in the interests of getting on with the business when there is no difference of opinion in principle whatsoever, why cannot the Minister for Railways belatedly agree to the proposition that has been put forward by the Leader of the Opposition?

We have seen the Premier of recent days during a debate on a Bill that has been handled by another Minister, rise in his place and make certain declarations contrary to the viewpoint expressed by the Minister in charge of the Bill. Therefore, as the Premier has created a precedent, here is an opportunity for him to take a step in the same direction. The other evening there was a broad conflict of opinion between the Government and the Opposition, but on this occasion there is not. To be perfectly frank, in just over 16 years' experience of Parliamentary life, I have never encountered a situation such

as this where both sides of the House are in agreement on propositions that have been submitted from both sides and revolving around the one question; and, also, without any interference with what either side wants to do.

However, if no alteration is made to the verbiage of this motion, we will be engaged in a debate which is likely to go on for some considerable time, merely because of an attitude of obstinacy being shown. If it continues in its attitude, the Government will achieve nothing whatsoever other than the satisfaction of having a greater number of members on its side of the House when a division is taken, and the additional satisfaction of poking the Opposition in the eye by having some offensive words contained in a resolution passed by this Parliament. Nevertheless, if such a situation does come about, it will not assist the Government one iota in achieving its object.

Mr. Court: Did you ever think of that when you were in office and the members of your Government moved amendments to remove all words after the word "that" in some of the motions that we submitted while sitting on the other side of the House?

Mr. GRAHAM: I am pleased the Minister for Railways has raised that point. Where there is a clash of opinion; where the Government versus the Opposition, and vice versa, such a practice is to be expected; but in this case—I repeat for about the tenth time—there is complete agreement on the points that have been submitted for investigation. Nobody at this stage wants any more or any less than the three points raised by the Leader of the Opposition and the four points introduced by the Minister for Railways. Why should we therefore engage in a political fight over the change of certain words?

Every member will agree with me that the Leader of the Opposition does not speak or employ what one might term strong language, unless he feels very keenly a slight or insult directed at him or one of his colleagues. In connection with this motion he was obviously more than a little irate because of the calculated insult contained in paragraph (7) and because it is completely at variance with the history and facts of the situation.

It might be a different matter if the member for East Perth had complained; because as a general rule I do not hesitate to use the strongest language permissible under Standing Orders to express myself. But the Leader of the Opposition is in a different category. Whilst I make the appeal to the more responsible Ministers in the Government to ignore that fact, I contend they should have some regard for the objection to the verbiage that is used in paragraph (7). There is no threat in my words, but the Leader of the Opposition is the leader of the Party on this

side for certain reasons. He enjoys the confidence and respect of those on this side.

If he has been insulted by the slighting reference contained in the amendment to the motion, relating to the time when he was Premier of this State. I hazard a guess that many members on this side of the House—one after the other—will rise to lodge their protest against the treatment of their leader at the hands of the Government. Is it not possible to avoid that?

If the Government is able to use some words, slightly different from those proposed by the Leader of the Opposition, but which will overcome his objection, I am certain—although I have no authority for saying so—that the Leader of the Opposition will be content. For the Government to stand firm and rely on its majority, irrespective of the circumstances, is being unfair to the Opposition. If I be any judge, we could be spending some hours engaged in a debate on a question on which there is complete unanimity. I dare say every member of this Chamber is in agreement. I hope the Premier will pay some regard to what I have stated. If this debate is to continue because the Government remains adamant, then the Government and only the Government is to blame.

**MR. TONKIN** (Melville—on amendment on the amendment) [7.49]: This question resolves itself into whether the Government desires to obtain certain information, or whether it desires to add something else in addition. If it only wants to obtain information relative to these matters, then it will agree to the wording suggested by the Leader of the Opposition; but if it is the intention of the Government to insert a sting in the tail, then it will remain adamant and insist upon the wording in the amendment. There can be no other point of view.

If we were still the Government and the Minister for Railways was on this side of the House, and he couched a question in those terms, using the language of the amendment, I feel certain that you, Mr. Speaker, would not allow it, because of the imputation contained therein against the Minister.

If that is the case—and that is how it appears to me—the Government is unreasonable in insisting upon the wording of the amendment; because any fair-minded person reading the amendment must come to the conclusion that it was framed deliberately for the special purpose of conveying the thought that the previous Government was under the domination of the unions, and was not a free agent in the letting of a contract.

From what I know of the situation, I say that is definitely untrue, and anybody making such a statement knows it is untrue, because the facts were these: Members of the union were concerned that the

awards would not be observed properly by Tomlinsons, and they laid down what they thought ought to be the requirements asked of Tomlinsons in order to ensure the observance of the awards.

Never at any time was the position reached where the Government was directed that it could not let a contract unless it agreed to these conditions, and the unions wanted an assurance from the Government that the requirements stated would be insisted upon. To even suggest that the position was as stated by the Minister is to say something that is incorrect; that does the Minister less than justice.

Under the wording suggested by the Leader of the Opposition, the information sought could be obtained; because if the amendment on the amendment is agreed to, paragraph (7) will read as follows:—

Assurances sought during the discussion referred to in No. (6) by the unions from the then Premier and the conditions under which the Hawke Government could let a contract to Tomlinsons or other private engineering firms for wagons.

If the Minister genuinely desires to obtain the details about that contract, so that they could be made available to members of this House—he already knows because he has access to the files—then there would be no valid reason to insist on the wording which he has adopted. But if it is his purpose, in the passing of this resolution, to cast some stigma or aspersion on the previous Government, then he is not being frank with the House, and he is using this method in an irregular way. The Government has the numbers to pass the amendment, if it is determined to have it passed; but in so doing, the Government will receive no credit. All that we on this side are asking is for the position to be fairly stated.

If you, Mr. Speaker, look at the wording in my motion you will see there is not a single inference or imputation to which anyone can take the slightest exception; although, had I been so minded, I could have worded the motion in the same way as the Minister for Railways has worded his amendment.

**Mr. May:** You are too much of a gentleman.

**Mr. TONKIN:** It was the information I was seeking which counted. That was why I worded the motion in that manner. If it is only information the Minister wants to make available to the House then he cannot give a reason for insisting on the wording of the amendment, because the wording suggested by the Leader of the Opposition must bring forth the information from the Auditor-General, which the Minister has led us to believe should be given.

I repeat that if he wants to use this amendment as a means of casting some aspersion on the previous Administration

then, of course, he will not budge from the stand which he has taken. But his action will not do him any good; nor will it gain him any kudos, because the reason is so obvious to everyone. It is so palpable that even a child in a kindergarten class will not be taken in. I suggest to him that he do the decent thing and agree to the wording suggested by the Leader of the Opposition.

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

**Ayes—21.**

Mr. Andrew	Mr. Lawrence
Mr. Bickerton	Mr. Moir
Mr. Brady	Mr. Norton
Mr. Evans	Mr. Nulsen
Mr. Fletcher	Mr. Rhatigan
Mr. Graham	Mr. Rowberry
Mr. Hall	Mr. Sewell
Mr. Hawke	Mr. Toms
Mr. Heal	Mr. Tonkin
Mr. J. Hegney	Mr. May
Mr. Jamieson	

(Teller.)

**Noes—24.**

Mr. Boveil	Mr. W. A. Manning
Mr. Brand	Sir Ross McLarty
Mr. Burt	Mr. Naider
Mr. Cornell	Mr. Nimmo
Mr. Court	Mr. O'Connor
Mr. Craig	Mr. O'Neill
Mr. Crommelin	Mr. Owen
Mr. Grayden	Mr. Perkins
Mr. Guthrie	Mr. Roberts
Dr. Henn	Mr. Watts
Mr. Hutchinson	Mr. Wild
Mr. Lewis	Mr. I. W. Manning

(Teller.)

**Majority against—3.**

**Amendment on the amendment thus negatived.**

**MR. HAWKE** (Northam—on amendment) [8.0]: Although the amendment I am now about to move would, if it were accepted, not make this paragraph express the truth as well as it should be expressed, it would reduce the amount of misrepresentation now contained in the paragraph. I propose to move—

That the amendment be amended by deleting the word "could" in paragraph (7) with a view to substituting the word "should".

I very much hope that the Minister and members of the Government will agree to this amendment. The second part of the paragraph would then read—

the Hawke Government should let a contract to Tomlinsons or other private engineering firms for wagons.

I think this amendment is most reasonable, and is one which I imagine even the Minister for Railways could not refuse to accept.

Mr. May: He could save his face anyway.

The **SPEAKER**: Order! I would like to draw the attention of the Leader of the Opposition to Standing Order No. 120, which reads as follows:—

No Member may speak twice to a Question before the House, except in explanation or reply, or in Committee

of the whole House. Provided that this standing Order shall not be so construed as to prevent a Member from completing an amendment initiated by him whilst so speaking to the Question.

I have every sympathy with the Leader of the Opposition, but I think I have already permitted him to speak on this amendment; and I think that, strictly, what he seeks to do would have to be done by someone who has not yet spoken on the amendment. Therefore I must rule the Leader of the Opposition out of order.

**MR. J. HEGNEY** (Middle Swan) [8.3]: I propose to move the amendment suggested by the Leader of the Opposition. I believe that his submission is very reasonable. There is a difference in meaning between the word "could" and the word "should." "Could" is mandatory, but "should" would suggest that the Government should do this, and that is not an unreasonable proposition. In this amendment, however, it means that the unions in fact, had the gun at the head of the Government at the time, and that it had no alternative but to carry out the direction of the unions concerned.

Evidently that was not the matter under consideration when the Premier received a deputation from the unions, and therefore it is quite in order to substitute this word to make it less harsh in its reading. In a matter like this, surely this House, as a responsible body, can arrive at a reasonable and just decision to try to solve this problem! The Minister, as representing the Government could accept this proposed amendment, and I would strongly urge him to do so. I move—

That the amendment be amended by deleting the word "could" in paragraph (7) with a view to substituting the word "should".

*Point of Order.*

Mr. COURT: On a point of order, Mr. Speaker, in view of the ruling you gave in respect of the Leader of the Opposition, am I entitled to speak on the new amendment?

The **SPEAKER**: The decision is that now that a further amendment has been moved, any member, including the Leader of the Opposition, may speak on it.

*Debate Resumed*

**MR. COURT** (Nedlands—Minister for Railways—on amendment on the amendment) [8.6]: I am afraid I cannot agree to the insertion of this word, because my understanding of the clause as it would then read is that it would be completely contrary to the facts of the situation. It should be borne in mind that the unions

were opposed to the letting of this contract to either Tomlinsons or any private industry. They then compromised and laid down certain conditions.

Mr. J. Hegney: They were suggestions that the Government accept certain conditions, yes.

Mr. COURT: I would not agree that it was merely a request; and I think members of the Government of the day would agree with me that it was hardly a request. If we substitute this word "should" for "could", my understanding is that it would be completely at variance with the situation. We have a group of unions opposing the letting of this contract, and with the substitution of this word the paragraph would read—

... laid down by the unions under which the Hawke Government should let a contract to Tomlinsons or other private engineering firms ...

To my mind that would completely defeat the facts of the situation, because it should be borne in mind that the unions were opposed to the letting of this contract to Tomlinsons or private enterprise. They wanted the wagons to be built in the Midland Junction Workshops, and they imposed such conditions as to make it untenable for any outside contractor to accept the contract. I oppose the amendment on the amendment.

MR. HAWKE (Northam—on amendment on the amendment) [8.8]: The Minister for Railways is reaching new heights of stubborn stupidity in his approach to this matter. The vital words in this paragraph are, surely, two in number, being "assurances" and "conditions". Neither I nor any member of the Opposition has made any effort to delete either of those words from the paragraph. We are quite as willing as the Minister to have the Auditor-General investigate thoroughly all the assurances which the unions sought, and all the conditions which they asked should be included in any contract which the Government might decide to let to Tomlinsons; and that is what the Minister desires. However, the paragraph as at present worded lays it down beyond any shadow of doubt that the unions stipulated conditions being those under which the Government should let a contract if it decided to let one.

The Government did not accept all of these conditions. It rejected some of them. The Minister knows that only too well! He knows that the Government rejected some of them because it thought they were not practicable, or fair and reasonable. Others which it thought were fair and reasonable in all the circumstances, were adopted and were submitted in an offer which it made to Tomlinsons.

If the objection which the Minister raised to the substitution of the word "should" for the word "could" is valid,

then I am prepared to arrange with some member who has not yet moved an amendment to add further words, after the word "should", if it is agreed that the word "should" be substituted. These words would be—

and include in any contract let to Tomlinsons, etc., etc.

How far do we have to go to try to get the Minister for Railways to be sensible in this matter? He has only to display the slightest modicum of practical commonsense to meet the difference between us. As I said, there is no real difference between us as to what we wish to seek per medium of the Auditor-General. He will investigate, under this paragraph—if the amendment of the Opposition is accepted—information about the assurances sought by the unions from the Government. He will be unlimited in that matter and will be unlimited in his inquiry regarding the conditions which the unions put forward as conditions which should find a place in any contract which the Government made with Tomlinsons, or anyone else, for the construction of KA wagons. Surely the Minister will be prepared to yield the slightest, teeniest, weeniest bit by agreeing to the substitution of the word "should" for the word "could".

Mr. Court: Would you like to go slowly over the additional words you are suggesting, because I cannot see how they make sense. Not the ones I wrote down as you said them, anyway.

Mr. HAWKE: I will read the paragraph from the beginning right down to the word "could"—

assurances sought during the discussions referred to in (6) by the unions from the then Premier and the conditions laid down by the unions under which the Hawke Government—

Then we propose to substitute the word "should" for the word "could". Then I hope someone would move the following words:—

and include in any contract let to Tomlinsons or other private engineering firms.

I am almost tired of trying to find some spot of reason, of commonsense, and of co-operation in the make-up of the Minister for Railways. Is his answer "Yes"?

Mr. Court: You study slowly the words given and you will appreciate they do not make sense in the paragraph. I think you had better stick to the suggestion I made, which was a very co-operatitve and sensible one.

Mr. HAWKE: I will read the paragraph as it would read if the amendments were accepted and members can decide for themselves whether it would make Hawkesense or Courtsense.

Mr. Graham: Or nonsense!

Mr. HAWKE: That would be the same as Court-sense, judging by his present reasoning. The paragraph would read—

assurances sought during the discussions referred to in (6) by the unions from the then Premier and the conditions laid down by the unions under which the Hawke Government—

the words "under which" are difficult now, but I think we could meet that situation with a little time to work it out.

Mr. Ross Hutchinson: That has happened to everybody.

Mr. HAWKE: We could easily solve it.

Mr. Watts: "should conclude a contract".

Mr. HAWKE: Yes; I accept that.

Mr. Watts: I suggest that you move it in that way.

Mr. HAWKE: It could be, "should conclude a contract" or "should let a contract". It is quite simple to meet the difficulty which the Minister poses. The Attorney-General has, off the cuff, very easily met the difficulty; and I have, off the cuff, done the same thing; so it looks as though we have solved this difficulty, and there should not be much more debate, and no further divisions.

Mr. Court: We are not supporting the amendment.

Mr. HAWKE: Who are "We"?

Mr. Court: I am not. The others can please themselves.

Mr. HAWKE: The acceptance of the word, "should" in place of "could"; and the insertion of one or two other words after that, would save a tremendous amount of debate which otherwise seems certain to take place.

MR. EVANS (Kalgoorlie—on amendment on the amendment) [8.17]: As I understand the position, the word "could" is sought to be deleted and the word "should" inserted in lieu. The Minister said he was opposed to the proposed deletion because the unions at that time—in his contention—were opposed to the letting of these contracts to private enterprise and were adamant that the work should be done in the Midland Junction Railway Workshops. Whether that is true or not is immaterial to the debate. The deletion of the word "could" and the insertion of "should" will not make one iota of difference, the point being that the unions set down a series of conditions under which the then Government should let a contract.

In other words, the unions requested that the conditions laid down by them be adhered to by the then Government before a contract was let to outside interests. I have looked at the definition of "should"

in the *Concise Oxford Dictionary* and there I read, "see 'shall'." Under "shall" I read—

*Shall and should are used (1) in the first person (the others having will, would) to form a plain future or conditional statement or question.*

That is sufficient to justify my statement that the unions asked the Government to honour certain conditions before letting a contract to outside interests.

Therefore the deletion of the word "could" and the inclusion of "should" would suit the purpose; and I cannot understand the attitude of the Minister for Railways in his clumsy opposition to the proposal. I support the amendment.

MR. TOMS (Maylands—on amendment on the amendment) [8.20]: I was waiting to find out whether the Minister meant what he said, when he stated that he would not accept the amendment outlined by the Leader of the Opposition. I am beginning to wonder whether there is any sincerity in the last four paragraphs moved by the Minister for Railways. We are dealing with an amendment; but we must take the whole of the phraseology into account in order to get the value of the request.

The Deputy Leader of the Opposition moved a plain, simple motion; and the Minister for Railways has countered by putting forward four further paragraphs. This side of the House, with a minor amendment to paragraph (4), accepted that until we come to paragraph (7) which, very rightly, is repugnant to the Leader of the Opposition. The Minister for Railways, in his early objections, indicated that there was no intention to slight or injure the previous Government; yet by his attitude in regard to paragraph (7) I think he has exemplified the fact that he has taken this action deliberately to destroy the whole of the motion.

It is not only a play on words, but also on feelings at this time; and I wonder how the Minister's Party, if on this side of the House, would feel if placed in the position where they had to support a motion moved by their Deputy Leader under conditions such as these, which make it necessary to vote for the whole motion. All we can do is to record our disgust on the framing of paragraph (7). I do that because I believe it reeks with insincerity; and I am surprised that the Minister is not prepared, after the statements he has made, to accede to a simple request so that the truth may be established.

MR. MOIR (Boulder—on amendment on the amendment) [8.23]: As a member of the previous Cabinet, and knowing the truth of the whole position and what was on the files; and knowing also what was contained in these requests from the unions, I am amazed at the attitude of



the Minister for Railways; because he would have perused the files, and I am sure he knows exactly what the position is, just as do members of the previous Government.

The implication of the Minister's amendment is completely incorrect, and he knows that just as well as we do. That makes one realise the position of a Party which loses an election, if this kind of thing is to be indulged in in this Chamber; because apparently a defeated Party can be subjected to any indignity the Government wishes, on account of its majority in the House. I do not blame the back-bench members so much; because they have no means of knowing whether what I say is true; but they would have means of knowing the truth had the Minister agreed to the files being tabled. Private members could then have made up their own minds about it.

The requests from the unions were perfectly legitimate, and were not in the form of an ultimatum to the Government. They were simple requests that certain conditions should be protected. I venture to suggest—because I know it to be so—that requests have already been made on much the same lines to the Minister for Labour who, if he were present tonight, would probably bear that out. They are not requests from the same unions, but from other unions, to see whether the Government is prepared to carry on certain gentlemen's agreements and understandings with those unions which have members employed in the Government service.

There is nothing wrong with any union making a request that certain things be done; but I feel it is a terrible thing when members on this side of the House are treated in this way. We have an official standing here, as Her Majesty's Opposition, just as members opposite have as Her Majesty's Government; and surely we are entitled to a fair deal! I resent the implication contained in the Minister's amendment; and by insisting that it be passed in its present form I feel that he is bringing politics to a fairly low level.

**MR. BRADY** (Guildford-Midland—on amendment on the amendment) [8.27]: I support the amendment. The implications of the Minister's amendment are that he believes that, in addition to something which may be on the files, some verbal assurance may have been given to the unions by the previous Premier and Government. As a member of that Government, I say nothing could be further from the truth than that any such assurance was given. The Minister says he is building up the morale of the railway employees; but it seems a poor way of building up their morale when he is attacking the unions and their representatives in this House, by making out that something underhand went on in regard to these negotiations.

As a member of the previous Government, and knowing the Leader of the Opposition as I do, I say nobody could bluff that Government or the then Premier into doing anything he considered was not right in the interests of the people of the State as a whole; and the Minister knows that in his heart. The Minister's amendment seems like some resolution passed by by the Employers' Federation or in the Liberal Party rooms; as political propaganda against the Opposition. I think his amendment goes too far and constitutes a studied insult to the Opposition.

As a Government we had certain obligations and rights; and we carried out those obligations and exercised those rights; and at no time did we, as a Government, let a contract along the lines suggested in the amendment moved by the Minister for Railways, as he well knows. I have much pleasure in supporting the amendment on the amendment.

**MR. MAY** (Collie—on amendment on the amendment) [8.30]: Very seldom do I intrude into debates of this character; but on this occasion the Minister reminds me of a man with a split personality.

Mr. Evans; Dr. Jekyll and Mr. Hyde.

Mr. MAY: I do not know whether it is the environment of this Chamber, or whether the distance between this side and the other side of the House makes a difference, but I have found that outside of the House the Minister for Railways is most co-operative—very co-operative—but once he gets inside the Chamber he becomes a different man. That is why I say I think he has a split personality. He becomes impossible once he gets inside the Chamber; but outside of it one could not get a more co-operative individual.

Mr. Nalder: You are endeavouring to alter the position, are you?

Mr. MAY: I did not hear the interjection.

**THE SPEAKER:** Disregard it! It is disorderly.

Mr. MAY: The present Opposition, which was the previous Government, objects to certain words in the amendment moved by the Minister for Railways; and in my opinion we have a right to object to them because those words suggest that the previous Government laid down to representations made to it by certain unions.

There is nothing new in unions, road boards, municipalities, or any other organisations making representations to a Government in respect of certain matters. When such representations have been made to the present Government, nobody has suggested that it laid down its powers and handed them over to an outside organisation; and I do not think it is fair that the Minister for Railways should suggest that the previous Government did it.

I think the Minister for Railways will agree that all members of the Opposition are most reasonable. I have never yet made insinuations in this Chamber about any member of the present Government, or of the McLarty-Watts Government. If the Minister cares to go through *Hansard* for the years 1947 to 1953, and for this session, he will find that that is so. I think he would enhance his prestige if he were big enough to admit that the wording of his amendment is not right.

Mr. Court: Didn't you hear the proposition I put to the member for East Perth?

Mr. MAY: I am talking about the proposition that the Minister has placed before us. He knows very well that it is not right, because the previous Government was not dominated by any union or any outside organisation. I think he will agree with that. If he does, then he must agree to the amendment on the amendment.

MR. HEAL (West Perth—on amendment on the amendment) [8.35]: When the Minister for Railways moved his amendment I thought that the proceedings would be conducted in a friendly and co-operative atmosphere—

Mr. May: It is still friendly, but not very co-operative.

Mr. HEAL: —because the Minister was good enough to accept a further amendment moved by the Deputy Leader of the Opposition. When he accepted it he stated that he was keen that the Auditor-General should clean up the situation as quickly as possible and place the facts before Parliament. But as the proceedings continued we found that the Minister for Railways dug his toes in, and now he will not give an inch.

I think the Minister for Railways is feeling a little sorry for himself that he moved the amendment and did not oppose the proposition put forward by the Deputy Leader of the Opposition. I am sure members will accept the word of former Cabinet Ministers of the Hawke Labour Government that paragraph (7), which the Minister seeks to add to the motion, is untrue; I am sure that members will agree that the assertions made in paragraph (7) indicate that the Minister for Railways believes that certain unions laid down conditions that the Hawke Government should accept. I think the Minister for Railways knows as well as any other member in this House that when any Minister receives a deputation that deputation requests that certain things be done. If the deputation demanded certain conditions it would have no chance of their being agreed to.

So I hope the Minister for Railways will accede to the request of the member for Middle Swan, although I am afraid he will not. If he does become more co-operative and supports this further amendment, the whole proceedings will finish up on a very happy note.

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

Ayes—21.

Mr. Andrew	Mr. Lawrence
Mr. Bickerton	Mr. Moir
Mr. Brady	Mr. Norton
Mr. Evans	Mr. Nuisen
Mr. Fletcher	Mr. Rhatigan
Mr. Graham	Mr. Rowberry
Mr. Hall	Mr. Sewell
Mr. Hawke	Mr. Toms
Mr. Heal	Mr. Tonkin
Mr. J. Hegney	Mr. May
Mr. Jamieson	

(Teller.)

Noes—24.

Mr. Bovell	Mr. W. A. Manning
Mr. Brand	Sir Ross McLarty
Mr. Burt	Mr. Nalder
Mr. Cornell	Mr. Nimmo
Mr. Court	Mr. O'Connor
Mr. Craig	Mr. O'Neill
Mr. Crommelin	Mr. Owen
Mr. Grayden	Mr. Perkins
Mr. Guthrie	Mr. Roberts
Dr. Henn	Mr. Watts
Mr. Hutchinson	Mr. Wild
Mr. Lewis	Mr. I. W. Manning

(Teller.)

**Majority against—3.**

**Amendment on the amendment thus negatived.**

MR. NORTON (Gascoyne—on amendment) [8.40]: Like other members I am surprised at the wording of paragraph (7) of the Minister's amendment. If one looks at the wording, one realises that it makes an absolute charge against the former Government—a charge which is quite incorrect. It charges that the previous Government did, in fact, bow to the unions in respect of certain contracts.

Mr. Court: The paragraph does not do that.

Mr. NORTON: It is very definite.

Mr. Hawke: Of course it is! It is a most dishonest action.

Mr. NORTON: Paragraph (7) reads—

assurances sought during the discussions referred to in No. (6) by the unions from the then Premier and the conditions laid down by the unions under which the Hawke Government could let a contract to Tomlinsons or other private engineering firms for wagons.

That definitely states that the unions directed the then Government to do something; and that is totally incorrect, as the Minister for Railways knows. I cannot understand why he is so adamantly opposed to any amendment which will place the paragraph in its true perspective, and give it some semblance of truth.

It was obvious, after the Minister for Railways had moved his amendment, that his leader saw the implications of it and was not very pleased. When one watches other members speaking, one gets to know what is passing through their minds, and the reactions they have to certain words that are said. So that this paragraph will not find its way into *Hansard* in the same

form in which it was moved, without its being amended, I propose to move for the addition of certain words. I move—

That the amendment be amended by adding after the word "wagons" at the end of paragraph (7) the following words:—

and which of those conditions were approved by that Government.

Members will see that those words will have some effect on the meaning of the previous words of the same paragraph. They tend to break down the severity of the charge within it—a charge which is unjust, untrue, and uncalled for.

**MR. COURT** (Nedlands—Minister for Railways—on amendment on the amendment) [8.48]: By interjection I suggested earlier in the debate to the member for East Perth that certain words might be added to this particular paragraph, which would remove beyond doubt the fact that the Government might have, or did, impose other conditions than those laid down by the union when it negotiated with Tomlinsons following union representation. I think that is where all the trouble is, because insufficient thought was given to the implications of the co-operation I was suggesting across the Chamber to the member for East Perth.

The amendment moved by the member for Gascoyne has not tidied the matter as well as it might have done. If the Opposition is feeling so sensitive about this particular paragraph (7)—

**Mr. Hawke**: It is difficult to tidy something which is deliberately misleading.

**MR. COURT**: It is nothing of the sort; it is just that the members of the Opposition are feeling a little more sensitive about this matter.

**Mr. Hawke**: Deliberately misleading.

**MR. COURT**: Members opposite are very sensitive about this particular matter, and I suggest that in lieu of what the member for Gascoyne has moved, it would be much better if we were to add the words, "And whether any such conditions were conveyed by such Government to Tomlinsons or not." That puts the position into proper perspective. It will show the conditions laid down by the unions and the assurances they sought. They were under two headings; assurances and conditions. It will then be shown clearly for all to see what the Government conveyed to Tomlinsons.

Nothing could be fairer than that; and I think that on reflection, the Leader of the Opposition would prefer the wording that I have suggested. I cannot myself move this amendment because it is my original amendment that is being debated. I suggest, however, that it could be handled by the member for Gascoyne agreeing to withdraw the words he has put forward, and getting someone to replace them with

the wording, "And whether any such conditions were conveyed by such Government to Tomlinsons or not."

I might add that I had arranged that when we got to this stage somebody on this side of the House would move those words if no member from the Opposition took that action. I submit that as a suggestion; that if the amendment moved by the member for Gascoyne is withdrawn, this other amendment could take its place. If the members of the Opposition prefer to move the amendment, I have no objection, so long as somebody moves to insert the words that I have suggested.

**MR. HAWKE** (Northam—on amendment on the amendment) [8.50]: I hope the member for Gascoyne will stick to the amendment he has placed before the House. The wording of the paragraph to which the member for Gascoyne has proposed some additional words is deliberately misleading, and nothing that could be added to the paragraph now could remove the misleading nature of that paragraph.

When the amendment of the Minister for Railways was first circulated, I thought that the misleading nature of paragraph (7) was unconscious misrepresentation, but it has become abundantly clear during the course of the debate that the misrepresentation was deliberate.

**Mr. Court**: There is no misrepresentation.

**Mr. HAWKE**: It has become clear that the wording was framed in this way deliberately to misrepresent the situation and to give those who will read this paragraph as published an utterly wrong impression of the facts. Accordingly, as it becomes impossible now to remove this wilful and wicked misrepresentation as worked out by the Minister for Railways and put into this paragraph (7), the amendment moved by the member for Gascoyne is one that the House should accept, because it will at least later on—not for weeks, unfortunately—be shown when the Auditor-General reports to Parliament, that the statement and imputation in the paragraph as put forward by the Minister for Railways, have no truth and no foundation in fact at all.

However, the wilful misrepresentation in the paragraph will, in the meantime, have been published to the world, and everybody who reads it will get a completely wrong impression; and, as I say, it will be many weeks before the wrong impression is corrected. I think we have all had enough experience to know that once people get a false impression into their minds about a thing, and there is no immediate correction, that false impression remains permanently in the minds of those who developed it in the first place. So I support the member for Gascoyne in the proposal he has put forward to add

some further words to this paragraph (7) of the Minister for Railways; and I hope the member for Gascoyne will not respond at all to the appeal which the Minister has made to him in connection with it.

**MR. EVANS** (Kalgoorlie—on amendment on the amendment) [8.52]: I wish briefly to support the member for Gascoyne in his attempt to modify the impact of paragraph (7). As has been pointed out by Opposition speakers, this clause does give a completely wrong—and perhaps even a malicious—impression. When this motion in its amended form is published, that impression will provide a wrong concept to the public at large of what the true situation was when the Hawke Labour Government was in power. As it stands, paragraph (7) is repugnant to the Opposition. When the Auditor-General investigates this matter and makes his report, I do hope that the Minister for Railways, when he sees there is no foundation whatever for his implications, will be good enough to apologise to the members of the Opposition and to the community at large. I support the member for Gascoyne.

**MR. BRADY** (Guildford-Midland—on amendment on the amendment) [8.54]: I support the member for Gascoyne in the amendment he has moved. I do not think the Minister for Railways is quite fair in suggesting that the words he wants added be put into the amendment proposed by the member for Gascoyne. The Government and Premier of the day were dealing with a contract which they thought might be possible between a private contractor and the Government; they had no obligation to give Tomlinsons the contract at all.

What is more, the Government had a thousand and one things on its plate, besides thinking of Tomlinsons; and it could be that the unions asked for half a dozen assurances and a dozen conditions. They may have done so. The fact remains that they were representing a number of unionists who felt their conditions and industrial standards were being lowered by work which was being consigned to a private firm where the same conditions and industrial set-up did not apply. If a delegation representing a union asked the Premier to do certain things—and assuming that the Government and the Premier considered the proposition worth while—it might be two or three months before the Government or the Premier of the day would consider it necessary to refer to Tomlinsons in regard to the matter, if it thought the matter was of any importance at all.

The amendment proposed by the Minister for Railways means nothing. It could have been that the Government did not convey the suggestions of the union to Tomlinsons or that they were not considered by the Government. After all, the

Premier was dealing with a big firm, and these small matters may not have been required by Tomlinson Ltd. To try to tack on the words suggested by the Minister in order to see whether Tomlinsons were consulted or not is cluttering up the amendment moved by the member for Gascoyne. I hope the member for Gascoyne will keep to his amendment, which will at least break down the severity of paragraph (7) of the amendment in its present context.

**MR. NULSEN** (Eyre—on amendment on the amendment) [8.56]: As you know, Mr. Speaker, I do not like verbosity, but I feel the Leader of the Opposition in this instance is right. I was associated with the Government myself, and we were not subservient to any organisation; it mattered not which organisation it was. We did what we could for organisations such as councils, road boards, and individuals, but we did not allow anyone to dominate the Government. I feel that my leader is very earnest and sincere in his endeavour to take from the amendment something that is not a fact. If I did not think so, I would not stand up and say that.

The Minister for Railways should make some small compromise in that regard. I know that many requests are made by various organisations to Governments. On one occasion a Minister refused to hear a deputation because of imputations that he was only a rubber stamp. That goes to show that the Government of which I was a member did not like domination. Our leader was always very strict in that regard. He listened to what representatives of organisations had to say, and did what he could to help them; but if it affected the Government adversely in any way, or he thought it could not be done financially, he would tell them in a quiet manner that the Government would do what it could. However, he did not allow domination. I speak from personal experience. I worked with the previous Government for a long time and I know of its sincerity of purpose irrespective of what organisation it was dealing with.

We were Labour members, and naturally we helped Labour where we could; but we represented the whole of the people in this State and helped them where possible. Our opponents are now the Government, and I know they will help individuals in just the same way. I have approached the Government with various requests in regard to some difficult propositions, and I have always been given favourable consideration when it was possible.

I support the amendment, which is quite simple; and I feel that the Government could compromise with the Leader of the Opposition, who is an example of honesty, and who does not come here to tell members of the Government a lot of things that are untrue. I do not think that any of my friends on the other side of the

House could say that he would do so or has ever done so. I feel rather concerned after listening to the debate tonight, and I do not consider it will make any difference to the Government to compromise and be not so—how shall I put it?—

Mr. Watts: Stuff!

Mr. NULSEN: —rigid.

Mr. Hawke: Not so bone-headed.

Mr. NULSEN: I am not going to say that, because I think we may get some form of compromise from the Minister. I hope the Minister for Railways will give the matter due consideration from the point of view of the Opposition. I want to assure members opposite very truly and sincerely that what has been said tonight is absolutely the truth; and all we ask is a little compromise, which I do not think will make any difference to the Government. I support the amendment on the amendment.

MR. MAY (Collie—on amendment on the amendment) [9.2]: In order to show that I still have confidence in the Minister for Railways—although it has been badly shaken—I want to draw attention to the fact that when you, Mr. Speaker, take your seat in this Chamber we bow our heads and you say prayers to us—

Mr. Graham: For us.

Mr. MAY: —and hope that we will be good boys, tell the truth, and not take advantage of one another.

Mr. Court: Just as well this speech is not televised.

Mr. MAY: I think in the course of prayers you say, "Do unto others as you would have them do unto you."

Mr. Court: I thought of that often when I was in Opposition.

Mr. MAY: We are thinking the same thing now. When the present Minister for Railways was in Opposition we never attempted to do to him what he is attempting to do to us by his amendment. What is contained in this amendment is completely untrue and completely objectionable.

Mr. Court: You are making that up. You are the people who consider it is untrue and objectionable.

Mr. MAY: I am speaking on the amendment which the Minister submitted to this Chamber, and I am expressing my opinion. I want the Minister to understand that I am kindly disposed towards him, and I want to be able to say that the Minister is kindly disposed to us on this side of the House. I am not kidding. However, paragraph (7) is distinctly objectionable.

Mr. Hawke: It is wilfully dishonest.

Mr. MAY: In his amendment the Minister says the previous Government did something which it did not do; and the assertion is completely untrue. Therefore, the Minister must expect members on this

side of the House to say that his amendment is untrue. I do not think the Minister or his Government would lose any prestige if the amendment moved on this side of the House were accepted.

Mr. Court: Do you realise the amendment suggested in lieu of the member for Gascoyne's amendment is more favourable to you than the one you are pressing?

Mr. MAY: All right. We will see. What is wrong with the amendment moved by the member for Gascoyne? Nothing at all. It is not going to hurt the prestige of the Government or the Minister to agree to it. I venture to suggest that if the Minister continues his objection to the amendment submitted in connection with his amendment he will lose a lot of prestige.

Mr. Hawke: Surely he has not any left!

Mr. MAY: I still have faith in him; and I would suggest that if he feels compelled to stick hard and fast to the amendment he has submitted, he will be doing his own Government an injustice; and certainly he will be doing an injustice to himself. I do not say very much in this Chamber; but on this occasion I do feel that the whole thing is objectionable, and that the Minister should agree to the amendment moved by the member for Gascoyne, which amendment I support.

MR. J. HEGNEY (Middle Swan—on amendment on the amendment) [9.6]: I, too, propose to support the amendment because I feel it is a reasonable one. The argument seems to be that when the unions—particularly those representing the Midland Junction Workshops—were negotiating with the then Government in respect of conditions in relation to any contract let, they sought to ensure that all labour conditions which had been built up in this country by the trade unions, were maintained; and if a private firm was to win the contract, then the unions' request was that that firm should conform to similar conditions existing in the workshops. That, in substance, is what all this argument is about tonight.

No-one can say the trade unions did not have a perfect right to adopt that attitude and approach the Labor Government which they thought would be a little sympathetic to their point of view. However, as pointed out here, the leader of the Government was well aware that outside firms were working under outside awards which are different from those applying in the Government Railway Workshops. This particular clause, and the amendment now before us, all hinge around those labour conditions and around the fact that the trade unions were seeking to maintain standards built up over the years. They desired that if a contract was let to Tomlinsons, or any other firm, the standards which had existed for years, and which the Railway Workshops had been called upon to maintain and work under, should apply.

However, we know that the Arbitration Court fixes the standards for outside firms; and no doubt the leader of the Government of the day would also have known that fact. For that reason, he was not prepared to agree that the same conditions be set down in contracts let to Tomlinsons or any other engineering firm.

We are now talking about inquiring into those conditions; and it is suggested that, so far as the then Government was concerned, it had no alternative because the trade unions said it must include those conditions in any proposed contract to an outside firm. That is, in fact, what is implied in this amendment.

It is now proposed that the Auditor-General shall inquire into what conditions were laid down, which I consider is a reasonable proposition. Although I do not understand the context of this amendment, the Minister says that it is a better one. If that is so, and if the amendment moved by the member for Gascoyne does not go quite as far as the proposition he is advancing, I suggest he should agree to it.

The Minister for Railways is a pretty tolerant man; and, as I do not believe that the amendment on the amendment is unreasonable, I consider that the Minister should not quibble about it.

**Amendment on the amendment put and a division called for.**

#### *Remarks During Division*

**Government Members:** The member for Middle Swan should be on our side.

**The SPEAKER:** Who called for a division? Did the member for Middle Swan?

**Mr. J. Hegney:** Yes.

**Mr. May:** You have enough over there without taking any from our side.

**Mr. I. W. Manning:** The member for Middle Swan should still be over here.

**Mr. May:** It is too late! He has been counted on our side now.

**Mr. J. Hegney:** I thought the decision had been given in favour of the Noes.

**The SPEAKER:** The result of the division is as follows:—

#### *Points of Order*

**Mr. WATTS:** On a point of order, Mr. Speaker, do I not understand that you gave the call in favour of the Ayes?

**The SPEAKER:** That is so.

**Mr. WATTS:** And that an honourable member, then on this—the left—side of the Chair, called for a division?

**The SPEAKER:** That is correct.

**Mr. WATTS:** You know who the honourable member was who called for the division; and in that event, should he not be over here?

**The SPEAKER:** When I gave the decision in favour of the Ayes, I heard someone call for a division, and I asked who did so. I was not sure from which side it had come, and the member for Middle Swan said that he had called for a division. Therefore, he must vote against my decision.

**Mr. J. HEGNEY:** May I say that I thought you gave the vote in favour of the Minister for Railways on that side of the House? One or two members called for a division, and I admit I called for it. However, I did so believing that you gave the decision there. I might say quite frankly that your voice does not carry down here. When all the hilarity is finished, I will continue my point of order.

I repeat, Mr. Speaker, that at times your voice does not carry down here very well; and at other times, when you really want it heard, you can be heard. But I thought that, in giving your decision, you gave it in favour of the other side. It is true that after you questioned whether there had been a call for a division, I did call for a division; and if you, in your authority, say that I have to cross the floor of the House, I have no objection to doing so. Do you say I must cross to the other side?

**The SPEAKER:** Yes.

**Mr. J. HEGNEY:** Very well.

**Mr. EVANS:** On a point of order, Mr. Speaker, several members called for the division.

**The SPEAKER:** I heard a call for a division, and it could have come from more than one member. I was not sure which side it came from, and so I asked again; and the member for Middle Swan was straightforward enough to state that he had called for a division. Whether there are other members who also did so, is something I cannot say. If there were, it is up to those members also to vote with the Noes. That is the only way in which I can rule on the honourable member's point of order. I will now state the question again.

**Amendment on amendment again put. Mr. May appointed teller for the Ayes; and Mr. I. W. Manning, for the Noes.**

#### *Point of Order*

**Mr. LAWRENCE:** On a point of order, Mr. Speaker: I notice this is the second time the vote has been called for. When it was first called for, the member for Moore and the member for Bunbury were not in their seats; but now, after the count has been taken, I notice that they have moved to the seats they now occupy, which I suggest is not in accordance with the rules of the House.

**The SPEAKER:** I would point out to the member for South Fremantle that no count has yet been taken; but I have now

appointed the tellers; and after they have been appointed, no further movement can take place.

**Division resulted as follows:—**

**Ayes—20.**

Mr. Andrew	Mr. Lawrence
Mr. Bickerton	Mr. Moir
Mr. Brady	Mr. Norton
Mr. Evans	Mr. Nulsen
Mr. Fletcher	Mr. Rhatigan
Mr. Graham	Mr. Rowberry
Mr. Hall	Mr. Sewell
Mr. Hawke	Mr. Toms
Mr. Heal	Mr. Tonkin
Mr. Jamieson	Mr. May

(Teller.)

**Noes—25.**

Mr. Bovell	Mr. W. A. Manning
Mr. Brand	Sir Ross McLarty
Mr. Burt	Mr. Nalder
Mr. Cornell	Mr. Nimmo
Mr. Court	Mr. O'Connor
Mr. Craig	Mr. O'Neill
Mr. Crommellin	Mr. Owen
Mr. Grayden	Mr. Perkins
Mr. Guthrie	Mr. Roberts
Mr. J. Hegney	Mr. Watts
Dr. Henn	Mr. Wild
Mr. Hutchinson	Mr. I. W. Manning
Mr. Lewis	

(Teller.)

**Majority against—5.**

**Amendment on the amendment thus negatived.**

**MR. WATTS** (Stirling—Attorney-General—on amendment) [9.18]: I propose now to seek to add some words to paragraph (7). I move—

That the amendment be amended by adding at the end of paragraph (7) the words "and whether any such conditions were conveyed by such Government to Tomlinsons or not."

**Mr. Graham:** Are not the words "or not" redundant? I think they are bad English.

**Mr. WATTS:** I am not fussy; but I thought that would give the Auditor-General no opportunity of failing to say "yes" or "no."

**Mr. Graham:** "Whether" puts the question.

**Mr. WATTS:** It may be that the honourable member is right. If he wishes to take steps to amend the amendment I will offer no objection; but at the moment I am moving the amendment as I have stated it. I cannot subscribe to the very strong views which have been expressed by a number of members opposite with regard to the words which have been used in paragraph (7) of the amendment moved by the Minister for Railways, which has been the subject of debate for such a long time this evening.

I cannot, for the life of me, perceive the implications that have been woven into paragraph (7) by members opposite; but I am agreeable, on behalf of myself and my colleagues here, to move the amendment that I have now moved, with the idea of ensuring that the Auditor-General, in making this inquiry, shall not only be asked to report on what the trade unions

said or did, but also as to whether or no any proposals that were put forward by the unions were conveyed by the Government to the company in their negotiations.

It seems to me that, if anything is wrong with the matter it is the extent to which, if at all, the unions' representations influenced the Government in its negotiations with Tomlinsons; otherwise, as I see it, and that is why I said what I did just now, it does not seem to me to matter what the unions' representations or conditions were. Deputations frequently come along and make all sorts of proposals; and even in my limited experience, offer to lay down conditions; but the question is how far those conditions are subsequently translated by the Minister or the Government into some action; and that action, as I see it—and I trust I am right in this respect—was the action which was subsequently taken by way of negotiation with the company.

If the Auditor-General comes to the conclusion that there were in no way any of these conditions translated into negotiations, or conditions to be laid down to Tomlinsons, then the whole point that members opposite have been seeking to elucidate or clarify this evening will, I feel sure, have been cleared up to their satisfaction. That is one reason why I have found it difficult to appreciate the point of view which has been expressed; because it seems to me that the motion is for an inquiry and report by the Auditor-General; and if the Auditor-General does his job, even in relation to paragraph (7) without this addendum, if the facts are as stated by my friends opposite, then he can come to no other conclusion than that there were no conditions that were laid down under which the Government should let a contract.

That is as I see it. We have asked him, in the earlier paragraphs, to make an investigation and report on this subject. I do not think that anybody doubts the Auditor-General, who is responsible only to Parliament. Nobody can control him; and he does exactly what he thinks proper in respect of the duties of his office. If he comes here and says, "I have made this investigation and there is nothing in paragraph (7)", that is the end of the story, even without these words being added; but because I and my colleagues here are anxious to ensure that he shall not be restricted in any way in his inquiry—at least that is as I understand the situation—I am suggesting now that these extra words be added.

**MR. HAWKE** (Northam—on amendment on the amendment) [9.25]: As I understand what the Attorney-General has said, the Minister for Railways has not taken all the Ministers in the Cabinet into his confidence. He has not told them any of the facts, and certainly has not told them

all the facts about the situation. Of course, there would be nothing new about that because, as we all know, the Premier did not take the Attorney-General into his confidence in connection with the story which Peat and Berry poured into his ears at Parliament House in January of this year.

This paragraph (7) is not necessary to give the Government the information which it asks the Auditor-General to obtain. The Government is already in possession of all that information; and, if it was so anxious to bring the information to Parliament, it could do so now; and it could have done so last week or last month.

Mr. Watts: You have asked for the Auditor-General to make a report; so why grumble when we agree that he should?

Mr. HAWKE: I am not grumbling.

Mr. Watts: I thought you were.

Mr. HAWKE: I was trying to point out that the Attorney-General is trying to set up a situation which is really phoney. I said before that the previous Government had not agreed to adopt or accept some of the conditions which the unions put forward, because we consider that they were either not reasonable or not practicable in the circumstances. Clearly, in view of that, some of the conditions that they suggested were considered by the Government to be fair and practicable, and naturally they were accepted. They were conditions with which no reasonable person could quarrel.

Mr. Watts: Now this amendment asks the Auditor-General to tell Parliament which they were.

Mr. HAWKE: I know that. Surely the Attorney-General does not think I have not comprehended what his amendment means!

Mr. Watts: I was not too clear.

Mr. HAWKE: Whilst I have no objection to the amendment, or to the addition of those words, I do not want anybody to get the idea that it is a mystery as to whether the previous Government did adopt some of the conditions which the unions suggested should be included in any contract which the Government might decide to let to Tomlinsons, or to any other private engineering firm for that matter, to build a quantity of KA wagons. There is no mystery about it; it does not need any inquiry by the Auditor-General to find out these facts.

I am telling the House now what the situation was. The previous Government thought that some of the conditions were reasonable, and accepted them; we thought some were unreasonable, or impracticable, and we did not accept them. Those conditions that were thought reasonable and practicable, and which we accepted, were submitted to the company for its consideration. That is what the Auditor-General

will find out, and he will report back in detail—in more detail than I want to go into at this stage.

If the Minister for Railways were moving this further amendment I would not make the suggestion I am now about to make for the consideration of the Attorney-General; because I know it would be quite hopeless to make a suggestion of any kind to the Minister for Railways tonight. I am wondering whether the Attorney-General would agree to delete the words "whether any" and substitute the words "which of". If the Auditor-General found out that one of the conditions was conveyed to Tomlinsons that would be "any", but I think it might help a bit if we substituted the words "which of". It would mean that he would not have to set them all out.

Mr. Watts: What about the striking out of the words "or not", which is what the member for East Perth wants?

Mr. Hawke: That is for the Attorney-General and the member for East Perth to work out. I am suggesting, for the consideration of the Attorney-General, the deletion of the words "whether any" and the substitution of the words "which of".

Mr. Watts: I have no objection to that.

Mr. HAWKE: I move—

That the amendment on the amendment be amended by deleting the words "whether any" and substituting the words "which of".

Amendment on Mr. Watts's amendment on the amendment moved by Mr. Court put and passed.

MR. GRAHAM (East Perth—on amendment on the amendment) [9.34]: I do not intend to say anything other than formally to move an amendment. I move—

That the amendment on the amendment be amended by deleting the words "or not".

Amendment on Mr. Watts's amendment on the amendment moved by Mr. Court put and passed.

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

MR. TONKIN (Melville—in reply) [9.35]: In view of the progress that has been made with the motion I do not desire to detain the House very long by speaking in reply. I am glad the investigation by the Auditor-General is to take place and that in due course Parliament will be supplied with the relevant information about this contract. At this stage the only point to which I wish to refer is that which the Minister raised in relation to tenders generally, when he went to some pains to try to prove it was not the practice to disclose information about successful tenderers.



We could argue about this point for an extremely long time, but I would remind the Minister that there was no secrecy about the tenders for the school seats and desks. They were not called for the building of houses; they were called for the supply of material. The information concerning those tenders was made public. There was no secrecy, either, about the prices tendered for the hocks and sheep's skulls which have been the subject of questions by me in recent days. The people who submitted tenders for those know what prices were tendered and some of that information has been conveyed to me. Therefore, it is public information.

I also remind the Minister—and he knows this of his own knowledge—that the tenderers for the supply of lifts for the new Rural and Industries Bank knew who submitted the lowest tender and the figure that was tendered, because the Minister, when Deputy Leader of the Opposition wrote to me in connection with this matter. That information was public property before any decision was made on the acceptance of the successful tender. These people knew who had submitted the lowest tender and who had not; and, of course, we know that that information is readily available after tenders close.

Mr. Court: With Public Works, yes. With the State Housing Commission, yes.

Mr. TONKIN: Is the information concerning the supply of hocks and sheep's skulls public property?

Mr. Court: I do not know who called for those tenders. It might have been the abattoir itself.

Mr. TONKIN: It was.

Mr. Court: I gave you the ruling of the Tender Board.

Mr. TONKIN: What difference does that make? Tenders called by the Tender Board are not disclosed, but tenders called by a public instrumentality are made public.

Mr. Court: Each calls for its own tenders, but the tenders called for by the Tender Board shall not be disclosed.

Mr. TONKIN: That does not indicate that it is not the general practice to make the information available, and there is no valid reason why it should not be made available.

Mr. Court: You are disputing the decision of your former colleague and the Tender Board.

Mr. TONKIN: It is not unusual for one Minister to dispute the ideas of another. In fact, if we all thought the same way it would be a poor old world. We differ on points of view because of our experience and our knowledge. It is inevitable that because we vary in experience and in knowledge we will arrive at different conclusions. What is wrong with that? It is only as a result of a clash of opinions

and an interchange of ideas that we ascertain the true course to follow. If we are all to think the same way all the time and not think any differently because someone else has thought the same way beforehand, where will we get?

Mr. Hawke: We would all finish up in the Liberal Party.

Mr. TONKIN: The end that I sought to achieve appears to have been achieved—namely, an inquiry is to be carried out by the Auditor-General—and it matters little to me whether he reports on some additional matters regarding which I was seeking some further information. I am pleased that the Government has agreed that this investigation shall take place. Of course, it could hardly do otherwise, and I shall leave the matter rest there for the time being.

Motion (as amended) put and passed.

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

#### *First Reading*

Received from the Council; and, on motion by Mr. Perkins (Minister for Transport), read a first time.

### **BILLS (3)—RETURNED**

1. Health Act Amendment.
2. Industry (Advances) Act Amendment.
3. Fatal Accidents.

Without amendment.

### **NATURAL THERAPISTS BILL**

#### *Second Reading*

MR. TONKIN (Melville) [9.44] in moving the second reading said: From time to time, when the British Medical Association requests it, the Commissioner of Police instructs some of his officers to go out into the community to obtain evidence to proceed against persons who have been engaged in helping other persons who are sick. When that evidence is obtained, action is taken in the court which results in the person who is proceeded against being heavily fined. The purpose of this action is to prevent such persons from administering to the sick in the way they have done.

This practice has been going on for many years in this State—not generally, but from time to time—and some people—I am not complaining about this because I would like them all excluded—are excluded from such action, because the Government of the day knows it would be unwise to take action in some cases. A few months ago, as a result of one of these periodic attempts to get evidence on a request from the B.M.A., one, Mr. Watts, who lives in South Perth, was proceeded

against and heavily fined, with the result that he was compelled to cease his operations completely.

Following that, I received a number of letters and telephone calls from persons who objected to the State taking action to prevent them from getting this remedial treatment. They pointed out that after going to their regular doctors without success—some of them for a number of years—they had finally been to see Mr. Watts and had succeeded, in some cases, in being completely cured; and, in other cases, in having their maladies remedied so much as to give them the greatest relief and satisfaction. They complained that this interference was interference with the freedom of the individual to choose, according to his own belief, the man who could best do him good.

We boast of our love of freedom in this country, but when we come to analyse it we must admit that we are restricted in many ways. We do not attempt to impose any restrictions with regard to religion; we permit freedom of religion. There seems to me no reason why there should not be freedom of medical treatment; because, if a person elects to go to somebody other than a doctor because he believes the doctor is unable to help him and the other person is, why should he not be allowed to go? Who are we to say that he cannot go; that he must continue to go to doctors who cannot give him the relief he is seeking?

After all, if a person has been to a doctor without success—and in some cases to a number of doctors without success—and he then proves he can go to somebody who is not a doctor who can make him well, why should he not go? I cannot satisfactorily answer that question in my own mind at all. Why should the State take an action which prevents a person from gaining the benefit which he certainly will gain? Who are we to say, "You continue going to the regular doctors and remain sick, because we will not let you go to somebody who is not a doctor and get well."

That seems to me to be stupidity; yet I think I will be able to show the House that there is a number of such cases where the doctors miss out completely with regard to some complaints, and where natural therapists are able to give that relief which is so eagerly sought by the people who are sick. Following upon the latest attempt by the B.M.A. to prevent people of this kind from practising—and I refer to the case of Mr. Watts—I had the privilege and pleasure of introducing a deputation to the Minister for Health.

On that deputation were several persons who testified that they had unsuccessfully been to regular doctors and had subsequently gone to natural therapists and been cured. The Minister will remember that on the deputation was a man who

said that he had, for 15 years, been going to regular doctors in connection with asthma, and the doctors had not been able to help him in the slightest degree. Subsequently he went to Mr. Watts; and he told the Minister in my presence that Mr. Watts effected a cure, and that he was then completely free from asthma. He went further and said he had a grandchild who was suffering from the same complaint, and when that grandchild was taken by its parents to a regular doctor the doctor said the child was suffering from hereditary asthma; it was a chronic case, and there was no cure.

The child was subsequently taken to Mr. Watts; and, in accordance with the testimony given to the Minister for Health, Mr. Watts effected a cure. I heard that said at the deputation, and the Minister heard it. There was another person present on the deputation who had had some eye trouble; and this lady testified that she had been to the regular doctors without any success whatever. She subsequently visited Mr. Watts who prescribed a certain treatment for her, with the result that the trouble completely cleared up.

That was testimony from people directly concerned who joined the deputation, not because they were seeking further treatment from Mr. Watts—they did not require it—but because they felt they owed it to the man to state their own personal experiences. There were others on the deputation who spoke similarly.

The Bill that I have introduced to the House provides for the setting up of a registration board, its purpose being to register these people who practise and to make it possible for people in the future to be registered; to give them standing in the community; and to stop this periodic raiding by the police, which prevents these people from assisting human kind.

The Bill, which deals with natural therapy provides for the registration of osteopaths, naturopaths, and chiropractors. It is a simple measure. Very little machinery is necessary in connection with it, but it is essential that a registration board be formed in order that the registration of these people shall be carried out and regularised. The detail is provided for. The board will consist of five members; and, so that the Government will be in a position to ensure the proper registration and conduct of these people, provision is made for the Commissioner of Public Health or his nominee to be on the board.

To overcome any objection from the medical practitioners, the Bill makes provision for the appointment of a representative of the B.M.A. There are to be three other representatives—two from the United Health Practitioners, and one from the Chiropractors and Osteopaths' Association—the idea being to have on the board, in addition to the representatives of the Department of Public Health and the B.M.A.,

an osteopath, a naturopath, and a chiropractor. This will enable all branches of natural therapy to be represented.

It is proposed that existing practitioners—provided they meet the requirements of good conduct and the other qualifications imposed on people who treat the public in this manner—shall be registered if, within six months, they make application; but they must have been in practice for the last three years and must prove their ability.

Regarding the admission of new members in the future, all applicants must be able to produce a diploma from some recognised college or university in which the requisite studies have been undertaken.

Mr. Crommelin: Where would these people come from?

Mr. TONKIN: From Australia, as well as other parts of the world. A number of them now practising in Australia came from Great Britain where they obtained diplomas. They could come from Great Britain or the U.S.A. They would be admitted so long as the registration board was satisfied that the diploma showed that the applicant had undergone the necessary training to fit him for his task.

The best way to prove the necessity for this registration is to read the unsolicited testimonials from people who have written to me. I have made a selection from the many letters I have received. I do not propose to mention the names or addresses, but I am prepared to make all the letters which I have received available to any member who is interested in this subject. It is not desirable that the details of the names and addresses should be included in *Hansard*.

These are letters from people who desired to support the move for registration, because in some cases they were being denied the treatment they require as the Police Department has stopped these practitioners from giving treatment. In other cases the letters are testimonials from people who have been satisfactorily treated by chiropractors and naturopaths and who, out of gratitude, desire to assist in a move which will be of benefit to others.

Mr. Ross Hutchinson: Would not this Bill enable a lot of people who may be classified as quacks to be registered?

Mr. TONKIN: I hope it will not, because it is not introduced for that purpose. The Bill is designed to enable people who possess the requisite knowledge and experience to be registered, so that they can give treatment which is not provided by medical practitioners.

Mr. Ross Hutchinson: All those who have been practising for a number of years.

Mr. TONKIN: They have to show that they have been practising for at least three years before they can be registered. The first letter from which I propose to read an extract states—

In passing I will say that the fact that magistrates fined these excellent men heavily and at the same time delivered homilies from the Bench is a lesson to the enlightened that it is apt to quote Shakespeare's great line—

There is no darkness but ignorance.

And Goethe who wrote—

There is nothing more terrible than to see ignorance in action.

The ignorance stemmed from the magistrates and their orthodox counterparts including the B.M.A., not Raynor and Watts.

I will give a very brief resume of my own case which, of course, is only a cypher in the unchallengeable proof available. About 46 years ago, when I was 26, I left W.A. for Sydney and soon afterwards began to suffer severe pain in my left kidney. I went to leading Sydney doctors like Sir Herbert Maitland and was eventually operated on for removal of a large stone from the kidney. Dr. John McKelvey afterwards Dr. Sir John McKelvey, performed the operation.

Returning to W.A. in extreme ill-health, I was about 18 months after operated on by Dr. Ambrose of Perth, now gone to the silence as McKelvey has, for the removal of stones from the same left kidney. After this last operation I had a discharging wound for years and eventually went to Broome to see if the heat could help me and all the time under the doctors (Dr. Alfred Webster, Dr. Merryweather, Dr. Frost, Northam, where my father lived in a cottage with backyard adjoining the backyard of ex-Premier, Hon. A. R. G. Hawke, and where I sheltered for two years from the economic blast).

I survived in a more or less desultory sort of way until the year ending 1935 when I was bowled over completely. I was then living in a jerrybuilt house in Williams Road, Nedlands, and a Dr. Bennett, Nedlands, was called in. He ordered me into the Perth Public Hospital, suggesting I was a major operation case as he thought I must have my left kidney removed. And so to the Perth Public Hospital I went, being assigned, as I suppose an indigent, to the eminent Perth surgeon, Mr. F. Clark.

You may know my wife as a public woman and she was then as is now, a member of this and that organisation, including the Women's Service Guild. At the Guild she was told of the seemingly marvellous cures effected under

the guidance of one Lawrence Armstrong, the Perth predecessor of W. A. Raynor, and now functioning as a consulting health specialist at 98 Elizabeth Street, Melbourne, Victoria, where such men are legalised.

Passing the story on to me I said, "Importune Armstrong to come and see me notwithstanding I am under Mr. Clark and the hospital doctors." He broke a rule and called. I got away from the Chamber of Horrors, the death chamber, as I told the ward sister, and went under Armstrong. Carrying out his charts I was lifted as it were out of the grave and here I am today close on 24 years afterwards and no longer young, feeling extra good. As passengers over 70 must produce a doctor's certificate before being issued a ticket I got an orthodox doctor to examine me. The certificate said, "So and so, is in excellent condition and fit to travel as I found after examining him."

In 1956 and 1957 I was continuously on the run in the heat and cold camping out at times along the coast of Queensland, New South Wales, Tasmania, South Australia and W.A.

I cannot decipher the next word. It appears to be in connection with work of his employers. To continue—

—mining interests in Adelaide and lived strenuously. I haven't had occasion to give a doctor or a chemist one shilling during the past 24 years or since I had the good fortune to contact Armstrong. And this after being kept poorer than poor for about 22 years by the doctors—so called.

L. Armstrong's own restoration to health roughly 37 years after being condemned to death by the medical practitioners is an epic. He was then suffering from the agony intermittently of angina pectoris, a heart condition from which no patient recovers under the orthodox doctors. This is when he accepted to him a new idea as I did.

He received treatment from an naturopath. There is no need for me to read the rest of it. He then refers to another person and says—

There is an outstanding case in the wife of Colin Dannage, M.L.A. of Unley, Adelaide, S.A. Armstrong cured her of creeping paralysis comparatively recently and effected other remarkable cures in Adelaide. I know Colin Dannage well and was in late April, early May, with him and the other directors of Crescent Rutile N.L. at Gosford, N.S.W. Colin gave me all the details of his great confidence and joy with Armstrong which to me were all the more poignant as my brother-in-law had the same complaint.

Next in his letter he refers to Dr. Major-General Sir Robert McCarrison as follows:

Dr. Major General Sir Robert McCarrison for 25 years on the Medical Board of India who studied the nutrition of Indian Tribes in India and declared the Hunzas and Sikhs almost perfect specimens of man—many of them young at 70 and able to dive into an icy-cold river in the midst of winter and swim a mile to the other side without fatigue.

He went on to say that this doctor extolled the virtues of naturopathy. I want to quote this from another letter—

Nine years ago I became a cripple with arthritis of a "toxic variety" according to medical specialists among whom I spent four years seeking a cure. However, the ailment gradually became worse in spite of drugs and other measures, and spread to other parts of the body. Then I was introduced to natural therapy by a friend and followed closely the diet and other therapy prescribed by a naturopathic dietician. Within 12 months my swollen joints had returned to normal and I experienced relief from pain for the first time in four years.

I have continued to follow the naturopathic way of life and have had no return of the arthritis. Since discovering natural therapy I have passed on the knowledge to others and have heard of many more who have been cured of their ailments or experienced improved health from natural therapy which includes the services of chiropractors.

It would be a calamity indeed if practitioners of natural healing were prevented from doing their good work and people had only the medical profession to turn to.

This letter came from a country district. I will now read from one which comes from a businessman in the city—

It is with very great interest that I read of your proposal to introduce a Bill to Parliament for the registration of naturopaths.

I am very interested in the case of Mr. H. G. Watts in this regard. I have known him for the past 10 years and have had his valued advice on health matters over that period. I have spoken to dozens of his clients from time to time in the waiting room, and found without exception that they were more than satisfied with his diagnosis and treatment and with the progress they were making. His means of diagnosis and accuracy are really amazing. He will be sadly missed by hundreds of his patients if he is denied the right to carry on this work.

My sister, who has been consulting him for the past seven years, wholly agrees with what I have written here.

While wishing your Bill every success, we both wish to affirm the right of freedom for every person to choose his own methods of treatment from a person of his own choice.

This letter came from Bunbury—

For a number of years on and off I have been attending Mr. H. G. Watts of 1 Todd Avenue, Como, for both myself and children and I still wish to do so, but since his trouble with the Medical Board I have been denied his services of myself and my children.

Last Saturday I wished to attend Mr. Watts with regard to a change of spectacles. I was told I could not see him as he was suspended by the Optical Board. I went all the way from Bunbury with my children for this interview and thanks to the Board's dictatorship I went to Perth for nothing.

The next letter is from the Lakes district and reads as follows:—

Just of late I have noted you have taken a stand in support of men such as Martinovich, chiropractors, naturopaths and with all due respect which we justly owe to the medical profession I sincerely hope you will do your very best to ensure a fair go to these very wonderful gentlemen. I could write pages of the genuine work done by these people and the relief afforded quite a few of my personal friends. In 1939, in tightening a belt on the wide elevator of one of my teamster's harvesters, I strained or stretched a muscle or sinew from my wrist to my right shoulder. I went to two doctors who could see nothing, do nothing and were hopeless to find anything to rectify the trouble. Twelve months ago, without telling Martinovich what had happened, his son put a plaster on my shoulder the day previous and also one on the back of my neck where I had three vertebrae out which, strange to say, I put out while I was levering the big wheel of one of my three 10 ft. harvesters into a shed at the end of harvest in 1942. I attended a doctor at both Goomalling and Wyalkatchem and was told the bumps on the back of my neck were natural. I suffered much pain with these two injuries and my soft pillow felt as hard as a bag of cement for all those years with pains from the back of my neck up to the sides of my head. The best relief I could get was to get up and get going. To ride a horse was agony but I had to do it, the stock was in my care. To load bags of wheat and super was purgatory, it had to be done and I did it. Then in less than two minutes on each job these troubles were rectified.

I am still handling seed and super on my own, driving my own tractor and working here. I have cleared

more land here, as you can see, than was ever cleared at Beechina in all the years previous to 1950 when I handed over my farms to four of my married sons where I had farmed and worked from 1910. My wife has had injuries to her spine since her early years and gradually got worse. She had X-Rays which showed the troubles. Martinovich in two ups said, (without any X-Ray), "I will soon fix that". She could not turn her head one way for 12 months after slipping off a truck. She told him her neck pained badly. He looked at it and at once told her that she had been unable to turn her head for some time and in one minute he put that right. It's still right. Local doctors said there was nothing wrong and have dosed her with dope for years. Also for poisons in her system from removal of gall bladder. They can do nothing and have dosed her for years without relief. She is attending a naturopath at present and he is marvellous and says he can, and is, curing her with diet.

Mr. Ross Hutchinson: No-one is denying Martinovich the right to practise.

Mr. TONKIN: If the B.M.A. adopted the same attitude with regard to him as it has with Watts, he would be stopped, too.

Mr. Ross Hutchinson: The B.M.A. is not doing that.

Mr. TONKIN: Of course, it daren't. Public opinion would be against the association if it did so.

Mr. Ross Hutchinson: You don't know your Acts.

Mr. TONKIN: Yes I do.

Mr. Ross Hutchinson: He may practise under the Act.

Mr. TONKIN: I have been to him and I know what he does.

Mr. Ross Hutchinson: He may practise under the Act.

Mr. TONKIN: Has the Minister been to him for treatment?

Mr. Ross Hutchinson: It has nothing to do with whether I have been to him. He may practise under the Medical Act as it is at present.

Mr. TONKIN: He may, and he may not!

Mr. Ross Hutchinson: He may!

Mr. TONKIN: But the Minister does not know!

Mr. Ross Hutchinson: I do know!

Mr. TONKIN: The Minister does not know because he has not been to Martinovich himself and he has had no reliable evidence from anyone who has been to him to tell him precisely what he does.

Mr. Ross Hutchinson: I have told you he can practise lawfully under the Act!

Mr. TONKIN: Yes, but if the Government took the same action against Martinovich as was taken against Watts and Raynor, he would not be practising at all.

Mr. Ross Hutchinson: But the cases are not comparable!

Mr. TONKIN: That is what the Minister thinks!

Mr. Ross Hutchinson: That is what I know!

Mr. TONKIN: Of course the Minister does not know. It is no good the Minister saying that he does know. How could he know! The following letter comes from Wandering—

I suffered with arthritis for months and got no relief from medical attention which cost pounds.

Afraid of becoming a cripple I took a friend's advice and attended Mr. Watts of 1 Todd Avenue and within two weeks was free of pain.

Others are suffering as I was and knowing they can get help from him, which the medical profession are incapable of giving them, I want to see Mr. Watts allowed to give his willing help to all who ask for it.

Mr. Brand: I should think that if Mr. Watts can cure arthritis, there is a fortune awaiting him.

Mr. TONKIN: I should think there probably would be if he were allowed to practise. Here is another letter—

Herewith is a summary of illnesses suffered by myself and my daughter Faye. Cures for such have been effected by Mr. H. G. Watts of Como.

For 10 years prior to settling in W.A., I suffered with a bad back. Two local doctors wanted to operate for a turned back womb, informing me that I couldn't have a child until I had the operation. A gynaecologist suggested having a child, and that the ache may go. I had Faye, and still had the ache in my back. At the Queen Victoria Hospital in Melbourne I had diathermy treatment for rheumatics, and still to no avail. We moved to W.A., and visited Mr. Watts. After three months' treatment on his diet, my back was relieved, and I haven't had the pain since. Mr. Watts also treated and cured me for ulcers in the stomach. Two years ago I consulted a doctor with a pain in my shoulder blade; he diagnosed gallstones, and the X-rays showed such, so he wanted to operate immediately, or recurrence of the trouble would take place, and that is about four years ago now.

So, Mr. Tonkin, you can understand why I have such faith in Mr. Watts and naturopathy. If you can use this letter in any way to further the case of Mr. Watts, you have my permission and full co-operation.

The following letter comes from a close suburb of Perth—

I am an old lady in my 85th year, living alone here and of course must before long be in a doctor's hands and as many others, at his mercy . . .

Dr. Arndt thought to operate on my eyes for a cataract quite long ago. I write this letter without any glasses, needing only distance help. Mr. Watts advised me to clean up my system—no fats but plenty of Vitamins A, B and C, from the chemist.

I will only quote two cases I know personally—a little girl, born blind—therapists, etc. were no help. Mr. Watts said, "Anaemia". She is now all right. Another poor wreck of a young lad at Swanbourne went to specialists who did no good but he is now a new character.

I do not know, with odd exceptions, the people who have written these letters. I have met a few of them. I do not know whether or not what they have told me in those letters is their true experience, nor do I know for certain why they wrote the letters—whether they were inspired or genuinely felt that as they had gained benefit from visiting a naturopath or an osteopath, they should do something in connection with the matter. I have had to make up my mind about this, and I refuse to believe that these people have deliberately told falsehoods in order to achieve something which cannot possibly give them any benefit other than that they will be permitted to continue to receive this remedial treatment.

I made this selection of letters because they are typical of the large number I have received in connection with this matter. In addition to these letters, however, I have had numerous telephone calls from people who were anxious to do all they could to help effect the registration of these naturopaths, chiropractors, and osteopaths; and, because the Minister stated he would not undertake this task, I have endeavoured to see whether it is possible to permit these people to practise, not as outcasts; not in competition with regular doctors; not with any intention of usurping the work of anyone in his proper field; but to give a service, which, apparently, is not available in the ordinary way. The case I mentioned at the beginning of my speech—that of a man who had asthma for many years—is known to me personally. That person was a friend of mine, and has been a friend for years. I accepted his statement that he was no longer worried by asthma. The Minister heard him make that statement in his office, and did not

attempt to question him in any way which would suggest that he doubted what was being said. The Minister also heard that man say what happened in connection with his grandchild.

Having known the person concerned, I have no reason to doubt the truth of the statement which he made in my presence to the Minister for Health; and there is also the case of one of the Government car drivers—

Mr. Ross Hutchinson: Did you know this person for very long?

Mr. TONKIN: For more than 20 years. There is also the case of one of the Government drivers, who had a serious back complaint and who had been to the ordinary doctors without relief. When a Minister was going to Kalgoorlie, that driver arranged to be permitted to drive the car, so that he would have the opportunity of going to Martinovich. In that way he saw Martinovich; and I have asked him repeatedly over recent years whether he has had any recurrence of his trouble; and he says he is now completely free from it. So a trouble which was with him for years, and which the regular doctors were unable to relieve, was relieved by a chiropractor in a matter of a few days. That is a case known not only to me but also to other members in this House. The point I am trying to make is that if the B.M.A. caused action to be taken against all these people who are so practising, they would be put out of business, and the people who are now able to get relief just would not get it.

For many years I was president of the East Fremantle Football Club, and we had the honour and prestige of having associated with the club honorary doctors; and we were glad to have them there, as such. However, if we wanted to be sure that a player who was injured this Saturday would be available next Saturday, we would not send him to one of the honorary doctors; we would send him to one of the chiropractors, because we would know that if there was any chance of his being back in the side, he would be back weeks ahead of the time when the ordinary doctors would have him back; and the Minister for Health knows that.

Mr. Graham: That is precisely what the East Perth club is doing at the moment.

Mr. TONKIN: All the clubs do it. They do it in Melbourne also. Over there they do not send their injured men to the regular doctors, because they would be without the services of those players for weeks; they send them to one of the chiropractors.

Mr. Ross Hutchinson: No-one prevents chiropractors from practising.

Mr. TONKIN: It all depends whether the B.M.A. takes any action.

Mr. Crommelin: If these people were registered, would they come under the medical benefits scheme?

Mr. TONKIN: I believe they would; and that is the intention. I have had instances quoted to me where, not compensation cases—because then the insurance companies would not pay, because the chiropractors are not regular medical men—but under insurance policies such as are taken out to cover a football coach who goes to a country district—there the club usually takes out an insurance policy to cover the coach against accident—if a player is injured in a match and the insurance company is called upon to pay for loss of wages and for treatment, it quite often happens that the company elects to send that man not to a regular doctor, because the injured person would be on the doctor's list too long, but to one of these naturopaths or chiropractors, so that he will be fixed up in a much shorter time.

I have had several instances of that given to me; where the companies concerned know it saves them money if they send these people not to regular doctors, but to those who are practising natural therapy.

Mr. Ross Hutchinson: I notice that in the Bill, there is a clause providing for registration of these people, and a six months' period during which those who have been practising for three years may be registered. After that time a person can only be registered—

Mr. TONKIN: Provided he has a diploma!

Mr. Ross Hutchinson: And what happens if another Martinovich comes on the scene, subsequent to that period having elapsed?

Mr. TONKIN: Unless he can show he has the necessary training and knowledge he will not be registered.

Mr. Ross Hutchinson: Do you think that is right, under your scheme?

Mr. TONKIN: I think the Minister is arguing backwards.

Mr. Ross Hutchinson: You are trying to solve the problem, but it will exist again in five years' time.

Mr. TONKIN: I do not think so; because, as things are now, nobody is registered in this regard, and practically all these people are operating against the law. So it is no argument to say that because in future people could not be admitted without the qualifications, we should not now do something about admitting those who are practising; and endeavour to improve the standard in future. As a matter of fact, the principle in this Bill is that invariably adopted when a start is being made with registration. It was done in the case of the dentists; and the same arguments that the

Minister uses now with regard to chiropractors and naturopaths would have applied to the dentists then.

Mr. Ross Hutchinson: But the setting up of this registration board would still preclude admittance of a natural healer of the type you are talking about.

Mr. TONKIN: Admittedly that would be a difficulty, and it is to be deplored; but I cannot see how we can get over it.

Mr. Ross Hutchinson: Would you consider it?

Mr. TONKIN: I want to ensure that, so far as the future is concerned, we can insist upon a standard which must be beneficial to the general community.

Mr. Ross Hutchinson: Where will these people be trained?

Mr. TONKIN: In various places; and I hope that ultimately they will be trained in Western Australia. These people are endeavouring now to establish training facilities here, as has been done in other parts of the world.

Mr. Ross Hutchinson: There is no school for them in Australia now, is there?

Mr. TONKIN: I understand they can be trained in Victoria.

Mr. Roberts: Are these practitioners registered in any other State of the Commonwealth?

Mr. TONKIN: I have not precise information on that, and I could not be expected to have it. I admit that I am lacking in that regard. I would have liked to have time to familiarise myself with what is happening in all parts of the world in this regard; but if I had waited to do that the Bill would have not been brought down this year. So I had to proceed with such information as I have.

Mr. Bovell: Why wasn't there a Bill last year?

Mr. TONKIN: Watts was not prevented from practising last year.

Mr. Ross Hutchinson: But other men were.

Mr. TONKIN: I do not know of it, and it was not brought under my notice in the way it has been brought under my notice this year. I was not asked previously to make representations to any Minister.

Mr. Ross Hutchinson: But you knew about this chap.

Mr. TONKIN: Yes. As a matter of fact I went to one of them.

Mr. Ross Hutchinson: But you said you knew about this chap who helped his asthmatical condition.

Mr. TONKIN: What I said was that I knew the person, and I did.

Mr. Ross Hutchinson: You never knew that he had been cured?

Mr. TONKIN: I did not until he said so.

Mr. Ross Hutchinson: When did he say so to you?

Mr. TONKIN: In your presence.

Mr. Ross Hutchinson: You did not know before that.

Mr. TONKIN: I did not know he had asthma. How could I know? I do not go around inquiring what illnesses people have. The honourable member might be half dead for all I know. I do not ask him.

Mr. Graham: You quite often think so.

Mr. Ross Hutchinson: Do not hope too much.

Mr. Bovell: Asthma is a complaint which is most apparent.

Mr. TONKIN: I might be suffering from some complaint; but does any honourable member know what it is?

Mr. Bovell: If you were suffering from asthma we would soon know.

Mr. TONKIN: Then the honourable member knows more than some doctors, because they cannot properly diagnose the trouble.

Mr. Bovell: It is a complaint which is obvious.

Mr. TONKIN: The old method that doctors adopted when they were in doubt was to say, "You have a germ." Of course, no-one will dispute that, and one goes away satisfied.

Mr. Bovell: I know a lot of people who have asthma, and there is no mistaking it. The condition is most distressing.

Mr. TONKIN: It reminds me of a discussion which took place in the dining room of Parliament House some years ago when Sir David Rivett, an outstanding man in Australia, and then head of the C.S.I.R.O., came to Western Australia and gave a most erudite talk in connection with the advances of science. At the conclusion of his talk the chairman called upon certain members in the audience to express appreciation to Dr. Rivett, and finally he called on the oldest member present, who was Sir Edward Wittenoom. Sir Edward said—and I accepted every word of it because I believed it—"We have heard a lot about the advances of science and the great skill of the trained medical man. But in truth they cannot even cure a common cold." I think members ought to do a bit of thinking about that.

Mr. Brand: Can anybody else cure it?

Mr. Ross Hutchinson: Can these people cure a common cold?

Mr. TONKIN: That is an example of how far we have advanced, and what tremendous strides we have made.

Mr. Ross Hutchinson: Don't you think they have made tremendous strides?



Mr. TONKIN: I notice that some doctors, if one goes to them for a bad headache, and one is friendly with them, will say, "Go and get a packet of aspros."

Mr. Ross Hutchinson: What is wrong with that?

Mr. TONKIN: There is nothing wrong with it; but there are others who will not say that but who will start treatment for it.

Mr. Ross Hutchinson: Do you deny that tremendous forward strides have been made?

Mr. TONKIN: I think I should be permitted to make a speech in connection with the Bill instead of carrying out a dialogue with the Minister for Health, who will be given an opportunity of expressing his point of view; and then I will be able to reply to it.

I think it is as well that we should know the definition of "natural therapy." It is—

Since most of the principles of natural therapy treatment and practice have been in use since man first began to treat injuries and disease, it is a matter of record that natural therapy is the older of the healing arts, and that it has the same origin as the allopathic profession.

The history of the healing arts will show that until the early part of the 16th century, there was very little distinction as to systems of practice, although a variety of methods were in use.

Natural therapy, however, continued along the original lines of healing and preserved the use of the highly efficacious time-proven remedies.

As the science of psychology, physics, bio-chemistry and biology developed, natural therapy made use of these new discoveries as were applicable to the field of therapeutics, and thereby greatly increased its armamentarium of healing agents. In this way it so extended its field of usefulness that today it stands as a most closely correlated system of healing, able to cope with the diseases to which man is subject.

Natural therapists rely upon diet, fresh air, plenty of oxygen, the heat of the sun and natural conditions instead of resorting to the use of the knife and drugs. They believe that by these natural methods, manipulation, the application of heat, and the prescription of proper diet, they can get the body to function as a healthy body ought to function without having to resort to the surgeon's knife or the use of drugs. From the evidence brought forward to me, they succeed in many cases.

Mr. Bovell: That sounds like faith healing.

Mr. TONKIN: The Minister can call it whatever theory he likes; but if it remedies troubles, from which people are suffering, it is something which should be supported.

Mr. Ross Hutchinson: Half of them would be cured anyway.

Mr. TONKIN: That is not the story they tell me, and it is not the story they told the Minister in his office. Some of them said they had been going to doctors for years, but they were not cured until they left the regular doctors and went to the people who use natural therapy.

Nobody is trying to say that the doctors who are properly qualified should not be protected by the law, and that we should not take steps to see that other people do not carry out surgery and the prescription of drugs, which are necessary in some cases, and which only doctors should be allowed to do. But what I am trying to advance is that there are some fields in which doctors are not specialists. I have read of doctors who study natural therapy and apply it in addition to the ordinary course they study because they see a necessity for it. But there are others who do not know very much about it.

What has struck me as most remarkable is that we can have a man like Martinovich, with scarcely any education, to whom thousands of people go because they have dislocated or displaced their vertebrae.

If these people were being cured by the regular medicos they would have no need to attend Martinovich. I could surprise the members of this House, if I were so disposed, by naming those people who, of my own knowledge, have gone to Martinovich and others like him because they failed to get relief from their regular doctors. One of our judges has done that. He is possibly a man who might be called upon one day to pronounce judgment on the very man whom he has attended; and if he enforced the law as it now stands, he would have no option but to find the man guilty. That judge has attended on this man for treatment; and, as far as I know, is completely satisfied, as I indeed was.

Before I went abroad I went to see Martinovich because I had some displaced vertebrae. They had been displaced for 20 years. I suppose, in less than a quarter of an hour altogether, Martinovich put them back into position. If these people could not render this service which doctors are failing to give, nobody would be going to see them. Naturopaths and osteopaths become known only because those who have benefited from their treatment pass the word on. They say "Why don't you go and see so-and-so? He will fix you up." They then recount their own experience by attending on him. That is how these people build up a large clientele.

They have no other way of doing so because they cannot advertise. Their practice is built up merely because the good

word is passed from one person to another as a result of practical experience. People would not do that if they had not generally benefited from the service that had been given to them.

Mr. Guthrie: I think you will agree that the Bill is built around three definitions: chiropractic, osteopathic, and naturopathic treatment.

Mr. TONKIN: That is so.

Mr. Guthrie: Could you supply the House with greater details, because most members do not realise the real significance of those words?

Mr. TONKIN: I will do that. I will give an explanation of what I understand osteopathy, and naturopathy, and so on to be. At this stage I will content myself by saying that I have taken this step because I have felt that in response to the numerous requests by people who have been deprived of this remedial attention, something should be done to permit them to continue to receive the treatment which they have obtained in the past. In conclusion, I would point out that there is no compulsion involved. If a person does not wish to be treated by Mr. Watts, Mr. Raynor, or Mr. Todd, or one of the others who practice osteopathy or naturopathy, he simply does not go; but if he elects to attend those persons, why should he not be permitted to do so and continue to attend so long as he is enjoying some benefit from so doing?

I do not care about the benefit derived or its degree. If the person who attends on these people and continues to do so is easier in his mind and feels better in his body, why should he not be permitted to attend? He is doing nobody any harm.

Mr. Ross Hutchinson: That is the trouble; many of these people are doing harm.

Mr. TONKIN: I do not know of any instance. All I know are the hundreds of cases that have been mentioned to me either directly or indirectly involving those people who have received substantial benefit. In fact, they start to go to Martinovich at 6 a.m. although he does not commence any consultations until 10 a.m.

Mr. Ross Hutchinson: There was a Press notice given the other day to a scientologist who was found to be treating an epileptic person.

Mr. TONKIN: I noticed that; but I do not know for how long he has been practising or anything about the case. I do know of a number of these people, however, who have been practising, and concerning whom I have received written testimony of their efficiency. Furthermore, I have not heard of a single instance concerning any of those persons where any harm has been done. Frankly, I cannot see how it is possible for them to do any harm. If they cannot do any good, I fail to see how they can do any harm.

Mr. Ross Hutchinson: They tell the persons who attend them not to continue with any medical treatment whilst they are attending them.

Mr. TONKIN: That is exactly what they do not do, because I have direct evidence of people who have attended osteopaths or naturopaths; and when they have found that a patient requires to have some medical treatment they advise such patient to go and get it.

Mr. Ross Hutchinson: How do they know that the patient requires special medical treatment?

Mr. TONKIN: How does who know?

Mr. Ross Hutchinson: These naturopaths or osteopaths.

Mr. TONKIN: Because they have a special method of diagnosis that enables them to do so.

Mr. Ross Hutchinson: What special method?

Mr. TONKIN: It did not take Martinovich very long to know that I had three vertebrae out of position, because that is the number he put back into place.

Mr. Ross Hutchinson: How can he diagnose a sickness?

Mr. TONKIN: If I knew that, I would qualify for registration under the Bill. The Bill is a genuine attempt to permit these people—who, despite the actions of the police from time to time, have been practising, in some cases, for 20 years or more (they have been doing that under the lap, so to speak)—to practice legally and properly and to ensure that in the future their position will be safeguarded. Some of them have set up practice in Victoria where the law is not as stringent as it is here and where they have a very large clientele.

Just as a final word on this matter, I point out that if the people who are being prosecuted in Western Australia lived in England they would be free from prosecution. That cannot be gainsaid by anybody. I have seen advertisements in the English newspapers notifying that these naturopaths and osteopaths would be addressing public meetings, and in such advertisements their place of business and their registration were also mentioned. This was quite permissible and legal because the law in Great Britain does not prevent them from practising as it does in Western Australia.

If they can practise in Great Britain, why cannot they practise in Western Australia? That is all I am asking. I am merely appealing for these people to be permitted to practise legally and under the protection of the law instead of trying to run the gauntlet of the law from time to time. I move—

That the Bill be now read a second time.

On motion by Mr. Ross Hutchinson (Minister for Health), debate adjourned.

House adjourned at 10.55 p.m.