been informed on reliable authority that she has sold additional blocks in the same area.

Hon. A. V. R. Abbott: I do not think she sells; I think she leases the land.

Mr. ANDREW: I have made that statement on the authority of an officer of a Government department. He said that she had sold some land, but that the buyers might not get a title to it. There is a clause in the agreement drawn up by her solicitors that, if buyers fail to get a title to the land, they may have it on lease. I cannot see why any purchaser should be placed in that position. I have already given the effect of Section 20 of the Act and I am not sure whether Section 25 would affect the position. That section reads—

> Where, after the erection of a building on land the property of one owner, it is found that such building encroaches upon the land the property of another owner to the extent of not more than three feet, and where the encroaching owner desires to purchase the land upon which the encroachment stands, the board shall, upon the application of the owner of the land which is encroached upon, and upon being satisfied that there has not been collusion but that everything has been done in good faith without intention to evade the law, approve of the necessary subdivision or transfer.

The Minister might well look into this matter.

The Minister for Justice: Once the case has gone to the court, not much can be done.

Mr. ANDREW: The main consideration I have in mind is that the Act should be tightened up to prevent a repetition of this sort of thing. I suggest that the Minister investigate the matter from that angle. It is wrong that a person should have to lose the greater part of £1,000 when he has paid for a block of land and still does not own it.

Hon. A. F. Watts: What was the point on which the case was lost?

Mr. ANDREW: That the land had not been defined and there was no plan. The block was sold to Carruthers after certain features had been indicated. I understand that the land now being sold to other people is being disposed of on the same basis, but that there is no defined plan. I suggest that the Minister should earnestly consider this matter with a view to having the Act amended to prevent such happenings in future.

MR. SEWELL (Geraldton) [6.1]: I support the remarks of the member for Fremantle in connection with the parole of prisoners. This matter was discussed last year and although I did no speak on it at the time, I agreed with what the hon. member said. I think the Minister should have the position examined by highly placed men who are more au fait with the situation that we are, and then let us have their report so that we can judge whether it would be advisable to introduce a parole system.

Progress reported.

House adjourned at 6.2 p.m.

Legislative Council

Tuesday, 30th November, 1954.

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

STANDING ORDERS AMENDMENTS.

Message.

The PRESIDENT: I have received a message from His Excellency the Governor notifying approval of the amendments to Standing Orders recently adopted by the Legislative Council.

BILL—PHARMACY AND POISONS ACT AMENDMENT.

Assembly's Amendment.

Amendment made by the Assembly now considered.

In Committee.

Hon. W. R. Hall in the Chair; Hon. R. J. Boylen in charge of the Bill.

The CHAIRMAN: The Assembly's amendment is as follows: —

After clause 2 add a new clause as follows:—

3. Section forty-five of the principal Act is amended by—

(a) deleting the words "or legally qualified medical practitioner" in lines one and two of subsection (1);

(b) deleting the words "or a legally qualified medical practitioner" in the last line of subsection (1).

Hon. R. J. BOYLEN: I move—

That the amendment be agreed to.

Members will recall that previously we amended Section 44. It is now realised that Section 45 should also have been amended in order to tidy up the legislation. If we were to leave these words in Section 45, our intention could be nullified.

Question put and passed, the Assembly's amendment agreed to.

Resolution reported, the report adopted and a message accordingly returned to the Assembly.

BILL—SOIL FERTILITY RESEARCH.

Second Reading.

Debate resumed from the 26th November.

HON. C. H. SIMPSON (Midland) [4.38]: The purpose of this Bill, as the Minister explained, is to provide machinery for the setting up of a special body comprised of representatives of the Farmers' Union and the wheat pool, together with the Director of the Institute of Agriculture at the university, to do certain things. The purpose desired to be achieved is to assist research into soil fertility in order to benefit the wheat industry. This is quite clear to members who represent farming constituencies, but some explanation may be needed by those who do not keep in touch with agricultural matters.

I am in favour of the Bill and agree with the remarks of Messrs. Logan, Jones and Diver. Some of their comments seem to indicate that the Government might have come into the picture by offering to subsidise the contributions expected to be made by farmers, because it is obvious that the benefits which will accrue from these investigations will be helpful, not only to those concerned in the wheat industry, but also, through building up the wealth of the State, to all the residents of Western Australia. However, having regard to this industry and the possible implication that we might be prepared to amend this Bill so as to give effect to the recommendations or the views that they have expressed, my information is that it is extremely desirable that the Bill be passed without any alteration because it ties up with a wheat stabilisation Bill which is now in another place and which will come before us in due course. As members know, that Bill is to ratify the decision of the various Ministers for Agriculture on the agreement made on marketing and prices.

Roughly, the position is that this Bill provides the statutory authority to enable the trustees of the fund to do certain things and the machinery is detailed; but the measure has to be read carefully to understand what it purports to do, because it refers to machinery and does not specifically set out what the duties of the trustees are. However, paragraph (c) of Clause 5 indicates that the trustees may expend research money standing to the credit of the fund for the purpose of soil fertility; and paragraph (d) indicates that the trustees may hold property and convert any investments into money for the purpose of soil research, and also settle claims and, in general, perform the functions of a corporate body.

I can understand the Minister's saying that it was not easy to set out any definition of the Government's attitude; that the Government was not permitted in any way to provide funds. The Bill will enable this board of trustees to collect moneys and apply them as indicated in the Bill. They cannot levy. Only the Commonwealth authority can levy on the proceeds from wheat. At the moment the arrangement between the prospective board of trustees and the Australian Wheat Board is to make provision in the wheat warrant whereby the owner of the warrant can, quite voluntarily, make a contribution to the fund which I understand should be approximately ¼d. a bushel.

Hon. Sir Charles Latham: Not exceeding ¼d. a bushel.

Hon. C. H. SIMPSON: If that be the amount, from my calculation it works out at £1 per 1,000 bushels. In view of the benefits that would accrue from this research, that is a fairly small expenditure, which would probably be repaid many times over if the research gave the industry benefits which it is anticipated it would. The trustees contribute moneys to the Institute of Agriculture at the University, which at present is under the direction of Professor Underwood. The Bill, of course, provides that the Director, for the time being shall be entrusted with that responsibility. At present that institute is performing valuable work, although it has been handicapped by the lack of money.

Contributions are at present made to it from the Wool Research Fund, the University Grant, the C.S.I.R.O., the Merchants' Agricultural Trust, the Wheat Pool, the

Commonwealth Bank and certain private trusts. The amount received by the institute last year was in the neighbourhood of £20,000. The different bodies contributing towards the fund have the right to specify on what their contributions shall be spent, and I understand that the conditions governing this in relation to wool expenditure were laid down by the Wool Research Fund.

The object of the board of trustees, under the provisions of the Bill, would naturally be to direct research to benefit the agricultural industry. I understand that, in the milk and other associated industries, contributions are also made for research into problems that concern those industries. One of the contributors to this debate, Hon. A. R. Jones, is well qualified to speak on the work that has been and is being done in the direction of building up soil values. The pasture group of which he is president has done considerable work at Miling, and that particular group has not only considerably increased the carrying capacity of the land for the pasturing of stock, but also, because it has concentrated on the planting of leguminous plants, has considerably increased the yield of cereal crops in that area.

I think another problem associated with this question is soil salinity. To my mind it is probably just as important to save the area under cultivation from the encroachment of salt as it is to treat the other land with a view to increasing its productivity by soil fertility research or the increase of pasturage or cereals from that land. A very comprehensive report was furnished in 1951 by Mr. R. R. Pennefather. He reported that already over 100,000 acres had been destroyed, and that from 700,000 to 1,000,000 acres were being threatened with destruction. He strongly recommended that action should be taken to prevent the spread of salt to any further cultivable land and, if possible, to reclaim much of the soil that had already been affected.

One of the areas affected is a belt that runs through from approximately Yalgoo to Morowa, on to Three Springs, and generally speaking right through that district. The settlers in that belt find that if they have a very wet season—when there is a spread of water—the salt creep is noticeably increased; whereas, in the dry season, there is a tendency for its effects to diminish. In any case, one of the matters with which the research could be concerned would be to try to produce something in the way of plants of a salt-tolerant nature which would arrest the creep and, at the same time, produce something of value from that salt-affected soil.

Quite a lot of work has been done in that direction. Farmers have found that saltbush, for instance, will grow fairly well on those areas; but unfortunately that can only be done once every so often, and a farmer would probably get a pasture once in every five years. Research workers are looking for a hybrid plant that will grow and give some return in pasture feed so that stock can be raised on it each year, or part of each year.

A friend of mine who has had a great deal of experience in these matters and had undertaken much research to see what could be done on his holdings, has been in constant touch with the department and with his neighbours on this problem. He recently visited England and made it his business to see what was being done there and in Europe. Owing to the tremendous floods on the coastal areas last year, both in England and in Holland, they were faced with this problem, and were engaged in efforts to see how far such salt-affected areas could be reclaimed. These areas had increased as a result of the floods. Those countries have done a good bit of work and obtained fairly promising results. I therefor suggest that this institute of research might well devote some of its time to that aspect.

I would suggest to the Minister that he direct the Agricultural Department to study carefully the results of work done in other States, in England, in America, in South Africa and in other countries with a view to their application in this State. I consider that the Government should devote money to tackle this problem in earnest. Mr. Pennefather suggested that a sum of £250,000 would not be excessive to spend in a vigorous effort to solve this problem. He said that anything up to 1,000,000 acres would be affected, the value of which might be £5 to £10 an acre, and that the stake to be won was something which justified a bold attempt to cope with the problem, and which justified the expenditure, if necessary, of considerable sums in order to help salt-affected holdings.

Whilst I support the Bill and recommend other members to do the same, I suggest that the Government should give consideration to the matters I have mentioned, and to supporting the objects of the committee referred to and of the Institute of Agriculture research because of their great importance to this State and to this industry. I support the second reading.

THE MINISTER FOR THE NORTH-WEST (Hon. H. C. Strickland—North—in reply) [4.54]: A very good outline of the various research undertakings carried on in agriculture has been given by Mr. Simpson, and what he said will be forwarded to the departments concerned for consideration. The only reference I wish to make in reply to some of the speeches concerns the statement that it is a very weak Government which does not tax all farmers to contribute to the proposed fund.

I would point out that this Bill did not originate from the Government, but from the farmers themselves, through the Farmers' Union. If the Farmers' Union thought it was desirable to ask wheat-growers to contribute to the fund voluntarily, I cannot see why any blame should be placed on the shoulders of the Government for not taxing all farmers. Like every other citizen, the farmer pays his taxes. A portion of the taxes collected is spent on agriculture every year, through the institute at the University and through the Agricultural Department. Many services are given for taxes paid.

Hon. A. R. Jones: We claim there should be a lot more.

The MINISTER FOR THE NORTH-WEST: It is a pity the hon. member did not suggest that to the Farmers' Union. This is not the place to do it. I shall read a letter from the Farmers' Union of Western Australia dated the 9th September, 1953, addressed to the Minister for Agriculture. It says—

re Wheat Research Levy.

Our recent conference agreed to a suggestion that a levy should be made on all wheat marketed in order to assist the University Institute of Agriculture research and as it will require legislation to give effect to the resolution, I have been instructed to request you to have the necessary clauses inserted in State wheat marketing legislation required to continue wheat marketing as finally agreed upon.

The conference resolution requirements are as follows:—

1. That a levy of ¼d. (one farthing) per bushel be imposed on all wheat sold.

2. That these moneys be paid into an account to be known as the W.A. Soil Fertility Research Fund.

3. That the fund be under the control of and be operated on by four Trustees.

4. That the Trustees shall be the President and two Vice-Presidents of the Wheat Section of the Farmers' Union and the Director of the University Institute of Agriculture of W.A.

We know that, in fact, there are five trustees, the other one being the nominee of the Wheat Pool. Except for one, who is in charge of the work to be carried out under this fund, they are farmers or executives of the Farmers' Union. The letter continues—

5. Some provision be made to prevent the amount of the levy being increased without a substantial majority approval of growers.

6. That it shall be incumbent for the trustees to publish an annual statement of expenditure and a report of results obtained.

We have specifically made provision for appointing as trustees, such persons as shall for the time being hold certain named position, instead of named individuals so that the trustees will at all times be persons who have an active interest in wheat growing and who should be in tune with and know the grower-contributors' wishes.

I trust that you will approve this self-help action and so agree with and support this move.

The letter shows where the scheme originated. Evidently the wheat section of the Farmers' Union considers that all farmers should contribute something, and it wanted to make the scheme a compulsory one. Difficulty was experienced in drawing up suitable legislation to cover that aspect, so it was finally agreed to make it a voluntary contribution, of not exceeding ¼d. per bushel.

Hon. L. Craig: There is a compulsory contribution out of the proceeds of wool sales.

Hon. A. R. Jones: Why can it not be made compulsory in the case of wheat?

The MINISTER FOR THE NORTH-WEST: I understand there was some difficulty in regard to legislation because of the legislation passed by the Commonwealth Government.

A question about the warrant was raised by Mr. Diver. A warrant was printed, but it was found not to comply with the requirements of the measure, and another is being printed. The suggestion that the warrant should show in italics that the contribution is voluntary is being followed. It will be printed in black type and the grower will be asked to delete the words in italics if the contribution is not authorised. Therefore, no difficulty should arise on that score.

Question put and passed.

Bill read a second time.

In Committee.

Hon. W. R. Hall in the Chair; the Minister for the North-West in charge of the Bill.

Clauses 1 to 4—agreed to.

Clause 5—Powers of trustees:

Hon. Sir CHARLES LATHAM: Under this clause, the trustees will be empowered to expend and invest the money. Mr. Simpson thought that something should be done to overcome the saline trouble being experienced in the wheatbelt. This will not be an easy matter, and much money will be required before anything can be accomplished in that direction.

There is a line of lakes extending from the vicinity of Menzies in a south-westerly direction and eventually emptying into the Avon River. As clearing has taken place, there has been a much larger accumulation of salt in the depressions. It

is as much as 8in. to 10in. deep, and when the rains come, the salt is carried over a lot of good agricultural land. No one farmer can deal with it because, if he channelled a narrow drain through his property to prevent the water from spreading over his land, there would be a block at his neighbour's property. The fall of the country is very slight, but it is sufficient to back up the water considerably.

I consider that the fund under this Bill should not be used for that purpose. The object of the measure is to permit of the building up of the fertility of the soil to give increased yields and cereals of better quality. If those aims are achieved, that is all we should require. This fund had its origin in a sum of money being provided from Wheat Pool surpluses and paid to the university for investigation and research purposes. The work proved so valuable that further expenditure was deemed to be justified. The Wheat Pool, Council, which is representative of the 21 wheatgrowing districts, decided that funds should be obtained in this way. The trouble is that the Commonwealth Government cannot deduct money from the pool, and the State cannot deduct it, because it might be regarded as being an excise duty. I hope that not many farmers will fail to make a contribution, because each of them stands to benefit from this research work.

Clause put and passed.

Title—agreed to.

Bill reported without amendment and the report adopted.

BILL—CANNING LANDS REVESTMENT.

Second Reading.

Debate resumed from the 26th November.

HON. A. F. GRIFFITH (Suburban) [5.9]: I do not propose to support the second reading unless the Minister can give me certain assurances. When moving the second reading, he told us that the State Housing Commission, in the years 1946-51, had acquired, by private negotiation and resumption, large areas of land along the Albany Highway and north of Fremantle-rd., now known as the Millen and Bentley Park estates. That is quite correct, but the land recently acquired by the commission was resumed in a very different way. I voice my opposition once more, although I know it will be fruitless, to the method employed by the Government in its exercise of the powers granted under the State Housing Act.

Reference to the plans shows that the one relating to the Millen estate was prepared by the Town Planning Board in November, 1948, and the plan for the Bentley Park section was prepared by the Town Planning Board in April, 1950. Anyone having a knowledge of this part of the metropolitan area is aware that a considerable amount of land acquisition took place; and, although the Bill now before us indicates the excision from the plan of certain land in regard to which the acquisition has not been finalised by the commission, that land is included in the plans prepared in 1948 and 1950. Consequently, one is entitled to ask some questions.

We were told by the Minister that the section of land delineated in the plan had been omitted because the Housing Commission had not made final arrangements for its acquisition. A glance at the plan, however, shows that the land recently acquired by the commission, and the land acquired as far back as 1946, are part and parcel of the whole acquisition, and this leads me to believe that the commission intends to do nothing in the matter of the appeals. Last week I asked the Chief Secretary what action the Government had taken in relation to the motion passed by this Chamber dealing with the resumptions, and the answer was to the effect that nothing had been done and it was not intended that anything should be done. One is entitled to accept that statement as being correct.

The Housing Commission evidently has no intention of considering the appeals made by the owners of the resumed land. I understand that there are about 75 per cent. of owners who are now appealing against the resumptions. For the purpose of argument, say the commission decided to reject the appeals. What would happen to the road delineated on the plan? Would it stop at the point shown? Would some other arrangement be made on account of the land being returned to the owners? This points to the fact that the commission never had any intention of giving consideration to the appeals.

The Minister for the North-West: What has that to do with this Bill?

Hon. A. F. GRIFFITH: Quite a lot. Admittedly, this does not come under the Minister's department, and obviously he knows very little about it. The portion excised is the land in that district, so I submit that it has a great deal to do with the question before us.

The Minister for the North-West: That area is not referred to.

Hon. A. F. GRIFFITH: I am aware of that.

The Minister for the North-West: It is shown on the plan, but is not mentioned in the Bill.

Hon. A. F. GRIFFITH: Either the Minister was not listening to what I said, or else he has misunderstood me. I said that a paragraph in the Bill purposely excised from the plan this section of land,

and I mentioned the reason advanced by the Minister; namely, that final arrangements for its resumption had not been made by the commission. The point is that we have a plan prepared as far back as April, 1950, and the land has only just been resumed—less than 30 or 40 days ago—and it is obvious that there was a desire to resume the whole of the land in 1950.

The Minister for the North-West: I do not think so.

Hon. A. F. GRIFFITH: Would the Town Planning Board draw a plan in respect of something and have no intention of proceeding with it? I do not think so. The truth of the matter is that a number of houses have been built on this land and some of the roads have been constructed.

The Minister for the North-West: Some 300-odd houses have been built.

Hon. A. F. GRIFFITH: Let us assume for a moment that Parliament decided not to pass the Bill. What would the Government do about the roads and houses that have been built on land that, virtually, does not belong to the Government? The other day I asked the Chief Secretary some questions about Queen's Park, and he replied to the effect that the State Housing Commission had sold, for a sum of £3,360, three blocks of land for which it had not paid the original owner.

The Chief Secretary: It is not the commission's fault that the money has not been paid.

Hon. A. F. GRIFFITH: I understand that the reason is that the original owner has not made a claim. It will be interesting to see, now that the land has been sold, what his claim will be, and what he will be paid.

Hon. L. C. Diver: That will be more interesting.

Hon. A. F. GRIFFITH: While I do not want to hold up this matter, now that the land has been acquired, I want these questions answered before I am prepared to vote for the second reading.

The Chief Secretary: You are relying a lot on the plan, are you not?

Hon. A. F. GRIFFITH: On what else would the Chief Secretary suggest I rely?

The Chief Secretary: Has the plan been approved in any shape or form?

Hon. A. F. GRIFFITH: Why is it before Parliament if it has not been approved?

The Chief Secretary: I am talking about the other part.

Hon. A. F. GRIFFITH: Does the Chief Secretary suggest that the Minister for the North-West would produce in Parliament a plan which has not been approved?

The Minister for the North-West: That is the description of the land mentioned in the Bill.

Hon. A. F. GRIFFITH: Of course it is, and I am surpised that the Chief Secretary does not know that.

The Chief Secretary: I am surprised that you have submitted a plan drawn by the Town Planning Board because the board only draws the plans.

Hon. A. F. GRIFFITH: I am surprised that the Chief Secretary talks on something about which he obviously knows very little.

The Chief Secretary: I know nothing about town planning!

Hon. A. F. GRIFFITH: The Minister for the North-West was courteous enough to let me look at the file, and on it is the plan referred to in the Bill. What would the Chief Secretary suggest was there?

The Chief Secretary: I can show you, in the Town Planning Board office, thousands of plans that are really only plans. That is what I am trying to tell you.

Hon. A. F. GRIFFITH: I am not talking about anything of that nature. Here we have a Bill relating to the subdivision of certain lands in the Canning district, for certain rights, roads and reserves in that district, and for other purposes. The plan referred to in the Bill is here, and I think the Chief Secretary would be better off if he did not interject, because he obviously knows nothing about it.

Hon. Sir Charles Latham: But he often gets away with it!

Hon. A. F. GRIFFITH: I must admit that I do not know whether this plan was on the Table of the House. But I have the Minister's file, and on it are copies of plans marked A, B and C, and the one I am dealing with at the moment is plan C, which refers to the Bentley Park Estate. To use the Minister's own words, some of the new lands in this vicinity have not been referred to in the Bill, having been excised from the plan because the State Housing Commission has not yet finalised the acquisition. The plan was prepared in 1950, and it does not matter whether it was prepared by the Town Planning Board or not. It is now before Parliament, and the subdivisions that are shown in the plan incorporate some of the new lands that were recently resumed by the State Housing Commission. Although they are not to be considered under this Bill, if members will look at the plan they will find that this area, according to the plan, has roads marked upon it.

My further point is this: If the State Housing Commission decided to give some of this land back—and a road had been planned through it—what would the department say? Would it say, "The road must stop there, because we have decided to give this man back his land"? Obviously

the department would not say that. My point is that the department had no intention of giving back any of the land. The plan was made and the land has been resumed, and those resumptions will stand. I do not know what the Chief Secretary is talking about when he refers to plans being prepared by the Town Planning Board and not being adhered to. I do not think he knows what he is talking about.

The Chief Secretary: Unfortunately he does.

Hon. A. F. GRIFFITH: I cannot understand it.

The Chief Secretary: That is right.

Hon. A. F. GRIFFITH: Perhaps. I could have an explanation of it. As I remarked a few moments ago, houses have actually been built on this land, and roads pass through some of it. I am not so sure that when the Bill is passed the State Housing Commission will build some of these roads. It may find that it will have to close some.

The Chief Secretary: Parliament will have to do that.

Hon. A. F. GRIFFITH: Well, Parliament will have to close some of the roads by Act, and the State Housing Commission will have to close them by manual labour, because houses and land are there now. I am interested in the Government's attitude towards the appeals that have been made, and I would like to know before I give the Bill my support.

The Minister for the North-West: Concerning these areas?

Hon. A. F. GRIFFITH: Yes. I will hold out the plan for the Minister to see.

The Minister for the North-West: They are adjacent. Are some of the appeals you are talking about concerned with land mentioned in the Bill?

Hon. A. F. GRIFFITH: No. How could anyone, by the wildest stretch of imagination, think that? The Minister for the North-West should know that any person whose land is resumed under the State Housing Act—and where the Public Works Department acts as agent—is given 60 days in which to appeal. How could it apply to land resumed as far back as 1946?

The Minister for the North-West: That is what I am trying to point out to you.

Hon. A. F. GRIFFITH: This is land which has been excised from the plan and this is the land which the Government has replanned. I suggest that when it is replanned—

The Minister for the North-West: It will be done.

Hon. A. F. GRIFFITH: —the Government will have to replan the whole of it, and I suggest that the Government had no intention of taking any notice of appeals in regard to any portion which has now been excised.

The Chief Secretary: That is your opinion.

Hon. A. F. GRIFFITH: I am not the only one to hold that opinion. Look at Coolgardie-st. It starts at Fremantle-rd. and goes right through the area. If the Government decided to hand back land in the middle of the area, that road would have to be closed and I do not think the Government has any intention of doing that.

The Minister for the North-West: You are only thinking that; you do not know.

Hon. A. F. GRIFFITH: I want an answer to that question.

The Minister for the North-West: You will get it.

Hon. A. F. GRIFFITH: I want some assurance that the Government will take notice of these appeals that have been made.

The Chief Secretary: They will be dealt with on their merits.

Hon. A. F. GRIFFITH: The Chief Secretary always comes in, and sometimes at the wrong time.

The Chief Secretary: That is bad on my part!

Hon. A. F. GRIFFITH: Yes. I will repeat the case of a person, in this district, who bought a house on a half-acre of land. He paid £500 deposit, and the State Housing Commission resumed his land and gave a builder permission to erect another house right next door to the one that was already on the half-acre of land. Yet the Chief Secretary says that each case will be dealt with on its merits! Does the Chief Secretary think that there is any merit in allowing one man to build a house on another man's land, simply because a resumption notice has been served on the original owner? That is not a laudable action for the Minister in charge of the department to take. The Chief Secretary remains silent because he cannot answer these questions. Yet he interjects, and says that each case will be dealt with on its merits. In speaking to this Bill I have taken the opportunity to discuss the position because the measure deals with land resumptions.

The Minister for the North-West: Your Government undertook all these things.

Hon. A. F. GRIFFITH: I know. As the Minister said when he introduced the Bill, the land was acquired by private negotiation.

The Minister for the North-West: And resumption.

Hon. A. F. GRIFFITH: But the Minister's Administration did not purchase any of the land by private negotiation. The Act has not changed, but the method of administering it has. Land is no longer resumed on the basis of negotiation; the

basis now used is hop in and grab what you want and let the man that owns it go to Jericho.

The Minister for the North-West: No. It is to give them back their houses, and you know it.

Hon. A. F. GRIFFITH: And give them back their land?

The Minister for the North-West: Some of it.

Hon. A. F. GRIFFITH: What about the land that was sold for £3,360 before the man who owned it had been paid? Does the Minister suggest that the State Housing Commission will pay that man £3,360 for the land that was resumed?

The Chief Secretary: No.

The Minister for the North-West: The position has not yet been finalised.

The PRESIDENT: Order! I must ask the hon. member to address the Chair. The Chief Secretary can speak to the Bill and the Minister for the North-West can answer the queries when he replies to the debate.

Hon. A. F. GRIFFITH: The Minister knows that the man who owned that land will not get anywhere near that sum in compensation.

The Chief Secretary: He will get the true value of the land at the time it was resumed.

Hon. A. F. GRIFFITH: At the date it was sold? A man no longer has the right to hold land which belongs to him. I am told that in Great Britain there are 51 different ways in which a man's land can be acquired. I suggest the Government has used the wrong method. Surely the man in the case I mentioned is entitled to dispose of his own land! He was holding it for that purpose.

The Minister for the North-West: Right for one Government and wrong for the other!

Hon. A. F. GRIFFITH: No. I do not intend to labour this subject, but when the Minister replies I would like my questions answered. The Minister for the North-West can confer with his colleague in another place, the Minister for Housing, and that will enable him to answer my queries. I know that the Canning Road Board will be quite happy about this because it will be enabled to clear up difficulties which have existed for some four or five years—ever since the plan was first made.

The Chief Secretary: We have to clear up the mess made by the previous Government.

Hon. A. F. GRIFFITH: Surely the Chief Secretary would not consider that an intelligent remark!

The Chief Secretary: About as intelligent as a lot of others I have been listening to.

Hon. A. F. GRIFFITH: The Chief Secretary's remark was most unintelligent. For his information, the Canning Road Board has had this plan since 1948, and it has been under consideration since then. A remark such as the Chief Secretary made is just too silly. However, I will leave it at that and reserve my decision on the Bill until the Minister has replied to the points I raised.

THE CHIEF SECRETARY (Hon. G. Fraser—West) [5.30]: I always seem to put a spoke in at the wrong place. But I must say now that the hon. member did not get the meaning of my interjections concerning the plan. I interjected and said that I could show him thousands of plans that have been drawn up, not one of which had been implemented. It does not matter whether they are drawn up by the Town Planning Board or anyone else, they are not always approved. I wanted to know from the hon. member whether the plan he produced is an approved plan, or whether it is one of the many plans that have been drawn up. Whether a plan is drawn up by the State Housing Commission or anybody else, where it is so drawn for the purpose of subdivision it must be approved.

Hon. A. F. Griffith: I told you this was the Minister's plan.

The CHIEF SECRETARY: I was only asking whether it was an approved plan, and in doing so I heaped coals upon my head. As I have said, no matter who prepares a plan, it still has to be approved.

Hon. A. F. Griffith: Surely you would not present a Bill to Parliament asking for the revestment of land to the Crown without an approved plan?

The CHIEF SECRETARY: I would not know what Governments would do; at times they have been known to do funny things. The fact remains that when plans have been drawn up, they still have to be approved.

Hon. A. F. Griffith: What about laying this plan on the table of the House?

The CHIEF SECRETARY: I do not know that that would improve matters.

Hon. Sir Charles Latham: We would know more about it than we do now.

The CHIEF SECRETARY: Apart from what I have said, the hon. member tried to introduce into this debate matters that are foreign to it.

Hon. A. F. Griffith: Oh no they are not!

The CHIEF SECRETARY: They may be a bit allied to it.

Hon. A. F. Griffith: More than a bit.

The CHIEF SECRETARY: The hon. member referred to a builder being given permission to build on another person's land. I think it might be a case of a little knowledge being a dangerous thing. I would ask the Minister in charge of the Bill to obtain the information for the House, because I know the hon. member has mentioned the same case on one or two occasions. There is, however, a story attached to it; and I hope the Minister will not go on with the Bill tonight, but that he will let the House have the full story.

Hon. A. F. Griffith: I am pleased to hear that.

The CHIEF SECRETARY: I only wished to emphasise the fact that many plans may be drawn up, but all of them are not necessarily approved.

Hon. Sir Charles Latham: Many come but few are chosen.

The CHIEF SECRETARY: That is so. I have no knowledge whether the plan on the file which the hon. member has is one which has been approved, or whether it is some other.

Hon. A. F. Griffith: All I know is that it is the plan the Minister gave me, and I must take it to be the right one.

The CHIEF SECRETARY: The Town Planning Board may draw up a plan, but has no power to implement it. It may be the Canning Road Board that would have to implement that plan; it may be that road board which has to build a number of the roads on that plan. It may be a gazetted road; if it is, it is the Canning Road Board's responsibility. If it is not a gazetted road, it is for the subdivider to put the road in. Accordingly there are a number of angles in relation to these plans. There is quite a lot in planning about which the hon. member might not know anything. I am mainly concerned about information being given on some of the points raised. The hon. member referred to £3,000 being given in one case, but I would be very surprised if the person concerned received that amount. I would not be surprised however if he obtained a fair price on the value of the land on resumption.

The action taken by the State Housing Commission on the land concerned is what will enhance its value, no matter what the Government does. The land is bought; a price is given at its true value; and, if it is sold for a shopping site or something else, that must naturally enhance the price of the land. It does not matter whether negotiations take place before or after resumption. If the person is not satisfied with the price, then the land is taken by resumption. The person concerned will get the same price whichever method is adopted. However, I hope the Minister will be able to supply some of the information asked for by the hon. member.

On motion by Hon. F. R. H. Lavery, debate adjourned.

BILL—PUBLIC SERVICE ACT AMENDMENT.

Second Reading.

Debate resumed from the 26th November.

HON. C. H. SIMPSON (Midland) [5.37]: This is a very simple Bill. The necessity for it arose on account of the decision of the present Public Service Commissioner to retire from, I think, the 28th February next. As the Government desires to examine the question of appointing a board rather than a single commissioner to succeed him, this Bill has been brought down to give the right of appointment for a temporary period—I think it is for 12 months and not longer—in order to fully investigate the merits of a board being entrusted with that particular duty.

It is the only thing that could be done. It gives the Government breathing space to examine that aspect; and, having covered the position for 12 months, it is then competent for Parliament to consider any amendment to the Public Service Act, in the creation and appointment of a board in the place of a single commissioner. This House would have an opportunity to examine that proposal when it is brought forward next year. The Bill enables that arrangement to be made, and I support the second reading.

Question put and passed.

Bill read a second time.

In Committee.

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

BILL—NATIVE ADMINISTRATION ACT AMENDMENT.

Second Reading.

Debate resumed from the 26th November.

HON. H. L. ROCHE (South—in reply) [5.42]: I must thank members for the manner in which they have received the Bill. As I have said, it is self-explanatory; and its reception by members proves it deals with a small matter that should have been attended to long ago.

Question put and passed.

Bill read a second time.

In Committee.

Hon. L. A. Logan in the Chair; Hon. H. L. Roche in charge of the Bill.

Clause 1—agreed to.

Clause 2—Section 2 amended:

The MINISTER FOR THE NORTH-WEST: I move an amendment—

> That all words after the word "Provided" in line 7, page 2, be struck out and the following inserted in lieu:—"that any person of the full blood or of less than the full blood descended from the original inhabitants of Australia who has served in the Territory of New Guinea or beyond the limits of the Commonwealth of Australia as a member of the Naval, Military or Air Forces of the Commonwealth and has received or is entitled to receive an honourable discharge; or who has served a period of not less than six months' full time duty as a member of the Naval, Military or Air Forces of the Commonwealth and who has received or is entitled to receive an honourable discharge, shall be deemed to be no longer a native for the purpose of this or any other Act."

The purpose of my amendment is to cover those ex-servicemen who did not go out of Australia, but who served for some time in the regular branches of the services. In my second reading speech, I said that I might amend the Bill to include the wives and children, but after discussion with the Department of Native Affairs I have decided not to move in that direction. It would entail a number of complications. For instance, all families do not live together. Some of their children are spread out in different parts of the State; and, of course, they may not be fit and proper persons to be given full citizenship. On the other hand, it is possible they may. There would be tremendous difficulty in sorting them out, and it was considered to be impractical. I think the amendment will more fully cover Mr. Roche's objective.

For the information of the Committee, I would like to give some figures concerning the number of persons who would be affected by the Bill, and the number who would be covered if the amendment were carried. Any who join the regular services from now on and serve for six months therein would be entitled to citizenship provided they had an honourable discharge or were entitled to one. The number known to the Native Affairs Department who enlisted for overseas service with the armed Forces during the second world war was 97. Of that number, 30 saw overseas service and 60 did not leave Australia.

Hon. C. H. Simpson: Is that from Western Australia?

The MINISTER FOR THE NORTH-WEST: Yes, only Western Australia. Of those who served outside Australia, six were killed in action; one died of illness in a prisoner-of-war camp; and 15 of the remainder applied for and were granted citizenship on discharge from the services. Of the remaining eight returned men, who have since produced evidence that they possess only a quarter native blood, and are therefore not now regarded as natives in law, two are single and have never applied for citizenship rights, and two are married with six children in all and have not bothered to apply. Two applied for citizenship, but the cases were adjourned through the non-attendance of the applicants and they have not approached the Clerk of Courts for a re-hearing of the case. Of those two, one is single and the other has a wife and four children.

Since August, 1945, four natives have joined the Australian regular army. One has been granted citizenship rights; two have been granted exemption; and the other two, who joined in March 1951, are still serving in the State. So it will be seen that not a great number are affected. I suggest that as these men have been in the services, they are all fit and proper persons to be citizens.

Hon. H. L. ROCHE: I have no objection to the amendment.

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

Title—agreed to.

Bill reported with an amendment.

BILL—DRIED FRUITS ACT AMENDMENT.

Second Reading.

Debate resumed from the 18th November.

HON. H. K. WATSON (Metropolitan) [5.51]: This Bill is designed to amend the principal Act of 1947, which was introduced at the request of the Australian Dried Fruits Association, which is the growers' organisation in Western Australia and throughout Australia. I understand that the association contains 98 per cent. of the growers in Australia and 100 per cent. of those in Western Australia. The principal Act was introduced at the request of that association, so that the Commonwealth Dried Fruits Export Act could function. All that is required of the Dried Fruits Board established under the Act is that it shall set up and police the home consumption quota. The object was to ensure that every grower, through his packer, would have a fair share of all the markets, both high price and low price.

I understand that the method of operation is that all the production and market figures are collected and supplied by the Australian Dried Fruits Association to the consultative committee, which is a committee representing the four State boards concerned; and that committee, on the strength of the information supplied, declares the home sales quota as a percentage of the pack. In Western Australia this is more or less a nominal task, and the Dried Fruits Board costs the growers 5s.

3d. per ton of fruit produced. Having regard to the very precarious condition of the dried fruits industry in this State, that seems to me to be a rather severe charge for the more or less negligible service provided.

Hon. H. L. Roche: How much would that amount to in the aggregate?

Hon. H. K. WATSON: It would amount to somewhere between £600 and £1,000.

The Minister for the North-West: It would be one-sixteenth of a penny per lb.

Hon. H. K. WATSON: I understand that on one or two occasions, when the official consultative committee has seen fit to ignore the recommendation of the growers' association, the growers have suffered as a result. It has been suggested to me by one of the largest growers in the State that, having regard to the more or less nominal duties of the board, and to the fact that it really acts on the recommendations of the growers' organisation—the Dried Fruits Association—if it were practicable, the ideal arrangement would be to dispense with the board created under the Act and simply let the Act provide that the Minister, at his discretion, and on the advice of the growers through the Australian Dried Fruits Association, should have power to declare a percentage of the pack that may be marketed in the State of production in any one year, the interim and final percentage to be declared from time to time.

Hon. H. L. Roche: How many growers have asked for that?

Hon. H. K. WATSON: I understand that quite a number of growers are interested in it.

Hon. H. L. Roche: It is a step towards socialisation, is it not?

Hon. H. K. WATSON: The board really acts on the advice of the growers; it is not in itself an effective board. If the growers' association makes a recommendation, it virtually becomes a nominal declaration; and, inasmuch as the growers' organisation carries on with a levy of 3s. per ton, it is suggested that the 5s. 3d. per ton which the board costs is a burden, having regard to the present state of the market.

Hon. L. Craig: Does the board enter into contracts of sale?

Hon. H. K. WATSON: No, the association does that. The Bill proposes that dealers shall be required to have annual registration. In passing, I might mention that there is no provision in the Victorian Act for dealers. The only persons entitled to carry on in the industry are growers, packers, and processors, and there seems to be some doubt as to the efficacy of having dealers in the market. I gather that the dealer, having regard to the peculiar set-up of the industry, can exploit the position and override the general organisation of a limited home consumption disposal and excess disposal overseas.

Regarding the further provision of the Bill—that is, to extend the powers of the board—I suggest that those powers, so far as inspection is concerned, might well be left as at present. The Bill provides very extensive powers for the board to enter all sorts of places—such as wharves, packing sheds and farms—and conceivably the board could have power to enter a grower's home. We should hesitate before giving the board authority to appoint inspectors for that purpose. I believe that the reason behind the move is that some time ago there was an allegation that a considerable quantity of dried fruit was brought in from another State, and depressed the sales of the local market. The board made efforts to trace the fruit, but unsuccessfully. The local branch of the Australian Dried Fruits association was called on to look into the matter, and it was found that the alleged importations were over-stated.

If the board is to increase its staff and appoint inspectors to search the property of growers, among other things, with a view to inspecting the fruit there, I think that is going a bit too far. The original Act gives the board extensive powers, most of which have not been exercised. The powers it has to protect the grower's interests, and so on, have not been exercised. It would almost seem that the board that is now being set up is of a punitive nature, and that it will harass growers and others interested in the industry. I am not going to oppose the Bill, but I doubt whether all of its provisions should be retained.

On motion by Hon. L. C. Diver, debate adjourned.

BILL—STATE GOVERNMENT INSURANCE OFFICE ACT AMENDMENT (No. 2).

Second Reading.

Debate resumed from the 25th November.

HON. H. HEARN (Metropolitan) [6.2]: I support the Bill. It is a good idea to extend the provisions of the Act to secondary schools, particularly when we bear in mind the nominal amount that is charged. I hope that the State Insurance Office will come out of this all right; because, since securing the adjournment of the debate, I have made inquiries concerning a similar type of insurance in the Eastern States, and I find that on a premium of £1 per year the loss ratio is 60 per cent. The charge here is a nominal 3s. 6d., so I hope that the State Insurance Office will come out of the scheme all right, financially. If it does, it will certainly be doing a good job for the public of the State. The Bill will have the effect of extending the insurance over a wider area. I intend to vote for the second reading.

HON. SIR CHARLES LATHAM (Central) [6.4]: I support the Bill. It would be difficult to argue that we should not make these facilities available for every school. I do not know whether the terms of the Bill will apply to the senior students of the university, but in any case it is wise that we should extend this scheme to cover all those children who are under parental control. To my mind it is essential that we should protect the children, particularly those in the country districts. The casualties with respect to children going to and from school are not many. I can remember only one very serious accident, and that occurred at a railway crossing near Toodyay when a number of youngsters were seriously hurt. Generally speaking we have been extremely lucky in this regard. I understand the amount involved is 3s. 6d. per year, which is a very reasonable sum. I am sure that the scheme will provide a very good protection to the parents. I whole-heartedly support the Bill.

Question put and passed.

Bill read asecond time.

In Committee.

Hon. C. H. Simpson in the Chair; the Chief Secretary in charge of the Bill.

Clause 1—agreed to.

Clause 2—Section 2 amended:

The CHIEF SECRETARY: During the course of the second reading debate, Dr. Hislop wanted to know whether it would be possible to cover university students. I have discussed the matter with an officer of the State Insurance Office, and he told me there would be no objection to having them included. I do not know how we can amend the Bill to cover them. Many of these people are getting up to the adult stage and some of them drive motorcars or ride motorcycles. I would like the State office to have the power to cover these students now, but I do not think we can amend the Bill in that direction. The Act will have to be amended. Possibly an extra section might have to be inserted.

Hon. J. G. HISLOP: I think it is possible to amend the Bill to do what we want. If we retained the word "child" it would limit the university student to 21 years of age, but if we altered it to "student" or "scholar," and added the words, "or attending the university," the provision would be reasonably workable. On the other hand, if this proves too difficult, I would be quite happy to let the Bill go through as it is and rely on the assurance of the Chief Secretary that the matter will be considered, and an amending Bill brought down next session.

The CHIEF SECRETARY: I would prefer to deal with the matter now rather than delay it for 12 months. I shall investigate the position to see what are the best amendments for us to include in the Bill.

Progress reported.

BILL—TRAFFIC ACT AMENDMENT (No. 1).

On motion by Hon. A. R. Jones, Order discharged.

BILL—MINING ACT AMENDMENT.

Second Reading.

Debate resumed from the 25th November.

HON. C. H. SIMPSON (Midland) [6.11]: The Bill deals with two matters, the first of which is to provide for an extension of the area for the prospecting of diamonds. The present area, as set out in the Act, is 300 acres, and the Bill seeks to extend it to 5,000 square miles. As the Minister explained when introducing the measure, steps have been taken by a syndicate to secure the services of a qualified expert from South Africa with the object of prospecting territory in the Nullagine district. The Bill gives the necessary scope for an investigation of that kind. There is no objection to the amendment, which is a reasonable one. The operations of the syndicate would not interfere with any existing tenements; and it would be quite competent for those who are prospecting for gold, or anythng else other than diamonds, to continue their operations in the area even though the right to prospect for diamonds was reserved to the syndicate.

The remaining three clauses of the Bill deal with a very different matter; namely, the coal mining industry. The Bill seeks to repeal Section 316 (4) of the Mining Act and to amend Sections 323 and 324, the amendment of these last two sections being complementary to the repeal of Section 316. The effect will be to alter the set-up in connection with the right of appeal from the decisions of the Coal Industry Tribunal tó the State Arbitration Court. That right exists now, but the proposal is to make the Coal Industry Tribunal the final court of decision by removing the right of appeal that has hitherto existed. The reasons given for the proposal are that—

(a) The Coal Industry Tribunal is an expert body specialising in coal problems.

(b) The Arbitration Court does not possess the necessary expert knowledge.

(c) We have the example in the Eastern States of the Joint Coal Board which is appointed by the Commonwealth and which does not have its decisions reviewed.

(d) The decisions of the coal boards of Queensland and New South Wales are not subject to appeal.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. C. H. SIMPSON: Before tea, I had explained that the second proposal in the Bill now before us is to remove the right of appeal, on behalf of litigants, from the decisions of the coal tribunal at Collie to the Arbitration Court; and that the reasons which were given by the Minister were, briefly, that the Coal Industry Tribunal was an expert body specialising in coal problems; that the Arbitration Court did not possess such expert knowledge; that the Joint Coal Board appointed by the Commonwealth did not have its decisions reviewed; and that the decisions of the coal boards of Queensland and New South Wales were not subject to appeal. I was just on the point of explaining that there was another interpretation of those claims.

This is the general background: There has been a special industrial authority for the coalmining industry at Collie for some years. It was first established under the National Security Regulations, and was known as the local coal reference board. There was a right of appeal to the central coal reference board of the Commonwealth, now known as the Coal Industry Tribunal. In 1949 the State Act was amended to provide for the W.A. coal industry tribunal to function on lines similar to those of the coal reference board at Collie, which was established under the National Security Regulations.

This was really legislation to prepare for the changeover that would be necessary when the National Security Regulations expired. Those regulations were in fact declared invalid by the High Court in March, 1952, and so the machinery created by the 1949 Act was then all ready to be put into operation, and the necessary part of the Western Australian Act was proclaimed in April, 1952. As there could be no right of appeal then to the Federal authority, provision was made for a similar right of appeal to the State Arbitration Court.

It should be noted that there has always been a right of appeal from the industrial authority at Collie, and this is merely reverting to the position which obtained before the National Security Regulations applied to Collie. In the other States the local coal authorities having power to make awards provide the right of appeal to the Commonwealth Coal Industry Tribunal. Our Mining Act gives only a limited right of appeal to the State Arbitration Court. It is first necessary for the appellant to get the consent of the president of the court and that power has been invoked only four times in two and a half years. In September, 1952, leave to appeal on margins was granted and the appeal was partly allowed. In 1952 two appeals were allowed on the question of seniority. In one case the union agreed that the coal tribunal at Collie had been in error and the President of the Arbitration Court gave an award by consent. In the other case, although the union was invited to submit evidence, it declined to do so and the appeal was allowed by default. The fourth application was refused by the president of the court.

In 1952 the President of the Arbitration Court laid down the principles on which he would grant leave to appeal. The cases were Nos. 152 and 153 and the first consisted of the Amalgamated Collieries, the Griffin Coal Mining Company and Westralian Collieries, appellants, v. the Collie Miners' Union, respondents, while the second was Amalgamated Collieries, the Griffin Coal mining Company and Westralian Collieries, appellants, v. the A.E.U., Collie, the A.S.E., Collie, and the Industrial Union of Workers, respondents. I will read that judgment because it throws light on the position. In his reserved judgment given on the 10th September, 1954, the President of the Arbitration Court said—

> In these applications the employers seek an order permitting a decision of the Western Australian Coal Industry Tribunal given on the 14th August last to be reviewed by the court and pending review an order staying the operation of the decision. The applications are made under Section 323 of the Mining Act, 1904-1948 which reads as follows:—
>
> > (1) The President on the application of any party to the reference within one calendar month of any decision may permit any decision or settlement given or effected by the tribunal to be reviewed by the court and pending such review may by order stay the operation of the decision or settlement.
> >
> > (2) On any such review the court may re-hear the whole or any part of the industrial dispute or matter in respect of which the decision or entitlement was given or effected and determine the same.
>
> This section was introduced into the Mining Act by amendment in 1948 as part of Division 1 of Part XIII of the Act. That Division provided for the setting up of a Tribunal, to be known as the Western Australian Coal Industry Tribunal, to deal with all industrial disputes and industrial matters in the coal mining industry. Except as provided by Section 323, the decision of the Tribunal is final.
>
> Division 1 of XIII was not proclaimed until the 7th April, 1952, and this is the first application under Section 323. It is important therefore

that on this occasion I should indicate what, in my view, are the principles to be applied by the President of the Court when deciding whether or not to permit a decision of the Tribunal to be reviewed by the Court.

It will be observed from Section 323, that Parliament did not give to a dissatisfied party a right of appeal to the Arbitration Court as a matter of course. It provided in Subsection (1) of Section 323 that a review of the decision of the Tribunal could only be heard with the permission of the President. I think the proper inference to be drawn is that Parliament intended the President to have a discretion to refuse the right of review if he considered that the application was a frivolous one or that the subject matter of the Tribunal's decision was of a relatively trivial nature or a matter of minor importance. On the other hand, if, in the opinion of the President, the decision of the Tribunal involved a question of considerable importance to the parties or the public, then I think it clear that it is the President's duty to permit the decision to be reviewed. Perhaps there is one proviso to this statement. Even if the matter were of considerable importance, no doubt the President should refuse leave if the decision of the Tribunal was plainly correct and it would be a mere waste of time and money for the Court to review it. . . .

Regarding the claim that the Coal Industry Tribunal possesses specialised knowledge which the Arbitration Court would not possess, if such cases related specifically to technical matters it is unlikely that the president of the court would allow leave to appeal to be granted. However, in the determination of broad industrial principles relating to industry generally, it is the function of the Arbitration Court, which possesses specialised knowledge in that regard—knowledge which is not in the possession of the W.A. Coal Industry Tribunal; so it is desirable in such decisions affecting the economic situation of the State, that the Arbitration Court should have the final say. The Arbitration Court is the custodian of the public interest and it would be wrong for a tribunal governing fewer than 2,000 workers to be able to effect conditions of employment affecting 175,000 workers governed industrially by the Arbitration Court.

Hon. H. Hearn: It could have a great many repercussions.

Hon. C. H. SIMPSON: Coalmining is a basic industry and the decisions of the tribunal affect almost every other industry in the State. If the right of appeal were removed, the tribunal could be faced with the hearing of basic wage inquiries and the fixing of its own basic wage. It would not be possessed of the specialised knowledge and economic evidence necessary to handle such matters, yet its independent decisions could set standards inconsistent with those set for workers by the Arbitration Court, which is the regular industrial authority. In any case there is an employee representative on the Arbitration Court bench, so the interests of the worker are safeguarded.

In regard to the Joint Coal Board and the Queensland and New South Wales tribunals and their comparable rights of appeal, the actual situation is as follows: The Joint Coal Board is an employer engaged in the production and distribution of coal. It has wide powers but does not fix working conditions and it is not an industrial authority. The Queensland coal board is also a distribution authority. The Queensland local coal authority, which is the industrial authority, is subject to right of appeal to the Federal Coal Industry Tribunal, so the rights of appeal are preserved.

New South Wales is the main coal-producing State, and the New South Wales Government and the Commonwealth Government passed complementary legislation to allow the Commonwealth Coal Conciliation Commissioner to deal with interstate and intrastate disputes. Section 41 of the Commonwealth Act originally provided that the Joint Coal Board had power to order decisions of local coal authorities to be reviewed. An amendment, No. 61 of 1951, now provides, in Section 4 of the Commonwealth Act, that an appeal from a local authority may be made direct to the tribunal. This makes the New South Wales procedure similar to that now operating in this State.

In Western Australia, appeals may be made from the State tribunal to the Arbitration Court, and the president has the right to say whether he will hear the appeal. Therefore, if Clauses 3, 4 and 5 of the Bill are passed, there will be no right of appeal in this State, although in New South Wales and Queensland those rights will still exist.

The Minister for the North-West: Yes, but to which authority?

Hon. C. H. SIMPSON: In one case, to the Commonwealth authority; and in the other, to the Commonwealth Coal Industry Tribunal.

The Minister for the North-West: But not for arbitration.

Hon. C. H. SIMPSON: No, it is a right of appeal. In conclusion, I can see no reason why these proposals should be accepted to give the Collie Coal Miners' Union sectional privileges which are denied to other sections of workers, the result of which could be gravely embarrassing not only to the Arbitration Court in regard to decisions made by it of a general character, but also, quite possibly, to other sections of industry. So, while I am prepared to support the first

two clauses of the Bill, for the reasons I have given, I am opposed to Clauses 3, 4 and 5 which affect these rights of appeal.

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

BILL—BETTING CONTROL.

Second Reading.

Debate resumed from the 26th November.

HON. W. F. WILLESEE (North) [7.47]: I support this Bill, which proposes to legalise and control betting within our State. In my opinion, the present laws are hopelessly inadequate, and that has been proved time and time again. I believe the present situation needs remedying, and that Parliament should take action on the lines indicated in the Bill. If betting were legalised and people were able to bet without subterfuge, the fear of the law would be eliminated and it would be a better system than that at present obtaining.

There has been considerable opposition to the Bill, one of the major arguments advanced against it being the failure of betting shops in South Australia. From all the evidence we have received, it is quite true that South Australia has experienced complete failure in regard to the establishment of betting shops in that State. However, I feel that it is a poor argument for us in Western Australia to say that because a system in South Australia has failed we cannot place something better on the statute book, or cannot attempt to control betting in this State. The lack of proper administration has been the reason for the failure of betting shops in South Australia, but there is no reason why that failure should be repeated in this State.

The mere fact that the investigating authority in South Australia—a committee which deliberates on the pros and cons of whether a betting shop shall be established in a given area—found that in 90 instances only one place—Port Pirie—was suitable for the establishment of betting shops and refused its permission for them to be established in the other 89, indicates that that body is an anti-betting committee. Surely we cannot believe that, although it refused permission for the establishment of betting shops in 89 instances, no betting goes on at those centres.

Much has been said about betting being a social evil. But what is a social evil? Surely a person who bets in moderation is no more committing a social evil than a person who drinks in moderation! Over the years, there has been a great deal of confused thinking on what might have been, at the time, termed a social evil. In England, in 1541, laws were passed prohibiting people from playing tennis. Would one call tennis a social evil? We certainly would not do so today. In the seventeen hundreds, bowls were prohibited.

Hon. L. Craig: A very dangerous game!

Hon. W. F. WILLESEE: A dangerous game, I know. So confused was public thinking at that time! One would hardly credit that prize fighting was illegal. It could not be said that those indulging in it were not prosecuted vigorously by the police. As we know prize fights went on and were supported by titled people as well as by ordinary individuals. Prize fighting took place in fields, barns or anywhere else where the opportunity could be taken to evade the law. In 1749, the British Parliament agreed to a lottery so that funds could be obtained for building Westminster Bridge. In 1850, it became necessary to take action to ascertain what the position was in regard to all the various avenues of entertainment that were considered by the Government of the day to be wrong. So evolved the Gaming Act of 1850, which in the main provided that if a game of skill were engaged in, money could be wagered on it.

I believe that the English Gaming Act was written into our statute book, and portion of it is embodied in our Criminal Code. In 1928, England licensed bookmakers betting by telephone and totalisators on the racecourse. In 1952, permission was given to extend the betting facilities. So over the years these so-called social evils have been progressively made legal. Sport passed through a phase until the stage was reached when it was accepted by the public, received public approval, and eventually Parliament acceded to the wishes of the people.

A social evil does not exist if a person does not endanger himself or his family by over-indulging in it. A bettor does not feel that he is breaking the law. He does not think that he is committing a wrongful act if he invests his money by betting on a horse any more than if he spends it on a glass of beer or invests it in oil shares. He is entitled to spend his money in his own way and in his own right. I will cite an instance that occurred at the W.A.T.C. racecourse recently when the Governor presented a trophy to the owner of the winning horse, and standing alongside him was a jockey from the Eastern States. There was nothing wrong in that. It seems to me just too silly to say that the thousands of people present on the racecourse that day were doing something wrong. The Queen herself sent a horse from England to America within the last few weeks to compete in an international horse-race.

Hon. H. K. Watson: On a point of order, Mr. President, I understand that, in accordance with our Standing Orders, it is not in order for any hon. member to refer to Her Majesty in the course of debate with a view to influencing the decision one way or the other.

The PRESIDENT: You may proceed, Mr. Willesee.

Hon. W. F. WILLESEE: Very well, Mr. President. I will now turn to phases of betting in Western Australia which will perhaps be a little nearer home. We have three phases of betting that affect the overall position in the State. We have betting on races in the metropolitan area, in the country and on the principal racing events throughout Australia. Under the betting system operating in the country, it is physically impossible for a man, say, at Broome, Mt. Magnet, Cue or Geraldton to be on a racecourse on a Saturday to bet, even if he were legally entitled to do so. I see no reason why those people should not be permitted to bet in a betting shop in the country, or by telephone, without its being illegal. Mr. Craig covered fairly well the position of a person in the country who, as a result of the publicity given to racing events through the Press and over the radio, is able to bet on any horse that he chooses.

It is only natural that a section of the people will desire to bet. Why should they have to do so under an illegal system? I am sure there is no immoral intent by those people or the thought of doing something wrong. To cite an instance of how much goodwill is behind racing in the country, I have here a booklet issued by the Wiluna Sports Committee regarding a gymkhana held on the Wiluna racecourse in October this year. Some of its regulations make quite good reading. For instance, No. 4 reads as follows:—

> For the purpose of this gymkhana, a horse is a body of meat with a leg on each corner, a tail at one end, has two ears, two eyes, and a mouth at the other end.

Regulation No. 5 goes on to state—

> No person is allowed to give any stimulant, intoxicating or otherwise to any horse but may give all intoxicating liquor to officials, while the other may be used to lay the dust.

Another regulation reads—

> It will be unlawful for any owner:—
>
> (a) to dig toeholes for horses at starting point;
>
> (b) to allow jockeys to carry a battery of less than 5,000 volts.

These are the people who commit a social crime because they want to bet. A further regulation reads—

> This Committee reserves the right to vary this programme to suit themselves and will not take into consideration the public, the Government or the Taxation Commissioner.

On another page it says—

> Change will be short—make sure you will not be requiring change on the course.

Some of the names of the horses racing were as follows:—

> Mr. Potter's World Record, by High Jump out of Startled.
>
> Mr. E. Gerick's Surplus, by Stock out of Warehouse.
>
> Mrs. Bremner's Strides, by Jeens out of Economic.
>
> Mrs. Horsfall's Hi-ho, by Jack Davey out of Redex.

On the last page appear these words—

> This page particularly reserved for the use of the misinformed punter.

The entire proceeds of that gymkhana went to the Wiluna district hospital, yet the people who congregated on the Wiluna racecourse and who had a bet broke the law. I think the people of Wiluna represent many sections of people throughout the State who desire some entertainment in the form of sport. It could be tennis or golf; but some people prefer racing.

In considering legislation that will affect racing in the metropolitan area and the principal racing clubs, serious thought must be given to the possibility of the attendance at the principal racecourses being affected. We would have to be very careful not to endanger those clubs with betting shops established in the metropolitan area. On-the-course betting must be given every chance to flourish. That is something which the board to be constituted will have to watch very closely. In the metropolitan area there is a greater volume of betting, and there is the problem of overcoming that position. But under present conditions, the legislation, as it affects the metropolitan area, is hopelessly inadequate.

In a daily newspaper of the 3rd November, 1954, there appeared a photograph of several hundred people grouped together listening to the Melbourne Cup, which was run on the 2nd November. They were listening in groups, as thousands of others were doing in Australia. The majority of the people in that photograph had some monetary interest in the Cup, either in the form of sweepstake or investment. They were breaking the law by betting and they were also breaking the traffic law.

Hon. N. E. Baxter: You assume they were.

Hon. W. F. WILLESEE: I assume so. Nobody thought those people were doing wrong, and nobody in that group felt guilty. Suppose one person out of that group wanted to have a bet on Saturday and walked down a side lane—by so doing he would be breaking no traffic law—and placed a bet with a bookmaker. He could be picked up and fined for obstructing the traffic. In the one case, when he had obstructed the traffic on Tuesday nothing was done; but when he did not obstruct the traffic on the Saturday he could be arrested and fined for an offence which he did not commit. On both occasions he

placed bets. Mr. Heenan gave an instance of what happens in the country where the stooge accepts liability for the bookmaker. Everyone in court knows it is a farce and that the wrong man is convicted; yet it goes on all the time. It is a subterfuge.

Hon. F. R. H. Lavery: Some people would like that to continue.

Hon. N. E. Baxter: Would such a position not continue under the proposed legislation?

Hon. W. F. WILLESEE: It would if the legislation was not properly policed. It must be recognised that betting would be much better off if conducted in legalised shops. The licensees of the shops would know that they would be under review in three years, and there would be a tendency for them to be on the alert. I do not say that the betting shops should be places where people could loiter. We do not want women to sit in them all day and peel their potatoes, or to see children crying outside. A betting shop should be a place where a person could lodge his bet and get out. A great deal of betting will be done over the telephone and I think that is the most admirable way of betting. Once a person had established credit with a bookmaker, a great deal of his betting could be done over the telephone, and so the need to enter a shop would not arise.

One must not be unmindful that television will be introduced into this State in a few years' time, and the incidence of betting by telephone will increase because television tends to keep people home and give them a keener interest in racing. There would be no need for them to go to betting shops. There is always the type of person who does not wish to, and cannot go to racecourses. I do not think it is the function of government to force people to bet under a particular set of circumstances.

I feel that the bookmakers themselves, over the years, have not relished the idea of betting outside the law and being called on to appear frequently before magistrates. If they do not appear in court, they have to go through the rigmarole of getting stooges to accept the blame for the offences. If off-the-course betting were legalised, bookmakers would be happier, and would be able to conduct their business in their own rights, and the stigma of betting outside the law would be removed. I do not think for one moment that we can stop betting in this State, but I do think the present rule-of-thumb method has allowed betting of a sort to continue with a certain amount of hypocrisy in its make-up. If this Bill fails, and a move is made to bring in legislation to stamp betting right out, there will be a danger of driving it underground.

If off-the-course betting were uncontrolled it would create myriads of small bookmakers consisting of the baker, the butcher and others, and there would be hit-and-run bookmakers just as there are hit-and-run motorists. The thing would be a shambles. It will then become a greater menace than it is today. If the move to legalise betting shops caused general deterioration, I would be the first to disagree with it. But, in my opinion, if an honest attempt is made, off-the-course betting will be successfully controlled.

If we tackle this problem from Parliament, not through the Commissioner of Police, and not blaming the bookmaker or the punter; if we say, democratically, that we will deal with this in a forthright manner through Parliament; and if that parliamentary outlook is impregnated clearly into the wording of the Bill; then I do not see why this problem cannot be tackled with success. I feel that if the people who constitute the betting fraternity in this State amount in round figures to 50,000, the legislation would be entitled to some fair trial. I do hope that rather than condone the present situation we will take this opportunity to deal with the problem in a forthright manner; that it will prove successful; and that the approach to it will meet with the success it deserves. I feel that this House has a great opportunity to demonstrate decisively what this Bill can mean to the State.

HON. C. W. D. BARKER (North) [8.8]: I also support the Bill. Before making any reference to it, I would like to quote an extract from the Institute of Public Affairs Review, Victoria, which contains a speech made by the Prime Minister. If we bear in mind what he is trying to portray in a few short sentences, we will get a fair working basis for this Bill. He said—

> What we need in Australia, what is needed in all free countries, is a body of men who don't set themselves up to say that the government is always right or that the government is always wrong, because, speaking as one with a fairly long experience in these fields, I know, nobody better, that a government is not always right, that if a government can feel that it is right most of the time, and what's much more important, always feel that it was honest about what it did, even if it turned out to be wrong, that is as much as any mortal man in public affairs may aspire to.

Before dealing with the merits of this Bill, I compliment the Government on its courage in dealing with a matter which has for so long been referred to as a problem of high magnitude. The courage and enterprise of the Government is more praiseworthy when one recalls that in 1948 the McLarty-Watts Government appointed a Royal Commission into betting matters; but despite the fact that the Royal Commission made certain recommendations,

the Government did not make any attempt to implement them. It neither had the courage nor the desire to introduce legislation to control betting.

Hon. L. Craig: Did not the extract you just read point out that all Governments try to do their best?

Hon. C. W. D. BARKER: It did. I am complimenting the present Government on its attempt to do its best.

Hon. L. Craig: But what did you say about the McLarty-Watts Government?

Hon. C. W. D. BARKER: It did nothing; nor did it have any desire to do anything.

Hon. L. Craig: So you do not give it credit for doing its best?

Hon. C. W. D. BARKER: When a Government does not try to do anything how can it be doing its best? A Government cannot be complimented for doing its best when it does nothing to bring down legislation.

Hon. A. F. Griffith: You are taking a non-party attitude to a non-party Bill.

Hon. C. W. D. BARKER: It is a non-party Bill. Is it pricking the hon. member's conscience that the Government he supported in those years did nothing about this problem, although it went to the trouble of appointing a Royal Commission which made recommendations, that were ignored by the Government?

Hon. A. F. Griffith: Do not shout at me; I can hear you.

Hon. C. W. D. BARKER: I do that because I want the hon. member to hear me.

Hon. L. Craig: I am protesting against your attitude after you have read this high falutin' stuff.

Hon. C. W. D. BARKER: Was that extract not educational, and could it come from a higher source?

Hon. L. Craig: As long as you mean what you say.

Hon. C. W. D. BARKER: I do mean what I say. In congratulating the Government in bringing down this legislation, I am sincere. When I say that the McLarty-Watts Government did not have the courage or the desire to introduce similar legislation, I am sincere also. I hope that satisfies the hon. member. Turning to the Bill, its first objective is to remove the hypocrisy which exists today in regard to betting. Without question, that aspect should be looked into and some facilities for off-the-course betting should be granted. It should be made legal. When there is a public demand and outcry for such facilities, then the Government should do something about it.

Hon. N. E. Baxter: Where has the public outcry come from?

Hon. C. W. D. BARKER: No one in the House will dissent from the view that the present position is not only a farce but a disgrace to this Parliament. Everyone will agree that the position is disgraceful to this Parliament, and something should be done about it.

Hon. N. E. Baxter: It is a disgrace to many Parliaments in the world.

Hon. C. W. D. BARKER: It is well-known that off-the-course betting operates in all forms at present, by post, telephone or telegraph, and in open betting shops in several country centres. Nothing could be more farcical than the situation where we have the turf club and the trotting club constituted by Act of Parliament that register bookmakers to bet while betting is illegal.

Hon. Sir Charles Latham: And your Government taxes them.

Hon. C. W. D. BARKER: Does not that make it more absurd? It is illegal; yet bookmakers buy tickets bearing the Treasury stamp. There is no Act of Parliament making that legal, but the Government is now taking steps in the hope of legalising these things. The Bill represents an attempt to give legal facilities for off-the-course betting. I am opposed to the collection of any tax on winning bets. The measure that imposed that tax was one of the most unfair pieces of legislation ever introduced by any Government. As the Minister explained, a man could pay £5 or £6 in winning bets tax and leave the racecourse a loser. If the Bill be passed, I believe it is the intention of the Government to abolish the tax on winning bets, and I shall be pleased when that is done.

Hon. A. F. Griffith: What about the entertainment tax?

Hon. C. W. D. BARKER: That does not enter into consideration under this Bill. When I was so rudely interrupted, I was about to say that it is farcical to have racecourses for galloping and trotting and then permit illegal betting on the course. Equally farcical are the methods adopted by the police, as has been explained by several members, in prosecuting people engaged in illegal betting for obstruction under the Traffic Act.

There is undoubtedly a great demand by the public for off-the-course betting facilities. I believe that everybody realises this, and I cannot for the life of me see how it can fairly be described as a social evil. I think it is a folly for anyone to bet; I do not believe that anybody can beat the bookmaker. Rather than stigmatise it as an evil, we should call it a folly.

Hon. N. E. Baxter: Have not you ever tried to beat the bookies?

Hon. C. W. D. BARKER: Probably everybody has tried to do so. There seems to be a streak in our make up which has probably been handed down to us and which imbues us with a desire to have a flutter.

The other night Mr. Watson used the phrase, "Betting like the Watsons" and said he would like to know where the term originated. It originated with Sir Eric Watson of the Midlands, where I come from who, on the turn of a card, lost the Watson estates. Hence the saying, "Betting like the Watsons." I do not know whether the betting streak has been handed down to our Mr. Watson, but I would be prepared to bet the hon. member that this Bill will be passed.

Betting has secured such a hold of the people, not only in Australia but also in other parts of the world, that it cannot longer be ignored. I find that the annual betting turnover in Australia is £549,000,000, which is equal to £68 for every man, woman and child. That sum is almost equal to the expenditure on social services, and it does not include all the illegal betting, and does not take into consideration two-up, housie-housie and other forms of betting. Consequently there is no room for argument that a big demand for betting facilities does exist.

As much money is spent on gambling as on liquor. In the last 10 years we have only doubled the consumption of liquor, which now represnts 21 gallons per head. The most significant addition to the gambling turnover is that Tasmanian Tattersalls has been transferred to Victoria. People in Victoria are spending £250,000 a week on Tattersalls sweeps, and that does not take into account the postal business. There are five draws each week and for one lottery 80,000 tickets were sold over the counter. That shows how great is the demand for these facilities. New South Wales and Tasmania have operated lotteries up to a value of £75,000.

The PRESIDENT: I suggest that the hon. member connect his remarks with the Bill.

Hon. C. W. D. BARKER: I am pointing out how much money is being gambled and what a great demand exists for betting facilities, and I humbly submit that my remarks are relevant to the Bill. An attempt has been made to control betting, not only in Australia but also in England. There it is possible to bet legally by telephone, telegraph and post, or to place a bet on the racecourse with a bookmaker or with the tote. It is nothing for a bookmaker there to pay out as much as £30,000, as one did on the horse that won the Derby in 1952.

Betting has taken such a hold of the people that the demand can be no longer ignored. The question we have to ask ourselves is: Which is the best form of betting and which are the best facilities to provide for the people? Are we going to throw it open holus-bolus to the people and tell them to bet where they like? That is not the intention of the Government, which is desirous of having legislation that will permit of the exercise of some form of control. Whether betting shops would be the best solution of the problem, only time will tell. If the measure becomes law, we shall have an opportunity to answer that question by means of trial and error.

We should take into consideration the remark by Mr. Willesee; the racing clubs in the metropolitan area must not be overlooked. We might find it advisable to insist upon betting shops in the metropolitan area being closed at 1 o'clock. Some people may think it would not be wise to have betting shops in the metropolitan area where people could congregate, but that we should have them restricted to betting by telephone, telegraph or post. On the other hand, betting shops will be the only answer to the problem in the country. As a matter of fact, that will not mean any difference because such shops already exist in the country. However this is a matter that should receive serious consideration.

If we look closely at the recommendations of the Royal Commission, we must appreciate that it would not be possible to operate totalisators.

Hon. N. E. Baxter: Why?

Hon. C. W. D. BARKER: How could a tote be operated with a race being run in Sydney at 12 o'clock and another in Melbourne at 12.5? How could a tote be operated in our sparsely populated areas? The telegraph and telephone facilities would not be available and that would rule out the possibility of operating totalisators. People who do not understand the operating of totes consider that all that is necessary is to have a lamp like Aladdin's that need only be rubbed and then one has what one wants. The running of a tote is a complicated affair, and the complication is increased when we bear in mind that people in Western Australia are keenly interested in Eastern States racing, particularly at carnival time and in the weight-for-age races where the top jockeys are battling to be on top. All these considerations attract people and lead them to bet on Eastern States races.

However there is opportunity to provide facilities for people to bet off the course, but I must stress the point that this matter needs careful consideration. For the country, betting shops are the answer; for the metropolitan area, I would leave it the board to decide. We should give due consideration to the race clubs in Perth and perhaps insist upon betting shops being closed at 1 o'clock. After that hour, people could bet by telephone or telegraph. In the metropoltan area, telephone betting might be the best form, but I would not be opposed to betting shops provided they were closed at 1 o'clock.

I believe that the race clubs would do their part. In my opinion, they could provide better and cheaper facilities for people to go to the racecourses and see the racing. All the racecourses in England have flats to which the people are admitted for a charge of about 1s. They are able to buy a racebook and get some beer; and I think the clubs here need to consider providing a flat for similar patrons. If the Bill be passed, the clubs could attract patronage by reducing the entrance fee considerably, especially in view of the fact that they would be receiving a certain amount of money from the taxation to be collected under this measure.

Parliament ought to be prepared to face up to this responsibility, particularly as it is proposed that this legislation shall have a duration of only three years. During that time it would be on trial. The bookmakers would know that they were on trial and the betting shops would be run with a view to securing an extension for a further period. For these reasons I do not think we have anything to worry about. In the country, where people cannot attend a racecourse but still love to have their little bets, facilities should be provided by way of betting shops.

I cannot understand why anyone should oppose the Bill. It represents a genuine attempt to control betting and to make it something decent instead of something in which people indulge in disregard of the law. I trust that the measure will pass the second reading, and that in Committee consideration will be given to the matters I have mentioned.

HON. J. MURRAY (South-West) [8.30]: I rise to speak on a Bill which is designed to authorise, regulate and control something which I term a social evil. The term "social evil" is qualified to some degree by the extent to which people indulge in it. I do not think anything is this world is evil unless it is done to excess; I am not a prohibitionist, but I believe in temperance in all things. Before applying myself to the Bill in general, I would like to draw attention to the fact that the Government has stressed that this is a non-party measure. Had the Government given an assurance that this Bill had been treated in Caucus in a manner different from any other Government Bill, I would have felt far happier about accepting the assurance. In my view the Government, in introducing this legislation and calling it a non-party measure, has done so knowing full well that other parties, prior to the introduction of this legislation, have said that this subject should be treated in that way. Under those circumstances, the Government felt that sufficient support might be forthcoming to ensure the passage of the Bill.

The Chief Secretary: Are you suggesting that I told lies when I said that it was a non-party Bill?

Hon. J. MURRAY: I am not suggesting that the Chief Secretary told lies, but I am suggesting that he is guilty of a terminological inexactitude. Mr. Barker had something to say about the Government's courage in introducing this legislation. I fail to see why the Government should claim that it has had courage in introducing a measure such as this, simply because a previous Government lacked the courage to do it.

The Chief Secretary: The Government has not done that.

Hon. J. MURRAY: The Government is supported by those areas of this State in which, if a plebiscite on this Bill were taken, support for it would be forthcoming. Therefore there is no political courage attached to the introduction of this legislation.

The Chief Secretary: The Government did not suggest that there was.

Hon. J. MURRAY: It did by way of interjection, and members who have spoken in support of it have intimated that. I intend to deal with this Bill at some length; in doing so, I shall read some extracts from the Royal Commission on betting. But before doing so I wish to touch on some remarks made by Mr. Jones. He raised a doubt as to whether there has been any great demand for this legislation. I would probably answer, "No." But it would be eroneous to suggest that there has been no great demand from various sections of the people for an alteration of the existing circumstances. The question was viewed with such political importance in 1946-47 that the McLarty-Watts policy speech contained this stirring promise, "We will appoint a Royal Commission to investigate s.p. betting, etc." This portion of the speech was not passed over lightly but was stressed wherever and whenever it was considered that political advantage could be gained from it.

Since then the question has been taboo and political parties of all colours have been prone to turn a deaf ear to it. How alive the question has been kept can be gathered from the fact that the W.A. Turf Club and the Trotting Association, immediately the Government suggested doing something about the matter, had proposals ready and sought a hearing by way of a deputation. If my memory serves me rightly, as regards the question of pressure, I think the matter was discussed at some length at the last two annual conferences of the Country & Democratic League. Surely we are not going to deceive ourselves by saying that there is no demand for something to be done in this matter!

I was surprised to find that the Chief Secretary, by way of interjection—and other members supporting the Government said the same thing when Mr. Baxter was speaking—suggested that the Bill contained no provision for credit betting. I do not know whether the Chief Secretary had not read the Bill or was not quite awake that night; but the Bill does contain definite provisions for credit betting. I am not sure whether the Chief Secretary still wants to dispute the fact or not; but the provisions are contained on page 5 of the Bill in a description of what it means to bet, and also in paragraph (b) Subclause (3) of Clause 14 on page 14.

This is a question, I consider of major importance, and I used the expression that it was a social evil. Following those lines, I feel that the correct approach would have been by way of an all-party committee endeavouring to evolve legislation to meet the situation. Members who intend to vote against this Bill should, if they have no concrete alternative proposals to offer, ask for a select committee or an honorary Royal Commission to deal with the matter even at this late stage.

As regards considering this a social evil, let us examine what was said at the Royal Commission. I intend to read these extracts because, as I have already stated in this House on many occasions, I believe that select committees and Royal Commissions are held and reports are submitted, but few, if any of them are really studied. As we have a grave responsibility in this matter I want to quote certain passages from the report. The passages I shall quote were those upon which the commission based its findings, and I hope to do the same. On page 19, column 1 of the report, appears the following:—

> Much evidence was given during the hearing as to the adverse social and economic consequences of betting, principally by representatives of the churches in Perth and Kalgoorlie, and by other social welfare organisations. On behalf of the Diocese of Perth, the views of the Church of England were expressed by the Rev. C. W. Norwood, and those of the other Protestant churches, as well as several kindred bodies, by the Rev. G. R. Limb, the Secretary of the Inter-Church Council for Social Reform. Their views were similar, and may perhaps be thus summarised in the words of Mr. Limb: "The Joint Council is opposed on principle to all forms of gambling and betting. It believes that gambling practices do not contribute to the sum of personal or communal happiness, but, on the contrary, contribute to much human unhappiness and misery, want and insecurity. It believes also that there is no sense in which it is necessary to bet in order to live a full and contented life." It was further argued by the churches that, in addition to its harmful social and economic effects, betting exercises a corrupting influence on individual character, owing to its encouragement of the baser and more selfish instincts of mankind, and its association with other social evils, such as drink.

The report continues—

> It is noteworthy, however, that none of the churches supported the total outlawing of all betting facilities and all of them advocated their restriction to the racecourse. Their attitude on this point, as expressed by Mr. Limb, is that the elimination of betting on the racecourse is an unattainable reform for the following reasons:—
>
> (1) There is a psychological necessity existing for those who have conditioned themselves to gambling practices, which is a factor to be taken into consideration.
>
> (2) Betting by many generations of custom has become indissolubly associated with horseracing, and it is doubtful whether any legislation would be successful in dividing the two.
>
> The view of the churches is therefore based on practical considerations. We again quote Mr. Limb: "Some social diseases cannot immediately be cured or removed from the community. Until such time as public opinion or ethical enthusiasm makes this possible, to localise the disease, to restrict its operation to certain defined and limited areas, might be the only attainable ideal."

Before going on with the report of the Royal Commission, I say that little has been done since 1948 when this Royal Commission was held. The churches have done little to crusade against this social evil. They, like others, in our midst, including politicians, were inclined to believe the least said soonest mended. I want to continue on this strain with regard to what was suggested before the commission about betting being a social evil.

With regard to its mandate, the Government laid down that it did not agree to legislation in relation to betting shops; that is one of the matters the commission was not supposed to inquire into. But it goes on to give reasons for declining to examine this position, and they are given along these lines which will be found on page 22 under the heading of "Legalisation of Betting Shops."—

> (1) The obvious desire of the Government of this State that the possibility of some form or forms of controlled betting, other than the licensing of betting shops should be explored.

In other words the Government of the day, in spite of the setting up of this Royal Commission, was not at all open to conviction that betting shops were the answer.

The report continues—

(2) The licensing of betting shops would encourage and increase betting. This was conceded by most of the witnesses who gave evidence supporting the proposal and is also strongly supported by the South Australian experiment. We feel that no proposal which would have such an effect could, under the terms of reference, be recommended.

(3) The personal contact with the bookmaker and with others intent on betting undoubtedly also stimulates betting and increases the likelihood of betting to excess.

The report goes on further to say—

(4) It would tend to create public nuisances, by the congregation of and loitering of people in public places in the vicinity of shops.

May I interpose for one moment that the Government has taken care of one aspect; namely, the loitering in front of betting shops. In continuing on this social evil, the report of the Royal Commission on page 23 sets out the following under the heading of "Legalisation of Betting in Streets and Public Places":—

> The legalisation of this form of betting was advocated in Collie, where it has been the accepted practice for a great number of years. It was also advocated in Perth by a body called the Metropolitan Sports Association which made a somewhat belated application for representation at the Commission. This body apparently comprises bookmakers who endeavour to operate in streets and public places in such a way as to avoid creating an obstruction, and thus to keep themselves outside the scope of the criminal law.
>
> On their behalf it was urged that, because of the popularity of this form of betting, the present laws be maintained, ...

I would say that in relation to betting the present law is the law of the jungle. The report continues—

> but that the law as to street obstruction should be administered more leniently towards the street bookmaker.
>
> There is little that can be said in favour of the street bookmaker. His business has all the evils of the betting shops and in his case, the obstruction and the public nuisance aspect which have a tendency to arise in the case of the betting shop, become almost inevitable, as his business is actually being carried on in public places. The abuses to which the legislation of this calling would tend to give rise are too obvious to require enumeration. In our opinion he is a pest to society and there is no good reason for his existence. This is the only State in the Commonwealth where his operations are not specifically prohibited and rigorously suppressed.

Finally with regard to that aspect I will turn to page 26 of the Royal Commission's report where the following is to be found:—

> We have referred to the fact that betting and gaming have presented a social problem which has been a matter of serious concern to the legislatures of many countries over some hundreds of years. Historically, the legislatures of British communities have seldom interfered with private gambling between individuals, nor do we consider that any such interference with personal liberty would be justified, such matters as private betting being a matter for individual conscience. So that, although the ethical approach has been urged on us, we think it will be agreed that pure ethics are not a proper basis for legislative interference. As has been pointed out in the reports of other Royal Commissions on this subject, the field of ethics is not co-extensive with the criminal law, in that there are many forms of conduct generally considered to be morally wrong which are not interdicted by the law, just as there are many matters on which the State legislates independently of any question of ethics.
>
> There is, however, a sharp distinction between action which involves interference with individual liberty, and action directed against a practice, such as organised exploitation of the gambling propensity for gain, which has produced, or is liable to produce, social effects which are detrimental to the community. The report of the English Commission of 1932 gives an intimation of the social consequences which should properly be taken into consideration by the State, which we adopt for the purposes of this report. They are: Impoverishment of homes, deterioration of character, inducement to crime, the prevalence of fraudulent practices, the loss of industrial efficiency, and public disorder.

The remarks continue at some length and conclude with the following words:—

> On the other hand, practical commonsense must be applied to the making of laws. To attempt too drastic a reform in the matter of betting would, we feel, be to act in the face of a large body of public opinion, would be doomed to failure, and would tend to bring the law into disrespect.
>
> We do not, therefore, recommend that the laws in force almost throughout Australia, whereby legal betting is

> restricted to the racecourse (the exceptions being Tasmania and a few country towns in South Australia) should be applied in this State. As we have indicated earlier, our recommendation will be that a form of off-the-course betting should be legalised.

That ends the social evil aspect of the Royal Commission's inquiry. In my view we should study the Bill along four major lines. Firstly: Do we honestly believe that betting can be completely wiped out? Secondly: Do we support the present-day apathy towards affecting a possible limited control? Next: Do we believe that this Bill will give a basis for effective control if soundly administered? If we do not believe there is some merit in the proposed legislation, what do we intend to do to regulate our responsibility to posterity? If we dealt with the Bill along those lines we might get somewhere. In relation to the first question I asked, I would turn to page 22 of the Royal Commission's report which states—

> Having regard to the impracticability of enforcing a total prohibition of all off-course facilities in this State, and while we feel that there might be many more profitable ways in which most of those affected might spend their time and money, we have come to the conclusion that legal betting facilities should not be entirely denied to them.

Having listened to the debate I feel that I agree with every member when I say that I do not support the general apathy that exists today. There is a general apathy that says, "Let it be and do nothing about it." I do not think members really support that general apathy. If they could slide out from under it they would, but they do not like what is going on. Thirdly, I asked: Do we believe that this Bill will give a basis for effective control if soundly administered? This is purely my view, but I do not believe that the Bill provides an answer. This view may be changed after I have watched the operation of the board, if this legislation goes through. The board will have many difficulties facing it. and it is by the method with which it deals with these problems that the real answer will be given to my question. At the moment when viewing this legislation I do not feel the Bill provides the answer.

It must be realised, however, that despite all the clauses in the Bill; despite the fact that the Bill gives the board, when set up power to make regulations with regard to the operation of the Act, when the Bill becomes law, the whole measure depends on the board. The board could be the reverse. I would like to have seen provision made that the board would be a good one; and of course, it could be compelled to regard some of the present-day operators and ensure that those who are carying on their business in a disreputable manner in back lanes, etc. should not get a licence. I do not know how that can be achieved. We should not allow present-day operators to obtain licences; because, by and large, they have all been breaking the law, and breaking it flagrantly.

It has been said that the Government had courage in producing this measure. I would say that the reverse was the case in the conduct of most of these operators—I am not referring to those who bet in offices by way of telephone, but to back-lane operators and shop bettors, who bet for cash. These men, in the main, operate as s.p. bookmakers, and they make quite a large profit. I do not think any of them will deny that that profit is made out of the weakness of their fellowmen. But when it comes to taking the rap in a court of law, who goes there? Is it the s.p. bookmaker? No! It is some unfortunate who is short of a few pounds who does so and, at the behest of these people, takes the rap.

Hon. A. R. Jones: Why do you say "unfortunate?" He is not forced to do so.

Hon. J. MURRAY: I said it was unfortunate because the man needs a few pounds and that is why he does it.

Hon. A. R. Jones: Would you sell your soul for a few pounds?

Hon. J. MURRAY: I would not; but these people do. Despite what has been said to the contrary in this House, and in spite of what the Royal Commission had to say on the matter, I believe that this question could have been progressively solved by the introduction of totalisators as the only medium for both on-the-course and off-the-course betting.

I know that Mr. Barker drew attention to the difficulties with regard to Eastern States betting, and they are real difficulties. But have we any responsibility to provide facilities for people to indulge in betting on Eastern States races? If it is necessary for a person to indulge in betting, then if we provide for legal facilities for him to have a few shillings on a race so that he has the added zest of being on the winner or the loser, surely that is enough, without our providing him with an easy way to bet on Eastern States racing!

Apart from that, Mr. Barker suggested that the reason for betting on the Eastern States races was the existence of top-line jockeys over there. But in my view there is no relationship between top-line jockeys and this question of betting. What does count is that betting on Eastern States racing is recognised by those people who bet as providing bigger and better odds, and they say that there are more triers in the Eastern States and form can be followed more successfully. My own view is that if totalisators were installed, the money that the race clubs

would get by way of their share of the deductions would ensure that the stakes were high enough to guarantee that all would be triers in this State.

The other point with regard to bigger and better prices becomes automatic. If there is a State-wide means of investing money, it naturally follows that, in the main, the dividend will be greater. I know that the Royal Commission did not support my view that a State-wide totalisator is necessary. I am not surprised at that; and the House should not be surprised either, after hearing the remarks of Mr. Teahan the other night. He said—

> The commission took pages of evidence from various sources, but the evidence given by those prepared to operate the totalisator system had to be discounted.

That was because they were out to gain.

Hon. Sir Charles Latham: There is no limitation on a totalisator.

The Minister for the North-West: No variation, either.

Hon. J. MURRAY: If the commission had viewed all the evidence by that yardstick—that it must be discounted if those giving it were out for gain—I suggest that it would not have brought in the report it did. I have gone through quite a lot of the report, and I would say that nine-tenths of the evidence was from people who had something to gain. If it was not financial gain, it was gain of another kind. For instance, street bookmakers in Collie, and the backyard bookmakers to whom I have referred, would not be concerned so much with the financial gain as with the raising of the social status, because the s.p. man who bets in a backyard is looked down upon, and the raising of his status is what he has to gain. Right through the evidence, it is plain that those tendering it had something to gain. So it was ridiculous for the commission to discard evidence put before it in support of totalisators just because the people who gave that evidence had something to gain if the totalisators were brought into operation as the only source of betting on or off the course.

It is well to recognise that the percentage taken out by the investor with the totalisator is very small indeed. Few private operators appeared before the commission; but from the evidence given to the commission by those that did, it would appear that the average profit of the s.p. operator is 25 per cent., which is quite a comfortable sum and well in excess of anything taken by the totalisator. I think I have covered in a brief way most of what the commission had to say with regard to the totalisator. It did cover to some extent evidence taken from the Posts and Telegraph Department which indicated the high cost of installing totalisators.

I have studied that evidence with a degree of interest, because I have believed for many years that the establishment of totalisators is the answer to this problem; and those who wish to give this matter the greatest possible consideration should examine that aspect very closely, bearing in mind that when legislation for the control of betting was suggested, the W.A. Turf Club and the W.A. Trotting Association, after an extensive examination of the position, and after obtaining all the matter that could be secured since 1948, were still, on the eve of the introduction of this Bill, prepared to finance the installation of totalisators throughout the State. There cannot be much wrong with the system if they were prepared to do that.

The Minister for the North-West: Would that not be a monopoly?

Hon. J. MURRAY: I am astounded at the Minister describing it as a monopoly.

The Minister for the North-West: I asked whether it was.

Hon. J. MURRAY: I will not concede that it would be a monopoly. It would be a high form of co-operation between the punters so that they could get their own money back, less a very small deduction. Let the Minister examine it from that angle. Apart from that, it must be clear, as has been said many times, that the totalisator is an impersonal medium of betting and removes many of the undesirable features of betting either in shops or otherwise.

Hon. Sir Charles Latham: And is influenced neither by horses nor men.

The Minister for the North-West: Is it not run by a company?

Hon. Sir Charles Latham: But the percentage is so small; 11½ per cent. covers everything.

The Minister for the North-West: But it is still a company which has a monopoly.

Hon. F. R. H. Lavery: It is still run for profit.

Hon. J. MURRAY: Not on 25 per cent.

Hon. Sir Charles Latham: You mean the company that runs them.

The Minister for the North-West: I thought you might have been talking of State totalisators.

Hon. Sir Charles Latham: I would not be surprised if the Government started them.

Hon. J. MURRAY: If Sir Charles Latham and the Minister have finished their conversation, I would add that from the installation of totalisators, taxation would benefit, race clubs would benefit, and owners and breeders would benefit by increased stakes and cleaner racing generally. The racing public would benefit because, as I mentioned earlier, the portion that the racing clubs got from

the totalisator would, in the main, be used to increase stakes. When the stakes got larger than they are today, it would become profitable for racehorse owners to go for the stake money without considering the betting side, as they do at present.

In dealing with the question of a State-wide tote, I move on to what I consider to be the best alternative. I feel a certain amount of regret at having to wind up with an alternative. The members of the Royal Commission also had some regrets at having to suggest that the evidence that was adduced was not sufficient for them to recommend the establishment of a tote. I still support a State-wide tote, because I feel it is the answer to the problem; but the Bill, unfortunately, does not provide for it, and so we cannot deal with it. We have to view this matter along certain lines. The final one is: If I believe there is no merit in the proposed legislation, what do I intend to do in liquidating my responsibility towards posterity?

Personally, I feel that the tote is the answer, but I cannot honestly say that there is no merit in the proposed legislation. Therefore, as an alternative to a State-wide tote, the next best appears to be a system of office betting in connection with the registration of a place—I stress "place"—in any district in which two or more operators are desired. I think that is an important point. We should get as far away as possible from the closed shop for cash betting. If the Bill becomes law, I believe that, while we should license operations by telephone, post, or the like, when it comes to the licensing of places, no shop should be licensed in a district where more than two operators are desired.

I am sorry to see that the Bill contains no provision by which the board shall be compelled, when considering the question of licences, to take into consideration the desires of the local authority. Five shops could be wanted in a district, whereas the local authority might consider that two would meet the case; or vice versa. Where two or more bookmakers are desired in a district, I believe that a place should be licensed, despite what Dr. Hislop had to say the other night in connection with a place he went to in South Australia. There was something entirely wrong with the statement made to us then. I do not know what the circumstances were; whether he was there just before a big race when, through the South Australian legislation, several bookmakers were calling the card. The statement made was that six or eight operators were calling the odds in a betting shop. That does not make sense to me.

Hon. Sir Charles Latham: That was in a shed in Tasmania.

Hon. J. MURRAY: In most cases, we have to put up with s.p. operators, and they do not call the odds. I would prefer a place out in the open to be licensed. It could be in some portion of a sports ground or the like, so that it would be under the close supervision of police officers. It is far more desirable for that to be done than to register shops where there is a tendency for people to congregate and loiter. I also believe that these places should be open for the taking of bets only up to 1 o'clock on race days if they are situated within 15 miles of the racecourse. This practice is, in the main, carried out in most country districts, and it has not presented any hardship to the local s.p. men for the simple reason that they go out and field at the race meetings. They are really only diverting people to the right place.

I also feel that if the Bill is to do what is intended—control betting—winning bets should not be paid until the next working day after the race meeting. In my view, this is the one thing which at present tends towards excessive betting by individuals. I am not referring to the big bettor, who would probably bet on a credit account.

Hon. F. R. H. Lavery: All the winners would have to take Monday morning off to collect their wagers. No one would go to work.

Hon. J. MURRAY: Not necessarily. What is to stop the bookmaker being there after 5 o'clock?

Hon. A. R. Jones: There are not many winners, anyway.

Hon. F. R. H. Lavery: There are some.

Hon. J. MURRAY: In my view, the broadcasts over the air, the drinking of a couple of spots, the collecting of the winnings and having Bill say that he has a certainty for the next race, all encourage excessive betting, with the result that up goes the lot, and it probably stays with the bookmaker. When we use the word "control," let us try to do something about it.

If we register these places, let us make sure that if they are within 15 miles of a racecourse they shall, on days on which race meetings are held, close at 1 o'clock; and that all winning bets are paid on the first working day following the race day. If this were done I feel certain that there would be a considerable reduction in the urge to bet, and that much of the irresponsibility would disappear. I agree with the Royal Commission when it included these words in its report—

> Our recommendations are made with the knowledge that repressive legislation in regard to betting can never be wholly effective. We feel that . . . the only real test of efficiency of a reform of the gaming law is actual experience in its administration. In the light of that experience, if our proposals are accepted, some defects and shortcomings may well be found in them. Nevertheless, we feel assured

that, if adopted and enforced, they will effectuate a very considerable improvement in matters relating to betting in this State.

I feel that the board, when it is established, should be charged with the duty of controlling betting off a racecourse in such a manner as is reasonably consistent with the welfare of the public generally, and the interests of all persons and bodies liable to be affected thereby. Therefore, I support the Bill, trusting that the best available men will be appointed to the board, and that they will fearlessly carry out their responsibilities in an endeavour to limit and not extend this social evil. I support the second reading.

HON. H. L. ROCHE (South) [9.29]: I shall vote against the second reading of the Bill because I am opposed to the principle of it. To my mind, it provides too little control and nothing to curtail what we have come to know as s.p. betting in this State. At the same time I am prepared to confess to some confusion of thought on the subject, as I am not a betting man. I have for a considerable time thought that a State-wide totalisator was the answer to the problem. My opposition to betting is based not on any high moral considerations, but on the fact that it seems to me to be something of a mug's game. The totalisator protects the investor, and it also ensures a return both to the racing clubs and to the community generally.

However, of recent times I have had reason to think that the totalisator in New Zealand—with such knowledge as we have of it—has not been as successful as I at one time imagined it to be. The operation of the totalisator in this State should not, to my mind, present much greater difficulty than it does in New Zealand; and rather than see this Bill become law I would prefer a continuation of the present state of affairs, bad as it is, for another year or two, until we are able to see just how the New Zealand legislation is working out and to what extent it is enabling the authorities there to control or eliminate illegal betting, which up to date has not been successfully achieved even in that country.

If the totalisator is not a workable proposition I would be prepared to see the Parliament of this State bring down legislation to eliminate off-the-course betting entirely. It has been said that that could not be done; but I am satisfied that if by means of legislation the police were given the necessary power, and the penalties were made adequate for both the illegal punter and the illegal bookmaker, off-the-course betting could be eliminated .

The Chief Secretary: America thought she could do that in relation to drink.

Hon. H. L. ROCHE: Let us stick to off-the-course betting for the moment. Possibly the Chief Secretary is an authority on all things, including drink, but I am not. While I am opposed to the second reading of the Bill, if this House is prepared to subscribe to the principle contained in the measure and agrees to the second reading, I, in turn, will be prepared to support the Government, during the Committee stage, in regard to any amendments that may be moved. This is a highly controversial subject, which has not been dealt with by any previous Government in this State—even when there were as good or possibly better opportunities. The present Government is taking the responsibility for this measure, and for my part if the principle is approved it can have the legislation in whatever form it wants it. I oppose the second reading.

HON. C. H. HENNING (South-West) [9.34]: This is a most contentious and difficult subject for any Government to legislate on. We have been asked to treat the Bill as a non-party measure, and rightly so. In other words, we have been asked to vote according to our consciences, and that should apply not only to this Bill but also to all legislation introduced into this House. Although there has been a lot of interest taken in this measure in the metropolitan area, I have found little or no interest being taken in it in the country. I have received two or three letters in relation to it from organisations in Perth, and one wire from somebody living in my province.

During the last three weeks I have been in five of the seven Legislative Assembly electorates which constitute my province, and the first person who spoke to me on this question said, "It is all going on at present and so I do not think it will hurt if it is legalised." The next said he did not like it and hoped I would vote against the measure. The third rang up yesterday morning and said, "Whatever is so-and-so doing voting for this legislation?"

Those are the only comments I have had brought before me in relation to this measure from within my own province, and I conclude that definitely means that, without any urging one way or the other, one can vote on this Bill according to one's conscience.

The measure seeks to authorise, regulate and control betting and bookmaking on horse-racing; and if passed, will certainly legalise something that has been going on for years. It will legalise the actions of a comparatively small section of the community, the actions of those bookmakers who have bet in the past, and and who will be lucky enough to be licensed and registered, as well as of those who bet with them. Bookmaking practices have grown considerably over the last few years, and nobody will deny that much of the

growth—probably at least 50 per cent. of it—can be attributed to the publicity given to racing not only by the Press but also over the radio. I was amazed to hear the figures given the other evening by the Chief Secretary when he stated that the greatest proportion of betting in this State took place on races in the Eastern States.

The measure will definitely regulate bookmaking, because it will divert those who desire to bet legally into certain defined channels, which will be the licensed or registered premises. But will it regulate or wipe out betting by those who are not licensed? Will it prevent betting by those under the age of 21 years? If it would or could do so we would require entirely different action to be taken by the law from what is being taken at present. It would definitely continue the set-up of what is a rich and powerful monopoly in the community or, as it was called the other day, a vested interest

What of those who are carrying on at present but who would not be licensed? I am referring to the present s.p. bookmakers. Would they be likely to go out and work in some other field for their living? I believe they would just go to some other street or backyard and set up in practice again; and if they did so, I think the law would have little more on which to prosecute them than it has at present. Such operators would be guaranteed certain support, which would come from those who, under this measure, would be debarred from betting; and here I refer to the persons under 21 years of age, of whom there are a great number at present patronising s.p. bookmakers.

After all, betting is only more or less a matter of backing one's opinion with money—staking one's opinion on certain contingencies. It is something that has gone on almost since the beginning of mankind; and I believe it is extremely difficult, if not impossible, to abolish gambling. Let us consider all the subjects upon which it is possible to bet: There is human prowess, at sport or at cards; the prowess of animals, even in such games as cock-fighting; dice to throw; two-up, and a host of other forms of gambling. Why are we endeavouring to legalise gambling only on horse-racing? I believe that two-up is the fairest game on which to gamble because one has an even money chance and if betting on the side one does not have to put anything into kitty.

I have seen a fair amount of gambling in my few years on this earth, and will probably see a great deal more; and again I ask: Why should it be only gambling on horse-racing that is legalised? After all, backing horses is probably the hardest gamble of the lot for the backer whose endeavour is to come out on the right side. Bookmaking is comparatively new in the history of the world, or at least new as compared with gaming and gambling generally. I believe bookmaking arose because the individual could not find somebody else to bet with, and that is when the middleman came in.

Bookmaking is now big business. The bookmaker is not a fool and conducts his affairs on business lines. He knows that with an average over a certain period the odds are in his favour, and that by accepting certain odds he can meet his liabilities and still make a profit. He has a great advantage, in that he is the man who dictates what the odds shall be. He is, of necessity, shrewd and wary, which those who deal with him definitely are not. He knows far more about the trainers, owners, jockeys and so on, and the general ability of the horses, than does the man who thinks he knows it all; and the odds, as dictated by the bookmaker, are always in his own favour. It has been said truly by previous speakers that no one is satisfied with the present state of affairs; but has anything ever really been done in this State to try even to discourage s.p. bookmaking?

Hon. Sir Charles Latham: If the police did their job, there would not be so much of it.

Hon. C. H. HENNING: Sir Charles has just interjected that there would not be so much betting if the police did their job. Members may recall reading recently of something that happens in the Perth Police Court every Monday morning, when everything is more or less arranged beforehand. The unfortunates who have been caught acting on behalf of the bookmakers just wander along, and what they will have to pay has been arranged beforehand. The position is just like that of the person who goes along to the owner of the premises, with the rent book. That state of affairs makes the law a farce as regards s.p. betting; and in my opinion that alone is the sole redeeming feature of this legislation, which will, if passed, authorise something which has been going on for years, and which the police have been absolutely impotent to stop.

However, what Act will they have to work under other than those we have at present in order to stop men who will be unfortunate enough not to be granted a licence or registration? I do not think the Bill will prevent those people from continuing to operate. Nevertheless, the measure seems to meet with the approval of many members in this House. Despite that, I consider that if some serious attempt had been made by the law to suppress s.p. betting, and it had then been found that it could not be suppressed, we might have had some reason to try to legalise it in a minimised form.

Hon. C. W. D. Barker: That is what we are doing here.

Hon. C. H. HENNING: A little while ago the hon. member said that he did not believe in interjections, and yet now he is the first to interject.

Hon. C. W. D. Barker: I have to put you on the right track.

Hon. C. H. HENNING: I do not think that there has ever been a reasonable attempt made to minimise s.p. betting. There is no provision in the Bill to show that every effort will be made to minimise it, other than to exercise some form of control.

Quite recently I read the aim of a very large organisation in this State which is the backbone of a political party. One of its objects is to promote and extend such legislation and other reforms as will secure justice for all. During the debate on this Bill I have heard nobody explain that if this measure should become law it will secure justice for all. I believe, nevertheless, that any law that we pass should prevent exploitation of the people by a few and should not be one that will encourage human weakness. If we pass this Bill I believe that we will be encouraging something that has caused and will continue to cause unhappiness, misery and want in hundreds of homes; not so much to the men and women who bet, but particularly to their children. For that reason I have no intention of supporting this measure.

HON. A. F. GRIFFITH (Suburban) [9.48]: A great deal has been said in this House and in another place on this Bill. I am sure that some members will appreciate that the contribution to the debate by the Minister when he introduced the Bill represented a well prepared and well considered speech. It was so well prepared that the Minister submitting it to the House felt that very little criticism could be levelled against the Bill. If one could use the Minister's speech as a basis of an argument for or against a measure one would not need to speak at all because the Minister's speech was not very encouraging or informative.

If one were to take the stand taken by Mr. Barker, who spoke earlier this evening, and who presented conclusive figures of the enormous amount of money that was expended on betting not only in Western Australia, but also in other States and countries, one could conclude that because of that Parliament should make it possible for people to spend that amount of money or even more in a legal manner. Mr. Barker stated that the amount of money spent on betting in this State represented £68 per head of population per annum, but I do not consider that that is any reason why this Parliament should say to the people of the State, "You may spend this money legally."

Whilst I do not propose to refer to what was recommended by the Royal Commission on betting or to what happened to South Australia or Tasmania—of which we have heard so much—one is entitled, basing one's remarks on the experience in those States, to prejudge, in a cautious manner, what could happen here if similar legislation were introduced. In my opinion, we should either say to the people of the State, "You may bet legally in s.p. betting shops"; or, "You may not bet and the police will enforce the law."

A great deal has been said about the farcical legal position at present, when men who are engaged in s.p. betting are charged with obstructing the traffic; and I am in agreement with those remarks. If it had been the desire of this Government, and of previous Governments, an amendment to the Act could have been introduced to give the police authority to enforce the law in an amended form.

Hon. C. H. Simpson: They have that authority now.

Hon. A. F. GRIFFITH: They have only the authority to charge people who engage in s.p. betting, with obstructing the traffic, and that charge is under the Traffic Act. It is a simple matter for members on both sides of the House to say that a previous Government ordered a Royal Commission on betting to be held, but that it did not have the courage to introduce legislation to legalise s.p. betting despite the findings of the Royal Commission. One could quite easily say that about all Governments in this State for the past 50 years.

Hon. C. W. D. Barker: That is true.

Hon. A. F. GRIFFITH: If it is, the hon. member should not try to make party points on what he himself has said is a non-party Bill. It appears to me, considering what has happened in the past, that application of the term "non-party" in connection with this Bill—whether it was introduced as a non-party basis or otherwise—is, "We are going to vote en bloc and you people can do as you like." I will be surprised if any member of the Labour Party votes against this Bill.

The Chief Secretary: That does not prove anything.

Hon. A. F. GRIFFITH: I agree; but the main thing in a question of this description is to say, in case there is any political risk, "Let us refer to it as a non-party Bill."

Hon. C. W. D. Barker: We have been told time and time again that we can do as we like.

Hon. A. F. GRIFFITH: It is very nice to know that the hon. member can do as he likes, but that is tantamount to admitting that at other times he does as he is told.

The Chief Secretary: People who live in glass houses . . .

Hon. Sir Charles Latham: There is not a better party hack than the hon. member.

Hon. A. F. GRIFFITH: My attitude towards the Bill is that if it were to receive general support; if it were to be introduced into the House and politics were left out altogether—

Hon. F. R. H. Lavery: Why do you not leave politics out of it?

Hon. A. F. GRIFFITH: Why does not the hon. member make his own speech?

Hon. F. R. H. Lavery: Well, leave politics out of it! You would not know how to speak unless you referred to politics.

Hon. A. F. GRIFFITH: If the hon. member has blown himself out, I will be quite happy to go on.

The PRESIDENT: Order! I ask the hon. member to continue with his speech.

Hon. A. F. GRIFFITH: If this measure were to become law, we would be permitting one section of the community to carry out its activities in a lawful manner, as Mr. Henning has already pointed out. However, let me take members back to 1927 when Parliament passed the Racing Restriction Act. The Title of that Bill was "An Act to prohibit racing by and between animals other than horses." At the time the Bill was introduced, Hon. Sir William Lathlain was a member of this House, representing the Metropolitan-Suburban Province. His remarks on the Bill are extremely interesting. On p. 1531 of Vol. 2 of the 1927 Parliamentary Debates he is reported as having said—

> "Speaking as an Australian, I must reluctantly admit there is one great weakness in our national life and that is the desire of a great majority of the people to indulge in gambling. Whilst it is the duty not only of those in the Legislature but of every right-thinking citizen to retard the progress of gambling, that can best be done by taking away facilities that present themselves."

Using that brief passage as a parallel, I say that by passing this Bill we are going to present a set of circumstances that that hon. member envisaged 27 years ago. If we do pass this measure, surely it should be the practice to introduce legislation to allow racing to be conducted between animals other than horses and to permit gambling on the events. Actually I do not know much about betting on racehorses or any other form of gambling from a professional point of view, but I venture to suggest that greyhound racing would not lend itself to any more machinations than now occur with horse-racing. We often read newspaper reports of men charged with doping a horse; or a jockey may be charged with interfering with other horses during the progress of a race. I suppose that the same abuses can take place in greyhound racing.

The Chief Secretary: Any amount of them.

Hon. A. F. GRIFFITH: That is admitted. Would there be any intention on the part of the Government to repeal the Racing Restriction Act? Do not let members be misled into believing that I am in favour of repealing it. Would the Government say that because off-course s.p. betting had been legalised, greyhound racing and whippet racing would also be authorised, and two-up schools would be authorised, and that certain premises in the city would be authorised for gambling at baccarat? Will that be the position?

The Chief Secretary: So far as the present Government is concerned, no. I do not know what future Governments will do.

Hon. A. F. GRIFFITH: I do not know if that is intended to be a clever interjection.

The Chief Secretary: That is a plain statement of fact.

Hon. A. F. GRIFFITH: I hope no Government would think of introducing such legislation. If we were to allow legalised starting-price betting, we might as well legalise the other forms of gambling. I am of the opinion that the Parliament of this State will start the State on a very bad course if this Bill becomes law.

The Minister for the North-West: Do you not think that illegal betting takes place at present?

Hon. A. F. GRIFFITH: I know it takes place. If the Minister had offered the interjection as to whether I agreed it was desirable, I would say no. This Bill is not the answer to the problem. I do not think that if a social evil crops up in our midst, we should legalise it.

The Chief Secretary: What method do you think the Government should adopt?

Hon. A. F. GRIFFITH: I do not profess to know the answer. I realise that the people in the country are entitled to have a bet on a horse, and I realise that they are at a great disadvantage. But because such a state of affairs exists throughout the metropolitan and country areas, must we say to a certain section of the community, "You may have licences to conduct starting-price betting shops?" To whom would we say this? I realise that the Bill provides for the setting up of a board. If the Bill became law, there is no doubt that such a board would have a great responsibility. But what type of men would be chosen for the board? Do the starting-price bookmakers operating in the metropolitan area and in the country think they will become the licensees? They might think that they are entitled to be licensees.

Having broken the law so long, and having been obliged to bet in motor-cars, in laneways, and other places, they might claim that they are the people with experience, and the ones to whom the licences should be issued, but I do not know what answer the board would give. As Mr. Henning asked, what is going to be the position of an s.p. bookmaker who is not granted a licence? Because he has not been given a licence, will he decide not to operate any further? I venture to suggest that a good many will continue to operate.

The Minister for the North-West: Not for long.

Hon. A. F. GRIFFITH: The Minister says not for long. Suddenly we find this anxious desire of the Government to put a stop to something.

The Minister for the North-West: Only to control something.

Hon. A. F. GRIFFITH: As I said, there is and has been nothing to stop this Government or any Government in the last 50 years from introducing necessary amendments to control betting as it exists.

The Minister for the North-West: Perhaps members of the present Government are more enlightened.

Hon. A. F. GRIFFITH: That has been the position, and there has been nothing to stop any Government introducing legislation, and nothing to stop any Government giving the Commissioner of Police the power and authority to do what he thought fit. The two-up school at Kalgoorlie has been closed.

The Minister for the North-West: This legislation has been introduced before.

Hon. A. F. GRIFFITH: I know it has. It is surprising to see the changed attitude of certain members of Parliament who had previously voted against a similar Bill, but are now prepared to vote for this one.

The Minister for the North-West: They have seen the light.

Hon. A. F. GRIFFITH: I do not intend to labour this question any more. I do not propose to support the second reading of the Bill. Whilst I am not happy with the present position, I do not think the Bill is the solution at all. If the Government, with the support of members on this side of the House or Country Party members, gets this Bill through Parliament, and it becomes an Act, then I repeat that a great responsibility will rest on the Government to see that this Bill does become "law." I suggest that a great deal of responsibility will be placed on the board to be appointed to administer the law. It does seem as if the Bill will become law, and all I can hope for is that the fears I have concerning the welfare of the community will be unfounded.

Hon. C. W. D. Barker: You are not game enough to accept some of the responsibility.

Hon. A. F. GRIFFITH: If the fears which I have, and which are shared by other members, that this Bill will be the start of a very unfortunate era in the community, prove to be correct, then I would say to the members who support this legislation that the responsibility will be theirs.

HON. E. M. DAVIES (West) [10.8]: I enter this debate with no practical experience of the question that is the subject matter of the Bill before the House.

Hon. H. K. Watson: Nevertheless, in a true non-party spirit.

Hon. E. M. DAVIES: If I could be any more of a party hack than the hon. member, then there would be some merit in his interjection. I support this measure because I believe it is a genuine attempt by the Government to deal with a question which is of the utmost importance to the community today. I have received some communications from people who are great supporters of the Christian Church, and I want to say to them that I respect their views because they themselves are not only opposed to this Bill, but to gambling generally.

For my part, I am sorry to see that some members utilised the Church for opposing this measure, but made no suggestion as to how the problem could be overcome, other than to maintain the status quo or to suggest that some Act be amended to enable the police to take more drastic action. It is surprising to me that those who have opposed the Bill, because they believe that it will in some way or other have some effect on the moral standard of the people, appear to think that the moral standard of the people will be affected only if the Bill becomes law.

It has been suggested that the fares in the bus, tram or train are so cheap and the admission charge to the racecourse so liberal that there is no reason why people should not go to the racecourse to do their betting. That just leaves me cold! If the establishment of betting shops is to have such a vast effect on the moral standards of the people, I fail to see how betting on the racecourse is going to have a lesser effect. Some people seem to have the idea that if a person goes to the racecourse, it is fashionable and indeed respectable, but that if he places a bet with an s.p. bookmaker, it is not respectable.

Hon. H. Hearn: People could not bet without a racecourse.

Hon. E. M. DAVIES: Some people seem to have two minds. They are very fearful of the moral standard of the people if they should bet with s.p. bookmakers or with those legalised under this Bill, but they consider it quite proper if a person bets on a racecourse. I cannot accept that at all. If the law is valid for one section of

the community, then it is good for the other. I am at a loss to understand the attitude adopted by some members. I believe this is a genuine attempt by the Government to deal with a problem that has been receiving consideration over a period of years, and the fact that it has brought down this Bill does not mean that the legislation is the acme of perfection, because the Bill can be amended in Committee. After it has run its term of three years, the Government can decide whether a continuation measure should be introduced, whether an amendment is necessary, or whether the legislation should cease to exist.

The Bill provides for the legalising of betting on and off the course and for the appointment of a board to control and regulate it. It also repeals the winning bets tax, which, in my opinion, was responsible for quite a number of people indulging in s.p. betting, who otherwise might have gone to the racecourses. It also provides that a bookmaker must hold a current licence issued by the board. If the premises are not conducted in a manner satisfactory to the board, the licence might not be renewed. Thus the bookmaker, in his own interests, would endeavour to conduct the premises on proper lines. The board would not be allowed to grant a licence to a person who was employed in any capacity for the sale of liquor.

This brings to mind the fact that if one wishes to indulge in beer and bets, one must go to the racecourse. There one may leave the bookmaker and go to the bar, and leave the bar and go to the bookmaker.

Hon. H. Hearn: Now one will be able to go from the s.p. shop to the pub.

Hon. E. M. DAVIES: The measure would not permit of anybody associated with the sale of liquor having anything to do with the management of a betting shop. There is also provision for the board to debar any person under the age of 21 from entering a betting shop. I do not suggest that this would have the effect of preventing all persons under the age of 21 from so doing because the provision would be difficult to police. A similar difficulty exists under the Licensing Act, which seeks to prevent a person under the age of 21 from obtaining intoxicating liquor. All we can do is to pass the law, and if people break it and are apprehended, they must pay the penalty.

Provision is made to prohibit anyone betting with or paying money to a person under the age of 21. This is something also that will have to be policed, and possibly in some instances the law will be broken. It is proposed that money shall not be paid to a person who is under the influence of liquor, and it will be an offence for a person to loiter in front of registered premises.

I ask members whether they are satisfied with existing conditions. When we look around and see the congregation of persons in front of certain places, down lanes and behind hotels, betting in front of children, would it not be better for betting to take place in registered premises that could be controlled? I venture to say this would be far better than the conditions that exist today.

The Bill even goes further by providing for a person to be placed on the prohibited list. A similar provision exists in the Licensing Act. So, with regulation and control, it will be possible to place on the prohibited list a person who indulges in excessive betting to the detriment of himself and his family.

Hon. H. Hearn: How would you define that?

Hon. E. M. DAVIES: The hon. member might inquire from the association of which he is a member and possibly he would get a legal interpretation.

Hon. H. Hearn: You cannot give it.

Hon. E. M. DAVIES: I do not profess to have had legal training or to have a legal mind, but I am endeavouring to explain the provisions that would be enforced under this measure. When Mr. Craig spoke a few nights ago, I thought that his approach to the Bill was very sound. We all agree, whether we like it or not, that betting will continue. Irrespective of where we go, in this State, in other States of the Commonwealth or in other parts of the world, betting is carried on in some form or other. I believe that the Government by this Bill is making a genuine attempt to control something that people have talked about for many years.

Hon. L. C. Diver: What about totalisators?

Hon. E. M. DAVIES: I cannot see that totalisators would alter the fact that betting was taking place. It was rather astounding to hear some members say that the Police Act or the Criminal Code should be amended so that action might be taken against offenders. Who are the people against whom action would be taken? Would the police go to the racecourse and arrest everybody there? Yet betting on the racecourse is no more legal than betting off the course.

Hon. L. C. Diver: Would not totalisators be better?

Hon. E. M. DAVIES: For certain reasons which have been mentioned, it would not be possible to have totalisators in all parts of the State.

Hon. L. C. Diver: An opportunity could be given to prove that.

Hon. E. M. DAVIES: Who would establish a totalisator in some of the country towns? If it is respectable and fashionable for people in the metropolitan area to bet,

there is no reason why people in the country should not have facilities provided for them. According to some members, the mere fact of amending certain Acts would lead to the stamping out of the evil that has been spoken of. I would not be a party to supporting one law for one section of the community and another law for another section.

I opened my remarks by saying that I had no practical experience of the subject matter of the Bill and I am not interested in it in any way, but I cannot see the logic of stamping out what is described as an evil only when associated with a shop, while on the racecourse it is quite all right. I believe that the measure, if it does not lead to an improvement, will not worsen matters very much. Provision is made for the statute to expire in three years.

Hon. H. Hearn: You are not looking for it to cease.

Hon. E. M. DAVIES: I think the hon. member knows what is set out in the Bill. The Government has taken the responsibility of introducing this measure. Whether members support it or not is a matter for their own consciences. We have heard some very good speeches both for and against the Bill. I take no umbrage at anything that has been said, but I have no sympathy for those who speak about the moral standards of the people being affected by betting in a registered shop while betting on a racecourse is quite respectable. That does not appeal to me.

During my recent visit to Kalgoorlie, I took an opportunity to visit a number of places known as betting shops and did not see anything to which exception could be taken. They appeared to be conducted in an orderly manner; there was no one under the influence of intoxicating liquor; there were no young children about. In one of the shops, I saw a woman, and in another shop I saw three women. There was no congregation of people outside the shops, and I believe that such a system would be far better than allowing betting as we know it today to continue.

We were told by Mr. Watson and Dr. Hislop of what they saw during a visit to Tasmania. Mr. Watson said that he entered premises in a back lane past some latrines, and Dr. Hislop said he heard bookmakers calling the odds. Well, bookmakers can be heard calling the odds in very loud voices on the racecourse, and I cannot see anything very detrimental in that. I, too, have been to Hobart and I took the opportunity to visit those places, and my experience was vastly different from that of the two members I have mentioned. I do not say that their statements were not correct—the conditions might have been different on the two occasions—but I found that operations were being carried on in a very orderly manner. I entered premises from the main street and not through a back lane. I saw no children about, and I saw no women on the premises.

Anyhow we have this problem of betting which has existed over a long period of years, which everyone has discussed and which nobody has attempted to deal with. The Bill is a genuine attempt by the Government to do something to improve prevailing conditions. If members believe that some amendments can be introduced to improve the measure, they will be quite at liberty to move them in Committee.

In conclusion, I trust that, if the measure becomes law and a board is appointed to control and regulate betting on and off the racecourse, it will be the means of bringing about an improvement on the conditions that exist today. With those thoughts in mind, I support the second reading of the Bill.

On motion by Hon. Sir Charles Latham, debate adjourned.

House adjourned at 10.31 p.m.

Legislative Assembly

Tuesday, 30th November, 1954.

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