is, however, only a temporary measure and not much relief has been afforded from the action taken. I was interested to read an item that appeared in *The West Australian* on the 24th February, 1964. It is headed, "New Barrier To Mosquito," and reads as follows—

> TORONTO, Sunday: A new insecticide which is death to mosquitoes has been developed at the University of Western Ontario.

The article goes on to explain the research that had been carried out in connection with this mosquito insecticide. I do not know whether the Department of Public Health has made inquiries concerning this matter, but perhaps it could do so to see whether this insecticide could be made available in Western Australia.

Various conferences have been held. I attended one at Belmont called by the department some 12 months or 18 months ago. Plans that have been submitted have been long-range plans. They have included the gradual filling-in of the river flats and reclamation work which will take up to 20 to 30 years to complete. We should look for something which will deal with the problem now, and we should do our best to eliminate the mosquito problem in the metropolitan area.

The Hon. G. Bennetts: A lot of them must be migrating to Merredin.

The Hon. H. R. ROBINSON: They have been particularly bad in the metropolitan area during the last two years.

Debate adjourned, on motion by The Hon. J. Dolan.

House adjourned at 5.5 p.m.

Legislative Assembly

Tuesday, the 11th August, 1964

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CONTENTS—*continued*

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

QUESTIONS ON NOTICE

CHAIRMEN OF GOVERNMENT BOARDS

Egg Marketing Board:
Mr. C. L. Harvey's Age at Time of Dismissal

1. Mr. GRAHAM asked the Premier:
   (1) What was the age of Mr. C. L. Harvey at the time he was dismissed from the position of chairof the Egg Marketing Board?

Ages

   (2) How many persons who are appointed by the Government to boards, trusts, commissions, committees and any other bodies whatsoever, and are still occupying those positions, are that age or older?
   (3) What are the names of those persons?
   (4) What positions do they hold?
   (5) What are their ages respectively?

Mr. BRAND replied:

(1) Believed to be 69 years.

(2) to (5) So far as I am aware, it has not been the regular practice of any Government in this State to require this information when appointments are being made, and the information is not therefore available. The question of fixing a retiring age is being examined by the Government.

SWAN RIVER

Prevention of Flooding in Upper Reaches

2. Mr. BRADY asked the Minister for Works:
   (1) Has the Public Works Department any long-range plan to avoid the annual flooding of areas of land in the upper reaches of the Swan River, particularly Bassendean?
   (2) Could the widening and deepening of the river channel overcome this annual flooding?
   (3) Is the draining of the eastern suburbs into the river aggravating the position?

Mr. WILD replied:

(1) Not at present, but in view of recent happenings an investigation will be made as soon as possible.

(2) No.

(3) No.

HOUSING IN MIDLAND AREA

Erection of Rental and Purchase Homes

3. Mr. BRADY asked the Minister representing the Minister for Housing:
   (1) Are any State rental homes or Commonwealth purchase homes to be built in the Midland Municipal Council area in the current year?
   (2) Is he aware a big demand for rental homes still exists in the Midland Municipality?
   (3) Are any homes being planned for Koongamia area?

Mr. ROSS HUTCHINSON replied:

(1) Yes.

(2) The recorded demand is from 28 applicants who will be progressively allocated one of the 80 rental units vacated each year, or of the five houses under construction.

(3) Yes—10.

WOODBRIDGE AGED WOMEN'S HOME

Closure

4. Mr. BRADY asked the Minister for Health:
   (1) Is it a fact Woodbridge Aged Women's Home was closed in the past 12 months?

(2) Where are the inmates now located?

(3) Are any plans being made to build another home for aged people in the Swan districts to replace the home closed?

Mr. ROSS HUTCHINSON replied:

(1) Yes.

(2) Mt. Henry Home and Wooroloo Hospital.

(3) No; but preliminary investigations are being made into the possibility of a geriatric annexe at the Swan District Hospital.

TRAINEE-ENGINEMEN

Engagement of Trainees by W.A.G.R. and Wastage

5. Mr. JAMIESON asked the Minister for Railways:

(1) How many trainee enginemen-cleaners have been engaged by the W.A.G.R. during each of the last five financial years?

(2) What wastage has taken place in this calling during each of the same years?

Mr. COURT replied:

(1) and (2)—

The year ended the 30th June—

	Engaged	Wastage
1960	113	56
1961	119	57
1962	164	87
1963	95	84
1964	113	90

SWAN RIVER RECLAMATION

Reconsideration by Parliament

6. Mr. FLETCHER asked the Premier:

(1) Is he aware—

(a) of a pamphlet entitled *River Reclamation* distributed by the Citizens Committee for the Preservation of King's Park and the Swan River;

(b) that this pamphlet advocates: "Because of the suppression of the proper information to both the public and Parliament, and because of the deceitful manipulation of Parliament's procedure, we demand as of right—

(i) that all work of reclamation be suspended forthwith;

(ii) that the whole matter be fully and openly investigated both by public and parliamentary debate, and the decision retaken by Parliament with a free vote"?

(2) Having in mind the suggested recommittal to Parliament reference, does he intend to ignore the Citizens Committee requests or do as suggested in demands (i) and (ii)?

Mr. BRAND replied:

(1) Yes.

(2) There has been no "suppression of proper information" or "deceitful manipulation of Parliament's procedure". The matter has been determined by Parliament in accordance with the proper procedures and the Government does not propose to resubmit it.

STATE ELECTRICITY COMMISSION ACCOUNTS

Inclusion of Unread Meterage

7. Mr. TONKIN asked the Minister for Electricity:

(1) If the reasons given by him for not including in the profit and loss account of the State Electricity Commission unread meterage in the metropolitan area, are valid, why do they not apply with equal validity to the other undertakings, viz., South-West scheme, Northam zone, Albany gas undertaking?

(2) Considering that they were not cash, why were the following amounts for unread meterage for the year 1962-63 credited as earnings:—

South-West Scheme—£126,280;

Northam Zone—£39,530;

Albany Gas Undertaking—£1,480?

Mr. NALDER replied:

(1) and (2) In the past the credits in unread meters for these country undertakings have been comparatively small and their inclusion in the overall profit and loss account did not seriously affect the position. Therefore the commission followed the Auditor-General's preference. As the amounts are increasing the commission must reconsider the position.

SAWMILLING AT PEMBERTON

Payment of Royalties by Hawker Siddeley Building Supplies

8. Mr. ROWBERRY asked the Minister for Forests:

What would be the difference in royalty payments to the Forests Department by Hawker Siddeley at the Pemberton Saw Mill as between—

(a) (i) the permissible intake and the actual intake 1962-63;

(ii) Sixty per cent. of the permissible intake and the actual intake 1962-63;

(b) (i) the permissible intake and the actual intake 1963-64;

(ii) Sixty per cent. of the permissible intake and the actual intake 1963-64?

Mr. BOVELL replied:

(a) (i) £24,140.
(ii) £6,126.
(b) (i) £22,896.
(ii) £4,882.

Conditions of Timber Lease to Hawker Siddeley Building Supplies

9. Mr. ROWBERRY asked the Minister for Forests:

What are the conditions of the timber lease concession and sawmill permit held by Hawker Siddeley Building Supplies at Pemberton?

Mr. BOVELL replied:

I have here a copy of a standard sawmilling permit issued by the Forests Department with the conditions applying to Hawker Siddeley Building Supplies Pemberton permit inserted.

The permit was tabled.

Capacity of Pemberton Sawmill

10A. Mr. ROWBERRY asked the Minister for Forests:

(1) As the intake of logs at Pemberton timber mill operated by Hawker Siddeley Building Supplies has fallen drastically below the permissible intake—54 per cent. (approximately) in 1962-63, and 42 per cent. (approximately) in 1963-64, what steps, if any, has he taken to ascertain the following:—

(a) Is the present sawmill at Pemberton capable of handling 50,000 loads per annum?

(b) If not, what steps, if any, has Hawker Siddeley taken to build up the capacity of the plant to do so?

Obsolete Machinery

(2) Is he aware that machinery purchased by Hawker Siddeley and at present lying rusting at Pemberton, is in the opinion of competent judges obsolete, and was in fact disregarded in America several years ago?

(3) If the answer to the preceding question is in the negative, what steps does he now propose to take to—

(a) impose the conditions of paragraph (1) of regulation No. 57 of forest regulations of the Forest Act;

(b) request the Conservator to investigate the position with respect to imposing the provisions of paragraph (2) of regulation No. 57?

Reduction of Work Force, and Effect on Pemberton

(4) Is he aware that the policy of Hawker Siddeley in cutting less than 50 per cent. of the permissible intake has had the effect of cutting the work force in Pemberton sawmill by more than half?

(5) If the answer to the preceding question is "No," or "Yes," what steps does he intend to take with a view to restoring the position?

(6) Is he aware that Hawker Siddeley policy is having a serious effect on the town of Pemberton, from an educational, social, domestic, tourist, and economic viewpoint?

Market for Timber

(7) What is the state of the market for timber products as of now, compared with what it was in 1962?

Revoking of Lease

(8) As Hawker Siddeley obviously does not require 50 per cent. of the forest lease held by the company, is there any reason, either legal, moral or political, why 50 per cent. of the lease should not be revoked and rededicated to some other firm?

Mr. BOVELL replied:

(1) (a) No. It is only one of the two original sawmills at Pemberton, of which one was burnt down in February, 1956, while still owned by State Building Supplies.

(b) It is considered not feasible or economic to extend the existing old mill. Previously it was operated for a period on two shifts per day, but this proved uneconomic both to State Building Supplies and subsequently to Hawker Siddeley.

(2) No.

(3) (a) This action is already actively under consideration now that final figures of intake for 1963-64 have become available.

(b) This question is also under consideration in the light of existing proposals to the Forests Department by Hawker Siddeley.

Hawker Siddeley is most anxious to increase its log intake as soon as possible, and plans to do so by erecting a most modern sawmill,

capable of taking the whole of the permissible intake of the Pemberton sawmilling permit No. 1333.

(4) No. It is obvious, however, that with the cessation of the uneconomic second shift the work force has been reduced.

(5) Answered by No. (3).

(6) It is realised that the reduction of employment must have an effect in varying degree on many aspects of the township of Pemberton.

Hawker Siddeley has, however, always strongly asserted its desire and intention to cut to the maximum permissible intake on all its sawmilling permits, as soon as its mills can be modernised. This can only be achieved over a period of years due to the need for the fullest technical investigations (and heavy capital outlay) involved in radical changes in mill design and equipment from the old methods traditional in Western Australia.

(7) On figures so far available, but not complete, there appears to be a small improvement in the timber trade over the level of the past three years, which were virtually all equal.

(8) In view of the proposals outlined in No. (3) above, it is considered that no drastic action of this nature is warranted at the present time.

STATE BUILDING SUPPLIES

Responsibility for Disposal

10B. Mr. ROWBERRY asked the Minister for Forests:

Who was responsible for the disposal of State Building Supplies to Hawker Siddeley?

Mr. BOVELL replied:

The Government, in accordance with its policy presented to the electors in 1959.

BUILDING SOCIETIES

Allocations of Government Assistance

11. Mr. HALL asked the Minister representing the Minister for Housing:

(1) Have allocations to claimant building societies been decided?

(2) On what basis are the allocations decided and how many building societies receive assistance through Government channels?

(3) What are the names of the claimant building societies and what is the proposed amount for each building society?

Mr. ROSS HUTCHINSON replied:

(1) Yes.

(2) Twenty-five societies were allocated funds from the home builders account. Allocations since inception of scheme determined after review of past performance, amount of private funds raised, and contribution to country housing.

(3) Permanent Societies—

	£
The Perth Building Society	150,000
The W.A. Savings Building Society	75,000
The Bunbury Building Society	55,000
The Home Building Society	50,000
The Scottish Building Society	50,000
	380,000
Terminating Societies—	
The Metropolitan Building Society	40,000
The Community Building Society	50,000
The Australian Netherlands Building Society	50,000
The Terrace Building Society	35,000
The Postal Employees Building Society	32,500
The Railway Employees Building Society	32,500
The Migrant Building Society	60,000
The Mosman Building Society	32,500
The Ascot Building Society	32,500
The Police Union Building Society	32,500
The R.S.L. Building Society	32,500
The Security Building Society	35,000
The Allstate Building Society	32,500
The Teachers Building Society	32,500
The South West Building Society	32,500
The Premier Building Society	40,000
The Carpenters Building Society	32,500
The Albany Building Society	40,000
The Northern Building Society	32,500
The Family Building Society	32,500
	740,000
Total	1,120,000

DRAINAGE OF LOCKYER AREA, ALBANY

Negotiations, Commencement, and Cost

12. Mr. HALL asked the Minister representing the Minister for Housing:

(1) Has final agreement been reached between the Albany Municipal Council and the State Housing Commission with respect to drainage of Lockyer area, Albany?

(2) If final agreement has not been reached, how far have negotiations gone and are they still proceeding?

(3) What is the proposed overall expenditure to be on the Lockyer drainage scheme, when completed?

(4) Which of the "A," "B," "C," "D" sections of the proposed drainage scheme are to be drained first?

(5) What will be the cost of each section when completed?

Effect on Rents

(6) Is it anticipated that there will be an increase in rents as a result of drainage operations and, if so, will the increased rent rating be spread over all State Housing Commission homes in Albany, or confined to the Lockyer area?

Mr. ROSS HUTCHINSON replied:

(1) No.

(2) Negotiations are continuing.

(3) to (6) These are matters awaiting conclusion of the negotiations.

MISSING GIRLS AND WOMEN

Number Reported and Found

13. Mr. HALL asked the Minister for Police:

(1) How many girls between the ages of 14 and 21 were reported as missing to the police for the years 1961, 1962, 1963, and 1964?

(2) How many of the girls reported as missing were ever traced or found for the respective years?

(3) How many women over the age of 21 years have been reported to the police as missing for the same years?

(4) Of the women reported missing over the age of 21 years, how many were traced or found, and how many were not traced or found, for the years 1961, 1962, 1963, and 1964?

Mr. CRAIG replied:

		No.
(1)	From the 7th July, 1960 to the 30th June, 1961	135
	From the 7th July, 1961 to the 30th June, 1962	133
	From the 7th July, 1962 to the 30th June, 1963	149
	From the 7th July, 1963 to the 30th June, 1964	168
(2)	From the 7th July, 1960 to the 30th June, 1961	135
	From the 7th July, 1961 to the 30th June, 1962	133
	From the 7th July, 1962 to the 30th June, 1963	149
	From the 7th July, 1963 to the 30th June, 1964	168
(3)	From the 7th July, 1960 to the 30th June, 1961	164
	From the 7th July, 1961 to the 30th June, 1962	141
	From the 7th July, 1962 to the 30th June, 1963	136
	From the 7th July, 1963 to the 30th June, 1964	133
(4)	From the 1st July, 1960 to the 30th June, 1961—	
	Found	164
	Not found	Nil
	From the 1st July, 1961 to the 30th June, 1962—	
	Found	141
	Not found	Nil
	From the 1st July, 1962 to the 30th June, 1963—	
	Found	135
	Not found	1
	From the 1st July, 1963 to the 30th June, 1964—	
	Found	132
	Not found	1

UPPER GASCOYNE POLICE STATION

Reopening

14. Mr. NORTON asked the Minister for Police:

Has any decision been made in respect of a request from the ratepayers of the Shire of Upper Gascoyne that the police station at Gascoyne Junction be reopened; and, if so, with what result?

Mr. CRAIG replied:

The reopening of Gascoyne Junction police station has been thoroughly investigated and it may be necessary, in the not too distant future, to re-establish this station.

NATIVE RESERVE AT GASCOYNE JUNCTION

Transfer to Site near Town

15. Mr. NORTON asked the Minister for Native Welfare:
    (1) Is it intended to close the present native reserve at Gascoyne Junction and transfer it to a site near the Gascoyne Junction townsite; and, if so, when?
    (2) What amenities is it intended to provide on the new site?
    (3) How many houses and of what type are to be built?

    Mr. LEWIS replied:
    (1) The possibility of transferring the reserve to a suitable site where potable water will be available is being examined.
    (2) If and when a new site is found water, toilet, ablution, and laundry facilities will be provided.
    (3) No decision has yet been reached.

HOUSING AT EAST MANNING

Commission's Intentions

16. Mr. D. G. MAY asked the Minister representing the Minister for Housing:
    (1) Is it still the intention of the State Housing Commission to develop residentially that area adjacent to the Koonawarra State School and being on the north side of Manning Road known as East Manning?
    (2) If so, how many homes will be erected in this area?
    (3) Taking into consideration drainage and sewerage, when will construction of the houses commence?

    Mr. ROSS HUTCHINSON replied:
    (1) Yes.
    (2) The proposed residential subdivision covers both commission and Crown lands at East Manning, and is being revised because of the necessity to review further demands for utilisation of the Crown lands.
    (3) As soon as practicable after approval of the revised plans and completion of essential development works.

THREE-YEAR HIGH SCHOOLS

Raising of Status in Metropolitan Area

17. Mr. D. G. MAY asked the Minister for Education:
    (1) How many three-year high schools in the metropolitan area will be raised in status as at the first term in 1965?
    (2) Will he advise details of the schools concerned?

Enrolment

    (3) What is the anticipated number of students who will be attending the schools raised?

    Mr. LEWIS replied:
    (1) One—Swanbourne.
    (2) Enrolment anticipated—

1st year	280
2nd year	295
3rd year	235
4th year	70

    (3) 880.

CANNINGTON HIGH SCHOOL

Health Department Inspections

18. Mr. D. G. MAY asked the Minister for Works:

    Subsequent to the decision of the Government to erect the new Cannington High School on the site set aside for this purpose in the Metropolitan Region Scheme, will he advise:—
    (a) The dates that the site was inspected by the Public Health Department prior to commencement of building;
    (b) the date the site was inspected after work had commenced;
    (c) details of the recommendations of the Health Department following the inspections?

    Mr. WILD replied:
    (a) The site was not inspected by the Public Health Department prior to the building commencing.
    (b) The 7th August, 1964.
    (c) The Public Health Department considers that the sand fill and drainage are adequate provided that effluent is disposed of away from the site.

GOLD MEDALS FOR RAILWAY EMPLOYEES

Number Given and to be Given

19. Mr. D. G. MAY asked the Minister for Railways:
    (1) In connection with the presentation of gold medals to railway employees with 40 years' service, will he advise the number of medals presented for the years 1960 to 1964?
    (2) How many medals will be presented for the years 1965, 1966, 1967 and 1968?

Privileges Associated with Presentation

    (3) What privileges are associated with the medals?

Mr. COURT replied:

(1) 1960—202 medals*
1961—64
1962—45
1963—56
1964—29 to date, a further 26 will be due during the balance of the year.

*Conditions of issue were altered, and, instead of presentation on retirement only, medals were awarded upon completion of 40 years' adult service. This number referring to the number for 1960, includes those not previously entitled to issue under the earlier conditions.

(2) 1965—45
1966—69
1967—53
1968—45

These issues will be subject to completion of the requisite qualifying period.

Guards and drivers retiring after 25 years' service as such, may elect to forgo issue of the medal and, in lieu, receive their watches free upon retirement, and may vary the above figures.

(3) The issue of the gold medal is in recognition of long service only and no privileges are associated with the medals.

TRAFFIC SAFETY

Torches for Elderly Pedestrians

20. Mr. CROMMELIN asked the Minister for Police:

(1) Is he aware that the New South Wales Government and the Sydney Council are co-operating and supplying needy elderly people with special torches which give out a diffused red light for use at night as an aid to pedestrian safety?

(2) Will he consult with the Treasurer and possibly local authorities with the idea and intention of perhaps having the same practice carried out in this State?

(3) Would he agree that carrying of special torches at night by elderly pedestrians could be a help to them and also to motorists?

Mr. CRAIG replied:

(1) No.

(2) The matter will be referred to the National Safety Council.

(3) Yes.

CAUSEWAY LAND

Vesting for Development

21. Mr. DAVIES asked the Minister for Lands:

(1) When will the land at the eastern end of the causeway be vested in the Perth City Council for development?

(2) What has been or is the cause of the delay in having the vesting made?

Mr. BOVELL replied:

(1) Action is being taken at present, through Executive Council, to vest the land in the Perth City Council.

(2) Before vesting procedure, the land was required to be surveyed.

DENTISTS

Legality of Indemnities against Negligence or Accident

22. Mr. DAVIES asked the Minister for Health:

(1) Is he aware of the growing practice amongst dentists of requiring patients to sign "guarantees" indemnifying the dentist against negligence or accident arising from dental treatment?

(2) Is he able to say whether these guarantees are legal and binding?

(3) If not, will he have inquiries made and advise this House of the outcome?

Mr. ROSS HUTCHINSON replied:

(1) and (3) I have no knowledge of such a practice and my inquiries give no indication that it exists.

(2) A guarantee of this nature could be legal and binding.

FLUORIDATION OF WATER SUPPLIES

Dangers Advanced by Research Writers

23. Mr. TONKIN asked the Minister for Health:

(1) Has he or have any officers of the Public Health Department studied the paper on *Accumulation of Skeletal Fluoride and its Implications* by J. Marier, Dyson Rose and Marcel Boulet, which was published in the May, 1963, issue of *Environmental Health*, an American Medical Association journal?

(2) Is he aware that the implications of the line of thought in the thesis could be significant to the whole structure of reasoning on which artificial fluoridation of public water supplies is built?

(3) Does he reject the theory that the calcium and magnesium present in the "hardness" component of naturally fluoridated water may provide a protective mechanism, reducing fluoride absorption and its subsequent deposition in bones?

(4) If so, upon what reason or authority?

(5) Is it not a fact that a systematic attempt to assess thoroughly the ionic content of various naturally fluoridated waters in relation to skeletal fluoride storage in lifetime residents would reveal the practical significance, if any, of the phenomenon stated in No. (3) above and so far no such research has been undertaken?

(6) Is he aware that epidemic skeletal malformations have been reported among people drinking water containing as little as eight-tenths of a part per million of fluoride in Lebanon on the Persian Gulf and high percentages of marked mottling of tooth enamel have been registered in Israel where the fluoride content of drinking water is at a comparatively low level?

(7) Has any officer of his department read the book by William F. and Margaret W. Neuman titled, *The Chemical Dynamics of Bone Mineral?*

(8) Are the joint authors well qualified and competent researchers who are highly regarded?

(9) Does he agree with their finding that "Physiological mineral-resorptive processes are inhibited by excessive dietary fluoride, giving rise to mottled enamel, increased bone density, skeletal malformations and exostoses"?

(10) As the thesis contained in the paper *Accumulation of Skeletal Fluoride and its Implications* would, if correct, completely destroy the case for the fluoridation of public water supplies, what action does he propose to take to establish whether the harmful effects mentioned by the authors are—

(a) possible or impossible;

(b) probable or improbable;

(c) certain or uncertain?

(11) If no action is proposed, is he in a position to give unequivocal answers to the questions posed?

Mr. ROSS HUTCHINSON replied:

(1) Yes.

(2) The implications are not significant in relation to the ingestion of drinking water containing one part per million of fluoride.

(3) There is a relationship between calcium and ingested fluoride.

(4) Not applicable.

(5) Extensive research involving skeletal fluoride reaffirms the safety of fluoride ingestion at a level of one part per million in both hard and soft drinking water. The honourable member's attention is directed to the references attached.

(6) I am aware of a report from Lebanon*, of osteo-sclerosis (increased bone density detected by X-ray), in a few patients from a Persian Gulf sheikdom where the natural fluoride content of drinking water ranged from 0.8 to 3.4 parts per million.

I am also aware of reports† ‡ of some dental mottling (mainly mild) from parts of Israel where the natural fluoride content of drinking water is not unduly high. These effects are attributable to concentrations of fluoride, in the natural waters, which are considerably in excess of that required to prevent dental caries in the climates involved.

References:

* Azar, H. A. et alii (1961) "Skeletal Fluorosis Due to Chronic Fluoride Intoxication," Annals of Internal Medicine, Vol. 55, pp. 193-200.

† Rosenzweig, K. A. (1960) "Dental Caries and Fluorosis in Israel," Archives of Oral Biology, Vol. 2, pp. 292-307.

‡ Rosenzweig, K. A. (1963) "Prevalence of Endemic Fluorosis in Israel at Medium Fluoride Concentration," Public Health Reports, Vol. 78, pp. 77-80.

(7) Yes.

(8) Although the qualifications of the joint authors are not disclosed in the publication referred to, it would appear that they are accredited persons.

(9) Yes, by excessive fluoride.

(10) No harmful effects from the ingestion of fluoride at the level of one part per million in drinking water are indicated in the article referred to by the honourable member.

The authors happen to be members of the staff of the National Research Council in Canada; and the following extracts of a letter from Dr. R. A. Connor, Chief

Dental Health Division, Department of National Health and Welfare, Canada, are relevant because they refer to this article.

"The information obtained by the anti-fluoridationists and quoted by them is absolutely wrong . . . .

Three employees, Marier, Rose and Boulet, of the Council suggested that it might be advisable to carry out additional research on fluorides, especially in soft water areas. There is nothing new in this suggestion, this type of work was done many years ago. The suggestion came from library research only and their article was really not for or against fluoridation . . . ".

(11) Adequate answers have been provided.

References referred to in No. (5).

(a) Zipkin, I., McClure, F. J., Lee, W. A. (1960) "Relation of the fluoride content of human bone to its chemical composition," Archives of Oral Biology, Vol. 2, pp. 190-5.

(b) Largent, E. J. (1961) "Fluorosis; the Health Aspects of Fluorine Compounds," Ohio State University, Columbus, pp. 8-21.

(c) Largent, E. J. (1961) "Fluorosis; the Health Aspects of Fluorine Compounds," Ohio State University, Columbus, pp. 22-56.

(d) Heasman, M. A., Martin, A. E. (1962) "Mortality in areas containing natural fluoride in their water supplies," Monthly Bulletin of the Ministry of Health and Public Health Laboratory Service, Vol. 21, pp. 150-60.

(e) Carlson, C. H., Armstrong, W. D., Singer, L. (1960) "Distribution and excretion of radiofluoride in the human." Proceedings of the Society for Experimental Biology and Medicine, Vol. 104, pp. 235-239.

(f) Zipkin, I., McClure, F. J., Leone, N. C., Lee, W. A. (1958) "Fluoride deposition in human bones after prolonged ingestion of fluoride in drinking water." Public Health Reports, Vol. 73, pp. 732-40.

(g) Jackson, D., Weidmann, S. M. (1958) "Fluorine in human bone related to age and the water supply of different regions," Journal of Pathology and Bacteriology, Vol. 76, pp. 451-459.

CANNINGTON HIGH SCHOOL

Disposal of Sewage Effluent

24. Mr. JAMIESON asked the Minister for Education:

(1) How is the sewage effluent from the Cannington High School to be disposed of until sewerage mains are extended to this area?

Road Access

(2) Is he aware of the huge cost that will be involved in providing road access to this school from Sevenoaks Street?

(3) In view of this fact, why was not the school designed to have access to Cecil Avenue?

Contract Price

(4) Has any variation in the contract price been necessary to cover extra costs of the builder due to the water-logged nature of the locality?

Mr. LEWIS replied:

(1) Septic tanks will be provided and the effluent from these tanks will be chlorinated and pumped to the metropolitan sewerage system.

(2) The cost of providing road access along Sevenoaks Street as far as is necessary to serve the vehicular and administration entrance to the school as planned would not be huge. The local authority, however, is at present considering the possibility of going further and completing the whole of the unbituminised section of Sevenoaks Street.

(3) The vehicular and administration entrance to the school has been placed on Sevenoaks Street, because in this position it best suits the ultimate and correctly orientated school layout. The main students' entrance and bicycle park are located on Cecil Avenue.

(4) No additional payment to the builder has been authorised because of the working conditions on the site. The high water level in this area, however, has made it necessary to provide some additional foundations and subsoil drainage.

SLEEPERS

Supply and Cost to Railways Department

25. Mr. TONKIN asked the Minister for Railways:

(1) What was the total quantity of sleepers and the cost thereof to the Railways Department during the last full year in which it had possession of the Banksiadale Mill?

(2) What was the total quantity of sleepers and the cost thereof to the Railways Department for its requirements during the financial year ended the 30th June, 1964?

(3) What are the names of the suppliers, the quantity of sleepers supplied by each, and the price for sleepers supplied during the financial year ended the 30th June, 1964?

(4) Is the department experiencing any difficulty in obtaining full supplies of sleepers at reasonable prices?

(5) Is consideration being given to the necessity or advisability for the Railways Department to again have control of a timber mill?

Mr. COURT replied:

(1) 356,672 sleepers.

(a) The value, with the Banksiadale proportion of sleepers based on a transfer price which ignores interest and other adjustments for the mill results, is £276,578.

(b) The value, with the Banksiadale proportion of sleepers transfer price adjusted for these factors and adjustment spread over railway use, timber and sleepers only, would be £291,521.

(c) If the Banksiadale proportion calculated on the basis in (b) was taken on the average cost of the three years 1958-59, 1959-60, and 1960-61, the value would be £283,983.

(d) The value, with the Banksiadale proportion of sleepers transfer price adjusted to include all timber produced, would be £294,424.

(e) Similarly if as based in (d) and taken on the average cost of the three years 1958-59, 1959-60, and 1960-61 for the Banksiadale proportion, the value would be £285,969.

(2) Quantity, 377,915; Value, £332,443 detailed hereunder.

Supplier	Quantity 1st. Grade	Price £ s. d. Per Load
(3) Hawker Siddeley Building Supplies	96,986	21 9 11
J. A. House ..	18,097	21 9 0
Mills & Old	21,117	21 10 0
Bunning Bros. ..	241,715	
Prior to 29/7/63		21 10 0
From 29/7/63 to 6/9/63		21 11 3
From 7/9/63 to 30/6/64		21 13 9

(4) No.

(5) No.

BREAKWATER AT ESPERANCE

Contractor Appointed by Liquidator

26. Mr. WILD (Minister for Works): On Thursday last I indicated to the Deputy Leader of the Opposition that I would obtain some more information about the contract let by the liquidator for Esperance Breakwater Co. Pty. Ltd. I now have that information. The honourable member's question was—

(1) With whom has the liquidator for Barbarich Construction Pty. Ltd. made arrangements to complete the contract for the construction of the Esperance breakwater which work, he stated, was resumed on the 14th July, 1964?

(2) If the new contractor is a company, what is the amount of its paid-up capital?

The reply is—

(1) and (2) Esperance Breakwater Co. Pty. Ltd., a subsidiary of Proprietary Holdings Co. Ltd. which has assets in excess of £800,000. The Managing Director of both companies is Mr Sergio Caratti and he and Mr. A. B. Pearce are the principal shareholders. The company was only registered for incorporation on the 6th August, 1964, and it has 28 days in which to finalise formalities with the Companies Office. When this is completed full information will be furnished to the honourable member.

CROSSWALKS

Number of Pedestrian Accidents

27. Mr. CRAIG (Minister for Police): I was unable to supply all the information sought by the member for Balcatta in a question he asked last week—question No. 1 on the 5th August—in relation to crosswalks. However, the information is now to hand as follows:—

(2) (a) Nil. } Figures to December, 1963.
(b) 39. }

(3) No records kept prior to 1959. Eight injured during 1959.

(4) (a) 148. } Figures to December, 1963.
(b) 1900. }
No records kept prior to 1959. 41 fatalities and 503 injured during 1959.

TOTALISATOR AGENCY BOARD

Punting at York Race Meeting: Personal Explanation

MR. CRAIG (Toodyay—Minister for Police): A question without notice was asked of me by the member for

Mt. Marshall last Thursday. He referred to a race meeting in York in which a horse started at 4 to 1 and paid £7 on the tote. He wanted to know whether the board did a spot of punting on that particular race. In my reply I said I was not aware of the circumstances but would inquire into them. Then I added that we all knew that the board did engage in limited punting. The Deputy Leader of the Opposition corrected me and said it was illegal if it did. My explanation is that due to my very restricted knowledge of racing parlance I used the word "punting" incorrectly. What I meant to imply was that it is common knowledge that the board is unable to place all its investments on the on-course totalisator within the prescribed time and it is acting in a limited way as a bookmaker and not as a punter as I stated. I regret any misunderstanding the use of the word may have created.

QUESTIONS WITHOUT NOTICE

INDUSTRIAL SEMINAR AT ALBANY

Comments by Deputy Premier

1. Mr. HALL asked the Premier:

In view of the statement made by the Deputy Premier at the opening of the industrial seminar at Albany recently and appearing in *The Sunday Times* of the 9th August, that Western Australia had been missing the bus in selling, how does he reconcile his thoughts and the Government policy with that statement when in fact the Liberal-Country Party Government has been in office for the past 5½ years approximately?

Mr. BRAND replied:

I was not there so I am not sure what the Deputy Premier did say; but if he referred to our missing the bus, he must have been referring to before we came into office. However, if the honourable member really wants the answer, I suggest that he put the question on the notice paper and ask it of the Deputy Premier.

TOTALISATOR AGENCY BOARD

Replies to Questions re Former Agent Donohoe

2. Mr. TONKIN asked the Minister for Police:

When is he going to answer the questions I asked last year?

Mr. CRAIG replied:

The reply is in the course of preparation now. I explained verbally last week that there would be some delay.

Mr. Tonkin: You've had 12 months to prepare the answer.

Mr. CRAIG: As I explained before, the reason it was not possible to reply earlier was that investigations were still being carried out and they have only just recently been completed.

FLOOD DAMAGE RELIEF

Government Contribution to Lord Mayor's Fund

3. Mr. HEAL: With reference to the Lord Mayor's £200,000 Relief Fund, an extract from this morning's paper reads as follows:—

Floods Worst W.A. Disaster

The Chairman of the Government relief advisory committee, Mr. J. P. Gabbedy, said last night that the floods in the South-West were the worst disaster the State had known.

I ask the Premier:

(1) Would the Government reconsider its small offer of £10,000 with a view to increasing the amount?

Representations to Commonwealth Government

(2) Has the Premier yet written to the Prime Minister in relation to assistance from the Commonwealth Government? If so, on what date did he write; and, if not, when is it the intention of the Government to approach the Prime Minister?

Mr. BRAND replied:

The honourable member just dropped me a note to say he was going to ask this question. The reply is as follows:—

(1) and (2) The Government at this stage has no intention of increasing its grant—that is, its grant to the Lord Mayor's Fund. The Government will carry quite a heavy responsibility in the repairs of roads and railways together with a hundred and one other responsibilities which rightly belong to the Government.

It is coincidental that I received a telegram from Mr. Cleaver, just before we came in and it reads as follows:—

My question today to Prime Minister placed on record disastrous South-West floods (stop) His reply indicated sympathetic consideration financial assistance on usual subsidy formula

would apply should it be your intention lodge application on behalf of State.

Now as I have said here in this House, it is the intention of the Government, as in past disasters, to submit a case to the Commonwealth for assistance. However, it is of little value submitting a half-baked case. We are still getting the information as to the disaster itself, and only recently have the roads been opened and the way made clear to obtain information as to the extent of damage.

I would point out that the application to the Commonwealth for assistance would be under the following two headings:—

(1) In respect of personal distress which I would hope would be met by way of some grant; and

(2) The actual State responsibility in terms of pounds, shillings, and pence with regard to which we hope the Commonwealth will apply the formula of pound for pound.

I can assure members that whilst we have not written, it is not a matter of missing out but of preparing the case thoroughly.

Advance Notice of Claim on Commonwealth Government

4. Mr. TONKIN asked the Premier:

Did the Government give consideration to the advisability of informing the Commonwealth in advance that the State would be lodging a claim for assistance in connection with flood damage? The reason I ask that question is that I would think the Government would have in mind that the Budget was about to be introduced into the Federal Parliament and that the Parliament would have to agree to any special allowance of a substantial nature being made. Therefore there seems to be considerable advantage to be derived from advising the Commonwealth beforehand of the certainty that the State Government in due course would be making a claim. Did the Government give any consideration to that aspect of the matter?

Mr. BRAND replied:

I discussed with Treasury officers the question of whether we should send a telegram and say we would apply. It is quite obvious the Federal Government is aware of the situation here; and following the precedents which have been set over a number of years in respect of this State and other disasters in other States, it was decided, as I have just intimated to the House, that when we had the case ready we would advise the Prime Minister.

Disasters do not happen as if they were arranged in relation to a budgetary session. The Commonwealth Government has made decisions from time to time throughout the year and has dealt with the matters as Treasury decisions. Therefore I have no reason to believe there would be any great advantage in advising the Commonwealth of something of which it is already aware.

SAWMILLING AT PEMBERTON

Erection of Mill by Hawker Siddeley Building Supplies

5. Mr. ROWBERRY asked the Minister for Forests:

Arising out of his answer to question No. 10 (3) in which he says—

> Hawker Siddeley is most anxious to increase its log intake as soon as possible, and plans to do so by erecting a most modern sawmill, capable of taking the whole of the permissible intake of the Pemberton sawmilling permit No. 1333.

will he take all possible steps to induce the Hawker Siddeley Company to have this mill built at Pemberton to relieve the distress and unemployment that has arisen from the diminution of the mill staff?

Mr. BOVELL replied:

The matter of the establishment of a mill by Hawker Siddeley involves domestic consideration—

Mr. Graham: There is more to it than that.

BOVELL: —and I would not comment further than that at this stage.

Mr. Graham: The Forests Department has an important role.

TRAFFIC ON PERTH-ALBANY HIGHWAY

Congestion near Ice Cream Van

6. Mr. H. MAY asked the Minister for Police:

Is he aware that at the turn-off to Beverley on the Perth-Albany highway it is like bedlam on a Sunday afternoon in regard to traffic caused by Mr. Whippy? I understand that is his name; it is the name on the van he has there, anyhow. There were no fewer than five lines of traffic held up last Sunday afternoon at four o'clock or half-past four, and the holdup was caused because people

were stopping there and getting out of their cars and paying attention to ice cream. There was a considerable jam there last Sunday afternoon, and it appears to be getting worse. Will the Minister arrange to have somebody there to make an inspection to see what is occurring?

Mr. CRAIG replied:

Yes.

SPEAKER'S RULINGS

Copies of Reasons for Members

7. Mr. HEAL asked the Speaker:

In future when you give reasons for disallowing or moving out of order an amendment by the Leader of the Opposition, or any other member of the Opposition, would you be good enough to have printed copies of the reasons for disallowance made available to Opposition members so that we may then know what we are talking about—not so much to Government members, because they will agree with your ruling, but to Opposition members, because we would like to be aware of your reasons and to know what we are talking about?

The SPEAKER (Mr. Hearman):

I am sorely tempted—in fact, I do not know whether the member for Perth meant to tempt me as sorely as this or not! But I am quite prepared to give what assistance I can, as I did on Thursday last, not only to members of the Opposition, but to members of the House generally, in connection with any ruling I give. But I point out that from time to time rulings must be given forthwith, and it would be completely impossible for me to arrange to have printed copies of the reasons given to members. I think it is fair enough that a ruling should be clear to members, and I think generally it is clear from the Chair. It is not fair to say that under all conditions I will give written details and reasons.

SITTINGS OF THE HOUSE

Thursday Adjournment

MR. BRAND (Greenough—Premier) [5.1 p.m.]: With your approval, Mr. Speaker, I would like to say I have received a letter from the Leader of the Opposition in which he states—

Members of the State Parliamentary Labor Party from both Houses of the Parliament will be leaving Perth at 4.55 p.m. on 13th instant by train for Kalgoorlie.

They would all require to leave Parliament House not later than 4.30 p.m.

It would be appreciated if you and your colleagues could see your way clear to agree to adjourn both Houses of Parliament on that day at not later than 4.30 p.m.

As you know, Sir, we do not sit until 2.15 p.m. on Thursday. Nevertheless, it has been agreed, after giving some consideration to this matter, not to sit at all on Thursday, because it would seem of little purpose to sit for only two hours. But I would say it is the Government's intention to seek the co-operation of the Opposition in making up those two hours perhaps a little later on some evening.

QUESTIONS ON MINISTERIAL STATEMENTS

Direction by Speaker

THE SPEAKER: (Mr. Hearman): I would like to draw the attention of the member for Albany to the fact that I made a mistake inasmuch as I permitted his question to the Premier. It should properly have been addressed to the Deputy-Premier, who made the submission.

It is permissible to question the Premier on statements made by Ministers in the country as to whether they are Government policy or not; but as to the actual details of a statement, obviously the question must be asked of the Minister concerned and not the Premier, who cannot be expected to give a detailed answer.

I mention this matter because I do not know how the honourable member will put his question on the notice paper; it may require some correction.

ADDRESS-IN-REPLY: FOURTH DAY

Amendment to Motion: Dissent from Speaker's Ruling

Debate resumed, from the 6th August, on the following motion by Mr. O'Connor:—

That the following address be presented to His Excellency the Governor in reply to the Speech he has been pleased to deliver to Parliament:—

May it please Your Excellency:

We, the members of the Legislative Assembly of the State of Western Australia in Parliament assembled, beg to express loyalty to our Most Gracious Sovereign, and to thank Your Excellency for the Speech you have been pleased to address to Parliament.

To which Mr. Hawke (Leader of the Opposition) had moved an amendment—

That the following words be added to the motion:—

But we wish to record our strongest protest against the attitude of the Government in the

State basic wage case, and particularly against its paltry offer of an increase of only 3s. 10d. per week.

The amendment having been declared by the Speaker to be out of order, Mr. Hawke (Leader of the Opposition) moved that the House dissent from the Speaker's ruling.

MR. TONKIN (Melville—Deputy Leader of the Opposition) [5.7 p.m.]: On occasions when members rise to speak on a question of this kind, it is often the case that they apologise to Mr. Speaker for disagreeing with his ruling. I do not look at the matter that way. With respect, if one feels that Mr. Speaker's ruling is wrong, it is one's duty to disagree with it. One should not, out of respect to Mr. Speaker, allow what one considers to be a wrong ruling to stand, because it creates a precedent for future rulings in the House; and I would feel that Mr. Speaker himself should be the first one to desire to have pointed out to him any error he might have made in a decision he was called upon to give without full and proper study.

This question of a matter being *sub judice* has not just worried you, Sir; it has worried Speakers down the ages, and it is a matter of interpretation. Even now in Westminster, where Speakers have had far wider experience than you, the question quite often is hotly disputed as to whether a matter is *sub judice* or not.

I have before me a very recent report issued by Mr. G. D. Combe, M.C., Clerk of the Assembly of South Australia. He reports that by courtesy of the Speaker in the House of Commons he was able to serve and witness in the House of Commons; and he deals with this very matter of *sub judice*. He points out how difficult it is to lay down a definite rule in connection with the matter, and that in the ultimate it must be a question of the Speaker's opinion as to whether, if a matter is debated, it will be prejudicial to proceedings which are pending, or which are actually occurring, in the courts. If a matter is not prejudicial and is not likely in any way to interfere with the course of justice, then there is no point in disallowing discussion in connection with it. So it is written here—

> The committee appreciated the difficulty of laying down a hard and fast rule, but they agreed that some rule was necessary to help the Chair in its decisions. They therefore recommended that in regard to civil cases the House should agree to a rule in the following terms:—
>
> Matters awaiting or under adjudication in a civil court should not be referred to in any motion or debate on a motion or in any parliamentary question, including any supplementary question, from the time that the case has been set down for trial or otherwise brought before the court, as for example by notice of motion for an injunction: Such matters may be referred to before such date unless it appears to the Chair that there is a real and substantial danger of prejudice to the trial of the case.

So that should be the criterion: where there is a real and substantial danger that if the discussion proceeds it may prejudice the case.

It is significant that we have no Standing Order which covers the question; because apparently we have not been able to lay down a rule in connection with it, and the procedure is that when our Standing Orders are silent Mr. Speaker has recourse to Erskine May, which you have rightly done in this case, Sir. The particular statement in the book upon which you based your ruling appears at page 380 of the 15th edition and reads as follows:—

> Matters pending judicial decisions—A matter, whilst under adjudication by a court of law, should not be brought before the House by a motion or otherwise. This rule does not apply to Bills.

So if one were to introduce a Bill, whether it had an effect likely to be prejudicial or not to a matter under trial, one could not be prevented by a ruling of the Speaker from proceeding in connection with the matter; and a little thought will show why. This is the superior court in the land and if a matter is pending a decision in an inferior court, and the superior court feels that the law should be altered to remove the necessity for the action, then it has the power to alter it. But I would suggest it is a power which ought to be exercised with the greatest restraint and used only after the most careful consideration of all the aspects involved.

Mr. Bovell: Quote an instance where a superior court has intervened during the discussions in a lower court.

Mr. TONKIN: Can I quote an instance?

Mr. Bovell: Yes.

Mr. TONKIN: Unfortunately I cannot; but because of things that Governments do from time to time I daresay it would not be difficult to find a number of instances where legislation has been enacted in the Parliament to deal with matters which at the very time were before the courts awaiting judicial decision. And there is nothing to prevent it; the law permits it, for a very good reason. It might very well be that an action is being brought to trial where it is manifest that because it is a very old law upon which somebody has decided to take action, some unfortunate person has been arraigned before the court and might suffer a grave injustice because of the existence of such

a law. In those circumstances a Government might feel it would be justified in asking Parliament to amend the law so that no prosecution in such a case might follow. Therefore right is reserved to Parliament for that purpose, it being the superior court of all courts.

I want to emphasise that this must always be finally a matter of Mr. Speaker's judgment: whether a discussion on the question would be such as prejudicially to affect the action in the court. Speakers vary in their outlook on these matters just as Presidents of Legislative Councils vary. You will recall, Mr. Speaker, that I raised in this House some two years ago some difficulties which had arisen about a copper mine at Whim Creek, and some action of the Minister with which I had disagreed. It so happened that at that time a case was pending in the Warden's Court.

On the 15th August, while that case was pending, and before there was any discussion of a motion which I had placed on the notice paper, the Minister concerned, in the Legislative Council, proceeded to deal with the very matter which was to be decided in the Warden's Court. During the discussion The Hon. F. J. S. Wise took a point of order, and I quote from page 433 of *Hansard* No. 1 of 1962—

> 'The Hon. F. J. S. Wise: Mr. Deputy President, on a point of order, I was conscious of the Standing Order but did not wish to provoke or prevent discussion; however, I am wondering whether it is proper for the matter to be ventilated in the way in which the Minister is proceeding, because of it, in point of fact, being a case before the Warden's Court; and it might be regarded at this stage as being *sub judice*.

The very question which was before the Warden's Court was the one with which the Minister was dealing, but he was allowed to proceed. He was not stopped, although that matter was before the court. I suppose it is just a mere coincidence that that member happened to be a Minister in the Government.

That was on the 15th August. On the following day, Mr. Speaker, you permitted me to discuss this very question, although the point had been raised in the Legislative Council the day before that the matter was *sub judice*. You permitted me to deal with it, and a most extraordinary thing happened. I have never known the Minister for Lands to reply immediately to a motion which has been launched in the House and which might concern his own department or the department of the Minister that he represents. Invariably he asks for an adjournment. But one can see what would have happened in this case. If the Minister had followed the ordinary course and asked for an adjournment it would have been difficult, subsequently, at any stage, to stop me from having a right of reply without stopping the Minister from dealing with the question; because, obviously, in the interim there would have been ample time to find out whether it was *sub judice*. Without any doubt, what happened on that occasion, when I spoke on a matter which was *sub judice*, was that the Minister for Lands replied at length on a matter which was *sub judice*; and that is where it stopped because, subsequently, when the matter was reached on the notice paper, you, Mr. Speaker, ruled it was *sub judice* and no discussion could be allowed.

Mr. J. Hegney: What did they rule in the Legislative Council?

Mr. TONKIN: That it was not *sub judice*. So you see, Mr. Speaker, it comes back to this: It is what the Speaker himself thinks of the situation at the time and whether the discussion is likely to be prejudicial to the case under trial. I submit that the only criterion in this matter—and it is a question of hard, cold, relentless logic and nothing else—is: Is the matter, the subject of the motion, the matter before the court?

If it is not, Mr. Speaker has no right to rule it out of order. He is in charge of the discussion the whole time; and if, during the course of a discussion on a matter which is not before the court, someone attempts to make a reference to a matter before the court, Mr. Speaker can call him to a halt; and I hope to give you a satisfactory illustration of that situation. We have a Standing Order which provides that we shall not speak in terms which are irreverent to the name of His Majesty—it is Her Majesty now, of course—and I refer to Standing Order No. 128.

Surely you, Mr. Speaker, would not rule out of order a motion which reads, "This House deplores the attitude of the Government with regard to the emolument it pays the Governor" on the ground that during the discussion of such motion one may refer irreverently to the Governor and so contravene Standing Order No. 128! You know full well it is within the competence of this Parliament for anyone to introduce a motion in this House aimed at increasing or decreasing the Governor's salary as a direction to the Government on what we feel about it. I might, in the existing circumstances, very well do that, when I remember that one, Mr. Gregson, is being paid £4,000 a year for doing nothing, and the Governor is not paid much more. I might move a motion denouncing the Government for its attitude in such a matter; and you, Sir, would not rule that out of order on the ground that, during the course of the debate, the Governor's name would be used irreverently. The obligation would be upon you, Sir, to see that during a discussion on the Government's attitude no such irreverent reference was made.

I submit to you that that is the course open to you to take on this motion. This motion says nothing about how much the Industrial Commission should grant in the basic wage case. It does not advance any argument on the amount of profits being made and how they ought to be viewed according to the claims of the unions. This amendment reads, "We wish to record our strongest protest against the attitude of the Government." That is not the matter under adjudication in the court! I ask you: Will any person in the Industrial Commission, other than the advocate for the Government, deal with the Government's attitude, whether it is a good attitude or a bad attitude; whether it is one to be deplored or applauded? Of course no one will do that, because the attitude of the Government—and that is the matter which is the subject of the amendment—is not the matter before the court.

To say that one shall not discuss the Government's attitude because, in the course of so doing, one may say something which is prejudicial to the case being heard in the court, is to prejudge entirely the situation, and one could be entirely wrong; but if, during the course of the debate, argument was being adduced which, in your opinion, Sir, would substantially prejudice the case, you would be entitled to disallow the member who was on his feet from speaking in that direction. That is your remedy and, I submit, your only one. The preventing of the whole debate, because you feel there is a possibility that *May* may be contravened with regard to his ruling on matters which are *sub judice*, is to decide something which, I submit, in all respect, you are not entitled to do. You must form your judgment on the facts; and, just as you can prevent a member, in any speech he is making, from contravening a Standing Order, you cannot prevent the introduction of a motion because you think the relevant Standing Order may be contravened during discussion.

That is where, I think, a distinction lies. It is very significant that up to date we have not heard one syllable from any member on the Government side in support of your ruling. Whether we are to hear from any member on the Government side, I do not know. However, I hope the Government has some point of view and some argument to put forward on this question; because, as I have said before on matters of this kind, what is being done with these rulings is to set precedents which will be followed by those who come after; and it is desirable to ensure, as far as we can, that such precedents are proper and correct ones.

Of course, mistakes have been made in the past. You will not mind my mentioning this, Mr. Speaker, but you will recall an instance when a motion of mine, which was on the notice paper, had to be struck off because the question was *sub judice*. Subsequently, I referred the matter to the Speaker of the House of Commons—which letter you saw yourself—and the reply indicated that that action was not necessary. So there was a ruling which was a wrong one. Anybody not taking the trouble to ascertain the correct procedure might come along subsequently and fall into the same error.

You will remember, Mr. Speaker, that it was made quite clear in the reply from the House of Commons that all that was necessary was to bring the motion down on the notice paper and ensure that it was not debated during the time the matter was pending before the court; but you will also recall that you directed it had to be dropped from the notice paper. You are only human—the same as ourselves—and to err is human, and to forgive is divine—or to correct a mistake—so can I suggest that that is what you ought to do in this instance?; because I think you are certainly wrong in preventing a discussion on the attitude of the Government.

If permitted, I could discuss the Government's attitude without a single reference to any of the important aspects of the case before the court. I could deal with the propriety of the Government in making the announcement before the case came on, and pointing out what its attitude would be. How on earth could one affect the proceedings prejudicially if one said that in one's opinion the Government should not have done that, and should be blamed for doing it?

We so frequently hear the Government say that this is a matter which ought to be referred to the court for decision. I suggest that when the Government beforehand makes a pronouncement on a matter which is to be referred to the court, then it is a case of a wink being as good as a nod to a blind horse.

In my opinion Parliament is entitled to discuss that attitude, and the time to discuss it is when the occasion has arisen, not some months afterwards. So, provided the discussion is kept along a track which cannot substantially prejudice the case before the court, it should not be disallowed.

Because I hold strongly to that view, and think that your ruling, Sir, is incorrect, I support the motion to disagree with your ruling.

The SPEAKER (Mr. Hearman): The Deputy Leader of the Opposition quoted a letter from the Speaker of the House of Commons. I would have preferred it had he read the letter out. The difference was that in my case I suggested that an order be struck off the notice paper, and the Speaker of the House of Commons merely said that the proper procedure was to drop it to the bottom of the notice paper.

He also said that there was a responsibility on the member who brought the matter before the House—a matter which

subsequently became *sub judice*—to notify the Speaker; because clearly the Speaker cannot be aware of every court case pending. I do not think the Deputy Leader of the Opposition was prejudiced in any way, because his motion was subsequently restored to the notice paper.

MR. COURT (Nedlands—Minister for Industrial Development) [5.33 p.m.]: I rise to support your ruling, Sir, and to oppose the motion disagreeing with it. If you had any doubt about the correctness of your ruling, the Deputy Leader of the Opposition should have completely established in your mind that you made the correct decision, and the only decision that could be made in this particular case. In fact the further the honourable member went, the more I became confirmed in my mind that Mr. Speaker had given the correct decision.

I did my best to get as accurately as possible the points made by the Deputy Leader of the Opposition when he spoke. His main observations on this matter were that if a matter is not prejudicial there is no point in preventing the discussion. By that he meant, prejudicial to the case before the court. The honourable member further went on to say that there had to be a real and substantial danger that when discussion proceeds it may prejudice the case. He said there had to be real and substantial danger. The Deputy Leader of the Opposition further went on to say that this is essentially a matter of the Speaker's judgment.

The last point I want to mention in referring to the specific comments of the honourable gentleman is his reference to what he regarded as the only criterion which, he said, was: Is the matter which is the subject of the motion, the matter before the court?

Mr. Rowberry: On a point of order, Mr. Speaker, I want to know whether the Minister for Railways is quoting from a speech made by the Deputy Leader of the Opposition, and whether in fact that speech has been scrutinised by the Deputy Leader of the Opposition before being made available to any other member.

The SPEAKER (Mr. Hearman): I do not think there is a point of order involved.

Mr. COURT: I have as accurately as I can stated the main points the Deputy Leader of the Opposition advanced in trying to establish that you, Sir, had made a wrong decision.

Mr. Tonkin: I will concede that you have stated the points correctly.

Mr. COURT: I want to say that I agree entirely with all the points he has mentioned. I also agree with the point he made that the Parliament of the day has the right to pass a Bill whilst a matter is before the court; because I can see a number of instances where, in the interests of the people themselves, and in the interests of the whole State and of its safety, it might be necessary to pass a Bill of a special nature which would no doubt deal with the powers of the tribunal itself. It might protect the tribunal. I cannot think of a specific case that has been before this Parliament, but I can recall a case where the present Government had to introduce some legislation to make sure that a Royal Commissioner who was going to embark on a contentious matter was protected.

Mr. Tonkin: Pretty wicked legislation it was, too!

Mr. COURT: It was also necessary to protect the witnesses in that matter.

Mr. Tonkin: A few people were prejudiced, and I was one of them.

Mr. COURT: It was most important that the Parliament of the day should express itself in clear terms as to what were the respective rights and privileges of the people who were to conduct that tribunal, and of those who were going to participate in it.

Mr. Hawke: Legislation to protect a couple of liars and cheats.

Mr. COURT: I am not interested in what the Leader of the Opposition says. I am trying to deal with the points raised by the Deputy Leader of the Opposition; and he mentioned it would be possible for the Government of the day to introduce a Bill to deal with a particular matter; and the only one I can think of would be where we wanted to make sure that the judge hearing the matter and those giving evidence would be properly protected in the interests of justice.

If we accept the premises advanced by the Deputy Leader of the Opposition it means that you, Sir, can rule no other way but to declare the amendment out of order. Let us see what the amendment says. It says, "but we wish to record our strongest protest against the attitude of the Government in the State basic wage case." I repeat that it says, "the State basic wage case." The amendment continues, "and particularly against its paltry offer of an increase of only 3s. 10d. per week."

In one of the premises advanced by the Deputy Leader of the Opposition, he said the only criterion in his mind was that the matter which is the subject of the motion is the matter before the court. Let us see what is before the court. It is, of course, a general review of the basic wage in Western Australia; more popularly referred to as the State basic wage case. I do not think anyone will dispute that. We might call it by any name we like, but it is a fact that it is a general review of the State basic wage case; and the amendment specifically says, "but we wish to record our strongest protest against the attitude of the Government in the State basic wage case." I want to emphasise that it says, "in the State basic wage case."

If that is not a matter before the court I do not know what is; because the whole subject of the court's deliberations at the present time is the State basic wage case.

Mr. Hawke: We are not discussing that; we are discussing the Government's attitude.

Mr. COURT: Therefore the matter before the court is the matter specifically referred to in this motion. If we want to be pedantic about it and say we are not referring to the actual substance of the basic wage case; the actual matter being considered by the Industrial Commission, we only have to read a little further to find that the amendment says, "and particularly against its paltry offer of an increase of only 3s. 10d. per week."

If that is not being specific and attempting to influence the court from Parliament—not from the Opposition; not from the Government; not from any person or union, but from Parliament—I do not know what is.

Mr. Jamieson: Is not Parliament more entitled to influence it than the Government?

Mr. COURT: I suggest the member for Beeloo, in common parlance, has put his head out, because this commission is a statutory body. It has been established by this Parliament, and not by the Government.

Mr. Graham: Just playing with words.

Mr. Hawke: Not by the Employers Federation, not much!

Mr. COURT: One can always tell when the Opposition is on the run. If the Opposition wants to be pedantic, I can refer to the time when it was the Government and passed some legislation to which I took strong exception. It was still legislation passed by this Parliament, and that is the system under which we work. So this Industrial Commission is a commission established by this Parliament, and it is responsible not only to Parliament but also to this State—and important responsibilities it has. Therefore there should be no expression of opinion by Parliament during a time when the deliberations of the commission are taking place.

It is competent for this Parliament to amend the law dealing with industrial arbitration at any time it thinks fit; but it is not our ethical responsibility and duty, and I submit not our right through a parliamentary decision—as distinct from the expression of a person's opinion—to attempt to influence this court.

Mr. Rowberry: You are making a difference between the Minister's pronouncement and yours.

Mr. COURT: There is a tremendous difference between the pronouncements of a Minister, of a Government, of the Leader of the Opposition, of a union, and of an association, and an expression of opinion by Parliament.

Let us examine the situation which could arise under this amendment: One Opposition speaker said the Government would win. Those were the words he used. He presumed that the Government, with its majority, would defeat this amendment. What will be the position if Parliament votes on this motion, and the Government does win, as is logical to assume? Is that not saying to the Industrial Commission, at the very time when it is weighing up the evidence on this matter, that Parliament believes the 3s. 10d. is plenty?

Mr. Hawke: That would not be a decision of Parliament.

Mr. COURT: It would be a decision of this Legislative Assembly.

Mr. Hawke: That is right.

Mr. COURT: I submit that is much different from a decision by the Government. For instance, if the Leader of the Opposition made a statement, when this matter was before the court, he would be doing so in his capacity as Leader of the Opposition, as Mr. Hawke, or on behalf of the Opposition. If Mr. Chamberlain made a similar statement he would likewise be expressing his own views. But when a decision of the Legislative Assembly or Legislative Council is made it has a greater impact not only on the community but on the tribunal itself.

Had the amendment been debated and defeated it would be competent for someone to declare to the Industrial Commission that that was the expressed will of the whole Legislative Assembly; whether it had been carried by one vote or 20 votes would not matter.

Mr. Tonkin: The court would not listen to the utterances of Parliament.

Mr. COURT: People have been known to use the utterances of Parliament before today.

Mr. Tonkin: I know they have tried to do that.

Mr. COURT: And they did with success.

Mr. Hawke: And sometimes without success.

Mr. COURT: Maybe; but in some cases with success.

Mr. Tonkin: You are not suggesting it would be accepted as evidence in a court of law?

Mr. COURT: Therefore the Opposition, in its efforts to cause so-called embarrassment to the Government, would, in fact, embarrass itself; because as a result of its amendment there would be an expression of opinion by the Legislative Assembly—I have often been told by the Opposition that this is a deliberative Assembly—

Mr. Hawke: It was prior to five years ago.

Mr. COURT: —that the Assembly had declared itself against the increase of 3s. 10d. Let us imagine the position had the amendment been debated and carried. That would be tantamount to this Legislative Assembly saying to the Industrial Commission, "We think you should grant more than 3s. 10d."

Mr. Hawke: Nothing of the kind.

Mr. COURT: This amendment can only have three fates: It can be withdrawn; it can be carried; or it can be lost. If it was carried or lost, it could mean nothing else but that this Assembly was trying to say to the Industrial Commission, which Parliament created, that it should either give more, or give less, than the 3s. 10d.

Mr. Rowberry: You are doing more to influence the court than any speaker on this side of the House.

Mr. COURT: I do not know that I have mentioned the merits or demerits of the case at all.

Mr. Graham: Neither have we on this side.

Mr. COURT: One speaker opposite—I think he was the member for Victoria Park —said last Thursday this motion would not make an impact if it were allowed to be debated. Of course it must make an impact, because no-one can debate this question without touching on the merits or demerits of a particular approach to the basic wage case; in other words, he would come out and declare whether he felt the increase should be £1, 30s., or less than 3s. 10d. a week. It would be impossible to debate this motion without making very clear on which side one stood.

The Deputy Leader of the Opposition has said that our Standing Orders are, for all practical purposes, silent on the point as to whether or not this matter is *sub judice*. They might be; but surely this is where the point he made becomes very important. It becomes a matter of the Speaker's judgment.

In point of fact, if that judgment is challenged it becomes a question of the judgment of this Legislative Assembly itself. I submit, in view of the fact that this is a matter of vital importance to the whole economy of this State, and to every man, woman, and child in this State, it ill behoves this Parliament or this Assembly to try to influence the decision of the Industrial Commission.

Mr. Hawke: And to criticise the Government!

Mr. COURT: I repeat: The expression of opinion by the Leader of the Opposition, by the Government of the day, or by any particular body, is in an entirely different category from an expression of opinion by this Parliament. I support the Speaker's ruling and oppose the motion.

MR. GRAHAM (Balcatta) [5.48 p.m.]: In view of your ruling, Mr. Speaker, any cynic would be entitled to suggest that your recent visit to Great Britain was possibly a waste of the British taxpayers' money. I say that in all seriousness. Previously in this Chamber I have deplored the trend, which unfortunately is being backed by the presiding officer, to gradually whittle away the rights of members.

As was demonstrated by the Deputy leader of the Opposition, the ruling which you give on a certain day to preserve what the Ministry desires to preserve becomes a ruling which is binding on this Parliament forever thereafter. Virtually that is the effect of your ruling. We have vivid memories of the excesses to which the presiding officer went during the last session of Parliament when, in my estimation, every rule in the book was broken to prevent members of the Opposition from expressing themselves. It would appear that you have given a ruling to suit the convenience of the Government.

It has been stated, not once but on many occasions—and the evidence is here for all of us to see—that this amendment to the Address-in-Reply is designed to rap the knuckles of the Government. It is not intended to criticise, or in any way interfere with, the tribunal which was set up through legislation passed last year, notwithstanding the most violent opposition on the part of Her Majesty's Opposition. Where are we going? This Government knocked on the head our arbitration system as we knew it, and set up in its place—

Mr. Court: A better one.

Mr. GRAHAM: —the Industrial Commission.

The SPEAKER (Mr. Hearman): The honourable member must relate his remarks to the motion before the Chair. I cannot relate the action of last year to this motion.

Mr. GRAHAM: I do that very thing because your ruling, Sir, makes reference to a case which is before a certain authority; and now we find that this Parliament, albeit with the support of the Government, has set up a Frankenstein monster which is superior to Parliament, because your ruling seeks to deny the members of this Parliament, who surely should be free to express themselves in respect of important issues of the day, the opportunity of expressing themselves in regard to a matter that comes within the purview of the industrial authority, but which, in point of fact, is in connection with an amendment that seeks to condemn the Government for its action—for its attitude; its expressed attitude.

What you are virtually saying, Mr. Speaker, is that this composite body—four bits and pieces—has a standing and

place in the community superior to that of the State Parliament and woe betide any member who says anything that might reflect on that tribunal or says anything that might affect the judgment of that court. At any given moment there are cases before the industrial authorities dealing with applications for increased wages and salaries. Because that is so, does it mean that if your ruling is to be consistent, at no time are members of Parliament in order in discussing the necessity for an increase in wages and salaries to measure in some respect against the tremendous and ever-increasing profits, as in expressing ourselves we may be saying something that will affect one of the courts which, at the moment, is looking into wage standards, margins, or something of that nature?

Would you suggest, Sir, to be consistent with your ruling, that nobody, not even the Government, can submit resolutions or legislation dealing with amendments to the Traffic Act, because at any point of time there are cases before the traffic courts? If a member of this House expresses concern at the fact that no longer are motorists giving way to the traffic on their right, at the moment a member is expressing his views there may be cases before the court where somebody —perhaps you, Mr. Speaker, or me—is being tried for having failed to give way to traffic approaching from the right.

How silly can Parliament get if that is to be the position? How inconsequential is the position of a member of Parliament—the legislator, the spokesman of the people, the protector of the community's rights and liberties? How important are we if, on every occasion when it appears there is to be criticism of a Government, a Speaker conveniently steps in and declares on some pretext or another this cannot be done?

Mr. Court: You are reflecting on the Speaker, and should know better.

Mr. GRAHAM: In supporting this motion, that is what I am doing; and I prefer to be reprimanded in this matter by the Speaker rather than the self-appointed Speaker in the person of the Minister for Railways.

Mr. Hawke: A well-merited rebuke.

The SPEAKER: (Mr. Hearman): I would point out to the member for Balcatta that if he wishes to reflect on the Speaker he should move a substantive motion. For his information I would draw attention to Standing Orders Nos. 131 and 132 dealing with the restriction on members.

Mr. GRAHAM: There is already a motion before the Chair; therefore, I would be out of order. Whilst I make no threats, promises, or anything of that nature, I suggest quite seriously that if the present most unsatisfactory trend continues, perhaps serious thought will have to be given to the matter you have suggested.

The SPEAKER (Mr. Hearman): I think that ends that.

Mr. GRAHAM: Very well, Sir. It was a subject introduced by yourself. Surely it is the duty and responsibility of the Speaker to uphold the rights of members! Surely he has an obligation to protect the rights of members and see they have an opportunity to express themselves as freely as possible. You know, or should know, Mr. Speaker, that in the rules and constitutions of organisations there are certain limitations and restrictions; and all of the things that cannot be done are set out. However, there are certain restrictions on what can be done; and basically that is the law of Western Australia, the Commonwealth of Australia, and so on. Under our Standing Orders, as has already been pointed out, there is no prohibition or restriction so far as members of this or the other Chamber are concerned in debating matters that happen to be before courts at the time.

Is there anything to suggest, Mr. Speaker, that that was not deliberately done—that those who drew up the Standing Orders felt that members should be as free and as unfettered as possible and that shackles should not be imposed on them unnecessarily? No; you choose to ignore the Standing Orders of the Parliament of Western Australia and accept what a gentleman by the name of Erskine May has to say, based basically upon the Standing Orders and procedures of the British Parliament. You seek to impose upon us a limitation that those who drew up our Standing Orders apparently never contemplated. Surely this is further evidence of the dangerous trend of which I spoke earlier!

Where do we start and where do we finish? I well remember the present Minister for Railways and others exercising their vocal chords in condemnation of a Royal Commissioner by the name of Mr. A. G. Smith. There was no thought then of the propriety of the situation—no thought then by the Minister for Railways, who speaks with such concern from a high imaginary level, that what was uttered by Liberal Party members inside of this Parliament and outside of it might have influenced a person who was occupying a semi-judicial position at the time and whose findings could have been influenced by these spokesmen as a consequence!

Mr. Court: You are wrong; we were discussing a report made by the commissioner.

Mr. GRAHAM: I well remember, even if the Minister for Railways does not, his, not appeals to the Government of the day, but condemnation of the Government of

the day for not calling off the Royal Commissioner's activities; and his suggestion that because Mr. Smith was continuing, he was upsetting the standard of work and the morale of the Government railway officers and employees generally.

Mr. Court: We were discussing a report that was actually before Parliament.

Mr. GRAHAM: I am merely indicating that the Minister for Railways went far in excess of that. He was not discussing a decision or finding in the past; he was discussing the continuance of the present operations and activities of the Royal Commissioner and his future, so far as the Minister was able to envisage them.

Mr. Court: The expression I used to which exception was taken was on a report of findings, because we were considering a report that had been made. It was one of several.

Mr. GRAHAM: Of course, and the inquiry was continuing.

Mr. Court: Another matter altogether.

Mr. GRAHAM: In other words, the inquiry was not complete.

Mr. Hawke: The matter was *sub judice*.

Mr. GRAHAM: If we accept the attitude of the Government in respect of this particular matter, I wonder if there would have been consultations with the Speaker if the amendment of the Leader of the Opposition had been in the form of commending the Government for its action in this matter.

Mr. Hawke: Heaven forbid!

Mr. GRAHAM: I suggest it is in an endeavour to protect the Government from well-merited criticism that at least those who have supported the Speaker's ruling are so enthusiastic in their attitude. I repeat that the decision of the Opposition to move this amendment was to criticise the Government. Are you, Sir, and the Government suggesting that those whom this Government has appointed to the industrial tribunal are so recreant to their trust that instead of relying upon evidence that has been submitted to them and to which they have been listening for weeks, they will be more impressed by what the member from here or the member from there says in this Parliament? It is too fatuous for words. Spokesmen of the Government do not believe it themselves.

I am surprised you played a part to make the sort of thing of which I complain possible, whereas your duty surely is to ensure members have an opportunity of speaking on those things that occur to them as being of importance and in the public interest. What is perhaps equally essential is that speeches when made and action when taken or sought to be taken should be propitious; in other words have some regard for the time factor. What use is it in two months' time for the Opposition to be deploring the attitude of the Government which perhaps has resulted in the court deciding on this figure of 3s. 10d.? Is not the time the Government has made a mistake or erred or done an injustice to a large section of the community the time for the protest to be made—before the court has made its decision? It is no use crying about it afterwards. That is what the Opposition is seeking by this move; not to criticise the court. How is that possible? It has not given its decision. It is not to influence the court; because we surely believe it is more responsible than to be influenced by what we may say, or by any resolutions that might be carried by this Chamber or this Parliament.

Mr. Hawke: It has to decide on the evidence.

Mr. GRAHAM: Therefore all this high-faluting stuff we have listened to and your ruling, are in my honest opinion, so much poppycock, because whatever is said in connection with the amendment should not and would not have any effect whatever upon the Industrial Commission. That being so, on what grounds do you declare the amendment of the Leader of the Opposition as being out of order? I repeat, from anything that appears in the Standing Orders of Western Australia you do not, as far as I am aware, base your decision on any ruling that has been given by previous Speakers and accepted by Parliaments over the years. No sir! There is no impediment, as far as the amendment is concerned, contained in our Standing Rules and Orders. So you traverse 10,000 miles overseas in order to find some grounds by which to muffle the Opposition and prevent them from handing out a well-merited rebuke to the Government for the very deliberate steps it took in an endeavour to influence the industrial tribunal not only in its statements, but actions which preceded them, and to which I cannot at this stage make reference because I know full well I would be out of order.

In other words it is a shocking state of affairs that this Government has done what it has and that you, Sir, should associate yourself with it in denying the Opposition the opportunity of speaking at a time when there should be free speaking in connection with a most important question. I know it is no use appealing to you for reconsideration of your decision. I have been here in this Parliament for a long time and intend to sit here for a few years more.

Mr. W. Hegney: Hear, hear!

Mr. GRAHAM: But I do hope we do not see any more of this whittling away of the rights of members of Parliament, particularly private members. If this process continues it will not be worth the while of private members, whether on the Government side or the Opposition side,

attending meetings of Parliament, because they will be so circumscribed in their activities as to what they can say and do as to be wasting their time here. They would be better to spend the whole of their time as social workers round about their electorates and, so far as Parliament is concerned, let the Government say what it wants when it wants to, and let it do what it wants when it wants to; because standing up and catching the Speaker's eye or the Chairman's eye does not apparently mean anything any more, judging by a whole series of examples last year.

Bit by bit, like the dropping of water on stone, it is having an effect, and it is a most unhealthy one. I am afraid unfortunately that this pattern in the Parliament of Western Australia, a humble State Parliament in a small community such as ours, is in conformity with the dreadful trend that one observes on a world-wide basis. More and more is authoritarianism taking charge; and the rights of those who ordinarily and customarily play a part under a democratic system are *non est*. The rights are in the hands of those who have this centralised power. The boards, trusts, and commissions that are established have these rights, and they are taking away from Parliament certain of its functions; and they are taking away from members certain of their rights. This is the trend today, and it is to be deplored.

In conclusion, I wish there could be a period of neutrality between the time when one Government ceases to be the Government and another takes over, when any particular issue that might come before Parliament—matters about which I have spoken; and the rights of members—could be determined in a non-party spirit, without knowing who will occupy the seats on each side of the House. High principles would be observed, instead of, as I fear on so many occasions, what suits the convenience of the Government of the moment. I will say no more.

MR. GUTHRIE (Subiaco) [6.8 p.m.]: The member for Balcatta made the statement that this power has been gradually whittled away. He obviously did not indulge in any research whatsoever in the course of the extremely extravagant and inaccurate speech which he has just inflicted upon the House.

Mr. Graham: Fine words!

Mr. GUTHRIE: If he cares to take the trouble to read the authorities on which Erskine May bases his rule he will find that this rule was laid down as long ago as 1844, and not under any Standing Order of the House of Commons but on a ruling of the House of Commons of the day; and it has remained unaltered and untrammelled throughout the years.

Mr. Graham: It has never appeared in Western Australia.

Mr. GUTHRIE: It has appeared in Western Australia and it has appeared in this Parliament; and it was unquestioned by the Deputy Leader of the Opposition when the ruling was given against him only two years ago by the self-same Speaker. It was not questioned by either the member for Balcatta or the Deputy Leader of the Opposition.

Mr. Tonkin: What was not questioned?

Mr. GUTHRIE: That a matter that was before a court could not be discussed while it was before the court.

Mr. Tonkin: I agree; a matter before a court.

Mr. GUTHRIE: I will deal with that in a moment. It does not matter if one reads the rulings of the various Speakers. The only one I have not been able to read is the original ruling given in 1844, for the simple reason that the *Hansard* is not available in the library of this Parliament. I have made inquiries from the State Library, and it will be made available for two days. I have taken the trouble to read all the other references on which Erskine May bases his decision. It is simply this: That whilst a matter is before the courts it shall not be discussed in Parliament. There is no reference in any of those rulings as to whether or not it is likely to influence a tribunal. In fact, if one cares to examine the rulings one will find that in the year 1889—I think that was the year—the Speaker of the House of Commons ruled that before proceedings had actually been instituted in the courts—not if they were likely to be instituted in the courts—it was quite improper and wrong for Parliament to discuss them. The circumstances arose in this way—

Mr. W. Hegney: That has nothing to do with this amendment.

Mr. GUTHRIE: —that if there were likely to be a prosecution, the member was not entitled to raise the matter in the House unless he was able to give an assurance to the Speaker that the Attorney-General or the Director of Public Prosecutions, had declined to act; and while the matter was possibly pending before the courts it could not be discussed. That, simply, is the situation.

I repeat that there is no Standing Order —or certainly there was no Standing Order in those days; and I am informed that there is no Standing Order in the House of Commons now—dealing with what is known as the *sub judice* rule.

Mr. Graham: And there is certainly none in Western Australia.

Mr. GUTHRIE: There is certainly none in Western Australia. Parliament creates the courts and the courts arbitrate on matters that come before them. Parliament having set up the courts, it leaves it to the courts to do justice; and while

matters are pending before the courts it does not permit any discussion of those matters.

Incidentally, in England—I think it was in 1943 or 1945—a decision was given by an inferior court, and while an appeal to a superior court was pending the Speaker permitted discussion; because at that time the appeal was not actually before the court. The Speaker went on to say that if notice of appeal were given he would not be able to allow any further discussion. That is evidence that it is possible; and the right of freedom of speech is not taken away from members. Freedom of speech is possible at an appropriate time, but not when a matter is actually before the courts.

The member for Balcatta referred to a Royal Commission that was conducted by a certain magistrate. I was not a member of this House when that matter was debated and I have no knowledge of whether it was debated before or after the report was submitted. I would point out, however, that it is a simple fact that even if the Royal Commission was proceeding at that time, a Royal Commission is not a court of law. It does not make any decision. It is not a court of record, as was mentioned by you, Sir. It merely makes a report. It submits recommendations and makes no decisions. In consequence there could not be a point taken that proceedings before the Royal Commissioner were *sub judice* as being a matter before a court.

I do not think it is necessary for me to repeat what the Minister for Railways said, because he dealt adequately with the question of what is before the tribunal. The tribunal has, first of all, to fix a basic wage and there are two parties to the matter before it. The first is the employees' representative; the second is the Employers' Federation—

Mr. W. Hegney: The third is the Government.

Mr. GUTHRIE: —and the intervening party is the Government.

Sitting suspended from 6.15 to 7.30 p.m.

Mr. GUTHRIE: Just prior to the tea suspension I was going to deal with the actual motion which you, Mr. Speaker, have ruled out of order. However, before doing so I think I should refer the House, in view of the statement that was made that we have no Standing Order on this subject—and that, of course, is not correct—to the fact that we do have a Standing Order on this subject. Standing Order No. 1 covers it and reads as follows:—

> In all cases not provided for hereinafter, or by Sessional or other Orders, resort shall be had to the rules, forms, and practice of the Commons House of the Imperial Parliament of Great Britain and Northern Ireland, which shall be followed as far as they can be applied to the proceedings of this House.

The effect of the Standing Order is that it does incorporate into the rules the procedure to be adopted—where there is no specific Standing Order—the practices that have been adopted over the years by the House of Commons. It is, therefore, not of much significance to know what the Clerk of the Legislative Assembly in another State suggests might be done, even if it were the practice of the Legislative Assembly in another State. We are concerned solely with the rules which have been laid down by successive Speakers of the House of Commons.

As I mentioned earlier, Sir Erskine May in his textbook has not laid down his own opinions. He has stated the decisions that have been made by successive Speakers. Reference has been made on page 380, but I think the matter is better stated on page 437 of the 15th edition, which reads as follows:—

> Matters awaiting the adjudication of a court of law should not be brought forward in debate (except by means of a bill; see p. 380). This rule was observed by Sir Robert Peel and Lord John Russell, both by the wording of the speech from the throne and by their procedure in the House, regarding Mr. O'Connell's case,—

which was, incidentally, in 1844 as I mentioned previously. The text goes on—

> and has been maintained by rulings from the chair.

I think the best expressed decision from the Chair in this matter which is gone into in any length—occurred in the year 1898 in a case where a Mr. Lewis decided to bring before the House what he considered to be a matter of bribery and corruption which occurred during an election for the electorate of Grimsby. Mr. Lewis was ruled out of order and he endeavoured to get around the ruling by saying that he wished to discuss the policies of the Attorney-General and Solicitor-General, but he was again ruled out of order. The Speaker gave the ruling which I stated previously, and which is to be found on p. 869 of vol. 64 of the 1898 British *Hansard* report.

On the 10th August, 1898, Mr. Lloyd George, who, of course, was a famous Prime Minister of England, questioned the Speaker on just what his ruling was and the Speaker in answer said—

> I did not say that. What I said was, that if the honourable member was prepared to assert that a specific case had been brought to the knowledge of the Attorney-General or the Public Prosecutor and those officers had refused to take any action upon such knowledge, then he might invite the House to consider their conduct.

He had ruled earlier that even though proceedings were not instituted, it was quite out of order for the House to discuss any matter which was either before the courts or was to come before the courts, and he based his ruling on the fact that there was a 21-day period for a petition to be presented; and one had not been presented. If anybody cares to read the *Hansard* he will find that no reference whatever was made to any trials of specific persons; and it was ruled that it was not competent for the House to discuss matters that were before the courts.

Turning now to our own particular matter: As has been pointed out by the Minister for Industrial Development, it is the second part of this amendment which opens the *sub judice* rule: the words "and particularly against its paltry offer of an increase of only 3s. 10d. per week." As I have said, there was one party—the employees—and another party—the employers—before the court. The Government has intervened and makes a third party, and the Government has made a submission to the court that there should not be a greater increase than 3s. 10d. per week. That is one of the very issues before the court. Whether it is a good issue or a bad issue does not matter—it is an issue on which the court is required to reach a decision; and we are asked to deal with an amendment which, in effect, if carried, would say it was a paltry offer and therefore a paltry issue, and if that is not a matter directly before the court I do not know what is.

Therefore, I have no doubt that your ruling is correct and I find it in no way difficult to support the rejection of the motion to disagree with your ruling.

MR. EVANS (Kalgoorlie) [7.39 p.m.]: I listened with a great deal of interest to the member for Subiaco, and if it were not for just one single factor I would have to agree with everything he said. There is, however, one factor which I feel does not support his case but supports the contention of the Leader of the Opposition; and that is, that this matter is not before a court of law. The *sub judice* rule applies when a matter is before a body that exercises judicial power; but the very constitution of this institution stamps it indelibly as an administrative body, not a judicial one.

I ask the member for Subiaco, he being a legally qualified member of the Government, to have a look at the Industrial Arbitration Act, as it is now framed, and I am sure he will find that this body is one whose members deal in an administrative and not a judicial manner. To that extent the *sub judice* rule does not apply any more than it would apply if a question came before the King's Park Tennis Club committee or the Workers' Compensation Board. However, even that body is one presided over by a legally qualified man; but the Industrial Commission does not contain a legally qualified practitioner.

Mr. Guthrie: Does that make it not a court?

Mr. EVANS: It does not deal with matters judicially. It does not deal with matters in a judicial manner. It is purely and simply an administrative body.

Mr. Guthrie: How do you get around the section which contends that it is a court of record? What is a court of record? Do you know? I don't think you do.

Mr. EVANS: I certainly do.

Mr. Guthrie: You tell the House and we will see if you are right.

Mr. EVANS: I am not setting myself up to be an authority even if you are. A court of record is purely and simply one that can be called upon to produce its records to a higher court. The Supreme Court can call upon any administrative body to show cause why its order or its judgment should not be quashed by an order of *certiorari;* and that can apply to any administrative body. It can apply to the domestic rules of the W.A. Turf Club if that august body does not carry out its own rules in dealing with a matter that is before it. That is what a court of record means.

The Industrial Arbitration Act itself provides that the only time the commission becomes a judicial body is when there is a member of the judiciary presiding and it takes on its appellate jurisdiction. In that event this matter would certainly be *sub judice;* but we are dealing with a matter which is before the commission in its original and not its appellate jurisdiction, and I draw that fact to the Government's attention.

The Government has the numbers and it can do much wrong by creating a precedent, as it will do if it just bulldozes this question through. In this case the *sub judice* rule definitely does not apply; and, with all due respect, Mr. Speaker, I must support the move to disagree with your ruling.

MR. JAMIESON (Beeloo) [7.43 p.m.]: It might be said, in disagreeing with your ruling, Mr. Speaker, that the logical argument in this case will be far outweighed by the numbers when the decision is finally arrived at. That is always the ultimate conclusion of such a debate, provided of course the Whips are doing their job; and the final result is a foregone conclusion. However, that does not detract from the fact that on occasions such as this the expression of opinions as to why your ruling should not be upheld, or why your ruling should be disagreed with, is justified.

I would draw the attention of the member for Subiaco, who made some reference to the report by Mr. G. D. Combe, M.C.,

Clerk of the House of Assembly in South Australia, to the fact that although he said what the Deputy Leader of the Opposition quoted was an opinion of Mr. Combe as to what should be laid down as a rule for the South Australian House of Assembly, that is not a fact. Mr. Combe was reporting on the activities of a committee set up by the House of Commons and he merely reported a suggestion made in regard to the House of Commons. In no way did he say that at this juncture he considered such a proposal should be adopted in South Australia, although it would appear that his final opinion is that it would be a very good feature to adopt. In my view our Standing Orders should be amended to define clearly the meaning of *sub judice* as it affects this House, in view of the contentious issues that have arisen over the last few years.

I would like to draw the attention of the member for Subiaco to Mr. Combe's summary. The member for Melville may have covered most of this aspect when he quoted certain sections from Mr. Combe's report; but, in any event, the latter said—

> The present practice relating to reference in the House to matters considered as being *sub judice* has developed during the last 120 years from various precedents and rulings from the Chair, the earliest being in 1844.

The member for Subiaco referred to that date, of course. Mr. Combe goes on—

> The majority relate to cases before a criminal court, but one refers to an Election Court—

It would be easy to see why that could be *sub judice*. He continues—

> —one to an inquiry by the Wreck Commissioner, and one to the first tribunal set up under the Tribunals of Inquiry (Evidence) Act, 1921. Proceedings before Courts Martial are also included. In December, 1961, questions were ruled out of order on *sub judice* grounds in a case where a writ for libel had been issued. This was the first recorded instance of such a rule being applied to a civil action.

There must have been a dozen and one rulings given and questions asked from time to time in the House of Commons regarding cases and actions taken before industrial tribunals. I would be very much mistaken, knowing the number of industrialists who have been and still are members of the House of Commons, if decisions have not been given whether or not the questions and motions were *sub judice*. I am sure it would not be considered a court of jurisdiction in regard to matters that came before it, and it would not be claimed that those matters which came forward for consideration in the House of Commons were *sub judice*.

It is also interesting to note that the report states—

> Mr. Speaker in evidence was in no doubt that the ultimate responsibility for deciding whether prejudice might be created by a question or motion must rest with the Chair, but he was in favour of the House making a rule which would give some guidance.

There again I get back to the point that perhaps before long this question should be referred to our Standing Orders Committee to write into our Standing Orders something which will enable members to have a clearer understanding of the question instead of just making a reference to it. When our Standing Orders are not applicable we have to take cognizance of the procedure in the House of Commons; or we have to refer to May; or, as we did this evening, quote reports from Mr. Combe and other people.

I would say that so far as a number of cases and precedents are concerned there is nothing in them about matters before an industrial tribunal being considered to be *sub judice*. As regards whether or not it is a court of law I will leave my legal colleague and the legal member opposite to argue it out. I would not know enough about the question to argue it with them. However, as this question has been considered many times by the House of Commons, and because its contention is that the point is not clear when a matter is *sub judice*, I think we should do something about it and determine for ourselves what we will deem to be a *sub judice* matter. Then every member will know where he is going.

It is also interesting to note that, at the time of the publication of Mr. Combe's report, the matter had not been considered by the House, and, as far as I have been able to ascertain, the House of Commons has not yet made its own rules in respect of *sub judice* matters. However, at this stage I consider the argument is valid enough to show that the Industrial Commission is not a court of law and therefore your ruling, Mr. Speaker, that the matter is *sub judice* is not correct. So the motion of the Leader of the Opposition to disagree with your ruling should be upheld.

Motion (dissent from Speaker's ruling) put and a division taken with the following result:—

Ayes—23

Mr. Bickerton	Mr. Kelly
Mr. Brady	Mr. D. G. May
Mr. Davies	Mr. Moir
Mr. Evans	Mr. Norton
Mr. Fletcher	Mr. Oldfield
Mr. Graham	Mr. Rhatigan
Mr. Hall	Mr. Rowberry
Mr. Hawke	Mr. Sewell
Mr. Heal	Mr. Toms
Mr. J. Hegney	Mr. Tonkin
Mr. W. Hegney	Mr. H. May
Mr. Jamieson	*(Teller)*

Noes—24

Mr. Bovell	Dr. Henn
Mr. Brand	Mr. Hutchinson
Mr. Burt	Mr. Lewis
Mr. Cornell	Mr. I. W. Manning
Mr. Court	Mr. W. A. Manning
Mr. Craig	Mr. Mitchell
Mr. Crommelin	Mr. Nimmo
Mr. Dunn	Mr. O'Connor
Mr. Gayfer	Mr. Runciman
Mr. Grayden	Mr. Wild
Mr. Guthrie	Mr. Williams
Mr. Hart	Mr. O'Neil
	(Teller.)

Pair

Aye	No
Mr. Curran	Mr. Nalder

Majority against—1.

Motion thus negatived.

Debate (on Address-in-Reply Motion) Resumed

MR. W. HEGNEY (Mt. Hawthorn) [7.55 p.m.]: On the motion before the House, I quite agreed with the remark of the Leader of the Opposition a few days ago, when he was speaking to the Address-in-Reply and mentioned that the Government's effort, in the form of the Governor's Speech, was so much window-dressing on the occasion of this session, prior to the general elections to be held next year.

I do not wish to touch on the matters dealt with in the Governor's Speech; but I would like to mention a few matters which, to my mind, are of importance. They refer to the Standing Orders and the amendment to the Western Australian Constitution. If permitted, I propose to deal with one or two other matters which are of grave public importance.

The first I propose to raise is the very important, and far-reaching transition in our State Constitution. I refer, of course, to the legislation that was passed last year the object of which, in effect, was to remove a most iniquitous system from our Constitution; a system which had operated from the days prior to the turn of the century.

We all know that, for many years, the Labor Party in this State had on its platform—indeed, it still has—an adult franchise for the Legislative Council with a view to its abolition. The Constitution provided that the Upper House was a privileged House; that for any person to be a member of that Chamber, whether man or woman, he or she had to be at least 30 years of age, regardless of whether he or she was a university professor, a doctor, an engineer, or a person engaged in some other profession. Further, unless a person had property to the value of £50, or paid rent to the value of £17 per annum, he or she was not entitled to vote for the Legislative Council.

During all those years, supporters of Governments similar to the one in office today tried to hoodwink the people of this State into believing that the Upper House was a House of review; that it was a non-party House; that it was entirely different to the common Chamber known as the Legislative Assembly, despite the fact that, for many years, every member of the Legislative Council subscribed to the policy of some party or other. I am pleased to say that the old saying, "Constant dripping wears away stone" has been borne out in this instance; and I am presumptuous enough to believe that the agitation over a long period of years by the Labor movement in this State has borne some fruit, because today we have the position where the members of the Legislative Council will be elected on the same basis as the members of the Legislative Assembly—that is, they will be elected on an adult franchise and will go to the polls on the same day as the candidates for the Legislative Assembly. Also, the voting for the Legislative Council will be compulsory, in the same way as it is for the Legislative Assembly.

On this matter I have spoken not only in this Chamber, but also in public, and pointed out—in these days of compulsory education up to university level—how unjust a Constitution such as ours could be, and how restricted it could be, in that a person had to be 30 years of age before he or she could occupy a seat in the Legislative Council Chamber; and, further, one had to face up to certain other requirements before being entitled to the franchise. All that, I am pleased to say, has gone by the board.

We are hopeful that the people of this State will, in due course, subscribe to our policy for the abolition of the Legislative Council, because it is a natural sequence to adult franchise. From my boyhood days I have never been able to understand why it is necessary to have two Chambers to legislate for the people of Western Australia.

The members of this Chamber are elected on an adult franchise basis. They go before the people, and they are elected or rejected. Surely 50 members in a House constituting the representation of this State is sufficient for the administration and for the Government of the State! Why is the second Chamber necessary? I have yet to be convinced that a second Chamber is necessary. Now that there is adult franchise, the simple position is that there will be 50 members elected on a single unit basis—that is, a single electorate—and there will be 30 members elected on a provincial basis; which is simply the merging of three, four, or five Assembly seats to constitute a province—all on the same basis.

I hope the day is not far distant when the people of this State will recognise the futility and complete lack of necessity for two Chambers. I have a vivid recollection of the days when the Queensland Labor Government attempted to abolish the Legislative Council; and it succeeded. It was a nominee Chamber and it made no apology for ensuring that the majority of

sympathisers would not take their place in the Legislative Council in Queensland. I think it was the Theodore Government which caused that Chamber to be abolished.

In 1929, when the Moore Liberal Government got into power, it did not seek to re-establish the Legislative Council. Fortunately the Moore Government went out of power in 1932, and later on the Liberal-Country Party Government took office in Queensland. But it never attempted to reintroduce the second Chamber; and apparently Queensland is making some progress. I am open to correction here, but I believe that New Zealand had two Chambers.

Mr. J. Hegney: That is right.

Mr. W. HEGNEY: The Liberal Government of New Zealand abolished the second Chamber, because it was afraid that the Labor Party would dominate it. That is how I understand the position. Accordingly I hope the people of Western Australia will, before many years have passed, ensure that this State is governed by one Chamber only.

In the meantime I come to the position of the Legislative Council. Up till now—on its previous franchise, and this will be the case even with the adult franchise—it has been, and will be, the most powerful Chamber in the British Commonwealth of Nations, because there is no provision in our Constitution at the moment for a double dissolution. No matter which Government is in office in Western Australia, and no matter what Bill it passes to another place, if that other place rejects it, or amends it in a way unsatisfactory to the Legislative Assembly, the Legislative Assembly can do nothing about it. All it can do in the final analysis is to ask for a conference, and if there is not complete unanimity at the conference the particular measure is lost.

That is far from being democratic. Even though this Chamber is elected on an adult franchise basis, it must bend the knee to the dictates of the other Chamber. I am open to correction here, but the only provision which deals with the overcoming of deadlocks, as far as I know, is Standing Order No. 315, which says—

> If the Legislative Council shall return the Bill with any of the Assembly's Amendments on the Council's original Amendments disagreed to, and shall insist on its original amendments, stating the reasons for so doing, or shall agree to the Assembly's Amendments thereon, with further amendments, the Message returning the Bill shall be ordered to be printed, and a day fixed for taking the same into consideration, which shall be in a Committee of the whole Assembly; and the Bill shall then be finally passed, or laid aside, according as the Assembly may agree or disagree to the requirements of the Legislative Council, unless that Assembly determines to request a Conference.

I have had the experience of attending a few conferences when Bills have passed this Chamber and have been amended in another place. When that has happened we have sought and obtained a conference, and we have had to bend the knee and bow to the will of another place to save a few splinters from the wreckage. To my way of thinking that is not democratic.

Pending the abolition of another place I strongly recommend to the Standing Orders Committee the introduction of a provision on the basis of the British Parliament Act. The British Parliament Act was passed in 1911. Until then the House of Lords—that privileged Chamber—had the right of veto; and no matter what the House of Commons passed, up till 1911, it could do nothing unless the House of Lords agreed to its wishes.

I am not sure who was the Prime Minister of England when the Bill was passed, but that legislation had the effect of taking away from that privileged Chamber the right of veto; which meant that if a Bill were passed from the House of Commons to the House of Lords on three successive occasions in three successive sessions, in two years, and the House of Lords continued to reject the measure, it automatically became law.

I have here the British Parliament Act amendment No. 11, General Acts and Measures, 1949, volume 2. The particular page to which I would draw the attention of members is page 2288. In that publication there is a reference to the amendment of the British Parliament Act; and now it is only necessary for the House of Commons to pass a Bill on two successive occasions within one year, and if the House of Lords rejects the Bill it automatically becomes law.

I suggest that our Standing Orders Committee, or Parliament, should consider something on that basis, so that if there are to be any deadlocks in the future the will of this Chamber will be paramount. I do not propose to go into the provision contained in the Commonwealth Constitution. Suffice it to say that section 57 of the Commonwealth Constitution has regard for the overcoming of deadlocks, and for a double dissolution in the case of the Senate and House of Representatives not agreeing to particular measures that might be passed by either House.

I propose to deal with Standing Orders further. I want you to understand, Mr. Speaker, that my remarks are not meant to be personal, because I will have occasion to refer to Speakers and the attitude of Speakers. Standing Order No. 142 says—

> If any objection is taken to the ruling or decision of the Speaker, such objection must be taken at once.

I will read the next Standing Order because it has regard for what I propose to submit. Standing Order No. 143 reads—

> If any objection is taken to the ruling or decision of the Chairman of Committees, such objection must be taken at once; and having been stated in writing, the Chairman shall leave the Chair and the House resume, and the matter be laid before the Speaker; and having been disposed of, the proceedings in Committee shall be resumed where they were interrupted.

I understand that you, Mr. Speaker, were in Britain recently, and very likely you met the Speaker of the House of Commons. I think the Minister for Transport was in London two or three years ago and he will know it. It has been the custom for the Speaker of the House of Commons not to be opposed at election time; in other words, he has more continuity of office than his counterpart in Western Australia.

It seems rather unfair and crude that when a Speaker is elected by the Government, and a matter comes before the House and he rules it out of order—though his ruling is disagreed with and debate ensues—he does not leave the Chair. He remains in the Chair and sits in judgment on his own ruling. The Speaker can give a ruling and a member can debate the question as to whether it is in order, but the Speaker can rule that member to be out of order in debating on that basis. However, when objection is taken against a ruling of the Chairman of Committees and a motion is moved to disagree with his ruling, the Speaker is called upon to give his decision.

I have been connected with a number of organisations, and I have been on the executive of the Australian Labor Party for many years. The President of the State Executive does not get away every year without his ruling being disagreed with. The point is that when a motion is moved to disagree with the president's ruling he immediately leaves the chair, and the vice-president or some other officer, takes the chair. I suggest the same procedure would obtain in the case of a bowling club or a football club.

In this State the Speakers are elected by the Government. When divisions are called for and the party Whip thinks there will be a close vote, the Speaker invariably comes in to save the Government; invariably he votes with the Government. Sometimes he brings his wig in with him when he does not have time to leave it outside. Such a ccurse of action is not confined to any one Speaker, because we have seen that occur on a number of occasions. Five minutes later the Speaker can again sit in his exalted Chair and rule an amendment to be out of order. Although his ruling may be disagreed with he remains in the Chair.

Consideration should be given to the position of the Speakers of this House when their rulings are disagreed with. Regardless of the practice in the British Parliament, our Standing Orders should provide that in such circumstances the Speaker shall leave the Chair and some other member shall conduct the debate until it is finished.

Mr. Court: That would create a strange situation.

Mr. W. HEGNEY: It would not create a stranger situation than exists now. The Government would still have sufficient votes. No one opposite or on this side can deny the fact that invariably the Speaker supports the Government. There is nothing personal when I make the comment that the rulings of Speakers are tinged in favour of the Government.

I was going to refer to the relationship between the Country Party and the Liberal Party; but as the Deputy Premier and the Minister for Native Welfare are absent I shall take the opportunity later on in the session to hand out some very sincere advice to them and to the private members of the Government parties. I will say at this stage that it is unfortunate for the Country Party that the few members of that party who are not in the Ministry have been subdued and silenced by the attitude of their colleagues in the Ministry; to my mind they have forgotten Country Party policies in the last few years since they have been in the Government.

I have before me a copy of the first annual report of the Chief Industrial Commissioner. It only covers the period from the 1st February to the 30th June, 1964. The first paragraph states—

> The Commission, established by virtue of section 44 of the Act, comprises four members who, in order of seniority, are as follows:—Messrs. S. F. Schnaars, E. R. Kelly, D. E. Cort and J. R. Flanagan.

I make no other comment than to point out that Mr. Schnaars was the Conciliation Commissioner, and under the Act he was entitled to become Chief Commissioner. Mr. E. R. Kelly was formerly the Chief Industrial Advocate for the Government, and he is second in seniority. Mr. D. E. Cort was the advocate for the Employers Federation, and he is third in seniority. Mr. J. R. Flanagan was formerly a union secretary and he is the fourth in seniority. The first three mentioned constitute the Commission in Court Session for the hearing of the basic wage case. On page 8 of that report the allocation of work is set out as follows:—

> In accordance with section 54 (3), it is the responsibility of the Chief Industrial Commissioner to allocate the

work of each Commissioner. Because of the back lag of cases and the number of matters filed since the 1st February, 1964, it has not been possible to allocate work to each Commissioner on an industry basis. However, a pattern towards this end will gradually evolve, but such pattern is not necessarily to be regarded as a fixed principle.

Those members are appointed under sections 44 and 54 of the Act.

The unions of this State are very perturbed. I think the Premier should clarify in no uncertain manner the position in regard to the statement made recently by the Minister for Labour. He is reported to have said, as appeared in a newspaper of the 2nd July, that if the basic wage in Western Australia were higher than that in Victoria or New South Wales, the Commonwealth Grants Commission would penalise this State, as it was a claimant State, and there would be an adverse adjustment accordingly. If that is not an attempt to influence the court, I do not know what is.

I would like to know from the Premier, or from any member of his Government, whether the Crown Solicitor had been instructed to make a submission to the Industrial Commission along the lines I have outlined. If the Premier is satisfied that the Commonwealth Grants Commission will penalise this State by virtue of any decision of a court of record—as the Industrial Commission is—then the public of this State are entitled to know the truth.

I would like to know whether the apology of the Crown Solicitor extends to the statement made by the Minister for Labour some few days ago. I would point out that as a result of certain actions that have been taken, the unions of this State are very justly perturbed at the trend of events.

I know that the advocates in the court were given certain assurances. As a matter of fact, the advocate for the unions was assured that he would be entitled to put his case; that the employers would be entitled to put their case in reply; that the Government as an intervener would be entitled to put its case; and then in fair equity and justice, the advocate for the unions would be entitled to pass further comment on the submissions of the other two bodies. It was obvious when a statement was made yesterday by a responsible member of the commission that any further submissions must be in writing that the case for the trade union movement had been seriously jeopardised. It is quite obvious, as the union advocate has pointed out, that written submissions are entirely different and less potent than are oral submissions.

In 1950 the basic wage was £7 6s. 6d. and the Federal court increased it by £1, as a result of which there were certain amendments to the Arbitration Act of that time which provided that the court could base its decisions on the capacity of industry to pay in addition to the needs basis; and the unions of this State were instrumental in getting the basic wage raised to £8 6s. 6d.

Since that time there has been no major inquiry; and it was incumbent on the responsible authorities, to my way of thinking, to ensure that every possible facility should be granted to all the parties before the court to put their case to the last point. But no, there has been a change. The assurances given at the outset of the case have been repudiated. They have not been honoured. I can well understand the present attitude of the trade unionists in this State. As a unionist, I know how hostile and how suspicious they are, and how much distrust has been engendered amongst them as a result of the trend of events in connection with this case.

This is what was said—

> The State basic wage hearing came to an abrupt end yesterday when Chief Industrial Commissioner S. F. Schnaars directed that all further submissions be made in writing.

The Minister will not deny, neither will the Premier nor any interested member of the Government, that an assurance was given at the outset of this hearing that the union advocate would be entitled to put his reply before the commission either verbally or orally to criticise or comment on the points made by the other parties to the case. This is what goes on now—

> He gave his decision as soon as the Industrial Commission resumed its hearing yesterday morning.
>
> He said one of the three commissioners, Mr. E. R. Kelly, was too ill to take his place on the Commission.

It is unfortunate that one of the commissioners is ill; but the unions, in their anxiety to ensure that the strongest case possible should be put to this responsible authority on behalf of the workers of this State, were quite prepared to await the return of Mr. Kelly to the Industrial Commission so that the union advocate would be able to give his submissions personally before the commission and so that the other two parties could, if necessary, give their submissions. But no, the Chief Industrial Commissioner has issued the edict that the union advocate must submit his case in writing by Wednesday and the employers are to be provided with a copy and have until Friday to criticise the union advocate, whose hands are tied and whose tongue is tied.

He has no power to explain to the commission whether the comments or submissions of the Employers Federation representatives are correct or otherwise. Ever since this Act was amended I personally —and I make no apology for it—have viewed the attitude of the Government with suspicion and distrust—and I think I have some grounds for it, too. I have

said in this Chamber—and *Hansard* will show a record of it—that I believe in all sincerity that one of the reasons for the introduction of this measure last year, and one of the reasons for the abolition of the Arbitration Court which had done so much for industrial peace in Western Australia, was that there was some underground attempt—some snide attempt—on the part of the Minister for Labour and the other Ministers to do what they did not have the courage to do, and that is, write into the Arbitration Act a provision that the Federal basic wage should be automatically applied in this State.

They are going in a roundabout way to try to ensure that that is the case; and I believed then, as I believe now, that the Government is doing everything it possibly can to ensure that the Federal basic wage will apply in this State. So, Mr. Speaker, on behalf of the Opposition, I wanted to make these few comments because I believe that justice is not being done. There is an old saying, and I may have it back to front.

Mr. Bovell: You usually do.

Mr. W. HEGNEY: The Minister would not know. He usually talks back to front when he is awake. The saying is: Justice must not only be done, but must appear to be done; and in this case I am satisfied that the union representatives and many of the unions in this State are doubtful as to whether justice is being done. Even at this stage the Government could do something if it wanted to remove to a certain extent the distrust and suspicion in which the workers of this State hold this Government.

Amendment to Motion

In conclusion, I move—

That the following words be added to the motion:—

> Furthermore, we strongly condemn the denial of a fair deal to the trade union movement in the refusal of an adequate and final right of reply to its advocate in the current basic wage case, which denial is a serious departure from parliamentary and judicial procedures.

Speaker's Ruling

THE SPEAKER (Mr. Hearman): I do not think I can allow this debate to go on, because it is a direct criticism of the action of a member of the Industrial Commission. I feel that while the case is pending it should not be discussed in this form.

If there is to be criticism of a member of the judiciary—and I would rank the members of the Industrial Commission amongst them—it should be done by a direct motion in this House and not by an amendment of this nature to the Address-in-Reply.

Dissent from Speaker's Ruling

MR. HAWKE (Northam—Leader of the Opposition) [8.29 p.m.]: Do I understand you rule this amendment out of order?

The SPEAKER (Mr. Hearman): Yes.

Mr. HAWKE: I have no option but to move:—

> That the House dissent from the Speaker's ruling.

The essence of this amendment, Mr. Speaker, is to express the concern of members of this House at a denial to the advocate for the trade union movement of a right which was granted to him at two separate stages of the proceedings.

There is nothing in the amendment which deals with the claim of the unions; nothing in the amednment which deals with the counter offer of the Government; and nothing in the amendment which deals with the stay-put attitude of the Employers Federation in the case before the court. This amendment has nothing to do whatever with the claim by the unions for an increase in the existing State basic wage; nothing to do with anything put up by the Employers Federation in connection with what the actual wage should be; nothing to do with what the Government has put up in its offer, which I would describe as a paltry offer except for your ruling in that matter being upheld in defiance of our motion to disagree. This amendment has nothing whatever to do with the claims in respect of whether the existing basic wage goes up by 61s. a week, 3s. 10d. a week, or nothing a week as the Employers Federation wishes.

This amendment has to do with a denial of justice to one of the advocates appearing in this case. The fact that he is appearing in the basic wage case is only incidental. We are concerned with an act of injustice which has undoubtedly occurred, and in order that you might better understand the situation I shall try to state clearly what has happened.

The SPEAKER (Mr. Hearman): Order! No. I cannot allow a debate on those lines. I have ruled this out of order on the grounds that it is suggested the court will reach a prejudiced decision.

Mr. HAWKE: This has nothing to do with the decision the court will reach. This deals with a decision which prevents the case proceeding along the lines which had previously been laid down. This has to do with an act of injustice which has occurred.

We are not trying to single out who is responsible. We are not trying to single out for criticism or condemnation those who have been responsible. We are merely taking hold of a situation which we consider to be most unjust and involving serious repudiation, and we are trying to express our concern.

The SPEAKER (Mr. Hearman): Order! The Leader of the Opposition cannot express concern in a motion to disagree. He has said why the debate should continue on the motion, but not why my ruling is wrong.

Mr. HAWKE: We are saying your ruling is wrong because it is based upon grounds which are not covered by this amendment. This amendment covers in no degree the grounds you state and upon which you base your ruling that this is out of order, and therefore it is necessary for me to develop my argument against your ruling along lines which will establish the fact that we are not trying to influence the court in regard to the amount of increase in the basic wage, if any, which it should give. We are not trying to condemn any commissioner of the court or condemn the court. We are drawing attention in this amendment to the Address-in-Reply motion to the denial of a fair deal to one of the advocates engaged in this situation.

The SPEAKER (Mr. Hearman): Order! In other words, it is a criticism of the procedure of the court.

Mr. HAWKE: Well, it is trying to bring condemnation of a denial of a fair deal and of justice.

The SPEAKER (Mr. Hearman): That is just what I am ruling out of order. I do not think it should be done during the hearing of a case.

Mr. Ross Hutchinson: Hear, hear!

Mr. HAWKE: If it cannot be done during the course of a case, what is the use of doing it at all? I mean, here is a situation in which a considerable body of the public has a direct interest and everyone in the community has at least an indirect interest. Certain lines of procedure are laid down and certain undertakings are given. Then a situation suddenly develops where the lines of procedure are altered and the undertaking which has been given is repudiated. If that is not a subject on which Parliament should have a say, then the sooner we close the doors of Parliament and save taxpayers the expense of carrying Parliament on, the better.

Surely Parliament is the place where this sort of situation should be aired; where members of Parliament should say what they think about the situation; and where a decision should be made one way or the other, if some move is made within the Parliament for the purpose of getting Parliament or one House of Parliament to express an opinion and make a decision! If it is not, we might as well hand over to the bushrangers!

Mr. Heal: We have!

Mr. HAWKE: We might as well allow the Employers Federation to run the State straight out, instead of indirectly as it now does in the industrial field at least. I say if a situation of this kind is not eligible to be debated in Parliament, then Parliament ceases to be what it was established to be and what it should be if it is to justify its continued existence. In other words, Parliament should be the watchdog in the best interests of the community—

Mr. Rowberry: Hear, hear!

Mr. HAWKE: —and of every substantial group within the community. If we are not to be that we cease to be worth while. If we are only going to be allowed to discuss things of not much concern; or if we are only going to be allowed to debate things of major concern months after they have ceased to have any application; months after they have ceased to be current and effective—then we become a very poor class of debating society, exercising no influence upon the current vital issues of the day.

Because I feel that this amendment does not deal with the case before the court and does not seek in any way to influence the court in any final decision which it should make, but only deals with one or two lines of procedure which have been adopted and then repudiated by the commissioners, I think this amendment is thoroughly in order, and should be debated, and a vote taken upon it. Because you have ruled out of order the move by the member for Mt. Hawthorn in this matter, I have no hesitation in moving that your ruling be disagreed with.

MR. BRAND (Greenough—Premier) [8.37 p.m.]: In supporting your ruling, Mr. Speaker, I think it is very obvious that what you have said regarding a reference to a member of the court in this particular amendment was quite right. The chief commissioner has made a decision. I do not know whether he gave his reasons, but there have been discussions, and it would seem to me that this decision was within his duty and his authority.

If this matter is to be debated, then there is no doubt we are debating an issue which is now before the Industrial Commission in this State. Therefore, for all the reasons that were given in the previous debate regarding the matter of *sub judice*, I feel you are right and you have our full support on this side of the House for the decision you have made.

Motion (dissent from Speaker's ruling) put and a division taken with the following result:—

Ayes—23

Mr. Bickerton	Mr. Kelly
Mr. Brady	Mr. D. G. May
Mr. Davies	Mr. Moir
Mr. Evans	Mr. Norton
Mr. Fletcher	Mr. Oldfield
Mr. Graham	Mr. Rhatigan
Mr. Hall	Mr. Rowberry
Mr. Hawke	Mr. Sewell
Mr. Heal	Mr. Toms
Mr. J. Hegney	Mr. Tonkin
Mr. W. Hegney	Mr. H. May
Mr. Jamieson	

(Teller)

Noes—24

Mr. Bovell	Dr. Henn
Mr. Brand	Mr. Hutchinson
Mr. Burt	Mr. Lewis
Mr. Cornell	Mr. I. W. Manning
Mr. Court	Mr. W. A. Manning
Mr. Craig	Mr. Mitchell
Mr. Crommelin	Mr. Nimmo
Mr. Dunn	Mr. O'Connor
Mr. Gayfer	Mr. Runciman
Mr. Grayden	Mr. Wild
Mr. Guthrie	Mr. Williams
Mr. Hart	Mr. O'Neil

(Teller.)

Pair

Aye	No
Mr. Curran	Mr. Nalder

Majority against—1.

Motion thus negatived.

Debate (on Address-in-Reply motion) Resumed

MR. TONKIN (Melville—Deputy Leader of the Opposition) [8.43 p.m.]: Quite a few weeks ago the Premier, with a great flourish, and backed by his henchman, the Minister for Works, made an announcement in the daily Press that within four to six weeks a new water rating system for the State would be announced.

As this is a subject in which I have taken considerable interest—and in view of the fact that last session we moved that something like this should be done and the Government voted against it—I was naturally waiting for developments. First one week went past after the six weeks were up, and then another. No announcement. Then another. Then another. No word from the Liberal Party and, strangely enough, no word from the Country Party.

More than twice the period mentioned has elapsed, and still no announcement. What was all the hurry to tell people about this announcement which was to be made if the Government did not know what it was going to announce?; and obviously it does not know. If it did it would have made the announcement long ago.

I have known that certain employees of the Water Supply Department have been working overtime for a considerable period. On what? If the Government were so sure that it was going to make an announcement about a new water rating system for the State, surely at that stage it would have had some idea of what it was going to announce. It looks to me as if it did not have any ideas at all. It felt that it was something which ought to be done, because we told the Government the previous session that it should be done. But how to do it, the Government did not have a clue; and I am wondering whether it has got it yet.

Just imagine the head of the Government saying that within four to six weeks an announcement would be made! I think it is more than 12 weeks, and still no announcement, despite the working of overtime by the employees of the department. I would suggest that it is time the Government shook itself up. If it has not got a scheme it should not be making prior announcements about it. What a ridiculous situation—to say that a new scheme would be announced without having the slightest idea of what it was or whether or not it was practicable! If that is the sort of administration we are getting from the other departments, then it will not be long before the crash comes.

We on this side of the House have very definite views about the matter. Firstly, the Grants Commission does not penalise the State for losses on country water supplies—this or any other State—and the Grants Commission deliberately takes that attitude in the interests of decentralisation. It is perfectly obvious, from the way the Government has pushed the valuations up in various places, that the income from the present rate which has been levied upon people will be considerably higher than that which was anticipated in the Budget. I am informed that at places on the goldfields, for example, where mining has been on the decline because of world difficulties, a revaluation has taken place and some valuations are up 50 per cent.

How stupid can you get! To increase the impost on people who are already struggling to continue their existence! If that situation is not crying out for redress, then I do not know what is. But still no announcement! I would ask you, Mr. Speaker, as one whose district would be concerned in whatever decision was made, whether you think it is a reasonable thing that a responsible Government, without knowing what it was going to do, should announce that it was going to do it; and that is the situation concerning this Government in regard to water rates.

Mr. Brand: The combined parties accepted our scheme today.

Mr. TONKIN: They accepted the scheme?

Mr. Brand: Yes.

Mr. TONKIN: Will the details be announced?

Mr. Brand: Ultimately.

Mr. TONKIN: I see. In another four to six weeks?

Mr. Brand: I couldn't say.

Mr. TONKIN: Which might run into 12 weeks?

Mr. Brand: Maybe two.

Mr. TONKIN: I would suggest that having promised the public that an announcement would be made within four to six weeks, and a period of 12 weeks having elapsed, if a scheme has been agreed upon one should confidently expect an announcement about it in tomorrow morning's newspaper.

Mr. Brand: There will be an announcement that there will be a scheme.

Mr. TONKIN: I see. Do you think the message was missed last time?

Mr. Brand: Oh no! No!

Mr. TONKIN: So there will be a scheme in the sweet by-and-by?

Mr. Brand: Oh no!

Mr. TONKIN: We will contain ourselves and our patience to see what the scheme is likely to be. Will it entail any more overtime on the part of the employees of the Water Supply Department to work it out?

Mr. Brand: I couldn't say. No more than the overtime that was worked on electoral matters at certain times.

Mr. TONKIN: Now that is a shot in the dark.

Mr. Brand: Well, it might be a shot in the dark, but it is near the target.

Mr. TONKIN: Of course, that is only your opinion, unsubstantiated as usual, and with no supporting facts.

I addressed a question to the Minister for the North-West in connection with the reason why profit which was never made was distributed. That might seem an extraordinary thing, but the Minister has an explanation for it. My authority for this situation is none other than the Auditor-General, who drew attention to the fact that the Minister for the North-West decided that a debt which was due to the Wyndham Meat Works by Air Beef should be substantially written down.

For those who do not know, I will explain that for many years the Wyndham Meat Works accumulated substantial losses, and so the works owe the Treasury money and the Treasury has to find the interest on the money owed. Therefore it is to be expected that if an opportunity arises for the meatworks to make a profit so that it can correct to some extent the unfavourable balance in the accounts it ought to be allowed to do so. The arrangement under which the meatworks operates is that when it treats the cattle belonging to the growers, and any profit is made, only one-eighth of the profit goes to the meatworks and seven-eighths goes to the growers.

I do not complain about that. It enables the meatworks to pay its way, and it makes a small contribution towards reducing the substantial debt which was built up in the years when it did not pay. One of the arguments raised by the Liberal Party, particularly, against State enterprises, is that they lose money and therefore they should be sold or given away to private people. No wonder they lose money when they are dealt with in the way that the Government has dealt with the Wyndham Meat Works, as I shall explain.

In anticipation that Air Beef would pay its debt for work which the Wyndham Meat Works did, the works calculated, in its profit and loss account, the amount of profit which was made on the business of Air Beef, and the growers collected seven-eighths of it. Along comes the Minister for the North-West; and he decides, without reference to Cabinet, that the sum of £3,247 12s. 1d. should be written off the debt. The works, having assumed that this would be paid, and taken the profit into the profit and loss account, was now faced with the situation that because of the Minister's action it had not made that profit at all.

After the decision was made the works did as any accountant would do, and as the Minister himself would do if it was his own business: it debited the profit and loss account with the amount that was written off. Of course, that meant next year seven-eighths of the amount, which had already been paid to the growers as their proportion of the profit, was not profit at all and so the works, by debiting the profit and loss account, called upon the growers to pay it back, as was the correct thing to do, of course. But somebody must have got busy about it on behalf of the growers and said, "Oh no you don't! If you are going to make a present to Air Beef of £3,200 you are not going to do it at the expense of the growers and you are not going to debit us with the amount of profit that was not made!"

So what did the Minister do? He debited the works with the lot; and, although the profit was never made, because of his action £3,200 was distributed by the Wyndham Meat Works to growers.

The Premier himself cannot do that with revenue. If he wants to give £3,000 to anyone he has to bring the proposition to Parliament and get parliamentary approval. If the Premier wants to give £50 as an *ex gratia* payment to anyone he has to put it in his Budget and bring it here for parliamentary approval. But no, not the Minister for the North-West! He does not even let Cabinet know anything about it apparently. He just writes it off, and in so doing makes the Wyndham Meat Works give growers £3,200 profit that was never made; and Parliament has no control over the action.

Mr. Court: This is a trading concern set up under a special Act.

Mr. TONKIN: That is no justification for giving away its money.

Mr. Court: It is not a question of giving away its money.

Mr. TONKIN: Yes it is.

Mr. Court: It was a normal trading transaction.

Mr. TONKIN: It was not normal trading at all. If the growers are entitled to seven-eighths of the profit they have to carry seven-eighths of the loss. Under

no system of accounting can the Minister justify paying profit to people when the profit is never made.

Mr. Court: These Air Beef charges should have been sorted out by your Government while they were in office, but you did not do it. Somebody had to fix it up and we did.

Mr. TONKIN: You fixed it all right! By making a present to Air Beef and to the growers—

Mr. Court: It was not a present at all.

Mr. TONKIN: —at the country's expense.

Mr. Court: It was not a present.

Mr. TONKIN: Yes it was, at the country's expense!

Mr. Court: It was an overcharge and it was agreed to be written off. Somebody has to have the debit.

Mr. TONKIN: If it was an overcharge, and a genuine overcharge, the profit was never properly made.

Mr. Court: We decided to do it this way, which is the sensible way.

Mr. TONKIN: Do it this way! What nonsense! If you were in business, Mr. Speaker, and you sold a bullock for £100 and you considered that that enabled you to make £30 profit, and subsequently the person who purchased the bullock said to you, "You have overcharged me £30 for that bullock" and you agreed and sold it to him for £70, have you still made £30 profit?

Mr. Bickerton: No; it would be all bull.

Mr. TONKIN: But on the Minister's reasoning you have. That is the Minister's reasoning. You have still made a profit even though you have written down your return by £3,000; and on that theoretical profit you have to proceed to make a distribution of £3,000 in hard cash. One can only do that at somebody else's expense.

Mr. Cornell: That is what you call bulling the surplus.

Mr. TONKIN: It certainly is. It can only be done at somebody's expense, and it was certainly not at the Minister's expense. It was at the expense of the Western Australian taxpayers. It sticks out so much that the Auditor-General has had to make several references to the matter in his reports.

Mr. Court: It is his duty. That is what he is there for.

Mr. TONKIN: Of course it is his duty, and it is a good thing it is.

Mr. Court: There is nothing that should not be disclosed, and it is desirable that he does.

Mr. TONKIN: It is a good thing that he does his duty. I will leave that where it is, because it stinks.

Mr. Court: We might deal with this one later.

Mr. TONKIN: Well, I will give you another one to deal with later! That is the price at which the State Building Supplies were sold.

Mr. Court: What, again?

Mr. TONKIN: Well, a good story improves in the telling.

Mr. W. Hegney: The stink is still there.

Mr. Court: We have had the story in various forms.

Mr. TONKIN: When the State Building Supplies were sold the Minister made a public announcement that they were sold for £2,200,000.

Mr. Rowberry: It has never been denied.

Mr. TONKIN: If anyone disputes that, I have the *Hansard* here in which the Minister himself made that statement. As it is there I will not weary the House by reading it unless I am asked to do so. However, that was the price—£2,200,000. Now, I asked some questions as to how much money had been received from the sale, and how much was still owing, and the and how much was still owing, and the answer showed that the total purchase price was a little more than £1,600,000. All one had to do was to add, by simple arithmetic, the amount of money paid by way of deposit, and the amount that was still owing. When one does that, one gets the figure of £1,600,000 odd.

I ask the Minister: How, on the basis of those figures, was he able to tell the public of Western Australia he had sold the State Building Supplies for £2,200,000? Mr. Speaker, it is against Standing Orders for me to say that the Minister was a liar, and I would not attempt to do so.

Mr. Court: And you would be very wrong if you did!

Mr. TONKIN: All I can say, however, is the the Minister practised the strategy of deception.

Mr. Court: He did nothing of the sort! You know there are other amounts to be added to the £1,600,000 odd.

Mr. TONKIN: There are no other amounts at all!

Mr. Court: For years we have tried to add these figures up for you, but you will not listen. We have convinced everyone except you.

Mr. TONKIN: I know this is not very palatable to the Minister. It would not be palatable to me if I were in his position.

Mr. Court: We are not very worried about it.

Mr. TONKIN: Unquestionably the figures show that the total purchase price of the State Building Supplies was £1,654,000; and to arrive at the figure

which is still owing, all one has to do is to deduct £200,000, paid by way of deposit, from the purchase price. The Minister himself gave me the figures.

Mr. Court: No one is disputing that figure; but what about the other money?

Mr. TONKIN: There is no other money.

Mr. Court: Don't be silly! We will not even bother to try to convince you.

Mr. TONKIN: We will come back to the simple illustration again. If you bought a bullock for £100, Mr. Speaker—

Mr. Court: It would be a dear bullock!

Mr. TONKIN: —and you paid £20 by way of deposit, how much would you still owe?

Mr. Heal: Twenty-five pounds.

Mr. TONKIN: In order to arrive at the figure, if you had some doubt about the total cost, and I told someone else that with regard to your transaction you had paid £20 and still owed £80, could you tell me the price of the bullock? Mr. Speaker, I could get the answer to that in any first standard; but when we get into the realms of high finance the answer is different.

Mr. Court: Oh, no!

Mr. TONKIN: One does not add together what one has received and what one is still owed in order to arrive at the proper purchase price. In high finance one does not do that! One looks for some other figure!

Mr. Court: It is you that has practised the so-called deception because you will not tell the House about the other money received.

Mr. TONKIN: No other money has been received in connection with the sale.

Mr. Court: Of course there has. There is the amount of book debts collected by the company and paid to the Treasury following the sale.

The SPEAKER (Mr. Hearman): Order!

Mr. TONKIN: Utter rot! The matter is elementary! The Minister denies that he is practising deception, but he is still at it!

Mr. Court: You are the one who is doing it!

The SPEAKER (Mr. Hearman): Order! I would draw attention to Standing Order No. 132 which reads—

> No member shall digress from the subject matter of any Question under discussion; and all imputations of improper motives, and all personal reflections on Members shall be considered highly disorderly.

Mr. W. Hegney: That's breaking him up!

Mr. TONKIN: What about it, Mr. Speaker?

The SPEAKER (Mr. Hearman): I am just drawing your attention to it.

Mr. TONKIN: Thank you very much; but I already knew it was there. Surely one of the responsibilities of a Minister would be—if he made a statement on matters of this kind—to state the facts.

Mr. Court: As I always do.

Mr. TONKIN: The facts have been stated this session in reply to my question, which proves they were not stated before.

Mr. Court: But you have had the same answer year after year.

The SPEAKER (Mr. Hearman): Order!

Mr. TONKIN: That is the only point I want to make; namely, that the facts are now stated and the sale price of the State Building Supplies was £1,654,000 and not £2,200,000; and, if anyone has any doubt about it, all he or she need do is to read the Auditor-General's Report for 1963.

Mr. Rowberry: Maybe the Minister did not read it or could not read it.

Mr. Court: Yes he did! It is put there to be read.

Mr. TONKIN: I asked the Minister for Health some questions on what his attitude was, or what the attitude of his department was, towards certain contraceptive pills which were causing considerable concern among doctors in various parts of the world. These doctors must have suggested that there was some evidence of harmful side effects following the taking of these pills, and they urged considerable caution in their use. I would have expected our local Department of Public Health to have some attitude towards this matter. But oh no! The Minister replied that this was a matter for decision by one's own particular doctor. In other words, the members of the general public would be left to the tender mercies of the doctors; and if some doctors thought the pills would not do any harm they could prescribe them, even though they might kill the people in the process. Nevertheless, the Health Department is content to leave it to the doctors.

Now that is exactly what was done with thalidomide. It was left to the doctors, until one doctor—a German doctor—came to the conclusion that thalidomide, which was sold in various forms such as Distaval, was responsible for the malformation of babies. This doctor wrote a paper on the subject which no medical journal would publish.

Because he had the temerity to point out his findings in connection with this drug, action was taken against him in the court for libel. The action was successful.

But being a man in a thousand, he persisted with his point of view, and the upshot of it was that the company which was producing the drug had to withdraw it from sale, which it did reluctantly; and at the time it said there was no evidence

to prove it was harmful, although it had been suggested it was. It was subsequently found to be completely responsible for this trouble; and when I tell you, Mr. Speaker, that this drug was still on sale in Australia and America six months after it was withdrawn in Germany, you will see how slowly officialdom works in regard to matters of this kind.

We may be having a repetition of this with the contraceptive pill. Some doctors have pointed out that in their opinion it could be definitely harmful. They are not yet in a position to prove it conclusively, but they have held up a warning finger. But what does our Minister do? He says that so far as his department is concerned it has no attitude; it is left to the individual doctor who might want to prescribe the pill if he wishes to do so. I cannot play along with that attitude at all. It does not give me any confidence with regard to the department's attitude on fluoride.

I was very disappointed with the answer the Minister gave me this afternoon. I made it my business to obtain from America a copy of the *Archives of Environmental Health* to which my question of today referred, and in which appears a paper by J. R. Marier, Dyson Rose, and Marcel Boulet of the National Research Council of Ottawa, in which they raise certain fundamental questions of a very important nature. It was obvious to me that whoever put up the replies for the Minister had not read this very carefully.

I would like to point out that these three scientists did not start off by looking for arguments against the fluoridation of water supplies. They started off to try to find out why it was that when milk was frozen and thawed back it did not produce the chalky white liquid that milk is, but instead one got a colourless whey and an insoluble sweet curd. These scientists had been motivated to undertake this inquiry because they had successfully marketed frozen orange juice in Canada, and they could not see why they should not do that with milk. Because the period of flush production of milk in Canada is spring and early summer, whereas the period of greatest consumption of milk is winter, they wanted to find a method by which they could preserve the surplus above the market requirements in the spring and summer, and have it available for consumption in the winter. When they tried it they found they could not thaw the milk back successfully; they got this colourless whey and insoluble sweet curd.

It is the colloid in milk which gives it its white appearance. The two main constituents of the colloid are casein, which is a most important protein constituent, and calcium phosphate, which is the principal inorganic ingredient. Dyson Rose, head of the food chemistry section of the National Research Council of Canada, undertook to carry out research with regard to casein; and he suggested to Marcel Boulet, a doctor of physiology, that he should carry out research into the solubility or insolubility of calcium phosphate.

Marcel Boulet called in to help him a man called John Marier, and for a number of years from the early 1950's they read the literature that was available in various parts of the world to try to solve the problem of this insoluble sweet curd. Marier was impressed by the frequency with which he noticed the mention of fluoride as being responsible for rendering calcium phosphate insoluble; so he spoke to Dyson Rose about it and gave him the pattern of his thoughts; and Dyson Rose authorised him to carry out further reading and research.

Finally the pattern of his thought was so firmly fixed in the mind of Dyson Rose, of Marcel Boulet, and of Marier that they prepared a paper called *The Accumulation of Skeletal Fluoride and its Implications.* They could not publish this in a departmental journal, because the subject was highly political, so they decided the proper place for its publication was some scientific journal.

Before publication it was decided to refer the paper, so that its information and logic could be checked. It was referred to L. F. Belanger, M.D., Department of Histology, University of Ottawa; B. B. Migicovsky, Ph.D., Animal Research Institute, Central Experimental Farm, Ottawa, and F. C. Lu, M.D., Division of Pharmacology and Toxicology, Department of National Health and Welfare, Ottawa.

These three well known and prominent scientists in Canada could find no fault with the thesis. It was then submitted to the Amercian Medical Association for publication in its official journal, which I have here. It is called *The Archives of Environmental Health.* It says on the cover, "Preventive, Occupational and Aerospace Medicine. Official Publication American Academy of Occupational Medicine and Association of Teachers of Preventive Medicine."

Here appears the thesis on the accumulation of skeletal fluoride and its implications, after the American Medical Association had had it for about 18 months, during which it was submitted to nine separate specialists, one after another, to see if they could fault the reasoning or the information. So it was published. But our Minister for Health came along this afternoon and waved it aside.

Mr. Ross Hutchinson: Read the answers to the questions.

Mr. TONKIN: I approached the Perth branch of the Australian Medical Association. When I came across this paper I decided that the public of Western Australia ought to know about its existence,

so I wrote a letter to *The West Australian* which declined to publish it. I asked the editor if he thought it was a fair thing to withhold scientific information from the general public. His reply was that he did not want to stir up a controversy; but he did suggest that I send it to the Australian Medical Association, and this I did, to the Perth branch.

I received a very illuminating reply, when I asked the Australian Medical Association for its opinion on this article. It said that in matters of this kind it took the advice of the National Research Council. So apparently it did not feel competent to read the article and assess it for itself, and looked to somebody else to tell it what he thought about it.

Mr. Ross Hutchinson: Of course, that is quite logical.

Mr. TONKIN: But the local Department of Public Health made up its mind in a week.

Mr. Ross Hutchinson: Just read the answers to the questions.

Mr. TONKIN: The department waved it aside as being of no consequence. The Minister is saying that so long as fluoride is added at a rate of not more than one part per million none of these harmful effects, which are mentioned in the article, are likely to occur.

I wish to read a few brief extracts from this article. The first appears on page 664 under the signatures of J. Marier, Dyson Rose, and Marcel Boulet, of Ottawa, Canada. I repeat that they are three officers of the National Research Council of Canada.

Mr. Ross Hutchinson: But you only believe the researchers who think along the lines you think, or who make findings along the lines you make.

Mr. TONKIN: How does the Minister know what I believe?

Mr. Ross Hutchinson: That is evidenced by everything you have said.

Mr. TONKIN: There is enough in this article to cause me to come to the conclusion that no public water supply ought to be fluoridated until these questions have been answered, and the Minister cannot answer them. This is what is stated in the article—

> During the past 30 or more years, enough research has been done to show conclusively that ingestion of low levels of fluoride in water reduces the incidence of dental caries.

There is no argument about that. I am satisfied that is the case, but I am concerned as to whether, when fluoride is protecting teeth in this way, it is sufficiently selective to confer this benefit without exacting heavy penalties elsewhere in the body. Those are points raised in this article. It goes on to say, speaking of certain researchers—

> Their findings contrast with those reported in some other countries, notably India, where a crippling form of "fluorosis" has been reported, often associated with ingestion of relatively low levels of water-borne fluoride, although it is not known whether the total fluoride intake was from water alone. It is possible that the comparatively high standard of nutrition and general health in the United States and in the British Isles accounts for the absence of undesirable clinical symptoms.

Further down it goes on to state—

> The mineral constituents of bones and teeth may play a vital role in various stages of fluoride metabolism. The various sections of the scheme are documented in the text on the basis of present-day knowledge; however, proof or disproof of the concepts will be possible only when further work has been done.

That shows how difficult it is to determine with accuracy whether this is safe or unsafe, because more important research is essential and it has not yet been done.

The article goes on to say—

> When inorganic fluoride is ingested at any concentration, a portion of it is deposited in the skeletal structure of animals or man. In a relatively short-term study with adult human subjects, the amount deposited was found to be a fairly consistent function (i.e., 50 per cent.) of the amount absorbed from the digestive tract; however, the rate of fluoride deposition in bone tends to decrease gradually with time. The portion of fluoride that can be absorbed from the digestive tract varies between 37 per cent. and 97 per cent. of the total amount fed, depending on the nature of the ingested fluoride.

Further down it continues—

> It has also been observed that the inclusion of phosphate in the calcium supplement further decreased fluoride deposition by a factor of one-half and that maximum suppression occurred when these supplements (2 mg. of each ion) were administered concurrently with the fluoride.
>
> These observations suggest that the concomitant ingestion of multivalent cations, especially in the presence of phosphate, promotes formation of insoluble fluoride aggregates in the digestive tract,—

That led them to the conclusion that in naturally fluoridated water there is a protective mechanism provided by calcium and magnesium which combines with the

fluoride. They become insoluble and the fluoride then leaves the body either through the urine or excreta.

Mr. Ross Hutchinson: Read the part of the article that says this.

Mr. TONKIN: It does not say that, but that is the conclusion to which they came. If the Minister were to read this article he would be able to find the place where that is referred to.

Mr. Ross Hutchinson: It will be interesting for the House to know where in that article they drew this conclusion.

Mr. TONKIN: The Minister appreciates I have not a great deal of time left. If I am to read the whole of this article to find the reference wanted by the Minister then I shall probably take up all my time.

Mr. Ross Hutchinson: That was the point you were making.

Mr. TONKIN: I shall read the basis for the statement I made. The article states—

> These observations suggest that the concomitant ingestion of multivalent cations, especially in the presence of phosphate, promotes formation of insoluable fluoride aggregates in the digestive tract, favouring fecal excretion of ingested fluoride. For example, only about one-third as much fluoride is retained from bone meal as from sodium fluoride, presumably because relatively high levels of calcium and phosphate are present in the form of salt . . .

There it is. It is closer than I thought, so I was able to find it. It disappoints the Minister greatly. I might say he is sorry it came to light so quickly. I would suggest to the Minister and his departmental officers that they cannot pass this off as lightly as they have attempted to do.

In order to have a proper consideration of this I submitted it to an organisation in Canberra which publishes a journal called *Ahead*, and attention has been drawn to this paper by the president of the organisation in Canberra; and so the paper, according to what he told me, has been submitted to a professor of dentistry, who was in favour of fluoridation.

Mr. Ross Hutchinson: Who?

Mr. TONKIN: I cannot think of his name from memory. I can think of the name of the other; it is Associate Professor Polya.

Mr. Ross Hutchinson: He was never in favour of fluoridation.

Mr. TONKIN: I did not say he was. He is the other man, and he is an Associate Professor of Chemistry in Tasmania. He is a professor of chemistry and he is against it. The professor of dentistry is in favour. So, in due course, members of the public who read this journal will be able to get the reaction of these two people on this paper on the accumulation of skeletal fluoride and its implications. But I suggest to the Minister that a paper that was before the American Medical Association for 18 months and which had been submitted to at least 12 top scientists cannot be dismissed in a few minutes on the ground that one part per million fluoride is perfectly safe and there is nothing to worry about.

Mr. Ross Hutchinson: I suggest that if these answers could absolutely satisfy you, it would only be a matter of a week or two before you found another source of researchers who were anti-fluoridationists and you would be proposing their theories. As soon as one lot is answered another is trotted forward.

Mr. TONKIN: The Minister's observations would be interesting, and I would like to hear him at greater length. I would be pleased if he would deal with this paper and answer the questions during the Address-in-Reply.

The actions of this Government have been characterised by decided opposition to the trade union movement. It has gone out of its way to shackle the trade unions, impose restrictions upon them, and destroy their conditions; and it was perfectly obvious in the discussions which took place when the Arbitration Act Amendment Bill was before the House what the Government had in mind to do. There are people all over the world who believe that men and women doing work of equal value should receive equal pay. In some places the necessary legislation has been passed to give effect to that. New South Wales is one, and I think New Zealand is another.

What is the Government of Western Australia doing? It says that this is a matter for the arbitration court, having beforehand taken care to establish a court properly to its own liking and heavily loaded according to its own thinking. Then we come to the question of the fixation of wages, and the Government makes an announcement before the tribunal meets as to what it is prepared to do. Why does it not take the same attitude with regard to equal pay for equal work? If it is right to give an indication of what it is prepared to do with regard to the level of wages and make a public statement about it, why the change of attitude with regard to women?

I suggest that to be consistent it should have said nothing about it at all, knowing that the case was going to the court; and as it is the Government's policy to leave it to the court, it should have done that; but it did not. It gave an indication of what it would like the court to do.

As soon as it got into office it started to emasculate the public works day-labour force—

The SPEAKER (Mr. Hearman): The honourable member has another five minutes.

Mr. TONKIN: That is quite sufficient, thank you, Sir—and in the process it whittled away the very admirable force that was operating there and showed its reliance on the tender system—and what a nice mess it has been landed in in regard to the Esperance breakwater! To call it a mess is to put it mildly; it is a proper shambles. So much so, that the Minister told me a contract has been let by the liquidator to a certain company to carry out the work, and he does not even know who the contractor is! He has had to admit in this House that the liquidator is not in a position to furnish the Minister with the information to enable him to answer the question as to who is doing this work and what their paid-up capital is. So we will hear more about this anon.

Amendment to Motion

Because of the Government's damaging attitude towards workers in this State and their organisations, I move that the following words be added to the motion:—

> Furthermore, we strongly condemn the unjust attitude of the Government towards the trade union movement in relation to major industrial issues.

MR. FLETCHER (Fremantle) [9.39 p.m.]: I believe this amendment is quite justified, particularly in view of what I consider to be the preferential treatment shown to business interests at the expense of the trade union movement. I will read the amendment with a view to making it better known to the House. It is as follows:—

> Furthermore we strongly condemn the unjust attitude of the Government towards the trade union movement in relation to major industrial issues.

We have dealt this evening unsuccessfully with injustices that are imposed upon the trade union movement. I regret the debate was curtailed on the subject matter as a consequence of the ruling you, Mr. Speaker, gave on two occasions. I am now wondering to what extent that further curtails me and to what extent it will curtail me and those on this side of the House in future.

I know the matter has been disposed of to some extent and the only argument I can submit to the contrary in support of my opening remarks that preferential treatment is shown to those other than the trade union movement on industrial issues, is to submit argument to show that there is preferential treatment. I have naturally had only a limited time to assemble material to support my argument, and I will ask the indulgence of the House while I condense my argument by quoting newspaper articles to support my contention that preferential treatment is shown.

I will first allude to an article in *The Sunday Times* of the 26th July this year, on the finance and business page headed, "BHP's £18m. RAISES NEW ISSUE QUESTIONS," I will not quote it in its entirety but merely brief snippets from it as follows:—

> Broken Hill Proprietary's mighty profit of £18,338,366—a big gain on last year's £16,435,086 despite rising costs—is a pointer to a reasonable lift in share prices tomorrow.
>
> The profit showed an earning rate of 16.3 per cent. (last year 14.5).

I believe that in view of that alone the amendment of the Deputy Leader of the Opposition is justified. Figures like that indicate the advantage which one section of the community is gaining while the best interests of those who produce it are being ignored. I would ask members, though, not to be too despondent over the increase from 14.5 per cent. to 16.3 per cent. because further down the article states—

> Figures point to a better outlook.

I would like to ask members: For whom? For those to whom we say preferential treatment is being shown to the detriment of the industrial movement on industrial issues. The article continues—

> Production figures for 1963-4 are a timely pointer to coming company results in a wide range of industry.

Unfortunately, Press propaganda has conditioned people into the attitude that this is quite respectable.

I now quote the following from *The West Australian* of the 19th June, 1964:—

> G.M.H. Lifts Year's Profit To Record £19m. Total
>
> Melbourne, Thurs.—General Motors Holden Pty. Ltd. tonight announced a record profit of £19,200,000 for the year to December 31 last.
>
> The profit is the highest ever reported by a company in Australia.
>
> The previous peak profit figure was £16,300,000 earned by Broken Hill Pty. Co. Ltd. last year.
>
> The G.M.H. result for 1963 is an increase of £3,700,000 on its previous record profit of £15,500,000 earned in 1962.

This is the argument which I had hoped to use earlier this evening in support of what we sought to achieve on this side of the House for those we attempt to represent, but I use it now to defend the amendment of the Deputy Leader of the Opposition.

Further down, the article reads—

> Dividend
>
> The dividend paid by G.M.H. to General Motors Corporation, its American parent company which owns all its issued capital . . .

Let me interpolate here that there were some domestic holdings of shares in G.M.H. in Australia, but they were bought out, and this entire company is now owned and controlled from America, a fact which concerns me considerably. Further down the article reads—

> The cut in dividend from 86.2 per cent. to 59.4 per cent. has enabled G.M.H. to retain £10,998,000 to provide for expansion and additional working capital.

I ask this House whether out of that £10,998,000 better conditions could not be made available to the industrial movement.

The SPEAKER (Mr. Hearman): I hope the honourable member is going to relate these remarks to the present State Government, because that is what the amendment refers to.

Mr. FLETCHER: I am doing so, because I am indicating how the existing Governments, State and Federal—but leaving the Federal aside for the moment, how the State Government condones preferential treatment of this nature to business interests here in Western Australia. I will relate it by saying that the State Liberal Government is the counterpart of the Federal Government, which also condones this type of preferential treatment. However, I think I have elaborated enough on that score to show that the amendment of the Deputy Leader of the Opposition is justified.

To get closer to home, and on to safer ground, I will refer now to the subject of apprentices. I have here a report of the fact-finding committee which inquired into the apprenticeship system in Western Australia. I will not quote the pages, but in chapter 2—"Preliminary General Conclusions of the Committee" there is some interesting material, and I will quote some of it quickly as follows:—

> First, the Committee reached agreement that there had been in the late 1950's an unfortunate falling off in the total number of apprentices in Western Australia. Members of the Committee did not agree on the reasons for this, but they were quite clear that this was a fact and that it was regrettable.
>
> Secondly, the Committee realised that the employers were having difficulties of a financial kind, and for other reasons in taking on as many apprentices as they should. The employers' organisations were trying to persuade their members to take more apprentices, and the fact that they had to exercise such persuasion was itself evidence of the reluctance of the employers as individuals to taking on as many apprentices as were needed for the overall good health of their own trade (as a whole).

And, I submit, for the benefit of the State.

It is significant that 1959 was mentioned, the date on which this Government came to office. I should like to read to the House a question that was asked on the 9th August, 1961, concerning the number of P.W.D. architectural apprentices that were engaged in 1958—during the term of office of the Labor Government. The number of apprentices was 224. I would ask the House to take note of the disparity in the figures. When the Labor Government was in office the total was 224, and while this Government was in office the figure was 42. The Government is now astounded at the situation in which we find ourselves because of the lack of apprentices.

I would point out that something like 180 apprentices should now have been completing their time, which is now approximately five years after the present Government came to office. We would be getting something like 180 more tradesmen in Western Australia had it not been for the shortcomings of the existing Government in relation to apprentices. This report on apprentices covers the situation up very nicely by saying there has been "an unfortunate falling off in the total number of apprentices in Western Australia." It contains an apology for the Government.

You will no doubt ask me, Sir, to relate that to the amendment moved by the Deputy Leader of the Opposition. I would suggest that this is an industrial issue and a matter of industrial concern to myself, to members on this side of the House, and to the State generally.

There is material here on wastage. I cannot read it in its entirety, but it says in part—

> It is granted that intake must be built up from an anticipated 2,250 in fiscal 1964 to 3,340 by 1967 which is justified later in the report . . .

It continues—

> . . . then the stock of apprentices must reach some 10,500 at June 30th, 1966, and 12,000 by 1967. This is the second approximation.

I could take the Government to task on its lack of industrial foresight in not improving the status of apprentices and in not making the apprenticeship system more attractive to young people to induce them to make a trade their future occupation. The Government could improve the status and pay of apprentices. The figures that I read out earlier concerning

profits could well allow apprentices a percentage of the tradesman's rate. This indeed is an industrial issue.

An apprentice receives in his first year a percentage of a labourer's basic wage; and in his second year he receives a percentage of the basic wage; and so on until he has completed his time. Why cannot the Government pay apprentices a percentage of the tradesman's rate in Government shops in each year until apprentices have finished their time? That would improve the apprentice's wage and status, and it would make a trade more attractive to young people. The Government has been remiss in showing preferential treatment to those people I have mentioned at the expense of the industrial movement.

I have underscored another little heading. I should like to make it known to *Hansard* that I have attached slips of paper to the various points that I am raising, and this will avoid the necessity for my mentioning page numbers and headings. Another heading that I should like to quote is "Wastage among craftsmen and expansion of the skilled labour force." I propose to read the appropriate paragraph, as follows:—

> But wastage occurs from other causes, such as upgrading to technical positions, or from desired shifts in jobs, or changes in occupations.

Let me explain my interpretation of that. In keeping with my earlier remarks relating to the unattractive nature of the conditions which apply to tradesmen, I submit that tradesmen are leaving their trades for better jobs—for better paid jobs —which can be found elsewhere. I know of tradesmen who have joined the Police Force, the tally clerks, and the Waterside Workers' Federation because pay and conditions were better.

Why are they leaving their trades? Simply because pay and conditions are inadequate. I shall relate that to the amendment. The Government has been remiss in relation to major industrial issues. It has put every impediment in the way of the trade union movement in its efforts to improve conditions for tradesmen and others in this State. As recently as tonight the Government has been successful in frustrating us in our efforts to put forward a case on their behalf. I believe that the amendment moved by the Deputy Leader of the Opposition was quite justified.

Another heading reads, "Anticipated Intake to 1972." The article is as follows:—

> We have yet to consider the apprentices needed to increase the skilled labour force. The employee workforce as a whole is scheduled to increase by an annual average of 7,500 from 1963 to 1972. Let us suppose that only about one seventh of this increase must be skilled; this would mean a need each year on average of an extra 1,100 skilled persons (in round figures) or something like 50 per cent. again on top of the replacement need. The total apprentices needed to complete each year taking the lower estimate would thus be 3,340.

Therefore I am saying to the Government that it will have to improve conditions for apprentices if it wishes to increase the apprentice intake to the 3,340 mentioned.

Mr. Graham: This Government couldn't improve anything except profits.

Mr. FLETCHER: Exactly so. Before the interjector re-entered the Chamber, I submitted figures—to which you objected, Sir—supporting the fact that industry could quite well afford to pay more to tradesmen to make their lot and the lot of the working man generally much happier. For the benefit of those members who have just re-entered the Chamber, I shall requote a couple of headlines that I mentioned earlier. They are as follows:—"G.M.H. Lifts Year's Profit To Record £19m. Total;" and "B.H.P's £18m. Raises New Issue Questions." In view of those figures, does any member of the House think that industry cannot afford to pay better rates to tradesmen and others? I think the amendment is justified on that score alone.

Here is a pertinent headline: "Delayed Intake Affects Later Years." That is what we on this side of the House are concerned about. The policy of the Government is detrimental to the State now and will continue to have detrimental effects in the future. It is a shortsighted policy. I shall quote an appropriate section from this report, which says—

> Should at any stage the proportion of juniors entering apprenticeships fall, even for two or three years (as it did in 1959 and 1960)—

That date is significant. This Government came into office in 1959. The report goes on—

> —this will throw a greater burden of training on to later years, when the unskilled or semi-skilled with ambitions, having "missed out", will seek traineeships or other short cuts, or avenues to acquiring skills.

Let me make the point here that the various services—that is, the Air Force, the Navy, and the Army—pay rates to tradesmen, or potential tradesmen, well in excess of what the State Government is prepared to pay. So the incentive is there and this Government is remiss in not trying to raise the rates paid to civilians so that our youth can, without joining the services, enjoy comparable conditions from the point of view of pay and status.

There is one aspect which is dealt with in the report and which makes interesting reading. I refer to the subject of female

labour and the possibility of using the pool of feminine labour on skilled employment. The report, in part, states—

> The main concealed labour reserve consists of women who do not register for employment owing to the lack of job opportunities, although their family circumstances would permit them to take employment. This is a special problem, which the Committee thinks could be met by devising apprenticeship schemes for female workers, and in addition refresher courses for the older female age groups. In bookbinding, and some branches of electrical and engineering work, women are employed as skilled workers in other countries and in other States of Australia. If the potential skills of the whole population are to be slightly more fully exploited—

I do not like that word.

> —some intake of female apprentices should be planned, if only on a small scale initially.

If it is the intention of this Government to use female labour, then it will be in for further trouble with the industrial movement—that is, if the male rate is not paid to the female employees. If it is not, then the word which is used in the report—"exploited"—and to which I took exception, will definitely apply, in that female labour will be exploited at the expense of male labour—males who have families and dependants to support.

Another portion of the report that merits reading to the House is—

> The Committee's recommendations do not, it may be thought, answer the general question, "What is the optimum length of an apprenticeship?" The view of the majority of the Committee (that is of all members except Mr. Mutton and Mr. Willox) is that in some cases four, and in others five, is an optimum length—

That is five years, of course.

> —and it has therefore agreed to suggest that both should be permissible. The arguments in favour of five years in some trades, or in some cases, should not be overlooked. The tradesman is expected to acquire complete competence for work on the job, and this is a matter not only of knowledge but of experience. Even with some re-organisation of apprenticeship training, as suggested in later chapters of this report, it is difficult to provide all apprentices with both training and experience within four years. More, rather than less, technical training is needed in some trades in modern conditions. While higher educational standards enable some aspects of skill to be acquired more quickly, there is also the point that the more advanced technical knowledge has to be practiced. While some increase in apprentices may be attained through a reduction in term, there is not likely to be a wholesale change, and many apprenticeships will still take five years.

There has been a move to reduce the term of apprenticeship to four years, and even to six months. The report states that Mr. Mutton, who happens to be the organiser of the union of which I am still a member—the Amalgamated Engineering Union—and Mr. Willox, who is the secretary of the Plumbers' Union, take exception to any reduction in the term. They quite rightly see that as this Government shows preference to business interests at the expense of the industrial movement it would be gratifying to an unscrupulous employer to have a number of six-months-trained apprentices outside the gate. They would have limited skill and could do only a narrow type of work, but it would be of considerable benefit to an unscrupulous employer to have a pool of that type of labour.

Imagine the bargaining power that would then exist! The employer, through the Industrial Commission, could say, "Will you accept these conditions?" Naturally the skilled tradesman would not accept conditions worse than those that already existed, and he would say, "No". But the employer would be gratified by the fact that he had a pool of semi-skilled workers available that he could use while the trained men were waiting for employment. He would have the bargaining power in his hands, and it would be at the expense of the industrial movement.

I shall now read the amendment moved by the Deputy Leader of the Opposition so that those members who have only just re-entered the Chamber will know what it is all about. It reads as follows:—

> Furthermore, we strongly condemn the unjust attitude of the Government towards the trade union movement in relation to major industrial issues.

I am sure the arguments I have submitted to date demonstrate the preferential treatment shown by the Government towards business interests.

Another paragraph in the report is headed—

> More effective training both in the school and on the job.

Two sentences from that paragraph which I would like to quote read—

> All possible steps should be taken to emphasise apprenticeship as a form of training, both from the point of view of the opportunities which it offers and the significance of the work of the tradesman in the community. Furthermore, it recommends that efforts should be made to use the facilities for transfer of apprentices to a greater

extent and as a planned programme in order to ensure an adequate coverage of experience.

What that final paragraph means is that an apprentice who is apprenticed to one employer gathers what skill and knowledge he can from that employer and he is then transferred to another employer, then another, then another, until he has covered a wide range of work in the trade which he intends to follow. It would be of advantage to the apprentice and it would also be of advantage to the State as a whole. In relation to an earlier paragraph which I quoted, the report reads—

> All possible steps should be taken to emphasise apprenticeship as a form of training, both from the point of view of the opportunities which it offers and the significance of the work of the tradesman in the community.

I pointed that fact out to the House earlier—that the profits mentioned could not have been made had it not been for the tradesmen mentioned in the report. The very lights that are above our heads would not be on if it were not for the tradesmen in the power houses. The wheels, the dynamos, and the turbines, would not be turning and producing electricity if it were not for the tradesmen, and the lads who are training, maintaining the plant and ancillary equipment to produce light and power for industry and the people of Western Australia.

What do we see in acknowledgement of the tradesmen's contribution to the economy? We see preferential treatment to business interests at the expense of the industrial movement. On the information I have made known to the House, I believe the amendment moved by the Deputy Leader of the Opposition is fully justified. We object to the *laissezfaire* system which exists in Western Australia. As I have already asked: What do we find for the people who produce the wealth for the State? We find that the average working man is living from week to week. The married man on the mere basic wage—and I emphasise "married man"—remains very close to the subsistence level.

At a time, when the working man is surrounded by the evidence of the wealth I have mentioned—wealth which is so transparently the product of his own labour, as I have already shown—he can see this wealth being transferred into the hands of his employers and into the pockets of the shareholders; those who grow fat financially on him! I can see smiles of derision on the face of the Minister for Health.

Mr. Hawke: He has been taking too much fluoride; that is his problem!

Mr. FLETCHER: The Minister is one who shares in the benefits I have mentioned; but there are many people who do not. I am concerned for those who do not, as is the Deputy Leader of the Opposition who moved the amendment. I repeat my reference to what I term the "have-nots." They do not share in the benefits of the much-vaunted economic progress of our State. Those who come within the category of the "have-nots" are unable to enjoy annual holidays away from their homes, because they cannot afford to do so after feeding their children, paying rent, paying the butcher—especially the inflated prices the butcher is charging these days—the baker, and other tradesmen. Further, he is living in constant fear of sickness because he cannot afford to lose the inadequate wage he receives, having in mind, all the time, the high cost of hospitalisation and medical attention.

Mr. H. May: Don't forget the chemist!

Mr. Jamieson: All prices have risen except the bookmakers' prices at Belmont.

Mr. FLETCHER: I mentioned the high cost of hospitalisation for the benefit of the Minister for Health, because no doubt he says I am painting a gloomy picture. He and others on that side of the House would refer to the consumption of beer and spirits by working men, overlooking the fact that a high percentage of beer and spirits is consumed in the Weld Club, and other similar establishments in St. George's Terrace.

Mr. Ross Hutchinson: I did not say a word.

Mr. FLETCHER: I am not directing my comments only at the Minister for Health, but also at other front-benchers, including the Premier, who is ignoring what I am saying and is quite unconcerned about the facts.

Mr. Bovell: He is showing good judgment.

Mr. Graham: Another self-satisfied plutocrat!

Mr. FLETCHER: They would point to the attendances at the trots and the races.

Mr. Brand: I refer you to the interest shown by the Labor back-benchers.

Mr. FLETCHER: I would remind the Premier that I am making this speech and that his interjections are disorderly.

Mr. Ross Hutchinson: I think you have his attention now.

Mr. FLETCHER: Thanks very much. As I say, the Premier, in answer to the points I have made, would point to the fact that working people are allegedly drinking all this beer and spirits, are going to the trots and races, and are indulging in all sorts of riotous living.

Mr. Rowberry: What; on 3s. 10d. a week?

Mr. FLETCHER: The majority of those who attend the races and the trots are single people and others without responsibilities. They may also be people with grown-up families. Those are the people

who attend the trots and races; but I am speaking of the man who, owing to inadequate wages, cannot afford to take his wife and children away for an annual holiday or to places of entertainment. I know that Government members, who live in their ivory towers, know nothing of these facts; or, if they do, they ignore the existence of the people about whom I am speaking. However, I submit to the House that an injustice, even to the minority of the people, cannot be condoned.

We cannot have preferential treatment shown to the "haves" at the expense of the "have-nots." In consequence, I support the amendment moved by the Deputy Leader of the Opposition. I commend it to the House, because I believe it is quite justified and should be carried.

MR. H. MAY (Collie) [10.16 p.m.]: I support the amendment because there is no alternative. It appears to me the present Government is determined to continue its pinpricking policy against the unions of this State, thus causing unrest and dissatisfaction. The Government has been in power for a little over five years during which it has shown continuous antagonism towards the trade unions. It has used every possible excuse to persecute the workers, and the many unjust actions which the Government has taken since it assumed office are formidable indeed.

Firstly, it abolished the Public Works Department day-labour force. There was no reason for it and no need for it. However, because of the pressure put upon the Government by private enterprise of this State it decided to abolish this work force The next action taken by the Government was the terrific upset it caused in the coalmining industry where some 400 to 500 men—most of them married men—were put out of employment. As a result, the majority of those men lost their homes which were partly paid for. In fact, they lost everything! For the past five or six years there have been many empty houses in Collie following the Government's action.

Mr. Graham: It is starting to look like Pemberton.

Mr. H. MAY: It must be galling to the State Housing Commission to be subjected to pressure all the time to provide houses in various centres, particularly in Bunbury at the present time. There is no doubt that houses are badly needed in Bunbury. The need is so great that some Bunbury workers were living in Collie because they were unable to obtain houses or other accommodation near their place of work. The same applies in many other towns in the State. The loss to the Commonwealth and the State Governments in this regard must be enormous, because although the Government initially set itself out to save 10s. a ton on coal, I feel certain the cost to the Government has been nearer 15s. a ton under the new set-up which it introduced to the coalmining industry. I will have something else to say on that later.

The next matter I wish to speak on is the scandal over the sale of the State Building Supplies. There is no other name for it. It was a scandal. In America it would be called a racket. Here we find an enterprise such as the State Building Supplies being completely sold out—I should not say sold out, because it was given away. It was one of the most valuable assets this State ever had.

The next thing the Government tried was to do away with the establishment at Wundowie. It decided to have an inquiry into the operations at Wundowie, with the object, of course, of transferring it to private enterprise. But the Wundowie establishment showed such good returns to the State as a result of its operations that the State Government was not game to sell it to private enterprise.

This Government has given away every State enterprise it could possibly give away; simply because it has always been, and always will be, under pressure from private enterprise in this State. The Government's latest effort was the abolition of the State Arbitration Court: a court that had done wonderful work in the industrial field of this State, and of other States as well. But it did not suit private enterprise. Private enterprise did not have sufficient control over the Arbitration Court and, as a consequence, the Government was forced to take action to abolish it. It did so because it was under pressure from private enterprise. It is little wonder, therefore, that we have amendments like this placed before Parliament; particularly when we have a Government that is prepared to sacrifice everything in favour of private enterprise.

The crowning glory of the whole set-up is that the Government does not believe in State enterprise. It showed us very plainly that it objected to State enterprise. What happened in regard to the Midland Railway Company? Here we had a company that was going into liquidation. It could not make ends meet, so it appealed to the Government to take it over; and the Government has taken it over, and it has now become a State enterprise. The only reason the Government took it over was that it was going into liquidation. Everybody knew it was going into liquidation. It was taken over with a view to saving something from the wreckage for the shareholders of the company concerned. This Government stands condemned in its attitude towards State enterprise, and towards the industrial unions of the State; and I have great pleasure in supporting the amendment.

MR. ROWBERRY (Warren) [10.25 p.m.]: I too want to support the amendment, which reads, "We strongly condemn the unjust attitude of the Government." It is not only an unjust attitude; it is an uninformed attitude; it is an unsightly attitude; an unforeseeing attitude; an unreasoning attitude; and an illogical attitude. The Government cannot escape the charge that it is opposed to the best welfare of the unionists of this country; to the welfare of the industrial workers, and the wages and salaried workers, because the Government stands solidly for private enterprise.

As we all know, private enterprise stands for cutting down costs, and costs largely consist of wages and salaries. We have a sequence of events which proves conclusively that this Government, which stands for private enterprise, is open to the greatest condemnation. I do not know why it stands for private enterprise, because I have never been able to find any logical authority for this in my research. There is no authority either mythical, biblical, moral, or legal, for the development of a country being left in the hands of private enterprise. From the beginning of creation right down through history the very opposite has occurred; but we have a situation where the Government is doing eveything possible to go against the best interests of the State. In doing that the Government is going against the best interests of everyone in the State; because we must not lose sight of the fact that a country will only develop and advance if the people as a whole are permitted, or are able, to benefit from that advancement.

But do we find that? Despite the assertions to the contrary and the talk of the great leap forward that has taken place under this Government—

Mr. Graham: A verbal leap.

Mr. ROWBERRY: —I find on looking at the answers to the questions asked by the member for Maylands that in my electorate there are 75 fewer people on the roll than there were at the last election. Where have they gone? We have the representatives of this Government coming before the people on every possible occasion and insisting that the welfare of the people is the paramount consideration of any Government—the welfare of the whole of the people.

We have the Premier asserting that losses do not matter in the Ord River development scheme so long as we develop that area and settle 5,000 people. If we can do that it will be to the State's benefit. I believe that to be correct, and so does very right-thinking person. I believe that £ s. d. does not matter a great deal when it is compared with the welfare, security, and comfort of the people of the State. That is paramount, and is soundly based economic thinking. It is no good making quantities of goods if the people for whom they are made do not possess the wherewithal to purchase them.

Earlier in the session I asked questions about the activities of the Hawker Siddeley group in Pemberton and inquired whether the Minister was aware that the Hawker Siddeley policy was having a serious effect on the town of Pemberton from an educational, social, domestic, tourist, and economic viewpoint. The Minister replied that he realised that a reduction of employment must have an effect in various degrees, and in many aspects, on the town of Pemberton.

When one asks the Minister if he will do something to alleviate this state of affairs by insisting that when the mill is replaced it be built in Pemberton, he replies that is a matter for private enterprise and he cannot dictate to private enterprise.

Mr. Graham: He is not the Minister for Forests; he is only drawing his salary as such.

Mr. ROWBERRY: Included in the conditions of the permit under which Hawker Siddeley works in Pemberton—and in fact of all timber permits—there is a provision which states that any new building or reconstructed building shall be built according to the specifications of the Conservator of Forests—the head of the department of which the Minister is in charge. The condition provides that before sawmill erection, or reconstruction, as the case may be, is commenced, the permit holders shall first apply for, and obtain, a sawmill permit, and such erection shall be in accordance with the permit.

Yet the Minister told us he could not interfere. That is because he does not want to interfere, and because in his opinion private enterprise is sacrosanct. So we can see that private enterprise and this Government are closely interwoven and united in their actions against the trade union people who have been displaced in Pemberton.

Also under the conditions of the permit all log timber shall be sawn at an approved sawmill located, or to be located, on the site described in the schedule attached thereto. Unfortunately in this case the words "located or to be located on the site described in the schedule attached hereto" have been scored out. Is this another concession to the Hawker Siddeley group on top of the vast concessions which it already enjoys? Is this complete and servile subservience to private enterprise; and is this in the best interests of the State?

We have heard *ad nauseam* that we must decentralise. Decentralisation seminars have been held in the State, and we have had eloquence by the yard hurled at us to the effect that decentralisation

is necessary. Yet I have a shrewd suspicion, which is based upon factual information, that the mill in question will not be built in Pemberton at all, unless the Government insists that it be built there.

So I put this Government on trial. If it has the welfare of the people of Pemberton at heart it will insist on the conditions which are contained in the permit issued to the Hawker Siddeley group; otherwise this mill could be built at Manjimup, but that would still act to the detriment of Pemberton and push it further and further down the hill.

I submit this action by the Government savours of sheer hypocrisy—on the one hand, to say to the people that it has their best interests at heart, and on the other hand to do exactly the opposite. Deeds speak very much louder than words, and Pemberton is not the only place that has suffered. We have heard the excuse from the Government that it did not know this would happen, and it asked how it could foresee this would happen. We heard the excuse from the Government that this happened because there was an uneconomic double shift working in Pemberton.

Let us examine this excuse. The double shift is judged to be uneconomic. If profits which could be earned were to be distributed in wages among the community, that would be regarded as a loss and something to be avoided at all costs; but if the wages were taken out of the pockets of the industrial workers who were in employment and put into profits, and thus draw off the purchasing power of the workers, that would be something towards which everyone should strive! This is held in approbation by every economic journal one finds, except the enlightened ones. I have one such enlightened journal in my file which I cannot get at, so I will not delay the House by quoting from it.

We have heard members of the Country Party, who represent the farmers of this State, saying all costs are rising, except the price of primary products. What is the reason?

Mr. H. May: Because they are tangled up with the Liberal Government!

Mr. ROWBERRY: If the purchasing power of the people is reduced, by reducing the number of people gainfully employed, then the number of those who buy primary products must similarly be reduced. There is no other way out of this situation; it is simple to understand. However, this does not suit certain economic thinking, nor the Liberal Party ideology. That party cannot face up to this question, and avoids it at all costs.

I say this to the Country Party members: I was concerned the other evening to hear the President of the Liberal Party in this State holding the big stick over the Country Party, and telling it to toe the line.

The ACTING SPEAKER (Mr. Crommelin): Order! I hope the honourable member can relate these remarks to the motion before the Chair.

Mr. ROWBERRY: I can.

The ACTING SPEAKER (Mr. Crommelin): Let us hear it.

Mr. ROWBERRY: There was an interjection a little while ago by a member of the Country Party who is a primary producer. He was bemoaning the fact that the price of primary products has not risen. I relate that to the action of the Government in supporting private enterprise. I also refer to the action of the Country Party in supporting this Government; because the Liberal Party cannot be in Government without the support of the Country Party.

If the Country Party decided to say to the Liberal Party, "Your time is up," the Government would be finished. The Country Party apparently is not aware of that, or else it has not the backbone to put such action into effect. I am just giving the Country Party a hint of what it can do. If those in the Country Party want to better the conditions of their members they should do something about this matter. They should get up on their hind legs and fight like men.

Mr. W. Hegney: They should have more Ministers in the Government from Country Party members.

Mr. ROWBERRY: They have four Ministers out of the eight Country Party members in this House. It might take all night for them to decide this question, but they would win the point. When we hear of socialist tigers, let us not forget there could be a true Country Party if the Liberal worms in it were not afraid to get up and fight for their rights.

I support this motion very wholeheartedly. There have been certain occurrences in this State since the advent of this Government which have not been in the best interests of trade unionists or workers generally. The member for Collie has related what has happened in Collie in the coalmining industry and the fact that so many men lost their jobs. Now, the question is this: Is it better to employ 400 men and make a small profit, or dispense with 200 men, make a large profit, and channel that profit into certain directions so that it is drawn off from the economy of the country? That is the question.

Then we have what is proposed in Coolgardie. We have, as I have said, the happening in Pemberton and the disposal of the whole of the State Building Supplies. We are practically allowing Hawker Siddeley Building Supplies to do exactly what

it likes. The Premier sometimes gives me the impression that he is quite a kindly, softhearted, gentlemanly, humane person.

Mr. Graham: Don't be taken in.

Mr. H. May: You have funny ideas, haven't you?

Mr. ROWBERRY: But I cannot relate that to the fact that he will not put his foot down on this Hawker Siddeley mob—I call them that because they are nothing else—and insist they do the right thing in regard to the undertakings they have taken over from the Government. There is a saying, "As ye sow so shall ye reap," and if the Government continues to act as it is acting towards the working people of this country, then it will reap the harvest fast.

Mr. H. May: And how!

Mr. ROWBERRY: There is another saying, "Ye shall know a tree by the fruit that it bears;" and I would say the fruit that certain portions of this State have borne under this Government has been bitter to the taste. We cannot assess the advancement of this country and we cannot assess the economic advancement of this country except through the security of the people who inhabit it.

When I asked the Minister who was responsible for the selling of the State Building Supplies he said, "The Government in accordance with its policy presented to the electors in 1959." We have gone over that before; and if that policy was in fact presented to the people of the State in 1959, it was presented in such a way that they did not realise what was going to happen to them; nor was it presented with the full concurrence of the Country Party. According to the election campaign—

Mr. Graham: The Premier said that not one man would be fired.

Mr. ROWBERRY: —it was said, "We intend to sack no one;" and, "We intend to see that no one will be fired." At that time the work force at Pemberton was 358, but it is now 112. Yet the Government said, "We will sack no one."

Mr. Jamieson: Shame!

Mr. Graham: That kindly heart is a swinging brick.

Mr. ROWBERRY: Talking in humane accents and honeyed accents is one thing, and doing is another. Therefore I would remind the Government that it cannot go on like that for ever. Even a worm will turn; and I am hoping that the Country Party will one of these days.

Mr. H. May: That is the one worm that won't.

Mr. ROWBERRY: When we see such things happening, can you wonder, Mr. Acting Speaker (Mr. Crommelin)—you who live in the ivory towers described by the member for Fremantle—that we who come from the people and who have borne the indignities and the suffering of the people, get indignant in this House when we look around and see what is happening—when we look at a village like Pemberton that could be described in the words of Oliver Goldsmith as a deserted village, but which has now become the living epitome of that deserted village, or nearly so. Unless something is done it will be.

The sequel or cure is in the hands of the Government. We have elicited from the Government that the Hawker Siddeley people are not cutting 60 per cent. of their permissible intake. If they did cut the permissible intake, it is logical to assume that the 112 men might grow to 224. That company signed a solemn agreement with the Government, and if the Government really did have the welfare of the people at heart it would insist that the company cut its permissible intake; because two years ago the Premier promised me, in answer to a question, that he would allow this company two years in which to rehabilitate the mill at Pemberton or erect new machinery to deal with the permissible intake. The two years have elapsed; and what has happened? We have a trainload of rusty, obsolete machinery that has been lying at Pemberton for months and nothing has been done about it. This is the new machinery which Hawker Siddeley promised the Government it would obtain to rehabilitate the mill so that it could deal with 50,000 loads per annum.

Mr. Hawke: A great lurch sideways!

Mr. ROWBERRY: The Government allows sand to be thrown in its eyes. It does not pay any attention to me when I am standing up expounding. I am like the member for Fremantle. Why does not the Government listen? If it does not do so, it will be destroyed. A favourite saying of the Premier is, "A people without vision will perish." I wonder what vision we have at Pemberton? What action is the Government going to take to see that the situation is rectified? None, I should say—none at all. The only hope we have is that next March, or when the election does take place, the people of this State will realise that the great leap forward that has been preached to them over the last five years is nothing more than empty words so far as individuals are concerned.

My electorate has been going back over the last five years. The numbers on the rolls prove that there are 75 fewer people than at the last election. I know I have said that before, but it is necessary to hammer these points in.

I am convinced that if the mill at Pemberton operated to its full capacity, the distress, insecurity, and unhappiness that exist at that centre would largely be corrected. I know I am flogging a dead horse as far as appealing to the Government is concerned, but I want to take

this opportunity of saying that I for one see through the hypocritical statements made in public from time to time about this great leap forward that the Government is making and that the security and happiness of the people are the Government's first concern. Every action it has taken has proved the contrary.

So, having used patience, cajolery, and good nature, I now get up on my hind legs to fight; and I warn the Government that if it does not do what it ought to do, maybe our friends in the Country Party will gather enough courage in the next election to tell it that their unholy alliance with the Government is finished.

MR. BRADY (Swan) [10.52 p.m.]: I feel disposed to have quite a lot to say in regard to this amendment moved by the Deputy Leader of the Opposition; but if I were to say all I decide to say; and other speakers who will follow me this evening did the same we would be here until the wee hours of the morning. Therefore I will condense some of the matters and try to reason with the Government, particularly the Country Party members of the Government, in the hope that they may see the light and do something to help themselves as well as the workers of Western Australia. The amendment reads—

> Furthermore we strongly condemn the unjust attitude of the Government towards the trade union movement in relation to major industrial issues.

Some members have dealt with the fact that no sooner had the Government taken office than Public Works Department staff was dispersed to the four corners of the State; and, as an employer of labour, the Public Works Department was virtually wound up. Anyone who reads the report that was recently submitted to the Government in connection with the apprenticeship problem will find that there is practically a major breakdown in the apprenticeship system in Western Australia and this major breakdown is bringing in its train futher breakdowns in regard to the possibilities of apprenticeships for other apprentices.

In other words, the very fact that over the last five or six years the apprenticeship numbers have been reduced means there are fewer tradesmen in the State now to employ more tradesmen and apprentices; and that is typical of what is going on during the regime of this Government.

Mr. Graham: So-called.

Mr. BRADY: We also know there is a move on foot to try to obtain dilutee tradesmen, and the public will be asked to pay the full price of work done.

We know the railways are employing thousands fewer today than when this Government took office. We also know that production has gone up in the primary and industrial spheres, but the workers are getting a lower proportion of the overall wealth produced.

I could go on at length, but I will probably have the opportunity of coming back to some of these matters. However, let me refer to this classic which has appeared in our local papers—*The West Australian*, the *Daily News*, and *The Sunday Times*. The following appeared in *The Sunday Times* on the 19th July, 1964:—

> Advertisement
>
> "BRAND" JUSTICE?
>
> Of the 14,000 Officers employed in Government and Semi Government Instrumentalities, ALL with exception of 1,740 employed in the Railways, have been granted RETROSPECTIVE PAY.
>
> The Railway Officers' Union claims that it has been singled out for discrimination by the Government.
>
> HERE ARE THE FACTS
>
> - In May, 1963, members of the State Public Service received substantial increases in margins dating back to January, 1963 and as a result, all other Governmental and Semi Governmental salaried groups (excluding the State School Teachers and Police Force) were treated similarly.
> - The Union immediately lodged a claim for similar increases, which were granted by the Railways Classification Board, but not retrospectively, because the Board similar to other State Wages Tribunals, has no power to grant retrospection.
> - An approach was then made to the Commissioner of Railways requesting his agreement to payment as from January 1st, 1963—similarly to all the other Government Salaried Groups. This was refused, and a subsequent request to the Minister for Railways was also unsuccessful. In fact the Minister refused to accept a deputation to discuss the matter.
> - In November, 1963, the Civil Service Association approached the Public Service Commissioner and succeeded in obtaining increases retrospective to the 3rd May, 1963.
> - Once again all other Governmental and Semi Governmental salaried groups received the same consideration and in addition State School Teachers received an increase, also payable retrospectively from May 3rd, 1963. Members of the Police Force although their salaries are assessed on a different basis, nevertheless received substantial increases dating back to July, 1963.

- As a result of this the Union lodged a claim in November, 1963 for similar increases as those granted to other State Government salaried groups, but because of the illness of the Chairman of the Railway Classification Board the hearing of the claim was delayed until the 16th January this year, when the Board awarded the Union the increases granted to the others to operate as from the 19th January, 1964 because it has no power to grant retrospection.

  The Union claims that EQUITY demands the Government to agree to retrospective payments to the same extent as enjoyed by all other Officers.

The Government says NO

"In your case we will grant it from the 24th of November, 1963 and not, as in the case of all other Officers, 3rd May, 1963."

As shown here the Retrospective Principle has been firmly established.

Railway Officers at their meetings have shown commendable restraint.

They hold a key position in the vital transport industry but in the interests of the public, have not taken advantage of this.

They therefore feel they have the right to appeal to the public to help in their just demands.

Write your Member of Parliament TODAY and ask—why the discrimination against the Railway Officers' Union.

Authorised by F. B. BONE
General Secretary—
RAILWAY OFFICERS' UNION

That union would not dare publish a statement of that kind unless it was factual; and here it would seem that the Government is making fish of one section of workers and fowl of another section. It denies 1,740 responsible railway officers retrospective pay, but grants it to other people. It is significant, too, that in this particular article there is a reference made to the case being held up because of the chairman of the Railway Classification Board being sick, and it seems the same thing is affecting the Industrial Commission at present. Some of these sicknesses seem to hit only one class of people, and those are the people who are likely to gain from the decision of the tribunal. This is a classic example of the way the Government is handling the workers of this State and their just demands for increased wages.

A matter that concerns me more than any other is the chronic state of unemployment in Western Australia. It has become accepted that 5,000 or 6,000 unemployed is normal in a State that is supposed to be prosperous; that is supposed to be forging ahead in primary and secondary industries. The Commonwealth Statistician's records show that month after month, year after year, we have 5,000, 6,000, 7,000, and 8,000 unemployed. At the moment I am quoting from Appendix No. 1 of the Commonwealth Employment Service records. Figures as at the 26th June, 1964, show that there were 2,344 males out of work in Western Australia. There were 611 male juniors, 947 females, and 1,239 female juniors out of work; making a total of 5,141 unemployed.

We in the industrial areas are getting this continually. Some members might say the position is exaggerated. It is not exaggerated. It is here in black and white, from a responsible Commonwealth Department charged with the responsibility of collating these figures and issuing them to the Government and to those people who might be concerned.

There are teenagers in my electorate who have been out of work month after month. Another unfortunate aspect is that the Government appears to be encouraging people to come to this State when employment does not exist. A fortnight ago a woman rang me and told me that a relative of hers had come here from England in April last. April, May, June, July, and August, and still no work. That person applied for 50 jobs and she could not get one of them. She was on the verge of going back to the Old Country. Through her relative, she asked me for advice.

I gave her half a dozen channels through which she might seek information or assistance. One of those led to the Minister for Immigration. The woman subsequently received a reply to a letter and, according to information given to me, the Minister had been misled in regard to what had been offered to her. I understand that she is a qualified office worker and she can do almost any work connected with an office. She was brought out here and for five months she has been out of work.

That is only one person. There are charitable organisations and church organisations coming to me and saying, "Can you help this unfortunate youth? He has to help his mother and four or five children"; or, "Can you help this girl? She is likely to go astray if she is not given regular employment." It is up to the Government to impress upon the Commonwealth authorities the chronic state of employment that exists in the industrial areas of Western Australia, and to take some notice of this situation itself. Industry should be allocated to those areas or induced to move to those areas to alleviate the distress of the people concerned.

I could speak on this subject for the next 20 minutes, but I think I have said sufficient in the last five minutes to show that this is not a mythical or unrealistic problem. It is a factual situation; and all that the Government has to do is to read the Commonwealth Statistician's report and to check up with the various employment bureaus, and it will find that as many as 1,850 teenagers were out of work in June 1964.

There are hundreds of people who have not deemed it necessary to register. They feel that it is *infra dig* to register for employment or to register for social service benefits. This means that there are not 5,000 people affected but anywhere between 10,000 and 15,000 people, directly or indirectly affected. When there are one or two persons unemployed in a family the other members have to help the family through. If the father is out of work the whole family suffers.

I am experiencing this situation day by day. There was a man on my verandah only a week ago. He had been out of work for over 12 months. I put him on to what I thought might be a possible job, and I have not heard from him since. In a way I am thankful that these people do not always come back, because I could not keep up with it. As members of Parliament we have a thousand and one problems. We are what is known as "trouble busters" for our particular areas. If all these people kept coming back I would not be able to get on with my other responsibilities such as hire-purchase problems; bailiffs taking furniture; insurance companies refusing to insure cars because persons have had an accident, although they have been paying premiums; and all that sort of thing.

I hope the Government will do something to relieve the unemployment situation. Many of these people happen to live in the Swan electorate instead of in other parts of the metropolitan area. They could be people who did not have the opportunities during the depression years to receive a university education, and I believe many of them are in that position. There are men who have to work with their hands and they have to work hard. They are not skilled and they are not tradesmen, but they have to live just the same as others, and they are hoping to give their families some of the opportunities that they did not receive themselves.

There are many other aspects to which I want to refer. One is, of course, the great difficulty that the working man and his family are having today with the continual rise in prices. Prices are going up every day. From reading *The Farmers' Weekly* I know how much the primary producers and Country Party supporters fear this continual increase in prices. They hate to see the price of wool being fixed at a certain figure, because it might be uneconomical to grow wool. This would apply to other aspects of rural industries. But I wonder how they feel in regard to the working man who has these things imposed on him day after day.

I had the experience a fortnight ago—it might have been a bit longer; it was not very long ago—of visiting some people who were being evicted from their home at East Guildford. They had been paying £5 per week rent. I went to tell them they could possibly get a house in another part of the metropolitan area. When I arrived I found that another family had shifted into the house and the rent had gone up £1 overnight.

That is the position the working man is in at the present time. He is paying £5 or £6 for rent each week. The other day a woman with two children in a pram came to my place in the rain. She told me that she was paying £5 a week for two unfurnished rooms. She could not get a house through the State Housing Commission because the commission told her there were certain things about the family that did not measure up to the commission's standards. I subsequently prevailed upon the commission to have an inspector visit that particular family, and the commission has now decided after all that the standards of the family do measure up to the requirements of the commission.

They are some of the difficulties that are being experienced in industrial electorates like Swan. The position is not getting any easier for the working man; and somebody must point out the fact that there is a state of injustice and unfairness existing in regard to the overall position.

I now want to quote from the *Daily News* of the 5th August. The article deals with expansion and it states—

> In a period of unequalled industrial expansion in Australia since 1950, W.A. has exceeded all other States in the rapid growth of its industries.

The trade unions are convinced that this is the low wage State of Australia; and yet it is supposed to have had the most rapid growth of all States in Australia in its industries. The article goes on—

> Figures supplied by the Commonwealth statistical office show that the value of production from W.A. factories has increased by 315.5 per cent. during the whole period, rising from £26,044,000 to £108,000,000.
>
> During the same period, production in New South Wales—the most heavily industrialised State—rose 266.3 per cent., from £283,000,000 to £1,037,443,000.
>
> Between 1953 and 1959 the W.A. increase slackened a little, and between 1953 and 1963 the increase of 120 per cent. was 1.5 per cent. behind the average for the whole of Australia.

> But since 1959 the increase in W.A. has again accelerated and, at 37.4 per cent., is the highest for the Commonwealth and is 7.2 per cent. higher than the Australian average.

Mr. J. Hegney: That is not what Mr. Robinson said before the Industrial Commission the other day.

Mr. BRADY: I do not wish to keep referring to the basic wage case, but one of the most extraordinary suggestions put to the commission was that the State could not carry any increased basic wage. Yet there is this alleged expansion—in fact the article seems to prove it—in industry.

However, I want to get back to the point I was trying to make earlier, that despite all the basic wage increases that might be passed on to the worker unless something is done to protect him against increased prices, increased rents, and so on, it will be difficult for him, and for the primary producer, too—because I am not unmindful of the fact that in many respects the primary producer has to carry increased costs—to carry on.

That brings me to the question of restrictive trade practices. We all know that in this State the Labor Government did the right thing some six or seven years ago and introduced restrictive trade legislation to prevent people from being exploited. In the year 1949 I was in New Zealand for about a fortnight, and while I was there the basic wage was increased by £1. Within a week the New Zealand Government had pegged prices and that, to some extent, saved the situation. But what is the position in Australia, and particularly in Western Australia? Even before the Federal Court or the State Court grants an increase in wages different firms increase their prices in anticipation; in fact, a man told me recently he had a schedule of increases to be applied immediately the basic wage rose. Because of this I think I should quote a leading article which appeared in *The West Australian* on the 6th August, 1964. It is headed, "Restrictive Trade Bill should Come Forward," and it reads as follows:—

> It was in March, 1960, through a brief reference by the Governor-General, that the Federal Government revealed its desire to curb restrictive trade practices and monopolies deemed harmful to the public interest.
>
> Since then an immense amount of inquiry and consultation initiated by Sir Garfield Barwick, as Attorney-General, produced his outline of principles and methods. The work, and the exhaustive public debate, are being carried on by his successor, Mr. Snedden.
>
> After nearly 4½ years, the Associated Chambers of Commerce are seeking to continue the delaying action by calling for more talks. If there is to be another round of consultations with industry and commerce it should be the last. If the Government is not already thoroughly versed in the arguments, the spokesmen of business must be curiously inept in explaining their views.
>
> On the constitutional side, the States should by now be well aware of the Commonwealth line. The meeting of Attorneys-General which Mr. Snedden is attending in Perth should provide the final clarification of the extent to which the States are individually prepared to co-operate with complementary legislation.

That is most interesting, and I would be very pleased to hear that this Government intended to introduce complementary legislation in regard to price fixation so that wages, when they are increased, whether by marginal increases or basic wage increases, will have some real value, which they certainly do not have at the moment. The article goes on—

> It seems that there cannot be much further progress with the Federal Government's highly desirable object until the Bill comes before Parliament. There has been an assurance that time will be given for public examination before it is pressed in parliamentary debate.
>
> The sooner the Bill is introduced the sooner will uncertainties be ended and its specific terms put to the test. This is that free enterprise can be obliged to operate with real freedom and with benefit to the public in price, quality and diversity of choice without at the same time damaging efficiency and confidence and impeding economic progress.
>
> In a developing country like Australia, the size of an industrial unit, like the effect of any trade practice that is technically restrictive, must be considered on its merits. The Government has repeatedly said that it has taken such factors, and avoidance of business disruption, into consideration in devising a system of registration and independent inquiry. Only the Bill itself will enable any clear judgment to be made.

The only point is that in the meantime the horse has been let out of the stable, been brought back into the stable, and has got out again; and there are many people, primary producers, small businessmen, and wage-earners who today are in financial difficulties as a consequence of there being no Commonwealth control over restrictive trade practices, and also no complementary State legislation.

Here again I could expound on this particular subject at great length, but as there are other speakers who wish to follow me I shall not usurp all the time.

However, there is one point I want to make by way of encouragement to the primary producers and Country Party supporters. I was pleased to read in *The West Australian* the other day a full page article dealing with the co-operative movement, which is celebrating its 50th birthday. I would like to join with all those people who complimented the co-operative movement on its 50th birthday. I hope the farmers will continue to support this movement and further foster similar organisations in Western Australia, so that ultimately the primary producers and the industrial workers will get something from what they are producing; and I hope it will remain in Western Australia to further the financial economic, social, and rural development of the State rather than go overseas to help companies that are taking their pound of flesh and that do very little in return for it except temporarily introduce funds to this country. Look at the profits that have been made by General Motors Holden! The Late Ben Chifley would turn in his grave if he knew what had happened following his initial efforts to try to get the motor industry established in Australia for the benefit of the people as a whole.

The SPEAKER (Mr. Hearman): Order! I think you must relate your remarks to the amendment.

Mr. BRADY: Yes, Mr. Speaker. I hope the primary producer, together with the working man, will continue to foster the co-operative movement so that they both can get more value for their money than they are getting today; and I also hope that by the time the 100th anniversary of the co-operative movement comes around it will be functioning to a greater extent in the industrial sphere, whether it be housing, building activities, or similar fields. I support the amendment moved by the Deputy Leader of the Opposition, and I hope it will be carried.

MR. DAVIES (Victoria Park) [11.22 p.m.]: I support the amendment, as I believe the Government stands roundly condemned for its attitude towards major industrial matters in this State. It has a long history of antagonism towards the trade union movement, and I will quote several instances which show that the Government, in my opinion, has fallen down.

Probably the most contentious issue to come before this Parliament since I have been a member was the changeover in the industrial arbitration field from the Industrial Arbitration Court to the Industrial Commission last year. I think we all remember quite vividly the Government's attitude on that occasion. We all remember how it applied the gag quite ruthlessly; we remember the partisanship shown in this House; we remember the occasion when we found that an attempt had been made to alter the *Hansard* report; and, in fact, we, on this side of the House, remember the whole display with a great deal of disgust.

We feel that the comments we made on that occasion and the fears we expressed for the future of industrial arbitration in this State are now becoming all too apparent. If I were permitted, I would mention that for its attitude towards the present basic wage case the Government stands condemned, but as I am not permitted to do so, I must leave that for the time being. Nevertheless, I am sure the occasion will arise in future, when we will be able to debate fully some of the regrettable incidents that have occurred in the past few days.

The workers of this State—and, after all is said and done, we are all workers—are entitled to look to the Government for some kind of leadership in industrial matters—there are other matters, of course, where it should also show some leadership—but, unfortunately, that leadership is sadly lacking. On all occasions the Government is content to explain away its attitude by saying it will leave any matters represented to it to the decision of the Industrial Commission—

Mr. Hawke: And the Employers Federation.

Mr. DAVIES: —which means in effect —as the Leader of the Opposition has interjected—the Employers Federation. The composition of that commission alone is heavily weighted against the workers of this State.

There is no need to remind you, Sir, that it comprises, firstly, Mr. Schnaars, who I do not think has shown any great sympathy towards trade unionists. In fact, I can recall an occasion when he rather appalled me with his shenanigans at a time when we were trying to settle a very serious dispute at Collie. On that occasion his performance would have won an academy award. I must admit that he fooled me at the time because he certainly turned out to be other than that which I thought him to be. Therefore, I do not hold Mr. Schnaars in very high regard. On that occasion I feel he was acting with an ulterior motive and that probably there was some connivance between him and the Government. I would point out that there were others who were associated with that dispute who will support me in making that statement.

I was talking, of course, about the composition of the Industrial Commission. I have expressed my opinion of Mr. Schnaars. We all know that Mr. Cort comes from the Employers Federation, and that Mr. Kelly comes from the Department of Labour. He was co-author, if not the complete author, of the Bill that was introduced to this House last year. This has never been denied. Shortly after

the Bill was proclaimed he was able to bring out a booklet explaining the workings of the legislation; and other members of the House will be able to express some comments on that this evening.

The speed with which he was able to state how the measure was to work fully confirmed the part he played in compiling the Bill. I have referred to Mr. Schnaars, Mr. Cort, and Mr. Kelly. The fourth member is Mr. Flanagan. There is a rather rude saying currently circulating about the four members of the Industrial Commission which I think has arisen as a result of the way Mr. Flanagan has been treated, as a result of the type of case to which he has been assigned, and the general attitude of the commission towards using his services in cases of major importance. I am sure that the whole air of the Industrial Commission leaves something to be desired, and I repeat that most of the fears we expressed during the debate last year on the Bill are now proving to be all too true.

As I said, the Government is ever anxious to hide behind the skirts of the Industrial Commission. On all occasions it says it will not enter into any discussion on industrial matters; that there is an Industrial Commission set up to deal with such subjects. In fact, it is not even prepared to listen to any deputation on such matters. Half the time Ministers of the Crown will not receive deputations. The Government would not receive a deputation from the trade union movement to discuss the State basic wage. However, I would remind you, Sir, as the House has been reminded, that although the Government takes a firm stand towards the industrial trade union movement, it was quite prepared to go to the Press and make an announcement. It did not even want to show any co-operation towards the official representatives of the trade union movement in this State.

The Government did not even try to resolve any of the problems at a round table conference by hearing the views of trade union leaders, or of even expressing its own views; and the fact that it will not receive deputations is an indication of its weakness and that it knows it can rely on the Industrial Commission to carry out its policy.

Some of the industrial matters to which I want to refer, and for which we contend the Government stands condemned because of its attitude, go back many years. One of them of course, is the question of long service leave. When the Labor Party was on the Government benches it desired to bring down a Bill which would have given a lead on long service leave to most of the States of Australia; it would have established a period of leave after 10 years' service.

We all know what happened to that. When the present Act was put up in the form of a Bill in 1958, I understand there was some move to amend it. Although the present legislation has several weaknesses, the Government has made no attempt to try to overcome those weaknesses. One most distasteful weakness is the practice among a number of employers —I will not say all employers—to dispense with the services of their staff just short of the 10-year period, after which the employer would be required to pay *pro rata* long service leave.

Only yesterday I had brought to my notice the case of a girl who had worked in the box manufacturing firm of Herbert Stone & Co. She had been with it nine and three-quarter years. Each year about this time she had come to expect a stand-down period, and she accepted it. On this occasion, however, when she had not been recalled to work following a stand-down of three weeks, she rang the firm and asked when she might expect to be called back to work. She was told very tersely that it was not their intention to call her back to work at all.

That girl had given nine and three-quarter years' service, and because she was short of the 10-year period she would not be given any *pro rata* leave. Apparently, after all that service, she is to be put on the labour market at an advanced age as a relatively unskilled worker with very little hope in the future of a successful career.

That sort of thing has not only happened with Herbert Stone & Co., in the instance I have quoted, but with a great number of other employers in this State. They do not accept gladly the provisions of the long service leave legislation. They are only too happy to dodge paying it wherever they can. Fortunately, however, there are some good people among them who are prepared to meet their commitments. But this is one section of the Long Service Leave Act which will require attention. Although representations have been made, there has been no move by the Government to amend the relevant position. It is something that requires amending, and it is something on which I would hope to see the Government prepared to take some action.

It is almost impossible to take a case before the board of reference set up under the Long Service Leave Act and to say the services of this girl were dispensed with because in another three months she would have become entitled to *pro rata* long service leave. Unless one can bring absolute proof that her services were dispensed with for that reason the board will not find against the company.

What has been the Government's attitude on the question of three weeks' annual leave? You will remember, with your much longer experience in this Parliament than

my own, Mr. Speaker, that on a number of occasions the Labor Party put up propositions for three weeks' annual leave; but we never got very far at all. Gradually three weeks' leave came to be the accepted figure, and in due course it became apparent that the Government could not dodge granting it. But what did the Government do? Did it grant this with a good grace? It was necessary to legislate for it, and as far as the State public service was concerned the Government waited until the last week of the last session of Parliament before it brought down legislation.

The Government was not prepared to talk with the Civil Service Association on the question of three weeks' leave. It hung fire, ever hoping that something would come about which might prevent it from giving this concession to the State public service.

Another matter on which the Government stands condemned is the closing of banks on Saturday morning. It was proposed by the Labor Party on many occasions that the banks should be given a five-day week and be closed on Saturday morning. But on every occasion the legislation was rejected. When, however, it became expedient for the Government to seek a few more votes, and to woo another section of the community, it brought down an amazing Bill three years ago which provided that the banks could close on Saturday morning. The surprising part of it was that the conditions then were no different from what they were on the previous occasions when the Labor Party had tried to get a five-day week for bank officers. So the Government stands condemned for its action, both as a Government and as an Opposition, to moves that were made to secure this industrial reform for a large section of the community.

I will not deal at length, as I had intended to, with the unhappy position in which the railway officers of this State find themselves. The main points were quoted to the House from an advertisement read out by the member for Swan. There are, however, one or two points I would like to make, particularly in regard to the Government's general attitude on this question.

Earlier this year when the railway officers were getting very little co-operation from the Minister and the Commissioner in reply to their representations, I was asked to see if I could arrange a deputation to the Minister for Railways. At that time the Minister for Police was acting as Minister for Railways. I am pleased to say he saw us promptly and courteously. He had a let-out, however, inasmuch as he was only an acting Minister, and the Minister for Railways was due back shortly. He promised to pass on the points we had made, and leave it to the Minister for Railways to make a decision. We later heard that the Minister for Railways was not prepared to grant any concession to railway officers, and we sought, on that occasion, a joint deputation to the Minister and the Premier.

We thought that if we could discuss the matter with them together it would save time for everybody concerned, because we wanted to do things in the proper order. That is why we went from the Commissioner, to the Minister, and then to the Premier; because the officers were prepared to fight this all the way. The Premier said he saw little point in joining the deputation. I know he is a busy man, but I can assure him now, as I did at the time, that it was a matter of extreme urgency to the railway officers.

The Premier, however, was adamant. He did not want to be bothered with the deputation from the railway officers, and we were directed to the Minister for Railways. We finally received an audience—a quarter of an hour after the appointed time, and I do not remember an apology being made. We opened up our discussion with the Minister, and his attitude was very much the same as conveyed in his letter. This was perhaps only to be expected, but the most amazing statement made at that deputation was that by the Minister, when he said the railway officers were not Government employees. This astounded us, and try as we might to convince him to the contrary, the Minister would not believe that the railway officers were Government employees.

If I remember rightly, he said they were transport officers in a section of their own, and they were not regarded as Government employees; therefore they were not entitled to the same considerations extended to other Government employees and semi-governmental employees, such as those employed by the Transport Trust, State Government Insurance Office, the Harbour Trust, the Department of Public Health, and many others. The peculiar attitude of the Government on that occasion, and its lack of interest in railway workers, condemn it.

Since then the Premier has received a deputation from the Trades and Labor Council. I do not know what that deputation was able to tell him, which I could not have told him, to convince him to receive the deputation. Perhaps all will be well, and possibly when the reply from the Premier is received he will state that the railway officers are Government employees, and they will be extended the same concessions.

Another matter on which the Government stands condemned is its attitude towards workers' compensation. Many members on this side of the House are interested in this very important legislation which protects the working man. It

took a couple of years' badgering to get the Minister for Labour to bring down some amendments to the Act. We expected a mammoth Bill, because for two years he had been telling us he was having the matter investigated thoroughly, and would bring down a comprehensive review of workers' compensation.

The second reading of the amending Bill took place in this House on Tuesday, the 3rd December, 1963, at approximately 11.35 p.m. The Bill contained only a couple of minor amendments, and the Minister completed the second reading in four minutes. That Bill was introduced as a result of two years' review of the legislation! We were hoping for other improvements which were warranted, and we are hoping amending legislation will be brought down during this session.

As the member for Mt. Hawthorn said, although there was no reference to such amending legislation in the Governor's Speech, one Minister did make a statement to the effect that the Government would do something in this regard. It needs to be a great deal better, and much more comprehensive, than we experienced on the last occasion; otherwise we would be wasting the time of everybody in discussing such a measure. The attitude of the Government on workers' compensation also condemns it.

There is one final point I wish to make: It concerns the Government's attitude to the very important question of equal pay for the sexes. The principle is contained in a convention of the International Labour Organisation. We all know it is convention No. 100 which the Australian Government supported at the time. It is all very well for us to go to Geneva and pretend that we are an advanced nation, and are prepared to introduce social reforms; but it is another matter to return to Australia and bring those reforms into being.

In the last session of Parliament I asked the Minister for Labour what were the intentions of the Government in regard to the question of equal pay for work of equal value, irrespective of sex. The Minister told me the matter had not been considered by the Government. This was after something like five years of agitation by the Equal Pay Committee, after five years of representation by the trade union movement, and perhaps representation for a longer period by other organisations of women, all of which were directed constantly towards the Government. Yet the Minister for Labour during the last session was able to tell me the Government had not considered the matter.

What is the present position? It is not much use putting a question on the notice paper, because of the confusion which exists at present. There has been a deputation to the Minister for Labour from the Trades and Labour Council and the Equal Pay Committee; they have asked for this principle to be implemented by the Government, because the Government is the logical body to do so. This principle has been applied in countless countries of the world. It has been applied in the Eastern States; and I read in a trade union newspaper recently where it has been applied now to Government employees and teachers in Malaysia. So there is plenty of precedent for the Government to move forward and introduce this very important principle.

Mr. Jamieson: What did the Minister say to that?

Mr. DAVIES: When the deputation met the Minister he once again hid behind the skirts of the Industrial Commission, and said the Government would do nothing to introduce the principle until the Industrial Commission had moved. What are the views of the Industrial Commission? This commission remains quiet for as long as possible, and it hopes the Government will give a lead. There are eight members of the Metropolitan Transport Trust Employees' Union who are prepared to sign a statutory declaration to the effect that at a conference the Chief Commissioner, Mr. Schnaars, said he would not move on this principle until the Government gave a lead.

On the one hand we have the Government waiting for the Industrial Commission to move; and, on the other, we have the Industrial Commission waiting for the Government to move, with the employees stretched in between. It looks as if this matter will go on for months and months. It will continue until there is a change of Government, and we hope that will not be long. The Government is not being genuine on this matter.

I believe that at a recent luncheon of the Combined Committee on Equal Pay the Minister for Labour made a very plausible speech and left the impression that the Government was only too anxious and happy to move on this point. I am waiting for some evidence that it is anxious to move. I believe the Government has not the slightest intention of doing anything, irrespective of the number of countries—including Malaysia—and the number of States in the East which have now introduced this important principle. I can guarantee it will not move.

For its attitude on the Industrial Commission, for its attitude on long service leave, for its attitude on three weeks' annual leave, for its attitude towards the closing of banks on Saturday mornings, for its attitude towards the railway officers, for its attitude towards workers' compensation, and for its attitude to equal pay for equal work of equal value, the Government stands condemned. I support the amendment.

MR. HALL (Albany) [11.58 p.m.]: One should congratulate the Deputy Leader of the Opposition for moving the amendment before us. We strongly condemn the unjust attitude of the Government towards the trade union movement in relation to trade union issues. Recently in a case of emergency and urgency I asked a question of the Minister for Works, with the hope that he would institute or set into operation a public works programme in the Albany electorate to relieve unemployment among unskilled workers. The Minister's reply was to the effect that this would be dealt with when the Estimates for the public works programme were being considered.

That attitude on the emergency and the urgency of the request proved very conclusively to me how sound was the action of the Deputy Leader of the Opposition tonight in moving, as he has done, to bring into the open the attitude of the Government to the people on the very low bracket incomes, and to show up their plight. Any loss of income seriously affects the workers, whether they be male or female; and in the case of a married couple it is still serious when the husband is out of work and the wife continues to work.

We can have the position where the particular action of any Government, whether it be this Government or any other Government in the Commonwealth, or overseas, can have a retrograde effect on commerce and industries associated with that action, because of a loss of income by workers. We get a complementary recession that affects other industries, and this creates unemployment in those industries. That is very evident today in connection with one industry at Albany, where a recession in trade in one industry is snowballing to another; and when seasonal activities fall off, this also has a dire effect on the State generally.

The abolition of the Public Works daylabour force throughout Western Australia was a retrograde step as the services of many fit and sound persons were lost to the State. Many of those persons in the middle age group were forced on the unemployment market. None of us here would dispute the fact that it is impossible for this age group to compete with younger people—and this is profitable so far as the employer is concerned. Because our pensioners are unable to supplement their incomes to some extent, this means that the loss to a married couple is approximately £7 per week. So the action of the Government can be condemned on this fact alone. One action of a Government can spark off a recession which can lead to its complementary brother—a depression.

We have to watch what is real and what is not real; and in relation to wages we have to consider what are real wages—what the actual purchasing power of those wages is. We have to watch the amount in the wage packet and what it will purchase. We have increased taxation, land tax, and water rates, which is a form of taxation, and we have a general revenue tax. All of these taxes have been loaded on to the worker, but we find that there is no real purchasing power in the pay envelope of today.

Getting back to what I said earlier, we find we have a pool of unemployment, particularly amongst young married people, and they are getting behind with their rents. This is a backward step, and I would say to the Government that it is having a repercussion on its own departments, and particularly the State Housing Commission. In many cases arrears of rent are a gigantic figure in relation to the amount of money the Government is trying to save in other avenues by tightening the belt.

Young couples today who have the fortitude to approach matrimony in unstable economic conditions should receive a V.C. We also find that summonses are issued against these people for arrears of hire purchase and other commitments into which they have entered. These arrears are brought about by the fact that they have no continuity of employment. The result is that eventually a judgment summons is served on the husband and he serves a term in gaol. We force men to be criminals, and they come out of gaol with a smear on their character; and this would never have happened had employment been available for them.

Many of these hardships are placed on my doorstep; and I should say that would be the position of most members of this House, both on this side and on the other. When I look at the picture clearly and see the lack of continuity of employment and the hardships that it brings in its train, particularly to those who have started in matrimony, I cannot fail to support the amendment moved by the Deputy Leader of the Opposition in which he strongly condemns the unjust attitude of the Government towards the trade union movement in relation to major industrial issues.

I have no more to say on this issue, and I hope that my few words will bring forcibly to the Minister for Works and the Premier the necessity to stimulate and invigorate the public works programme to pick up this slack in unemployment and arrest the recession that is gathering momentum in Western Australia.

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

Ayes—23	
Mr. Bickerton	Mr. Kelly
Mr. Brady	Mr. D. G. May
Mr. Davies	Mr. Moir
Mr. Evans	Mr. Norton
Mr. Fletcher	Mr. Oldfield
Mr. Graham	Mr. Rhatigan
Mr. Hall	Mr. Rowberry
Mr. Hawke	Mr. Sewell
Mr. Heal	Mr. Toms
Mr. J. Hegney	Mr. Tonkin
Mr. W. Hegney	Mr. H. May
Mr. Jamieson	*(Teller)*

Noes—24	
Mr. Bovell	Dr. Henn
Mr. Brand	Mr. Hutchinson
Mr. Burt	Mr. Lewis
Mr. Cornell	Mr. I. W. Manning
Mr. Court	Mr. W. A. Manning
Mr. Craig	Mr. Mitchell
Mr. Crommelin	Mr. Nimmo
Mr. Dunn	Mr. O'Connor
Mr. Gayfer	Mr. Runciman
Mr. Grayden	Mr. Wild
Mr. Guthrie	Mr. Williams
Mr. Hart	Mr. O'Neil
	(Teller)

Pair	
Aye	No
Mr. Curran	Mr. Nalder

Majority against—1.

Amendment thus negatived.

Debate (on motion) adjourned, on motion by Mr. Evans.

House adjourned at 12.3 a.m. (Wednesday)

Legislative Council

Wednesday, the 12th August, 1964

CONTENTS

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

QUESTIONS ON NOTICE

COURTHOUSE AT BROOME

Inadequacy and Modernisation

1. The Hon. F. J. S. WISE asked the Minister for Justice:

   (1) Is the Minister aware that the courthouse in Broome—which town is in the centre and place of residence for the magistrate in the Kimberley district—is considered to be inadequate to meet modern requirements?

   (2) Is it the intention of the Government to modernise the Broome courthouse to meet the standard considered necessary for cases to be heard at Broome by judges of the Supreme Court?

   New Residence for Visitors

   (3) Will the Government also consider the building—as soon as possible—of a suitable residence at Broome appropriate to the accommodation needs of such visitors as the judges of the Supreme Court?

   The Hon. A. F. GRIFFITH replied:

   (1) Yes.

   (2) Yes. This has been listed for consideration in the draft programme of loan works to be undertaken in the current financial year.

   (3) In view of the infrequency of the occasions when judges will be called upon to visit Broome, this, in itself, would not warrant the building of a suitable residence for their needs. The question as to whether the requirements of other Government departments would justify such a building will be referred to the Public Works Department for consideration. Recently a new residence for the magistrate was built at Broome, and the magistrate has expressed his intention of inviting visiting judges to stay with him.

NOXIOUS WEEDS

Infestation from Eastern States Sheep

2. The Hon. R. H. C. STUBBS asked the Minister for Mines:

   As all consignments of sheep entering Western Australia carry a certificate that the sheep are free from burr infestation or noxious weeds seeds—

   (a) What department is concerned in the Eastern States in the inspection and issuing of the necessary certificate?

   (b) Will the Minister protest to the Eastern States authorities on the consigning of burr-infested sheep to Western Australia?