

Mr. HAWKE: I have seen the papers and I know the commissioner has done the right, the reasonable, and the honourable thing up to date; but the Minister for Railways has only partly done that. If he reconsiders the situation, and gives it the consideration and attention he should, I think he might do the right thing.

Mr. Court: The commissioner and I saw the person together. So how can the commissioner do one thing and I another; because we both saw the person together and she would not accept any explanation.

Mr. HAWKE: The passenger denies the Minister did anything but insist the passenger had been responsible for the delay, and it is up to the Minister to clear that situation.

Mr. Court: You have seen the papers.

Mr. HAWKE: The Minister can do it so easily.

Mr. Court: I have done it in Parliament; that is the only place I know of.

Mr. HAWKE: Doing it in Parliament is not sufficient. I suggest to the Minister that the man who does big things does big things in small situations; and even though the Minister might consider this to be a small situation, here is an opportunity for him to prove he is big in such a situation.

Mr. Court: You are making a tremendous mountain out of nothing.

Mr. HAWKE: I am stating the situation, and I will leave it to the Minister to do, I hope, the right thing.

Mr. Court: I do not think you are being fair to the men concerned.

Mr. HAWKE: This has nothing to do with the men concerned.

Mr. Court: I endeavoured to have the position represented fairly so far as they are concerned. They should not have to be pilloried because a passenger said they should do something, or did not say something.

Mr. HAWKE: That is not the situation at all. The Minister is trying to cover up. He is trying to establish a subterfuge. The fact is—and nobody can deny this—that the Minister made a false statement which contained a false accusation. What has that to do with railway employees?

Mr. Court: It has everything to do with them, because it was their information.

Mr. HAWKE: Since then the Minister and the officers concerned have found out they were wrong.

Mr. Court: And we have corrected it in three places.

Mr. HAWKE: The Minister has made a half-hearted statement of withdrawal in this House. The fact that has been done

meets the situation to the extent of 33 per cent. What has it to do with the employees, when I say the Minister should write a letter of withdrawal and apology to the aggrieved person?

Mr. Court: This has been done in three places.

Mr. HAWKE: It has nothing to do with the employees. It is obvious to me the Minister feels he is high and superior, and it would be an undue humbling of himself if he did the right thing by a single citizen within the State.

I never speak well on a full stomach, Mr. Speaker, and I have no desire to continue after the tea break. I now wish to move an amendment in connection with the subject with which I dealt earlier.

Amendment to Motion

I move the following amendment:—

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.

Debate (on amendment to the motion) adjourned, on motion by Mr. Brand (Premier).

House adjourned at 6.15 p.m.

Legislative Assembly

Thursday, the 6th August, 1964

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The SPEAKER (Mr. Hearman) took the Chair at 2.15 p.m., and read prayers.

QUESTIONS ON NOTICE

BOW RIVER BRIDGE

Completion Date

1. Mr. RHATIGAN asked the Minister for Works:
 - (1) When did the contractors, R. J. Davies Pty. Ltd., commence building the bridge across the Bow River?
 - (2) Was there a specified time of completion of the contract?
 - (3) Has there been an extension of time given the contractors and, if so, what amount of time?
 - (4) What is the reason for the long period of time taken on this project?
 - (5) When will the job be completed?

Cost

- (6) Will there be any increase in the cost of the bridge above the original tender price and, if so, what amount?

Mr. WILD replied:

- (1) Site work commenced on the 20th June, 1963.
- (2) Specified completion date—the 10th May, 1964.
- (3) Yes. Five months' extension was granted.
- (4) An inadequate labour force and inadequate supplies of formwork and materials.
- (5) The contract is due for completion on the 10th October, 1964.
- (6) No.

SCHOOL CANTEENS AND TUCKSHOPS

Sale of Sweets and Cakes

2. Mr. GRAHAM asked the Minister for Education:

In view of the fact that in New South Wales schools have recently been circularised by the Education Department pointing out that soft drinks, lollies, pies, pastries, and cakes must not be sold from school canteens and tuckshops on the grounds that it is not good sense to teach children what to eat and then sell them things which are not good for them, their digestion, teeth, etc., what is the position in this State?

Mr. LEWIS replied:

The canteens committee of the Parents and Citizens' Federation endeavours to acquaint the local committees conducting the canteens with information as to what foodstuffs are beneficial and what might be considered harmful. There is no direction.

APPLECROSS SENIOR HIGH SCHOOL

Share of Commonwealth Grant for Science Education

3. Mr. O'NEIL asked the Minister for Education:

- (1) How much of the Commonwealth grant to States for science education will be allocated to Applecross Senior High School this year?
- (2) Upon what facilities and/or equipment will this money be spent?

Mr. LEWIS replied:

- (1) It is not possible to indicate the amount of allocation for any one school as yet.
- (2) A science block for upper school students consisting of a physics laboratory, a chemistry laboratory, a lecture theatre, and necessary ancillaries. Consideration is being given at the moment as to the exact items of equipment to be supplied.

4. *This question was postponed.*

PEDESTRIAN OVERWAYS

Provision in Metropolitan Area

5. Mr. BRADY asked the Minister for Transport:

In view of the numerous fatalities with pedestrians in the metropolitan area (particularly children) will he confer with his officers to have overways placed in various parts of the metropolitan area, similar to those on Brooker Highway, Hobart, Tasmania?

Mr. CRAIG replied:

Yes.

STANDARD GAUGE RAILWAY

Flashing Signals at Morrison Road, East Midland

6. Mr. BRADY asked the Minister for Railways:

- (1) Has any finality been made to the proposal to have flashing signals on the standard gauge railway at Morrison Road, East Midland?
- (2) Can he outline the present position in regard to negotiations?

Mr. COURT replied:

- (1) and (2) Negotiations are now complete and flashing light signals will be installed at the Morrison Road crossing by October, 1965, when it is anticipated that other than construction trains will be passing over the crossing.

DRAINAGE AT BELLEVUE

Flooding near Evans Store, Great Eastern Highway

7. Mr. BRADY asked the Minister for Works:

- (1) Have any arrangements been made by the Main Roads Department to avoid flooding of the area near Evans Store, Great Eastern Highway, Bellevue?
- (2) Is the department aware that since the filling in of the drain alongside the main road by the Main Roads Department regular flooding of Evans Store area has resulted each winter?

Mr. WILD replied:

- (1) When the main road was widened to 42 ft. the open drain in front of the properties which existed to drain the surrounding land was diverted to new pipes and an open drain in a lane at the rear of the houses and Evans Store. Action was taken in July 1964 to divert the flow of surface water from the open ground, north of the western approach embankment of the railway overpass, into this open drain at the rear of Evans Store.
- (2) Yes. However, road drainage is controlled and water is not flooding from the road reserve.

MARGARINE

Limiting of State Quota

8. Mr. KELLY asked the Minister for Agriculture:

- (1) If margarine quotas apply throughout Australia on a population basis, how does he account for Western Australia importing over 1,000 tons per year from other mainland States?

- (2) Does this indicate that some other States have a quota in excess of requirements for their own local market, or is it that margarine sold in Western Australia offers a price advantage to manufacturers?
- (3) As 600 tons is the quota allowance for manufacture in Western Australia, what is achieved by limiting Western Australian output to 600 tons, thus denying local industry the extra 200 tons permitted by the Australian Agricultural Council?

Mr. NALDER replied:

- (1) Table margarine quotas are not subject to changing population but are fixed on actual consumption in each State at the time the Act was brought in. Each State quota was made on a similar per capita basis.
- (2) It is understood one company in New South Wales manufactures beyond the requirement of New South Wales and the surplus is exported to other States.
- (3) Consumption in this State was approximately 600 tons at the time the Act was amended. Legislation at the time allowed for an extra 200 tons to be made in case it was required. If manufactured, it would not reduce import but could result in greater consumption of margarine.

A decision has been made not to alter the allocation in Western Australia pending clarification of the production in excess of quota in one of the other States. Unless legislative control of production elsewhere in Australia can be made effective, consideration may have to be given to the possibility of reducing imports from other States.

BASIC WAGE

Personnel of Inquiry Panel

9. Mr. HAWKE asked the Minister for Labour:

- (1) Will he ascertain from the Chief Industrial Commissioner why Commissioner Cort, who was previously on the staff of the Employers' Federation, was made a member of the panel which is now hearing the current basic wage case?
- (2) Will he also ascertain from the Chief Industrial Commissioner why Commissioner Flanagan, previously a trade union official, was not made a member of the panel?
- (3) Will he further ascertain from the Chief Industrial Commissioner information as to whether Commissioner Flanagan will have any

voice or influence in the decision as to the figure at which the panel of commissioners will set the new State basic wage?

Mr. WILD replied:

- (1) to (3) It is not the prerogative of the Government or any other person to suggest to the Chief Commissioner any matters relating to the composition of the commission.

Mr. Hawke: This is only seeking information.

SHEEP INFESTED WITH BATHURST BURR

Examination at Source of Purchase

10. Mr. KELLY asked the Minister for Agriculture:

- (1) Has he given full consideration to the possibility of Bathurst burr infested sheep, purchased in the Eastern States, being examined at the source of purchase with a view to detention until all traces of the pest have disappeared?
- (2) If this approach is not practical, why were Bathurst burr infested sheep freighted beyond Kalgoorlie and transported to Fremantle before being shorn?
- (3) Is he not aware that there is grave danger in travelling infested stock an extra 400 miles through the centre of the rural area?

Precautions Taken against Spread

- (4) What steps were taken to effectively destroy the carcasses of over 200 sheep which died on the journey and at Kalgoorlie?
- (5) Does he realise that many farmers whose properties are adjacent to the Great Eastern Railway are deeply concerned at the possibility of the spread of Bathurst burr because of careless transport arrangements?
- (6) What precautions were taken in the disposal of any wool shorn from these infested sheep?
- (7) Is he satisfied that sheep up to six weeks off shears will not pick up burr seed?

Mr. NALDER replied:

- (1) Yes. All imported sheep are required to be covered by a statutory declaration made by the original owner to the effect that they are free from noxious weeds, including Bathurst burr. A similar certificate by a Government inspector in the State of origin is also required.
- (2) Shearing at Kalgoorlie was not practicable. Facilities for a limited number are now available.

- (3) Yes; but inspections indicated that burrs were unlikely to be dislodged in transit.
- (4) Carcasses at Kalgoorlie and Fremantle have been passed through a digester and processed for meat meal or fertiliser.
- (5) Yes.
- (6) Wool shorn from infested sheep is held under quarantine conditions and is permitted to be sold for export only.
- (7) Sheep up to six weeks off shears can, undoubtedly, pick up burrs, but these are much more readily detected in short wool and can be picked off when not too numerous.

WATER METERS AT CARNARVON

Installation and Cost

11. Mr. NORTON asked the Minister for Works:

- (1) How many water meters have been installed on pumping plants on plantations at Carnarvon?
- (2) What was the total cost of the meters?

Meter Readers: Number, Wages, and Transport

- (3) How many men are employed as meter readers?
- (4) What is the weekly wage paid to meter readers?
- (5) What is the weekly cost of transport for meter readers?

Repairs and Maintenance

- (6) What is the annual cost (wages and parts) of repairs and maintenance of meters?

Mr. WILD replied:

- (1) 226.
- (2) £16,552.
- (3) Four.
- (4) £25 0s. 9d.
- (5) £30.
- (6) Parts not available.
Wages: £990.

ABLUTION BLOCK AT EXMOUTH CARAVAN PARK

Cost, Architects, and Accommodation

12. Mr. NORTON asked the Minister for the North-West:

- (1) What was the total cost (including supervision) of the ablution block on the caravan park at Exmouth?
- (2) From what source did the money come?
- (3) Who were the architects?
- (4) How many persons or caravans is it built to cater for?

Mr. COURT replied:

- (1) Expenditure not complete. The major contract is £14,800 with minor accounts outstanding.
- (2) State general loan funds with assistance from a Commonwealth matching grant.
- (3) Public Works Department.
- (4) The ablution block was designed for 40 caravans, but with several caravans occupied by one person only, the ablution block can cater comfortably for more than 40 caravans.

The caravan park is at present laid out to accommodate 50 caravans. Restriction to 40 caravans would exclude a number of contractor's employees and/or their dependants. The State has no obligation to provide caravan park facilities for these persons but they have been permitted within the limits as indicated.

PASTORAL LEASES

Statutory Developmental Requirements

13. Mr. NORTON asked the Minister for Lands:

As under the new Pastoral Leases Act the lessee of a pastoral lease is required to spend two and a half times his annual rental on new improvements each year, what is the position when a pastoral lease has been developed to a state where it is no longer practical to add any more new improvements?

Mr. BOVELL replied:

The Land Act provides that the lessee shall expend in each year in effecting improvements on the land the subject of his lease a sum not less than that equal to two and one-half times the rent payable for that year until such time as the proposed improvements shown in the plan approved by the Minister have been fully effected.

CYRIL JACKSON HIGH SCHOOL

Staff Changes

14. Mr. TOMS asked the Minister for Education:

- (1) Is it a true statement of fact that in a class of first-year high school students at the Cyril Jackson High School, Ashfield, this year, there have been no fewer than three changes of teachers in one term?
- (2) If this is correct, is it in the best interests of the students?

- (3) If not, will he take the necessary steps to see that it does not occur again?

Mr. LEWIS replied:

- (1) Yes.
- (2) No.
- (3) The department does endeavour to avoid transfers of teachers, but such factors as long service leave, resignations for marriage, or illnesses cause unavoidable breaks in continuity of staff and are outside the control of the department.

PHYSICALLY HANDICAPPED PERSONS

Number Employed by Government

15. Mr. TONKIN asked the Premier:

Relative to his statement on the occasion of the official opening of Employ The Handicapped Week in which he called for a greater community effort to employ rehabilitated people, will he state the number of physically handicapped persons who commenced employment with the Government—

- (a) during the 12 months prior to the 30th June last;
- (b) since that date?

Mr. BRAND replied:

- (a) Three.
- (b) Two. In the Public Service proper there are at present 38 handicapped persons employed. There is close and constant liaison with the Commonwealth Employment Service—on both male and female side—and every endeavour is made to place handicapped persons in suitable positions.

The Department of Labour and National Service has publicly and officially acknowledged the efforts of the State Government to assist. No information in respect of employees other than officers of the Public Service proper in governmental and semi-governmental departments is available.

WATER SUPPLY, SEWERAGE, AND DRAINAGE

Revenue Details

16. Mr. TONKIN asked the Minister for Water Supplies:

- (1) What was the total amount of revenue income from rates, water sales, and sundry income for the year ended the 30th June, 1964?
- (2) Of this total, how much was for water supply?
- (3) What amount of the revenue income related to water supply was obtained from—
 - (a) rates;

- (b) charges in lieu of rates;
- (c) domestic excess?

- (4) What was the overall revenue account result for the year ended the 30th June, 1964, on water supply, sewerage and main drainage, respectively?

Mr. WILD replied:

- (1) £3,404,073.
- (2) £2,087,727.
- (3) (a) £1,253,307.
(b) £33,564.
(c) £434,374.

	£
(4) Water supply—surplus	49,867
Sewerage—surplus	46,612
Main drainage—deficiency	29,819

Net surplus £66,660

The result for water supply may vary when the loan capital liability associated with the takeover of the Kalamunda water supply is finalised.

BREAKWATER AT ESPERANCE

Contractor Appointed by Liquidator

17. Mr. TONKIN asked the Minister for Works:

- (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?

Mr. WILD replied:

- (1) and (2) The liquidator is unable to supply the complete answer. The answer will be furnished on Tuesday next.

SEWAGE TREATMENT WORKS

Elimination of Offensive Smell

18. Mr. TONKIN asked the Minister for Works:

- (1) Were the experiments which were directed towards eliminating the offensive smell from the sewage treatment works and which the member for Wembley advised the public early this year were then being conducted, successful?
- (2) If the problem has been solved, what is the solution?

Mr. WILD replied:

- (1) and (2) The problem has not been solved, but as the experiments show promise they are being continued.

PENSIONER HOME UNITS

Provision and Applicants

19. Mr. TONKIN asked the Minister representing the Minister for Housing:

- (1) How many home units for the accommodation of pensioners were constructed last financial year?
- (2) Is it proposed to construct a larger number this year?
- (3) What is the number of applicants for this type of accommodation?

Mr. ROSS HUTCHINSON replied:

- (1) By the State Housing Commission—

Cottage flats—50.

Elderly pensioner women's scheme (single units)—72.

(Charitable organisations operating under the Commonwealth Aged Persons Homes Act have constructed 139 units.)

- (2) Yes.
- (3) Pensioner couples—143.
Pensioner women—420.

MITCHELL FREEWAY

Tabling of Plan

20. Mr. TONKIN asked the Minister for Works:

Will he table a plan drawn to scale which shows the position and extent of the embankments which will be required for the proposed Mitchell Freeway and interchanges?

Mr. WILD replied:

Plans showing the position and extent of the embankments of the proposed Mitchell Freeway and interchanges will be tabled as soon as detailed designs are completed. There are still aspects in planning and design which must be resolved with the Region Planning Authority, Perth City Council, and other authorities affected.

SILICOSIS AND ALLIED DISABILITIES

Tabling of Committee's Report

21. Mr. MOIR asked the Minister for Labour:

- (1) Is he in receipt of a report from the committee appointed last year to inquire into the incidence of silicosis and allied disabilities arising from mining occupations?
- (2) When does he propose to table this report?

Amending Legislation

- (3) Will he indicate whether it is the intention of the Government to amend the Workers' Compensation Act in conformity with all or any of the committee's recommendations during the current session?

Mr. WILD replied:

- (1) Yes.
- (2) and (3) This report is now being considered by the Government, and when a decision has been made in regard to any legislation the report will be tabled.

ELECTORAL DISTRICTS AND PROVINCES

Enrolment Figures

22. Mr. OLDFIELD asked the Minister representing the Minister for Justice:

What were the enrolment figures for each of the 50 Legislative Assembly districts and the 15 Legislative Council provinces at the 30th June last?

Mr. COURT replied:

- (1) The undermentioned are the enrolment figures, as at the 30th June, 1964, for each of the 50 Legislative Assembly Districts:

Balcatta	....	13,069
Bayswater	....	13,288
Beeloo	....	11,943
Belmont	....	12,131
Canning	....	10,985
Claremont	....	10,473
Cockburn	....	11,461
Cottesloe	....	10,765
East Melville	....	12,484
Fremantle	....	11,552
Karrinyup	....	12,516
Maylands	....	10,737
Melville	....	11,793
Mount Hawthorn	....	11,310
Mount Lawley	....	11,197
Nedlands	....	11,041
Perth	....	11,320
South Perth	....	11,619
Subiaco	....	11,248
Swan	....	11,656
Victoria Park	....	10,907
Wembley	....	12,292
Albany	....	6,448
Avon	....	4,987
Blackwood	....	5,125
Boulder-Eyre	....	5,914
Bunbury	....	6,042
Collie	....	5,229
Dale	....	6,362
Darling Range	....	6,835
Geraldton	....	6,087
Greenough	....	5,161
Kalgoorlie	....	5,868
Katanning	....	5,310
Merredin-Yilgarn	....	4,884
Moore	....	5,504

Mount Marshall	5,102
Murchison	5,410
Murray	5,443
Narrogin	5,415
Northam	5,825
Roe	6,012
Stirling	5,345
Toodyay	5,573
Vasse	5,376
Warren	5,261
Wellington	6,093
Gascoyne	1,812
Kimberley	2,081
Pilbara	1,450

- (2) Under subsection (5) of section 11A of the Electoral Districts Act, 1947-1963, the 15 Legislative Council provinces the subject of the report of the Electoral Commissioners published in the *Government Gazette* on the 29th May, 1964, will be the provinces for the State on a day to be proclaimed. The Act provides that such day shall be not earlier than the 10th December, 1964, nor later than the 31st December, 1964.

BENTLEY HIGH SCHOOL

Attendance Figures for 1965

23. Mr. D. G. MAY asked the Minister for Education:

- (1) With regard to the children at present attending the Bentley High School, how many will be remaining at the school in 1965?
- (2) From what contributory schools will pupils be leaving this year to attend Bentley High School in 1965?
- (3) Will he advise the anticipated number of children from the respective schools?

Mr. LEWIS replied:

- (1) 800 anticipated.

- (2) and (3)—

Bentley	128
Cannington	9
Koonawarra	63
Manning	97
Millen	88

STATE ELECTRICITY COMMISSION

Additional Charge to Householders

24. Mr. D. G. MAY asked the Minister for Electricity:

- (1) Is he aware that an additional 10s. per quarter has been debited by the State Electricity Commission on accounts now being received by the householder?
- (2) If so, what advice was given to the public that this additional tax was to be imposed?

- (3) Will he indicate for what purpose the 10s. is being charged?
- (4) What is the anticipated annual return to the State Electricity Commission in connection with this charge?

Mr. NALDER replied:

- (1) to (4)—

From the 1st October, 1963, the method of charging domestic consumers was altered and the charges reduced.

Previous to the 1st October, 1963, domestic consumers were charged 7s. 6d. measurement fee. Their premises were measured and they were charged 2½ units per 100 sq. ft. of floor area at 6.6d. per unit and the remaining units at 2.4d. per unit.

From the 1st October, 1963, no units have been charged at 6.6d. Consumers are charged instead a service charge of 10s. per quarter and all metered units at the reduced rate of 2.3d. per unit.

These reduced rates have resulted in a saving to metropolitan domestic consumers of approximately £150,000 per annum.

The alteration was publicised in *The West Australian* of the 28th and the 29th August.

HOUSING COMMISSION HOMES

Availability to Migrants

25. Mr. FLETCHER asked the Minister representing the Minister for Housing:

Relevant to numbers of applicants and waiting periods for State Housing accommodation mentioned in reply to question 3, *Notices and Orders of the Day*, the 5th August, 1964.—

- (a) Has any extra provision been made for migrants arriving as a consequence of the mooted Government overseas drive for skilled tradesmen mentioned in *The West Australian* leading article on the 3rd August, 1964;

- (b) will the migrants have to compete with local applicants and thus increase the number of current applications and in doing so increase the waiting periods?

Mr. ROSS HUTCHINSON replied:

These migrants will be recruited under group nomination which places the responsibility on the nominators to ensure availability of both employment and accommodation.

SEX CRIMES*Number Reported and Percentage Increase*

26. Mr. HALL asked the Minister for Police:

- (1) What was the number of sex crimes reported to the police in this State for the years ended the 30th June, 1961, 1962, 1963, and 1964?

Rape and Other Cases

- (2) How many cases of rape were reported for the same years and what was the percentage increase from 1961 to 1964?
- (3) How many cases of offences against women, other than rape, were reported for the same years, and what was the percentage increase from 1961 to 1964?

Mr. CRAIG replied:

- (1) to (3) As prior to July 1963 crime statistics were only maintained on the basis of charges brought to court it will take some considerable time to obtain the information, which will be supplied to the honourable member as soon as possible.

Figures involving reports for 1963 were as follows:

616 cases involving—

Unlawful carnal knowledge	131
Rape	4
Indecent assault	87
Indecent assault on a female child	123
Indecent assault on a male child	43
Homosexuality	11
Wilful exposure	182
Miscellaneous indecency	35

Of these total cases reported (616), 61 per cent. were cleared up.

It should be mentioned also that in many instances inquiries revealed that an offence had not been committed as the person involved in the case had been a consenting party.

ILLEGITIMATE BIRTHS*Number Registered*

27. Mr. HALL asked the Minister representing the Minister for Child Welfare:

- (1) How many illegitimate births were registered in this State for the years 1961, 1962, 1963, and 1964?
- (2) What percentage of all births registered for the same years were illegitimate?

Mr. CRAIG replied:

- (1) and (2) Western Australian Registered Births.

Years	Ex-nuptial Births	Total Births (including ex-nuptial births)	Percentage of ex-nuptial births to total births
1961	959	17,078	5.62
1962	1,005	17,004	5.89
1963	1,220	17,280	7.11
1964 (First Quarter)	307	4,047	7.59

VENEREAL DISEASES*Number Reported and Percentage Increase*

28. Mr. HALL asked the Minister for Health:

- (1) How many cases of venereal diseases were reported in this State for the years 1961, 1962, 1963, and 1964?
- (2) What was the percentage increase for the period from 1961 to 1964?

Mr. ROSS HUTCHINSON replied:

- (1) and (2)

Year	Notifications	Percentage Index
1961	136	100
1962	209	219
1963	330	287
1964 (to June 30th)	201	296

(equivalent for whole year)

COMMERCIAL COURSES*Students at Albany High School*

29. Mr. HALL asked the Minister for Education:

- (1) How many students are at the Albany High School taking commercial courses:
- (a) second year:
- (i) commercial methods and bookkeeping;
- (ii) typing;
- (b) third year:
- (i) commercial methods and bookkeeping;
- (ii) typing;
- (c) fourth year:
- (i) commercial methods and bookkeeping;
- (ii) typing?

Students at Private and Denominational Schools

- (2) How many students are at private and denominational schools taking commercial courses:
- (a) second year:
- (i) commercial methods and bookkeeping;
- (ii) typing;
- (b) third year:
- (i) commercial methods and bookkeeping;
- (ii) typing;
- (c) fourth year:
- (i) commercial methods and bookkeeping;
- (ii) typing?

Students at Albany Technical School

- (3) How many students are at the Technical School, Albany, taking commercial courses:
 (a) typing;
 (b) bookkeeping?

Provision of Equipment

- (4) Does the Education Department make available to all schools equipment for the teaching of commercial courses:
 (a) high schools;
 (b) private and denominational schools;
 (c) technical schools?

Mr. LEWIS replied:

- (1) (a) (i) 28.
 (ii) 28.
 (b) (i) Nil.
 (ii) 43.
 (c) (i) 68.
 (ii) 51.
 (2) The department is not in possession of such records regarding private and denominational schools.
 (3) (a) 64.
 (b) 47.
 (4) (a) Yes.
 (b) No.
 (c) Yes.

PEST CONTROL

Eradication of White Ants

30. Mr. BRADY asked the Minister for Agriculture:

- (1) Has any organisation having for its purpose the eradication of white ants or other pests any official recognition by the Agricultural Department?
 (2) Does he or his department know if any formula has been approved or advocated as being suitable for the eliminating of white ants?

Encouragement of Control Operators

- (3) Are pest control experts encouraged by the Agricultural Department in their work?

Mr. NALDER replied:

- (1) No.
 (2) The Department of Agriculture makes recommendations for the control of termites (white ants). These are published in the *Journal of Agriculture* and reprints are available on request.
 (3) Pest control operators are not specifically encouraged in their work by the Department of Agriculture, but advice on the identification and control of pests from specialist officers is readily available.

CROSSWALK AT RIVERVALE HOTEL

Accidents to Pedestrians

31. Mr. DAVIES asked the Minister for Police:

- (1) How many accidents to pedestrians have occurred at the crosswalk outside the Rivervale Hotel?
 (2) How many accidents have proved fatal?

Installation of More Effective Warning

- (3) Has consideration been given to installing more effective warning of the existence of the crosswalk to motorists?
 (4) If so, with what result?

Mr. CRAIG replied:

- (1) This crosswalk was installed on the 17th January, 1963. From that date until the 30th April, 1964, there were four accidents involving pedestrians.
 (2) Nil.
 (3) Consideration is being given to the installation of sodium lighting at pedestrian crossings. This type of lighting gives a distinctive orange-yellow colour.
 (4) Answered by No. (3).

OFFICIAL "SMELLER"

Government Appointment

32. Mr. DAVIES asked the Minister for Works:

- (1) Has an official "smeller" been appointed by the Government as reported in the *Daily News* of the 13th May, 1964?
 (2) If so, what is the officer's name and where can he be contacted?
 (3) Are his services only available to Floreat Park residents, as indicated by the Press report, or can residents of Victoria Park, who occasionally are plagued by an offensive odour from the pumping plant near the Causeway, call on his services?

Mr. WILD replied:

- (1) No.
 (2) and (3) Answered by No. (1).

33. *This question was postponed.*

KALGOORLIE-PERTH TRAIN

Bassinet Facilities

34. Mr. EVANS asked the Minister for Railways:

- (1) What bassinet facilities—
 (a) to first-class passengers;
 (b) to second-class passengers;
 are available on the Kalgoorlie-Perth train to assist passengers having the care of young children?

(2) How many such bassinets are provided and regularly carried on each Kalgoorlie-Perth train?

(3) What steps have been taken by the Railways Department, by way of advertising, to inform prospective passengers that such facilities are available?

Mr. COURT replied:

(1) (a) and (b) Bassinet facilities are available for both classes of travel.

(2) In the past it has been the practice to retain bassinets at Perth and Kalgoorlie for use as requested.

Arrangements are being made for bassinets to be available on each train.

(3) It has not been considered necessary to advertise this feature specially, but arrangements will be made for a statement regarding this service to be included in future issues of the public timetable. Sleeping-car conductors advise parents when they see they have a child in arms with them.

QUESTIONS WITHOUT NOTICE

FLOOD DAMAGE

Relief Lottery

1. Mr. HALL asked the Premier:

In view of the statement made in today's issue of *The West Australian* by insurance companies that very few of the homes damaged by floodwaters would be covered, would he undertake to make approaches to the Lotteries Commission to see if it would be prepared to strike a major lottery called the "Flood Relief Lottery," which would be for the express purpose of assisting the unfortunate home dwellers in the flood-ravaged areas?

Mr. BRAND replied:

The honourable member gave me some brief notice of this question. I think perhaps I can best answer it by saying that when an overall assessment has been made of the damage, and the general situation is known, the means of providing the necessary money to repair the damage and to meet some of the individual hardship can then be decided upon. I certainly do not favour the idea of a special lottery, because we could have so many demands on this account as a result of occurrences of a special nature.

BOW RIVER BRIDGE

Source of Labour

2. Mr. TONKIN: My question relates to question 1 on today's notice paper. I regret I was unable to give the Minister prior notice of this question because it was not in mind until I heard the answers to question 1. I would ask if the Public Works Department has used labour in connection with the completion of this contract for R. J. Davies Pty. Ltd. and, if so, under what arrangement.

Mr. WILD replied:

To the best of my knowledge, no. This is a Main Roads Department contract, not Public Works.

AIR FARE SUBSIDY FOR STUDENTS

Review of Government Policy

3. Mr. NORTON asked the Premier:

(1) Now that M.M.A. is enforcing rigidly its regulations in respect of concession fares, which means that the student over a certain age or in receipt of any remuneration will not be granted a concession fare as in the past, will he have a review made of the Government's subsidy for fares to students in the north-west to put them on the same footing as in the past when M.M.A. allowed all students to travel at half fares?

(2) As the Transport Commission refused to grant at least two trainee teachers their annual free return fare for the May vacation, will he give instructions that those who applied in May will be granted the concession for the August vacation?

Mr. BRAND replied:

(1) and (2) There has been no change in Government policy in respect of student air fare concessions previously granted, nor is any reduction contemplated. The two matters raised in these questions will be examined.

SILICOSIS AND ALLIED DISABILITIES

Date of Committee's Report

4. Mr. MOIR asked the Minister for Labour:

Arising from his answer to question 21 on today's notice paper, will he inform me on what date the commission made its report to him?

Mr. WILD replied:

I think, from memory, it was received about two months ago.

TRAFFIC REGULATIONS*Press Publicity*

5. Mr. ROWBERRY asked the Minister for Police:

Has the Minister seen the article in today's paper in which it is reported that the magistrate, Mr. F. E. A. Bateman, said in the Traffic Court yesterday—

The more I sit on the bench the more I become convinced that motorists are colossally ignorant of their duties on the road?

He also said in Chambers that 50 per cent. of the adult drivers do not know their obligations on the road. In view of this, will the Minister be prepared to review the answer he gave me yesterday as it appears to be obvious that the message is not getting through to the public? In view of this pronouncement by the magistrate could he once more take this up with his department?

Mr. CRAIG replied:

Yes. It is the policy, of course, to pursue these matters to the full. One does not necessarily have to sit on the bench to have that opinion. The ignorance of a certain percentage is obvious to anyone. We will continue to pursue our education policy.

SHEEP INFESTED WITH BATHURST BURR*Shearing in State of Origin*

6. Mr. CORNELL asked the Minister for Agriculture:

With reference to the question asked by the member for Merredin-Yilgarn concerning sheep affected by Bathurst burr, and in view of the importance of this particular matter, which is causing some concern in rural areas, is it possible to ensure that before importation—section 92 of the Commonwealth Constitution notwithstanding—these sheep are shorn in the State of origin and not wait till they arrive in this State before the wool is taken off?

Mr. NALDER replied:

The regulations now in existence stipulate that sheep must be shorn at the place of origin and that they must not arrive in Western Australia with any more than six weeks' growth of wool on them.

TOTALISATOR AGENCY BOARD*Punting at York Race Meeting*

7. Mr. CORNELL asked the Minister for Police:

With reference to the race meeting in York yesterday in which a horse returned at four to one by bookmakers paid £7 3s. 6d. straight out on the tote, the reason given was that a good deal of money was channelled on to the tote by the T.A.B. Are we to infer from that statement, in view of the large disparity in the price, that the board did a spot of punting instead of investing on that particular race?

Mr. Graham: The answer is "Yes".

Mr. CRAIG replied:

I am not aware of the circumstances but will inquire into them. However, I wish to assure members that the T.A.B. does engage in limited punting, as we all know.

Mr. Tonkin: It is illegal if it does.

COMMITTEES FOR THE SESSION*Appointment*

MR. BRAND (Greenough—Premier) [2.45 p.m.]: I move—

That for the present session—

- (1) The Library Committee shall consist of Mr. Speaker, Mr. Tonkin, and Mr. Crommelin.
- (2) The Standing Orders Committee shall consist of Mr. Speaker, the Chairman of Committees, Mr. J. Hegney, Mr. Cornell, and Mr. Guthrie.
- (3) The House Committee shall consist of Mr. Speaker, Mr. H. May, Mr. Jamieson, Mr. W. A. Manning, and Mr. O'Neill.
- (4) The Printing Committee shall consist of Mr. Speaker, Mr. Guthrie, and Mr. Rowberry.

Adjournment of Debate

MR. GRAHAM (Balcatta) [2.46 p.m.]: I move—

That the debate be adjourned.

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

Ayes—22

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

(Teller)

Noes—23

Mr. Bovell
Mr. Brand
Mr. Burt
Mr. Cornell
Mr. Court
Mr. Craig
Mr. Crommelin
Mr. Dunn
Mr. Gayfer
Mr. Grayden
Mr. Guthrie
Mr. Hart

Mr. Hutchinson
Mr. Lewis
Mr. I. W. Manning
Mr. W. A. Manning
Mr. Mitchell
Mr. Nalder
Mr. Nimmo
Mr. O'Connor
Mr. Runciman
Mr. Wild
Mr. O'Neill

(Teller)

Pairs

Ayes

Mr. Curran
Mr. Jamieson

Noes

Mr. Williams
Dr. Henn

Majority against—1.

Motion (adjournment of debate) thus negatived.

Debate Resumed

MR. GRAHAM (Balcatta) [2.49 p.m.]: It is typical of the intolerance of this Government that it will allow the delay of this motion to suit the convenience of the Liberal Party in deciding who should constitute members of committees, and yet when a member of the Opposition seeks an adjournment to the next day of sitting for reasons that have some effect upon the Opposition members, the Government uses its numbers in order to reject what I suggest should be a formal courtesy.

The reason, principally, that I wanted the debate adjourned is that one who is, I suppose, the most active member of the Joint House Committee, is unfortunately absent from the State at the moment. At the next day of sitting he would be here in his place. It was in order to give him an opportunity of participating in a discussion on the matter of appointments that I sought an adjournment of the debate. However, the Government has had its way; and, therefore, without the member for Beeloo being here, no doubt this issue will be resolved.

Let me say first of all that it should not be treated as a light matter; that is, the appointment of persons as members to serve on committees of this House or this Parliament. They have some of the most important functions to fulfil, and their decisions have a direct impact upon members, the rights of members, and, indeed, the standing of members.

Allow me to start off on the right foot by making reference to a difference between yourself, Sir, as a joint chairman of the House Committee, and me with regard to the day on which this session of Parliament was opened; namely, a week ago today. Members received a notification—I do not intend to read all of it—headed "Opening of Parliament" and couched in these terms—

The completion of Parliament House has made it possible to overcome some of the disabilities under which this ceremony previously suffered.

It is no longer necessary for the President of the Legislative Council to have to entertain His Excellency the

Governor and other Official guests in totally inadequate accommodation for afternoon tea.

It has been decided that the President of the Legislative Council and the Speaker of the Legislative Assembly will give Official guests afternoon tea in the Dining Room and that invitations will be extended to all members and their wives.

In reply to that notification I addressed a letter to you in these terms—and I trust the mail service was operating efficiently in this House—

I acknowledge the circular respecting arrangements on the Opening of Parliament this year.

Let me say immediately, that I take the strongest exception to your decision which virtually excludes Members of Parliament and their wives from using the dining room that afternoon, as obviously the great majority of Members would have invited guests whom they are not likely to desert at afternoon tea time.

Therefore, your conception of overcoming "some of the disabilities" under which the Opening Ceremony previously "suffered," is one which will inevitably result in you and the President being surrounded by public servants in the dining room, whilst Members and their wives are entertaining their guests in the billiard room.

Apart from the slight on Members, who can attain the social status of departmental officers only at the sacrifice of their guests, it is understood that the Joint House Committee which, as far as I am concerned, has complete control over the dining room, has resolved that afternoon tea arrangements this year should be along the same lines as was the case last year.

I consider your decision to be a serious matter of principle, involving not only the dignity of Members, but the authority of the Joint House Committee and the Legislative Chambers which constituted it.

I am aware that the meeting of the Joint House Committee immediately prior to the opening of Parliament carried a resolution that afternoon tea arrangements in 1964 should be the same as in the previous year. That meeting, incidentally, was significant because of the fact that there were no Labor members present, they being absent in the country on that date.

Notwithstanding the decision of the Joint House Committee, it would appear that Mr. President and Mr. Speaker put their thumbs to their noses to the Joint House Committee and to the Legislative Council and the Legislative Assembly, or the members of both those Houses, in

order to enter into an arrangement under which they could have the privilege of disporting themselves before the Vice-Regal representative in this State, whilst members and visitors, generally, could crowd and clutter up other parts of the building.

There were some interesting features in connection with that. A certain member and guests, because of the affront apparently, and not being as well briefed as they might have been, in these instructions—which had been wrongly given, in my opinion—departed from the precincts of this place in order to demonstrate their feelings, and had afternoon tea elsewhere.

After getting through without an invitation—I am not disclosing whether I came down the chimney, or how I got there—I viewed for a few brief moments some of the proceedings in the dining room, and then I went up top to see what was occurring there. Here let me state that I cancelled the invitations which I had extended to people who were to have been my guests. I have had afternoon tea in the corridor, or in the dining room, on every occasion during the more than 20 years that I have been a member of this Parliament, and I was not going to accept the insult of being, in my opinion, unconstitutionally pushed around by the presiding officers of the two Chambers.

Anyhow, I proceeded upstairs, and on the way I saw one of our most distinguished public servants and his good lady coming down in disgust because of the confusion caused by the many hundreds of people who were swarming around the billiard tables with their covered lights and all the rest of it. Certainly it was anything but in keeping with the dignity of Parliament, particularly on the opening day. They left because it was impossible to get anywhere near the tables. Finally, by using a little bit of football tactics and manoeuvres, I was able, first of all, to persuade this couple to return, and I got them a cup of cold tea and a sandwich, and I then conversed with them for a while. Then I think their fluttered nerves, which were ruffled, were a little more in place than was the case earlier.

I proceeded back to the seats of the mighty around the dining room without partaking of afternoon tea in that sanctum sanctorum or whatever it was decided it should be on that occasion. As you are aware, Mr. Speaker, there were comparatively few people in the dining room; there was nobody at all in the corridor; and there was not a soul in the President's end of the corridor or his double room; and there was nobody in the Assembly corridor or the Speaker's Room.

Whilst there was this scant attendance down below for the privileged people, the many hundreds of people who had been

invited, and members and their wives, were fighting over the billiard table and in the old library room upstairs.

Parliament House has more space available today for all its activities and social functions than ever before. Why, therefore, should it be necessary for an intrusion to be made into what has come to be regarded, surely, as the normal rights and privileges of members of Parliament? I do not think the Governor of Western Australia necessarily cuts a pretty figure stuffing cream puffs into his mouth, or something of that nature. That performance might be far better, and with greater dignity, undertaken in the President's Room amongst some of the distinguished guests; and when the Governor has finished his repast, it would be proper and, I suggest, more dignified for him to then move amongst the people, who could, and should, be accommodated where there is ample accommodation this year—certainly far more than on previous occasions.

Let me say, not only in respect of those in this Chamber, but others that some of us are not as happy as we would care to be.

I do not know what the situation is to be shortly, but I know that during last session the door of the southern entrance to the Legislative Assembly corridor was locked, and members were required to perambulate around corners and through other rooms in order to get to the Chamber, and had to follow the same route when leaving the building. Of course the car park is adjacent to this entrance door and why, and by whose authority, Mr. Speaker, that door was closed, I know not. I am thankful it is now open, and I hope and trust it will remain open in the future. This, perhaps, is a small matter, but I think it is indicative of a trend. I do not know what other members may think of a Joint House Committee in relation to opening day if, within a period of a fortnight or so, the two presiding officers of the respective Chambers can completely and utterly defy what has been resolved at a meeting.

I understand a special meeting was held the day before Parliament was opened and, among other things, this matter was discussed. What happened I do not know, but I think it would have been proper for a vote of no confidence to be carried against those who were responsible for defying the decision made by the Joint House Committee. I leave that aspect of my remarks at this point.

Everyone, of course, is entitled to his own viewpoint, and the Joint House Committee wrote to the three political parties asking for an expression of opinion on a proposition that the main entrance hall should have a name attached to it. As far as I can make out, it was to commemorate the first Premier of Western

Australia and, at the same time, commemorate the name of the present member for Albany. "Forrest Hall" was to be the style of the title to be attached to the entrance.

Mr. Rowberry: I can attach a better prefix to it than that.

Mr. GRAHAM: This might be the time for me to say that I hope the Joint House Committee will not indulge in anything so foolish. If the entrance hall is to be called "Forrest Hall" for some reason, or for no reason at all, there will be found, no doubt, reasons why there should be a "Collier Room", "Mitchell Parlour", "Brand Toilet", "Hawke Billiard Room", and so on.

Mr. Brand: What about a "Graham Sewer"?

Mr. GRAHAM: Is it necessary to start putting labels on various parts of this structure? I think members, if they dispel a certain amount of emotionalism, will agree heartily with me there is no need. The name of Forrest is sacred to Western Australia. The name has already been honoured in many public places, such as parks, on monuments, and so on. There is already a bust statue of Lord Forrest in the building, and surely that should suffice.

It occurs to me that as the two Chambers elect the various representatives of the committees some provision should be made for them to report back to the Chambers that elect them and, on certain occasions, an opportunity given to members to express their approval or otherwise of their activities. It may be suggested that there is an annual meeting which has no official function; but my experience of those meetings before giving up attending them, was that after a few formalities had been observed, it was time for afternoon tea, and therefore no time whatsoever was available for members to express their views. I think the member for Avon is one who would agree with me that there are not many such opportunities available to us.

There is another matter which I think requires some mention. It would appear that the members of the Liberal Party are not over-happy with the allocation of the rooms in this building—that is, the allocation of offices to various members—and, for reasons which I can appreciate, they decided they would like at least two offices for their private or back bench members on the same floor as that on which this and the other Chamber are situated. In order to give effect to this proposition it was thought it would be a simple matter to arrange for the two rooms occupied by the secretary-stenographers—I think that is their proper title and designation—to be occupied by members of the Liberal Party, and that the two ladies should take over the rooms that would be vacated by them.

However, apparently that was not good enough, so a decision was made at a meeting—notwithstanding assurances that were given; and at which no Labor members were present—to require four Labor members who are occupying rooms at present to move from where they are to rooms somewhere else so that the two ladies could occupy the rooms vacated by them, and the Liberal Party members could move upstairs to occupy the rooms which previously had been occupied by the secretary-stenographers.

Mr. Rowberry: Is it not right that the Liberal Party members should be downstairs?

Mr. GRAHAM: We resolve that question every three years and it will be resolved again probably next March or sooner. Quite rightly the Labor members have taken the strongest exception to being given what is virtually an eviction notice. Why cannot there be a straight swap of the two rooms occupied by the ladies and the two rooms occupied by Liberal Party members? Why is it necessary for members of the Labor Party to be disturbed in order to resolve this matter?

Unfortunately, because of the composition of the various Joint Committees, the Liberal Party and the Country Party members dominate them because they have a majority of members, and always have had a majority. Now that we are to have adult suffrage for the Legislative Council perhaps that position will be changed one day. But if we are to have the pattern of the Liberal Party and Country Party members using their positions on these committees to their own advantage, or when we have Liberal Party or Country Party members presiding in the respective Chambers and using their positions—whether rightly or wrongly—to surround themselves with greater glory than is normally the case, and, in defiance of decisions that have been made, it becomes necessary for members to express themselves.

For that reason I am indicating some of my thoughts on the matter. I think, too, it is time there was some statutory authority, or some definition of the authority, given to the committees, particularly the Joint House Committee. Nobody, including the members of the committees themselves, seems to have an appreciation of where the activities of each committee start and finish.

During the period when the building operations and furnishings were proceeding recently, there were items of furniture and fittings being brought into this building, and members of the Joint House Committee were disclaiming any knowledge or responsibility for them whatsoever. I think that is wrong. We have the situation where, virtually, this has become the Crystal Palace. I, for one, never envisaged that I would ever see as many chandeliers as those that are hung around and about this place. I do not know whether the number

runs into hundreds, but they are most inappropriate in about 99 per cent. of the places in which they are situated. So far as the offices are concerned, whoever heard of hanging chandeliers in business offices? The light is completely unsuitable; it is only a fraction of the brightness that should be used in an office where there is a lot of fine reading and writing to be done.

I suggest that many of us, more rapidly than ever before—I include myself amongst this category—have been forced into the position of having to wear spectacles for the first time in our lives. It is a shocking arrangement.

I understand these chandeliers cost about £35 apiece. For a fraction of that cost—£2 or £3, or £5 if something elaborate is required—far more efficient lighting could be installed. I understand that as a result of the checks and tests which have been made practically all, if not all, the chandeliers in the offices are to be removed; and if they are not, members upon request will be supplied with table lamps. Somebody's imagination ran riot!

The House Committee will say it is not responsible, and I think the Premier felt that the House Committee was responsible for this. Whether or not the position has been clarified up to date I am not aware. I repeat there has been a shocking waste of public money to provide a most inefficient and damaging type of lighting to members in their offices, and, indeed, to some members of the staff as well.

I suppose if I continued right through the piece I could occupy a great deal more time than is my intention. Some members have complained that for some extraordinary reason while some very junior clerks and most of the senior officers have been supplied with decent sized tables, the members, with the exception of a select few—and I happen to be one of them—have been given nothing better than a student's desk. It is a small table, and if there are a couple of files on it there is no room to sign letters or do anything else on it. The only advantage to those who have the small desks is that they have readily installed table lamps on them. Whatever they might be losing in space they gain in light, and they save their eyesight.

Let me make reference to one other matter that I have raised from time to time. As we are publicly ventilating these matters, let us have one or two of them which we usually discuss in places other than this Chamber.

Mr. Ross Hutchinson: I think you were probably happier in the old building.

Mr. GRAHAM: It is a great pity when hundreds of thousands of pounds have been spent in bringing the building up to date and in making extensions to it, that these shocking mistakes have been made, presumably by professional men. The mistakes have been so prevalent that it has

been necessary to reduce the strength of the electric radiators, because the wires are not capable of carrying the required amount of current. I defy any member to put his hand a foot from the radiators, and tell accurately whether the radiator is turned on or off. The heat is very weak. It is necessary to do that sort of thing in a building constructed and completed in 1964! Who knows in future years the number of electric devices that will be used as commonplace fixtures in offices? Yet before this building was opened it was necessary to reduce the strength of the radiators, because the wiring was not able to carry the strain that would be imposed on it if there were more than half a dozen radiators switched on at the same time. This is a building in which over 100 people work, and it is necessary to have some heating arrangements on certain days.

Let me touch on another matter. There is an inter-office communication system which connects one office staff member to another. This is a facility which is not available to members, with the exception of a favoured few, and I happen to be one of them. Why it is not available to all members in their offices I do not know. It is a simple process to dial a number to contact a fellow member in his office instead of having to make a call through the exchange. If the exchange is to be used for this purpose, let it be the common factor. I am not suggesting that anybody who has that facility should be denied it.

The other point, because it is not as serious, or is not of a business nature, I make the final one. Parliament House has a bar attached to it in which cigarettes and liquor can be purchased. When Parliament is not sitting it is the procedure for the bar to be open from 10 in the morning until 5.45 p.m.; in other words, if a member were recreant to his trust and his electorate he could drink all day long in the bar, because the facility is available. It is provided within a few yards of where he works.

If a member, who has applied himself to his duties throughout the day, at about five o'clock or shortly afterwards ceased work and wanted to use the bar facilities, by the time he arrived it would virtually be "Time, gentlemen, please." I would have thought a far more reasonable arrangement would be to curtail or to restrict the bar facilities to an absolute minimum during the day when everybody should be working, and to allow some time for relaxation at the end of the day.

The House Committee, by and large, is composed of members who do not go into the bar; and very many of them, when the House is not sitting, are hardly ever found in Parliament House or in the City of Perth, because they represent country constituencies. That is understandable, and I am not levelling any criticism at them; but they would not have a clue of what was

going on, or what was necessary to conform with reasonable habits. I have already said that I have discussed many of these points with members of the House Committee, but, unfortunately, from my point of view I have got practically nowhere.

The most important items I have endeavoured to outline are, firstly, the attitude of the presiding officers, and the decision that they made which, I think, turned out to be a disgrace to Parliament House. I am referring to the opening day's ceremony. It was the worst I have seen in 20 years in this Parliament. The second one is the decision of the Joint House Committee, for reasons which are incomprehensible, in seeking to dislodge Labor Party members from their offices, arising from a desire of the Liberal Party for some of its members to be more comfortably housed, or more conveniently located, than they are at present. If there had been a straightout switch, the members of the Labor Party would not have cared. There is likely to be considerable resistance to this move.

I do not know if it is the intention of Mr. Speaker and Mr. President to call their respective officers—one who used to have a billiard cue and the other a mace—to evict the four Labor members from both of the two rooms I have mentioned! It is time the Joint House Committee—there are exceptions to it—showed a little more response to the feelings, wishes, and desires of members. If we had a Statute setting out what its functions were, the extent of its authority, and rest of it, there would then be an opportunity for discussion in the respective Chambers in order that the right things might be done. It is my view that over the years a great many things have required ventilating; accordingly I have taken advantage of this opportunity to refer to a few of them.

MR. TONKIN (Melville—Deputy Leader of the Opposition) [3.21 p.m.]: In view of the fact that dissatisfaction with some aspects of the matters dealt with by the member for Balcatta has been felt by members in general, I think it would be wrong if the member for Balcatta were left to make a lone protest in this matter. I was bitterly disappointed at the arrangements made for the entertainment of members and visitors on opening day. Not only was I in the billiard room along with other private members, but I also saw Ministers there too; because members would not disappoint their guests in order to go into the dining room. It means that the decision that was made virtually restricted the use of the dining room to those members who had no guests or who deserted their guests, and to the V.I.P.'s who were specially invited; while members who had guests and felt obliged to remain with them out of courtesy jostled in inadequate space in order to obtain a cup of tea or a

scone. I think that was most unsatisfactory and inexcusable, and some attempt should have been made to avoid it.

If a Minister of the Crown has to go into the billiard room or library in order to have afternoon tea with his guests, then there is something wrong with the general arrangement. If it were thought necessary and desirable to have His Excellency in the dining room, his Ministers were entitled to be there with him. But they could not be there under the ruling unless they deserted their guests; and I am pleased to say that I saw that some Ministers refused to do that and went into the billiard room or the library.

Whoever was responsible for that bright idea should brush up his brains a bit. That is the comment I desire to make, because it was most unsatisfactory and inexcusable, and I hope it will not occur again. I hope that some more satisfactory arrangement will be made in order that the opening of Parliament might be carried out with proper decorum and courtesy, and that we will not have a section of the public jostling, as was inevitable under the circumstances, in the billiard room and the library.

My first reaction was to ask my guests if they minded going without afternoon tea; because when I got to the billiard room and found the press of people there I hated the idea of taking guests into the room in order to provide them with a cup of tea and a sandwich. But I did go in and I observed the jostling that took place during the whole of the period I was there. Subsequently, when I came down below, I noticed that in the dining room there were people who were not civil servants or members of Parliament but who were outside guests. So we had the situation where apparently some members of Parliament were able to get themselves and their guests into the dining room, whereas Ministers of the Crown and other members were in the billiard room. I think something better than that is required from those whose duty and obligation it is to make proper arrangements for the opening of Parliament.

The member for Balcatta was perfectly right in drawing attention to this matter, because only in this way can redress be obtained.

MR. J. HEGNEY (Belmont) [3.26 p.m.]: It was not my original intention to speak to the debate. The member for Balcatta pointed out that the House Committee had made a decision. Certain members of Parliament are to be dislodged from their rooms which they now occupy, and I happen to be one of those members. Therefore I propose to make my protest here and now. When the committee first allocated the rooms I accepted what was allocated to me without question. There are places in the building where I should

like to be because they are closer to the scene of activities. Nevertheless I have been satisfied to occupy the room that was allocated to me.

I am now informed that together with Mr. W. Hegney, who occupies a room down below, I am to be evicted. The reason is that two members of the Liberal Party wish to be on a higher floor so that when the division bells ring they will have less difficulty in getting to the Chamber to record their vote to keep the Government in power. The same reason would apply to me as a member of the Opposition. My vote is important, and I am here as a member of the Opposition to attempt to dislodge the Government at every opportunity. It is therefore important that my vote should be recorded. In view of the circumstances, the Joint House Committee should on this occasion stand by its original allocation. In approximately six months the matter could be resolved. When the new Parliament is constituted there could be a reallocation and members could be treated fairly.

In this Parliament the House is divided almost fifty-fifty, and I do not see why I should be uprooted and pushed further down towards the Legislative Council. That is the last place that I want to go to. I have been fighting all my life for either reform or abolition of that august body. I understand that the matter will become policy so far as a certain person is concerned. If there is to be any alteration to the allocation, then the House Committee, in its wisdom, should decide that the two members of the Liberal Party who wish to move to a higher level should transfer with two typists, without dislodging Mr. Jamieson, Mr. Fletcher, Mr. W. Hegney, and myself. I take the opportunity of voicing my protest against the proposition. Unless the full rigors of the law are invoked against me, I intend to stay put.

MR. ROWBERY (Warren) [3.29 p.m.]: I wish to add my voice to the debate. In the first place, I want to commend the member who inaugurated the debate, which should serve to prove that we, as democratically elected members of the people, are willing and able to stand up for our own rights. Were we not able to do so we could not with any honesty go before the people and say we would stand up for theirs. I think the debate is also indicative of the very roots of our democratic system of government. We can criticise our leaders, and we have the opportunity of getting up on our hind legs and protesting against what we consider to be an injustice.

I, too, would like to add my voice to the protest that has been made in that I consider it an injustice for a member of Parliament to be debarred, for no reason whatever, unless it be by collective judgment on the part of his fellow members,

from entering into any part of the precincts of this House which are normally open to him. Therefore, I think the attitude that led to the statement that members and their wives would not be admitted to the dining room, unless they had a special ticket, was completely wrong, and it was an injustice and the taking away of one of the privileges of democratically elected members of Parliament.

I remember yesterday, at the service which I think impressed all of those members who were present, and who had the privilege of being present, that the Archbishop of Perth, in comparing the leaders of the country with the leaders of the church, drew an analogy between his own position and that of the leader of the country. He said, "I do not make decisions on my own; I make decisions in council." Therefore I think when we read that it has been decided that such and such a thing will be done, or such and such an action will be taken, we should, as democrats, immediately ask, "decided by whom?" After all, we are a democracy and decisions are made by public vote. We have discarded the idea of the despotic Government; we have discarded the idea of a dictatorship; and the action on this occasion, on the face of it, seems to me to savour of a dictatorship.

I would say that it was a most unfortunate decision both in its conception and in its implementation. It had the effect of crowding the great majority of members and their guests into two rooms which could be reached only through a bottleneck at each end. In my opinion this was a bad error of judgment. The arrangements we had last year, where we had individual tables situated all around the House in various places, was a much more acceptable way of entertaining guests.

It could be said, "With the arrangements this year people can get together more and there is a greater mingling of the different people and it becomes a much more acceptable social custom." But such is not the case. To anyone who knows the eating and social habits of the average Australian, that statement was proved to be wrong. It was proved conclusively that the arrangements this year were simply not in the best traditions of this House, and I hope they will never be repeated.

I agree with the member for Balcatta that if the Governor and the other V.I.P.s. who were present had been entertained in the Speaker's Room and the President's Room respectively, and had then mingled with the guests, both upstairs and downstairs, none of the bitter taste would have been left in anybody's mouth, and this part of the debate would never have ensued. I think every one of us should resolve that this sort of thing will not happen again; and, if we do that, it will not.

As regards the other points raised by the member for Balcatta—the question of the allocation of rooms—surely we who

are appointed to adjudicate and serve the affairs of the State, and to direct the State of Western Australia in all its workings, can get down to the business of allocating rooms on an amicable and reasonable basis! Surely, as I said before, we reject the idea of a majority imposing its will upon the minority just because it is a majority! Surely we must have reasons for the imposition; and, if there are reasons for the change in the allocation of the rooms, were those reasons present when the allocation was made originally, or has a completely new set of circumstances arisen in the meantime? If so, then this set of circumstances can be debated, argued, and resolved on the basis of reason, surely.

It has been said that the reason for the change in the allocation of the rooms is that two members of the other party suffer physical disabilities and, because of that, it is difficult for them to get back to the Chamber because they have trouble in using the stairways. There are lifts, of course, but it probably would be argued that the lift would take too long and those members would not be able to get back to the Chamber in time.

Personally I suffer a considerable amount of pain in negotiating stairways, but I have never raised my voice to get any considerations beyond what other members have. I should imagine that this difficulty could be resolved, if it must be resolved, within the ambit of the Liberal and Country parties. If we have two members who suffer physical disabilities, and they are having difficulty because their rooms are on a lower level, surely some of the others who are more fit—I use the comparative sense there because I do not think many of us are fit, physically—could change with them. It could be arranged within the party itself so that we would not be disturbing the whole peace of the relations between the several parties in the House just for the sake of the allocation of two rooms.

Criticism has been made of some of the furnishings in the House. I have criticised the architect previously in this Chamber, and sometimes I wonder what he uses for brains. Sometimes I wonder if he gave any thought at all to what he was doing or whether he did it just by rote. There are two desks in the room which I occupy and one has a set of drawers on the right-hand side and the telephone is on the left, which is a handy arrangement. The desk on the opposite side has a set of drawers on the left hand side and the telephone is on the left side, which means that the member who is using the desk on that side has to move his chair to get to the telephone.

Mr. Bickerton: You are not referring to the typists, are you?

Mr. ROWBERRY: If it was right and proper to put the drawers on one side of one desk, why was it not right and proper

to do the same with the desk on the opposite side? I rather think the architect is like Jacky, who was going into bat, when someone called out and said, "Jacky, you have the pad on the wrong leg." Jacky replied, "It is all right, boss, I am batting from the other end." Possibly that is the position which the architect, or whoever designed this set-up, was in.

To sum up: I agree with the member for Balcatta that the committees elected by this House should indeed be committees, and should have statutory powers, or some powers conferred on them by this Chamber. Last year we had difficulty in this House concerning *Hansard*. We had difficulty in ascertaining what really happened, and *Hansard* was called in to adjudicate, because the matter was one which referred to the House and to *Hansard*. There were several things which could have been adjudged to be irregular.

As a member of the Printing Committee I was never called in to adjudicate, nor was I consulted in any way, about this happening. I want to be an active member of any committee to which I belong, rather than merely have my name published in *Hansard* or in the Press as a member of that committee. If a committee is necessary, then those responsible for carrying out the necessary functions of that committee should carry out those functions to the best of their ability, and be responsible to the House for the proper conduct of their duties.

I hope the grievances that have been aired here will be heard and considered, and I trust we will not have a recurrence of what took place.

MR. BICKERTON (Pilbara) [3.43 p.m.]: I endorse the remarks of the member for Balcatta and the other speakers, and I think on the particular matter of the House Committee they have adequately covered the points concerned. This motion, however, does cover three other Standing Committees. It covers the Library Committee, the Standing Orders Committee, and the Printing Committee.

I would only like to know from someone—either from the Premier when he replies, or from someone who is a member of these committees—what the purpose is of these particular committees; how often they have met during the last twelve months; and what they have achieved.

MR. I. W. MANNING (Wellington) [3.44 p.m.]: I am somewhat interested in the fact that it was the member for Balcatta who raised the question of appointments to the House Committee, and the activities of the House Committee; because there is a general feeling abroad in this House that from the point of view of accommodation he is by far the most privileged member.

Mr. Graham: I have often heard that from members of the Liberal Party.

Mr. I. W. MANNING: We are quite justified in feeling as we do, particularly when we look at the accommodation that has been allocated to the honourable gentleman.

Mr. Graham: The same accommodation as the Liberal private members.

Mr. I. W. MANNING: In fairness to the House Committee, however, we might have a look at one or two of the points raised. In the first place, let us consider the decision—which was not actually made by the committee—to alter the arrangements for afternoon tea on opening day. The House Committee was informed, and accepted the situation, that previous arrangements in some respects were far from satisfactory, in that the President and the Speaker endeavoured to entertain their own particular guests, and official guests of Parliament, under circumstances which were far from satisfactory so far as rooms were concerned.

Accordingly, some change was necessary. The people responsible for making the decision to change the arrangements that previously existed, to those that we saw at the recent opening of Parliament, felt they would be an improvement on what had existed in other years.

Sitting suspended from 3.45 to 4.3 p.m.

Mr. I. W. MANNING: Before the afternoon tea suspension I was making the point that the House Committee at its last meeting gave some time to discussing the question of where and how the afternoon tea should be served, and it seemed to me that members of the committee generally accepted the request of the President that the arrangements set out for the afternoon tea at the opening of Parliament this year should be given a trial.

Mr. H. May: That is not right.

The SPEAKER (Mr. Hearman): Order!

Mr. I. W. MANNING: My impression of the understanding may be different from that of the member for Collie, who is also a member of the House Committee; but it did seem to me that it was generally accepted that the arrangement should be given a trial. I know quite well that there were expressions of disappointment with the arrangements, because I did express them myself; and after seeing what took place, I hope some other arrangements will be made for future occasions.

The one item raised by the member for Balcatta which really concerns me is the comment he made on the disturbing of four members in the rooms to make way for the secretary-typists going downstairs. The House Committee discussed a request that an additional room be made available upstairs to accommodate two particular

members of the Liberal Party; and I might mention here that the two members the committee had in mind had at no time complained in any way whatever that they felt disabled by the arrangements, but the committee felt—and certain members of the party felt—that something in the way of some particular care should be extended to them for reasons upon which the House Committee generally agreed.

Mr. Bickerton: Was there not an allocation of rooms made to each party?

Mr. I. W. MANNING: Yes.

Mr. Bickerton: Why not juggle your rooms around to suit those two members?

Mr. I. W. MANNING: I will tell the honourable member why. That is because the only two rooms which could be used were the ones which had the necessary intercom. Therefore it was suggested that those rooms be the ones made available for the secretary-typists, because no other room was satisfactory.

Mr. Graham: Why would they want the intercom?

Mr. I. W. MANNING: I think the reasons are obvious.

Mr. Graham: No members can speak to them if they have not an intercom.

Mr. I. W. MANNING: There is a pretty fair intercom system throughout the building.

Mr. Graham: No there isn't

Mr. H. May: Not in our rooms, anyway.

Mr. I. W. MANNING: I do not want to be sidetracked into an argument on that matter. It is generally known that throughout the House there is a pretty good intercom system.

Mr. Graham: Not in the members' offices. There is in the staff's offices.

Mr. I. W. MANNING: The Chairman of Committees has one, and so have several other members.

Mr. Graham: Yes. A few of the privileged members have one. I am one of those; but members generally have not got an intercom.

Mr. I. W. MANNING: Yes, the member for Balcatta has one.

Mr. Graham: And the member for Avon.

Mr. I. W. MANNING: The thing that influenced the House Committee was that these would be the two most suitable rooms. A point that influenced me when this decision was made was that the committee was advised that the members concerned would not raise an objection to being asked to shift, and knowing one or two of them in particular—

Mr. J. Hegney: They were never asked. I was never asked.

Mr. I. W. MANNING: —I knew that statement would be correct. These members were being asked to shift next door to make available to the secretary-typists the rooms with the intercom.

Mr. J. Hegney: Get out of it!

Mr. I. W. MANNING: So in all fairness to the House Committee, I must state that many of the references made by the member for Balcatta were somewhat unjustified.

Mr. Graham: How are you getting on in your own single office, anyway?

Mr. I. W. MANNING: I want to emphasise one or two points so there will be no misunderstanding. The members the House Committee had in mind who could be shifted so that they would have easier access to the Assembly Chamber did not ask to be shifted; but it was felt, taking all things into account, that would be the right and reasonable thing to do. Also, when the decisions were made they did not disadvantage anyone in particular. They were made to make things easier for all concerned, and it was felt that in doing so there would be a general air of co-operation from the members who would have to be disturbed.

MR. H. MAY (Collie) [4.11 p.m.]: I had no intention of taking part in this debate. I was quite satisfied to leave it to members who are not on the House Committee; but in view of the fact that the member for Wellington has seen fit to come into the argument, as a member of the House Committee, I think it is up to me to say something, too.

The whole trouble was caused in the first place by reason of the fact that the House Controller and the President were told by me two weeks before the meeting was arranged that the Labor Party would be away for that particular weekend; but in spite of that the President and the Speaker saw fit to carry on with that meeting without a Labor member being present. As a consequence a resolution was adopted that the arrangements in regard to the dining room were to be the same this year as in previous years.

Later on a circular was received by us all indicating that other arrangements were being made over and above the decision of the House Committee. We therefore naturally asked ourselves what was the use of being on the House Committee when, without our being present, a motion is passed—behind our backs—to alter the whole set-up in regard to the dining room.

Mr. Graham: Lovely!

Mr. H. MAY: There is another point which has arisen over the dining room arrangements; and I think I made my views known to the Speaker and the President. The last paragraph of the circular we received indicated that members had to obtain an admission card to get into the

dining room. This was totally unfair and uncalled for, because I maintain that every member of both Houses is entitled to go into that dining room when that member sees fit and not have to obtain permission from someone to do so.

There are two outstanding things which occurred in regard to the rooms, but I will leave the subcommittee to deal with them. However, I did want to take this opportunity of saying that I for one did not agree with the arrangements made in connection with the dining room; and neither do I agree with the fact that those responsible would not consent to postpone or hold earlier that meeting so that we could all be present. The whole thing was arranged without a single member of the Labor Party being present. Common courtesy demanded, in view of the circumstances, that the meeting be held on some other day, and not when we were in Geraldton—so our views could be put. I think that is a pretty fair summing up of the situation. I felt that as another member of the House Committee had come into the argument, I had better come into it too.

MR. O'CONNOR (Mt. Lawley) [4.15 p.m.]: I feel that at this stage I should make a few brief comments, particularly as far as the allocation of rooms is concerned. I first came into this matter some four months ago when the Liberal Party received from the Joint House Committee a letter advising what rooms in this House had been allocated to our party for the convenience of its members. Together with two other members, I was given the job of allocating those rooms to our particular members.

The member for Pilbara said a few moments ago, "Why did you not allocate some of your own rooms near the Chamber to disabled members or members who were partially handicapped?" I think the reason we did not do that is that we did not have sufficient rooms close to the Chamber to allocate to those members. If the honourable member cares to have a glance at how the allocation was made he will see that at the extreme Assembly end of the building, the Liberal Party has one member stationed—there is only one Liberal Party member at the extreme Assembly end of the building, whereas the A.L.P. members have 16.

We did write to the Joint House Committee requesting an interview to discuss this subject. The committee arranged to see us on a day when the A.L.P. members were in Geraldton. Some comment has been made about this; but, knowing that the A.L.P. members would be away in Geraldton, I did take the opportunity of approaching the member for Beeloo, who was a member of the Joint House Committee, to point out to him that they would be away on the day the committee met on

this subject, and I asked his views in connection with it. I told him we would prefer that the committee should meet when they were here. The member for Beeloo was quite clear and said to me that he was quite happy about our meeting the committee while they were away about the matter and had spoken to the President in connection with it.

Following the meeting with the Joint House Committee we were advised that two rooms were to be allocated to us on the floor not far from this Chamber. Apparently the House Committee was going to transfer the two typists down below, and the members occupying two of our rooms were to come up to this floor.

I cannot see any reason why it was necessary to move the Labor Party members from their rooms down below. Personally I think this only makes more moves necessary, and moves that I cannot see are very essential.

I just wanted to point out these few facts and express my views, to clear up, possibly, a couple of points in the minds of members.

MR. FLETCHER (Fremantle) [4.18 p.m.]: I would prefer to debate issues that affect the State rather than issues that concern my own comfort in this building; but there is a principle involved.

As one of the members likely to be moved from my present office in room 8 on the ground floor, I wish to state as follows: I support the member for Balcatta in his assertion that no satisfactory case has been put up in regard to the rearrangement of those occupying rooms. I believe I heard the member for Mt. Lawley assert the same thing—that the rearrangement can be done without moving me or the two Mr. Hegneys from our accommodation.

Members will agree that I am easy to get on with in regard to matters that affect me personally, although I admit I make a bit of a fuss on behalf of those I represent. I point out that I am comfortable and happy in No. 8. It is convenient for visitors; the view is good; the ventilation will be satisfactory with the open door from the basement; and there are other advantages I will not enumerate. Until satisfactory argument is adduced to induce me to vacate the accommodation, I would like to give notice to the House that it will take, in the first place, a notice to quit; then an eviction order; then dynamite; and then Guy Fawkes, in that order. I will still be smiling out from the same address until I hear better argument for my moving than I have heard today. I can still take the steps from the basement two at a time, if necessary, so I suggest I be left to occupy my present accommodation.

MR. W. HEGNEY (Mt. Hawthorn) [4.21 p.m.]: Nothing was further from my mind when the Premier moved the motion this afternoon than to take part in this discussion. I was quite happy to leave the allocation of rooms or offices to the House Committee. Never at any stage did I ask a member of the House Committee, or anybody else, to put me into the office I now occupy. I was allocated a certain office, and was so advised, and I have occupied it ever since. I have heard no cogent or sound argument as to why there should be a change.

I would be the last one to be a nark, but I am satisfied. I have heard about this matter around the House for quite a while, but nobody asked me to shift; I was only advised that the office was there for me. As the House Committee apparently gave full consideration to all the circumstances when it made the allocation not so long ago, as far as I am concerned that allocation should stand, at least for the present session of Parliament.

Let me say this: if it is necessary for you, Mr. Speaker, to do the shifting of my material in that office, I will take the strongest exception; but if you are in order in doing it I would like my stuff to be put in front of my seat here, and you can keep your office!

Mr. Hawke: Real old time A.W.U. stuff!

MR. BRAND (Greenough-Premier) [4.23 p.m.]: I want to say to the member for Balcatta, who started off by expressing disgust that we did not allow an adjournment, that simply for the exercise of just telling me he would like the debate adjourned, there would have been no doubt about it.

Mr. Graham: Would not the Premier think there would be a reason?

Mr. BRAND: Of course; and the honourable member could have said so if the reason was quite sincere. Why did he not come and ask?

Mr. Graham: Do you think I would ask for an adjournment if there were no reasons?

Mr. BRAND: The Opposition members know very well that when they were on this side of the House they did not like us taking the control of the House out of their hands.

Mr. Hawke: Not on a motion for an adjournment.

Mr. BRAND: A simple request—

Mr. Hawke: That is not so.

Mr. BRAND: This is what it will be in the future. Unless members agree to pay us the courtesy of simply asking for an adjournment, I think it is right for the Government to continue with its plan.

Mr. Hawke: We will see. What about the adjournment of the second reading of a Bill?

Mr. BRAND: Even that is very often arranged.

Mr. Hawke: Do we have to ask permission?

Mr. BRAND: If a member wants an adjournment, he usually expresses an opinion to the Government and it is granted. It is the same position as when the Leader of the Opposition was on this side of the House.

Mr. Hawke: That is not correct.

Mr. BRAND: If a member moved to adjourn a debate and it did not suit the Government, you refused the adjournment—

Mr. Hawke: Ridiculous!

Mr. BRAND: —because that member did not have the decency to come over and say, "For these reasons I would like an adjournment."

Mr. Hawke: That is not true.

Mr. BRAND: It is true.

Mr. Graham: Give some examples.

Mr. BRAND: The honourable member says, "Give some examples!" Everyone on this side of the House knows that is true. In any case it seems to me that on this occasion it would have been only fair, if the member for Balcatta really wanted to discuss this matter, for him to have said so.

Mr. Graham: I wanted the member for Beeloo to discuss it.

Mr. BRAND: As far as the delay in moving the motion is concerned, I point out that it was delayed because the member for Harvey was not able to get here; and the member for Balcatta knows the reasons.

Mr. Graham: To suit the party.

Mr. BRAND: As far as the House Committee performance is concerned, each party nominates its respective members; and if the parties are dissatisfied, it would seem to me they would change those members. As far as you, Mr. Speaker, and Mr. President, are concerned, you head the respective Houses in this Parliament and are joint chairmen of the House Committee. The House Committee has no statutory authority; and, since I have been here, no-one has suggested that it should have.

Mr. Graham: I did this afternoon.

Mr. BRAND: Okay! But as far as I am concerned it would seem that this committee was set up in order that it would not be necessary to debate what is going on in this House today; that the representatives of the various parties of both Houses, under the leadership of the President and the Speaker, might debate these problems—the very problems we have

been talking about today, of accommodation and the arrangements for the opening of Parliament.

Mr. Graham: They did that very thing; but the Speaker and the President overrode them.

Mr. BRAND: I know nothing about that. This is a matter for the House Committee itself and the members who constitute that committee.

Mr. Graham: It is a matter for us.

Mr. BRAND: It would seem to me that an effort had been made to effect some changes; and if those changes have not worked out satisfactorily they can be amended on the next occasion. Whilst I have heard some complaints, on the other hand I have heard people express satisfaction with the arrangements that were made.

Mr. Graham: Those that were amongst the favoured few.

Mr. BRAND: I suppose they were speaking generally of the arrangements.

Mr. Graham: They did not see the other mess.

Mr. BRAND: Many of the points raised by the member for Balcatta are essentially ones for the House Committee. The House Committee is elected before each session; and we have another committee which is called the Rights and Privileges Committee. This is a committee which we have set up, I hope without statutory authority, for the full term of its existence. This committee meets to look into such problems as superannuation, salaries and other difficulties in those particular lines; and it is representative of both Houses and of all parties. Presumably it will convey its decisions and recommendations to the right quarters; and, by and large, we expect them, as representing the general members to do that; and I think that is the way in which the House Committee is accepted.

As for the accommodation difficulties, they must be resolved by the House Committee. I do not think they can be resolved in any other way than through an expression, by a vote, of this House; and I cannot see that working out very satisfactorily.

Surely after all that has been done in connection with the general additions and renovations of the House and in respect of the accommodation that is now available, we can, as a group of members, irrespective of our parties, work out some satisfactory arrangements which will change from time to time as the Government changes.

I think that in most Houses of Parliament it is not a matter of dividing up the areas between the parties, but of dividing them up between the Opposition and the Government, having in mind the various offices associated with such Houses. For my part, I have the Premier's office, which

will be occupied by one party or another from time to time. Adjacent to that office there is a small office for the secretary or typist; and I must say that I did press you, Sir, and the President, and the House Committee, to have this office retained; because I believe it is necessary. At the present time it is on a temporary basis; but when the Premier takes over his office, the office adjacent will be there for his secretary or typist.

Mr. Graham: How many minutes a year do you think the typist and secretary will occupy that office?

Mr. BRAND: I could not say; it depends on what is decided in the future.

Mr. Graham: Would it be one hour a year?

Mr. BRAND: It will depend on the decision that is made on what will happen in the future. Once a decision is made by Parliament it is very difficult to make a change, and I think members will agree with me on that. As far as our members are concerned they are quite free to use this office. Having agreed to the allocation of rooms, I think it is a standard we should retain. Having said that, and having listened to a debate which does not seem to have led to very much progress on other matters, I hope my motion will be agreed to.

Question put and passed.

COMMITTEES FOR THE SESSION

Council Personnel

Message from the Council received and read notifying the personnel of sessional committees elected by that House.

SUPPLY BILL, £26,500,000

Returned

Bill returned from the Council without amendment.

ADDRESS-IN-REPLY: THIRD DAY

Amendment to Motion

Debate resumed, from the 5th 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 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.

Speaker's Ruling

THE SPEAKER (Mr. Hearman): During the adjournment I gave this matter some consideration and I must rule that the amendment is out of order. I refer the House to page 380 of the 15th edition of *May* where it is stated—

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.

On page 437 of the same edition, the same authority states—

Matters awaiting the adjudication of a court of law should not be brought forward in debate.

The Solicitor-General has ruled that a court of record is a court of law within the meaning of that expression in *May*. Clearly, therefore, the Industrial Commission must be regarded as a court of law. The Western Australian Industrial Commission is established by section 44 of the Industrial Arbitration Act, 1912-1963, which section provides that the commission is a court of record and shall have an official seal.

The amendment moved to the Address-in-Reply by the Leader of the Opposition protests against the attitude of the Government in the State basic wage case. As this case is now before the Industrial Commission for adjudication, I must rule that the amendment is definitely out of order under the *sub judice* rule as declared in *May*.

Dissent from Speaker's Ruling

MR. HAWKE (Northam—Leader of the Opposition) [4.34 p.m.]: I will now read the motion which I wrote out at 2 p.m. I move—

That the Speaker's ruling be disagreed with because the amendment deals only with the Government's attitude and not with the case which is now before the Arbitration Commissioners.

There is nothing in the amendment I have moved to the motion before the House which deals in any way with the case before the industrial arbitration commission. I was very careful to avoid that when wording the amendment. If I had expressed in full my own views in this matter, and the views of my colleagues on this

side of the House, the amendment would have contained much more material than it now does. I would have expressed our views on what we consider, in the circumstances, to be a fair increase in the State basic wage; but I did not do that. I did not do it, because I felt, in the first instance, it would not be reasonable and proper to do it; and, in the second place, because I had an idea that if there was any reasonable possibility of an amendment on this matter being ruled out of order some influence might be attempted to get it ruled out of order.

This amendment clearly is critical only of the attitude of the Government. It makes no attempt to criticise the court; it makes no attempt to put up to the court an alternative figure to that which has been suggested by the Government. Surely the attitude of the Government, decided by the Government before the court commenced its hearing of the claim by the trade union movement in this matter, is open to criticism in Parliament; or is the attitude of the Government, decided before the case commenced, to be regarded as untouchable in this House?

Your ruling, Mr. Speaker, would lay it down that the attitude of the Government is sacred; that the policy considered and decided upon before a word was said before the industrial arbitration commission—before the commission even had its initial sitting—is beyond question and beyond criticism. That is an extraordinary situation to try to establish. It is an amazing attitude for you, Sir, in my judgment, and with all respect, to adopt. The attitude, the decisions, and the policy of the Government are surely always open to criticism in Parliament!

Mr. Graham: Oh no!

Mr. HAWKE: If they are not open to criticism in Parliament, it seems to me we may as well close down Parliament and hand over to the Executive total dictatorial power and, worse still, safeguard the Government from any criticism at all from Her Majesty's Opposition members, or from the public on an issue of this kind. It is only right and proper for the attitude of the Government in this matter to be open to criticism and debate in this Parliament, and it is the duty of members of the Opposition, if they feel so inclined, to debate the Government's attitude; to condemn and criticise the Government's attitude; and, if necessary, to move a vote of no confidence in the Government on the issue in question. Surely that is the right of members of the Opposition in the Parliament!

Your ruling, Sir, would have substance if, as I said earlier, we were promoting a policy of our own in this matter by stating the Government's policy should be amended by the Government itself to offer an increase of 25s. a week or 50s. a week in the basic wage. Undoubtedly that

would, indirectly at any rate, be likely to make some impact upon the minds of the industrial arbitration commissioners who are now currently hearing the claim for a new State basic wage which has been submitted on behalf of the trade union movement in this State.

We have not done that, and we have no intention of doing it. We agree the industrial arbitration commissioners should be left as free as it is possible for them to be left to work out their final decision based on the total evidence submitted to them by all the parties appearing before them in this case; but when you rule we are not allowed to discuss the Government's attitude and the Government's policy as decided by the Government before the industrial arbitration commissioners were appointed, probably, to hear the issue, you are establishing a situation which is impossible. You are denying to members of the Opposition a right which should be theirs beyond question. Surely you are not going to insist upon a ruling in this matter which gives to the Government total protection in regard to its declaration in this matter; in regard to its attitude and policy!

This is a subject of tremendous importance, Mr. Speaker! If Parliament is not to be allowed to discuss Government activity and Government policy in a major issue of this kind, then, as I said earlier, you are putting handcuffs on us; or, more properly, you are gagging us. You are attempting to gag us on an issue of tremendous importance; an issue on which the Government should be open to the greatest possible criticism if members of Her Majesty's Opposition in this Parliament care to offer such criticism. You have no right to gag us in this matter when all we are trying to do is condemn the Government and criticise it for its policy.

Mr. Graham: As it should be condemned!

Mr. HAWKE: Our amendment has no relation to the Industrial Commission or the case which is being presented to it. If we had in mind any attempt to try to influence the court we would have added very considerably to the amendment which is now before the House and which you have, I think, hurriedly and without due consideration, ruled out of order; we would have presented our attitude and our policy in this matter in our amendment. But we very carefully and deliberately refrained from so doing, because we felt, in the situation which now exists, it would not be right for us to do it. We restricted ourselves deliberately to criticism of the Government's attitude and policy; that is all. Nothing more; not one word more!

I should hope you would, on careful consideration, even if it might involve the adjournment of this debate, give the matter further consideration over the weekend, and so realise you have based your

decision, in ruling this amendment out of order, on a misconception of what is contained in the amendment. I emphasise again the amendment is nothing more nor less than an attempt by members on this side of the House—members of Her Majesty's Opposition—to criticise and condemn members of Her Majesty's Government for having taken a stand on this issue which we believe to be unfair and unjust.

So I certainly hope, Sir, you will give this ruling of yours further consideration; and, unless you can see your way clear to alter your present attitude, we on this side of the House will have no option but to press to a division our motion for a disagreement with your ruling.

MR. BRAND (Greenough—Treasurer) [4.44 p.m.]: In support of your attitude, Sir, it would seem now that whatever the wording of the amendment, reference is made to the State basic wage hearing itself and to certain amounts of money, and therefore I cannot see the debate taking place in this House on these particular words, without our fully debating the whole matter of the subject before the industrial arbitration commission at present. It could not happen otherwise. On many occasions we have seen that we departed very much from the actual wording; and no matter how tightly you, Sir, held the debate, it could not proceed without some reference being made to the basic wage case and the issues which are before the court at present. In any case, if this matter is debated then a decision must be made; and it will be a decision of Parliament, in fact, which may well influence the commission in one direction or another.

The Leader of the Opposition has said had there been a reference to, or criticism of, the 25s. or 30s. increase there might have been some substance in what you, Mr. Speaker, have said. On the other hand, the criticism is of a suggestion that the level of the wage be £15 8s. a week, and of the 3s. 10d. referred to as the difference between the existing State basic wage and the Federal basic wage at the present time. Therefore it seems to me to be very unwise and undesirable to criticise in this House in one way or another, or to debate, this matter before a decision is made.

Mr. Hawke: And the Government went before the court trying to influence it hand over fist. What hypocrites!

Mr. BRAND: If this procedure is allowed to continue, in many respects a debate which took place in this House could influence the decision of the court which sits from time to time.

Mr. Hawke: You were trying to influence the commission all the way.

Mr. BRAND: Decisions can, and will be, made from time to time which affect the decision made by the court. The court

would have regard for the decision of Parliament. More particularly in this case it will have regard to what is said and decided in this House, because the decision will be a majority one. Having regard to all the facts, I say that your decision, Mr. Speaker, is not only a sound one but also a wise one. I support your ruling.

Mr. Hawke: Hypocrites!

Mr. BRAND: We are not hypocrites at all.

Mr. Hawke: Of course your man down in the court has been working like fun trying to influence the court.

Mr. BRAND: So has your man.

Mr. Court: What is your man doing down there?

MR. W. HEGNEY (Mt. Hawthorn) [4.48 p.m.]: We have all heard the remarks of the Premier in the debates on the Bills and motions in this House in which he has taken part. On this occasion I am forced to the conclusion that his reply is very feeble and has no substance.

Mr. Brand: They are hard, cold facts.

Mr. W. HEGNEY: The Premier said, among other things, that if a decision were made by this Parliament it would have the effect of influencing the court in its decision.

Mr. Brand: I said it could.

Mr. W. HEGNEY: The amendment does not refer in any way to the basic wage case; it refers to the attitude of the Government. It is just as well for me to read what the amendment says. It is as follows:—

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.

Let us see what the representative of the Government did before the case started. He jumped into the fray and pointed out, as reported in *The West Australian* of the 2nd July, and thereby hoped to influence the court, that the Government would only agree to increase the State basic wage to £15 8s., and that if any more was agreed to in excess of the Commonwealth basic wage, the Commonwealth Grants Commission would penalise the State.

We have seen the reply of Mr. Schnaars, given before any case was started. It appears in the *Daily News* of the 3rd July under the heading, "Government Apology Ushers In W.A. Wage Inquiry." I do not propose to read all this newspaper report, but this is what the Chief Industrial Commissioner was reported as having said:—

Chief Industrial Commissioner S. F. Schnaars said he, too, was concerned that the announcement should have

been made in this way; but Wilson's apology had already cleared up the matter.

Wilson said he was instructed that the Crown desired to intervene under a section of the Industrial Arbitration Act, which provided for such intervention when, in the opinion of the Minister, the public interest was likely to be affected.

Amongst other things, the Chief Industrial Commissioner said he was not concerned with the statements of politicians or their views, and the commission would not be influenced by any Parliament.

The Premier again misled this House by saying that any debate relating to the attitude of the Government would have the result of influencing the court. I am not surprised that the Government has adopted this attitude, because it is afraid at this stage to have the full facts brought before the public.

I made the statement in this House last year during the debate on the Industrial Arbitration Bill—and I repeat it now—that I had reason to believe—and I had a little knowledge—that the Government was going to use some underhand attempt to reduce the State basic wage to the Federal level.

When a union or a number of workers break the arbitration law they are penalised and brought before the court. But when this Government is not satisfied with the way things are going, it does not break the law; it abolishes the law altogether and puts something else in its place.

I think I am quite in order in reading from page 2261 of the 1963 *Hansard*. During the debate on the Industrial Arbitration Act Amendment Bill I said—

The compilation of this Bill was veiled in secrecy. Certainly no member on this side of the House knew that such an important measure was going to be introduced. We did have a slight indication from the Minister, in connection with the Factories and Shops Bill, that it was his intention to introduce an amendment to the Industrial Arbitration Act.

The SPEAKER (Mr. Hearman): Order! I do not think the honourable member can relate those remarks to the present motion which is that the ruling of the Speaker be disagreed with. The amendment deals only with the attitude of the Government, which is represented in the case before the arbitration court.

Mr. W. HEGNEY: I am giving reasons why your ruling, Mr. Speaker, should be disagreed with. You have ruled, and you quoted from *May*. You said it was not right for a debate to take place on a matter that was *sub judice*. Well, the attitude of the Government is not *sub judice*.

The SPEAKER (Mr. Hearman): The Government's attitude is not the question before the House.

Mr. W. HEGNEY: You have ruled that the amendment of the Leader of the Opposition, which condemns the attitude of the Government, is out of order. I am giving reasons to show why your ruling should be disagreed with. You have indicated that as the basic wage case is now before the arbitration court, this amendment has relationship to the case; but it has not. It has no relationship to it whatsoever.

Mr. Court: What is it related to?

Mr. W. HEGNEY: To the Government's attitude in connection with this particular case.

Mr. Court: You cannot separate the two.

Mr. W. HEGNEY: But we are not dealing with the case. I have indicated previously that the Government attempted to reduce the Federal basic wage. If the Government desires to do anything, as it is seeking to do, why did it not write this particular provision in the Bill last year? The Government did not have the courage to write into the Bill the provision that the State basic wage should be fixed at the Federal level.

The SPEAKER (Mr. Hearman): Order! What took place last year has nothing to do with the amendment before the House.

Mr. W. HEGNEY: I submit it has everything to do with the amendment. I quoted from a report.

The SPEAKER (Mr. Hearman): Order! I will not be contradicted like that.

Mr. W. HEGNEY: I am not contradicting you.

The SPEAKER (Mr. Hearman): I think the honourable member has just done that. The matter before the House at the moment is whether my ruling on this amendment should be disagreed with. It has no relationship to the debate that took place last year, or to the action of the Government last year.

Mr. W. HEGNEY: The present attitude of the Government is a natural sequence to what happened last year.

The SPEAKER (Mr. Hearman): The present attitude of the Government is not under debate. What is before us is whether or not my ruling is correct.

Mr. W. HEGNEY: Your ruling, Mr. Speaker, has relationship to the amendment.

Mr. Hawke: Of course it has!

Mr. W. HEGNEY: You ruled on the amendment moved by the Leader of the Opposition. I think I am entitled to debate the question of whether or not the amendment is in order, because you have ruled, in your wisdom or otherwise, it is out of order.

The **SPEAKER** (Mr. Hearman): That is what the honourable member should debate.

Mr. W. HEGNEY: That is what I am debating: that your ruling is wrong. We are not debating the basic wage. We know if any member of this House debated the question of the basic wage that is now before the Industrial Commission it would not be in order. As representatives of a large number of people in this State, surely we are entitled to protest and express a view on behalf of the Opposition, which has relationship to practically all the people in Western Australia. You, Mr. Speaker, said that the amendment which seeks to criticise the attitude of the Government is out of order. I say it is quite competent for any member at any stage to move an amendment to a Bill or motion, as long as the particular matter is not before the court. Such an amendment, otherwise being proper, would be quite in order.

We contend that all through the attitude of the Government has been open to criticism, because of the previous attitude of the Government and its attitude today. The attitude of the Minister for Labour—

The **SPEAKER** (Mr. Hearman): The honourable member cannot discuss the attitude of Ministers in the past in relation to this particular matter.

Mr. W. HEGNEY: I am discussing his present attitude. I have quoted from a newspaper in which a responsible Minister of the Crown made a statement on the Government's policy.

The **SPEAKER** (Mr. Hearman): I have ruled that that attitude must not be discussed.

Mr. W. HEGNEY: The Minister is a responsible representative of the Government, and I am trying to give a reason why your ruling should be disagreed with; because, apparently, you consider that the attitude of the Government or any of its Ministers has direct relationship to the basic wage case; but it has not.

We are not criticising the advocate of the Government appearing before the Industrial Commission. We are not criticising the set-up of the Industrial Commission. You said in your ruling that this was a court of record, but we are not arguing that this is a court of record.

I have before me the first report of the Industrial Commission, and it is a statutory body. Judicial notice is taken of its decisions by magistrates, and when an award made by it is published in the *Government Gazette* it has the force of law. In the very first paragraph this appears—

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.

Mr. Flanagan happens to be a previous trade union secretary. He is not sitting on the bench on the basic wage case, but the court is properly constituted, because three commissioners are hearing the case. That is covered by section 54 of the Act. I refer members to section 54 of the Act. It is true that this commission is a court of record, and when decisions are made by it they have the force of law and they must be implemented by the courts. We are not discussing the set-up of the Industrial Commission, or its deliberations. We are discussing the attitude of the Government. That is what we are trying to elucidate.

Mr. **SPEAKER** (Mr. Hearman): I have just ruled that you cannot do that; you have to discuss my ruling.

Mr. W. HEGNEY: I took a note of what was said. You quoted from the 16th edition of *May*, page 380. You said that the arbitration court was a court of record. We are not arguing with that. It says that matters pending judicial decision should not be brought before the House; and that, in effect, was your ruling.

How will this matter that we are discussing—that is, the attitude of the Government—affect a decision of a court of law, the arbitration law of this State when—and I wish to impress this on members—a representative of the Government—the Crown Solicitor; one of the chief officers of the Government—went into the arbitration court and apologised on behalf of the Government for its attitude, and the Chief Commissioner said that it did not matter what parliamentarians on either side of the House thought, he would not be influenced, and he would give a decision in good conscience. In view of that, what else can we do but disagree with your ruling?

I am disagreeing with your ruling, Sir, because I believe it is not a proper one. I can appreciate your position as Speaker. I am not at all surprised that this matter has taken the present trend; nor am I surprised at the ruling you have given. The Leader of the Opposition said you might not have been able to give it much thought because of the time factor, but the Crown Solicitor has given a ruling. I consider that the circumstances are such that this matter should be debated; that it is in order; that it is of prime importance to thousands of people in this State; and I am sorry you have given the ruling that you did.

I can appreciate your position, and I am not surprised at the Government's attitude when dealing with the amendment of the Leader of the Opposition.

MR. FLETCHER (Fremantle) [5.4 p.m.]: I also wish to disagree with your ruling, Sir. In effect, you have ruled that any debate in opposition to the Government's attitude could influence the court. I would submit that our criticism is not levelled at the commission. Our amendment is criticism of Government policy, and as such I very much regret that you have ruled in the way you did. A matter of such State-wide significance—Government policy on such an important issue—should be discussed and the Government should be taken to task by the Opposition.

I regret your ruling, Sir. If it is carried, as it undoubtedly will be, debate on this issue will be curtailed. The Premier, in his reply, attempted to justify your stand, Sir; and it is natural that he should try to do so. I have a shrewd suspicion that the Premier's attitude was influenced not by the effect of the Opposition's views upon the court, but by the effect upon the electorate of Western Australia. The Premier attempted to justify your ruling—or that is the impression I received. With real clarity it came over that the Premier was concerned that the Government, in defeating our amendment as it appears on the notice paper, would suffer the consequences electorally; and that factor has, I am sure, influenced his attitude.

I would ask that you reconsider your attitude, Sir, and that the Government should have the courage to debate our amendment.

Mr. Graham: They are chicken.

Mr. FLETCHER: The Government would win; it knows it would win.

Mr. J. Hegney: Not always.

Mr. FLETCHER: I regret that I am sure it would do so on this issue. I would delight in the opportunity of debating an issue of such vital importance to the people of my electorate; and to deny me that right in the way you have ruled gives me cause for concern. I ask you, Sir, to reconsider your attitude. I would point out that the Opposition would not get any favourable publicity in consequence of its stand on this amendment, irrespective of the outcome. The Press would cover up for the Government when it defeated us on this amendment.

Mr. Graham: Mr. Harvey is doing his best.

Mr. FLETCHER: Your ruling that debate could influence the court would not stand up in the light that the court is not influenced by thousands of trade unionists who try to influence the court by saying at what price they will sell their labour or under what conditions they will work. If they do not like it—and it does not matter if thousands of them do not like it—the court still does not take any

cognisance of the attitude of trade unionists. Do you mean to tell me, Sir, that members represented on this side of the House would have an influence on that court in excess of thousands of trade unionists? Your ruling on those grounds alone would not stand up.

The Government policy is in print in *The West Australian*. I frequently quote from the Press. It is there in print—Government policy on this issue. This is Government policy which exists in print. Why, by your ruling, Sir, deny us on this side of the House the right—the democratic right—to take exception to Government policy? You have stated that the case is *sub judice*, but we are not attempting to influence the court. We are attempting to influence and criticise the Government on behalf of the people we represent.

As a matter of fact, I am sure the fairer members on that side of the House will understand that I am speaking with integrity on this issue; and I think that in their own minds—particularly those members who have a percentage of wages people in their electorates—they know there is a case. I am sure they feel some concern that the Opposition will not have an opportunity of debating this issue. I am sure, also, that there are other members on the other side of the House who have secret reservations which they will not make manifest; and in view of the united front on this side of the House that our amendment should be debated, I would ask you, Sir, to reverse your ruling in this matter.

MR. ROWBERRY (Warren) [5.11 p.m.]: I, too, wish to record my opposition to your ruling, Sir. I wonder if the House could have your ruling restated, because I did not quite catch all of the reasons that you gave for disallowing this amendment. Because of certain disturbances in the House I did not catch the second reason. Could it be restated?

The SPEAKER (Mr. Hearman): I call upon the Deputy Leader of the Opposition.

Point of Privilege

Mr. HAWKE: Might I raise a point of privilege?

THE SPEAKER (Mr. Hearman): Yes.

Mr. HAWKE: The member for Warren put a question. He explained—I think you might not have heard his explanation; I barely heard it myself—that he had not heard the second part of the reasons you gave for your ruling; and most politely he asked whether you would be good enough in the circumstances to read again the reasons you gave to the House for your ruling.

The SPEAKER (Mr. Hearman): When I have received my notes back from *Hansard* I will be able to do so, but I cannot do so at present.

Mr. HAWKE: Will you reserve the right of the member for Warren to speak at a later stage?

The SPEAKER (Mr. Hearman): That would require the indulgence of the House.

Debate (on Dissent from Ruling) Resumed

Mr. ROWBERRY: According to Standing Orders, any member is entitled to have a point before the House restated. I am merely insisting on that right under Standing Orders. However, I will proceed with what I know about the proposition. The amendment reads as follows:—

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

You ruled, Sir, that it was out of order. Are we to understand that your ruling was given because of consideration of certain things that might influence or could influence the welfare of this State, and are you going to deprive a member of voicing his protest, especially when the protest is directed against the Government? The reason for the existence of the Opposition is its right to protest against things which it considers the Government has done wrongly, and on that reason alone we should be allowed to debate this question.

I was interested in listening to the Premier giving his reasons for upholding your ruling, Sir. He said that if you allowed the debate to take place certain things might be said which could influence the court; that despite all your efforts, things could be said. I wish to bring to your notice, Sir, that that is a direct reflection not only upon your integrity, intelligence, and probity, but also upon the members of this House.

Surely we have not reached the situation where we are going to disallow debate because something might be said which might be disrespectful or which might influence certain organisations without! Surely that is not the stage we have now reached! Surely that would be the nadir of parliamentary procedure! Is the Premier implying that at any time during the debate on any subject in this House, you, Mr. Speaker, must rule certain things out of order because they may lead to something which would be detrimental to you, detrimental to the members, or detrimental to any issue which is before the House? Surely that would be the absolute negation of democratic party procedure!

It is a moot point whether the Industrial Commission is in fact a judicial body, and that is the point I wanted to ascertain. I have heard a legal opinion on this, and I

am not quite sure about legal opinions because they differ so much. One can get a certain learned lawyer to say one thing about one subject and one can get another who will tell one exactly the opposite. As I did not hear your second or subsequent reason, Mr. Speaker, I would ask you to restate it for me, please.

The SPEAKER (Mr. Hearman): The only part that the honourable member wants to hear is that the Solicitor-General has ruled that a court of record is a court of law within the meaning of that expression in May. Clearly, the Industrial Commission must be regarded as a court of law because the Western Australian Industrial Commission has been established by section 44 of the Industrial Arbitration Act 1912-1963, which section provides that the commission is a court of record and shall have an official seal.

Mr. ROWBERRY: If that is the case, the sequence is to relate this motion to that ruling. We know now, beyond any shadow of doubt, if we accept the Solicitor-General's ruling, that the Industrial Commission is in fact a court of record; and the point before the House is: Is any argument within this House upon this motion of protest calculated to influence the proceedings before the Industrial Commission? That is the point that most of the speakers on this side have been trying to establish—the relationship between your ruling and the ruling from the Solicitor-General. If it is in deed, in fact, and in law, a court of record, could what is being said in this House on a matter of protest be calculated to influence the court? If the court shall not be influenced by Parliament in any way whatever, at what point in time does this prohibition take place? Does it take place immediately the court is notified that it will sit upon a certain subject? If so, what are we to do with representatives of the Government who make a pronouncement after it is known that the court will sit? Was that pronouncement in any way calculated to influence the court? Was it made deliberately to influence the court? As I asked the Premier the other day, did that pronouncement express the intention of the Government?

It is for these reasons that we insist upon the right to protest. We are not in any way criticising, or making any suggestions to the court that there should be a rise or that there should be a reduction in the basic wage. We are not advancing any arguments towards that end. We merely want the right to protest against what we consider to be an iniquitous judgment on the part of the Government in offering a certain sum after the Industrial Commission had indicated that it would sit in judgment upon this subject. Would it be morally fair to allow to stand, without any criticism at all, a statement made by a Minister of the Crown on behalf of the

Government in which he offered a certain sum per week and then to deny the other side, whom most of us represent—

Mr. Brady: Mr. Speaker, on a point of order, I would like to raise a question with you. Could members on the Opposition side hear the position restated regarding your decision in this matter? I want to speak on this subject but at the moment I feel as though I have both hands tied behind my back because I do not know exactly what your ruling is.

The SPEAKER (Mr. Hearman): Order! That is not a point of order. I have endeavoured to clarify the matter for the member for Warren, and no doubt I will try to help you in the same way when the time arises.

Mr. Brady: Mr. Speaker, when the—

The SPEAKER (Mr. Hearman): Order! The honourable member cannot interfere with the speech of the member for Warren.

Mr. Brady: Mr. Speaker, this is material to the debate.

The SPEAKER (Mr. Hearman): Order!

Mr. Brady: All right!

Mr. ROWBERRY: It is very material to me. It merely causes me to lose the complete thread of my argument.

Mr. Craig: Start again!

Mr. ROWBERRY: The point I was trying to make was that we must relate instances and actions to something else in our thoughts. We cannot take something and deal with it in a vacuum. When we deal with a point we must deal with it in relation to what has gone before, what is likely to happen in the future, or what may actually happen as of now.

We have allowed a Minister to make a pronouncement on behalf of the Government which, according to your ruling, Mr. Speaker, could and did have an influence on the court. Nothing was said about that. No exception was taken to it, except that the Minister, on behalf of the Government, apologised to the Industrial Commission. If he did in fact make that apology he must have had a sense of guilt, a sense that he had intruded into a sphere where he should not have intruded; and, because of his offer of a certain sum to provide a relationship between certain basic wages, he was making a suggestion to the court.

I do not think the court would be influenced one iota by that suggestion; but that is not the point. The point is that this ruling of yours, Mr. Speaker, is aimed at depriving the Opposition of the opportunity of registering and debating a protest in this House, which is the only rightful place where such a thing can be done. Therefore I am afraid I must disagree with your ruling, Sir. I do not see any connection between the decision of the Solicitor-General and the point we are debating now; and, because of that, I must regretfully disagree with the ruling you have given.

MR. MOIR (Boulder-Eyre) [5.25 p.m.]: Mr. Speaker, I too, somewhat reluctantly, disagree with your ruling. I do it reluctantly because I do not like to dispute your ruling; but, on this occasion, I think it is based on entirely wrong premises—

Mr. Graham: Of course it is!

Mr. MOIR: —notwithstanding the advice that you have received and the information you have obtained from the Solicitor-General. We in this House have had ample experience of the fallacy of believing implicitly in rulings coming from that source. We have seen them upset on so many occasions.

Mr. Graham: Remember the issue of a proclamation!

Mr. MOIR: That is so. Those of us who have been Cabinet Ministers know that we have to treat with a certain amount of circumspection the opinions we receive from the Crown Law Department.

I cannot see that the amendment moved to the Address-in-Reply by my Leader would have any effect on the thinking of the court. As a matter of fact, I think stifling or preventing debate on this amendment is a reflection on the people who make up the commission. According to the Press it has been stated publicly by the chief commissioner that neither he nor his fellow-members would be influenced under any circumstances by statements made in Parliament. That was said when the advocate for the unions quoted something that was stated during the last session of Parliament by the member for Mt. Hawthorn. The commissioners said immediately that they would not be influenced by statements made in Parliament. In the light of your ruling, Sir, it is evidently believed that matters debated here, and things said here, could influence the commission.

The whole point is that the amendment is not directed at the commission; nor is it a criticism of it; and it does not intend to make suggestions to the commission. Wholly and solely its purpose is a criticism of the Government for a statement that was made by it and for the attitude taken by it. As representatives of the people when we come here we find that we are in an invidious position in regard to matters which are of great importance—and in which the majority of the public are keenly interested—when we are not permitted to discuss them. This prevents us from putting forward our opinions, and we are not allowed to say what we think.

We are the mouthpieces of the people we represent. We are sent here to represent the people. Whether we do so in the way they want us to represent them is not the point. If what we have done is not what the people wanted us to do the issue is determined when we come

up for elections; and, as a consequence, we are charged with a very heavy responsibility. We would be very remiss if we did not attempt to carry out the duties for which we were elected, and it is frustrating to find that we can be prevented from voicing our opinions on matters such as this because of rulings such as the one you have just given. To myself I have often criticised the attitude of Parliament on occasions such as this when matters of great public interest arise and when members are not allowed to discuss them in this House.

I raise this criticism because it is often found that these matters are being heard somewhere in the country before people in a judicial capacity—matters which touch largely on those subjects being discussed here. However, at times when such matters are debated here, the question of whether they are *sub judice* is not raised.

In this regard I suggest that this matter is of great public import to a large majority of the people in this State. It was rather disconcerting to many people to find that a Government can adopt a certain attitude and express opinions obviously designed to influence the body which was appointed to discharge its obligations by making a decision on the evidence placed before it concerning industrial matters. Therefore, when it is found that we in this House are not allowed to discuss the matter in any shape or form, to me it seems rather farcical.

My opinion is that it is a reflection on the industrial arbitration commission to suggest that such a criticism of the Government's action, as demonstrated in the present instance, would have any influence whatsoever on the commission. As mentioned previously, a person no less than the chairman of the industrial arbitration commission himself has pointed out that in no circumstances would the members of the commission be influenced by any comment made in Parliament on its functions; and therefore, for you, Sir, to take the action that you have, suggests, of course, that you disagree with the assertions made by the chairman of the industrial arbitration commission.

I disagree with your ruling for the reasons I have advanced, and can only hope that if we are prevented from discussing this matter on this occasion, before this session is over we will have the opportunity to express, in the strongest possible terms, our very severe criticism of the Government over the actions it has taken in this case.

MR. BRADY (Swan) [5.33 p.m.]: In speaking to this debate I am somewhat handicapped, as I said earlier, because I have been unable to obtain a copy of your ruling, Mr. Speaker, on the amendment

before the House. I endeavoured to obtain a copy from the Chief *Hansard* Reporter but he told me that he could not give me one until you had corrected a duplicate copy of your comments.

I had hoped to turn up the decision of Sir Erskine May on this matter to ascertain if there were any confusion in his mind when he made his decision on a matter such as this, and on what is actually happening in the Parliament of Western Australia today, because I cannot visualise that Sir Erskine May, in all his wisdom, would have been able to foresee that a tribunal on which there are no judges, or qualified legal men, would be sitting as an industrial commission to hear a basic wage case in August, 1964.

For the life of me I could not see how Sir Erskine May, in his various deliberations, could have visualised a position such as that with which we are confronted today. So, as I said before, I have, to some extent, been hobbled in attempting to discuss your deliberation on this amendment, because I could not give it all the consideration I had hoped to give it before I rose to my feet. In the few seconds that were available to me I wrote down some of your comments, but they are not sufficient to enable me to speak on this matter with full assurance, because it is one of major importance. I emphasise the words "major importance" because it is a matter which is really the foundation of the whole wage and salary structure affecting all those people in Western Australia who are called upon to work with their hands, or who use their brains, for a wage or salary.

Therefore, I quickly had to refer to the Standing Orders to ascertain what we can discuss on matters which may be regarded as being *sub judice*, and so on. One of the matters I have looked at in the few minutes at my disposal has been the jurisdiction and the constitution of the industrial arbitration commission. I was anxious to check these matters to ascertain whether the 16th edition of *Sir Erskine May's Parliamentary Practice* would have had regard to a situation such as that with which we are faced this evening.

Pending my referring to all the matters I have looked at in the last few minutes, I want to read your determination so that I can further absorb the intention behind it; because, as other members have said, in the minds of the people of Western Australia this is the highest tribunal in the land to deal with any matter; and once we, as members of Parliament, have dealt with any matter, that overrides the decision of any other tribunal. In quoting from p. 380 of the 15th edition of *Sir Erskine May's Parliamentary Practice*, one realises how confusing it is for an Opposition member to follow the decisions contained in that volume, because I asked for the 16th edition of *May*. When you gave

your ruling, Sir, I thought you said that you were quoting from the 16th edition, but apparently you said it was from the 15th edition.

We cannot consider these matters in a few minutes and attempt to speak with some thought, some semblance of solidarity, or sincerity unless we have the relevant editions of *May* from which to quote. You have said, Sir, that the following appears in the 15th edition of *Sir Erskine May's Parliamentary Practice*—I will read it again because no doubt other members would like to hear it—on page 380—

Matters pending judicial decisions.—

A matter whilst under adjudication by a court of law—

By a court of law, Mr. Speaker. Let me emphasise those words! Continuing—

—should not be brought before the House by a motion or otherwise.

Page 437 of the same edition contains the following:—

Matters awaiting the adjudication of a court of law—

Again I emphasise the words "court of law", Mr. Speaker. Continuing—

—should not be brought forward in debate.

The Solicitor-General has ruled that a court of record is a court of law within the meaning of that expression in *May*. Clearly the Industrial Commission must be regarded as a court of law. Let me emphasise again the words, "court of law."

This is the opinion of the Solicitor-General whose opinions have been challenged before today. It is possible that the Solicitor-General is wrong in this particular instance. I will now quote your fourth paragraph, Sir, which says, "The Western Australian Industrial Commission is established by section 44 of the Industrial Arbitration Act, 1912-1963."

Here again, I looked up section 40 and could not see any reference to the matter before us. I looked up section 40 because I could not clearly hear what you said, because members were murmuring around the House. So unless we have these things made clear to us it is impossible to debate them. I will continue to quote your fourth paragraph which states—

The Western Australian Industrial Commission is established by section 44 of the Industrial Arbitration Act, 1912-63, which section provides that the commission is a court of record and shall have an official seal.

In the fifth paragraph you said the amendment moved to the Address-in-Reply by the Leader of the Opposition

protests against the actions of the State Government in the State basic wage case. You further said—

As this case is now before the Industrial Commission for adjudication, I must rule that the amendment is definitely out of order under the *sub judice* rule as declared in *May*.

In order that I might be quite clear I have now to see what the Leader of the Opposition did actually move in his amendment. I find that the Leader of the Opposition moved the following amendment to the Address-in-Reply:—

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 Leader of the Opposition did not say, "in the basic wage case as at present being considered by the Industrial Arbitration Commission." The basic wage case to which the Leader of the Opposition was referring was the case the Government was making out before the Industrial Commission was set up to hear any reference to this matter at all. Accordingly, in the circumstances, we of the Opposition would be faltering in our responsibility if we did not take the point that to rule this particular debate out of order could be not quite the right thing to do; because it does not, in the mind of the man who moved the amendment, cut across what is actually the factual position as portrayed in the industrial commission court today.

That being the case, I believe the Opposition is in order in querying whether the 15th Edition of *May* would have regard for a tribunal as set up in the industrial court today, when the men who are hearing the case are not legal men, and have not been trained in law as we understand it, and are not men who take cases before the various courts of this State. That being so, one could very well protest against the Premier or the Government making decisions and expressing viewpoints in regard to what the Government feels before this case is brought on. In my opinion the Leader of the Opposition was quite justified in moving the amendment, because we of the Labor Party feel that the amount the Government was offering—

The SPEAKER (Mr. Hearman): You cannot debate that point.

Mr. BRADY: I believe that under your ruling and your earlier determination, Sir, I cannot debate that aspect, so I will not proceed along that line. I would say, however, that this is an important matter. It is one on which we of the Opposition want to have the maximum amount of time in order that we might consider the case; because, as I said in my opening remarks, the

basic wage is the very base and foundation of all the wage and salary determinations. I would hate to see this House uphold by a vote of the members present a decision which you, Sir, have given, and which ultimately might be contested and found to be wrong.

I feel that even you, Mr. Speaker, will appreciate the viewpoint of the Opposition in regard to this matter; because we on this side are expected to protect the parties concerned, and to try to show we are looking after their interests. I believe you have honestly given what you feel is the position as set out in the 15th edition of *May*, although I think you have made your decision on a wrong premise; because I feel the Crown Law Department has not given you the correct legal advice on this important matter.

I cannot see for the life of me how the Crown Solicitor can read what he did into Erskine May's viewpoints, as contained in the 15th edition of his *Parliamentary Practice* and give you a decision or a point of view of law which would not stand up if it were challenged. I hope, Sir, that you might be persuaded to have another look at this matter, because it is possible that your decision on this amendment might be taken as a reason on some future occasion to have a matter quashed in this House when it should not be. Your decisions, Mr. Speaker, are of major importance; and if they are upheld by a majority vote of this Assembly they become precedents for ever and anon, until Parliament determines otherwise.

I consider the debate on the amendment of the Leader of the Opposition should be allowed to continue. I hope you will be convinced from this debate that you should have another look at the amendment before your ruling becomes the official ruling of this House if upheld by a majority of members.

MR. DAVIES (Victoria Park) [5.51 p.m.]: It ill behoves me by length of parliamentary experience or legal training to oppose your ruling, Mr. Speaker; but on this occasion I feel I must, because I am sure it is wrong. I also feel that, arising from it, a great injustice has been done.

Fortunately for you, Mr. Speaker, you are in the position of having the full resources of the Crown Law Department behind you; and you have been able, after the 24 hours since the amendment was first moved, to seek the advice of the Solicitor-General as to whether or not it was in order.

I am in the same position as most other members of this House, inasmuch as I did not know until you rose to speak an hour or so ago that you were going to rule the amendment out of order. This was a shock to me. Perhaps it was because I was so surprised that I did not get the

full import of your ruling. I feel disadvantaged in much the same way as does the member for Middle Swan and the member for Warren in that we did not have your printed decision before us. That makes it very difficult to debate a matter of such importance and such length, from memory.

However, there does not appear to be anything we can do about the position at the present time, except that it might be possible for one of the committees of this Parliament, which we discussed this afternoon, to consider whether on future occasions it would be possible to supply rulings made by yourself to members when there is time to prepare them and make them available.

My personal opinion is that the Government is much relieved by your ruling, and, indeed, does not want to discuss the matter. I can appreciate that, because of the earlier publicity—although I must confess somewhat limited in some aspects—given to the Government's offer of 3s. 10d., it was hoped the sooner this aspect was forgotten the better.

In dealing with your decision I would point out that as far as the members of the Opposition are concerned, and for that matter as far as the whole House is concerned, we have no knowledge as to how the question was posed to the Solicitor-General. Was the amendment sent to him, and was he asked whether it was in order; or was he asked whether Parliament should be allowed to discuss the basic wage at the present time? Once again I can only surmise; but surmising on either of those aspects gives me different answers.

If the Solicitor-General was merely asked whether Parliament could debate the basic wage question, I fully appreciate that his answer would be in the negative; but if the amendment was fully explained to him, and if it was brought to his notice that we only wished to discuss the Government's attitude, there might have been a different answer.

As was suggested earlier in the debate, you might have missed this point yourself. I do not intend to reflect on the Chair; I merely wish to reiterate the point that has been made: that the ruling might have been given on a wrong premise.

It would have been beneficial had we heard the views of the legal practitioners in this House this afternoon. I have delved through a couple of legal dictionaries to try to get a lead on what is meant by a judicial body, a court, and a judicial decision, because all of these terms have been used in your ruling. After reading both volumes and looking up all the references I could find, I must confess I was more confused than when I first started. For that reason I would like some member in this House with legal training to debate this matter.

It would appear that your ruling, Mr. Speaker, might be based on the fear of influencing the court. I repeat the point that was made by earlier speakers that from the pronouncement made by the court we have little fear of any action by Parliament being brought to bear on the court's decisions. However, if your decision was based on the fear of influencing the court we should examine the spheres of influence. We must remember that an amendment has been moved, and it has been made public. I am sure I saw it buried in the middle pages of *The West Australian* this morning, and no doubt it has been broadcast by at least the Australian Broadcasting Commission. If the debate is continued, who can assess what sphere of influence it will have?

I am sure this will be measured by the amount of publicity which the newspapers give to the debate on the amendment. This is the prime measure of the amount of influence which the debate would have on the public or the court. There will no doubt be mention of television and radio broadcast influences, but I feel that the amount of influence of such news broadcasts—as compared with the printed word—is negligible. Therefore, the amount of publicity which might be given to the debate could be absolutely negligible. If it does not receive any publicity, will it be taken before the court and quoted? Would the advocate then quote what Parliament said about the case?

The first reaction of the Industrial Commission would be to declare that it did not care what Parliament said, because the commission has already expressed itself that way. Furthermore, the court is the master of its own destiny, and it can rule as non-admissible any evidence that is put before it, irrespective of the source from which it comes. If the ruling is based on a fear of influencing the Industrial Commission, the influence that would come about from the debate on the amendment is absolutely negligible.

Even if it were used, the court is master of its own destiny. If the debate is allowed to continue, and if the motion to disagree with your ruling is carried, I would point out what has been pointed out earlier—something that is of paramount importance—that we wish to debate the Government's attitude only. That is made very clear by the words contained in the amendment, which are as follows:—

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.

I think the key word there is "attitude" and that is what we want to debate. We want Parliament to know that as far as the Opposition is concerned, we disagree

wholeheartedly with that attitude; and we want to use Parliament to tell the Government all about it.

If, Sir, you are afraid that the debate will turn to other than just discussing the attitude of the Government—and that fear was expressed by the Premier when he spoke earlier this evening—if you are afraid we will turn the debate wider than the amendment reads, then I can only remind you that you are in charge of the House, and no doubt the House would agree with your decision, should any of the speakers get wide of the mark. If the debate on the amendment is allowed, we do not propose to debate all the evidence at present before the court. Indeed I have, in a folder here, enough evidence of the Government's attitude before the case ever went to court to show that because of its attitude it is deserving of the most severe censure.

If we are unable to continue, I can only point out we will be denied the opportunity to protest. I cannot think of another occasion during the present session of Parliament when we will be able to debate a similar motion unless, of course, the debate on the Address-in-Reply goes on for a sufficiently long time to enable the Industrial Commission to give its decision and then for us to move the amendment which is now proposed. However, I do not think there is any likelihood of that; and, therefore, if we let the opportunity pass now, we will indeed be missing the chance to condemn the Government for its attitude.

I hope the House will agree, having reflected on the wording of the amendment, that there is indeed justification for the amendment proceeding and that it be given free and frank discussion so that the Government will stand, I hope—I am sure—condemned for its attitude up to the time of the opening of the basic wage hearing.

Because of the injustice which I feel your ruling contains, I must support the motion disagreeing with it.

Debate (on dissent from Speaker's ruling) adjourned, on motion by Mr. Tonkin (Deputy Leader of the Opposition).

House adjourned at 6.5 p.m.