

Party got this idea from? The only suggestion I can make is that they copied it from the Nazi party because surely this principle has never been used before or since the Nazis used it when they required the Jews to hang notices in their shop windows to say that they were Jews.

There is that obnoxious clause regarding the onus of proof which states—

The commissioner shall cause to be served on a person a notice in writing—charging the person with unfair trading, describing the unfair trading charged against him, calling on him to show cause at an inquiry to be held by the commissioner at a time and place appointed in the notice, why he should not in the conduct of his trading be declared a declared trader under this Act.

That is certainly contrary to British justice and a principle which British people have never accepted previously. Now the innocent are to be called upon to prove their innocence, and I for one will never accept that principle in a Bill.

The Minister for Health: The Opposition has a very good organiser.

Mr. I. W. MANNING: The onus of proof, the power to enter and search and confiscate, with no right of appeal, gives to the commissioner the powers of a dictator, and surely the Labour Party is not going to ask the people of Western Australia to accept legislation containing such vicious principles. I certainly never imagined that such a clause would be found in legislation introduced into a Parliament of a British country. These principles are foreign to the British way of life and it would seem to me that if this legislation becomes law, the only people who will not suffer will be those who come under the Labour Party's definition of "worker." The business and farming sections of the community are suspect.

The Minister for Lands: Do not talk so silly!

Mr. I. W. MANNING: Certainly, if one's farm or one's business appears to prosper, one can expect a visit from the Gestapo. I oppose the second reading.

On motion by Hon. J. B. Sleeman, debate adjourned.

BILLS (7)—RETURNED.

1. Commonwealth and State Housing Agreement.
2. Licensing Act Amendment (No. 1).
3. Agriculture Protection Board Act Amendment.
4. Bills of Sale Act Amendment.
5. Wheat Marketing Act Continuance.
6. Criminal Code Amendment (No. 1).
7. Gas Undertakings Act Amendment. Without amendment.

House adjourned at 11.42 p.m.

Legislative Council

Wednesday, 26th September, 1956.

CONTENTS.

	Page
Electoral : Swearing-in of member	1068
Questions : International Monetary Fund, Australian representation at meeting	1068
Traffic, installation of lights, Mt. Lawley	1069
Water supplies, provision for Pearce R.A.A.F. station	1069
Education, Parkerville school, new latrines, etc.	1069
Railways, returns from refreshment rooms	1069
Bills : Rural and Industries Bank Act Amendment, 3r.	1069
Licensing Act Amendment (No. 2), 2r.	1069
Entertainments Tax Act Amendment, 2r.	1082
Municipality of Fremantle Act Amendment, Com., report	1082
Evidence Act Amendment, 2r.	1083
Papers : Betting, Applecross s.p. shop	1086
Motion : Jury Act, to inquire by select committee	1093
Select committee appointed	1093
Adjournment, special	1100

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

ELECTORAL.

Swearing-in of Member.

The PRESIDENT: I have received the return of a writ for the vacancy in the North Province caused by the death of Hon. C. W. D. Barker, showing that Frank Joseph Scott Wise has been duly elected. I am prepared to swear in the hon. member.

Hon. F. J. S. Wise took and subscribed the oath and signed the roll.

QUESTIONS.

INTERNATIONAL MONETARY FUND.

Australian Representation at Meeting.

Hon. G. BENNETTS asked the Chief Secretary:

If the Commonwealth is sending a representative to the International Monetary Fund conference, will the Premier request the Western Australian Minister for Mines (who is now in America) to confer with the Commonwealth delegate as to Western Australia's serious position in regard to the goldmining industry?

The CHIEF SECRETARY replied:

Sir Percy Spender is representing the Commonwealth Government at this conference. The Minister for Mines, Hon. L. F. Kelly, is at present carrying out important engagements in Canada.

TRAFFIC.*Installation of Lights, Mt. Lawley.*

Hon. A. F. GRIFFITH asked the Chief Secretary:

Will he please indicate what priority can be given to the installation of traffic lights at the intersection of Beaufort-st., and Walcott-st., Mt. Lawley?

The CHIEF SECRETARY replied:

Materials are on order and when these are received, installation will be effected.

WATER SUPPLIES.*Provision for Pearce R.A.A.F. Station.*

Hon. N. E. BAXTER asked the Chief Secretary:

(1) In reference to negotiations with the Minister for Air and Civil Aviation (Mr. Townley) regarding provision of a water supply to the R.A.A.F. station at Pearce from the metropolitan system, will he inform the House whether the Commonwealth suggested it was prepared to meet the estimated cost of the main to Pearce, i.e., £150,000, provided the State gave an assurance that it would proceed without delay in the provision of funds to cover the extra cost of supplying other communities fed from the main?

(2) What were the reasons for the Water Supply Department informing the Minister for Air that "quite apart from the provision of funds, it would not be practicable to supply water to Pearce before 1958 at least"?

(3) Does he agree that the suggested proposal by the Commonwealth was a generous gesture to the State? If not, why not?

The CHIEF SECRETARY replied:

(1) No such suggestion has been received.

(2) The supply of water to Pearce is dependent upon progress of the Serpentine project, which will not be advanced sufficiently to permit a supply until 1958.

(3) See answer to No. (1).

EDUCATION.*Parkerville School, New Latrines, etc.*

Hon. N. E. BAXTER asked the Chief Secretary:

As funds have been approved for the erection of new latrines and installation of septic tank systems at the Parkerville school, and quarters, can he advise the House the anticipated date of the commencement of the proposed work?

The CHIEF SECRETARY replied:

Tenders are to be called on the 28th September, 1956, closing on the 23rd October, 1956.

RAILWAYS.*Returns from Refreshment Rooms.*

Hon. N. E. BAXTER asked the Minister for Railways:

(1) Is he satisfied with the returns from the railway refreshment rooms conducted by the administration section of the Railway Department?

(2) If the answer is "No", will he give consideration to the question of leasing some of the refreshment rooms to hotel licensees in some towns where the refreshment rooms are situated?

The MINISTER replied:

The economics of departmentally operated refreshment rooms is being examined. The suggestion made by the hon. member will be given consideration.

BILL—RURAL AND INDUSTRIES BANK ACT AMENDMENT.

Read a third time and returned to the Assembly with amendments.

BILL—LICENSING ACT AMENDMENT (No. 2).*Second Reading.*

Debate resumed from the previous day.

HON. L. A. LOGAN (Midland) [4.37]: This Bill is almost the same as one which was introduced into this House by the hon. member during the closing days of last session. Unfortunately, after the Bill had been introduced and passed through this House, the hon. member was taken to hospital. Except for the last amendment, this measure is almost identical with the one introduced last year, and defeated in another place because of the lateness of its appearance there. I am of the opinion that the hon. member is doing the right thing in presenting it again this year.

It has been said by those members who oppose the Bill that something should be done to improve the house side of country hotels. Although those members have made that statement they are opposing this measure. Yet, if they gave it a little thought, I think they would realise that that is exactly what the hon. member is trying to do by the introduction of this legislation. That is his aim and object. If we can make one hotelkeeper provide all the necessary facilities for the house side of the hotel, and force him to give good service, it must be improving that phase of the business.

But the way things are today—and the hon. member when introducing the Bill gave us some instances in this regard—there are only a limited number of travellers on the road; and, consequently, a limited number of people staying at country hotels. These people are divided

among all the country hotels, but if some of the worst of those premises were eliminated, the other hotelkeepers would have an opportunity of fulfilling the requirements of the Act, and make it a payable proposition. Surely that in itself must tend to increase the amenities which the hotel-keeper can supply. That is the whole aim and object of the hon. member who introduced the Bill.

We must remember that we no longer live in the horse-and-buggy days. In my opinion, this measure would apply mainly to those hotels in close proximity to the metropolitan area. In the old coaching days, if one journeyed for 25 miles one would require a hotel to stay in overnight. That is why so many of those hotels are still in existence within a 25 or 35-mile radius of Perth. I feel that it is possible that the mover of the Bill might have fallen down a bit, because he did not supply statistics to show the number of people accommodated at those hotels over the last four or five years. It would have enhanced his case had he done so. It would have proved to members the necessity for this measure.

I am also certain that if members themselves were able to obtain these statistics, they would appreciate the fact that the number of people who stay at these hotels does not enable the proprietor to provide much for them in the way of amenities. It is quite natural that if one tried to look after two or three travellers as they should be looked after, the cost would be very great. And the cost factor is another reason why not too many people stay at those hotels.

The charge for dinner, bed and breakfast at a country hotel is 27s. 6d.; and if one is travelling with one's family, one does not generally stay at those hotels. Accordingly, we find that, in the main, the accommodation side of the business is falling off, and that is one reason why there is some merit in the proposed amendment. I would like to draw the attention of members to a cartoon that I saw at the back of this evening's "Daily News," because I think it sums up the position very well.

The PRESIDENT: The hon. member must not make reference to the daily paper.

Hon. L. A. LOGAN: Under what Standing Order, Mr. President?

The Chief Secretary: Talk about a cartoon you have seen.

Hon. L. A. LOGAN: Very well. I would like to draw the attention of members to a cartoon on this subject; it does not matter where I saw it.

The Chief Secretary: Or when.

Hon. L. A. LOGAN: It showed a couple of travellers entering a hotel which had in it a very dilapidated-looking bed, and

the boss said, "You had better take it, because you are not going to get it in future." That is the sort of thing the hon. member is trying to wipe out.

The Chief Secretary: Even that type of bed.

Hon. L. A. LOGAN: And there are still some in existence. The hon. member is trying to make it possible for decent accommodation to be provided by the hotel proprietor. Whether this is the right way to do it or not, I do not know.

The Chief Secretary: That £150 from the others will be difficult.

Hon. L. A. LOGAN: That may be difficult; but surely it is up to members to put forward any ideas they may have, particularly if they feel they are an improvement on those that are already before us. Members should not be niggly at the hon. member for introducing the Bill; they should not say that it has no merit at all. It has some merit; so let us help the hon. member to achieve that purpose. That is part of our job.

I would now like to turn to the amendment dealing with the supply of liquor in bottles. When I first looked at this amendment, I did not like it very much, either. I thought the police should be powerful enough and smart enough to be able to detect those people who were supplying liquor. Since then, however, I have been informed by the police that, although they know it is going on, they cannot get a conviction.

The Chief Secretary: It is difficult to penalise a person who is under suspicion.

Hon. L. A. LOGAN: The person has a right to go into the hotel and have a drink. All the Bill does is to provide that a policeman, plus two justices of the peace, are satisfied that the man is under suspicion; that is sufficient. We must not forget, too, that we have a consorting Act under which a person who happens to be with a couple of ex-convicts can be convicted.

The Chief Secretary: He is doing something definite.

Hon. L. A. LOGAN: He is not doing anything definite at all. If I happen to be in town with a couple of convicts, I can be convicted of consorting.

The Chief Secretary: What about the basis of English law which says you are innocent until you are proved guilty?

Hon. H. K. Watson: I hope you will remember that for the remainder of the session.

Hon. L. A. LOGAN: It looks as though members do not want me to make my speech, because they seem to be doing a very good job themselves.

The Chief Secretary: We like to help.

Hon. L. A. LOGAN: I agree that it does seem a little harsh; but sometimes it is beneficial to be a little harsh, if it is for the betterment of somebody else.

The Chief Secretary: I hope the hon. member will not forget that in a couple of weeks' time.

Hon. L. A. LOGAN: I will not. It all depends who the betterment is for. As I have said earlier, it is only necessary for a policeman and two justices of the peace to be satisfied that a man is under suspicion; only then is he not allowed to take a bottle of beer away from the hotel. That is all it amounts to. It will have a big effect on the people who in the past have been receiving this liquor, because they are the ones who have been causing the trouble. If members would care to look up the country court lists of a Monday morning, they will find that in 95 per cent. of the cases it is the natives who have been consuming liquor and creating a disturbance.

This Bill is a step in the right direction, and it is an attempt to clean up some of that mess. If members feel they have a better way to bring this about, let us hear of it; but until such time as they can suggest a better method, let us adopt the one in the Bill in an endeavour to arrest the problem we have with us.

Hon. H. K. Watson: I think the drafting of the Bill would need a second look.

Hon. L. A. LOGAN: I agree, and I have already said so. But that does not stop anyone from voting for the second reading and then altering the measure in committee. It was drafted by the Parliamentary Draftsman and he is the man responsible for it; so we cannot hold the hon. member responsible and criticise him for the provisions in the measure. If we have any better suggestions to make, let us put them forward. I do not want to delay the House and I support the second reading.

HON. E. M. HEENAN (North-East) [4.50]: Last year Mr. Baxter brought forward a measure similar to this. However, I cannot recall whether this Bill has exactly the same provisions as the previous measure.

Hon. N. E. Baxter: It is the same Bill with the exception of the last amendment.

Hon. E. M. HEENAN: I mentioned that because last year I supported Mr. Baxter's Bill on the second reading; but after giving the matter very careful consideration, I regret that on this occasion I find myself forced to vote against the second reading.

Before giving my reasons, I would like to say this in fairness to Mr. Baxter: I applaud his efforts to do something with the Licensing Act; to do something towards altering or improving our out-of-date licensing laws in this State. If ever there was an Act that needs a complete overhaul it is the Licensing Act. The subject of hotels and liquor is a social problem in our midst and needs close attention.

Therefore, I applaud Mr. Baxter's conscientious efforts to do something about the position, and I entirely agree with him that the situation existing in the country is considerably different from that in the city, and a hard-and-fast set of laws cannot be applied to both places. We will have to deal with the Licensing Act on a much wider basis than is proposed in this Bill. I think possibly the proper way of doing this would be to have a Royal Commission which would travel over the State, investigate the position, and make recommendations to Parliament whereby the whole system could be brought up to date.

In a nutshell, Mr. Baxter's main proposal will give the Licensing Court the discretion of declaring that certain hotels need not provide accommodation for the travelling public and the public generally.

Hon. G. Bennetts: That would be dangerous.

Hon. E. M. HEENAN: That, I think, is the main proposal; and it is a radical departure from hotels as we have known them all these years, because the basis of granting a licence to a hotel is to provide for the travelling public and to ensure that, when a licence is granted, its fundamental purpose will be to provide accommodation for the travelling public by way of sleeping accommodation and meals. Also, as the Act states, to provide a place where horses can be found accommodation. That, of course, is now out of date, but it indicates the purpose of the licence.

It is now proposed by Mr. Baxter that the Licensing Court shall be able to say that certain hotels need not provide these amenities, and they can confine their activities to the sale of liquor. I am not so sure that that is entirely wrong, because the public require liquor in nice surroundings; and if certain premises are restricted to the sale of liquor maybe, well and good.

On the Goldfields we have a number of hotels which ostensibly provide accommodation for the public; but not many of the public patronise them for this purpose because such hotels do not specialise in that aspect of the trade. There are other hotels that do specialise in providing good bedrooms, bathrooms and dining-rooms, etc.; and I can quite appreciate Mr. Baxter's point of view.

It would be better to have two hotels in one town providing first-class accommodation than to have three providing indifferent accommodation, as is the case at present. Therefore I see some merit in that proposal; and I am sure that later on it will be investigated very closely on the high level on which I hope an inquiry will take place.

I will not, however, have anything to do with the next proposal, which would give a local policeman the right to go along to a couple of justices of the peace and

inform them that he suspects that, say, Bill Brown, is supplying liquor to the natives.

Hon. N. E. Baxter: Because of so and so and so and so.

Hon. E. M. HEENAN: I am not altogether satisfied that the justices of peace found in some towns are always the ultimate in perfection.

Hon. L. C. Diver: Are they anywhere?

Hon. E. M. HEENAN: A lot of people get appointed just in order that they might put "J.P." after their names. They have no appreciation of the proper function of a justice of the peace.

Hon. A. R. Jones: It is hardly fair to say that.

Hon. E. M. HEENAN: I think it is quite fair. From my own experience throughout my district I know there are a number of men who are justices of the peace and who rarely sit on the bench, which is their main function.

Hon. A. R. Jones: They do not get themselves appointed.

Hon. E. M. HEENAN: I do know that the commission of justice of the peace is aspired to very often by a lot of men who think it adds an aura of respectability to their names, and they write it after their names whenever they can do so. I would have nothing to do with that part of this Bill.

In these towns, the local policeman might suspect someone; but as the Chief Secretary says, surely anyone who is under suspicion has a right to be told about it, and the person who has the suspicions should be called upon to substantiate them! But by this proposition, on the mere suspicion of a policeman and the easy consent of a couple of local justices of the peace, some poor unfortunate man is going to be ostracised and debarred from the privilege of purchasing bottled liquor. What a lovely state of affairs that would be in a small town! It would be a great disgrace to the person concerned, and he would have no chance of vindicating his reputation. He might have had a quarrel with the police and the justices and then that happens. I will not have this proposition at all.

It is on this account but with some regret that I find myself having to say I will oppose the second reading. Once again, however, I say that I entirely applaud Mr. Baxter for his attempts to do something with the Licensing Act; and I hope he will continue and not be disappointed if my vote helps to defeat the second reading of his Bill.

HON. J. M. A. CUNNINGHAM (South-East) [5.2]: I support Mr. Baxter in this measure. I endorse much of what has just been said by Mr. Heenan, as it expresses very largely my thoughts on the

matter. I believe that Mr. Baxter has been imbued with a desire to improve what we admit is an Act that is long overdue for review, streamlining and modernising. The whole idea behind the Bill is, I consider, one for the improvement of service and accommodation in hotels.

Naturally I have in mind country hotels, although the Bill is not limited to country hotels. As a frequent user of such hotels, I must in all fairness say that those situated in what I might term "stop-over" towns do give a service to the travelling public which is most commendable, and in many cases it is given at the expense of trouble and hardship.

I do admit that in other smaller towns where the necessity does not exist for a considerable number of rooms, or other accommodation for travellers, the hotels may have degenerated into something little better than beer houses; and that is the whole point behind the Bill. The proposition in it is to make it legally possible for a licensee to maintain premises where he can devote the whole of his energy towards providing a refreshment centre.

Might I liken this suggestion to the position in England? Some friends of mine, newly-out from the Old Country, have said that they very much miss the little town tavern. No accommodation is provided there; it amounts practically to a social centre in the town where one can have a quiet drink. These taverns are world-renowned for the service, comfort and entertainment that they provide.

If we overhauled our Act it could easily take into consideration the creation of a licence which would make it possible to serve drink—refreshment only—without the necessity of having to provide accommodation, which at present is necessary. That is the idea behind the main clause in the Bill. It must appear to members unreasonable that in a town of any size, which is well provided with hotels, but where the demand for accommodation is small, the responsibility placed on the hotels of providing accommodation is unreal and not reasonable. If the Bill can do anything towards even bringing the Government's attention to what is definitely needed in our towns, then it will be doing a good job.

Good accommodation is provided in most towns of any size. It can honestly be said that in Norseman the two hotels supply accommodation that astonishes the interstate travellers when they first experience it. The accommodation and service are absolutely first-class. In support of my contention that the hon. member has foreseen a growing need in our communities, might I point out the mushroom growth in recent years of clubs in various towns? I can quote two that have only recently come within our sphere of interest.

At Bruce Rock, where there is a State hotel, the need—quite obviously—was for a better centre of community life, which

normally might have taken the form of improvements at the hotel. Nothing could be done by the people of the district to bring this about, and the natural result was the creation of a new first-class club.

Hon. Sir Charles Latham: Does it provide accommodation?

Hon. J. M. A. CUNNINGHAM: No.

Hon. Sir Charles Latham: Doesn't the State hotel provide all the requirements in the bar trade?

Hon. J. M. A. CUNNINGHAM: Quite obviously the State hotel does not supply adequate accommodation for the consuming of liquor.

Hon. Sir Charles Latham: It has plenty of room for it.

Hon. J. M. A. CUNNINGHAM: It may have; but according to modern standards the bar is badly laid out and sited, and it does not supply accommodation for women drinkers or family groups.

The Minister for Railways: They do not drink at the club.

Hon. J. M. A. CUNNINGHAM: Yes; they have a ladies' room at the club. I assure the Minister that the Bruce Rock hotel is missing out badly, because the people of the district have been forced into creating this club. The same thing applies at Narembeen. Only just recently a beautiful building has been constructed there, and I believe it will fulfil the need foreseen, in the measure, by the hon. member. It has meant the formation of a communal centre where one can go and enjoy a drink with one's friends or visitors, without having to go to a hotel that has to supply accommodation.

Even in England, I believe, there is a difference in the licence fees. I do not know what the amount of the difference is; but the hotel that does not supply accommodation pays a greater sum for its licence than does the other type of hotel. I commend the hon. member for bringing the Bill before the House and giving members a chance to express their views on it. He has foreseen a need in our communities, particularly the small ones. Discretion is left to the court to decide whether the accommodation is economical and necessary, or otherwise.

I somewhat resented the remarks of Mr. Heenan concerning justices when he was dealing with the position of natives, though I know he did not mean to be offensive. One or two justices may have pulled strings to obtain a commission, but I believe the great bulk of them have become justices with the one idea of serving the community in which they live. As a matter of fact, in many instances it is most difficult to get suitable men to accept nomination. Right now we are short of justices in Boulder, and I know that

quite a number of people have been approached. They are worthy citizens, but are somewhat reluctant, as they believe they have not the necessary qualifications.

The Minister for Railways: You are not supposed to approach people, are you?

Hon. J. M. A. CUNNINGHAM: I think the Minister will agree that when it is known there is a need in a district for extra justices, those who are interested cannot help but look around to see if there are persons who have the necessary qualifications; and if they locate one, they find out his reaction, without actually asking him if he would accept the commission. I do not think the application always comes from the person himself. I know that recommendations to have someone appointed are made by organisations, and I think it is reasonable that that should be the case.

In a small town where minor offences do not call for the services of a magistrate, I believe better justice is dispensed by justices than might be the circumstance with an actual magistrate. Take a case of drunkenness. The justices would have a personal knowledge of the people concerned. They would probably know their history and family background. If a man was brought up on a charge of drunkenness by an over-enthusiastic prosecuting constable who said that the man was a trouble-maker and drunkard, a magistrate would be justified, according to the law, in giving him a severe sentence.

Justices, on the other hand, would probably know that the man was going home after a celebration following the wedding ceremony of his child, or something of that nature, and they would know that the man was not a drunkard. In such circumstances the justices could possibly dispense better justice than could a professional magistrate.

The same thing, I believe, could apply here. A constable might be well known to all the justices in a comparatively small town; and he might approach two of them and say, "We have had a lot of trouble because of natives drinking in the town and have strong reasons to suspect that Bill Smith is the culprit. We cannot pin it on him as he is a little too smart for us." Those who have acted on the bench in such cases know it is almost impossible to get the natives who have been charged and convicted to give the names of those who constitute their source of supply.

Rarely will a native tell where he has got the drink from, so the police do have quite a difficult job in making out a case and sheeting it home to the person who, I believe, is the bigger offender in the case, namely, the supplier of the liquor. In this case the constable could say, "We have every reason to believe that this is the man who is responsible." In all probability the justices themselves would have reason to believe that that was so, too. They are

not going to penalise a man to any extent or curtail his activities to a great degree. All they are going to do is prevent him from taking bottled beer away from licensed premises.

The Minister for Railways: It would not work. You could not police it.

Hon. J. M. A. CUNNINGHAM: It might be difficult to police, but it is more a deterrent than anything else. It would make it possible for a policeman to say, "You are the man responsible; and if it is proved that you are, we intend to stop you."

Hon. Sir Charles Latham: What if it applies to a white man?

Hon. J. M. A. CUNNINGHAM: The provisions would also apply to a white man who supplied a native with liquor.

Hon. Sir Charles Latham: They cannot catch them today; so that shows the stupidity of it.

Hon. J. M. A. CUNNINGHAM: Even if this Bill does not provide for everything that is required, at least it will bring to the Government's notice the need for the complete overhaul of the Act, and therefore I think the measure deserves the support of the House. I support the second reading.

HON. J. G. HISLOP (Metropolitan) [5.16]: I do not want to say much on the Bill except that I applaud the effort of the hon. member, which shows the need for a complete overhaul of the parent Act. If Mr. Baxter had moved for the appointment of a select committee to inquire into all the ramifications of the Licensing Act, it would have served a much better purpose than the select committee which will be appointed later in the session, and I would have given my whole-hearted support to such a move.

There are points of interest in the Bill. The people in this State have to get away from the idea that only hotels should be permitted to sell alcoholic liquor. I have always maintained that any cafe which supplied meals of a high standard, and which could produce a certificate of good conduct from the Commissioner of Police and a certificate of hygiene from the Commissioner of Public Health, should be allowed to supply alcoholic liquor with meals. That is the only sane way of drinking. The present idea of a man drinking four or five pots of beer and then trying to drive home afterwards is just too stupid; but that seems to be the swilling custom that has grown up in this State. In other parts of the world the people indulge in drinking as a social habit and combine the drinking of alcoholic liquor with the eating of their food.

If, in this Bill, Mr. Baxter had proposed that there was need for people to be supplied with food in addition to being supplied with alcoholic liquor—for example,

to have a drink with a morning or afternoon repast—I would have been only too willing to support him with his Bill. I would then have insisted that those places should provide such service for everyone that entered the premises in the same manner as a tearoom does today when customers enter for a cup of tea or coffee. A civilised suggestion of that nature would effect a tremendous improvement in the drinking habits of the people of this State.

If the hon. member in his Bill had also proposed that the hotels which were to retain only two bedrooms must, in return for the extra trade that they would receive, provide a certain number of rooms with bathroom or shower attached, I would again have been on his side in his effort to have the Bill passed. The low standard of bathroom and toilet accommodation that is provided in our hotels, both in the metropolitan area and the city, is a disgrace to our State.

Hon. N. E. Baxter: It is the low standard that exists.

Hon. J. G. HISLOP: The standard that now exists is the standard that the Licensing Court requires.

Hon. Sir Charles Latham: That is quite right. The court does not do its job.

Hon. J. G. HISLOP: I am referring to what actually occurs within our own State. Not very recently I went to a country hotel which boasted that its bathroom and toilet facilities had been overhauled and renovated. However, I came away disgusted to think that the standard of these facilities could be the standard accepted by the Licensing Court; because I assume that when such facilities are overhauled, the Licensing Court is fully aware of it. If improvements of that nature were to be introduced by this Bill I would be all for it.

I therefore hope that someone will have enough courage to take the whole Licensing Act in hand to see whether something cannot be done with it as a whole, instead of continually trying to patch it up. Mr. Baxter deserves the thanks of this House for attempting to do something to improve the provisions of the Act; but if he likes to do something bigger, I will be only too willing to give him a hand to achieve his object.

HON. J. D. TEAHAN (North-East) [5.20]: When introducing the Bill, Mr. Baxter maintained that the cost and the trouble of keeping up two bedrooms in a hotel was excessive. How much would it cost? Once the rooms were furnished and made tidy, it would not be necessary to change the sheets, quilts and blankets daily as he has suggested. If the room were comparatively dust-proof—as it should be—and the beds were adequately covered. I do not think that such maintenance would be necessary.

If some of these country hotels provided better accommodation, I am certain that they would receive greater patronage. When travelling to Kalgoorlie, I often feel inclined to stay overnight at a hotel round about the half-way mark. The half-way mark on that journey is approximately Merredin; but, unfortunately, every time I have attempted to stay there, the hotel has been booked out. I have also attempted to obtain accommodation at the hotels in the centres on each side of Merredin, but have been unsuccessful.

On many occasions I have been asked by members of this House and other people where they could stay whilst travelling on their way to Kalgoorlie; but I was unable to tell them, because I do not think that there is any accommodation offering at the hotels en route. If these hotels supplied meals which were of reasonable quality, but not necessarily high class, travellers would map out an itinerary so that they would always arrive at these hotels when they desired to stop overnight. Mr. Cunningham spoke of the State hotel at Bruce Rock. I have not a great knowledge of that hotel, but I do know the one at Gwalia very well; and if ever there was a high-class hotel it is the one situated at that centre.

In the bar, drinks are served in a clean and hygienic manner, the accommodation is clean and comfortable, and the meals are always of good quality. However, the most outstanding feature is that a man and his wife, during a heat wave, dust storm or any uncomfortable break in the weather, can sit at leisure in the cool of the shelters which are provided and drink their refreshments in comfort. One often sees a man sitting in a corner, reading his newspaper; and I have also seen groups of men playing cards at a table whilst enjoying their drinks.

Near the hotel there is a tennis court where the patrons can have a game of tennis if they so desire. The whole family can be accommodated in a grassed area surrounding the hotel. If ever a centre was adequately provided with good hotel accommodation and service, it is Gwalia. That place is an outstanding example of how a hotel should be conducted. In my opinion, therefore, two rooms are not too much to maintain and keep tidy for travellers who might stop overnight at a hotel; and the cost cannot be that great.

Hon. N. E. Baxter: How many hotels have only two rooms to maintain?

Hon. J. D. TEAHAN: In passing to the second part of the Bill, I agree with what Mr. Heenan has said: that although Mr. Baxter is making an honest endeavour to overcome a problem which exists in out-back centres, this is not the correct way to go about it. In my opinion, the proposal to grant a local constable the right to say that some person shall not be served with a bottle of beer is too drastic.

The constable might be right eight times out of 10; but on the other two occasions he might not be. It is a matter of human nature; and, in the past, police constables have been proved to be not always the best judges—and, for that matter, neither are we—and therefore it is too much to provide that a policeman shall have the right to say that Bill Smith, for example, is not a proper person to be served with a bottle of beer.

Hon. N. E. Baxter: That is not quite right.

Hon. J. D. TEAHAN: That is what it amounts to. The local justice in a town can say, "I believe that Tom Jones is not a suitable person to be served with liquor, and I think we should put him on the prohibited list." The power which it is proposed to grant in the Bill is too great.

With others, I also believe that the whole Act needs a complete overhaul. One has only to read those sections which are at present under review to realise that the legislation requires some attention to be given to it. It is a ridiculous state of affairs when one considers that this Bill proposes that hotels shall provide only two-bedrooms to accommodate any travellers, and yet in the Act it is provided that a hotel-keeper must provide stables and fodder for six horses. Some sections of the Act, therefore, are urgently in need of complete review. I commend Mr. Baxter for introducing the Bill, but I do not agree with its provisions.

HON. SIR CHARLES LATHAM (Central) [5.23]: This Bill is in the nature of a censure of the Licensing Court. That body exists to give effect to what is laid down in this House. It is a long time since there was a review of the Licensing Act. I think the last time that such a review was made was in 1923, when a thorough examination of the Act was conducted.

Hon. C. H. Simpson: That was in 1922.

Hon. Sir CHARLES LATHAM: I am speaking only from memory. On that occasion the select committee that was appointed to inquire into the Act was subsequently made into an honorary Royal Commission; and in its report, it recommended some excellent legislation. However, conditions have changed greatly since then; and at present the hotelkeepers who, by law, are compelled to provide food and accommodation for travellers at reasonable hours, have had the profitable side of their business taken away from them by the establishment of clubs. That is most definite.

I have often heard members state that it is very nice for a man and his wife to be able to go into these places and sit down to have a drink. Under the law, in most cases, the hotels are required to close at 9 p.m., no matter where they are

situated. In amplifying the remarks made by Mr. Teahan in regard to the State hotel at Gwalia, I point out to the House that that hotel does not close until 11 p.m.

In other districts, therefore, where 9 o'clock closing prevails, the people often say, "That is too early for us; we will form a club so that we can carry on with our drinking until a later hour." However, I have been in some of these country centres, and I have been ashamed of the people who reside in them. On many occasions I have seen a man and his wife still in attendance at a club until 11 p.m. with their youngsters waiting outside in their car. That is a dreadful state of affairs.

Hon. F. R. H. Lavery: And unfortunately that is a true statement.

Hon. Sir CHARLES LATHAM: Therefore, we should not encourage people to apply for more clubs if we want the hotels to provide better accommodation, because at the present time there is no doubt that we are taking part of their liquor trade away from them.

How many hotels have been built in the country districts in the last 20 years as compared with the growth of population in this State? Many licensed hotels have been closed since the time I entered public life, and the premises were converted for other use. Much development has taken place in the agricultural areas, and the population in this State has increased by about one-third in the last 20 years. Yet in those days the hotels were doing reasonably good business and providing good accommodation.

I dare say few members here have travelled round the State more than I in my public career. Up till recently I found that the hotel accommodation was good, and one could be proud of the standard in this State. However, with the growth of clubs in the various districts the bar trade of the hotels has been reduced, with the result that poorer accommodation is being provided.

I referred to this matter during the last session of Parliament and urged this House to provide for fixed meal hours in hotels. At that time I pointed out that an excuse given by some licensees was that the lunch hour was fixed from 12 noon till 1 p.m.; and if a traveller were to ask for a meal between 12 and 1 on another occasion, he might find that the time had been changed. I referred to a case which occurred in Toodyay.

This Bill tampers with the conditions for licensed hotels. When there are three hotels in a district, but the trade is sufficient for only two, the Licensing Court should close one of them.

Hon. A. F. Griffith: Which one?

Hon. Sir CHARLES LATHAM: Let the court determine that. Let me tell what happened elsewhere in the State. Not long ago I visited Wiluna. I had been there

when it was a prosperous town. What happened to the licensees who closed their premises and walked out?

Hon. N. E. Baxter: Do you believe in letting the hotels go broke?

Hon. Sir CHARLES LATHAM: Licensees are running a business the same as any other trader. If a mining town closes down, not only the licensee but also the grocer, draper and the others also have to close down. That is a risk in business. We cannot have competition if we ask the rest of the people engaged in the hotel business to provide finance to compensate for the closing down of accommodation.

Why should one class of the community be compensated for what happens with the deterioration of a district? Is there any sense or reasonable argument for such action? Why should we pick out hotels for assistance? Throughout the years, I have been disgusted at how much attention has been paid to the bar trade hotels and to the gambling instinct of the people. As a race, I think we are deteriorating very rapidly, and I shall do nothing whatever to assist either of those two forms of vice.

In this State the turnover in betting amounted to £12,000,000. I do not know whether that included the amount that was invested through the totalisators. That amount relates to only one form of gambling, and we do not know how much change hands in other forms of gambling such as "two-up". Thank goodness that personally I do not suffer from those weaknesses!

The amount of beer consumed in Western Australia, with a population of less than 700,000 people, is terrific. Yet no attempt is made to provide a better type of accommodation in hotels. Some of us urge that more hotels be built. This would result in increasing the number until there would not be sufficient business to enable them to carry on. We should not tamper with this class of legislation.

Hon. N. E. Baxter: No one is tampering with it. Read the Bill!

Hon. Sir CHARLES LATHAM: I have. On a previous occasion I asked for the meal hours to be fixed so that the travelling public could obtain meals more readily at hotels, but the hon. member did not assist me on that occasion. I merely asked him to adopt an intelligent outlook. Surely that was a vital matter! I told him about the occasion when I was travelling from Geraldton and called in at a hotel at 1.15 p.m. I was told that a meal could not be served, as the lunch hour was over. I asked whether there was a boarding-house or restaurant at which a meal could be obtained, and was informed there was one across the street. In that case a distinguished visitor from the Eastern States had to be taken to a Greek shop across the road for a cup of tea and sandwiches.

Hon. L. A. Logan: You could have had fish there.

Hon. Sir CHARLES LATHAM: How could we get a meal of fish in the hotel?

Hon. L. A. Logan: I did not say at the hotel; I said at the restaurant. You said all you could get was sandwiches and a cup of tea, and I told you that you could have got fish for your meal.

Hon. Sir CHARLES LATHAM: The hon. member seems to know all about this matter. It is marvellous how many champions of these people we find in this House. I want to see the hotels in this State being run as they were run in the earlier days of the State's history. In this instance we are being asked to pass legislation which will cause a greater deterioration in hotel service. I know of some splendid hotels in this State. In Kalgoorlie a patient receiving treatment from Mr. Martinovich could not find accommodation.

Hon. N. E. Baxter: That must have been during the round.

Hon. Sir CHARLES LATHAM: It might have been at that time. I do not think that Mr. Martinovich would have arranged for the patient to visit him when the round was on. He could not find any accommodation in Kalgoorlie. I know that some of the licensees in that town do not encourage any visitors save those who frequent the bar. There are some good hotels in the State, but not as many as I would like to see. Generally speaking, legislation such as this tends to make the outlook for hotel accommodation very poor. It is true that in these days one can travel great distances by motorcar in a day; but very often, with good hotels near the metropolitan area, visitors would be induced to spend their week-end holidays there.

I know the Bruce Rock hotel very well; I saw the first brick being laid when it was constructed, and I have often seen it since. From the point of public convenience, the service rendered at that hotel is very poor. Until recently it did not have a permanent water supply. It is up to the State Government to set a good example in the running of its hotels. With the exception of the Wongan Hills and Corrigin hotels, the eight being run by the State are not very good examples. A good deal can be done to improve them.

Let us see what happened to the State hotel at Bruce Rock. Its deterioration was not caused by poor or insufficient bar trade; on the contrary, it was very popular. The deterioration was caused by the desire for two additional hours of drinking; and the only way that could be achieved was for the people of that district to form a club. When the provision relating to clubs was inserted in the Act, it was not intended that clubs should be set up in every town and be able to remain open until

11 p.m. For a long time club licences were not granted by the Licensing Court. It was the newly-formed court that began issuing club licences.

I do not know the manner in which that court interprets the Act; but it seems to have set a poor example by allowing illegal gambling machines to function in hotels until the end of the year. What would happen if the police were to say to a burglar, "You can go on burgling for another year, but after that you will not be able to continue." Surely such action holds the law up to ridicule!

The Government should give some consideration to the appointment of a competent authority—I do not care who it is—to go among the hotels in this State and see what is required to be done to bring them back to the condition they were in 20 years ago.

Hon. N. E. Baxter: A similar Bill was introduced—

Hon. Sir CHARLES LATHAM: The hon. member had the opportunity to speak to this measure. He has a great advantage over me because he also has the right of reply. He will have every opportunity for a second say on this measure, which seems to have commended itself very greatly to him. I was asked whether I was going to introduce another Bill relating to hotels and I replied, "I am not going to introduce any more Bills concerning hotels." I certainly shall oppose any Bill relating to them until some responsibility is accepted by the Government or some other authority to investigate the whole matter and bring the hotels up to a reasonable standard.

Western Australia is a young State with a great future. Its future is bound up in the people who come here. People will not really know the State if they remain only in Perth, Fremantle or the suburbs; they will get to know the State by travelling around the countryside. If we cannot offer good hotel accommodation, they will not be encouraged to travel around the State.

I would like to see here the practice that is adopted in Canada and the U.S.A. where separate licences covering hotel accommodation and the sale of liquor are issued. In Canada one can get hotel accommodation and meals for families; but if one wants beer, one can also purchase it separately. By signing a register, one can also purchase whisky, at the rate of one bottle per week.

Hon. E. M. Davies: Those people must be week-end drinkers.

Hon. Sir CHARLES LATHAM: If the rate of purchase was one bottle per week, one could purchase and drink a bottle over the week-end. Regarding the provision in the Bill relating to natives, we have up to date done some foolish things, such as the granting of citizenship rights to them, thus enabling them to go into hotels and purchase liquor. As I pointed out during the

debate on the legislation dealing with natives, there are some very good citizens among the natives. Some of them have sent their children to the university to further their studies. On the other hand there is the lower type of native. God did not make us all alike. To some of us he gave a higher mentality than to others; the same applies to the natives. Not by any Act of Parliament or any other means will we bring about a model of perfection in the make-up of the natives.

I hope that the Minister in this House responsible for this legislation will urge the Government to appoint some knowledgeable man or woman under statutory authority to investigate the Licensing Act with a view to improving the standard of accommodation found in hotels here, and so avoid the necessity for individual members of Parliament to introduce Bills to amend this Act because of dissatisfaction. We cannot succeed that way.

HON. E. M. DAVIES (West) [5.45]: I feel that I should not cast a silent vote on this question. At the outset I would like to say it is not my intention to support the Bill. Not that I do not realise that the hon. member who introduced it did so with very good motives; but I feel that the hotel trade is a monopoly that must not operate without a licence; and when that licence is granted, it is granted for the purpose of liquor being dispensed and accommodation and meals provided for the travelling public.

We hear quite a lot of talk about certain hotels which are unable to make ends meet so far as their dining-room services are concerned. I feel that that is largely their own fault. Quite a number of them offer no encouragement to the travelling public; and, indeed, if they could evade supplying meals, they would do so. I am not one who visits hotels to any great extent; but I have travelled through various parts of this State and, from necessity, have had to stay at hotels. To some of my Goldfields colleagues I would say that there are some places that are called hotels which I do not think come up to the mark at all. There are some on the Goldfields that are very good. But there are others that could be classified as mediocre; while others again should not be licensed at all.

On one occasion I stopped at a hotel in Kalgoorlie that was rather highly regarded by the people generally, but I found that it existed apparently only for the dispensing of liquor to those who visited it. No consideration was given to the people who occupied the accommodation in that hotel. Although the bathroom had taps with the words "hot" and "cold" printed on them, it did not matter which one a person turned on, he still obtained cold water.

On a cold evening there was a fire in the saloon bar so big that one had to get back 10ft. if one wished to avoid being

scorched. But upstairs, in the private sitting-room, there was one piece of wood on the fire which lasted for half an hour; and when one asked for more, one was told that that was the amount that had been allocated for that evening.

While I agree with Mr. Baxter that amendments are necessary to the Licensing Act, I feel—as has been stated by other members in this Chamber today and on other occasions—that the Act itself gives a great deal of power to the Licensing Court, and the court should pay more visits to some of these hotels; and, if a certain number in country districts cannot make a living, there is no reason why they should be operating. Their licences should be cancelled and those providing a reasonable living should be allowed to remain.

As has been pointed out by other members, some people have been talking for years as though beer was the very life-blood of the country. I do not know. So far as I am concerned, people are entitled to consume whatever beverage they like. All I contend is that beer should be obtained in moderation. Under those circumstances, there is no harm in its consumption at all. The fact remains, however, that some people consider the consumption of alcohol to be absolutely necessary, and they cannot live without it.

I am not one of those, but I do not object to other people consuming whatever they like within reason. On the other hand, the Licensing Court has a lot of power which it should utilise. I am sure there are a great number of places known as hotels that need some investigation; and if those who conduct those licensed premises were to offer more encouragement to people to have their meals and seek accommodation there, the accommodation and dining-room side of their business would show a greater profit than at present. So although I commend Mr. Baxter for having brought down the Bill, I do not think it will achieve what he desires, and for that reason I intend to oppose it.

THE MINISTER FOR RAILWAYS (Hon. H. C. Strickland—North) [5.50]: I, too, do not wish to cast a silent vote, and shall therefore make a few observations on this Bill. I cannot see how its provisions could achieve what the hon. member desires. It is claimed that accommodation would be improved. But how accommodation can be improved by being taken away, is something I do not quite understand.

Hon. L. A. Logan: You didn't listen!

THE MINISTER FOR RAILWAYS: It was said that this would apply only within a radius of 25 miles of Perth, or would mostly be applicable to hotels situated in that area. The Bill does not say that; but if that is claimed, I point out that—

Hon. L. A. Logan: Mr. Baxter didn't say that.

The MINISTER FOR RAILWAYS: The hon. member claimed that that is possibly where it would be most effective. I point out that within a radius of 25 miles of Perth, one is only in the suburbs; and if we are going to reduce the accommodation in the metropolitan area by licensees being able to apply for and be granted the concessions suggested in this Bill, then the city will always be short of accommodation. It is now. Had the Empire Games been held here, I suggest that every hotel within 50 miles of Perth would have been fully booked out, if the proprietors had been prepared to accept boarders.

Hon. L. A. Logan: Once in a lifetime!

The MINISTER FOR RAILWAYS: Once at any time.

Hon. A. R. Jones: That is a stupid argument.

The MINISTER FOR RAILWAYS: Everything is stupid to some members. We all have our ideas. Some may be stupid, and some may be intelligent. Whatever they are, we are allowed to put them forward. If the hon. member believes it is stupid to think that the Lord Mayor might have been successful in having the Empire Games held in Perth, and that hotels within 50 miles would have been booked out, I suggest that he give the question another thought. How can proprietors of premises that contain bedrooms suffer any hardship by merely keeping them there? In what way do they suffer? If they are getting no trade, they employ no staff.

Hon. N. E. Baxter: But they are!

The MINISTER FOR RAILWAYS: I have yet to meet a businessman who will employ somebody just to sit down.

Hon. Sir Charles Latham: According to the Act, it is only necessary to have two bedrooms.

The MINISTER FOR RAILWAYS: I have yet to meet a man who will employ others if there is no work for them to do. I suggest that it costs nothing for a licensee to maintain surplus accommodation. Take a family hotel with two bedrooms. Consider the position of the licensee and his wife.

Hon. L. A. Logan: Where do you find them?

The PRESIDENT: Order!

The MINISTER FOR RAILWAYS: The licensee and his wife must do something around the place, and he must employ somebody to look after the housework. He must engage some employees, even if it is only to do out the bedrooms of the licensee and his wife and keep in order that portion of the building which they occupy.

Hon. Sir Charles Latham: It is a poor hotel if they cannot.

The MINISTER FOR RAILWAYS: Yes; and it should be closed, in my opinion, because it would not be a hotel at all, and

the business would not warrant its remaining open. The shortage of accommodation throughout this State, and the condition of a good deal of that which is available and which is offered to travellers, is an aspect of this matter which should be looked into thoroughly by the court, which has power to improve accommodation without removing it. Would it be fair for an applicant for a licence in a prosperous district to be granted the privilege of just having a bar?

Hon. L. A. Logan: Canteens are to be provided in the North.

The MINISTER FOR RAILWAYS: That is what the Bill means. The canteen is to be established where there is no hotel within 200 miles.

Hon. A. F. Griffith: What about Medina?

The MINISTER FOR RAILWAYS: If this Bill became an Act, it would be possible for anybody to apply for a licence in the city without building any accommodation. I do not say it would be granted, but it would be within the jurisdiction of the court to grant it.

Hon. A. F. Griffith: What about Medina?

The MINISTER FOR RAILWAYS: That would be within the jurisdiction of the court.

Hon. A. R. Jones: That would be under a different section of the Act.

The MINISTER FOR RAILWAYS: That is one aspect of it. Those are my views on accommodation. The accommodation in country hotels requires much improvement in the majority of cases; and there are provisions in the Act to bring that about, if the court does its job.

With regard to prohibiting the sale of bottled liquor to a person to take away from the premises if he is suspected of supplying somebody on the prohibited list, or an aboriginal—how that could ever be policed, is beyond me! It merely says that the onus is on the licensee, who must not supply any person who has been declared by two justices of the peace to be suspect of requiring the liquor for an inebriate on the prohibited list—and I suppose it would be extended to a person under 21—or to an aboriginal.

How could that be policed? Even if a man were suspect, and even if he were a supplier, he would only need to get somebody else to go and obtain the liquor for him and take it to him outside the hotel, and he would be in the clear. What would be the position if a fellow was put under that 12 months' prohibition for having been served with liquor to take away? What would happen if he came to Perth or travelled anywhere else in the State? He would still be in the same position. But how would the other publicans know?

Hon. N. E. Baxter: Does not that apply now?

The MINISTER FOR RAILWAYS: How could it be policed? The Bill goes on to say that even though the man might be in the one spot for 12 months and have been refused liquor to carry away, the justices could renew the prohibition if he were still suspect. How could he be suspect if he had never been supplied? That is what the subclause says—that the prohibition can be renewed provided he is still suspect. If he has not been able to purchase any liquor for 12 months, surely he is not still liable to be suspect!

Hon. N. E. Baxter: He may go away and get someone else to bring it back to him, as you said.

The MINISTER FOR RAILWAYS: Although the Bill has good intentions, and I agree with the hon. member's objectives, I do not see that the measure would achieve what he desires. I consider it would cause a considerable amount of discontent. There would be an enormous number of people suspect.

Hon. N. E. Baxter: No.

The MINISTER FOR RAILWAYS: Quite a number would be.

Hon. A. R. Jones: Quite a number of people want to be, too.

The MINISTER FOR RAILWAYS: The only way we can overcome the problem of the native is to say to him, "Yes, you can do all that we do, but you must observe the law. If you get drunk, in you go." If we did that we would do away with all this trafficking. So long as we have legislation in this regard, there will always be somebody who will want to make a few shillings or take down the native, and who will get away with it. We know that natives do offer and give £1, or may be more, to get liquor. They might get some liquor and no change; and we know that there are people who play on the natives. But if a native could go and buy liquor himself he would not be in bother.

Hon. N. E. Baxter: Would not the amendment in the Bill catch up with those people?

The MINISTER FOR RAILWAYS: It is impossible to catch up with them.

Hon. N. E. Baxter: It would stop a lot of it.

The MINISTER FOR RAILWAYS: But this Bill would not enable the law to catch up with those people. The only way to catch up with them, and to control natives drinking, is to let them go and buy a drink and put them in the same position as the rest of us in regard to our laws.

Hon. A. R. Jones: That would not be enough.

The MINISTER FOR RAILWAYS: I do not know. I have seen plenty of natives; and quite recently, at Port Hedland—it was only last Friday and Saturday—I saw natives walking in and out of the hotels, and they behaved themselves in the same

way as the other customers did. They caused no trouble at all, and they know how to look after themselves.

Hon. A. R. Jones: You ought to come to Mullewa on show day!

The PRESIDENT: Order!

The MINISTER FOR RAILWAYS: I know that there are two types of natives: There is the one who has been treated quite well, and the other who has been treated very badly indeed; and that position will always obtain while we have people who are prejudiced in regard to natives. But for how long can we carry on in that way? They breed like flies.

Hon. G. Bennetts: Of course they do!

The MINISTER FOR RAILWAYS: The time will arrive when their numbers will be so great that we will not be able to control them with laws such as this. There is no doubt about that; and if we are going to stick in the mud and remain in the position where we have been for 50 years, no advance will be made, and we will not be any nearer to overcoming this problem.

In the northern areas of this State, in the towns particularly, there has been a vast improvement over the years as regards the natives and people of aboriginal descent. Each year the children are becoming better educated; they are living under better conditions, and they are able to live up to the laws the same as the whites do in those areas.

Hon. F. D. Willmott: Don't you think that if they were given—

The MINISTER FOR RAILWAYS: If they had been ostracised, and kicked out of the community in the same way as the natives, or so-called natives, have been in the southern areas of the State, we would have had exactly the same problems and conditions in the North. But that has not happened. There are no problems up there, while the ones down here are becoming bigger all the time. There is only one reason for it—these people have been poorly housed, ostracised, and hounded round the country for years. That is my opinion.

Hon. N. E. Baxter: That is not correct.

The MINISTER FOR RAILWAYS: Well, that is my opinion. I say that this Bill will not overcome the problem of natives receiving liquor. Therefore I do not intend to support the second reading.

HON. A. F. GRIFFITH (Suburban) [6.5]: Mr. Baxter introduced a similar measure last year, and the objection I found to it on that occasion was that I believed that if it were passed it would encourage the setting up of licensed premises where spirituous liquors could be consumed, and that the old idea of a hotel would go by the board. For those reasons I did not support the measure; but on this

occasion, although the hon. member has introduced a similar Bill, there is a further provision in it, and I must say I am not at all fond of it. I agree with the Minister for Railways when he says that he does not think it will provide the answer to the problem.

Hon. L. A. Logan: Can you give us the answer?

Hon. A. F. GRIFFITH: I have said before in this House, and I take the opportunity of doing so again, that it is a great pity that there is a necessity for private members to take small bites at the Licensing Act, and I commend Mr. Baxter for his courage in having another go to see whether something can be done to make some necessary alterations to that statute.

Members may recall that on a previous occasion I said I thought it would be an excellent idea if we appointed an all-party committee to go into all the phases of the Licensing Act and then report to Parliament on the improvements that that Committee thought were necessary and desirable. It would be a committee completely divorced from politics; one without any prejudices.

The Licensing Court, by its own actions, has made the situation in Western Australia more complicated than it was previously. I know of one town in Western Australia where there are four hotels, three club licences, and a population of something fewer than 3,500 people.

Hon. E. M. Heenan: Do you mind telling us where it is?

Hon. A. F. GRIFFITH: I do not think it matters. I think the hon. member would find the same situation in certain places in his district. The granting of those three club licences meant that the people could consume alcoholic liquor on those premises for one hour longer than was possible, under the Licensing Act, at the hotels. All the hotels must rely upon their bar trade for their economic existence; and as a result of the granting of these club licences, the hotels found that their bar turnover suddenly went down.

I am quite certain that anybody who has had anything to do with hotels will agree with me when I say that the house side of a hotel can be satisfactorily maintained only if the bar trade is sufficient to offset it. I believe that the Licensing Court must now be in the position where it cannot or does not want to order alterations to be made to many country hotels, which are now substandard, because it must know that the licensees or the owners of the premises cannot stand up to the financial outlay necessary to bring the premises up to a state where they could be considered standard instead of substandard. I believe that because the court has granted, and is continuing to grant, so many club licences, it has assisted to bring about this state of affairs. I agree whole-heartedly with Dr. Hislop.

The Chief Secretary: Keep going!

Hon. A. F. GRIFFITH: Our licensing laws are fast approaching the stage where something must be done. It does not require much of a call on our memory for us to remember the times when we used to drink only in hotel bars. The consumption of liquor in hotel lounges was not nearly so great as it is today, and many hotelkeepers in the metropolitan area have realised that they must move with the times and have provided excellent beer gardens.

Some of them have provided music and all this, to my mind, adds to the enjoyment of the patrons and induces a more friendly association when one goes to have a few drinks. In addition, it adds to the comfort of the patrons. Dr. Hislop mentioned something along the same lines; and personally I object to going into a hotel bar when one has literally to fight one's way through five or six rows of men who are clamouring for a drink.

The Chief Secretary: Now they have not even a rail around the bottom where a person can put his foot.

Hon. A. F. GRIFFITH: Obviously the Chief Secretary must know all about it! I do not think that that lends itself to pleasant drinking. It is far preferable to go to a hotel where seating accommodation is provided, and where one can sit down and converse, and have a drink in a friendly environment, far different from that to be found in crowded bars. Surely we have reached the time—and we must have, because so many members keep on saying the same thing—when something should be done about it. We should have some inquiry into the activities and ramifications of the licensing laws of this State. I believe that out of an inquiry of that nature much good would come. If Mr. Baxter's idea in introducing this legislation was to bring about such a state of affairs, then it is worthy of support.

The Chief Secretary: Do you think there should be a select committee or a Royal Commission?

Hon. A. F. GRIFFITH: I think the Minister is trying to turn quite a serious speech into a laughing matter.

The Chief Secretary: No; that was an intelligent interjection.

Hon. A. F. GRIFFITH: I hope the Minister will be just as intelligent when he discusses other items on the notice paper, particularly in regard to one where I am asking for a select committee to be appointed.

In conclusion, may I say that I do not feel that I can support this Bill because I do not think it goes far enough. I ask the Government to take some notice of the things that have been said in this

House over a period of years in regard to our licensing laws, and to appoint a committee along the lines I have suggested. If it did that it would achieve much credit in the eyes of the people and many of the ills which are caused by the Act as it stands would be overcome.

I am glad that I have been able to take the opportunity of saying these things when discussing the hon. member's Bill, but I would like to say to him that I regret that I cannot support it. I think its purpose is a good one, but I repeat that I hope the Government will see its way clear to appointing a committee with the idea of trying to put into effect the points I have mentioned.

On motion by the Chief Secretary, debate adjourned.

Sitting suspended from 6.15 to 7.30 p.m.

BILL—ENTERTAINMENTS TAX ACT AMENDMENT.

Second Reading.

THE CHIEF SECRETARY (Hon. G. Fraser—West) [7.30] in moving the second reading said: The object of this Bill is to reduce the amount of entertainment tax payable on tickets sold for admission to what are popularly known as live shows. The nature of such entertainments is set out in Section 4 of the principal Act and includes stage plays, ballets, vocal and instrumental performances, lectures, recitations, music hall and variety entertainments, circuses and travelling shows.

Representations have been made to the Government for a reduction in the tax on the grounds of the high costs involved in bringing artists to Perth and in paying their living expenses. The cost also of engaging an orchestra usually has to be met. At the present time the live shows I have mentioned pay a tax of 9d. on all admission charges between 5s. 1d. and 5s. 6d. The tax on admissions costing more than 5s. 6d. is 9d. plus 1d. for each sixpence or part of sixpence that the admission, excluding tax, exceeds 5s. 6d.

The Bill proposes to charge no tax on tickets of up to 10s. For admissions exceeding 10s. and not exceeding 11s. the tax would be 10d. Over 11s. the tax would be 10d. plus 1d. for each 1s. or part of 1s. by which the payment for admission exceeds 11s.

Hon. H. K. Watson: Can you inform us how much that represents?

THE CHIEF SECRETARY: No. I did hear the figures, but I cannot recollect what they were. As an example, this would mean that whereas on an admission charge of 12s. 6d. the tax is now 1s. 11d., under the proposal in the Bill it would be 1s. On an admission of 15s. the tax would be reduced from 2s. 4d. to 1s. 2d. On

£1 1s. it would be reduced from 3s. 4d. to 1s. 8d. These figures indicate a tax reduction of 50 per cent.

The parent Act provides that the tax on motion pictures and entertainments other than those I have referred to is 4d. on admissions of from 2s. 1d. to 2s. 6d. For tickets over 2s. 6d. the tax is 4d. plus 1d. for each 6d. or part of 6d. that the admission charge exceeds 2s. 6d. The Bill does not propose to alter these taxes.

Hon. Sir Charles Latham: It is not being altered.

THE CHIEF SECRETARY: No. I am not anticipating any objection to this Bill, because it is one of those few measures to reduce taxes. It has always been said that once a tax has been imposed, even though that has been done temporarily, it is later found to be one of those permanent temporary measures which never get lifted. So I have a great deal of pleasure in indicating that this tax is to be lifted permanently. I dare say members will remark that the Bill does not go far enough, and that sort of thing; but, of course, we always expect that. I am sorry I have not the figures with me, but there is no great rush for the legislation to be passed, and I will endeavour to obtain them before the debate is closed.

Hon. Sir Charles Latham: As soon as it is assented to, it will have effect; that is the great advantage.

THE CHIEF SECRETARY: A matter of a few days will not make much difference. I know that in past years the directors of live shows have had great difficulty in this matter, and they have also been up for pretty heavy expenditure. This may not appear to be a great relief to them. But every little helps, and I am certain that the people concerned will welcome this move. As I said, I do not anticipate any great objection to the measure. I move—

That the Bill be now read a second time.

On motion by Hon. C. H. Simpson, debate adjourned.

BILL—MUNICIPALITY OF FREMANTLE ACT AMENDMENT.

In Committee.

Resumed from the previous day. Hon. A. F. Griffith in the Chair; Hon. E. M. Davies in charge of the Bill.

Clause 2—Section 5 amended (partly considered):

Hon. Sir CHARLES LATHAM: Apparently in 1925 both the City of Perth and the Fremantle municipality were given exclusive rights to do certain things under the Municipal Corporations Act. Although that Act now gives them rights to do certain things, I can see no objection to it.

Hon. E. M. DAVIES: I obtained a legal opinion on this question from the legal advisers of the Fremantle City Council. It reads as follows:—

re: Amendment of Municipality of Fremantle Act, 1925.

We understand that the point has been raised that an amendment to this Act is not necessary as a municipality has full power under the Municipalities Act to pay compensation for land which has been resumed by that municipality.

It is quite correct that municipalities have full power to pay compensation for any land resumed by them, whether that land is resumed under the Municipalities Act, or under any other Act. The formula as to how compensation will be paid is contained in the Public Works Act. In other words, although a municipality may have the right to resume land under the Municipalities Act, or under some other special Act, the machinery for the resumption, and the machinery for calculating compensation, is contained in the Public Works Act.

The Municipality of Fremantle Act provides a formula for calculating compensation in a manner different from the Public Works Act. The reason for this is because when a strip of land a few feet wide is taken from a block for the purpose of widening a street, the new frontage immediately attains the value of what the old frontage had. In other words, it would not be fair to compensate on the basis that street frontage has been resumed. The formula, in effect, provides that compensation is paid on the basis of land at the rear of the block being resumed.

The draftsman of the Municipality of Fremantle Act provided this special machinery for calculating compensation in the case of land where there were buildings and obstructions on it, but by some oversight he completely overlooked the case of land without buildings or obstructions on it. The proposed amendment is to make good the oversight.

We might point out that the same oversight was made in the City of Perth Act, 1925. The amending Act to make good the oversight in the case of the City of Perth was passed the following year, but was not done in the case of the Municipality of Fremantle Act. The proposed Act to amend the Municipality of Fremantle Act is in identical terms with the amending Act passed in 1926 to amend the City of Perth Act. Just as it was found necessary to amend the

City of Perth Act, so equally is it necessary to amend the Municipality of Fremantle Act.

The CHIEF SECRETARY: I do not know exactly what the Fremantle City Council is after in this Bill, but from what I have heard it is endeavouring to obtain something similar to that obtained by the Perth City Council when it proposed to widen streets that had already been built on. I would like the hon. member to give me some information on that point.

It is interesting to note that both those municipalities are in a favourable position compared with other municipalities. For instance, for many years, it was intended to widen Hay-st. I have heard of that since about 1910; but an effort was only made about two or three years ago, when the Perth City Council approached me and asked if I would give approval to the widening of that street, from the town hall to the Causeway under the Perth municipality's Act instead of the Municipal Corporations Act.

Hon. Sir Charles Latham: They widened it at Parliament House.

The CHIEF SECRETARY: That was the only move made in all those years. The reason was that if the action was taken under the Perth municipality's Act they would not pay for it until such time as they actually acquired the land. I presume that is the intention of the Fremantle City Council. The widening of Hay-st. could then be started even though it might take 100 years eventually to complete it. As soon as they take that action, there are one or two buildings that will eventually be affected, and for which compensation will have to be paid.

Hon. Sir Charles Latham: Will they pay compensation at the date of resumption or the date of possession?

The CHIEF SECRETARY: Compensation is naturally paid when the land is resumed. Under the Perth municipality's Act it is paid when the land is resumed and under the Fremantle Municipality Act, when it is taken possession of. I have no reason to disagree with this amendment. It will enable the local authority to do something that is badly required in its area.

Clause put and passed.

Title—agreed to.

Bill reported without amendment and the report adopted.

BILL—EVIDENCE ACT AMENDMENT.

Second Reading.

Debate resumed from the previous day.

HON. J. M. A. CUNNINGHAM (South-East) [7.45]: This measure is one which consists of several small clauses, most of

which have one aim: to streamline or remove small anomalies from the Evidence Act. The two main clauses have one thing in common—the modernising of the Evidence Act—and I believe they will help to close the gap which at present exists in some cases between the law and the dispensing of justice.

There are one or two instances where this still prevails in our courts. The first main clause seeks to remove an injustice which exists in the submitting of evidence, particularly in divorce cases. Let us consider a law which at present would work something like this: In attempting to produce evidence or submit evidence in a case of divorce where adultery had been committed, the evidence rested on the proof of the legitimacy of a child born during the course of that marriage but in such a time that it precluded the husband from having anything to do with the conception of the child.

In 1928 the Act contained a section which was repealed in 1948. It was Section 19 and read as follows:—

In any proceeding instituted in consequence of adultery, no witness, whether a party to the proceedings or not, shall be liable to be asked or bound to answer any question tending to show that he has been guilty of adultery, unless such witness has already given evidence in the same proceeding in disproof of his alleged adultery.

The reason for this was a case in England, known, I believe, as the *Russell v. Russell* case which was ultimately taken to the House of Lords, which set aside a judgment based on the old interpretation of that section of the Act. I consider it to be an injustice although for many years it remained on the statute book. However, in 1948, when the Act known as the Matrimonial Causes and Personal Status Code became law, it repealed Section 19, and the Senior Puisne Judge has recommended that the other Acts in which this section still holds sway should be brought into line.

As a result, a new section 19 is proposed to be inserted in the Act which, in actual fact, reads as follows:—

In any proceedings including proceedings pending at the commencement of the Evidence Act Amendment Act, 1956, either party to a marriage may give evidence proving or tending to prove that the parties to the marriage did not have sexual relations with each other at any particular time notwithstanding that such evidence would show or tend to show that any child born to the wife during the marriage was illegitimate.

I think members will agree this will bring the Act into line with the Matrimonial Causes and Personal Status Code of 1948. It removes an injustice whereby

a man seeking a divorce, and having definite and complete proof that the divorce is justified, is precluded from submitting that evidence. So we have no argument with this clause. I believe the Government has done a good thing in accepting the recommendation of the learned judge and introducing it into our Act.

The other main portion of the Bill deals with the giving of evidence in our courts. In a case where a person has committed an offence and has been convicted, and the judge wishes to make this person pay the full penalty that might be imposed because of not only this but previous convictions, the present measure seeks to introduce the admission or finger-printing as positive identification of a person's previous record.

The present method is to send for a police officer from one place or another to give positive identification of the record of the charged person, and this involves considerable expense. It has been accepted that the methods at present used—that is, visual or photographic evidence of identity—fall far short of what might be called positive identification. That method was accepted for many years prior to the introduction of fingerprinting in the police departments of the world as infallible.

The method used was the most sound of that day. It was based on a scientific method known as the Bertillon system which was perfected by a member of the French Surete. His method was evolved from the science of facial formation and changes of the bodily structure of a human being, which was accepted as being a comparatively scientific and perfect method of identification, particularly by experts. This same method, or a form of it is also accepted today. If one is asked to choose between two persons observed at the scene of a crime, or identified elsewhere as a guilty person, one must of necessity rely on impressions, differences or irregularities in the offending individual's face, figure or form.

Everybody knows just how widely different can be identifications of the one person. Cases have been known where half a dozen people identified a person leaving premises, and the descriptions ranged from a tall, fair person to a short, fat, dark person. That is how unreliable this form of identification can be.

I have here several interesting charts; and I thank the President for giving me permission to introduce them to the members of this House. They will assist me to show members the difficulty in this form of identification. I shall leave the cards for members to inspect later on at their leisure. This is a card containing photographs taken from actual criminal records. On the top right there are three distinct photographs of apparently the same person, which are almost identical. If one of those persons were a criminal, the other

two could quite easily be convicted as being the same person if reliance were placed entirely on visual evidence.

The fact is that these three people are entirely different individuals. The only method of proving that conclusively is by fingerprints, which are all different. On the right-hand corner, showing just how completely misleading these methods can be, are twin girls whom even their own mother could not tell apart until they reached the age of 14. By anthropological means they were still identified as being identical people, but their fingerprints proved conclusively that they were not.

The opposite applies to two photographs on the bottom. On the right are two photographs taken some 12 months apart. To all intents and purposes, they are completely separate individuals, but that is not so. The photographs are of the same person who deliberately disguised himself for obvious reasons. The same applies to photographs on the left of the chart proving that identification based on this imperfect method can be denied and could be dangerous.

The most interesting photograph on this chart is the centre one and is the case which broke the infallibility of the Bertillon method of identification. It is a photograph of two separate people whose age, weight and height were identical. They were both negroes and born in the same State in America. One was named Will West and the other William West. One of these men was serving a sentence in a penitentiary. The other man was brought in to have evidence taken down, and it threw the whole prison into a state of confusion. They thought he was already serving a sentence and must have escaped, but it was subsequently proved the two were different people.

When we realise that this method is still the one we rely on today for identification of a convicted person, it can be seen how dangerous the method is without something else to prove conclusively whether it is the person or not. This clause in the Bill seeks to have accepted in Western Australia as positive identification a submission of a sworn affidavit as printed in the schedule and the fact that this fingerprint on this card is the fingerprint of the person to be identified. This basic method is accepted all over the world where fingerprinting has been instituted as a means of identification. Of some 100,000,000 prints so far recorded, not one has yet been found to be identical with another. In fact, none has yet been so similar to another as to cause doubt.

Fingerprinting is known as the science of lophoscopy and it is described as the identifying of the human being by the frictional ridge surface of complete palmer surfaces, including the soles of the feet, the toes, palms of the hands and fingers and

thumbs. Those are the only parts that have the peculiarity of this ridge formation, as it is called, and the fingerprint is the only thing that is taken and recorded and accepted for identification by police.

Fingerprints are classified into four separate groups and their filing by the universal method, immediately reduces by 75 per cent. the time taken in searching for a particular print. The fingerprints are grouped under the headings of whorl, loop, arch and composite. It is not hard to understand, therefore, how in a completely kept record of prints—a perfect record, I believe, is that kept by the American Police Department where even civilians may have prints recorded for their own safety—they can within minutes identify one print as against another and prove that it belongs to a particular person or otherwise.

For the benefit of members I have brought, from the records of our own Police Force, a number of prints, and I wish to have them distributed among members so that they can follow what will be adopted in our courts if this method is finally accepted. The only difference that exists between the various police forces that use the fingerprint method today is that when prints are compared with other prints there are what are called points, which are at once obvious. A person's prints must compare identically with those that are being tested to six, eight, 10 or 12 points before infallibility is accepted.

The photographs I have had distributed show two lots of fingerprints. The one on the left is a comparatively imperfect print which was found, say, on a beer bottle at scene of a crime. When the suspected person was arrested a more clear and perfect print was taken, and it is shown on the right. The expert can tell at a glance which way a print should go; whether it is up or down, and so on. In the courts, exactly the same method as I have demonstrated here tonight is put into practice.

Hon. E. M. Heenan: The measure does not propose to introduce any new method of proof. It is just a way of going about it.

Hon. J. M. A. CUNNINGHAM: It is to accept identification by fingerprints as between one State and another.

Hon. E. M. Heenan: Instead of bringing someone from South Australia, someone there will make an affidavit.

Hon. J. M. A. CUNNINGHAM: Yes.

Hon. E. M. Heenan: This method is in existence now.

Hon. J. M. A. CUNNINGHAM: But this is to ensure that under our Act this method will be accepted without someone having to come here.

Hon. E. M. Heenan: Yes.

Hon. J. M. A. CUNNINGHAM: There would be no necessity to send a police officer from one town to another. This method will suffice.

Hon. E. M. Heenan: It is not introducing anything new.

Hon. J. M. A. CUNNINGHAM: It is not a new method but is one that has been accepted elsewhere as being infallible. The reason why I am going to some extent to explain this is that a member in another place expressed doubt as to the fallibility of fingerprinting and suggested that if it was a case of even one innocent person being found guilty because of incorrect fingerprints, it was better to be cautious. The inquiries I made were so complete that they convinced me absolutely as to the infallibility of the method; and I am showing members tonight just how wise is this provision in the Bill. I am pointing out that we should accept the fingerprint method as it is accepted elsewhere in the world.

The Chief Secretary: It convinces me.

Hon. J. M. A. CUNNINGHAM: As I was explaining, the only difference between the various countries which accept the fingerprint method is that on these prints, as members will see, there are the numbers one to 21. These photographs point out that each fingerprint has what are known as points. These points are merely terminal ridges occurring in specific places on each print, or islands, craters, or junctions, etc., all of which are distinguishing features of each individual print.

In some countries six points of identity or similarity are accepted as being infallible. Some police forces take eight, others 10, and in Western Australia, 12. So there must be 12 points of perfect similarity before a print is accepted as infallible. Members can see on the photograph that at the position of about 11 o'clock there is the No. 1 terminal ridge, and on the photo to the right there is the same ridge. Going right around, they can follow the system, and these photographs have been taken to 21 points and not 12, which are sufficient to enable a print to be accepted as infallible.

These prints can be taken from any one of the eight fingers and two thumbs, but never yet has duplication of prints been found. Prints cannot be successfully copied, faked or synthesised. The experts can immediately pick out whether they are made from rubber falsifications or synthetic fabrications of any sort. To have them etched on a plate would be almost as costly as trying to etch a £5 note, so complete are the human characteristics in any print.

So it is my firm belief, after the inquiries I have made, that it is a wise and progressive step that the Government has taken in introducing into our Evidence Act a provision to bring it into line with

what occurs in most other enlightened countries that have anything like a first-class police force.

One regret I have is that a member in another place, to be on the safe side, felt that it should be limited to New Zealand and Australia, but I believe the Minister here intends to try to have that clause altered. I am quite prepared to accept an alteration, because I believe, as has been expressed, that it would be wise for us to make this international. So complete is the identity in regard to fingerprints that I would be quite prepared to let my life rest on the proof or chance of my print being found duplicated on any other living person. I commend the Government on the Bill, and I shall support the second reading.

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

PAPERS—BETTING.

Applecross S.P. Shop.

Debate resumed from the 18th September on the following motion by Hon. A. F. Griffith:—

That the papers relating to the granting of a licence for the starting-price betting shop in Ardross-st., Applecross, with the exception of any report made to the Betting Control Board by the Commissioner of Police, be laid upon the Table of the House.

THE CHIEF SECRETARY (Hon. G. Fraser—West) [8.11]: At the outset, let me say that I approach this question with mixed feelings. I am surprised and shocked that a member of this Chamber should raise, in this House, a question of this description, affecting a district that he does not represent. I would have thought there was sufficient work in the hon. member's own district to keep him occupied without his going into someone else's province. Ever since I have been a member of Parliament it has been, as I have understood the position at any rate, an unwritten law that members should keep to their own districts.

As a matter of fact, one of the first things I was told when I became a member of Parliament was to keep to my own district, more particularly if the other district in regard to which I was asked to intervene was represented by someone of a different political colour from mine. So, down the years, that has generally been the attitude of members of both Houses.

Hon. A. R. Jones: What has this got to do with the motion?

The CHIEF SECRETARY: The hon. member never wants anything said that he does not agree with.

Hon. H. L. Roche: He might agree with this.

The CHIEF SECRETARY: So I say I am both surprised and shocked that this subject should be brought here by a member not representing the district concerned. If the hon. member really likes to raise the point, I will agree that there is no law to prevent him from doing it; but I think the unwritten law on this question is much greater than the written word; and the unwritten law has been observed almost in its entirety during the whole of my political career. So I am shocked to think that a member today must do this sort of thing.

From the hon. member I would like to know how this organisation approached him in connection with the matter. I would like him to submit some minutes of this organisation in which it made this request. I have a suspicion that no such minutes exist. I also have a suspicion of how the matter was raised. I think it was brought about by an official of the organisation—an official who has not very long held office.

I am suspicious of the motives of that individual in having this matter raised. The hon. member may be able to prove me wrong, of course; but my summing up of the situation is that this move has been made purely from a political point of view, and the individual who requested the hon. member to take this step was doing so only because of political motives. I believe the individual responsible was a candidate who opposed our man at the last general election, and he will possibly be an opponent of ours at the next general election. I would point out to Mr. Jones that I am speaking along these lines purely in an endeavour to let the Chamber know what I think is behind this action.

Hon. A. F. Griffith: Let the Chamber know the name of the person you suspect.

The CHIEF SECRETARY: The person I suspect is the present occupier of the position of president of the association who approached the hon. member. He was a political candidate for the Victoria Park electorate at the last general election, and he may possibly be a candidate for the Canning seat at the next election.

Hon. C. H. Simpson: If he were acting in the public interest, surely there is nothing wrong with that.

The CHIEF SECRETARY: Are not the members who represent the district the ones who are called upon to act in the interests of the public?

Hon. C. H. Simpson: They may not be.

The CHIEF SECRETARY: They may not have been given an opportunity, either. When a member is approached by a representative of an organisation which has its interests in another electorate or province, his first duty would be to refer

that person to the member who represented the district in which the association was formed; and until that member refused to take action, the member of Parliament who was first approached should not do anything about the matter.

The whole intention behind this move has been created because it was thought that some influence was being used in regard to the establishment of this betting shop. That was no doubt encouraged by the fact that there was some delay in the building of this shop from the time the licence was granted until the actual building was commenced. It was just a coincidence that these events occurred on the eve of the last general election.

Hon. H. K. Watson: Some coincidence!

The CHIEF SECRETARY: That interjection confirms what I am saying, namely, that there is a suspicion among members of a certain political party that political influence was used to delay the building of this betting shop.

Hon. A. R. Jones: He is even more suspicious than you are!

Hon. H. L. Roche: Both of you could be wrong.

The CHIEF SECRETARY: I do not happen to be wrong in regard to that phase of the situation, at any rate. I believe that action followed purely because these events occurred at a time when the election was in the offing, and because there was a suspicion that political influence was used.

In introducing the motion, the hon. member read certain letters. I assume, therefore, that he was given the file that belonged to this organisation; because on that file, apart from the names of people who had letters sent to them, was a copy of the letter that I signed in reply to the correspondence that I had received. So it must have been someone highly placed in that organisation who approached the hon. member to take action in this matter. I again repeat that I would like the hon. member to produce a copy of the minutes of this association that requested him to move this motion.

Hon. A. R. Jones: Why don't you run straight through?

The CHIEF SECRETARY: Does the hon. member run straight through anything when he is speaking? This is what actually happened. On the 3rd February, 1956, a licence for the establishment of a betting shop at No. 3 Ardross-st., Applecross, was granted. The hon. member mentioned that an earlier application had been refused, but he was not quite correct in that statement. An application which had been made by the same owner had been refused earlier, but that application did not deal with the establishment which is now under

discussion, but concerned part of his present tearoom and shop, and therefore that application was refused.

Hon. A. F. Griffith: Who made the application for the bookmaker's licence? The owner of the premises?

The CHIEF SECRETARY: I am now dealing with the building of the premises.

Hon. A. F. Griffith: You are also distorting the facts. You know that the man who owns the premises did not apply for the bookmaker's licence.

The CHIEF SECRETARY: I am not dealing with the bookmaker's licence at the moment. I am dealing with the building of the premises. The hon. member stated that an application had been made earlier for the establishment of a betting shop.

Hon. A. F. Griffith: I said that an application was made—

The CHIEF SECRETARY: —and was refused.

Hon. A. F. Griffith: Yes.

The CHIEF SECRETARY: And I am telling the hon. member that he is not quite correct when he says that. An application was made for a licence for a betting shop which concerned a particular building which is now occupied. The previous application which was made and which related to part of his shop and tearoom was refused. The Betting Control Board will not grant a licence for a betting shop to anyone who proposes to conduct betting in a part of a shop which is used for the conduct of other business. In other words, it will not grant a licence to a barber or a person of that description who intends to carry on his barbering or other occupation. A betting shop must be used solely for the purpose of betting.

However, on the 3rd February, 1956, the Betting Control Board granted a licence for the building which is at present under discussion. The individual who applied for the bookmaker's licence was a different person altogether, and that is the position in most instances. His application for a licence was granted, and that is where the suspicious circumstances come in.

Hon. A. F. Griffith: They were suspicious then?

The CHIEF SECRETARY: Because the building was not proceeded with.

Hon. A. F. Griffith: When was it not proceeded with?

The CHIEF SECRETARY: Some time in May or June. The reason for the delay in the building was due to financial difficulties. The man who originally applied for the bookmaker's licence withdrew his application.

Hon. A. F. Griffith: Withdrew his application or went somewhere else? You know he is operating somewhere else, don't you?

The CHIEF SECRETARY: He withdrew his application for a bookmaker's licence at Applecross because of the agitation that occurred. That was after the 3rd February; and he obtained a bookmaker's licence elsewhere, because he was not prepared to start business at Applecross.

Hon. H. K. Watson: Can a person get a licence as easily as he can get a tram ticket?

The CHIEF SECRETARY: The hon. member should try and he would soon find out. I know hundreds of people have tried to get a bookmaker's licence but they have been refused. That is how the delay in the building of these premises occurred. The owner did not have the finance to continue with the building, and so there was delay because, in the first place, it was the bookmaker who was providing the finance to build the shop. Later there was another applicant for the bookmaker's licence. No influence was brought to bear by any member of a political party. I received the letter that the hon. member mentioned, and I am glad that he read my reply to the House, because I will now tell members what happened.

Within a few days of the receipt of their letter, I replied and told them that I had received it and would communicate with them later. However, I did not do so, and I can give an explanation. Following the receipt of their letter, I obtained a copy of the town-planning scheme proposed by the Melville Road Board, and I noticed that under Part A. of their scheme all shops and businesses which were erected as at the date of the gazettal of the scheme became business premises; and as this place was being operated as a business in 1936, it automatically became a business under the town-planning scheme. As members know, any person who applies for a permit to build, and is refused by the local authority, has the right of appeal to the Minister.

Hon. H. K. Watson: Is that worth very much?

Hon. H. L. Roche: But is this not a new building?

The CHIEF SECRETARY: Yes; but it is built on an old-established lot; and the Melville Road Board, under its town-planning scheme, has automatically included it in a business area because it is established on a lot that was used for business premises in 1936; and because that road board has no non-conforming clause in its town-planning scheme, it could not prevent anyone from building on that lot. Therefore, having ascertained that information, I had no alternative but to cease intervening in this dispute, because if the Melville Road Board had refused the granting of a permit, I would have been a judge in the case.

Hon. A. F. Griffith: Did you not say that the Melville Road Board had no option but to grant a permit for the establishment of a betting shop at No. 3 Ardross-st., Applecross?

The CHIEF SECRETARY: It did not matter what sort of shop it was. The owner could automatically build on that lot. Therefore, had the Melville Road Board withdrawn its permit, I would have been placed in the position of a judge; and that is why I have not replied to this particular organisation. I did not want to be an active participant and then have to sit in judgment on the case.

However, there are other members of Parliament who represent this area, and the M.L.A. representing the district was active with this organisation during the whole time that protests were being made against the establishment of this betting shop. Once the licence had been issued on the 3rd of February, 1956, no one could have stopped that betting shop from being built. All the agitation in the world could not have prevented that.

Hon. J. Murray: Then the statement by the Premier, which was underlined in that letter, was couched in terms that had to be seen to be believed.

The CHIEF SECRETARY: I do not think so. These people were under no misapprehension at any time, because I have a report which shows that these premises, some time in February, were visited by the Deputy Premier, some members of the Applecross Progress Association, together with the chairman of the Betting Control Board, who told them then that the licence had been granted, and that from the board's point of view it could not be withdrawn.

Hon. A. F. Griffith: If you had shown us all these things the Applecross people might have been satisfied.

The CHIEF SECRETARY: We shall hear about that later. The file will disclose exactly what occurred. It will disclose there was no political significance in this matter. The Deputy Premier, as I indicated previously, is as much against a betting shop being established there as anyone else. Personally, if the shop were offered to me, I would not accept it as a gift because I do not think anyone can make a living from betting in that area.

Hon. N. E. Baxter: That is not saying very much for the Applecross community.

The CHIEF SECRETARY: The hon. member knows that beer and betting go hand in hand, apart from telephone betting.

Hon. N. E. Baxter: They have been put together hand in hand.

The CHIEF SECRETARY: They go hand in hand. Irrespective of where the s.p. operator was in the old days, there was always a track from his shop to the hotel. I do not think there will be any track from this betting shop to the hotel because the way is up a very steep hill. After they have put on their bets, they will not go back. It is so steep that a couple of years ago vehicles were prohibited from parking there because when the brakes gave way the vehicles would go down the hill and crash into the houses.

Hon. A. F. Griffith: Does that suggest that the Betting Control Board put the shop in the wrong place?

The CHIEF SECRETARY: The board did not put the shop there.

Hon. A. F. Griffith: It granted the licence.

The CHIEF SECRETARY: The board is not concerned with whether the operator makes a living from betting or not. All it is concerned with is whether the site is suitable. If an individual makes application for a betting shop licence, the board will view the site and see whether the premises comply with the many requirements. If they do, the board will grant a licence. It is the prerogative of an individual to run a betting shop at a loss or a profit.

Hon. A. F. Griffith: Whatever the people residing in the district have to say would be of no avail.

The CHIEF SECRETARY: Possibly that is taken into account by the Betting Control Board in considering the application. But in this case the protest did not go in until after the licence had been granted.

Hon. A. F. Griffith: You know why.

The CHIEF SECRETARY: The hon. member has told me why.

Hon. A. F. Griffith: The protest went in as soon as it was known that a licence had been granted.

The CHIEF SECRETARY: That was after it was granted.

Hon. A. F. Griffith: About one week after.

The CHIEF SECRETARY: It does not matter whether it was one week or one month. It was too late to protest. On the matter of protests, I have received some from people against local authorities creating shopping areas. It is quite usual for people to come forward with a petition protesting against a proposed shopping area, and the next day for another deputation to favour the same area. That is because some people consider that the area concerned will deflate their land values and others think it will inflate their values.

What happened over this betting shop has happened quite frequently in regard to other types of shops. I assume that the Betting Control Board would have taken into consideration all protests which

had been lodged. That is the whole story. There is nothing suspicious about this licence. I am sorry that the mover thought he had an atomic bomb to explode; after he sees the file, he will not find even a squib cracker.

I have much pleasure in laying the file on the Table of the House. I might point out that four pages have been extracted. So as to allay any suspicion, I have the pages in my drawer here. They are confidential documents but the hon. member can see them. The only reason I am not laying those pages on the Table is that it is done at the request of the Betting Control Board. They will be made public if laid on the Table.

HON. A. F. GRIFFITH (Suburban—in reply) [8.36]: I am grateful to the Chief Secretary in that his Government has acceded to the request I made to have these papers laid on the Table of the House. He has raised certain questions and made certain accusations that I should answer. Since he has asked me to answer them, I shall do so. This debate should not be allowed to conclude without those points being dealt with in some degree.

The first thing I would like to deal with is the Chief Secretary's blood pressure over the shock he received because I had the temerity or audacity to do something respecting a matter that did not arise in my district. If that is the only excuse that can be given, then the complaint is a very feeble one indeed. I do not believe that I have any necessity to advance that question any further in order to prove the point. Whilst there may be no necessity, at the same time, I think I should do so. This is not just a question as to whether or not the papers relating to the granting of a licence for the premises at No. 3 Ardross Crescent, Applecross, should be laid on the Table of the House. It is a matter of principle.

The Chief Secretary: That was what I was dealing with.

Hon. A. F. GRIFFITH: This is a matter of principle. It occurs to me in this way: We, as members of Parliament of this State, have passed a Bill—incidentally not with my vote—which gave the almighty power to the chairman of the Betting Board and to his fellow members to decide that a licence should be granted in any spot whether the people in the district concerned liked it or not, whether the Premier of the State liked it or not, or whether the Deputy Premier of the State liked it or not, or whether the members representing the district liked it or not.

The Chief Secretary: That occurs in many other instances—licences for hotels and shopping areas.

Hon. A. F. GRIFFITH: That should not apply in lots of cases. To my mind, it is very bad that betting shops can

be placed throughout the metropolitan area and the country in direct opposition to the wishes of the people. The only method they can employ to get this betting shop away from what has been described by the Hon. J. T. Tonkin as an undesirable position, will be for the people not to visit it nor to subscribe any money to it so that the licensed operator will be in such a position that he cannot carry on.

Hon. E. M. Heenan: The Licensing Court has the right to grant a hotel licence.

Hon. A. F. GRIFFITH: I am surprised at the hon. member's remark, with all his legal knowledge.

Hon. E. M. Heenan: That is true.

Hon. A. F. GRIFFITH: The position is this: Under the Licensing Act, when some individual desires to obtain a licence for a hotel, a petition is circulated in the district.

Hon. E. M. Heenan: Not now.

Hon. A. F. GRIFFITH: One went around the district in which I lived not so very long ago for the building of a hotel. The police can oppose the granting of a hotel licence. In the case we are dealing with, whatever opposition there is, is of no material value.

The Chief Secretary: Not necessarily.

Hon. A. F. GRIFFITH: It was in that case.

The Chief Secretary: Two petitions were presented, one for and one against the shop.

Hon. A. F. GRIFFITH: Great exception has been taken to the fact that I interfered in somebody else's district. I regret there was that necessity.

The Chief Secretary: There was not the necessity.

Hon. A. F. GRIFFITH: I contend there was the necessity because the residents in that district had approached everybody they could on the matter.

The Chief Secretary: Except their own members of Parliament.

Hon. A. F. GRIFFITH: I am not in a position to say this, but there is one member who knows what I am talking about. Much was known about this betting shop and about the attitude of the residents nearby. Immediately it was known that a licence would be granted, a protest was made. The licence was granted on the 3rd February, but the residents of Applecross did not know about it until the 8th February. Immediately they got to know about it they set in motion everything they could to stop the licence.

The Chief Secretary: After the horse had bolted.

Hon. A. F. GRIFFITH: That probably is a very good method of expressing it. We know there was a bolting horse, but nobody was entitled to believe this was going to be a betting shop because nobody knew anything about it. The man who owned the premises, as I told the House when introducing the motion, applied for a permit to build a shop; and endorsed on the back of the permit were words to this effect, "Permit granted subject to demolition of the old premises." Was it intended that the man who occupied the tearoom and shop at the corner was going into it with a licence for a betting shop?

The Chief Secretary: That did not matter. The road board put that stipulation in without authority.

Hon. A. F. GRIFFITH: That is another matter for which the Melville Road Board, according to the Chief Secretary, is to be blamed, namely, that it imposed the stipulation without authority. Yet we find correspondence between the road board and the applicant asking for an extension of time to carry out the demolition! As a result of that, he agreed to complete the demolition within six months. He said there was no time to do it to enable him to move from his premises into the new shop. I contend that the Melville Road Board had every right to believe that the owner of the shop was going to occupy it and carry on the same business he had conducted in the old premises.

The Chief Secretary: That did not matter.

Hon. A. F. GRIFFITH: The fact is the board endorsed the permit and everybody understood that the applicant for the permit was to carry on his former business in the new shop. To go further into the question as to whether or not I should have interfered in this matter, the truth is that the Applecross Progress Association wrote to the party of which I am a member.

The Chief Secretary: You were acting under party instructions?

Hon. A. F. GRIFFITH: If the Chief Secretary waits, I shall tell him. I know he would like to make it look as if I was acting under instructions. But the Applecross Progress Association, quite within their rights, wrote to the general secretary of the Liberal and Country League and asked whether we would endeavour to help them in the plight in which they found themselves. They said they had been to everybody.

The Chief Secretary: Which they had not!

Hon. A. F. GRIFFITH: To everybody they could possibly go to. They said they had been to the Deputy Premier, who is the member for the district, and they had not been able to get any satisfaction; and that the betting shop was still going on.

When this matter was brought up, it was decided that I should take action in this House and ask for the papers.

The Chief Secretary: So it was the Liberal and Country League that briefed you, and not the Applecross Progress Association? As I said, it was political!

Hon. A. F. GRIFFITH: If the Chief Secretary likes to endeavour to distort the facts—

The Chief Secretary: I am stating them as you stated them.

Hon. A. F. GRIFFITH: Not at all: The Chief Secretary is attempting to distort the facts. The facts are that the Applecross Progress Association wrote to the Liberal and Country League—which was their perfect right—

The Chief Secretary: And the Liberal and Country League asked you to do this job. Isn't that what you said?

Hon. Sir Charles Latham: They had a perfect right to.

Hon. A. F. GRIFFITH: What is wrong with that?

The Chief Secretary: I am asking you whether that is not what you said?

Hon. Sir Charles Latham: If Trades Hall asked you to do something, would you not willingly do it?

The Chief Secretary: It would all depend on what it was. I would not do anything against my conscience.

Hon. Sir Charles Latham: They would not ask you to.

The PRESIDENT: Order!

Hon. A. F. GRIFFITH: What is wrong with that? The party asked me whether I would ask for the papers.

The Chief Secretary: Your party should have known what was the least it could do—allow the members for the district to do the job.

Hon. A. F. GRIFFITH: The member for the district now is Mr. Gaffy. He was not then the member, but Mr. Tonkin was. Mr. Gaffy endeavoured to assist them even before he became a member.

The Chief Secretary: And has been doing so ever since.

Hon. A. F. GRIFFITH: I have never denied that. He has done everything he could to help them.

The Chief Secretary: There were two others, leaving out the Chief Secretary.

Hon. A. F. GRIFFITH: As I said when I introduced the motion, why the people did not go to the Chief Secretary, beyond the original approach made to him, I am unaware. Why they did not go to Mr. Lavery or to anybody else, I am also unaware. I repeat what I said before—that I am not going to endeavour to make any excuses for that omission.

The Chief Secretary: You are doing it on behalf of the L.C.L.

Hon. A. F. GRIFFITH: Not at all. I am doing it on behalf of the people who live in Applecross. The Chief Secretary can persist with interjections of that nature if he wishes to do so, but it will not do any good. The fact remains that the people in Applecross did not get any satisfaction, and went to the Liberal and Country League.

The Chief Secretary: The people in Applecross did not ask you.

The PRESIDENT: Order!

Hon. A. F. GRIFFITH: The people in Applecross did ask me. I was asked over the phone by individual people to carry out what investigation I could, and to do whatever I could towards getting this licence cancelled.

Hon. F. R. H. Lavery: Would you know whether that was before or after Mr. Brand mentioned in the paper that the Liberal Party would assist you?

Hon. A. F. GRIFFITH: It was before. I have had telephone conversations over a period of months on this matter, and the hon. member knows that. That is all I want to say on that question. But the Chief Secretary did one thing that I do not like and that was that he mentioned a political candidate who, he said, was standing for the Victoria Park seat in the interests of the Liberal and Country League, and he asserted that because that gentleman holds a position on the Applecross Progress Association, he was responsible for this taking place.

The Chief Secretary: It was just a guess.

Hon. A. F. GRIFFITH: It was a pretty nasty assertion, I think.

Hon. G. E. Jeffery: A coincidence.

Hon. A. F. GRIFFITH: A nasty assertion. It happens that Mr. Marshall had nothing whatever to do with this. I do not know when he became president of the Applecross Progress Association, but he certainly had nothing to do with this when the trouble was going on. The letter, which was sent to the Liberal and Country League, was signed by the secretary. This letter, written to the league and asking for assistance, was signed by W. L. Hughes of 61 Canning Bridge-rd., Applecross; and it is a very unfair assertion to suggest that this was done by Mr. Marshall.

The Chief Secretary: If I have wronged him, I am willing to apologise.

Hon. A. F. GRIFFITH: Right! Well, let's hear it!

The Chief Secretary: I have done it.

Hon. A. F. GRIFFITH: Thank you! I think that is very nice. I am sure Mr. Marshall will be pleased to know it. There was no political significance in my move,

except that the Applecross Progress Association—as I have repeated a number of times—could not get any satisfaction. But when they received this letter signed by the Premier on the 13th March, what were they to think? I must read the letter again. It was addressed to the secretary of the Applecross Progress Association, and it said—

Further to my letter of the 23rd February last on this matter, I now advise, and you probably already know of this, that the owner of the betting premises has decided not to proceed with its construction.

The Chief Secretary: He couldn't because the man who was originally going to finance it pulled out. At that stage it was not being proceeded with.

Hon. A. F. GRIFFITH: Are the Applecross people aware of that?

The Chief Secretary: I could not say. They don't come to their members, but go to other people.

The PRESIDENT: Order!

Hon. A. F. GRIFFITH: Was it not reasonable for the people of Applecross to heave a sigh of relief—as I know they did—and say, "Thank goodness! It is not going on." Whatever the attendant circumstances were, that is of no material consequence.

The Chief Secretary: It was the circumstances—

The PRESIDENT: Order!

Hon. A. F. GRIFFITH: Whatever the circumstances, they are of no material consequence. The fact remains that the people thought their protests over a period of time had at last borne some fruit.

The Chief Secretary: So they had.

Hon. A. F. GRIFFITH: The Premier of the State communicated with them and told them no progress was going to be made with the betting shop. I venture to suggest they accepted the Premier's word, and one of two things occurred—either the Betting Board deceived the Premier, or the Premier set out to deceive the people in the Applecross district. That is the situation; because anybody would be entitled to put his own interpretation on this letter.

Then to their great surprise, the betting shop started again! They then went back to their member for the district, Mr. Gaffy, who—I repeat—tried to do all he could to help them. They went back to the Premier, and to the Deputy Premier, and we had the spectacle of both those hon. members saying they did not like the site, and they opposed the site. There was a headline in the paper, "Hawke Opposes Betting Shop Site." It made no difference. Mr. Andersen and his Betting Board said, "There is going to be a licence here whatever happens."

The Minister for Railways: It had been issued.

Hon. A. F. GRIFFITH: It had been granted.

The Minister for Railways: That is right.

Hon. A. F. GRIFFITH: It had been granted on the 2nd February, and it had been cancelled on the 13th March because the man who had the licence granted prior to the 13th March is now operating in Swanbourne and the licence was regranted subsequent to the 13th March.

The Minister for Railways: That is the bookmaker's licence. Not for the premises.

The Chief Secretary: That was never cancelled. It was only the bookmaker's licence. You are getting the two mixed up.

Hon. A. F. GRIFFITH: The man operating prior to the 13th March is not the same man who is operating now.

The Chief Secretary: Exactly. That is a different licence from that for the premises.

Hon. A. F. GRIFFITH: Would not the Chief Secretary say that the people of Applecross were entitled to assume that the betting shop was not going to be gone on with when they received the Premier's letter?

The Chief Secretary: That was the truth at the time.

Hon. A. F. GRIFFITH: I think it was purely a subterfuge—nothing more nor less.

The Chief Secretary: I think you should withdraw the statement about the Premier misleading the public. You asked me for a withdrawal just now, and I think you should withdraw.

Hon. A. F. GRIFFITH: If the Chief Secretary asks me to withdraw, I shall do so. But perhaps he will recall that what I said was that it was reasonable to assume either that the Betting Board gave the Premier incorrect information, or that the Premier gave the people incorrect information.

The Chief Secretary: No; the Premier gave the correct information.

Hon. A. F. GRIFFITH: Then he was deceived by the Betting Board.

The Chief Secretary: No, he wasn't!

Hon. A. F. GRIFFITH: Whom was he deceived by?

The Chief Secretary: He was not deceived by anyone. At the stage when he wrote the letter, the person financing the proposition had pulled out. I have told the hon. member that.

Hon. A. F. GRIFFITH: The Premier thought in good faith that he was telling the people in Applecross that the construction of the shop was not being proceeded with?

The Chief Secretary: Yes; and that was the position at that stage.

Hon. A. F. GRIFFITH: They were happy about that. Then, immediately the election was over—

The Chief Secretary: It had nothing to do with the election.

Hon. A. F. GRIFFITH: —we found that the betting shop was proceeded with.

The Chief Secretary: The hon. member is verifying what I said earlier about this being a political move.

The PRESIDENT: Order!

Hon. A. F. GRIFFITH: I think that is all I need say about this motion. I regret it was necessary for the Government first of all to refuse to table these papers and then subsequently bring them on in the manner the Chief Secretary did bring them on—though I am glad they were tabled.

The Chief Secretary: There was a difference in the question asked and the proposal in the motion.

Hon. A. F. GRIFFITH: I do not want to start this all over again, but there was no basic difference. I appreciated that and so altered the wording of the motion.

The Chief Secretary: You altered it to the original question.

Hon. A. F. GRIFFITH: Very well. The Government, knowing the betting regulations as well as I do, or even better, could easily have said, "Yes, we will table all but any papers relating to a confidential report rendered by the Commissioner of Police to the Betting Control Board." Would that not have been easy? That in actual fact was what I asked for, and that is what I got. I regret the set of circumstances that has arisen. It is very unfortunate that there should have been the necessity to ask for the papers, but I thank the Government for tabling them.

Question put and passed.

MOTION—JURY ACT.

To Inquire by Select Committee.

Debate resumed from the previous day on the following motion by Hon. A. F. Griffith:—

That a select committee be appointed to consider and examine the Jury Act, 1898-1953, and to recommend such amendments as may be considered necessary or desirable in the light of present-day conditions and requirements, particularly with respect to—

- (a) qualifications, disqualification and exemption of jurors;
- (b) the question as to whether, and if so, on what conditions, women should serve on juries.

THE CHIEF SECRETARY (Hon. G. Fraser—West) [8.58]: It is my intention to oppose this motion in a very few words. I oppose the appointment of a select committee because, first of all, I do not think it is warranted.

Hon. J. M. A. Cunningham: Are you satisfied with the Act as it stands?

The CHIEF SECRETARY: No; but I know that all the alterations necessary to the Act are already known. They have already been investigated and a Bill has been drafted in connection with them. What is more, it has been drafted for many years, and is merely awaiting entry into Parliament. The hon. member need not look so horrified, either; because that same Bill was on the file during the whole six years he was a member of a Government which had possession of the file. Now it has become so urgent that we are to have a select committee! Yet for six years an amendment of the Act had been on the file in the possession of the hon. member's Government.

Hon. Sir Charles Latham: And for four years before that and three years since 1945.

The PRESIDENT: Order!

The CHIEF SECRETARY: Three years before and three years since but six years in between. It was there all the time the hon. member's Government was in office and they never thought fit to submit it. And now, all of a sudden, we must have a select committee to bring this Act right up to date.

Hon. Sir Charles Latham: There has been a lot of agitation since.

Hon. R. F. Hutchison: Why?

Hon. A. F. Griffith: I can assure the Chief Secretary that the Applecross Progress Association did not write to me about this!

The CHIEF SECRETARY: I do not care who wrote! I can always appreciate a clever move; but I think this is the greatest blunderbus move I have ever seen attempted in this House.

Hon. Sir Charles Latham: If it is a blunderbus, why oppose it?

The CHIEF SECRETARY: Why has this motion been moved?

Hon. R. F. Hutchison: We know.

The CHIEF SECRETARY: It has been moved for one reason—because it is known that later on in the session the Government intends to introduce a measure to deal with a certain phase of the Jury Act.

Hon. J. M. A. Cunningham: Only one phase?

The CHIEF SECRETARY: Only one phase.

Hon. Sir Charles Latham: Let us do the job properly.

Hon. N. E. Baxter: Is it similar to what we have had in past years?

The CHIEF SECRETARY: This move was to hold up the Bill which will define that point and that point only.

Hon. J. M. A. Cunningham: Why limit it to that? We want all the information we can possibly get.

The CHIEF SECRETARY: That is another phase regarding the Jury Act as a whole. This deals with one phase only.

Hon. Sir Charles Latham: Let us make a good job of it.

The CHIEF SECRETARY: No, the two questions are entirely different. One is to bring the whole Act up to date and the other is a different phase again. Members know what that phase is. Why have a select committee before the Bill is introduced?

Hon. Sir Charles Latham: Not afterwards.

The CHIEF SECRETARY: Is not that the right time? The hon. member knows that the time to move for the appointment of a select committee in regard to a Bill is after the Bill has been introduced in the Chamber.

Hon. J. M. A. Cunningham: But that is only a one-phase Bill.

The CHIEF SECRETARY: That is the procedure which has been followed down through the years. So this was a very awkward action to try to prevent the introduction of that Bill.

Hon. A. F. Griffith: Rats!

The CHIEF SECRETARY: Of course it is, and I will show the hon. member why.

Hon. F. R. H. Lavery: Mr. President, is the word "rats" parliamentary language? I have never heard it in this House before.

The PRESIDENT: Is the hon. member asking that the word be withdrawn?

Hon. F. R. H. Lavery: Yes, Mr. President.

Hon. A. F. Griffith: Very well, Mr. President, I withdraw.

The CHIEF SECRETARY: But he still thinks it, Mr. President.

Hon. Sir Charles Latham: But you made it worse.

The CHIEF SECRETARY: The proper procedure is to move for the appointment of a select committee after the Bill has been introduced. The reason for moving for the appointment of a select committee in this way was to stop the Bill from being introduced into this Chamber. The mover of the motion said, "We will hold it off," so he introduced this motion.

Hon. J. M. A. Cunningham: In what way will the select committee stop the Bill from being introduced?

The CHIEF SECRETARY: On ordinary affairs, when an investigation is being made, the Government will not take action while the investigation is in progress. Would the hon. member expect any Government to take definite action under those circumstances?

Hon. Sir Charles Latham: I would expect your Government to do anything.

Hon. A. F. Griffith: We know you have taken the same definite action for four years running.

The CHIEF SECRETARY: Yes, but there are some new members now; there is a different complexion in the House; and there are a number of new faces. If I might say so, they look a lot more intelligent than some members.

Hon. R. F. Hutchison: More divisions.

The CHIEF SECRETARY: There is a possibility that some of those who voted one way in the past may vote differently on this occasion. I consider that we have a right, if we consider something is correct, to hammer and hammer away until such time as we get the legislation on the statute book.

Hon. Sir Charles Latham: Of course.

The CHIEF SECRETARY: That is our job; that is what we are here for.

Hon. Sir Charles Latham: That is what we are here for, too.

The CHIEF SECRETARY: The hon. member is here to try to prevent us from doing that; and that is what is being done by this motion. The hon. member is trying to prevent us from introducing certain legislation.

Hon. A. F. Griffith: Don't you think that I have some right to ask for a select committee, whether the motion be defeated or not?

The CHIEF SECRETARY: Yes. I am not denying the hon. member's right to make a move in that direction; and that is what he is attempting to do. I know what he is attempting to do by this move.

Hon. Sir Charles Latham: What you think is being attempted.

The CHIEF SECRETARY: No; definitely what is being attempted.

Hon. A. F. Griffith: That is that suspicious mind of yours again.

The CHIEF SECRETARY: I see no necessity for a select committee at this stage. Supreme Court judges, the Commissioner of Police and others who are interested in court procedure were consulted, their opinions were tabulated and the Bill was drafted. It can be introduced at any time.

Hon. A. F. Griffith: Is it a good Bill?

The CHIEF SECRETARY: It is.

Hon. A. F. Griffith: Then why don't you introduce it?

The CHIEF SECRETARY: Why didn't the hon. member's Government introduce it? Because there was not sufficient time; and the same reason has applied in our case. We have such an intensive legislative programme that it has not been possible. I have had many discussions with the Minister for Justice about it, and he is awaiting an opportunity to introduce it.

Hon. Sir Charles Latham: He has a fairly substantial Local Government Bill to introduce, and you will have to do it, too.

The CHIEF SECRETARY: There is other important legislation, more important than this.

Hon. N. E. Baxter: Mrs. Hutchison does not think so.

Hon. R. F. Hutchison: No; I do not agree with that.

The CHIEF SECRETARY: I assume that that was the reason why the hon. member's Government, for six years, did not introduce it, even though the Bill was available and ready to be introduced. As I say, there is no necessity for a select committee to be appointed in order to investigate the Jury Act because all the information required is already in the hands of the Crown Law Department in regard to phase (a). In regard to phase (b), there is even less need for a select committee, because the Government already has a Bill either printed or about to be printed. Summing up, there is no need for a select committee to deal with either phase (a) or phase (b). Let us deal with (b) when the Bill comes up; and let us, at the first opportunity, deal with phase (a). As a matter of fact, I frequently support the appointment of select committees when I think they are justified.

Hon. Sir Charles Latham: Only when you are in opposition.

The CHIEF SECRETARY: I did not oppose the appointment of a select committee last night, did I?

Hon. Sir Charles Latham: No; that was one odd occasion.

The CHIEF SECRETARY: I have supported their appointment when I believed that they were warranted; and I do not think any man can do more than that.

Hon. A. R. Jones: You are a good man.

The CHIEF SECRETARY: It is not just because the motion is for a select committee that I am opposing it. I am opposing the appointment of a select committee because there is no necessity for it on this occasion. So I hope that this time the House will agree with me; and I suggest to the hon. member that, if he is still thinking along those lines, when the Bill is introduced, that is the time to move for the appointment of a committee of inquiry. For those reasons, I oppose the motion.

HON. N. E. BAXTER (Central) [9.7]: I will be very brief in addressing the House on this motion; but I believe there are good reasons for the appointment of a select committee. One of the reasons is that during the past years we have had served up in this Chamber Bills to amend the Jury Act, and on all occasions we have more or less reached a deadlock on the matter. The result has been nil. We do not know what the Government proposes by its legislation.

The Chief Secretary: You could not wait and see!

Hon. N. E. BAXTER: If we wait any longer, we will be at the end of the session. As the Chief Secretary said, there are more important matters to be considered; and it is of no use holding on until the end of the session when perhaps—

The Chief Secretary: More important matters than (a) but not (b).

Hon. N. E. BAXTER: In the meantime a select committee could inquire into all phases of the Jury Act and could recommend what amendments it thought necessary. This motion sets out the avenues into which the inquiry should be made; and in my opinion a committee is warranted, particularly as over the last few years legislation has been introduced to endeavour to allow women to serve on juries. That is one of the phases which this committee would cover. So I believe that for that reason alone we should agree to the appointment of a select committee. Let us get to work and report within a short time, and then we will know what legislation should go on the statute book. I support the motion.

HON. H. K. WATSON (Metropolitan) [9.10]: I think Mr. Griffith, in moving the motion, made out a case for its adoption by this House. The Jury Act—like the Licensing Act and the Criminal Code—is, by common consent, hopelessly out of date and badly in need of bringing up to date.

Hon. Sir Charles Latham: Hear, hear!

Hon. H. K. WATSON: Take for example the qualifications. Section 5 of the Jury Act provides that the qualification of a juror shall be the possession of real estate to the value of £50 or personal estate to the value of £150. We find that of an adult male population of close on 200,000 we have 6,000 jurors enrolled on the jury list. Also, during the last two years, we have been presented with a Bill which proposed to add absurdity on absurdity by enrolling 100,000 women as compared with 6,000 men! It occurred to me that so far as the qualifications are concerned a more appropriate qualification would be, "Any one who is enrolled on any municipal ratepayers' roll."

Then we come to the question of exemptions or disqualifications. I notice that amongst the persons exempted are, to quote just two illustrations, any person employed solely or exclusively in any department of the Public Service, and all officers and servants of the Railways Commission, and officers and servants employed in connection with any private railway. While that provision may have been very necessary and desirable 70 years ago, when the public servant was virtually chief executive officer, it is a very different matter today when one person in four is a public servant of one kind or another.

Hon. R. F. Hutchison: Why don't you move an amendment when the Bill comes down and be honest about it?

Hon. H. K. WATSON: In reply to that, I would say that if the hon. member who interjected had the slightest knowledge of Standing Orders she would know that amendments to a Bill can only be moved so far as they come within the scope of that particular Bill; and we know that the Bill that was brought down last year, and the year before, was a very restrictive measure and did not permit of amendment of the nature I have indicated. It does seem to me that today there is no good reason why a member of the Public Service or an officer of the Railways Commission should not be a compellable juror the same as a member of any other service.

Hon. R. F. Hutchison: You will not need a select committee to find that out.

Hon. H. K. WATSON: The Chief Secretary has informed us, and I have learned this for the first time this evening—

Hon. A. F. Griffith: You and me, too.

Hon. H. K. WATSON: —that all the amendments considered necessary to bring the Jury Act up to date and to make it workable have been in the offices of the Crown Law Department and the Minister for Justice for the past six years.

Hon. L. A. Logan: That is enough to warrant a select committee.

Hon. H. K. WATSON: There is something in that interjection, too. I do not know that Parliament has been that busy during the past six years, and I am not concerned whether this Government or the previous Government is to blame.

Hon. Sir Charles Latham: We went into recess very early last year.

Hon. H. K. WATSON: But I would venture to suggest that we have, during the past three or six years spent a lot of time on measures less deserving of consideration than an amendment to the Jury Act. I would suggest to the Chief Secretary, if he is opposed to this motion, that a very quick and short method of proving that

it is unnecessary and that a select committee is quite unnecessary, is to bring down a Bill containing the amendments he has mentioned.

As a matter of fact, when the Bill was before the House last year and the year before, I did suggest that a measure of a comprehensive nature to amend the Jury Act in all necessary particulars should be brought down, instead of the extraordinary Bill that was introduced. I would suggest to the Chief Secretary that such a Bill be brought down this session; and I, for one, would then be disinclined to support a motion for the appointment of a select committee.

I am not one to support the appointment of select committees willy-nilly. There must be good and sufficient reason for that; and at the moment I feel there is good and sufficient reason for the appointment of a select committee to inquire into this matter. I would suggest that if the Chief Secretary is opposed to the motion then, in the interests of expedition in this House, and in the interests of bringing the law up to date, and making it effective and workable, the Government should during this present session bring down a Bill of a comprehensive nature and not, if I may say so, one similar to the stupid proposal that was brought down last year.

It has been suggested that time will not permit of this being done during the present session. On the contrary, I would suggest, having regard to the peculiar position that is expected to exist in Parliament this session, of another place spending many weeks in considering the Local Government Bill, and with the prospect of this House having very little to do during that time, it would be an ideal period for us here to be giving consideration to the overall position of the Jury Act.

The Chief Secretary: We are trying to get to that position.

Hon. H. K. WATSON: In that case I would be quite agreeable for this motion to remain on the notice paper for a little while. If what I have suggested could be brought about, then there would be no need for a select committee.

Hon. A. F. Griffith: If the Government will introduce a Bill either this session or the next session, I will withdraw my motion.

The Chief Secretary: We can guarantee it next session.

Hon. H. K. WATSON: I do feel that, as a House, we would be discharging our real functions if more of our time were spent in bringing up to date and revising such statutes as the Jury Act, the Licensing Act, and the Criminal Code.

The PRESIDENT: Order, please! There is too much noise.

Hon. H. K. WATSON: If we brought those Acts up to date—and there is a lot of work involved in doing so—I do believe we would be more thoroughly, more effectively, and more efficiently discharging our duties than in dealing with many of the measures presented to us.

HON. E. M. HEENAN (North-East) [9.20]: This motion seeks the appointment of a select committee to examine the Jury Act, firstly with respect to the qualification, disqualification and exemption of jurors; and secondly, with respect to the question as to whether, and if so, on what conditions women should serve on juries. We want to recall that the Jury Act is dated 1898, the last amendment being made in 1953. It is now suggested that we appoint a select committee to go into the question of qualifications, disqualifications and exemptions.

I am not going to say that those aspects of the Act as they apply to present times are up to date. Possibly they need some revision, like most such provisions which have been in existence for many years; but for the life of me I cannot see that a select committee is warranted to go into the matters contained in the motion. Members of Parliament, civil servants, ministers of religion, and so on are exempt from jury service. Whether or not those categories should be altered does not require a select committee. The proper people to make the suggestions are the judiciary, the Crown Law officers and the police. Presumably they have already done so to this and the previous Government.

I have heard of no agitation from anyone who is qualified to alter the existing qualifications. There is no public agitation for it. I have received no complaints against the system; although, as I admitted in my opening remarks, it may be in need of revision. There is certainly no outcry against the present provision.

Hon. J. M. A. Cunningham: Even in respect to women?

Hon. E. M. HEENAN: The people who are best qualified to make recommendations are officers of the Crown Law Department, the judges and the police.

Hon. J. M. A. Cunningham: Have you received appeals from women's organisations to go on the jury list?

Hon. E. M. HEENAN: In recent years there has been a public demand from some quarters.

Hon. N. E. Baxter: Who from?

Hon. A. R. Jones: From Mrs Hutchison?

Hon. E. M. HEENAN: As a lady representative of Parliament, who represents many women in her electorate, Mrs. Hutchison has indicated a demand from women. There is no doubt that here and all over the world there is agitation for women to be able to serve on judicial bodies and in a public capacity on an

equal footing with men. We do not debar women from qualifying as doctors, lawyers, chemists or police officers. Apparently we have not advanced so far that we extend to them the right to serve on juries.

I have always had mixed feelings on the matter, but I fail to see where a select committee is warranted. We would have to apply our wisdom and our understanding of human nature to help us decide this question. So I agree with the Chief Secretary that this matter does not warrant the appointment of a select committee which will involve considerable expense and which will, I am afraid, end up in futility. The question of women serving on juries is the crux of the matter.

Hon. A. F. Griffith: It is not.

Hon. E. M. HEENAN: In my opinion it is.

Hon. A. F. Griffith: I assure you it is not, in my opinion.

Hon. E. M. HEENAN: I do not know then what is worrying the hon. member on the question of qualifications or exemptions, because no one has worried me. The Civil Service as a body has not agitated for qualification.

Hon. Sir Charles Latham: They do not want the exemption taken away. They should do their share of jury service like the rest of the people.

Hon. A. F. Griffith: Do you agree that qualifications for special jurors are all right?

Hon. E. M. HEENAN: As I said in opening, the Act possibly needs revision. The people best qualified to make recommendations for revision have already done so.

Hon. A. F. Griffith: Why can't we get a decent Bill out of it?

Hon. E. M. HEENAN: For these reasons I am sorry that I cannot support the motion because, in my opinion, the appointment of a select committee is not warranted. The committee would be inundated with the pros and cons as to why women should serve on juries. We are the ones whose duty it is to decide that. We have studied the question sufficiently to know what the general views are on this matter.

HON. A. F. GRIFFITH (Suburban—in reply) [9.28]: At the outset, I thank members who have spoken in this debate and for the contributions they made. Mr. Heenan put forward one of his usually well-reasoned speeches, and I also thank him for it. I regret that I cannot find support from him because I did think that as a lawyer he would agree with me that the Jury Act, as it stands, is badly in need of revision, and his vote may have assisted me in bringing about the very thing that I hoped to bring about in having the select committee appointed.

I thank Mr. MacKinnon for his well reasoned speech on the matter and I am grateful for the considerable assistance given by Mr. Watson, particularly in regard to the assertions made by the Chief Secretary. The hon. lady member of this Chamber made the type of speech which I would expect of her, in these circumstances, to deliver—as vitriolic as usual—in which she accused me of having an ulterior motive.

Hon. R. F. Hutchison: I can see through the camouflage.

Hon. A. F. GRIFFITH: I am glad the hon. member can see through the camouflage, because one of these days she will quite easily bump into something. I would ask the members of this Chamber to take it from me that there is no political significance in a simple motion of this nature. It is not put forward for a political reason as suggested by the Chief Secretary.

The Chief Secretary: I did not say anything about political reasons.

Hon. A. F. GRIFFITH: What did the Chief Secretary say?

The Chief Secretary: I said it was to baulk a Bill that is coming along.

Hon. A. F. GRIFFITH: The Chief Secretary thinks I am endeavouring to baulk the Government from introducing the Bill.

Hon. R. F. Hutchison: So you are.

Hon. A. F. GRIFFITH: I do not think there is one vestige of common sense in the remark because Hansard will show the Chief Secretary that last year I voted for his Bill.

Hon. R. F. Hutchison: You spoke against it.

Hon. A. F. GRIFFITH: When I introduced this motion, I said I was not against the principle of women serving on juries, but I did think the Jury Act, as it now appears on the statute book, was archaic, that it required revision. To achieve that revision. I suggested the appointment of a select committee.

The Chief Secretary: To get information we have already.

Hon. A. F. GRIFFITH: It is news to me that such a Bill is on the file. Whilst I was a member of the previous Government the Chief Secretary referred to—

Hon. H. K. Watson: You were not a member of the Government.

Hon. A. F. GRIFFITH: I was a private member, but supported the Government. I had no knowledge until a few minutes ago that there was any Bill on the files dealing with a revision of the jury Act.

The Chief Secretary: It has been there for six years.

Hon. A. F. GRIFFITH: I had no knowledge of it.

The Chief Secretary: That shows how urgent your Government thought it was.

Hon. A. F. GRIFFITH: It shows how urgent your Government thinks it is.

The Chief Secretary: Exactly!

Hon. A. F. GRIFFITH: I have been accused of delaying tactics. I gave notice of this motion on the 6th September; the date today is the 26th September. We have had two special motions for the suspension of Standing Orders to deal with important business; this House has adjourned for a week so that members could go to the Kalgoorlie round; and the House has adjourned on a Wednesday night until the following Tuesday with business on the notice paper standing in the names of private members, and waiting to be dealt with.

The Chief Secretary: You have not got that right.

Hon. A. F. GRIFFITH: It is quite right, and the Chief Secretary knows that his argument will not hold water.

The Chief Secretary: It never does.

Hon. A. F. GRIFFITH: Yes it does. There are times when he puts forward something with which I agree—

The PRESIDENT: Order!

Hon. A. F. GRIFFITH: —but not on this occasion; and by no stretch of imagination can that set of circumstances be changed. We have adjourned on a Wednesday, when there has been private members' business on the notice paper, until the following Tuesday.

The Chief Secretary: We will probably do so again tonight.

Hon. A. F. GRIFFITH: That does not make the position any better, if the Chief Secretary is going to adjourn tonight with business standing on the notice paper. It does not meet the situation that I have been accused of delaying tactics so that the Jury Bill will be delayed. The Chief Secretary suggests I employed delaying tactics so the Bill would not get through this session. That is not true, and I think I can prove that to members. When the clerk asked me who would serve on this select committee, if appointed, I gave him the names of two people other than my own, and gave him the date of the 30th October, as that on which the committee would make a report.

The Chief Secretary: That does not mean a thing!

Hon. A. F. GRIFFITH: Why?

The Chief Secretary: Doesn't the hon. member know that select committees have often asked for an extension of time?

Hon. A. F. GRIFFITH: I know that many have asked for an extension of time, and I suppose the Chief Secretary thinks an extension of time would be

asked for in this case. It could also be refused. There is another point. I do not mind very much if the House does not appoint this select committee.

Hon. R. F. Hutchison: What are you making a fuss for?

Hon. A. F. GRIFFITH: I will ignore the hon. member, so that we may get home quicker.

Hon. R. F. Hutchison: Agree with me and it will be easier.

The PRESIDENT: Order!

Hon. A. F. GRIFFITH: I agree that it might be easier. I have not gone around the corridors lobbying members to vote for this motion. Members of my own party knew the motion was going to be introduced. Sir Charles Latham knew because I asked him to join the select committee.

The Chief Secretary: We would get a decent report on women.

Hon. Sir Charles Latham: It would be fair.

Hon. A. F. GRIFFITH: I have not mentioned this matter to any Labour man in the house, and I have certainly not mentioned it to any Country Party member. For all I know, when the motion is put to a vote, the majority of members may oppose the appointment of a select committee. Therefore, it is a complete distortion of the facts to suggest that the purpose of my motion is to delay a Bill coming from another place. It is my intention to report back to the House in good time so that the Bill can be dealt with in the middle part of this session.

The House has been told by the Chief Secretary that a Bill has been lying on the file for six years. That was the first I knew of it. If it is a Bill which revises the Jury Act, 1898, and if it will bring that Act more up to date, including the services of women on juries, I will be quite happy to sit down in my seat at this moment and withdraw this motion, provided the Government will give me an undertaking that a Bill will be introduced this session or next. Surely a statement of that nature could not be considered to contain a political reason, or suggest that I am employing delaying tactics! I ask members to believe that this is a conscientious effort to try to improve an Act which many people think is archaic. If the Chief Secretary can give me an undertaking to introduce the Bill, even next session, I will have no need to carry on the debate.

The Chief Secretary: I can do that; but not this session without consulting Cabinet.

Hon. A. F. GRIFFITH: Can the Chief Secretary give me an undertaking that a Bill will be introduced in the next session of Parliament if it is not possible to introduce it in this one?

The Chief Secretary: If possible, it will be introduced this session.

Hon. A. F. GRIFFITH: Can he give me an undertaking that if it is not possible to introduce it this session, it will be introduced next?

The Chief Secretary: Yes, certainly.

Hon. A. F. GRIFFITH: If such an undertaking is given, I have achieved my object. If, however, the Bill is the hardy annual we have had over the last four years, to allow women to serve on juries without any other revision of the Act, I think we should go on with the motion.

The Chief Secretary: I can assure you that you will get that as well as the other.

Hon. A. F. GRIFFITH: I do not think there is much sense contained in that statement. Is the Government serious in its desire to improve the Jury Act?

Hon. G. E. Jeffery: It is sincere in everything it does.

Hon. H. K. Watson: We are talking about what it does not do; not what it is doing.

Hon. A. F. GRIFFITH: I do not want to waste the time of the House. The charge has been made that a select committee will waste time and money. I do not think it will do either, but it will certainly give me and my colleagues who are on it, a good deal of work to do.

If a Bill is to be introduced, and it will mean a general overhaul of the Jury Act, I should be quite happy to withdraw the motion, but if it is just the one amendment to provide for women to serve on juries, it will be impossible for the House to deal with amendments, generally, to the Act. The Chief Secretary knows that the Standing Orders will not allow the introduction of other amendments. If, however, the Bill provides for a general overhaul of the Act, then members could deal with the amendments. I take it that is the situation.

The Chief Secretary: Yes.

The PRESIDENT: Order! The hon. member cannot carry on an examination across the Chamber. He must address his remarks to the Chair.

Hon. A. F. GRIFFITH: I appreciate that, but I was hoping that you, Sir, would be a little tolerant with me in the interests of saving time. If I can establish this undertaking, I think it would save time. There would be an opportunity of debating the Bill in full. I assume that the position is that the Government will introduce a Bill next session if it cannot introduce one this session, and that the measure will contain other amendments to the Jury Act which will be an overhaul of the Act, in addition to the inclusion of the provision for women to serve on juries.

The Chief Secretary: You will get a Bill dealing with women on juries this session, and you will definitely get the other not later than next session.

Hon. A. F. GRIFFITH: I think we will—

Hon. H. K. Watson: We will carry on.

Hon. A. F. GRIFFITH: —carry on, if that is the case.

The Chief Secretary: You made him change his mind.

Hon. A. F. GRIFFITH: Not at all. I am interested in saving time; but if we cannot get an assurance, then there is no time like the present.

The Minister for Railways: You have been assured twice now. Make up your mind.

Hon. L. A. Logan: Carry on.

Hon. A. F. GRIFFITH: I shall adhere to the motion standing in my name.

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

Ayes	....	....	....	....	14
Noes	....	....	....	....	11
Majority for					3

Ayes.

Hon. N. E. Baxter	Hon. J. Murray
Hon. J. Cunningham	Hon. H. L. Roche
Hon. L. C. Diver	Hon. C. H. Simpson
Hon. A. F. Griffith	Hon. J. McI. Thomson
Hon. Sir Chas. Latham	Hon. H. K. Watson
Hon. L. A. Logan	Hon. F. D. Willmott
Hon. R. C. Mattiske	Hon. A. R. Jones

(Teller.)

Noes.

Hon. E. M. Davies	Hon. G. E. Jeffery
Hon. G. Fraser	Hon. H. C. Strickland
Hon. J. J. Garrigan	Hon. J. D. Teahan
Hon. W. R. Hall	
Hon. E. M. Keenan	Hon. G. Bennetts
Hon. R. F. Hutchison	

(Teller.)

Pairs.

Ayes.	Noes.
Hon. G. MacKinnon	Hon. F. R. H. Lavery
Hon. J. G. Hislop	Hon. W. F. Willesee

Question thus passed.

Select Committee Appointed.

On motion by Hon. A. F. Griffith, select committee appointed consisting of Hon. Sir Charles Latham, Hon. J. D. Teahan and the mover, with power to call for persons, papers and documents, to adjourn from place to place, to sit on days over which the House stands adjourned, the proceedings of the Committee to be open to the public and the Press; to report on Tuesday, the 30th October.

ADJOURNMENT—SPECIAL.

THE CHIEF SECRETARY (Hon. G. Fraser—West) I move—

That the House at its rising adjourn till Tuesday, the 2nd October.

Question put and passed.

House adjourned at 9.50 p.m.