

BILL—CIVIL DEFENCE. (EMERGENCY POWERS).*Message.*

Message from the Lieut.-Governor received and read recommending appropriation for the purposes of the Bill.

Second Reading.

THE MINISTER FOR MINES (Hon. A. H. Panton—Leederville) [5.25] in moving the second reading said: This is one of the most important and might also be said to be one of the most far-reaching Bills introduced into this Parliament. Many Bills are introduced in war time that would not otherwise be necessary, and that applies to this measure. During the war of 1914-18 no fewer than 20 separate laws, due principally to that conflict, were enacted. This, however, is the first occasion on which a measure has been proposed for the protection of the lives and property of the people of Western Australia, owing to war conditions. During the last war there was a definite alignment of Britain, her Allies and her opponents. At present we stand alone with little or no knowledge as to the attitude likely to be taken by those nations not already involved in the war. In addition, we are not in the happy position of being able to send troops away to fight and having at the same time the knowledge that we in Australia are free from attack. The position alters so quickly that to say what may happen from week to week is almost impossible. The Commonwealth Government is committed to sending troops overseas, but at the same time we have to be prepared against any hostile attack on our own land either by air, by a raider bombarding us from the sea, or by land forces; for it is possible though I think very improbable—at least I hope so—that an army may attempt to land on our shores. The Bill is to make provision for the protection of people and property in this State. While we all trust that the day will not arrive when we are faced with invasion, we must be prepared for an emergency.

Tasmania has enacted a measure similar to this one. In that State powers of administration are vested in what is known as the Civil Defence Legion. A like measure in Victoria provides that the Governor-in-Council may confer those powers on any Minister, organisation, person or officers.

The Queensland Act deals only with the appointment of air wardens by the Commissioner of Police and with the duties of such wardens in the event of air raids. The Bill is similar to the Tasmanian and Victorian measures. It contains a proposal to appoint a body to be known as the Civil Defence Council. The number of members on the council will be unlimited, but there must not be fewer than five. I think it will readily be agreed that to state definitely in a Bill of this description the exact number of members to be appointed would be inadvisable. We do not really know what is in front of us or how many people will be required to act in an advisory or administrative capacity under this measure.

The Bill is designed to assist the Commonwealth authorities and the relative responsibilities of the Commonwealth and State may be defined as follows:—(1) The Commonwealth to make adequate provision for the defence of Australia from enemy attack in any form; and (2), the State and the instrumentalities appointed by the State to provide for the safety of the civil population and its protection from the consequences of enemy attack. Members will appreciate that a line of demarcation is proposed between the responsibilities of the Commonwealth and of the States in the event of such an attack occurring. This was the basis on which a conference was held at Canberra between the Commonwealth and State Governments, and the following resolutions were agreed to:—

1. The Governments of the Commonwealth and the States are agreed on the urgent importance of the early completion of the measures already taken to prepare plans for the protection of the civil population of the respective States from the consequences of aerial attack, which may involve the employment of high explosive and incendiary bombs as well as the use of gas.

2. In the execution of that policy, the Governments of the Commonwealth and of the States also agree that—(a) The preparation of suitable schemes of passive protection of the civil population and the application of such schemes in time of emergency are essentially a responsibility of each particular State.

This Bill really provides for the preparation of such schemes which, to a large extent, will be left to the proposed council.

(b) The schemes will be based on the scale of attack which will be conveyed secretly by the Prime Minister to each Premier, and such schemes will, in detail, cover the various points submitted to the conference by the Common-

wealth Government as being essential features of efficient plans for the protection of the civil population.

(c) The Secretariat, Department of Defence, will be the central co-ordinating authority in connection with all national air raids precautions activities.

(d) The manner whereby liaison will be effected between responsible Commonwealth and State air raids precautions officers will be as suggested by the Commonwealth Government in the air raids precautions notes submitted to the conference.

(e) The Commonwealth War Book should record the important air raids precautions action to be taken by State Governments, and should be supplemented in due course by copies of the separate detailed State plans.

The War Book referred to is confidential between the Prime Minister and the Premiers. I have not seen it. It has been in hand since the war started, and I understand has a very important bearing on the defence of Australia. Whatever plans are made in each State will be recorded in the War Book. Following on these conference resolutions, the State Government commenced the preparation of a plan, and the Premier's Department became the central office under the chairmanship of Mr. Shapeott. The Government approached Professor N. S. Bayliss to accept the position of chief warden. I am pleased to say that Professor Bayliss accepted the responsibility, and under his guidance much volunteer work has been done in the organisation of wardens throughout the metropolitan area, and at Albany, Bunbury, Collie, Geraldton and Northam. Helpful co-operation in this work has also been received from the local authorities. The municipalities and road boards have nominated divisional and head wardens and provided accommodation, borne small expense—with doubtful power to do so—and given much valuable assistance. The local authorities have been at a disadvantage. They were in doubt whether they should use their money for this purpose, but this Bill provides the necessary authority for them to do so under special conditions.

In addition, the medical fraternity has formed a medical co-ordination committee to control the medical and hospital side of the plan. This section has formulated a very comprehensive scheme for use in the event of an attack. The St. John Ambulance Association has been approached and has given all possible assistance. In the event of an attack being made, the fire brigades will be a very important factor. They also have

been approached and have been allotted their task. The Military Department and many other organisations have co-operated in an important manner. The co-ordination of all these services and sections is essential, and Mr. G. H. W. Long, until recently Under Secretary of the Metropolitan Water Supply Department, offered his services. These have been accepted and Mr. Long has commenced duty as co-ordinating officer. On behalf of the Government I should like to thank the many people who have so willingly and enthusiastically given their assistance in the preparation of our plans. Their help has been most valuable. Lieutenant Colonel Thirkell, Director of Civil Defence and State Co-operation, recently visited Western Australia, and the Premier was good enough to send me his report. Generally speaking, he was well satisfied with the progress made in this State. His advice on the need for greater co-operation between the various units is much appreciated and, with the passing of this measure, we hope to bring our organisation to a higher state of efficiency. We have gone a certain way, but it has become increasingly evident that a legal basis was necessary to permit of the full development of the plans. These plans necessarily envisage the enlistment and training of personnel, including wardens. Much has been done in the direction of selecting wardens and training them, but we have a large State containing many towns and the necessity for securing air wardens and training them is important. This scheme is by no means spectacular. We are not putting these helpers into uniform, or parading them with brass bands. The service, however, is essential in the event of an attack, and it is not easy to obtain the necessary personnel to carry out the work, particularly if these workers have no authority. First aid will also be an important factor in the event of an air raid being made on any of our towns. Though we have very efficient fire brigades, I think it would soon be found that there were insufficient firemen to carry on the work.

Mr. Cross: There are not sufficient in the metropolitan area in normal circumstances.

The MINISTER FOR MINES: I thought I would get a bite there. It is essential that we should have available a sufficient number of men, not necessarily trained as firemen, but trained in some way to ensure their being in a position to render valuable

assistance to the firemen. Even the member for Canning (Mr. Cross) will agree that in the event of a big fire occurring in the city the presence of a number of persons who know little or nothing about the work involved would constitute a greater nuisance than assistance to the experts engaged. It may be found necessary as time goes on to obtain the services of a sufficient number of men who will assist the firemen in the event of trouble arising. Then there are the rescue parties. That is not an easy job. In the event of a building being wrecked and people being buried beneath the debris, and of walls overhanging and being about to topple, it will be necessary to employ people who understand the class of work involved. They would have to be organised and made ready for action if required.

Provision must be made for a decontamination squad. Up to date we have not heard very much of gas, but in the event of Hitler taking it into his head to use gas, we must be prepared to cope with the situation. We must have available men who understand all about decontamination. The medical services I have dealt with. That section is to a large extent well on its way. If we were raided to-morrow, we should find that our medical men had been organised, that officers had been attached to medical services, and we would know where the hospitals were, what accommodation was available, and so forth. All these people have been posted ready to take their places. Then there is the necessity for the provision of sandbags and air raid shelters. It is very important that we should know exactly where to lay our hands on sandbags. I am not aware that any money has yet been appropriated by Parliament for that purpose. There are many places at which we ought to erect air raid shelters. Some of those places would make efficient air raid shelters, but we have no authority to go into them or to erect shelters where we think they ought to be. By this Bill we are asking for authority to provide air raid shelters and sand bags if necessary.

Another important factor in the event of an air raid will be the evacuation of people from dangerous areas. One would surmise that if there is going to be an attack, either from the sea or from the air, it will be somewhere along this coast. We could well imagine the difficulty at Fremantle of evacu-

ating large numbers of women and children if we had not already made provision for requisitioning the necessary premises, and vehicles for transport, petrol, oil and other commodities. It is also necessary to fix the compensation for the use of vehicles, if such compensation has to be paid. In the event of evacuation of large numbers of women and children, every preparation must be made in advance, and there may be also the inmates of institutions who will have to be evacuated quickly. Those in authority will want to be able to put their hands on any transport they require, and to be in a position to say at once in cases of emergency, "We want this or that." At the moment, because of the absence of legal authority, they could be told to mind their own business.

It is also necessary to establish warning systems and make provision for uniforms. To prevent chaos, the warnings should only be sounded by men in authority. It will be necessary to collect information from householders and others for presentation to the Registrar, but that is not as simple as it looks. I do not blame some householders for not giving information to any Tom, Dick or Harry who may come along. Information will require to be collected in various parts that are deemed to be potential places for air raids. To obtain that information it will be necessary to have people in authority. Strict supervision must be exercised over the demolition of buildings and of those that are partially damaged. Members will agree that if the roofs of buildings have been blown away, and the walls are beginning to stagger, the job of handling such work would not be one for a new chum. The work would be most dangerous even for skilled people, and from the point of view of the safety of the public, skilled men would have to be employed.

Mr. Sampson: That is one of the most dangerous jobs for anyone to undertake.

The MINISTER FOR MINES: In certain circumstances people are only too anxious to help, but by rushing in they are liable to act detrimentally to themselves as well as to others. It is also necessary to have some system for the valuation of premises, vehicles and stocks requisitioned with a view to determining the value of the hire or compensation in the event of damage. People who are used to that work will have to be employed and the duties allotted to them.

There are many other matters that it is impossible for me to enumerate in connection with this Bill. Those of us who have any imagination will visualise that many things will crop up from day to day, when calamities take place, that it is impossible to provide for at the moment. As can be believed the powers contained in the Bill are wide. The member for East Perth (Mr. Hughes) may, for instance, suggest that the powers are already possessed by the Commonwealth Government.

In the event of a hostile attack upon any part of Western Australia the Government may of its own volition, or at the urgent request of the Commonwealth Government, have to take immediate and drastic action for the protection of the civil population. In such event it is not of much use to consult the Leader of the National Party or the member for East Perth, as qualified legal men, whether we have the necessary authority under this or that Act. Consequently, we should have these powers embodied in an Act about which we as its framers know something. Provision is made for the establishment of a council which will consist of persons appointed by the Governor on the recommendation of the Minister. The appointments have not yet been considered. It will be agreed that very grave consideration will have to be given to the appointment of such a council, as its members will be granted very wide powers, subject to the Government. The powers, functions, and duties of the Government are set out in the Bill. The measure also provides that payment of allowances and expenses, to be made in the discretion of the Governor may be fixed or prescribed by regulation. Such payments can be made only on the recommendation of the Minister and with the approval of the Treasurer. In point of fact, it is not anticipated that the expenses incurred in preparation of plans and organisation will be very great. In Western Australia there are many highly capable men who are prepared to give their services, even in matters of this description. Power is also taken in the Bill for the Governor to make regulations providing for all or any purposes. This may appear a highly drastic power, but the measure deals only with defence and protection of life and property in case of emergency. There will not be an orgy of regulations for this, that, and the other. The Bill

deals chiefly with the protection of the lives of our people in the event of what I may call a tragedy. The regulations cover a very wide area, but they will only be made from time to time if necessity for doing so should arise. Further, the Bill permits the Governor to enter into any arrangement with the Governor-General to give effect to any Commonwealth law or regulation. This is necessary, as some of the powers which may be exercised can be granted only under the National Security Act or Defence Act. At the same time the Bill gives the Governor power to confer and impose powers and duties on any public official, body, or person.

Provision is also made, subject to the regulations, that local authorities shall provide for the protection of persons and property in their own districts. Local authorities, I know, in most cases are anxious to assist; but they desire to know how. One local authority in the metropolitan area takes the stand that these matters are matters for the Federal Government. I believe I am right in contending that in the event of an attack on Australia, that attack will not be a matter for the Federal Government or the State Government, but for the Australian nation.

Hon. C. G. Latham: Yes, and for every individual.

The MINISTER FOR MINES: Local governing bodies are just as much sections of the nation as is the Federal Government or the State Government. I agree with the Leader of the Opposition that an attack would be the concern of every individual Australian. The Leader of the Opposition knows something of war, and I think the hon. gentleman will agree that it is much better to organise many individuals than to have confusion when an emergency occurs. Regulations under this Bill shall be deemed to be a work or undertaking within the meaning of the Local Government Act. The cost of such work or undertaking may be paid out of the funds and reserves of the local authority. Whatever local governing authorities are asked to do will be a work or an undertaking under that Act accordingly. That has been one of the difficulties; the Local Government Act allows certain things to be done, but not the things here in view. Under the Bill a local authority may, if

required by the Governor, borrow money for the purposes of the measure. As members are aware, if a local governing authority, such as a municipal council, proposes to borrow money in ordinary circumstances, there is provision for a referendum of ratepayers to decide whether the money shall be borrowed or not. But a referendum cannot be held at a time when people are rushing around at the last moment, possibly making for air-raid shelters. An attack may come any day, and there will be no time to take a referendum. Therefore the Bill proposes that if the Minister is satisfied, and certifies to that effect, the local authority may borrow money for these purposes without giving anyone an opportunity to call for a referendum on the question. There is the safeguard as to the Minister being satisfied and so certifying.

Provision is made for penalties for any offence against the measure. The cost of administering it is to be paid out of moneys to be appropriated by Parliament. At present there is no such appropriation. We hope that the cost will not be great. The measure shall, unless repealed sooner, continue in operation only for the duration of the war and six months after.

As I have already mentioned, the Bill gives the Government very wide powers, which will, however, be used only in emergency. The main thing is to be prepared. Although a great deal of organisation has already been effected, this legislation is needed so that the Government shall, in the event of emergency, be able to take essential precautions to safeguard the civil population. That is the Bill. It is a highly difficult Bill to explain and to handle. I freely admit that if the measure becomes law, it will have to be enforced largely by regulation. I also admit freely that as a rule Parliament is disinclined to give wide powers for the making of regulations. However, the Bill has one purpose, and only one purpose: and that is the protection of civil life in Western Australia. The measure can be put into operation only in the event of certain possibilities becoming actualities. While waiting for such emergencies, we must provide that the necessary organisation shall be as nearly complete as possible. The proposed organisation is not one of those spectacular organisations

into which people flock; and, indeed, I do not know that it would be advisable to have them flocking in, because largely the work to be done is work for specialists. The Government has already received assistance from such specialists, and additional specialists are being trained. Whilst we are doing that, we want authority for doing the job properly. I commend the Bill to the House. In Committee, questions will doubtless be asked, and I shall be only too pleased to answer them to the utmost of my ability. I move—

That the Bill be now read a second time.

On motion by Mr. McDonald, debate adjourned.

BILL—CITY OF PERTH (RATING APPEAL).

Second Reading.

THE MINISTER FOR WORKS (Hon. H. Millington—Mt. Hawthorn) [5.58] in moving the second reading said: This Bill is introduced in compliance with a request submitted by the Perth City Council. The Municipal Corporations Act (Sections 401 and 402) provides that any person who thinks himself aggrieved on the ground of unfairness or incorrectness in the valuation of rateable property, or the amount assessed thereon, may appeal against that valuation. For the purpose of hearing the appeals, the council must sit as a court. If, when the council has dealt with the appeal, the ratepayer is dissatisfied with the decision, he may appeal to the Local Court.

Members will realise that it is difficult for a body of laymen, even with the best will in the world, to arrive at a just decision on the merits of a case in which there are so many abstruse and even technical points as are raised in regard to many appeals against valuations of big business premises, hotels and other involved cases, such as exist in a city like Perth.

In the case of a municipal body of the size of the Perth City Council, which comprises a Lord Mayor and 24 councillors, it is exceedingly difficult satisfactorily to operate such a court. Decisions can be made only by motions, and possibly amendments, duly moved and seconded and then put to the vote in the presence of the as-