stances the same power to compel the trader to exhibit prices as the existing Act provides in the case of proclaimed goods. Clause 8 merely corrects the error in the principal Act to which I have already referred. Clause 9 continues the existence of the principal Act, as amended by this Bill, until the 31st December, 1921. I move—

That the Bill be now read a second time.

On motion by Hon. J. Nicholson debate adjourned.

House adjourned at 6.12 p.m.

Legislative Assembly,

Tuesday, 7th September, 1920.

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

QUESTIONS (2)—CHILD IMMIGRATION.

Fairbridge Farm School.

Mr. MUNSIE asked the Colonial Secretary: 1, For what period does the 4s. per week, allowed to the children being brought to the State by Mr. Fairbridge, continue? 2, Have the Government entered into any arrangement to subsidise the Fairbridge school in the future? 3, If so, to what extent?

The COLONIAL SCERETARY replied: 1, A capitation grant of 4s. per week will be allowed to the children until they reach 14 years of age. 2 and 3, Answered by No. 1.

Ministerial explanation.

The COLONIAL SECRETARY (Hon. F. T. Broun—Beverley) [4.32]: I desire to make an explanation in respect to a question asked by the member for Hannans (Mr. Munsie) on 31st August. I notice that in the "Votes and Proceedings" giving the answer to the question, in paragraph (3) it was stated that the rate of maintenance paid by the Government by way of subsidy for the 150 children, which Mr. Fairbridge proposes to bring out from England, was 4s. per day. This should read 4s. per week, and not 4s. per day.

QUESTION—MURDER OF J. T. DON.

Mr. DUFF asked the Minister for Mines: Is it not in the interests of justice to offer a substantial reward for the apprehension of the alleged murderer of John Thomas Don, of Broome?

The PREMIER (for the Minister for Mines) replied: It would not assist the ends of justice to answer this question at the present juncture.

QUESTION—STRAITS SETTLEMENTS AND JAVA TRADE.

Mr. ANGELO asked the Premier: Will he give this House an opportunity of considering the following resolution passed by the Legislative Council last session and forwarded to this House for concurrence: "That in the opinion of this House, in view of the necessity for the encouragement of production by the provision of adequate markets for the results of such production, it is advisable that the Government of this State should take steps to develop trade and commerce between this State and the Straits Settlements and Java"?

The PREMIER replied: The hon. member can give notice of motion in the usual way.

BILLS (2)—FIRST READING.

1, Time of Registration Extension.
2, High School Act Amendment.

Received from the Council and read a first time.

BILL—BROOME RATES VALIDATION.

Read a third time and transmitted to the Council.

BILL—PUBLIC SERVICE APPEAL BOARD.

Second Reading.

Debate resumed from 2nd September.

Hon. T. WALKER (Kanowna) [4.36]: The difficulty one has in considering this Bill, much more in discussing it, is that we are not made acquainted with the regulations to be framed under it. It seems to me that the regulations will be the Bill. How the disputants, as to any classification or position, salary or other trouble affecting the civil service, are to be brought before the board is a very material matter. We do not know what provisions are to be made, not even how members of the board are to

be elected, until we get the regulations. The regulations, when framed and approved of, will practically be the machinery of the Act, and I am at a loss to know what effect this measure will have until I see these regulations. I think they ought to have been prepared simultaneously with the Bill. I have not the slightest doubt that the Attorney General is very much perplexed to know how these regulations are to be framed. I am sure that there will be considerable trouble amongst those who are to put themselves under the Bill, when it becomes law, because of the nature of the regulations that are to govern the whole Bill. So far as the civil servants are concerned, I am not too sure that they will gain much by the Bill. They already have an appeal board, and the only difference that this Bill makes is as regards the president or chairman of the board.

The Attorney General: There is a big difference.

Hon. T. WALKER: The difference is that a judge is to preside instead of the Commissioner.

The Honorary Minister: The members of the board are entirely different.

Hon. T. WALKER: I am speaking of the board as a board.

Mr. Underwood: You get a judge instead of the chairman of the Arbitration Court.

Hon. T. WALKER: Presumably the President of the Arbitration Court. He is a judge of the Supreme Court, whoever he may be for the time being. Without saying one single word derogatory to judges of the Supreme Court, or as to their impartiality, I say they are lawyers trained in the law. They are not of the employed class. They are not of the civil service order, although I believe one of our judges has had that distinctive privilege and education. He has passed through the civil service, so to speak. But taking the bulk of the judges, they are not of that order that we might suppose will give them more sympathy with the workers than the Commissioner would have. I do not wish to stress that point. I only hope it will be so, but the Commissioner, if he is, as anticipated by the original Public Service Act, entirely free from bias, I mean entirely free from the bias of the employer and the employed, and free from all political intrigue, is conceivably as impartial in that attitude as a judge could be. However, it seems that there is an antipathy to that form of tribunal and we have substituted another one. It is one that I greatly fear will not stand the stress that will be laid upon it. I question that the ideal has yet been attained. What strikes me as peculiar in the Bill is the cunning, I was going to say the hypocrisy——

The Premier: You should not say that.

Hon. T. WALKER: I know people do not like those words, but I like to express a thing as it strikes me, submit it to the criticism of the House, and see how it is explained. I notice in one clause of the Bill that we give power to this new board, which is to be established, to prevent what is generally known as victimisation. For the strike that is just over nobody is to be victimised. It is made an offence, committed by the Governor or the Crown, if anybody is put to any trouble, suffering, inconvenience, expense or worry of any kind, in consequence of the recent disturbance. And yet, whilst that is made an offence, there is a distinct proviso that if the like occurs again there is to be a severe penalty attached.

Mr. Underwood: It is different.

Hon. T. WALKER: I do not know the difference, but I notice a vast difference in the wording. I wish to draw attention to Clauses 14 and 15, to show the different phraseology that is used in reference to what has happened, and in reference to what may happen. This is not the first time the phrase occurs; in other clauses of the Bill it also occurs. In Clause 14 we have these words "the recent simultaneous cessation of work." It is here, I think, that the Bill is rather hypocritical, as only a few lines further on the same thing that occurs in the future is called a strike.

The Premier: Notice is duly given.

Hon. T. WALKER: That does not matter. Why this roundabout way of calling the strike by another name?

Mr. Underwood: They want it to apply later on.

Hon. T. WALKER: How will it apply later on? It makes no difference. A rose by any other name would smell as sweet. How absurd to give this designation to the trouble we have had!

Mr. Underwood: A rose by any other name would not be the same to a lawyer.

Hon. T. WALKER: Of course it would. The lawyer understands and applies definite meanings to words. This is certainly not the lawyer's method. In Clause 14 a certain set of circumstances is called a simultaneous cessation of work. In the very next clause it is called a strike. What does this mean? What is the purpose and aim of it? The absurdity of it must strike everybody. Every Saturday there is a simultaneous cessation of work, and every time that all pens are put down and offices locked up for holidays there is a simultaneous cessation of work. The same thing occurs every week end.

Mr. Underwood: Evidently that is not a strike.

Hon. T. WALKER: No, but it is at least equivalent to a holiday. If so, why not say so?

Mr. Underwood: If they do it again, it is a strike.

Hon. T. WALKER: Why is a thing done once not something, but done a second time, is something? Why this alteration in phraseology?

Mr. Hudson: The first may be a success, and the next a failure.

Hon. T. WALKER: Quite so, and they are going to so consider the success as honourable and rightful as to make a penalty attach to victimisation in consequence of it.

The Attorney General: What is the penalty attached to victimisation?

Hon. T. WALKER: That the men can appeal and get redress; that is the penalty, the redress. Victimisation is forbidden.

The Attorney General: You say the redress is a penalty. It is difficult to follow.

Hon. T. WALKER: Is it not a penalty on the Treasurer to have to pay money? The penalty is on the Government. If there is any victimisation there is some penalty attached to the Government for it, that is, if the appeal board holds that there has been victimisation. Consequently victimisation is here stated to be a wrongful thing. Victimisation of anyone for having participated in the recent trouble is wrong, but anybody who participates in a future trouble will himself be penalised. He will not only run the risk of losing all his privileges but will run the risk of losing all the benefits which may accrue to him under the Superannuation Act. That is where I see a distinction which looks to me not sincere. Why not be frank and admit that the other was a strike?

Mr. Underwood: Or put it the other way about.

Hon. T. WALKER: No, that will not do, because the phrase "simultaneous cessation of work" is evidently a coined phrase, insincere and inappropriate. As I say, whenever the whole of the service enjoys a public holiday, there is a simultaneous cessation of work.

Mr. Underwood: When there is a simultaneous cessation of work at other than a week end, what is that?

Hon. T. WALKER: It is a holiday.

Mr. Hudson: The whole thing is in the purpose of the cessation.

Hon. T. WALKER: There is nothing in the Bill to indicate that. It means nothing. It is a sort of salve. Why this difference in phraseology as between what has occurred and what may occur again? Let me say a word as to what may occur again. The member for Perth (Mr. Pilkington) made a distinction between the ordinary simultaneous cessation from work and the strike that recently happened. I was pleased to hear him utter sentiments like these. He said he was one of those who believed that strikes should be legal, that there should not be anything legally wrong in people ceasing to work when they could not work, under the conditions prevailing, with honour to themselves or justice to their families. That applied to the general worker. But when it came to the public service it was rebellion. It was something more than a strike, and more than illegal. It was tantamount to treason. That was the view expressed by the hon. member. But can we make any distinction between one class of worker and the other? The clerk who works for the Government is an employee. He has to earn his wages or salary by the same methods, the same devotion of time and energy as are expected of the private employee. There is no distinction that I can see. The Government are distinctly, in more than one branch of our political economy, employers, and neither more nor less than employers; and in that sense the Government stand in relation to their employees precisely as a private employer stands to his employees. Where, then, can we make a distinction? The Crown distinctly is the owner of the railways, but through its Commissioner it gives to its employees there the right to all the attendant circumstances of any other employment precisely on all fours. It is a distinction without a serious difference in principle. Whether a man is working on the railways or working in the Crown Law Department, he is employed in the same way as a private employee, from week to week or month to month or year to year, and he has to perform all the duties expected of him as though he were employed by a private firm or individual. Therefore, I submit that all the rights which belong to a private worker, whether he works with pen or hand or head or muscle, belong to the public servant. I do not see how we can logically make any distinction. And if it should not be not wrong for a private employee to strike, how can it be wrong for a Government employee to strike? We should make no distinction if it were a strike at the implement works or the sawmills or the railways. But we do make a distinction the moment it comes into that grade which most nearly approaches to the Ministerial rulers; when it gets there it becomes a crime, a treason. There is nothing logical to make it so. What is the real test? The endurance that we place upon public servants, the trials, the difficulties of performing their service. If you make those conditions so terrible, so difficult to endure, it is not human to expect that people will abide by them because there is some supposition that it is rebellion to strike against the Crown. The test is what can the body of public workers endure? Is there any time when they must cry out? Can the public servant, any more than an ordinary worker, hear his wife complain of the lack of necessities for her womanly comfort and her home surroundings? Will not the public servant feel as other men feel when he has, day by day, to face his angry creditors, unable to satisfy them, or when he is unable to procure what the health of his wife or the happiness of his children requires? He is just like all other men and will strike out in the same way. I object at any time, as the member for Perth will object, to making the relation between master and servant one of slavery. The member for Perth has expressed the right to rebel against slavery when imposed by a private employer, and I say that argument is equally forcible when applied to the public servants. They have a right to resist slavery. And it is slavery when they are compelled to work on and continue under such conditions as may be imposed upon them, whe-

ther they are tolerable or not. That is nothing less than slavery; and we are past that age, both in and out of the public service. I am pleased to see that that spirit has become recognised in the public service. What was right and is admitted to have been right recently, under like conditions must be right in future. If Governments refuse—I admit they have done it—to recognise even Acts of Parliament to honour their own contracts, to keep their plighted word with their servants, they must expect those against whom they have committed a breach of faith to become rebellious and to insist upon better conditions or have this simultaneous stopping of work. It is their only safety and, if like conditions prevail in future, there will be no other course open to them. Suppose awards are made, suppose appeals are successful and there is a general rise in the salaries and wages of all in Government employment, and suppose the Government do not honour those awards, who will be the culprits? Not the men, but the Government. The real rebels against the law in the circumstances are the Government themselves. We cannot designate as rebels those who resisted what is an ignoring of the law. It is those who ignore the law who are rebellious. These were the antecedents to the recent trouble. The Government had not kept their word. Acts of Parliament had been ignored, classifications set aside, promises thrown in the waste paper basket; and the civil servants, therefore, resolved not to tolerate such a state of things. They bore till forbearance ceased to be a virtue and then they protested and, that they were right in their protest, this Bill certifies. This Bill gives eternal evidence that they were justified in what they did. If like provisions are made in future, if a like state of affairs comes about, then they will be right in doing the same again. It is absurd to throw in the face of intelligent people, of men of brains and understanding, such a warning, such a threat which is absolutely useless if the like occur again—if the crisis brings it about, as we find in Clause 15 of the Bill. However, there it is. The whole of the circumstances show and this Bill emphasises, that a great difference of spirit is coming abroad in the community. No longer is it the depised little trades union, no longer is it the shearer in the back blocks, wild and woolly though he be, no longer is it the horny-handed heavy eye-browed son of toil or the greasy-coated toiler in our railway shops——

Mr. Underwood: What about the bottle-washer?

Hon. T. WALKER: No longer is it any of these.

Mr. Underwood: Civil servants do not like the bottle-washer.

Hon. T. WALKER: But now it is the kid-gloved; those who wear their white collars and keep their coats constantly on their backs throughout their toil. These are seeing the wisdom of organisation, that power which is growing, which recognises the brotherhood of toil wherever it might be, and instead of going to the old-time conservative owls of wisdom, they went for advice and companionship and support to the labour organisations of this State in their trouble. It shows a change in the times that the Government would do well to notice and, in those circumstances, it is futile to put in this Bill such a clause as I have dealt with at perhaps more than ordinate length. Justice is the next thing for which humanity has to fight. We have fought for the liberty of a class, but not for the liberty of all. That liberty of all, which means ultimate justice to the humblest in the land as well as to the highest, is the battle of the future. It has been in part fought in the recent simultaneous cessation from work on the part of the civil servants and the teachers. It is a lesson which has now sunk into their hearts, and it gives the prospect in future of getting something like justice for all the toilers in the land.

Mr. UNDERWOOD (Pilbara) [5.6]: I regret that I cannot endorse the expressions of the member for Kanowna (Hon. T. Walker). It is obvious that a Bill of this nature is necessary. It is useless to talk about one Government and another Government. We know that the Scaddan Government, in which the member for Kanowna was a Minister, stopped the operations of the appeal board when it was in full swing. So it is of no use talking about other Governments.

Hon. W. C. Angwin: You mean the special appeal board.

Mr. UNDERWOOD: The appeal board which possibly would have avoided this strike. It was the Scaddan Government who decided to discontinue the hearing of cases before that board and who also stopped the emoluments accruing under the decisions of that board. We have to meet the position as it exists to-day, and not worry to any extent about whose fault it was. This Bill providing for a board has been promised, and it is due to the civil service that they should have it, and it is up to Parliament to pass it and make it as good a Bill as possible. To me it appears to be a very crude measure. I agree with the member for Kanowna that the wording he spoke of is bad in the extreme.

The Attorney General: You mean Clauses 14 and 15?

Mr. UNDERWOOD: Yes.

The Attorney General: They can easily be amended.

Mr. UNDERWOOD: Yes, by employing the word "strike" in the first of those two clauses. But I can imagine the position being put before a judge in this way. If I were a lawyer I should adopt this course—namely, to point out to the judge that the same thing would be done again; that there would again be a simultaneous cessation of work. A judge only finds on the evidence

before him. A judge has some common sense, but he never uses it. The lawyer would say "Your Honour, this occurred in 1920." He would give all the details of what occurred, and would point out that, under this measure, it was not a strike. Therefore a recurrence would not be a strike.

The Honorary Minister: Q.E.D.

Mr. UNDERWOOD. His Honour would agree with the lawyer.

Mr. Pilkington: Using no common sense.

Mr. UNDERWOOD: Quite so, and a recurrence would be declared to be not a strike. I agree with the member for Kanowna that the language employed should be in one direction or the other. Either the recent occurrence was a strike or, on the next occasion, if something similar occurs, it will be a simultaneous cessation of work. There are other points in the Bill which seem to me to be confused. Might I complain regarding the draftsmanship of this measure. Ever since I have been in the House I have been complaining about our system of drafting. Whenever we alter a section, it would be better to repeal the whole of the section and to print in the amending Act the full text of the section as amended. It is very seldom that I refer to clauses when speaking on the second reading of a Bill, but in this instance it might be allowable to do so. Clause 6 makes provision with regard to temporary employees. There are certain provisions that the board may deal with temporary employees who have been employed for five years, and yet we find one section of an existing Act, namely section 2 of the Act of 1912, which I presume most members have missed, which lays down that Sec. 34 of the principal Act is amended as follows—

> For the purposes of this Section, persons temporarily employed shall be deemed to be already in the public service.

Thus the Act of 1912 says that those temporarily employed are considered to be in the public service; yet we are providing in this Bill that after five years they may apply to be in the public service or appeal against the Commissioner's decision to keep them out. Section 40 of the principal Act provides certain grades as follows—

> There shall be two series of grades in the professional division, called the higher and the lower grades, and all officers engaged in the performance of work entitling them to a salary of £250 per annum and upwards shall be deemed to be included in the higher grades of such divisions, and all officers engaged in the performance of work entitling them to a salary of less than £250 per annum shall be deemed to be included in the lower grades of such division.

The difference between 1904 and the present time does not appear to have been taken into consideration. Those who were on a salary of £204 a year or less in 1904 are to-day receiving £252 and, if we allow that clause to stand, we shall practically put every civil servant in the first division. This point has evidently been overlooked by the draftsman. When we come to Clause 19 of the Bill, I must say that worse language to define the position could not have been used, even by a University professor of English. I am prepared to say that any mere bovine conductor could write it more explicitly. What is the meaning of those sections which are repealed? If members look at that clause they will find that two appeal boards are provided for—the appeal board in Section 52 of the principal Act and the appeal board we are considering now. This might not appear so to every reader, but it is absolutely correct, and it is a point which will require elucidation by the Attorney General before the Bill goes into Committee. Section 51, of which the proviso only is repealed, reads—

> An Appeal Board shall consist of the following persons that is to say:—The Commissioner, who shall be chairman; one member to be appointed by the Governor, such member to take part in the hearing and determination of the appeal or appeals to be specified in the appointment and one member to be elected in the prescribed manner from among their number by the officers of each division of the public service; but only the member elected by the officers of the division in which the appellant is employed shall sit on the board as the elective member on the hearing of the appeal.

Under this Bill that board still stands.

The Attorney General: There is no intention to repeal Section 51.

Mr. UNDERWOOD: Then we will come to Section 52. Subsection 1 of that section is to be repealed; Subsection 2 is to stand. The second subsection contains practically all that this Bill provides in the same respect. This Bill lays down that the board shall take evidence, and how the evidence is to be obtained. Clause 8 provides to that effect. Now, the same things are provided by Subsection 2 of Section 52—

> . . . the board may conduct an inquiry without regard to legal forms, and shall direct themselves by the best evidence they can procure, or that is laid before them, whether the same is such evidence as the law would require or admit in other cases or not. . . .

Subclause 2 of Clause 8 provides the same things—

> The board shall regulate its own procedure, and may conduct its inquiries without regard to legal forms, and shall direct itself by the best evidence it can procure or that is laid before it.

This repealing Bill re-enacts what is to be found in the Act to be repealed. Subsection 2 of Section 52 provides that legal practitioners are not to appear, but this Bill provides that public servants may be represented by legal practitioners. These things are obvious to anyone who reads the Bill with the Act. All I can suppose is that the

draftsman, having been on strike, has been trying to make up time, and that this Bill is the result of rush work. I have repeatedly complained of the drafting in this State. It has been said that quality improves with age. Possibly it may also be true that something less than quality goes back with age. In my opinion, our drafting was bad ten years ago and is getting worse now. Now, there is one other point and to me it is the main point. The public servants are a section of the Western Australian community. I take no heed whatever of the language of the member for Kanowna (Hon. T. Walker) as to the public servants' right to strike and their slavery and so on. What we require is some system of deciding equitably between the various sections of this community. No section employed by the Government should have the need to go on strike nor ought they to go on strike. It is one thing to work for a private employer who takes for himself all the profits, emoluments, or whatever term a draftsman might use. In such a case the employee goes to the shop or factory, and comes away again and has no further connection with it. But when it comes to a question of employment by the community, the workman is a shareholder in the community, is one of the community, and has a vote in electing the Parliament of the community, which Parliament should provide the means to pay him equitably for his work.

Hon. T. Walker: Do not forget that the private employers are part of the community.

Mr. UNDERWOOD: I have not forgotten it, nor have I forgotten, nor should anyone forget, that we are undoubtedly coming, not slowly but fast, to a stage when very large numbers of workers are becoming employees not of private enterprise but of the State. We have our State steamships, our State sawmills, our Government printing office, our State railway employees, our public service. Almost every occupation has State employees connected with it. It seems to me that we have got over the old idea of the employer and the employee, of the employer getting the last ounce, doing his utmost to get the last ounce, of ability out of any man and putting the profit in his own pocket. We are now arriving at a position where it is a question of deciding equitably between the various sections of the community, not between the capitalistic employer and the hard-up employee. That is a point which I think the member for Kanowna overlooked.

Hon. T. Walker: Not at all.

Mr. UNDERWOOD: We should endeavour to constitute some tribunal to deal with those matters. This Bill follows the old system, invented about 18 years ago, of relying upon a judge of the Supreme Court. Australia can well be proud of its judges. It is not within my knowledge that at any period of Australian history there has been even a breath of suspicion against the honesty or honour of a judge. Recognising that, and having said it, I want to add that in my opinion a judge of the Supreme Court is not a suitable man to be appointed chairman of the board to be created by this Bill. There are numerous reasons for that opinion. A judge's training is against him. Here and there we may find an odd man who can get over training and environment; but such men are very, very scarce. From his boyhood up a judge has been trained in dealing with legal matters, trained to decide on evidence placed before him. What we want is a man who will go round the country and look for himself, a man who in addition to considering the evidence placed before him, will have recourse to his own observation, his own faculty of looking into things. Again, we have to bear in mind that a Supreme Court judgeship is the highest position attainable by a member of the legal profession. The youngster starting in the profession looks forward to a judgeship; most lawyers look forward all their lives to gaining a seat on the Supreme Court bench. Is it reasonable to suppose that a man having been appointed a Supreme Court judge will come down from that position to consider the question of a navvy's wages or a clerk's wages? It is not reasonable, and what this Bill proposes will never act. We cannot expect a judge of the Supreme Court to devote his time to solving such problems. He has attained what he, at any rate, thinks a higher position.

Hon. T. Walker: Judge Higgins is doing fairly well.

Mr. UNDERWOOD: Yes; but even he cannot get out of the habit of going into the Full Court to consider legal questions while the industrialists are clamouring to be heard in his Arbitration Court. Let us allow that Judge Higgins is an exception. But the complaint that is being continually made against the Arbitration Court is the length of time before one can get there.

Hon. T. Walker: I am afraid the same thing will occur under this Bill.

Mr. UNDERWOOD: That is why I want to strike out the judge as chairman. One obvious difficulty is that the judge will, naturally, continue his work as a judge. He does not want to get out of touch with ordinary legal matters. We cannot expect him to be willing to get out of touch with them. A judgeship represents the highest pinnacle of his profession. Further, a judge's whole life's training inclines him to deal with matters simply on evidence brought before him. He does not rely on things that he knows for himself, or on things that he finds out for himself. I admit that we want a special man. If we can get a man capable of remedying the industrial unrest—to use the hackneyed phrase—existing in Western Australia, he would be of inestimable value to us. A salary of £10,000 a year for such a man would be a mere circumstance if we can do away with the industrial unrest. The glut of work in the Arbitration Court is

due simply to the system adopted by the judge of always having evidence brought before him. We want a man who can take on the position of chairman of the board under this Bill and also the position of president of the Arbitration Court. We want a man whose whole duty would not be to sit in court, but would include going into the country and inquiring everywhere into the working conditions of all workers in the community. We want a man who would be able to assess the brain strain required to obtain a teacher's certificate, or a chief engineer's ticket, who would be able to judge the difference between the pay which should attach to casual employment as a carpenter or a plumber, and the pay for a man similarly employed with a guarantee of continuity of employment. We want a man who can gauge the extra remuneration which should be paid to the worker who in his youth has received no wages but has served his time of apprenticeship at his parents' expense. These things want tabulating and if that were done a decision could be given. We have an Arbitration Court and the same thing occurs in every case which appears before it. In connection with the timber trade, the benchman, the log rollers, the machine men, and those engaged in every branch, want to appear before the court to give evidence as to what is done by them. All that should be collated and there should be shown the difference in the value of one man's work and that of another. There should be no necessity to occupy the time of the court in going into all the details. In connection with the railway men the same thing happens. Every branch of the service comes along to give evidence, and all have to explain what their particular duty is. That evidence, too, should be tabulated for submission to the court.

Hon. T. Walker. How would you get a man to go through the whole of the civil service?

Mr. UNDERWOOD: If we can get the right sort of man he will not want to go through the whole of the service. He will come to the conclusion that a clerk who is called upon by the head of the department to do certain work is entitled to certain remuneration. He will find out what education is necessary to enable the individual to fill the position, and he will be able to see what relation he bears to a bottle washer. There is some talk in the civil service about school teachers and their superiority, and during the progress of the strike it was remarked again and again that civil servants were receiving the wages of bottle washers. Bottle washers are necessary. Bottles are necessary, and we want them clean, and I desire to say further that the occupation of a school teacher is infinitely more pleasing than that of a bottle washer. I also heard it remarked during the period of the strike that some of the civil servants were getting no more than the ordinary mechanics.

Hon. W. C. Angwin: I heard, the ordinary policeman.

Mr. UNDERWOOD: There are mechanics who have to study for years. These men have had to go through an apprenticeship.

Hon. W. C. Angwin: And they only start to learn after they are out of it.

Mr. UNDERWOOD: Yes. These men are studying all their lives and when a common analyst refers to a common mechanic, all I can say is that if it were not for the common mechanic we would not want an analyst. These are the things that have to be gone into, and a Supreme Court judge is unfit by his profession to do that work. Neither has he any inclination to do it because his position as a judge is sufficient for him and he will remain a judge. I hope the Attorney General will endeavour to act as I have said in dealing with the different sections of the community. This step might also be taken in connection with the Arbitration Court.

Hon. T. Walker: You would have to repeal the Arbitration Act.

Mr. UNDERWOOD: I would not be prepared to lay it down that we were going to confine the appointment to a member of the legal profession.

Hon. T. Walker: The Arbitration Act provides that a judge shall be the president of the court.

Mr. UNDERWOOD: Then alter the Arbitration Act.

Hon. T. Walker: Would you do it in this?

Mr. UNDERWOOD: Yes, we could do it in this.

Mr. Hudson: You cannot very well do it in this Bill.

Mr. UNDERWOOD: Take the lumpers. They deal with the shipowners. The lumpers strike for more pay. The shipowners give it to them and they say, "We will increase the freights." Then we, the community, pay. As a matter of fact we will never get satisfaction on the waterside until we have taken over the wharves, and until the men who work on those wharves become Government employees. That is a point of absolute interest to every section of the community. It is not the capitalist as against the worker, it is one section of the workers against the other sections of the community. I trust the Attorney General and other hon. members will think over this position. If we leave the position as it is in the Bill we will find that a Supreme Court judge will take two or three, or possibly five years to deal with the appeals. In our time those appeals were going through at the rate of about two or three a year, and if a judge cannot move any faster than when the member for Kanowna was Attorney General, most of us will be down in Karrakatta before the judge has got through his work. We want something faster than that. I trust the Attorney General will endeavour to find some way out of the difficulty.

Mr. PILKINGTON (Perth) [5.40]: I do not propose to delay the House for many moments in dealing with the Bill. I have expressed my views already in regard to the recent strike and the manner in which the Government dealt with it. I cannot, however, let the Bill pass without protesting against the position in which the House is placed. The strike of civil servants was, in effect, settled by the executive, on a promise that a certain Bill would become an Act, and we are now told, "Here is the Bill." The House, however, has had nothing to do with the preparation of it and we are asked to pass it as it is. I submit that that is a position in which the House should not be placed and I desire to record my strongest protest against it. Hon. members recognise that our civil service, like most civil services—I think I may say all—is badly in need of reorganisation from time to time. If we leave the civil service without reorganisation it has a tendency—not the civil service here any more than a civil service elsewhere—to increase beyond the limits of what is right, proper, and necessary. It is essential that there should be some vigorous means of reorganisation, getting rid of those men who do not pull their weight in the boat. It is essential that the Executive should have power, as there always used to be, to get rid of a civil servant who might be considered unfit for the position he occupies. That right used to be vested in the Crown throughout the British Empire, and until comparatively recently it was vested in the Crown in Western Australia. It was taken away some years ago and then re-established. Then it was taken away by the Public Service Act of 1904. This Bill, when passed, of course puts it entirely out of the power of the Government to introduce any such proposal as that. The civil servant will have a security of tenure which appears to be beyond all reason. There is another point I would mention. The Bill is an illustration of the tendency which Governments have—I do not say the Government of this country only—to get rid of their responsibility. The management of the civil service is part of the duty of the Executive Government and to get rid of the responsibility by the appointment of a board is shelving a responsibility which rests on the shoulders of the Executive Government of the day. The member for Kanowna (Hon. T. Walker) referred to some remarks of mine and said that he did not understand the difference between a strike of workmen in private employment and a strike of civil servants, and he did not understand why I should call one a rebellion. The difference, I think, is very simple. When a body of workers refuse to obey the lawful orders of their employers, they are not doing anything which is seriously wrong. But when a body of civil servants refuse to obey the lawful orders of the Government of the day, they are acting in rebellion. I cannot imagine anything that might more properly be called a rebellion than a combination of persons, whose duty it is to obey the Government of the day, refusing to obey that Government. The hon. member also said that the Bill now before us justified the civil service strike. I am inclined to agree with that. But the hon. member apparently thought that it justified that which was properly justifiable, whereas my view is that it justifies that which can never be properly justified. It would be very pleasing to all members, I should imagine, if that super man of super knowledge, to whom the member for Pilbara (Mr. Underwood) referred, could be discovered. But if I found any person who claimed to have one half the knowledge which that super man referred to by the hon. member would have, I should know that that person was either a miracle or a liar, and personally I believe that the age of miracles is past. I do not wish to refer to any particular clause of the Bill at the present stage, because we shall have an opportunity of doing so in Committee, but I would call the attention of hon. members to some provisions to which I think it is desirable their attention should be directed and which, in my opinion, should receive careful consideration at the hands of hon. members before the Bill reaches the Committee stage. For example, in Clause 6, there are various matters which should receive the attention of the draftsman. Paragraph (a) of that Clause provides that the Board shall have jurisdiction to hear and determine any appeal by a public servant from the Public Service Commissioner or the Minister for Education in respect of the classification, reclassification or salary of such public servant. I have some conception of what a classification of the service means, but what does it mean in the Education Department? It means something entirely different. I do not know whether it is seriously suggested to grant an appeal against a classification in the sense in which it is used in connection with the Education Department which is entirely different from the sense in which it is used in connection with the civil service.

The Attorney General: There is a classification in the Education Department.

Hon. T. Walker: There are several.

Mr. PILKINGTON: As I understand it, it is a classification merely by certificates. It may be intended to ask the Board to decide on that point. Then there is this phrase which should be considered:—"The Board has power to hear and determine any application by a public servant for the redress or correction of any alleged anomaly affecting him in respect of classification, salary or position." I suppose it will prove to be a case something after this sort. A man will say, "My salary is £260 a year. Here is a man who is getting £270. My work is just as hard as his and is just as worthy as his of a high salary, and therefore I think I am entitled to go up in my salary." If that particular person goes up in salary someone else will say—"That gentleman has gone up to £270 a year; I was getting £265 and my

work is better than his. Therefore I must go up to £275." When that happens and someone else is put up to £275 or £280, the first man who had the appeal will say, "Here is another anomaly, Mr. Jones has gone up to £275, and therefore I must go up to £280." It will be an everlasting game of general post, if these men are put up. The game will never come to an end. It seems to me that it is wholly impossible to conceive of any civil service on earth where anomalies will not be found to exist. These, I take it, mean inconsistencies. If this is what is done, it seems to me there will be not hundreds but thousands of appeals. There is no reason why that should not be the case, although it could not have been intended. Some form of words to cover what was intended might be found that would be better than these wide words.

The Attorney General: An anomaly means an anomaly in treatment.

Mr. PILKINGTON: It does not say so. It says, "In respect to classification, salary or position." A man can say, "My salary is anomalous in view of John Jones, who is not as good as I am, getting more."

The Attorney General: That is an appeal against his classification.

Mr. PILKINGTON: I do not know. The provision I see is quite sufficient to make me feel anxious as to the result. There is also Paragraph (d) which provides—

> Whether any further allowance beyond that approved by the Governor prior to that date is necessary by way of immediate relief.

Surely that may be dealt with in some more satisfactory way.

The Attorney General: I think that clause does need re-drafting somewhat.

Mr. PILKINGTON: I merely draw attention to it. That would mean that every individual might say, "I want relief, because I lost my money at the races last week."

The Attorney General: Relief is not intended to be used in a charitable sense at all. It wants explaining.

Mr. PILKINGTON: If I were one of these people, I certainly would apply for relief. I do not see why anyone should not apply, if he comes within the wording of the Bill, on the ground that he did not get what he was entitled to and therefore needed assistance. There is another point to which I wish to draw attention. It is strange that the board should decide first that a man is entitled to immediate relief apparently on account of an increase in salary which he expects to get, and upon which the board has to decide hereafter. I do not know whether it is proposed that he should be given immediate relief, and repay the money if he does not get the increase in salary. He is to get immediate relief because he hopes to get an increase in salary later on. I may have misunderstood the Bill.

Hon. T. Walker: The supposition is that pending an appeal it is to be taken for granted that he needs relief, and he is granted it.

Mr. PILKINGTON: He is to get it on account of an increase of salary which he is going to apply for. Whether he will get the increase in salary or not will not be decided until after he gets the immediate relief. I do not know what is intended. Either the relief will have to be repaid, or the position will be that the question of salary will have to come first, in which case this clause will have no meaning. There is also a clause which I do not like the look of. I refer to Subclause (4) of Clause 6—

> If any question shall arise in any department of the Public Service as to the qualification of any person claiming superannuation allowance under Section 1 of the Superannuation Act, or the length of service of such person, or if any question shall arise under any other section of the said Act.

I have not the Superannuation Act before me, but my recollection of it is that it leaves in the hands of the Executive the decision as to whether a man has to get a pension or not.

The Attorney General: They decide on the evidence and on the facts.

Mr. PILKINGTON: They finally decide as to whether a man shall get his pension or not. There have been cases, which to my mind have been positively shocking, in regard to the refusal of pensions. I have been professionally engaged on some of them. There was one case in which a man was employed in the Government Printing Department for, I think, 28 years. After that I think he was retired and when he had retired he was told, "You were only temporarily employed." But he got some of his pension afterwards. There have been many decisions like that, whether they were justified legally or not. It is impossible to attack them by legal action. That is quite clear and has been decided over and over again. The power which the Government have under this Act is to say, "You shall have your pension, or you shall not have it." If the Government choose to say, "You shall not have it," although a man has earned it he cannot bring an action to enforce it. This subclause seems to me to give the board power to decide as to the qualification of any person to get superannuation allowance, and also as to whether he has served in an established capacity as a permanent civil servant. It still leaves it in the hands of the Executive to say, "You shall not have your pension even so." I do not like the system of handing the responsibility of the Executive to the board, but if it is to be the law, let it be done fully and completely. This still reserves the right to say to the civil servants, "You shall not have your pension even now. We have something else at the back of our minds." That does not seem to me a proper way of doing things. I have called attention to some matters which I think require consideration at this stage, and will have something more to say in Committee.

Mr. DUFF (Claremont) [5.55]: I congratulate the Government on having presented this Bill, and trust it will be the means of preventing friction between the civil service and the Government. I am satisfied that it will definitely define the exact relationship between the civil service and the State. From a perusal of paragraphs (a) and (b) of Clause 3, it appears to me that the Government are seeking power to veto the appointment of the nominee of the civil service, should they so desire. I think the idea that is abroad amongst most members of the service is that they are going to have a free hand to nominate their own member on the board.

Hon. W. C. Angwin: Do they want the chairman too?

Mr. DUFF: No. They want to be able to nominate the member on the board to represent them. I consider it will be wise to delete paragraph (b) of Clause 6, which seemingly gives the Government power to appeal against the decisions of the Commissioner. I do not think the Commissioner has up to date endeavoured to over-pay the civil servants, and it does not seem to me fair that the Government should have the right to appeal against the decisions of the Commissioner in regard to the classification or overpayment of the service. The Government will not employ the worst counsel to represent them, and, if an impecunious civil servant is in question, he will not have much hope of succeeding in a fight against the Government.

The Attorney General: I do not think the hon. member understands why paragraph (b) was put in.

Mr. DUFF: The Attorney General will be able to explain that part of the Bill. I am mentioning those clauses, which appeal to me as requiring a little attention or amendment. Where a temporary officer has been in the employment of the Government for five years, that ought to be a sufficient time for him to become a permanent officer without having to appeal or apply to the Commissioner to be made a permanent officer. The fact of an officer being in the service for five years should be sufficient to warrant his appointment to the permanent staff. I trust that the word "may" will be altered to "shall," so as to make the clause mandatory instead of conditional.

Hon. T. Walker: Is not five years too long altogether?

Mr. DUFF: It is long enough as an apprenticeship. It should not be necessary for a man with that length of service to apply to be made a permanent hand. I congratulate the Government on the fairness of Subclause 4 of Clause 6. No doubt there was a great deal of controversy on the question of superannuation, and I know of some cases that have been going on for 18 months or two years. I believe that when this matter is brought before the board they in their fairness will see that justice is done to the particular persons concerned. With regard to Subclause 2 of Clause 7, this is unnecessary and I think it should be deleted. It says—

> The Minister of any department affected may, in the prescribed manner, appeal to the board.

The Attorney General: Then the Minister is to be bound by the classification of the Commissioner, and have no right to appeal, althought everyone else has that right?

Mr. DUFF: I do not think there is any necessity for it so far as its bearing on salary is concerned. If there are other reasons for it, perhaps the Attorney General will explain them. In other respects I think the Bill is fairly satisfactory.

On motion by Mr. Mullany, debate adjourned.

BILL—ARCHITECTS.

Second Reading.

Debate resumed from 2nd September.

Hon. W. C. ANGWIN (North-East Fremantle) [6.0]: There has been no public agitation for the Bill; in fact, in my opinion, the general public do not approve of it. The Attorney General, in moving the second reading, stated that an Act dealing with architects and regulating their charges had been adopted in New Zealand. He also said he was not aware of any Act of the sort in Australia. I have been unable, after looking through the index of the New Zealand Acts, to find such a Statute in that Dominion. Of course it is possible that under some other title there is in New Zealand such an Act dealing with architects and regulating their charges. The Bill does not provide for the Government regulating the charges of architects; instead, it gives that power to the architects themselves. I am not going to say that the Attorney General has not studied the Bill, but I do not think he has given to it that attention which it deserves. Any person who carefully reads the Bill can come to no other conclusion than that it is giving the architects greater powers than are given to any other body of professional men in the State, not even excepting the legal profession. The Bill proposes to give to a few men—one might almost say eight men—full power to control the whole of the erection of buildings in Western Australia. It might be asked why does it give this power to eight men? On perusing the Bill, I find that for the first six months there is to be a provisional board of 10 members. On the expiry of six months the architects who will form this corporation under the Act are to be called together to elect a board of eight memebrs, who shall remain in office for four years. Thereafter one member will retire annually. So, that the member of the Board who gets the highest number of votes will hold office for 12 years!

The Attorney General: Where is that?

Hon. W. C. ANGWIN: It will be found in the first schedule.

The Premier: He would die on the job.

Hon. W. C. ANGWIN: Only one member of the board is to retire annually, no matter how much other architects might be disatisfied with the board. In these circumstances seven or eight years would have to elapse before the personnel of the board could be sensibly altered. The board will have power to issue summonses, and make inquiries in respect of any contractor who himself draws plans for a person desiring to erect a dwelling, inquire as to whether or not that contractor made a charge for his plans. They can examine that contractor closely in the details of his business to find out whether he included in his charges a fee for the drawing of the plans. If the contractor refuses to produce any papers or give the detailed information required by the board, the board can then ask a judge of the Supreme Court sitting in Chambers to commit the contractor, just in the same way as if the contractor had refused to give the judge himself the information required. These great powers are to be handed to a body of men who have had no legal training, no training in the dissection of evidence or in the judging of the demeanour of a witness.

The Attorney General: Which clause is that in?

Hon. W. C. ANGWIN: In Clause 11. The Attorney General made no attempt whatever to show any necessity for the Bill. He gave no reason why the architects had asked for it. He did not say where the existing practice in Western Australia is in any way prejudicial. He merely pointed out that the legal profession and the chemists and dentists and a few others were not in the same position as members of trades unions, and that therefore it was necessary that some of those professional gentlemen should be a law unto themselves. Certainly that provision has been effectually made in the Bill. We were told by the Attorney General that any person who had been practising as an architect in Western Australia for 12 months prior to the passing of the Act must be admitted to the Institute of Architects and that any person who, prior to the passing of the Act, had been practising as assistant to an architect for seven years must also be admitted. The Minister said the provisional board would have to register such persons as architects. That is not the case.

The Attorney General: Persons who satisfy the board of their skill.

Hon. W. C. ANGWIN: Yes, an applicant has to stand the test imposed upon him by the board. He will have to pass an examination, if the board so desire, in precisely the same way as a new applicant would be required to do.

Mr. Johnston: If he did not, his source of supply would be gone.

Hon. W. C. ANGWIN. That is so. The clause is very definite. He must satisfy the board that he possesses the requisite skill, that he is duly qualified. He must pass an examination which the board themselves will set for him.

The Attorney General: I told you that when moving the second reading.

Hon. W. C. ANGWIN: I did not hear it. In view of his explanation, I apologise to the Minister. However, the provision means that the board can debar a very large number of persons from registering under the Act. Some years ago a gentleman whom I know well made application to become an associate of the Institute of Architects of Western Australia. This man can draw a plan equally as well as can any architect in the State. He is a practical man, a carpenter by trade. He was for several years employed in the Government service, and for years he has carried on the profession of architect. He was refused entry to the Institute of Architects because he was a carpenter, and this notwithstanding that for many years he had practised as an architect. I know another man, an old West Australian, who was similarly dealt with. No doubt there are other cases that have not come under my knowledge. But I have been told that now the Bill is before us there will not be much objection to those two gentlemen becoming members of the institute, so long as no objection is raised to the Bill. But there may be many others not in so favourable a position as those gentlemen I have mentioned, and who would have to undergo a very stiff examination before being registered under Clause 15, which is supposed to be there for their protection. We have in Western Australia a fairly large number of technical schools, in fact they are scattered all over Australia. We have boys who have been trained as carpenters, bricklayers, plasterers and in other branches of the building trade. Many of those boys attend technical schools. They get the practical work through their apprenticeship and through working on buildings, and they get the theory from the technical school, where they are taught also architectural drawing. Those boys are trained almost as well as any architect practising in Perth. Yet no matter how well qualified a boy may be, no matter what his abilities —he might, through having practice and theory combined, be a better judge of the architecture of a building than many practising architects—unless he puts in four years in an architect's office he will not be allowed to practise as an architect.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. W. C. ANGWIN: Before tea I was dealing with the qualifications of a person who can be registered under the Architects' Board when appointed. I was showing that, no matter what training a youth had had in the Technical School, if he had not served four years in the office of an architect, it would be impossible for him to be registered under this measure. This will make the architects' body a very close corporation. This Bill does not even extend to the architects' institutes in the Eastern States

the courtesy of reciprocity. If members refer to paragraph (c) of Clause 16 they will find that a person who desires to be registered under the Act must be a licentiate or fellow of the Royal Institute of British Architects, or of the Society of Architects of London, or of some other institution or society which the board may declare to be of equal standing to one of the said institutions. There are various architects' institutes in the Eastern States, namely, in New South Wales, Victoria, and South Australia but, unless the board think they are on an equality with the Western Australian institute, it will be impossible for a gentleman practising in any of those States to be registered under this measure, or the board could make such a man submit to an examination, the same as a youth who is just commencing to practise. We have a very large number of civil engineers in this State, and portion of their work embraces architecture. An engineer could not be registered under this measure, not even provisionally, unless he passed the test, and after the board has been formed not at all unless he has served four years in an architect's office. There is no provision for a man trained in an engineer's office to be registered as an architect. We have a number of cadets who pass through the Government engineering department. They are trained to a large extent similarly to an architect. They have to draw plans dealing with architectural as well as engineering matters. Yet, if this Bill becomes law, there is no possibility of any one of these men being registered as an architect if he desires to devote himself to that portion of his calling exclusively in the future. This shows that the gentleman who framed this Bill intends, as far as possible, to make the Institute of Architects in Western Australia a very close corporation indeed. In all probability in a little time it will be brought down to a very few architects practising in this State. The provision dealing with the payment of fees shows clearly that there is no intention of extending the membership of the institution. If a member is in arrears for six months, no matter from what excuse, and if he remains in arrears for 12 months he is to be crossed off the list. There is no provision for re-admitting him. Between the six months and the 12 months he can make application to be retained as a member, and must pay up the arrears. After the 12 months he will be struck off the register, and there is no provision to re-admit him unless he submits to another examination. One portion of the Bill, namely, Clause 23, shows that the Attorney General has not looked into the matter as he should have done. This clause provides for de-registration for misconduct or anything unbecoming an architect. The board, if they so desire, can take evidence regarding the suspension of a member, and then apply to a judge of the Supreme Court to get his name struck off the list. This provision goes further than the somewhat similar provision which applies to the legal profession. I do not know anything about the actual practice in the legal profession, but this provision goes further than the Legal Practitioners Act provides. Subclauses 3 and 4 read—

> (3) If upon such inquiry the board is of opinion that the architect is guilty of misconduct, the Supreme Court may, on application made in that behalf by the board, suspend such architect from practice, or order the removal of his name from the register, and make such order as to the payment of costs as the Court may think fit. (4) On the hearing of such application the report of the board, together with a copy of the evidence taken on the inquiry, shall be conclusive as to all facts and findings therein mentioned or contained.

This is almost similar to the provision in the Legal Practitioners Act, but the latter goes a little further. Section 25 of the Legal Practitioners Act states—

> If the board make a report as aforesaid to the Full Court, such report shall be conclusive as to all facts and findings therein mentioned or contained. And the Court may, upon motion and upon reading such report, and without any further evidence, fine, suspend from practice, or strike off the roll such practitioner, and make such order as to the payment of costs by him as the Court may think fit.

There it is made optional, and I do not know whether it is the practice of the judge to make further inquiries and take further evidence before dealing with a legal practitioner charged with misconduct, but the section implies that the court may take further evidence if thought fit. The Architects Bill, however, makes no provision for taking further evidence, and the court will be compelled to accept the evidence on which the board has acted. This Bill also gives power to make by-laws and to fix charges. We have been told repeatedly that the only body of men in the community who can increase their own salaries without asking permission consists of members of Parliament, but this Bill will confer similar powers upon architects.

Mr. Hudson: Is power given to the architects to make by-laws?

Hon. W. C. ANGWIN: True, such by-laws have to be approved by the Colonial Secretary, but the hon. member knows what that means. He knows the supervision which will be given by the Colonial Secretary or the Minister charged with the administration of the measure. Under the Legal Practitioners Act, the powers are not so great. Legal practitioners enter into an agreement and that agreement can be examined and a reduction can be made if a judge considers it necessary. But the architects, once they get the close corporation for which they are asking, will be able to fix what charges they desire, and no one except the Minister administering the Act will be able to question

their charges. The Minister responsible for the Act will need to closely scrutinise the charges proposed by architects, and see that they are not extortionate. There is no provision that the regulations shall be laid on the table of the House.

The Attorney General: If you were Minister, do not you think you would scrutinise them?

Hon. W. C. ANGWIN: The Minister cannot scrutinise everything.

The Attorney General: I think he would scrutinise such regulations as those.

Hon. W. C. ANGWIN: The Minister depends very much upon his officials. In all probability the officials on whom the Minister would rely in this case, being architects, would also be members of the institute. There is a possibility of that being so.

The Attorney General: Let us have a reasonable possibility.

Hon. W. C. ANGWIN: They are architects. If they leave the Government employ it might be necessary, should they desire to enter into private practice, that they would compulsorily be members of the institute.

The Attorney General: The Bill does give a power which the Government have not got.

Hon. W. C. ANGWIN: There is competition. I use the words that will probably be used by every member of the institute, "There is individualism to-day." There are a few professional men who have banded themselves together, and there are others whom they will not allow to join the institute. There are contractors who are doing work of the same nature, and there are tradesmen employed by contractors who understand a great deal about the theory and practice of building. Under the Bill these men will be debarred from coming into competition with the architects in future. Once these powers are given to the architects, to make their charges, should any member make a charge that is somewhat less, although it may pay very well, it would be looked upon as unprofessional conduct, and in all probability the man in question will have his name crossed off the register, and be debarred from making his living as an architect in Western Australia. I suppose the only profession which has powers granted to it by Parliament, in which the fees are subject to revision, is the legal profession. It would often be a good thing if this were extended to doctors as well. Clause 31 is the crux of the whole Bill—

> After the expiration of six months from the commencement of this Act no person, unless he is registered under this Act, shall practice as an architect for reward.

I think that is all that is required by the architects. They desire to prohibit a large number of young men, who are tradesmen in the building trade, from drawing plans for cottage work, beyond which they rarely go, and from getting any fees or reward for such work. They desire to discourage the youth of Western Australia from getting the full advantage of the various technical institutions provided by the State in order to improve their positions for the future. I do not say it is always advisable that everyone should be allowed to prepare plans. The probabilities are that any person who desires to put up a building of considerable dimensions, or to erect a large dwelling in Perth or any of the main thoroughfares, would not wish to go outside the architects in order to have his plans drawn. I do say, however, that there is no occasion to pass a law making it compulsory for any man, who wished to build a five or six-roomed dwelling, to go to an architect to have his plans drawn. In all probability, to have the plans drawn, and the building supervised for a five-roomed house, would cost £50, whereas under certain conditions a large proportion of that amount could be saved. Once competition is removed, we shall have this position. Before proceeding with the Bill, I hope the Minister will go carefully into these points. The time has not arrived when it is necessary to pass legislation for the protection of architects, especially as there has been no similar legislation, so far as I can gather, passed in any part of the world.

The Attorney General: The Solicitor General can show you the New Zealand Act.

Hon. W. C. ANGWIN. I went through the New Zealand Statutes, and looked at the index of the English Act, but could not find any legislation dealing with the matter on similar lines to this Bill. There is no necessity for us to make a close corporation of architects in this manner. It has been said, "You have given it to the engine-drivers, lawyers, doctors and chemists." I could serve in a chemist shop from youth to old age without ever becoming a chemist, but I do claim that from my experience in building I could draw a plan for a five-roomed house, and construct it, as well as any architect in Perth. I could not claim to be a chemist until I had learned to dispense medicine. In view of the fact that this Bill is far reaching in its effects, and will possibly be the means of preventing many youths from getting the full advantage of the technical schools, without putting in four years in an architect's office, and of prevening other youths in the engineering trade from doing similar work without first passing examinations, I hope the Minister will think twice before he proceeds with it. If it were necessary to bring in a Bill to make an association of architects, a social gathering, or enable them to collect the fees to which they are entitled, I would have no objection, but I do object to placing on the Statute-book any measure that will prevent youths from making headway in this State. I should have liked to hear some reasons for the introduction of the Bill before speaking on the second reading, but we have had to take it as drafted. We only know what it contains. No reasons have been given by the architects in this State, either through the Press or by

the Minister, for the urgency of the Bill, and seeing that it is not a party measure, I hope the House will consider it carefully, and throw it out on the second reading if the Minister does not withdraw it.

On motion by Mr. Maley, debate adjourned.

BILL—DENTISTS.

Second Reading.

Debate resumed from 2nd September.

Mr. GRIFFITHS (York) [7.55]: This Bill is rendered necessary because of the altered conditions since the original Act of 1894, which this measure is intended to repeal, was framed. During the last 26 years conditions have altered in this State to such an extent that an Act of a wider scope is needed, one with a wider outlook and of a more liberal nature, in order to meet these altered conditions. It is not long since the dental profession met in conference. It was then unanimously decided that so far as vested interests and interests generally were concerned, these should be conserved by any Bill which was brought forward. I maintain that the Bill in certain directions hits at certain vested interests and at a certain class of employer, and that it does not savour altogether of British fair play in some particulars. I should like to refer to the dental laws in existence in Nova Scotia, part of the Dominion of Canada. Nova Scotia is not a one-horse country. It is part of a dominion which has a population of half a million people. In Halifax, the capital, there is the Dalhousie University, which lays itself out for the training of the prospective dental practitioner, of the young fellow who is anxious to gain such a knowledge of dentistry as will enable him to take his degree and follow up the calling. In this State we have none of these conveniences for the training of the young in dentistry. We have a university so young that up to date dental science has not attracted its attention. The Dalhousie University has been in existence for something like a century, but here we have no dental college or dental clinics. We have nothing but the ordinary dentist, with whom our young men may get some training in dentistry. In making a comparison between the two countries I should like to emphasise the fact that America is looked upon, so far as dentistry is concerned, as the light of the world in the profession. It is from America that everything new and up to date in dental science emanates. At the last meeting of the Legislature in Nova Scotia an amendment was passed to the Dental Act permitting a registered dentist to employ a person, not registered, to perform dental operations on patients. In Western Australia, where we pride ourselves in being up to date and go-ahead, we say that such a thing should not be allowed. There are in the dental faculty of this State many men who, though they have not gone through any prescribed course, are experts in their particular line, experts by reason of a lifelong experience. They are men who in their particular line have knowledge which a mere theoretical training cannot give. But if this Bill is allowed to go through without amendment, those men will be promptly thrown out of employment. Paragraph (d) of Clause 30 says that no dentist or medical practitioner shall permit or authorise or allow any person who is not a dentist or medical practitioner to practise dentistry or perform or assist or take part in any dental act or operation on the mouth, or other operation or service. That provision will really preclude an establishment which has nurses employed from allowing even the nurses to assist. In a country like Nova Scotia, assistants under the supervision of registered dentists are allowed to take part in dental operations. Coming nearer home, I find from the "Australian Journal of Dentistry," for April, 1911, that just after the passing of the last Victorian Dental Act, Mr. Joske, LL.B., registrar of the dental board of Victoria, and also its legal adviser, gave the legal aspects of the new measure and what led up to its passing. In dealing with the question of recording—and recording deals with the dental assistants—he stated, with regard to Section 16 of the Act which was passed in November, 1910, that the provision for referring was inserted by the Government and Parliament of Victoria. He further said—

> The view the Government insisted upon was that certain persons were practically practising dentistry under the authority of the law, although not actually registered as dentists, and that it would be unfair, unjust, and un-British to deprive them of the right of earning their livelihood, or part of it, in this way. The Government were supported in this view by both Houses of Parliament, and the section passed. Now, this affected 340 men who were working in the dental trade.

Mr. Joske also stated—

> In my profession, that of the law, men have been admitted as fully fledged barristers and solicitors in somewhat the same way; namely, that it was considered essential by the authorities that concessions should be made them when additional legislation was passed; and some of the ablest lawyers practising to-day are men who not only do not possess a degree but have never been through the prescribed course.

Again, in an editorial published in the "Commonwealth Dental Review" of the 16th August, 1912, the editor, Dr. Percy Ash, D.D.S., makes these very significant remarks—

> We are not advocating the suppression without compensation of the men who have for some years past earned a livelihood for themselves, and perhaps for others dependent upon them, by practising dentistry, although unregistered; because we realise that, according to the letter if not the spirit of the law, they have been within their rights. We do not condemn them

for availing themselves of all the advantages offered them.

In the "Australian Journal of Dentistry" for the 29th June, 1912, appears an account of a welcome to Mr. Fred. Canton, L.C.P.S., M.C.S., L.D.S., England, who was the British delegate from his association to the third Australian dental congress, held in Brisbane. Mr. Canton said, inter alia—

> In the matter of legislation they had been very fortunate in getting their last Dental Act, of November, 1911. In his opinion, it was much better to recognise in some way the unregistered, as they had done, while the numbers were comparatively small. The difficulty was twenty times greater in Britain, where the unregistered outnumbered by far those on the register. "They have a well organised organisation, and eventually some recognition will have to be given them."

The New South Wales Act, which I believe was passed in 1916, defines a dental assistant as follows:—

> A person is an operating dental assistant if he practises in a dentistry as an assistant to a person practising dentistry.

New South Wales evidently recognises that dental assistants can be and should be permitted, but we in this enlightened country of ours say, "No; this is going to be a close corporation." Under this Bill even a nurse will not be able to assist at a dental operation.

The Attorney General: Do you want us to allow nurses to practise dentistry? If so, just say so, and we shall know how to amend the Bill.

Mr. GRIFFITHS: As to the status of dental assistants, this Bill is going to debar them from acting even under the supervision of trained dentists. The calling tends more and more to fall into the hands of specialists. There is in Perth a large establishment where there are men just working on certain lines which the ordinary dentist often has to put out to be done by men who are specialists in them. There is the filling, the extractions, the impressions, the bites, the try on, the fitting of plates—all these things are done by different specialists. As showing that there is more in this claim than at first sight may appear, let me mention that the largest firm of dental suppliers in the world, Detrey & Co., sent out two professors to demonstrate. One professor was to demonstrate on bites, impressions, etc., and the other in the preparation of porcelain fillings. Each professor gave three progressive lectures; and this fact goes to prove the truth of my assertion that the dental calling is one for specialisation. There are men of the age of 40 years and upwards who, under this Bill, will be thrown out of employment because they have not gone through the prescribed course, but who are experts in their own particular lines. Moreover, this Bill is going to prevent the children of poor people from becoming dentists. The profession will fall into the hands of the children of people who can afford to keep them at school until they matriculate, and then article them to a dentist and pay the heavy premium demanded. And even in such a case the pupil will have only three years in which to qualify. If he does not qualify in that time, out he goes. The member for North-East Fremantle (Hon. W. C. Angwin) just now referred to the jurisdiction of the board which is to control architects. He said the board had very far-reaching powers. But this Bill proposes to confer just as drastic and as far-reaching powers on the dental board. The common offender against the law can appeal from the ordinary courts to the full court, and then to the High Court or the Privy Council. But now let hon. members view the position with regard to the dental board. They shall be the judge and issue summonses which shall have the same effect as a subpoena ad testificandum or duces tecum, as the case may be, issued by the Supreme Court. I do not know whether my legal friend in front of me, the member for Yilgarn, understands those phrases; I am sure I do not. However they convey this to me, that powers are given to the board similar to those possessed by a judge of the Supreme Court. An offender has the right to appeal to a judge, but it seems to me that the Dental Board are to be practically the Poo Bahs of their calling.

The Attorney General. Do you object to give them control?

Mr. GRIFFITHS: I do not, but we should not make it a close corporation, and give them power to adjudicate. You may take it from me, Mr. Speaker, that should a case be taken before a judge in the ordinary way, the judge will to a very great extent bow to the knowledge displayed by these people, which knowledge will be the last word so far as dental matters are concerned. The board may be composed of men who will be able to adjudicate on fine points but it does not seem to me to be a fair thing that that should be the case. A judge after all will be very loth to upset any decision arrived at by the dental board. I suppose there is something in the dignity of the dental profession, otherwise there would not be a clause in the Bill dealing with advertising. During the war it was recognised by no less a personage than the late Lord Kitchener, that advertising was a matter of supreme importance; in fact, it is claimed that advertising was an important factor which helped towards winning the war. The nations to-day, are recognising the value of advertising and are availing themselves of it extensively in connection with immigration proposals, and the conserving of the Empire's resources, and so on.

Mr. Pickering: Window dressing.

Mr. GRIFFITHS: This window dressing has been very effective. The value of advertising is recognised the world over, and

it is also recognised as one of the greatest factors towards successful business operations.

Mr. Pickering: But this is a profession.

Mr. GRIFFITHS. One of my earliest chums in the Old Country was a dentist, and I shall never forget the air of disgust he displayed when he drew attention to the advertisement of a dental firm, which firm he classed as quacks. Are hon. members opposed to advertising from a desire to try and keep the profession a close corporation and to shut out those more enterprising than others, whose desire it is to qualify?

Mr. Pickering: The desire is to recognise merit, and those who are successful at their profession.

Mr. GRIFFITHS: I remember reading an account of a meeting of the Pears' Soap Proprietary. Mr. Barrett, the president of that company, pointed out that whilst they had a good article it was no use having it unless they let the world know the fact. It was all very well to say that the merit of the thing would carry it through, but he pointed out that when they knocked off £20,000 or £30,000 from their advertising account, the soap remained as good as ever, but the sales dropped. The statement that advertising reduces the status of dentists, is one of those old-world, antiquated ideas; in fact it is one of the silliest things I have ever heard uttered. There is a clause in the Bill which provides that the Factories Act shall not apply to premises used by a dentist in the manufacture, preparation or adaptation of any article used in connection with dentistry. Let me mention the Metropolitan Dental Company, the leading people here. They have a factory.

Mr. Hudson: Is that one of your means of advertising?

Mr. GRIFFITHS: Perhaps the hon. member will hint that I am getting something out of this

Mr. Hudson: I am not suggesting it.

Mr. GRIFFITHS: I beg his pardon. So far as that firm are concerned, they have a factory. Why should they be exempt from the visit of an inspector? They house a certain number of employees, and their premises should be liable to inspection just the same as the factory of Foy & Gibson across the road. I suppose the gentlemen belonging to the dental profession, or perhaps those of them who are on the board, consider themselves to be made of finer clay than, say, the people controlling the Foy & Gibson establishment. "Let the inspector go to Foy & Gibson's or anywhere else, but do not let him come near our place" is what these gentlemen would say. It may be argued that the dental premises are not factories in the ordinary sense of the word, but there are very big establishments where a number of people are employed, and they therefore should be open for inspection. When the Bill is in Committee it will be my intention to get an amendment carried to the clause dealing with those interests which have grown up with the profession during the last 14 or 15 years. The Bill, if it is passed as it is, will throw a number of dental employees out of work, and it is my desire to prevent that. In Victoria certain interests grew up and were protected by the Act of 1911. That is a fair thing, and the object of my amendment will be to prevent anything unfair being done to existing interests. The sons of the poor will be precluded from joining the profession if this matter of cutting out dental assistants is carried into effect. The powers of the board are altogether too far-reaching. The method of dealing with offences, the hearing of charges, and the fixing of penalties savour too much of star chamber methods. Then the ridiculous advertising clause should be cut right out, and finally I cannot see why the dental factories should be exempt from inspection. The amendments which I propose to introduce I will submit to the Attorney General. Their object will be to make the position better so far as the interests that have been built up are concerned.

Mr. LAMBERT (Coolgardie) [8.26]: The House could possibly have expected more from the Attorney General when he introduced the Bill. The measure is certainly a very great departure and the hon. gentleman sheltered himself behind the bald statement that it was the result of an agreement arrived at by the dental practitioners and the dental operatives in the State. The House, however, expected something more explanatory to justify the abolition of the parent Act and the introduction of the present Bill. It is to be hoped that the measure will be approached by all members irrespective of any interest and any feeling other than a desire, consistent with the public safety, to try to give those at the present time earning their livelihood by dentistry in Western Australia a reasonable opportunity to become registered in the State. That is the general desire and I hope that any amendment which may be introduced will be on those lines. In the agreement which has been arrived at by the parties concerned, not much regard has been paid to the public interests. I certainly think the Bill is somewhat on the lines of the compromise arrived at by the dental operatives of Victoria and the then dental board when they passed that notorious Bill which will ever remain a disgrace to the dental profession the world over. While it is every member's desire to see that those competent to practise dentistry in Western Australia will be permitted to do so within reasonable limits and proper safeguards, I hope the door will not be opened to allow men in who will not sit to qualify as dentists.

Mr. Hudson: They are amending the Victorian Act, are they not?

Mr. LAMBERT: There is at present in Victoria an agitation for its amendment. It must be kept in mind that in Western Australia the dental mechanics are at a distinct disadvantage, in that they have not the same

opportunity as obtains in the older States to become acquainted with the technical knowledge necessary to the passing of the prescribed examination. While the Dental Board may have agreed to a certain set examination, I hope the Attorney General will have regard to the disadvantages under which those mechanics labour. I suggest for the Minister's serious consideration that a reasonably safe practical examination would meet the requirements of the Bill. The men who have established their right to practise dentistry in Western Australia are at present getting their living from it. Many of them are really good practical dentists, to whom I would go sooner than to others who are actually registered dentists. Yet although those unregistered dentists are getting their living from dentistry, it would be almost impossible for them, with the slender means they have of acquiring technical knowledge, to pass the examination prescribed by the board. For instance, it here prescribes "Tones on the anatomy of the head and neck." To pass an examination on "Tones on the anatomy of the head and neck" would require as much study as the Attorney General gives to his own profession. So, while the Dental Board may have prescribed this as a reasonable examination, I warn the Attorney General that if he wishes to admit more men to the profession it will be hardly possible for those men to pass the test unless the examination is modified.

The Attorney General: It is not a question of admitting more men, but of admitting them with safety.

Mr. LAMBERT: Of course every attention should be given to the question of safety. Yet since we are opening the door to admit other than those registered at present I take it that these unregistered men, by the fact of their having carried on successfully as dental operatives for some years, have established, if not a right to practise, at all events their bona fides as dental operatives. That should be the basis of the Bill. The Bill itself assumes that those men have some sort of established right, while those men merely desire that legislative effect should be given to that established right, so that they may become registered dentists.

The Attorney General: They have no established right to practise as dentists.

Mr. LAMBERT: It will be remembered that in Blitz versus the Dental Board the Full Court ruled that those men had the right to practise dentistry.

The Attorney General: The Full Court has no authority over the Legislative Assembly.

Mr. LAMBERT: But that was the Full Court's interpretation of the intention of the Legislature when the original Bill was passed.

The Attorney General: What we have to consider in the Bill is the good of the public.

Hon. T. Walker: That has been guaranteed by their long practice.

Mr. LAMBERT: I agree that the interests of the public must be safeguarded. I can speak on this question with some knowledge.

The Attorney General: With more knowledge than I have.

Mr. LAMBERT: I do not say that.

The Attorney General: But I say it for you.

Mr. LAMBERT: It is my desire that the House should have some knowledge so that we may frame a measure which will safeguard the general interests of the public and still admit those who can safely practise dentistry.

Mr. Hudson: How can any have acquired the right to practise since the passing of the parent Act?

Mr. LAMBERT: When the Dental Board prosecuted Blitz, he was convicted. He appealed to the Full Court. The Full Court ruled that under the Dental Act any operative could practise dentistry. That immediately opened the door. Personally I do not think it was the intention of the Legislature at that time, because all the succeeding sections of the parent Act show clearly that it was not intended to allow other than registered dentists to practise dentistry. However, the Chief Justice took a wider view, and it was held that under the supervision of a registered dentist any person could practise dentistry. Since we are going to amend the Dental Act, we must clearly lay it down that no persons other than those who apply for registration under Clause 21, or who are registered dentists, shall practise dentistry in Western Australia. Otherwise we immediately make the existing Act inoperative. I should like to see all those at present engaged in dentistry in this State have a reasonable chance of continuing in that profession. But there are many difficulties to be overcome. Many of us know men who can extract teeth skilfully enough, but who could not pass a technical examination. It is almost impossible to make provision for all. I think that, generally speaking, the Bill is a reasonable compromise, and shows a desire on the part of the Attorney General, while safeguarding the public interests, to give all those engaged in dentistry a reasonable opportunity for registering. There are some machinery provisions which it would be well if the Attorney General would agree to adopt. For instance, I see no provision for apprentices at present apprenticed.

The Attorney General: Yes, in Clause 20, paragraph (c).

Mr. LAMBERT: I think that provision particularly harsh. It does not obtain in the Attorney General's own profession, and I do not see why it should obtain in the dental profession. Why should apprentices, after three years, be for ever disqualified?

The Attorney General: It really gives them seven years.

Mr. LAMBERT: But how unfair it is! It does not obtain in the Legal Practitioners Act.

The Attorney General: If an apprentice requires more than seven years in which to qualify, it is not of much use his going on.

Mr. LAMBERT: There are many medical practitioners who did not pass their examinations within the time specified.

The Attorney General: But a man can go on learning medicine all his life.

Mr. LAMBERT: So, too, in dentistry. If we are to allow the Dental Board to set themselves up as examiners, we may have apprentices studying for 20 years without eventually passing the examination. All reference to apprentices articled should be deleted, and we should revert to the section in the parent Act. Because, after all, the provision dealing with men who have been practising dentistry in Western Australia for six years will affect only a few, and that few will be affected at once. As for an articled apprenticeship, that must be the basis of the dental profession in Western Australia for all time if we lay it down that in the event of a man serving four years and being unable to pass his technical examination, and, sitting again at the end of three years after completing his articles, he is unable to pass, he shall be debarred altogether. It is absurd. I am sure the Attorney General, since his attention has been drawn to the provision, will not support it for a moment. In my opinion, the prescribed time should be extended by at least three years. Three years is a very reasonable time. If there are dentists earning a living in either branch of dentistry and they cannot pass in that time, they should be barred so far as operative dentistry is concerned. There is a very serious side to the profession. The parent Act allowed almost anyone who could knock out a tooth with a club or pull it out with a pair of forceps to practise. Some of them were very good dentists; some of them would have made far better blacksmiths or something of that sort. In dealing with the profession now, I hope there will be no opportunity for unsuitable men to practise in this State. I am particularly sorry that the board, which has had certain powers delegated to it, has not been more mindful of the public interests by urging upon the Attorney General, who cannot presume to know much about this subject, the necessity for protecting the public welfare by devoting more attention to children in our State schools free of cost.

The Attorney General: That is not a matter to introduce into this Bill.

Mr. LAMBERT: I think it should be introduced into this Bill. The responsible Minister should have the right to provide for free dental attention in our State schools.

The Attorney General: I should think it has nothing whatever to do with this Bill.

Mr. LAMBERT: That is a matter of opinion. The only view taken by the dental board is an absolutely selfish one to keep the dental profession a close preserve. In America there are 60,000 odontological societies dealing with the care of teeth, particularly as regards children in the State schools. There are also general lecturers who travel throughout that country urging upon people their obligations to themselves and to their children as regards the proper care of their mouths. Yet the board, to whom we have by legislation delegated certain powers, are as inhuman as they can be in their total disregard of their obligations, even though they are supposed to be controlling a very useful profession. I am positively shocked that men who stand high in their profession do not have a higher regard for the public welfare, and are content to remain dumb while thousands of children in the State should be receiving proper dental attention. Particularly is it inexcusable in men who are practising the profession. There is no provision in the Bill, but I hope before it is passed, some authority will be given to the dental board to give reasonable attention to children in the State schools. I am inclined to think that the board of examiners will be unsatisfactory. The Attorney General would be well advised to provide for an independent board of examiners.

The Attorney General: Where can you get them?

Mr. LAMBERT: One can get almost anything by paying for it. The Attorney General might get a competent examiner from one of the dental boards or from one of the Universities in the Eastern States.

Hon. W. C. Angwin: Do not you think he would be in the union, too?

Mr. LAMBERT: He might be.

Hon. T. Walker: But he would be free from local prejudices.

Mr. Green: You could get a University man.

Mr. LAMBERT: Certainly. Judging by the attitude of the Minister in charge of the Bill, I have no reason to believe that he will offer any great opposition to the suggestion to provide an independent examiner. It is to be hoped that this Bill will prevent a repetition of the shameful exhibition we had last session of almost every member of the dental profession lobbying in this place. I hope that this Bill will give general satisfaction. One of the basic causes for dissatisfaction will be the opportunity for the dental board to set themselves up practically as a close corporation with no desire to allow anyone, except the few who are practising, to join their ranks. The profession here must be regarded as being fairly high. There are advertising dentists and prosthetic dentists practising here and, compared with the Old Country and with other places, we are fairly fortunate in that respect. I believe there is no snobbish idea of setting themselves up as an exclusive profession against the public interest. The member for York (Mr. Griffiths) pointed out that dentistry is peculiar in that it embraces two branches of the profession—those engaged in prosthetic dentistry and those engaged in operative. Those engaged in prosthetic dentistry

belong to a very neat little union of their own. Perhaps they do not call it a union though in fact it is a union. If they do not advertise in the "West Australian" they do so by flaunting themselves on the race courses or spending considerable sums of money in their clubs or buying flash motor cars, or something of that kind. If they do not advertise in one respect, possibly they do in another. I prefer the dentist who pays so much an inch for his advertisement in the paper, who places his goods before the public and lets the public know what they have to pay. We must not lose sight of the fact that the advertising dentists of Western Australia have done something to awaken the public with regard to the need for dental attention. It would be impossible for a working man to-day to send his wife to a prosthetic dentist and pay 20 or 30 guineas for a set of teeth, and it would be impossible too to pay four or five shillings each for the extraction of three or four milk teeth from a child, teeth which could probably be removed without the use of forceps.

Mr. Willcock. With a piece of cotton.

Mr. LAMBERT: The member for Geraldton uses a piece of cotton.

Mr. Jones: How do you take yours out?

Mr. LAMBERT: I should like to take out the hon. member's. If I could only nip his fangs, I would be doing something for my country, but there is no opportunity to do so as he is always nipping someone else's. I am pleased that the advertising dentist brings within reach of the ordinary person the dental attention which is so necessary. There are members of Parliament who have consulted me with regard to dental attention, and they have been astonished at the bill they received from the dentist. The people of the metropolitan area particularly have been fortunate.

Hon. W. C. Angwin: Why should a person practising as a mechanical dentist not enter into partnership with a qualified man?

Mr. LAMBERT: If an operative dentist can get a good mechanic to assist him, it surely would be in the interests of the public. In the Attorney General's profession, there are men who are good advocates in court and others who are good conveyancing men, and the combination makes for a very efficient office.

Mr. Pickering: But they are both qualified.

Mr. LAMBERT: Quite so, but I do not see why we should impose qualifications on the mechanical dentist. Reference is made in paragraph (a) of Clause 21 to the necessity for proving to the satisfaction of the board that an applicant for registration has been engaged in both operative and prosthetic dentistry in Western Australia for periods totalling six years. I suggest that that be cut out. There are men practising prosthetic dentistry which is purely mechanical and men handling patients under an anæsthetic who require a good knowledge of the anatomy of the head and neck, but there are men in Collins-street, Melbourne, in Sydney, and other places, who do nothing else but the purely operative dentistry and will not soil their hands wtih anything else. If an impressoin is to be taken, a mechanic sets it up and returns it when it is ready to be put into the mouth of the patient. It would be better if a comprehensive measure were introduced to separate the two branches of dentistry. We can never have dentistry on all fours with the medical or legal profession, because there is the manufacturing side to dentistry which is inseparable from the practice. Therefore, when considering this question, we must keep in mind the fact that the manufacturing side of the profession cannot be shed unless we separate the two branches. I see no reason why a man should not enter into partnership with a good operative dentist as a mechanic, or why the combination should not be a good one.

Mr. Munsie: In Canada they are practising now.

Mr. LAMBERT: It is a matter for the House to decide. I do not think the Minister has any very pronounced views upon that subject. I should be sorry to think he had. I am sure that every hon. member desires to join with him in an endeavour to get rid of the trouble which has existed in this profession in the past, and, with all the advice and knowledge we can bring to bear, see that the Bill leaves the House as perfect as possible. I hope the Minister will seriously consider the question of the appointment of an independent examiner. One can hardly say that those who constitute the Dental Board at present stand highest in the profession in Australia. It would be more satisfactory if the board had limited powers to prescribe a reasonably sound and practical examination in dentistry, particularly in practical operative dentistry as apart from purely theoretical dentistry. There are many men in the State who are reasonably sound theoretically, but I would prefer that they should theorise with "Tones" or some other book on operative dentistry than on my mouth. If we had a good independent examiner, who would be satisfied beyond doubt that the applicants under this amending Bill had a good, sound, and practical knowledge of operative dentistry, that would be all we should require and all that the Legislature could expect. It is assumed under this amending legislation that every man practising dentistry to-day is an operative whether he be registered or not, and is qualified to pass the examination. It only remains to give expression to that view in the proper manner, and to safeguard the public interests. If this Bill provides that a man shall have a sound and practical knowledge of the anatomy of the mouth and head, and all that appertains to the discharge of the functions and duties of the ordinary everyday dentist, then we shall have carried out our duty not only to the operatives in this State, but the public at large.

Mr. PICKERING (Sussex) [9.3]: I have listened with attention to the speech of the member for Coolgardie (Mr. Lambert). It was an interesting address, but naturally it raises some doubt in the minds of those hon. members who are not apparently as familiar with dentistry as he is. What is the profession of dentistry? Does it only stand for operative treatment and the mechanical side of the business, or does it take into consideration diseases of the mouth? If the latter is the case, then something more than a practical examination to deal with students applying for registration as dentists is necessary. Above all, there are the interests of the general public to be considered. When I go to a dentist I want to be sure that he is absolutely qualified to deal with me in a scientific manner. It may be that I have a certain disease of the mouth.

Hon. W. C. Angwin: Then would you not go to a medical practitioner?

Mr. PICKERING: No. We say that a dentist should be qualified to deal with the ordinary diseases of the mouth, and that it is necessary the dentist should know something about diseases of the mouth if he is going to deal with that part of our anatomy in a dental way. The member for Coolgardie also dealt with the question of advertising. The view he takes is scarcely a fair one. He says that dentists who do not advertise in the newspapers and on hoardings do so by attending racecourses, using motor cars, and doing other things of that nature. I have yet to learn that the dentist who has built up a practice out of the skill he employs in his profession has any need to adopt such means of advertising as the hon. member suggests. A dentist who can prove his efficiency by the skill with which he handles his patients has no need to advertise. The member for York (Mr. Griffiths) also enlarged upon the advantage of advertising. I remember a firm in France guaranteeing that if they advertised the seed of a certain cabbage they would sell millions of francs' worth of those seeds. They advertised and were able to sell millions of francs' worth of those cabbages. The position is different in the dental profession. We do not want men to advertise that they can draw millions of teeth at such and such a price. As a rule we find, with people who advertise like this, that the amounts quoted in their advertisements are not the amounts demanded for the services actually rendered. When a person goes to one of these dental firms, that has been advertising on a huge scale, he usually finds that some other form of dental treatment is suggested to him, costing much more than the firm advertised, such as a set of teeth at £2 10s. per set. I take it that this form of advertising is intended to draw the public to the establishments in question and for no other purpose. Once these firms induce the public to go to them, they deal with people as they like. There is no guarantee that, as a result of these advertisements, the public will get the dental fittings that have actually been specified in the advertisements. The man who is qualified and capable of doing the work required of him does not need to advertise the fact. His practical knowledge is made evident by the skill he employs in doing his work. Many dentists in Perth do not advertise, but they are able to do a good business because of the skilled treatment of their patients. The idea of advertising is to get business that would ordinarily go to another man in dental practice who had sufficient skill in his work to get patients without advertising. In the case of the wholesale dental firms, so long as there is one dentist in a firm, anyone can carry on the business while the unfortunate patient has to bear all the suffering and put up with the malpractices of the staff. The member for Coolgardie, I think, suggested that dentists should give free inspection of children at school.

Mr. Munsie: No.

Mr. PICKERING: Perhaps he said that dentists did not do this.

Mr. Munsie: He said that the Government should make provision for dentists to give this free inspection.

Mr. PICKERING: The hon. member's remarks did not bear that construction, to my mind. They were not a reflection upon the Government but upon dentists. I know that registered dentists do give free attendance at the hospitals and at their surgeries. Quite recently I was in a dentist's rooms in St. George's-terrace, and saw three or four children from one of the orphanages waiting there to be treated.

Mr. Green: Evidently he did not advertise or he would have had many more there. That is the weakness of his methods.

Mr. PICKERING: That is not the sort of client the advertising dentist is looking for. It is the people who do not advertise that do that sort of thing.

Hon. W. C. Angwin: How will the newspapers live if dentists do not advertise?

Mr. PICKERING: I am not studying the newspapers. That is their business. Probably we find that most papers strongly advocate the principle of advertising for dentists.

Mr. Munsie: The dentists who are advertising are doing most of the business.

Mr. Green: Nine-tenths of them are.

Mr. PICKERING: To the prejudice of the people who go to them.

Mr. Munsie: I do not think so.

Mr. Green: Why do you advertise?

Mr. PICKERING: I do not.

Mr. Green: I think I have seen your advertisement.

Mr. PICKERING: No. I do not stick up posters such as those we see in Hay-street.

Hon. W. C. Angwin: I do not see anything wrong with it.

Mr. PICKERING: I do not believe in it. Dealing with the question of those persons entitled to register, the 1894 Act says that anyone who has been practising for a period of 12 months can be registered. Several years have passed since then, and those people who are now seeking registration knew what this Act conveyed, and that there was a certain procedure to be gone through before they could be registered.

Hon. W. C. Angwin: We had not a big population in 1894.

Mr. PICKERING: Anyone taking up dentistry should have known the situation. The Attorney General has introduced a measure which liberalises the old Act and gives all that is necessary at present. There is no need for the extension of the principle beyond what is contained in the Bill. This amendment to the existing legislation enables anyone who desires to qualify as a registered dentist to do so. Is it suggested that anyone who is not qualified should be registered? Anyone reading the Bill must be struck by the liberality extended to those desirous of qualifying as dentists. I should be the last one to suggest that in such an important profession anyone who sought registration should get in without proper qualification.

Mr. Munsie: It all depends on what you consider to be proper qualifications.

Mr. PICKERING: In my opinion the basis set forth in the Bill offers a fair test to decide the qualifications of a man who seeks to become a dentist.

Mr. Munsie: The examination proposed by the member for Coolgardie is all that is required.

Mr. PICKERING: I do not agree with that view. There is technical knowledge required by the dentist which could not be demonstrated at an oral examination. As regards the board, the proposals of the Bill seem to me fair. The clause regarding apprentices allows the same period for passing the examination as is allowed to other people, and therefore there is no ground for exception. I sincerely trust that the Minister in charge of the Bill will stick to his measure on the question of advertising. What the Bill proposes in that respect is perfectly fair and reasonable. The advertising is only a means of attracting business on grounds which are not reasonable and fair, and I therefore support the Bill in that connection. Taking the Bill as a whole, it is, as stated by the member for Coolgardie, who has some knowledge of dentistry, a pretty good Bill. The measure has been agreed to by the dental board and by the operative and mechanical dental assistants, and I therefore see very little reason for taking exception to its provisions. I support the Bill generally.

The ATTORNEY GENERAL (Hon. T. P. Draper—West Perth—in reply) [9.17]: There is really very little for me to say in reply to the speeches which have been made. The main principle of the Bill is contained in Clause 21, which provides that certain persons who have done certain service and have passed certain examinations shall be admitted to practice as dentists in this State. Hon. members who have spoken have not said one word against that principle; they have merely commented on some details of the Bill. Some of the comments were doubtless important, and others were possibly of a somewhat trivial nature. The member for Coolgardie (Mr. Lambert), who I understand is a member of the dentists' profession, mentioned certain subjects of examination set out in a schedule, subjects of a technical nature of which I personally cannot pretend to have any knowledge. I will ask hon. members, if they desire to amend the Bill, to put their amendments on the Notice Paper. The amendments which they desire to effect may be quite harmless from the Government's point of view, and yet if they are of a technical nature I personally shall feel rather inclined to sift them closely unless I have heard of them beforehand and have had technical advice on them.

Mr. Munsie: Suppose a member desires to have an interpretation of a certain clause before he puts an amendment on the Notice Paper, how will he get on then?

The ATTORNEY GENERAL: He has only to meet me in the lobby and ask me.

Question put and passed.

Bill read a second time.

BILL—PARLIAMENT (QUALIFICATION OF WOMEN).

Second Reading.

Debate resumed from the previous sitting.

Mr. PILKINGTON (Perth) [9.22]: I do not propose to detain the House for more than a few minutes in dealing with this Bill. The mere fact of its passing the second reading is, I take it, almost a foregone conclusion; but I do not wish the Bill to become law without entering my humble protest against disfiguring the Statute book with so gross an absurdity. It is sometimes said to those who do not believe in this form of legislation, "Do you not think that women have sufficient intelligence to deal with the matters with which men usually deal? Do you think that women have less intelligence than men?" Now, that is not the reason why I, at any rate, oppose this class of legislation. It would not be difficult to find in the city of Perth 50 women who would be quite equal, and indeed greatly superior, to the 50 members of this honourable House in the matter of intelligence. But if they were gathered together here as a deliberative assembly, they would be grotesque and bizarre. That is the reason why I believe this Bill ought not to pass. We cannot expect, and we will not find, that a body of women, intelligent women, capable women, will be able to perform the work of a deliberative assembly as effectively as men. I believe that an assembly of mixed men and women will be still less efficient. There is another point I should like to make very briefly in protesting against this measure: I believe the introduction of this Bill into the House is utterly insincere. I do not believe that the Minister who introduced it, and I do not believe that the Government, regard this measure as one which deserves their sincere support. It is common nowadays for Governments to introduce Bills merely because they think public opinion is running in that direction. Indeed, something of that very sort was said by the

Attorney General in moving the second reading of this measure. The Government may be right or they may be wrong in their view of public opinion, but I do say most emphatically it is not right that the Government should introduce a Bill in which they do not believe, merely because they think, after going about trying to discover what public opinion is, that public opinion is in favour of that Bill. I respectfully submit that it is the duty of the Government to introduce no Bill in which the members of the Government do not heartily and sincerely believe. I venture to say that most hon. members who vote for this Bill will do so with the full knowledge that, if the measure becomes law, the result will not be that women will be generally elected as members of Parliament. It is because hon. members recognise that the public know the unwisdom of such a course that they are prepared to put this Bill upon the Statute book. I submit that that is not sincere, that that is not the way in which legislation should be passed. We all know that if this Bill becomes law there will be very few women, if any, elected to Parliament. We know that the good sense of the general public will be greater than the good sense of those who put this Bill on the Statute book. I do not wish to speak on this matter at any length; I merely wish to enter my protest before this Bill becomes law.

Hon. W. C. ANGWIN (North-East Fremantle) [9.26]: I support the Bill, and in reply to the last speaker would say that we know that if this measure becomes law women will be eligible to sit in Parliament just as men are now. If this Bill becomes law, and if the people of the State desire to send women into Parliament, they will have an opportunity of doing so. The tendency of the measure will be to widen the field of selection as regards members of Parliament. I do not believe that the Government are so insincere in this matter as the member for Perth (Mr. Pilkington) suggests. Neither do I consider it is always necessary that every member of a Government should believe in every word of every Bill introduced by his Government. My view is that the Government should introduce legislation suited to the requirements of the country. The member for Perth himself stated that some women might be elected to Parliament, though he thought the number would be extremely limited. There may be in Western Australia some women who think that as a matter of right they should be allowed to become candidates for Parliament, as women are now entitled to do in England and in the Commonwealth of Australia. The member for Perth has suggested that if one or two women are brought in here it will not add to the prestige of the House. There is only one woman member of the British Parliament, but she has been highly spoken of by many people. I have been in England during the last eight or nine months, and I can state that various members of Parliament have spoken very highly of the work done by the lady member. The House has previously passed a provision similar to that contained in this Bill, and the Government have shown their sincerity by re-introducing the provision. Membership of the Commonwealth Parliament is open to women, and membership of this State Parliament should be. If the people do not want women in Parliament, they will not elect them, but if they do want them they should have the opportunity of returning them.

Mr. MUNSIE (Hannans) [9.29]: I cannot let the remarks of the member for Perth (Mr. Pilkington) go without a word or two of reply. The only reason, so far as I know, advanced by the hon. member for opposing this Bill is his belief that if women are elected to Parliament the legislature would not be as effective as is a Parliament composed of men. I do not profess to be able to judge whether such would or would not be the case. But the hon. member did not support his view by one tittle of argument. Personally, I believe with the member for North-East Fremantle (Hon. W. C. Angwin) that if the standard of debating or the general level of members is likely to be raised by the admission of women to Parliament, they should have the right to sit there. I consider also that the people of Western Australia should have the right, if they so desire, to elect women to Parliament. I believe, too, that if we had some women as members of this Assembly it would add to the prestige of Parliament. Further, it would be to the benefit of the people of the State. I was rather surprised at the member for Perth, a gentleman of high standing in the legal profession, stating that if the Assembly were composed of women it would not be as effective as it is at the present time. I naturally expected that in the next sentence or two the hon. member would advance some reasons for the statement. But he resumed his seat without giving any reasons. Until some reasons are advanced which will convince me that this Chamber will be less effective if women are elected to it, I intend to give them the same right as we have to become members.

The PREMIER (Hon. J. Mitchell—Northam) [9.33]: I do not know why the member for Perth (Mr. Pilkington) should accuse the Government of want of sincerity in connection with the introduction of this Bill. We introduced a measure last session to give women the right to hold a seat in Parliament, but it was rejected by another place. I assure hon. members that we are perfectly sincere in the matter, and I consider that the House would be wrong in refusing to grant women the right to sit in Parliament. Whether they are elected or not of course depends on the people themselves. The member for Perth has a perfect right to vote against the Bill, but he is entirely wrong, firstly, when he accuses the Government of

want of sincerity, and secondly when he would have us believe that women are unfit to sit in this House. A woman has been elected to the House of Commons, and the right is given to women also to sit in the Federal Parliament, provided, of course, they can get a sufficient numer of votes to secure their return. In many places too they have been permitted to become barristers.

Mr. Munsie: They are practising in Victoria.

The PREMIER: I merely rose to assure the member for Perth that the Government are perfectly sincere. I ask the House to believe that we are sincere and to assist the Government in passing the Bill.

Mr. JONES (Fremantle) [9.35]: I feel somewhat sorry for the member for Perth, because I have great respect for him, believing him to be the sole remains of the old crusted Tory party so far as this House is concerned. The member for Hannans (Mr. Munsie) has taken him to task for not explaining why he thought women would not be qualified to legislate in this House. I would like to tell the House why they would be unqualified. It is because of such opinions as the member for Perth holds. Because of the fact that men have held those opinions, women have not had the opportunity to develop, to mix with the world, to get that general knowledge that man sometimes gets and sometimes fails to take advantage of the opportunity to get—that is why perhaps woman is to-day not sufficiently mentally developed. The passing of such legislation as this, if it does nothing else, will help that development. It will assist the potential ability of woman, which is equal to, if not greater, than that of man, and will enable her to take her place in the world. The Premier need not grieve too much over the protestations about insincerity, because I know that when men are anxious to raise women to an equal status, as a general rule they are insincere. The worst of it is that they imagine they are sincere; that is the sad part of it. I say that not merely will the status of women be improved by the passing of such legislation as this, but that measure of insincerity which the relics of the old sex war forced upon men will be removed by the passing of this and similar legislation.

On motion by the Colonial Secretary debate adjourned.

BILL—LOCAL AUTHORITIES SINKING FUNDS.

Second Reading.

Hon. W. C. ANGWIN (North-East Fremantle) [9.40] in moving the second reading said: My object in introducing this Bill is for the purpose of giving local authorities the opportunity to take up war gratuity bonds which have been granted to the employees of those local authorities under the War Gratuity Act, 1920. Several of the local authorities employ men who took part in the late war, and a request has been made that the employers of many of these soldiers will redeem the bonds that the soldiers have received for past services. As the position is to-day, the local authorities' entire funds, which are raised by way of rates, have to be expended on making and maintaining roads and other requirements in the district, and also to pay interest on loans raised. A certain amount, however, has to be deposited every year towards a sinking fund. This must not be below two per cent. Some of the municipalities are of the opinion that if they were permitted to do so they might devote this money towards taking up gratuity bonds held by their employees. At the present time when these sinking funds become large enough, they have to be invested in State securities; they cannot be invested otherwise. The war gratuity is a Federal security, and it is not possible under the existing law for the local authority to invest its sinking fund in it. I have limited the investment of this money to war gratuity bonds. The payment of the bonds will be made in March, 1924, so that they have a little over 3½ years to run. I know of one body which will pay their employees £3,000 if they are permitted to take up the war gratuities held by those employees. During the next few weeks that money will be available, and, if the Bill becomes law, it will be possible for that municipality to take up the bonds. It will then be possible for them to deposit the bonds, instead of the cash, with the Colonial Treasurer. That will be an advantage, because in the past only four per cent. has been received for this money. If the bonds are taken up the local authorities will receive 5¼ per cent. In this way both the soldiers and the local authorities will benefit. It will make no difference whatever to the Colonial Treasurer. He will have the bond to hold as security, and he will collect interest in exactly the same way as he would under other circumstances. That is the object of the Bill, and I think I can ask the House to agree to it, and in that way assist both soldiers and local authorities in the manner I have described. I move—

That the Bill be now read a second time.

On motion by the Premier debate adjourned.

House adjourned at 9.45 p.m.