authorities concerned with the government and management of the islands north of Australia; and also in the direction of ascertaining whether it might not be possible for the syndicate concerned to prevail upon some of the most important manufacturing enterprises in Great Britain either to transfer their manufacturing rights so far as markets in this part of the world are concerned to this syndicate; or, failing that, whether it might not be possible to establish branch manufacturing enterprises themselves within the State of Western Australia.

The visit of Mr. Hallam abroad was successful. As a result, there has been established in recent weeks in Western Australia the Western Australian Industrial Corporation, Limited, which, it is hoped, will be responsible in the reasonably near future for giving a very great fillip to industrial production in this State. The Government has been so interested in this matter, and so anxious to assist in the direction in which the enterprise is striving, that it has agreed to grant £5,000 by way of financial assistance to these people to help them in their endeavours on behalf of the State. In agreeing to make this money available, the Government has established certain safeguards and restrictions which it felt it was its duty to do on behalf of all of those concerned in the proposal and in the company's operations when they get under way. So I think that the member for Williams-Narrogin will clearly see—as will every member of the House—that the Government has been particularly interested in the activities of this syndicate since the middle of 1943 and has assisted it financially and in many other ways, as I am sure Mr. Hallam in particular would acknowledge if he were approached; and any member of this House has my complete permission—if that is considered necessary—to approach Mr. Hallam and discuss the matter with him in the frankest possible manner.

I think I have indicated that the Government is doing very effectively, and as effectively as possible the work which the proposed Select Committee would be called upon to carry out. I would suggest it is doing that work more effectively than could a Select Committee. To sum up what I said in that regard: Negotiations are already proceeding between the Commonwealth and State Governments for the taking over of the aircraft production factory at Bayswater by the State Government. The Railway Department will take over the munitions annexe at Midland Junction. The small arms munitions factory at Welshpool is continuing in production and will continue in production in regard to small arms ammunition for at least six or nine months to come.

As I also said, it is the hope of the State Government—and it has made representations in this regard—that the Welshpool small arms ammunition factory will become one of the permanent factories in Australia for the production of small arms ammunition. I indicated what had been attempted in connection with the fuse section of the factory and also that proposals—at least two—are now under consideration for the purpose of using the fuse section for the production of the requirements of civilian industry when the present activities in that section come to an end, as I understand they might do within the next two or three months. In view of all these things I suggest that this motion is not justified, and I therefore ask members to vote against it.

On motion by Mr. North, debate adjourned.

House adjourned at 9.52 p.m.

Legislative Council.

Thursday, 13th September, 1945.

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

QUESTION.

PUBLIC TRUSTEE.

As to Estates Administered, Etc.

Hon. V. HAMERSLEY (for Hon. A. L. Loton) asked the Chief Secretary:

1, What is the value of estates administered by the Public Trustee?

2, What is the number of estates administered by the Public Trustee?

3, What was the amount of profit—if any—for the financial year 1944-45?

4, What was the loss—if any—for the financial year 1944-45?

The CHIEF SECRETARY replied:

1, The total value of estates in the hands of the Public Trustee at the 30th June, 1945, was 1,028,786.

2, The total number of estates in the hands of the Public Trustee at the 30th June, 1945, was 2,468.

3, Nil.

4, Expenditure from Crown Law Vote, £13,468; Administration charges, £2,245; total, £15,713. Collections—Fees, £13,051; deficiency, £2,662—£15,713.

PAPERS—HOUSING.

As to Negotiations, Costs, Etc.

Debate resumed from the 28th August on the following motion by Hon. C. F. Baxter:—

That there be laid upon the Table of the House—

(a) The papers relative to the negotiations between the State and Commonwealth Governments in regard to housing in this State.

(b) A report of the State Department concerned giving specific details of the progress made in respect of the authorised schemes, full details of the costs of the houses comprised in each scheme, and how the plans for Western Australia compare with those for other States.

(c) All papers relative to proposals that have been submitted for houses to be erected partly or wholly of prefabricated materials of various kinds, and relative to the efforts that have been made to reduce building costs in this State and to obtain essential materials.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [4.35]: I think it is generally recognised that the housing problem is very acute, and of great importance, but I do not think it is generally recognised that it has not developed only in recent years. It certainly became more acute during the war years, but it had its genesis in the pre-war years, when there was marked inactivity in the building of homes for workers for letting purposes. We can recall more than one occasion when there were discussions in this Chamber, in pre-war years, on that phase of the problem. Mr. Baxter desires that certain papers be laid on the Table of the House, and in his opening remarks he referred to the fact that in my reply to the Address-in-reply debate I said that housing was being placed in a position of No. 1 priority.

What I actually did say was that the State Government, with the co-operation of the Commonwealth Government, was dealing with the matter as of first priority in post-war planning. Mr. Baxter referred to that as an extraordinary statement, and said it was a pity that something in that direction was not done some time ago, and that it was rather late in the day now to start formulating a scheme. I can see nothing extraordinary about that statement. Neither do I think it does the hon. member any credit, as surely he, together with other members of this House, is well aware of the difficulties and embarrassments with which the Government has had to contend in the matter of housing during the recent war years. It is all very well for Mr. Baxter to use the term "housing" and to put up a vague suggestion that the present situation is the result of Government policy, and that more could have been done had the Government been alive to its responsibilities. I suggest that the unpalatable fact must be faced that there is a shortage of houses, not only in this State but in every State of the Commonwealth. The Government recognises that the position is acute and appreciates also that the position will be more difficult in the next few years, when many of the men in the Services will have returned. It should, however, be recognised that the position was very difficult even before the war, when there was an acute shortage of houses in certain places.

It should be realised that we have been through a war of the first magnitude, a war in which all our resources have been directed towards saving Australia. I need not repeat the excellent record of enlistments from this State—better by far than that of any other State—or say what effect that had on

the civil building programme of Western Australia. All our tradesmen and all our raw materials were on service, the service of saving Australia; and I defy anybody to say that any Government in those circumstances could have undertaken an extensive civil building programme. I think the late Prime Minister put the position fairly and squarely before the people of Australia when he said that only a vast Commonwealth-wide building programme could remedy the situation. He estimated that 50,000 houses a year were required and a labour force of some 300,000 men, not during the war years but when labour was available. I do not think any words of mine are needed to emphasise how impossible it would have been to obtain even a small part of that number.

I recall that the Commonwealth Government appointed a Royal Commission in 1943, and since that date the Commonwealth, in conjunction with the various State Governments, has been dealing with this problem to the best of its ability. Now that the war has ended, the housing position has been approached in a practical way by the State Government, and while I make no boast about what has been done, I do say that very substantial obstacles have been overcome and the foundations of a big programme have been laid. So far approximately 100 houses have been completed, and about 180 more are under construction in many parts of the metropolitan area as well as in several country towns. With the welcome return of peace, we have prospects of a very substantial increase in this programme. Mr. Baxter stated that no houses had been built during the year 1944. Unfortunately for him, he was very wide of the mark because, during that year, approximately 300 houses were erected.

Admittedly this is only a small number when compared with the number really required in the State, but this fact goes to indicate how careless the hon. member was in his statements on this matter. He also criticised the Government for entering the field of home building with day-labour proposals for men of the Public Works Department in an attempt to get houses erected as quickly as possible. He expressed the hope that wiser counsels would prevail to prevent the introduction of such a system. Here, I think, we have a contradiction. On the one hand he accused the Government of having done nothing in the matter. He referred to the housing position in Perth as degrading, spoke of crowded housing conditions, referred to slum areas and said that people were living in stables, garages and the like, and accused the Government of having no plans ready to deal with housing. On the other hand, he complained of the policy of the Government in introducing day-labour proposals, without which —I say this advisedly—it would be impracticable even to arrest the present drift in housing needs.

The Government has planned and, with private enterprise, proposes to enter upon house building and, as soon as manpower and materials are available, hopes to share with private enterprise the work of building homes for the people as quickly as possible at reduced costs as compared with those at present ruling. When the Commonwealth call for houses came in 1944, we had to start from scratch with what labour and materials were then available. The Government recognises the part that private contractors can play in the housing of our people and approves of their efforts up to date. As a matter of fact, all the war housing cottages erected to date have been constructed by private enterprise for the Workers' Homes Board, and the Government simply feels that it is in duty bound to swing into the building field the tradesmen who are in its employ and who are anxious and willing to contribute their share towards alleviating the housing problem. To suggest that private enterprise can deal with this problem on its own represents, I think, an impracticable approach to a question which has become an issue of national importance demanding the energies of all who have any responsibility in the matter.

I should also like to refer to Mr. Baxter's allusion to a statement made by Mr. Dimmitt to the effect that it had been said in the Legislative Assembly of New South Wales that no less a sum than £800,000 had been spent by the Commonwealth Government in connection with the housing scheme and that, therefore, this represented an overhead of approximately £143 on every house that had been built. I suggest that that was a most unfair use of figures. From the information I have been able to gather, it would appear that the £800,000 related

mainly to the salaries of senior Commonwealth servants in certain over-riding departments who have been associated with the control of building materials and not necessarily with the building of houses. I suggest that if those figures are correct and that only 5,600 houses have been built during the war years, it shows that the control exercised by the Commonwealth Government has been very effective. I say further that to quote the figure of £800,000—even if it be correct, which I have no means of ascertaining at present—shows, to my way of thinking, that the hon. member was prepared to use any argument in order to bolster up his case.

There are many aspects of the housing problem, and I expect we shall have an opportunity of considering them at a later date, particularly in connection with the programme or plan devised by the Commonwealth and State Governments. Members should be aware that negotiations have been taking place over a fairly lengthy period, and that only as recently as the last Premiers' Conference was the matter finalised. I advise the House that the draft agreement for the Commonwealth and States' housing programme has been received by the Government only this week. If that agreement is in order, as I anticipate it will be, then we shall be introducing legislation at a very early date. When that legislation is brought before the House, full particulars will be supplied, and members will be able to obtain any information they may desire. Mr. Baxter, in paragraph (a) of his motion asks that—

> The papers relative to the negotiations between the State and Commonwealth Governments in regard to housing in this State

be laid on the Table of the House. I suggest that to do this would only have the effect of causing a lot of inconvenience and perhaps embarrassment. I am informed that the file is a very bulky one, and if it is laid on the Table, it will be necessary for it to remain there for the rest of the session. This file and these papers are in constant use, and until such time as the legislation has been prepared and is presented to Parliament, I think it would be unreasonable to insist that the papers be laid on the Table of the House. Paragraph (b) of the motion asks for—

> A report of the State Department concerned giving specific details of the progress made in respect of the authorised schemes, full details of the costs of the houses comprised in each scheme, and how the plans for Western Australia compare with those for other States.

In regard to this part of the motion, I am advised by the head of the department that to comply with this request would require the services of two or three officers of that department for several days. They are at present very much over-taxed. To take officers from the work on which they are at present engaged in order to provide all this information would, under those circumstances, be quite unreasonable. But the Workers' Homes Board, which is the authority in this State for dealing with the question of housing, has supplied me with some information which I feel sure members will welcome and appreciate, and I suggest that for the time being this is quite sufficient for us to go on with.

There is nothing that the department or the Government desires to keep from members; but I suggest that in view of the importance of this problem, it is hardly a fair thing to ask that so much work should be undertaken by the department when it can have so little value. Again, I suggest that when the legislation is brought down there will be every opportunity for members to obtain all the information they may desire on any aspect of this question; because, as I said previously, the Government is imbued with a desire to solve this problem as early as possible. I do not think members can complain—not seriously, at any rate—of the activities of the housing authorities in this State at present.

Hon. G. W. Miles: Could you repeat, for the benefit of Mr. Baxter, who has just entered the Chamber, what you said about the inconvenience of the file being laid on the Table?

Hon. C. F. Baxter: Unfortunately, I was called away on an urgent matter.

The CHIEF SECRETARY: I am sorry the hon. member did not hear what I said. I suggested to the House that to place this file—which is a bulky one—on the Table would cause a considerable amount of inconvenience, mainly because it is in use all the time and if it were tabled it would have to remain on the Table for the balance of the session. There is no objection to Mr. Baxter's using the file; he can peruse it as often and for as long as he likes. I also suggested that when legis-

lation is introduced—and we have only this week received the draft agreement between the Commonwealth and the States in regard to the housing programme—members can obtain any information they may desire. I am sure Mr. Baxter does not desire to create any more inconvenience than is necessary, and I accept this remark that he did not wish to indulge in carping criticism but rather wanted to be helpful. I suggest he could be helpful by not pressing his motion in that regard until such time as legislation is brought down.

We anticipate, if the agreement is quite in order—and I have said before that we have no reason to doubt that it will be—that legislation will be introduced at a very early date. Referring to the activities of the Workers' Homes Board, which is the housing authority in this State under the tentative Commonwealth-State housing agreement, the position is that, by the end of June last, approval had been granted by the Commonwealth for the erection of 475 houses. Of that number, 370 had been allocated by the board for erection—255 in the metropolitan area, and 115 in the country. Of these, 110 have been completed—65 in the metropolitan area and 45 in the country. Houses under construction number 129 in the metropolitan area and 29 in the country, giving a total of 158. Tenders have been called for an additional 53, of which 20 are for the metropolitan area and 33 for the country. In addition to the 475 houses approved to the end of June last, the Commonwealth has intimated that the allocations for the financial year ending the 30th June next will be 660. This means that the approvals up to the end of June, 1946, will total 1,135.

In addition, the Commonwealth Government has intimated that permits may be issued for an equal number of houses to that total to be erected under the agreement. For the year ended June next, permits will be issued for 660 houses to be erected by private individuals. That is quite apart from any agreement existing between the Commonwealth and the States. Since the announcement, the Commonwealth Government has intimated that it will relax the permit system in regard to houses costing up to £1,200. If materials are available, the number of houses to be erected, apart from those under the agreement, will exceed 660. In regard to the cost of houses, I asked the Workers' Homes Board if it could give me any later information concerning comparative costs between Western Australia and the other States, and I have been provided with these figures—

Metropolitan Area—

5-roomed brick	£1,010 (3 bedrooms)
4-roomed brick	£930 (2 bedrooms)
5-roomed timber framed	£968 (3 bedrooms)
4-roomed timber framed	£830 (2 bedrooms)

Country Area*—

5-roomed brick	£1,252 (3 bedrooms)
4-roomed brick	£1,092 (2 bedrooms)
5-roomed timber framed	£994 (3 bedrooms)
4-roomed timber framed	£880 (2 bedrooms)

* Tenders called for only two brick houses in country area—at Katanning.

Tenders throughout the country area have been difficult to obtain due to scarcity of labour and the fear of contractors that they would not be able to obtain materials. It is admitted that prices are high—they are approximately 33 per cent. to 35 per cent. higher than pre-war prices. This is due to lack of skilled labour, the risks which contractors have to take in regard to delays in the supply of material, and, of course, to the increased cost of all commodities since 1939. The latest information regarding the comparison of costs between this and the other States is up to April last and is as follows:—

	Metropolitan Area.			
	Brick.		Timber.	
	4-roomed.	5-roomed.	4-roomed.	5-roomed.
	£	£	£	£
N.S.W.	1,300	1,400	940	1,070
Vic.	995	1,095	785	910
Qld.	....	....	937	1,005
S.A. (Semi-detached)	630	720	....	....
W.A.	919	977	....	....
Tas.	....	....	....	920

Country houses are not included in the comparison because the wide variation in costs depends on the location of the houses and they do not admit of proper comparison. The figures I have quoted are for complete buildings, including all prime cost items, fences, paths, outbuildings and fittings and all work within the site, but do not include the cost of the land, any proportionate charges for utility services to the site, architects' fees or administrative charges. In this State a charge of 2½ per cent. on the capital cost of the building is made to cover architectural fees and super-

vision costs during construction. The houses are almost comparable so far as area is concerned, but so far as type of construction and finish are concerned, it is not possible to say that they are strictly comparable. For example, in South Australia the Workers' Homes Board of this State considers that the houses are a poorer type than are being erected in this State. The rooms are smaller and they are semi-detached. That is the information which has been supplied to me in the endeavour to provide an answer with regard to the second item of the motion.

With regard to the third part of the motion which states—

All papers relative to proposals that have been submitted for houses to be erected partly or wholly of pre-fabricated materials of various kinds, and relative to the efforts that have been made to reduce building costs in this State and to obtain essential materials

I would inform Mr. Baxter that there is no file on the subject. There has been a certain amount of oral communication as between one or two people, representing the housing authorities, on the subject, but there is no particular file. From the motion itself it is difficult to understand what type of prefabricated house the hon. member is referring to, or what class of material he has in mind. If he is referring to fibrolite or cement sheeting, I think we all know that to a great extent these materials were used in connection with houses which have been built, not only in various parts of the metropolitan area, but also in one or two country districts. The more extensive use of these particular materials is limited by virtue of two factors; one is that there is a shortage of such materials and the other is that there is a disinclination on the part of local authorities to approve of buildings being erected in some areas with these materials. So far as the country areas are concerned, the prefabricated materials are being used to a great extent.

That brings to my mind what has in the past been a very vexed question and in future is likely to be even more so, namely, that of brick areas which have been defined by so many local authorities in the metropolitan area. My own opinion is that the time has arrived when we should perhaps endeavour to review that policy, because today there are many houses being erected in various materials which are quite comparable with some of the cheaper brick houses that are being erected, and would not in any way interfere with the particular standing that the district may have on account of the type of residence already erected in it. I suggest it might be possible or desirable that consideration should be given to the question of erecting houses of a minimum value in a particular area rather than that they should be erected in brick There can be no question but that in the next few years there will be a tremendous shortage of bricks.

Many of the so-called brick areas will have to wait for development. In the first place the bricks may not be available, and secondly the cost may be so high that it will not be possible for everyone who desires to build in a certain area to do so. If Mr. Baxter has in mind the newer types of prefabricated materials for the building of houses, he may have been thinking of the research station which has been established by the Commonwealth Government in New South Wales. All I can say is that whilst there has been a lot of work done by the Commonwealth authorities in that regard, we are not in possession of any report to indicate what progress has been made. Up to date no new type of building materials has been discovered that would replace the materials now being used. There are many aspects of the problem with which I and other members could deal exhaustively, but I think I have said sufficient to indicate that the problem is being tackled in a practical way.

The State Government is anxious to make progress. It realises that there will be a number of obstacles to overcome. I say definitely that the State Government has done its best to secure the release of men from the various Services for the manufacture of building materials. It has also done its best to secure the release of skilled men for the building of houses. The response until quite recently has not been very great. With the conclusion of the war and the demobilisation of large numbers of Servicemen there is no question but that in the near future the manpower position will be relieved to a considerable extent. The problem of materials cannot be rectified in 24 hours. No effort is being spared by either the Government or the departments to improve the position as early as possible. The States and the Commonwealth Government

having come to an agreement in regard to the housing scheme, the necessary legislation will, I am advised, be brought down at an early date. I therefore suggest that in view of the information I have given to the House and the difficulties that would be created if the papers were laid on the Table at present, and the inconveniences and difficulties that would follow through taking officers away from their duties in order to compile the information sought—and it is very comprehensive information—the motion is not justified. I suggest to Mr. Baxter that he accept my statement for the time being. When the housing agreement comes before Parliament for ratification any information that he or any other member desires will be freely made available.

On motion by Hon. C. F. Baxter, debate adjourned.

BILL—RIGHTS IN WATER AND IRRIGATION ACT AMENDMENT.

Second Reading.

THE HONORARY MINISTER (Hon. E. H. Gray—West) [5.8] in moving the second reading said: This is a small Bill containing three amendments, which I feel sure will be acceptable to the House. Persons desiring to obtain water from streams in irrigation areas, or from proclaimed streams outside those areas, are required by the Act to apply for a special license. Each license has to be forwarded to the Governor for signature. As will be realised, the Governor has to rely upon the recommendation of the Minister, and it is considered that much unnecessary procedure and delay would be overcome if the Minister were given authority to sign the licenses.

The first amendment to the Act proposes that the licenses be signed by the Minister instead of by the Governor. It is anticipated that there will be a large increase in the number of applications for licenses in the near future, and that is another factor making this amendment so desirable. The second amendment to the Act aims to increase the present maximum fine for the stealing of water from £20 to £100, and at the same time give the court power to order imprisonment for a period not exceeding 12 months as an option to the imposition of the fine. This is a serious offence and is one which constitutes a blow against all bona fide settlers who draw upon the water. It is considered that the imposition of the fine sought to be imposed by the Bill will have a salutary effect upon the small percentage of water users who disregard the rights of their neighbours, deliberately steal water, and cause tremendous losses to other people.

Experience has shown that the existing maximum penalty is not sufficient to deter certain irrigationists from stealing water. In fact, it has been found that dishonest irrigationists are encouraged by the small maximum penalty to steal the water in summer months when that commodity has to be rationed to enable each farmer to receive a fair share. Quite recently an irrigationist was fined £2 and costs for this offence. It is known that he benefited financially to the extent of approximately £100 as the proceeds of the crop which he grew with that water. Because of his action, other farmers in the district were unable to obtain their full ration, with the result that their crops suffered severely.

The third amendment to the Act proposes to simplify an involved and detailed procedure which is necessitated by existing legislation. At present it is necessary for plans, descriptions, estimates and many other details of proposed works to be advertised in the "Government Gazette," and in newspapers circulating in the districts concerned, before the work can be legally proceeded with. Those plans must show in their correct position every main and subsidiary channel. At certain periods, it has been impossible for such detailed plans to be made or such comprehensive descriptions to be advertised, as circumstances have compelled work to be organised quickly for the purpose of providing emergency employment. If any works are commenced, therefore, without the advertising procedure to which I have referred being carried out, the works, when completed, can be held to be illegally constructed and in the strictly legal sense the department would have no power to control the works, or to enforce the conditions necessary to enable them to be carried on efficiently, and all the irrigationists concerned to receive their due allowance of water and other benefits which might be their right through legislation.

In the years immediately following 1930, many irrigation works were put into operation, partly for the purpose of developing the districts concerned but mainly to provide employment for thousands of men who were

out of employment. These were emergency works that had to be commenced without delay, and as a result it was not possible to follow the advertising procedure laid down by the Act. It may be that in the future similar action will be necessary. Another difficulty is that sufficient technical staff to prepare plans and designs has never been available to comply with this provision of the Act. By an amendment in the Bill it is proposed that the Minister may issue a certificate stating that any specified dam, drain, channel, pipe or other works has been included as part of a proposed or an established irrigation works, and that such certificate shall be regarded as sufficient authority for the work in question and shall be accepted in any court of law as evidence that these works have been carried out according to the Act. I trust the Bill will receive the favourable consideration of members. I move—

That the Bill be now read a second time.

On motion by Hon. W. J. Mann, debate adjourned.

BILL—MINES REGULATION ACT AMENDMENT.

Second Reading.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [5.17] in moving the second reading said: This is one of several small Bills appearing on the notice paper and is perhaps the most important of them because it deals with the health of a certain section of the community, namely, mine workers. Members are no doubt aware that legislation exists for the inspection and regulation of mines, under the title of the Mines Regulation Act, 1906-1938. That Act provides, amongst other things, for the appointment of inspectors, managers, etc., and generally speaking, lays down their duties. It also deals with working conditions, the control and supervision to be exercised in the conduct of mines and the employment of mine workers.

In an endeavour to improve these matters, the Act has been amended from time to time, and this Bill represents another attempt in that direction. It seeks to amend Section 65 of the principal Act which deals with the power to make regulations, and proposes that authority shall be granted to the Governor to make regulations to deal with the methods to be employed for the prevention of silicosis or other prescribed industrial diseases. The combating of these diseases has been the subject of research for many years, and in regard to silicosis in particular, the Mines Department in this State has, since 1936, followed the experimental operations of McIntyre Research Ltd. of Canada in its use of what is termed the aluminium dust method of dealing with disease known as aluminium therapy.

This treatment consists briefly of the spraying of change rooms with fine aluminium dust, which is then inhaled by the men before going on shift. This has the effect of reducing the toxicity of quartz by coating the quartz particles with an insoluble and impermeable coating. I am informed that the quartz, or silica, is thus prevented from going into solution in the body and setting up the condition known as silicosis. The experiments carried on by McIntyre Research Ltd. have progressed successfully, until today the use of aluminium dust is gradually being introduced into the mining industry in various parts of the world. In Canada 11,700 men are now receiving this preventive treatment, and in America and Mexico it is also being used. Other mining countries like our own are considering its introduction. Its use in Canada has not only shown it to be a preventive but it has arrested the disease in many of those affected and has improved their breathing and consequent capacity for work.

The introduction of this method of treatment for the miners of this State has been discussed and considered at length by the Mines Department, the doctors attached to the Commonwealth laboratories at Kalgoorlie who undertake the regular examination of mine workers, the A.W.U. and the Chamber of Mines. All available literature and medical and scientific reports have been examined, and it does appear that the aluminium dust in itself is quite harmless, while its effect as a preventive and arrester of silicosis has been most beneficial. This State has joined with other States of Australia in inviting a visit from one of the research doctors, Dr. Robson of Canada, in order that he may examine our conditions and consult with all interested parties. If the subsequent reports confirm our present hopes it is likely that its use will be made com-

pulsory in all change rooms, although it is not proposed that miners shall be compelled to accept treatment. The Chamber of Mines and the A.W.U. are fully in accord with the proposals.

While nothing will be done until we are quite satisfied as to the efficacy of the method in our own industry, yet, if we are convinced on the point, it will be desirable to act promptly. It is for this purpose that the necessary authority is sought by the Bill. I trust that members will fully approve of this legislation, which, as I said at the outset, is yet another attempt to safeguard the health of those engaged in the mining industry by attempting to arrest a disease that has taken considerable toll in human life and health despite all previous endeavours of those engaged in research on the matter. I move —

That the Bill be now read a second time.

On motion by Hon. J. G. Hislop, debate adjourned.

BILL—MINE WORKERS' RELIEF (WAR SERVICE) ACT AMENDMENT.

Second Reading.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [5.25] in moving the second reading said: By this small Bill it is proposed to amend the Mine Workers' Relief (War Service) Act, 1940, to enable the benefits of the measure to be extended to mine workers who have temporarily left the industry for the following reasons:—

1, To join or having been called up for service with the Allied Works Council.
2, To take up munitions work.
3, To seek other employment owing to the war having caused the mines in which they worked to close.
4, To be interned by reason of their enemy nationality or origin.

The original object of the Act was to safeguard the interests of miners who had contributed to the Mine Workers' Relief Fund and who had enlisted or had been called up for service with the Armed Forces. It provided that a miner's term of war service and six months thereafter should be considered as continuous employment in the mining industry. This would enable him to obtain a renewal of his laboratory certificate provided he presented himself for examination within six months of his discharge from war service. In the event of his having contracted a compensable disease, excepting tuberculosis, while on war service, he would then be entitled to benefits under the Mine Workers' Relief Fund. Also his status as a mine worker would be preserved.

This measure was necessary as the Mine Workers' Relief Act, 1932-34, provides that if a miner is absent from the industry for over two years and on application for re-employment is found to be suffering from an industrial disease, then he will not be given a laboratory certificate, which has a currency of two years only. It is now felt that the mine workers I have previously categorized should be also entitled to the protection of the Act. Many of these men, for reasons attributable to the war, have been unable, through no fault of their own, to comply with the provisions of the Mine Workers' Relief Act, and as a result may have lost rights of continued employment in the industry and of compensation to which their years of employment and their regular contributions to the Mine Workers' Relief Fund up to their time of enlistment, etc., would have undoubtedly entitled them.

In addition to the provision I have mentioned, the Bill sets out that the Governor may, during a time of war, proclaim that any service, employment or activity of a non-combatant nature or any internment in an internment camp, may be regarded as service incidental to war service. The Governor may also revoke any proclamation. In regard to the words "during a time of war" I propose during the committee stage of the Bill to submit a suitable amendment to the term mentioned. The reason for this is that in another place it was suggested that those words were not definite enough. An amendment has been drafted by the Solicitor General which I think will meet that objection, and I shall deal with that matter in due course in Committee. The provision in the Bill will not relieve the miner from his obligation to contribute to the Mine Workers' Relief Fund, which payment amounts to 9d. weekly. Under existing legislation the employers, employees and the Government all contribute to the fund. Therefore the miner's wartime employer could be held responsible for contributions. This should not be so, and the Bill provides that wartime employers are not liable for payments to the fund.

If a miner is found on examination to be suffering from tuberculosis, which can be contracted elsewhere than in mines, then it shall be the responsibility of the laboratory to decide whether the man's condition is due to his mining operations. The Bill contains a clause making its provisions retrospective as from the date that a mine worker commenced service incidental to war service. It also provides that arrears of contributions due to the fund from the date of commencement of a miner's service, as previously mentioned, shall be paid either in a lump sum or by instalments as determined by the board. That covers the provisions in the Bill. As I have already stated, its intention is to preserve the rights of men who, through war causes, have been forced to leave the mining industry, and I trust that members will agree with the proposals. I move—

That the Bill be now read a second time.

On motion by Hon. G. W. Miles, debate adjourned.

BILL—POLICE ACT AMENDMENT.

Second Reading.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [5.32] in moving the second reading said: The Title of this Bill sets out its proposals in a concise manner by stating that it provides for a penalty for the unauthorised use of the word "detective" and also a penalty for giving false information of an alleged offence. In recent years there has grown up in our midst a number of investigation or inquiry agents whose activities have been concerned mainly with matters relating to divorce. Very often reports of the court proceedings in which they are engaged are published in the Press; and in some instances the judge has castigated an agent for the methods he has adopted in seeking divorce evidence.

The veracity of the evidence which has been given in such proceedings has also been questioned. It is not to be implied that this is a general rule, but cases have arisen recently of which members no doubt have a knowledge through the publicity given to them in the Press. Unfortunately, these inquiry agents have been in the habit of describing themselves as "divorce detectives," "private detectives," or "detectives," and I am informed by the Commissioner of Police that some members of the public are of the opinion that these so-called detectives are members of the Police Force. Instances can be quoted of representations which have been made to the Commissioner for members of the Police Force to make inquiries to secure evidence to enable persons to obtain a divorce. This is a situation which cannot be permitted to continue, and it is one which is detrimental to the interests of the Police Force, particularly to those detective-constables, probationary detectives and detectives whose titles are specifically provided for under the Police Regulations.

It is intended to remedy the situation by the proposal in this Bill, which sets out that any person, not being either a member of the Police Force of this State or a member of the Police Force of the Commonwealth, or of any other State of the Commonwealth, temporarily residing in this State, who uses in any manner whatsoever the word "detective" as descriptive of the nature of his business, vocation, calling or means of livelihood, with a view to soliciting, procuring or obtaining the engagement or employment by other persons of his services as an inquiry agent or investigator in respect of matters in relation to which such other persons require information or evidence, shall be guilty of an offence. The penalty provided for is £50.

The other proposal in the Bill is that dealing with the fictitious reporting of crime; or, in other words, the giving of false information of an alleged offence. This provision becomes necessary because of the number of false reports made to the police from time to time. Upon inquiries being made it has been found that the persons making these reports have deliberately given false information or concocted a story involving the time and energies of members of the Police Force in unnecessary investigatory work.

I have been delving into the file dealing with this particular matter and have ascertained that in a period of two years no fewer than 800 reports were made to the police that were characterised as being fictitious. This will give members some indication of the tremendous amount of time that must be spent by members of the Police Force in making investigations which really have no basis for police action. I am not suggesting that in all of the cases there was not a background sufficient to justify the making of a report; my desire is to

show that there are many cases in which the police are expected to take some action and in which there is really no necessity for them to do so. In many instances reports are made by a person concerned in an endeavour to cover up his own misdemeanour. I shall quote a few cases from the file. As I have already said, there are many others.

A report was received from Claremont that a shop had been broken into and a radio set and other goods to the value of £37 stolen. Subsequent inquiries revealed that the owner of the shop knew that two youths had taken the radio set and other property from his shop. There was every reason to believe that this complaint was made for the purpose of obtaining payment of insurance. Another report was received at Perth that a utility truck was stolen. Many inquiries were made and the owner subsequently admitted having made a false report to the police to cover up the fact that his truck was seen at a garage where the theft of petrol from a bowser was in progress. Still another report was received at Perth from a young man who said that when he was walking along a street in Maylands one night he was brutally assaulted and knocked out. Subsequent inquiries proved that the complaint was a concoction, and the young man admitted that such was the case. He made his report for the purpose of putting up an excuse for staying out later than he should have.

At Perth a report was received from a young man to the effect that his bicycle had been stolen, but subsequent inquiries proved that the owner of the machine had been concerned in a burglary the previous night and had made a false report regarding the theft of the bicycle to cover up his tracks in connection with the robbery, as he was forced to leave the bicycle behind at the scene of the burglary. The last report I shall quote was received from a resident of North Fremantle, who said that his home had been broken into and some money and other property stolen. After fairly exhaustive inquiries by the Fremantle detectives, some of the property was located at a pawnshop, where it was found that the complainant had pawned it. He then admitted that his report was a false one.

Those are just a few of the cases that have been reported on by the police. Considerable expense has been incurred in some of the inquiries made. One can well imagine the embarrassment which could arise in the event of innocent persons being involved in the investigations. Under the existing law it is not possible to remedy the position; consequently it is proposed to amend the Act by the provisions in this Bill so as to permit of taking the required action. The Bill sets out that any person who falsely, and with knowledge of the falsity of his statements, represents to any member of the Police Force that any act has been done or that any circumstances have occurred, which act or circumstances as so represented are such as reasonably call for investigation by the police, shall be guilty of an offence. The penalty provided is £50 or imprisonment for three months.

It is further provided in the Bill that in addition to or without imposing a fine or imprisonment on any person convicted under this clause, the court may order that such person pay to the complainant a reasonable sum for the expenses of or incidental to any investigation made by any member of the Police Force as a result of the false statement. That briefly explains the proposals embodied in a measure which may be described as one designed to rectify situations which have for some time been the subject of consideration with a view to seeking appropriate amendments to the Act. I trust that Parliament will endorse the proposals which I have submitted, and I move—

That the Bill be now read a second time.

On motion by Hon. H. S. W. Parker, debate adjourned.

BILL—POLICE ACT AMENDMENT ACT, 1902, AMENDMENT.

Second Reading.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [5.43] in moving the second reading said: This is a small Bill to amend Section 9 of the Police Act Amendment Act, 1902, in that it seeks to provide that Christmas Day and Good Friday shall be observed as Sundays so far as public entertainments are concerned. Members are no doubt aware that public entertainments are prohibited on Sundays. In this regard the Act sets out, amongst other things, that it is unlawful for any person to conduct or use any premises for public entertainment

or amusement on any Sunday or part thereof, for which a charge or collection, etc., is made, unless a permit in writing has been obtained from the Chief Secretary. Provision is also made for a penalty for an offence. The proposal in the Bill is to extend this prohibition to cover Christmas Day and Good Friday.

Every State in the Commonwealth, with the exception of South Australia and this State, has legislation to this effect, the last State to enact a similar law being Tasmania. Christmas Day and Good Friday are days regarded by most people as occasions for worship, family re-union and enjoyment in the home. Considering the fact that no hardship will be inflicted on the general public as an essential service is not involved, it is felt that the proposal in the Bill should be accepted, particularly when it is borne in mind that employees in the entertainment industry, who are mainly concerned in this matter, are called upon to work six days and in some cases seven days a week, and to work on days which are generally recognised as holidays, so as to cater for the entertainment of the public. I suggest that the Bill requires no further elaboration on my part. It is a simple measure, and I hope that the Chamber will agree to it.

Hon. Sir Hal Colebatch: You are striking out Sunday and putting in two other days instead.

The CHIEF SECRETARY: If the hon. member will compare this amendment with the Act, he will find it is quite all right.

Hon. Sir Hal Colebatch: It looks as though you are striking out Sunday.

The CHIEF SECRETARY: That is one of the peculiarities of drafting. If the hon. member will read it in conjunction with the principal Act, he will find that it provides, as I said, that there shall be no entertainments on Sundays, Christmas Day, or Good Friday, except under license from the Chief Secretary. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

In Committee.

Bill passed through Committee without debate, reported without amendment and the report adopted.

BILL—SUPREME COURT ACT AMENDMENT (No. 2).

Second Reading.

HON. H. S. W. PARKER (Metropolitan-Suburban) [5.48] in moving the second reading said: This Bill is to enable either party to a marriage to obtain a divorce if they have lived separately and apart for a period of ten years, subject to the absolute discretion of the judge, and only after necessary and proper financial arrangements have been made for the provision of the wife and children, and the custody of the children, if any. At present it is not difficult for people to obtain a divorce if both parties wish to obtain it and if they are dishonest and prepared to risk the pains and penalties of a charge of perjury. Before a person can come before a court on any petition for a divorce, that person has to make an affidavit that there is no collusion or connivance. But to prove either collusion or connivance is a very difficult matter. It is readily seen that the honest and honourable citizen is debarred from the relief afforded by divorce, which is easily obtainable by the adulterer. There are many cases where both parties have committed adultery and the court has not granted a divorce.

There are many instances where the husband or the wife, as the case may be, has not applied for a divorce immediately he or she has become aware of the adultery. In such cases the judges have exercised their discretion and, because of that delay, not permitted the divorce. It is a strange thing that the ecclesiastical authorities have always considered the physical side of marriage more important than the spiritual or moral side, and it is those people who are so opposed to divorce, except on the ground of adultery. But let me point out that the ecclesiastical authorities, even before the reign of Henry VIII, realised that, under certain circumstances, marriage should be dissolved and they did, by various subterfuges, create the fiction, in law, of the nullity of marriage. At least 350 years ago the same authorities in England agreed that adultery should be a ground for divorce.

Until the beginning of the last century no divorces were granted except by Act of Parliament. There were not many divorces, and the ecclesiastical authorities, sitting in the House of Lords, often agreed that a divorce should be granted on the ground of adultery

by one of the parties. Now, adultery is purely a breach of the carnal implications of marriage. There is no doubt that the insistance of continence and chastity are vitally important to society, but is not that aspect of marriage somewhat crudely exaggerated in the marriage service? Are not the spiritual and moral sides incomparably more important than the physical? Those who oppose the Bill must say that the physical side of marriage is the highest, and they are committed to the monstrous and medieval paradox that they assent to divorce for a breach of the less important obligations and deny divorce for a breach of the more important obligations of marriage.

It is because other elements of the marriage state are far higher than the physical relationship, that I bring this measure forward. A commission was appointed in England to inquire into the divorce and marriage laws of that country. That commission decided that marriage ought to be dissoluble upon any grounds that frustrate what, by universal admission, are the fundamental purposes of marriage. Lord Gorrell, who was a very eminent lawyer, and President of the Divorce Court, stated—

That divorce is not a disease but a remedy for a disease, that homes are not broken up by the court but by causes . . . . and that the law should be such as would give relief where serious causes intervene, which are generally and properly recognised as leading to the breakup of married life. If a reasonable law, based upon human needs, be adopted, we think that the standard of morality will be raised, and regard for the sanctity of marriage increased. Public opinion will be far more severe upon those who refuse to conform to a reasonable law than it is when that law is generally regarded as too harsh . . . . and as not meeting the necessities of life.

I point out that divorces are not granted on the basis of reward or punishment, but in obedience to a profound consideration of social policy. Whether the unsuitability for the obligations of marriage be moral, physical or mental, the consequences are and must be the same. Surely if parties to a marriage have lived apart for ten years, that marriage is already frustrated and has proved beyond doubt the unsuitability of the parties for the obligation of marriage—of that particular marriage in any case.

The law at present says that a wife who cannot live with her husband may get a separation under the Married Women's Protection Act, but it denies the parties divorce or any hope in this world of living a normal natural life with another mate. The law goes further and says, to a woman, "Though an honest man loves you, sin shall be the price of your union and bastardy the status of your children." Let me give an instance that came before our courts in Perth. It emphasises this point clearly. In this case there was a child of the marriage, and the wife decided that she preferred to live with another man, and did so. The husband forgave her and took her back. After a short time she decided that she loved the other man better, so she went and lived with him again. The result was illegitimate children. After six years the husband thought it seemed hopeless and useless, and, for the sake of the children, decided to divorce his wife. He took proceedings in the Western Australian Supreme Court. The judge held that he had delayed too long and that although adultery was amply proved he would not grant a divorce. This man appealed to the State Full Court, which refused his petition and said, "The discretion has been exercised by the judge, and that is the position." Does not that comply with what the law provides, namely, "Though an honest man loves you, sin shall be the price of your union, and bastardy the status of your children"? If we compare the existing position, and the status of the children of these illicit unions, and what it will be under this Bill, is it not far better that the law be not eased, but made more logical?

Hon. T. Moore: Do you not think that the judgment was very wrong?

Hon. H. S. W. PARKER: I am afraid I do, but the only remedy is through Parliament. That is why I am bringing this Bill forward. No reasonable person can doubt where the advantage lies. Who will not shudder at the thought that a child shall be condemned to live in a house in which its mother spends a life of open adultery and where its brothers and sisters are named bastards? Let us not forget the fate of those children under existing conditions and what it will be under this proposal. Previously when similar Bills have been brought forward there has been a great cry about the State legalising bastardy. That is absurd, as I am endeavouring to show.

This Bill will not make people immoral; on the contrary it will prevent immorality and will allow people, whose marriage has been frustrated, to be separated by divorce without proceeding to dishonourable and dishonest means to obtain that divorce as is done at present. The Chief Secretary has just introduced a Bill indirectly dealing with the same thing. Persons, calling themselves detectives, impose on other people, and give false evidence. Their services are easily purchased, and they go along and say, "I saw this person committing adultery." People have therefore either to commit adultery or hire a man to say he has seen adultery committed. Are those not dishonest means? This Bill does not propose to make divorce easier in any way, but to make our divorce laws more honest. It is absurd to say that this Bill should be rejected because it would make divorce easier.

At present a divorce may be granted, where the separation is not mutual, after three years. Surely, in logic, if the deserted party seeks a divorce, that party must want it and so, in effect, as soon as the deserted party lodges his or her petition for divorce, it obviously becomes mutual, and that can happen after three years. How can this Bill loosen the divorce laws when the separation has to be mutual for ten years? Not necessarily mutual, but it may be mutual in this respect, that neither party will live with the other—whether that be on good or bad grounds does not matter. Is not the spiritual side of marriage—living together, a home, with happiness and harmony —the more important? The sexual side is the purely carnal part of marriage. I am now endeavouring to bring the law to the logical conclusion of saying that, when the spiritual side of the marriage is entirely frustrated, people should not be condemned to live a life of sin.

I made some inquiries—it is impossible to get exact figures—but one lawyer told me that he personally averages five separations a week—that is, from one office alone—and they are mostly young people who are separated. In working out the figures this lawyer came to the conclusion that there are at least 10,000 people in Western Australia living apart from one another. I asked how many of those he thought were living in adultery, and he said 90 per cent. I expressed the view that that percentage was rather high, but he said he did not think so. Members will now realise what the position is under our chaotic divorce laws, where the magistrate says that people must separate but cannot marry again. There is no offence in living in adultery. I ask that we deal with the spiritual side of marriage. I ask that this Bill be made law, with a view to permitting those persons who have made mistakes in their original marriages to have those marriages dissolved, without proceeding to sin and filth in arranging—as is so often done, though it cannot be definitely proved in most instances—divorce by adultery. I will conclude by quoting what Milton said at the beginning of the seventeenth century—

> Law cannot command love, without which matrimony hath no true being, no good, no solace, nothing of God's instituting, nothing but so sordid and so low, as to be disdained of any generous person. Law cannot enable natural inability, either of body or mind, which gives the grievance; it cannot make equal those inequalities, it cannot make fit those unfitnesses; and when there is malice more than defect of nature, it cannot hinder ten thousand injuries and bitter actions of despite, too subtle and too unapparent for law to deal with, and while it seeks to remedy mere outward wrongs, it exposes the inward person to others more inward and cutting. All these evils unavoidably will redound upon the children, if any be, and upon the whole family. Nothing more unhallows a man, more unprepares him for the service of God in any duty, than a habit of wrath and perturbation, arising from the importunity of troublous causes never absent. And when the husband stands in this plight, what love can there be to the unfortunate issue, what care of their breeding, which is the main antecedent to their being holy?

I commend this Bill to members, and move—

That the Bill be now read a second time.

On motion by the Chief Secretary, debate adjourned.

House adjourned at 6.10 p.m.