

lieve in lower valuations and want everything to remain static. They desire to prevent Mr. Wells from working on the road board any more. We should not countenance anything like this. It is wrong and absolutely evil for a man to be assisted to punish another man in this way.

Hon. E. M. Heenan: He had no opportunity to defend himself before the Minister.

Hon. E. H. GRAY: No. A motion was moved but not seconded and that was the end of it; but behind the man's back, every member except one signed a petition to the Minister, asking for Mr. Wells to be removed.

Hon. W. R. Hall: It is a peculiar board, is it not?

Hon. E. H. GRAY: Yes. About 70 rate-payers in this ward quickly forwarded a protest to the Minister, but they have received no reply up to date. The position is very unsatisfactory. Mr. Wells himself admits that he made a mistake; but he maintains—and his contention is supported by a large number of people in and outside the district—that he has been punished very unjustly and should be allowed to continue his work, and that a proper investigation should be made to see that the road board carries out its duties properly.

My opinion of members of local authorities of this character is that they stand for election with the object of keeping valuations, and therefore rates, as low as possible. Under such conditions progress is impossible. They are a disgrace to the community and should not be tolerated. When such happenings occur, Section 122 should be evoked, the whole board suspended, and a new election held. An examination of the files will show the stand I took in the dispute about the rates. I stood by the previous board. The facts on the file should be sufficient reason for the Minister in charge to suspend all the members and have a new election. A man who has given 10 years' honorary service, as Mr. Wells has done, should not be treated like this, and I am very sorry that the Minister made such a mistake and that I have been compelled at the request of large numbers of ratepayers in the Fremantle road district, to move this motion.

On motion by the Honorary Minister for Agriculture, debate adjourned.

## BILLS (10)—FIRST READING.

- 1, Prevention of Cruelty to Animals Act Amendment.
- 2, Gold Buyers Act Amendment.
- 3, Interpretation Act Amendment.
- 4, Fisheries Act Amendment (Continuance).

Introduced by the Honorary Minister for Agriculture (for the Chief Secretary).

- 5, Factories and Shops Act Amendment.
  - 6, Licensing Act Amendment.
  - 7, Marriage Act Amendment.
  - 8, Registration of Births, Deaths and Marriages Act Amendment.
  - 9, Land Alienation Restriction Act Amendment (Continuance).
  - 10, Feeding Stuffs Act Amendment.
- Introduced by the Honorary Minister for Agriculture.

*House adjourned at 6.5 p.m.*

## Legislative Assembly.

Wednesday, 8th September, 1948.

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

## PRIVILEGE—INACCURACIES IN NEWSPAPER REPORTS.

**MR. STYANTS** (Kalgoorlie) [4.34]: Mr. Speaker, I would like to draw your attention to the inaccuracies which occurred in "The West Australian" newspaper concerning the proceedings which took place in this Parliament last week. I refer to the issue dated the 1st September, and the report that appeared therein, in which the remarks of the member for Bunbury have been attributed to the member for Beverley.

I also wish to draw your attention to the issue of "The West Australian" dated the 2nd September in which it is reported that certain questions in connection with the postponement of the increase of railway fares and freights are attributed to the member for East Perth, whereas they were asked by myself as one of the representatives for the Eastern Goldfields. I do not know where these mistakes are made, whether they are made by the reporters in this Chamber, or whether they are made at the newspaper office in the setting up of the type. What I am concerned about is that whilst mistakes can take place even in the best regulated firms and families, no attempt at correction was made. That is the point I particularly wish to raise. Although great harm may be done to a member in his district by an inaccurate report of that kind, "The West Australian" did not deem it fit to make any correction at all.

I understand that there is an arrangement between "The West Australian" and "The Kalgoorlie Miner" and other country papers, whereby the country papers are permitted to lift certain news from "The West Australian," or it is transmitted to them by telephone. The report of which I spoke appeared in "The Kalgoorlie Miner" and stated that the member for East Perth had asked a question about the postponement of the increase of railway fares and freights. I do not know whether the member for Bunbury like myself has had any repercussions from these incorrect statements. I have received a letter from Kalgoorlie expressing surprise that it was necessary for Goldfields members to have the member for East Perth ask this particular question on a matter which is so vital to the Goldfields. I know that news-

paper reporters have a discretion as to what will be reported as far as the proceedings of this House are concerned, and I have no dispute with that, but I think that the very small portion of the proceedings which they do report should be accurate.

I have no intention of moving any motion as far as contempt is concerned but I bring the matter under your notice, Mr. Speaker, in the hope that you will have a quiet talk with the reporters to see that there is no repetition of the inaccurate reports that occurred during last week. I again draw your attention, Sir, and the attention of other members, to the fact that great harm may be done to the prestige or reputation of a member in his constituency where a question such as I asked is inaccurately reported. In my case it was stated that the question of the postponement of an increase in railway fares and freights had been brought forward by a member for a metropolitan constituency whereas it should have been brought forward by one of the Goldfield representatives.

**MR. SPEAKER:** If no other member desires to speak, we will pass on to the next business.

## HEALTH.

### *As to Increasing Allowance to T.B Subjects.*

**MR. NEEDHAM** asked the Premier:

(1) Did he, in accordance with his promise in answer to my questions on the 18th of August, bring before the recent Premiers' Conference the question of a substantial increase of the allowance to workers who were undergoing treatment for tuberculosis?

(2) If so, with what result?

The **PREMIER** replied:

(1) and (2) The Premiers' Conference adopted a Commonwealth-State tuberculosis plan which provides for the establishment of an advisory council on tuberculosis. One of the functions of the council will be to advise the Minister on measures to be adopted to prevent and control tuberculosis, and I am arranging for our representative to bring this matter before the council with a view to a recommendation being made to the Commonwealth Government.

## TELEPHONE CABLE.

### *As to Shortage of Supplies.*

Mr. GRAHAM asked the Honorary Minister for Supply and Shipping:

(1) Is she aware that there is an acute shortage of telephone cable in this State?

(2) Does she know, further, that a major factor in connection with this position is that ships are not bringing forward supplies of cables from the Eastern States?

(3) Is she aware that people, as a consequence, are being denied telephones to their premises?

(4) What steps does she intend to take to overcome the present situation?

The HONORARY MINISTER replied:

(1) This is a Commonwealth matter.

(2) I am advised, through the courtesy of the Commonwealth department concerned, that on occasions certain sizes of cables may be for a limited time in short supply, but this is due to shortage of labour and industrial unrest in the East rather than to shipping. Further, I am informed that shortages in telephone facilities are due to the inability of the department concerned to procure certain equipment from Britain and America.

(3) Answered by (1) and (2).

(4) Answered by (1) and (2).

## BUNBURY HARBOUR.

### *As to Expenditure and Improvements.*

Mr. MURRAY asked the Minister for Works:

(1) In view of his answer to question on 27th August, 1947, "That £80,000 was on draft estimates for work on Bunbury Harbour during the financial year," will he inform the House how much was actually expended—

(a) on equipment;

(b) on actual work?

(2) In view of statement by the Deputy Premier, Thursday, 3rd September, 1948, "That £80,000 was on draft estimate for this financial year," will he inform the House—

(a) how much of this sum does he anticipate spending this financial year;

(b) will construction of cut above Turkey Point be undertaken this financial year;

The MINISTER replied:

(1) (a) £22,370.

(b) £13,003.

(2) (a) Dependent on availability of labour and materials. At present, expenditure is at the rate of £60,000 per annum.

(b) Possibly towards the end of the financial year, but also dependent on labour and materials.

## HOUSING.

### *As to Home Sites, Kenwick-Maddington District.*

Mr. WILD asked the Minister for Housing:

(1) Has any land been purchased or resumed in the Kenwick-Maddington district for building purposes by the Housing Commission?

(2) If "No" is the answer to question No. (1), and in view of the ever-increasing difficulty in obtaining suitable building sites, will an inspection be made by the Housing Commission in the Kenwick-Maddington district of several large tracts of land, with a view to acquisition?

The MINISTER replied:

(1) No.

(2) Officers of the Commission have already inspected large tracts of land in the Kenwick-Maddington area and a report has been prepared. Further enquiries are now being made as to available services to particular areas.

## CANNING PARK RACECOURSE.

### *As to Purchase by Government.*

Mr. WILD asked the Minister for Industrial Development:

(1) Has the racecourse at Maddington been purchased by the Government?

(2) If "Yes" is the answer to question No. (1), for what purpose is it to be used?

The MINISTER replied:

(1) Negotiations have been conducted with the proprietors for the purchase of the Canning Park Racecourse at Maddington, under the provisions of Section 11 of

the Industrial Development (Resumption of Land) Act, 1945. No finality has yet been reached.

(2) It is proposed that the land will be made available to persons engaged in or about to engage in industries in the interests of the industrial development of the State.

Hon. A. R. G. Hawke: All racecourses should be purchased for the same purpose.

### GOLDFIELDS WATER SCHEME.

*As to Levels, Pipeline, etc.*

Mr. GRAYDEN asked the Minister for Works:

(1) What is the height of the top water level of the Goldfields Water Supply Scheme reservoir at Baker's Hill?

(2) What is the height of the top water level of the reservoir at Cunderdin?

(3) What is the height of the top water level of the reservoir at Merredin?

(4) Are there any features between Baker's Hill and Merredin, over which the Goldfields Water Supply pipe line runs which are of equal or greater height than a direct line between these two points?

(5) If so, will he name the features and give the respective heights?

(6) Does the Public Works Department agree with the principle that water finds its own level?

(7) If the answer to No. (4) is "No," will he explain why water will not gravitate from Baker's Hill to Merredin?

(8) Will he explain why water has been allowed to gravitate to Cunderdin and not to Merredin over all these years?

(9) Will he explain why a pumping station has been placed at Cunderdin?

(10) If the pressure in the pipes is advanced as a reason for the latter, will he give the maximum pressure in the pipes from Baker's Hill to Merredin, and from Mundaring Weir to Baker's Hill?

(11) Will he give the pressures that the pipes in both sections were subjected to prior to installation?

The MINISTER replied:

(1) 1,080 feet above L.W.M. Fremantle.

(2) 802 feet.

(3) 995 feet (receiving tank at No. 4 Pumping Station).

(4) Yes.

(5) Hill about five miles west of Kellerberrin, on which a summit tank is situated with a top water level of 1,088 feet, which is approximately 64 feet above the direct line referred to in (4).

(6) Yes, under strictly static conditions. It is important to understand that the rate of flow in a pipe is governed by the head available to overcome the friction of the water on the pipe.

(7) Answered by (4).

(8) Because the flow to No. 4 Pumping Station would be restricted to a quantity totally inadequate for even winter requirements.

(9) and (10) Answered by (8).

(11) Hydraulic test pressure of 400 lb. per square inch.

### NEW CAUSEWAY.

*As to Construction, Cost, etc.*

Mr. GRAYDEN asked the Minister for Works:

(1) What is the approximate date it is anticipated that the new Causeway will be completed?

(2) Is it the intention to construct the new Causeway by day labour?

(3) What is the total anticipated cost?

(4) If the answer to (2) is "Yes," would a substantial saving in both time and money be effected were the work to be completed by contract?

(5) If so, will he consider having this work completed by contract?

The MINISTER replied:

(1) Towards the latter part of 1950-1951 financial year.

(2) Yes.

(3) Estimated cost, including reclamation £566,600 (Estimate framed in December, 1946).

(4) No. In a work of this nature, keen competition could not be expected from possible tenderers under existing conditions of skilled manpower and material shortages.

(5) Answered by reply to previous question.

**COLLIE COAL.***As to Ship Bunkering and Railway Shortage.*

Mr. BRADY asked the Minister for Railways:

Is it a fact that 1,500 tons of Collie coal were supplied for ships bunkering during the week ended the 21st August, with the result that the Railway Department was so short of coal that a number of suburban passenger and goods trains had to be cancelled?

The MINISTER replied:

No. One hundred and eighty (180) tons of Collie coal were supplied on the 16th August at the direction of the W.A. Coal Committee for bunkering of a food ship, but none has been supplied since. Railway services were not cut in the week ended the 21st August, but there were some train cancellations towards the end of the following week.

**LEAVE OF ABSENCE.**

On motion by Mr. Rodoreda, leave of absence for four weeks granted to Hon. P. Collier (Boulder) on the ground of ill-health.

**BILLS (2)—FIRST READING.**

- 1, State Housing Act Amendment.
- 2, Western Australian Marine.

Introduced by the Minister for Housing.

**MOTION—WORKERS' COMPENSATION ACT.**

*To Disallow Amendment to Regulation 9.*

MR. MARSHALL (Murchison) [4.47]: I move—

That the amendment to Regulation 9, made under the Workers' Compensation Act, 1912-1944, published in the "Government Gazette" of the 16th July, 1948, and laid upon the Table of the House on the 28th July, 1948, be and is hereby disallowed.

I feel that the Minister will need a fairly strong case to convince the Assembly that it should sanction an amendment to this regulation, particularly one of this nature. I confess that, although the third schedule of the Act is of vital importance to representatives of Goldfield areas—and this amendment deals mainly with a certain pro-

vision associated with the third schedule—it does not affect the goldmining industry and Goldfield members to the same degree as it does those who represent electorates containing certain industries wherein it would be possible for the employees to contract diseases mentioned in the third schedule.

For instance, all the goldminers and the men working in contiguous industries are examined either annually or at least once in every two years. So, a fairly close and careful survey of the health of the miner is ensured because of these examinations; and, although I have been here ever since the Third Schedule of the Act became law, I have never had occasion to use the provision or the regulations which are now under discussion. But I want members to realise that unless the Minister can advance a very strong case for this amendment of the regulation, its effect, if it is allowed to stand, will be, to say the least, a form of persecution of victims who may contract an industrial disease while employed in some industry covered by the third schedule because a doubt could exist as to whether that complaint was contracted while the man was employed in that industry.

Before I deal more fully with the proposal, I point out the difficulty in following amendments to regulations. I think Ministers would be doing themselves and the House a service if they submitted the original regulations along with proposed amendments, so that members could quickly grasp the situation. As it is, we have to search the shelves of Parliament House to find original regulations, and then discover frequently that there have been previous amendments to the ones under review. The position thus becomes extremely complicated; so I suggest to Ministers that, in fairness to members, it would be advisable for them to supply the parent regulations and the proposed amendments on the one schedule.

Section 31 of the Workers' Compensation Act provides authority to make regulations. Under that section, a multiplicity of regulations has become law, all of which are essential. I suppose, for the smooth working of the Act. The proposed amendment with which I am going to deal is to what is known as Regulation 9 and is made in conformity with Subsection (9) of Section 7 of the Act.

In order that members may have a clear picture of what the amendment means, I intend to quote from the Act. Before I do that, I want to point out that if a man is employed in an industry and contracts an industrial disease, being thus rendered incapable of further employment, he naturally will, if it is possible under the Act, seek compensation for the damage done, or for having experienced an accident, as we put it under the Workers' Compensation Act.

If the employee secures a medical certificate stating that his incapacity is due to a disease mentioned in the third schedule of the Workers' Compensation Act, which is peculiar to the industry in which he was last employed, he can submit that certificate with an application to the employer for compensation. However, it is the prerogative of the employer to dispute the claim and to deny that the industry of which he happens to be in control was responsible for the incapacitation. If the employer takes the responsibility of disputing a claim and refusing to pay compensation, the Act and the regulations provide that a medical board shall be set up to determine the nature of the complaint or the incapacity, and whether or not the last employer is liable to pay compensation under the Third Schedule. When we get that far, the regulation and the proposed amendment come into the picture. I shall now quote Subsections (8) and (9) of Section 7 of the Act. Subsection (8) is as follows:—

If the worker at or immediately before the disablement was employed in any process mentioned in the second column of the Third Schedule to this Act and produces a certificate from a duly qualified medical practitioner that the disease contracted is the disease or one of the diseases in the first column set opposite the description of the process, such disease shall be deemed to have been due to the nature of the employment, unless the employer proves to the contrary.

Subsection (9) reads—

If an employer disputes the medical certificate as set out in Subsection (8), the matter shall in accordance with regulations under this Act, be referred to a board consisting of one medical practitioner to be appointed by the Governor, who shall be chairman, and two medical practitioners registered under the Medical Act, 1894, one to be nominated by the employer and the other by the worker; and the decision of the board, or any two members thereof, shall be final.

Now the regulations come into the picture. When the employer disputes his liability

under Subsection (9), the procedure to be followed by the employer is set out in the regulations. It is this procedure that the amended regulation proposes to alter. When the employer feels that his industry is not responsible for the incapacity of the employee he must, when he receives the medical certificate from the employee, notify the Clerk of Courts that he disputes the liability. He must send to the Clerk of Courts the certificate that he has received from the employee, and the employee must by that time have submitted to the employer the name of a medical practitioner. The employer submits that, together with the name of his own medical nominee, to the Clerk of Courts, stating that he desires a medical board to be appointed to decide whether the employee is to receive compensation by virtue of his employment in the industry, and whether he suffers from a disease mentioned in the Third Schedule. Under the regulation at present the procedure is particularly slow.

Let us take the case of an employee who is incapacitated from doing any further work: He has a medical certificate to say that his incapacity is due to his employment, but the employer challenges that and denies liability to pay. Perhaps the unfortunate employee cannot work at all and must wait until the procedure laid down by law is put into operation in order that the case may be decided. Even as the regulations are now worded that may involve a particularly lengthy period. Though the employer has, under the present regulations, seven days in which to notify the Clerk of Courts and send on the necessary documents, the Clerk of Courts can, if he thinks fit, extend that time for a further 10 days, and no longer. Then he must in turn notify the registrar. The obligation of the registrar is then to notify the Government that a dispute has arisen and that a medical board is sought. The Government is then obliged to nominate a man who shall be chairman of the medical board. All that takes up a considerable time.

Hon. E. H. H. Hall: During which the employee receives no payment?

Mr. MARSHALL: There is no payment made until the dispute is settled, because the employer is disputing his obligation to pay compensation. The amendment, if agreed to, would mean that there would be

no limit to the time that could be taken before the dispute was settled. The regulation itself is wrongly worded, though its substance can be followed. The proposed amendment reads "(a) delete the words "seven days" occurring in the first and last lines of paragraph (2) of Regulation 9 and insert in lieu thereof the words "one calendar month." Those words do not appear in the first and last lines of paragraph (2) but in the first line of sub-paragraph (2) and in the last line of the proviso thereto. I assume that that is what the amendment is desired to do. The provision at present reads as follows:—

(2) If the employer disputes such certificate aforesaid, he may, within seven days after receiving from the worker a copy thereof, give notice to the worker and to the clerk of the Local Court in which proceedings to recover workers' compensation can properly be taken, that he disputes the said certificate and desires the matter to be referred to a Board under and in accordance with Subsection (9) of Section 7 of the Act.

The amendment would strike out the words "seven days" where they appear in the first line of paragraph 2 of Regulation 9, and would strike out of the proviso the words "seven days," in the last line thereof, plus these words, "in any case by not more than 10 days." The employer now gets seven days, plus an extra 10 days if the Court thinks fit, and no more. Under the amendment there would be no limit to the time that could be granted. The amendment, if agreed to, would make the regulation read—

If the employer disputes such certificate aforesaid he may within one month after receiving from the worker a copy thereof give notice to the worker and to the clerk of the Local Court in which proceedings to recover workers' compensation can be properly taken that he disputes the said certificate and desires the matter to be referred to a Board under and in accordance with Subsection 9 of Section 7 of the Act. Provided that the clerk of courts may on good cause being shown extend the period within which the said notice by the employer may be given and such extension may be granted although the said period of one month shall have already expired.

In other words, there would be no limit to the time that the Clerk of Courts could give the employer in which to submit a certificate in dispute of the liability to pay compensation. It would be a "Kathleen Mavourneen." I do not think that is the intention of the Minister. Under the original legislation the period was

limited definitely to not more than 10 days and that was the longest extension of time the court could grant.

The amendment would mean that there was no limit to the extension of time. After all that procedure has been followed the Clerk of Courts must notify the Registrar, who in turn must notify the Government, which must then appoint a medical practitioner to be chairman of the board. While all that was going on the unfortunate employee—perhaps a married man with a family—might be suffering acutely from the complaint he had contracted. I am sure that is not what the Minister desires, because an unsympathetic Clerk of Courts could string the procedure out possibly until the victim of the complaint had died. In that case, there would no doubt be litigation involving large sums of money in order to prove that the dependants were entitled to compensation.

I do not believe the Minister is sufficiently inhuman to desire to bring about that state of affairs. The employees in my electorate are regularly examined and we have never been called upon to use these regulations, but I warn members who have industries in their electorates that this matter is vital to them, particularly if the employees are not examined annually. I wonder whether the Minister could quote a case of hardship suffered by the employer, as it is only the employer who is handicapped. It is not the employee, because the Minister proposes to lengthen the time before a decision can be given as to whether compensation is payable. The Minister would have to put up a good case to convince me that the amendment should become law. I would respectfully suggest that he withdraw the regulation and introduce another which would not impose hardship on the victim of an industrial disease.

On motion by the Minister for Education, debate adjourned.

#### **MOTION—ELECTRICITY ACT.**

*To Disallow Supply Authorities' Fees Regulation.*

**MR. CORNELL** (Avon) [5.15]: I move—That new Regulation No. 278 made under the Electricity Act, 1945, published in the "Government Gazette" of the 25th March,

1948, and laid upon the Table of the House on the 27th July, 1948, be and is hereby disallowed.

Last year the member for Murchison moved for the disallowance of certain regulations made pursuant to the Electricity Act. Among them was a regulation closely resembling the one I am discussing. Under that regulation it was provided that every supply authority should pay to the State Electricity Commission fees at the rate of 1s. per consumer per annum, with a minimum fee of £5 and a maximum fee of £1,000. That regulation was subsequently withdrawn and was re-drafted in its present form. The new regulation is practically similar to the old one except that it exempts from those contributions supply authorities who have less than 120 consumers. There are only 56 such supply authorities in Western Australia. The man with 120 consumers or more will have to pay, in addition to the levy of 1s. per consumer per annum to the State Electricity Commission, an annual registration fee of 5s. per annum.

Thus the supply authority in that category will be 5s. a year worse off under the new regulations than he was under the regulations submitted last year. This contribution of 1s. per consumer per annum in which the supply authority will be mulcted under the regulations, justifies one in asking what service the State Electricity Commission renders in return for this and other charges that are contemplated under various regulations. Specific provision under them is made that when inspections are requested or deemed necessary, presumably by the State Electricity Commission, a prescribed fee, which is considerable and varies according to the work required to be undertaken, will be charged for that service. In fact, any service rendered by the State Electricity Commission has to be paid for at prescribed rates. The Commission is not a philanthropic institution and therefore naturally it requires to be recompensed for any service it renders. The levy of 1s. per consumer per annum is a tax that has not been authorised by Parliament and for the imposition of which no commensurate service is rendered by the Commission.

The type of service that the State Electricity Commission is alleged to render to supply authorities is probably best exempli-

fied by the experience of the Merredin Road Board. When that local authority was giving consideration to changing over from D.C. to A.C. current, a deputation from the board interviewed some members of the State Electricity Commission who expressed particularly strong opposition to the volume of horse-power that the Merredin Road Board proposed to install in its new power station. After a great deal of controversy in the course of which the road board members argued with equal force in support of their desire to increase the horse-power at the station, a compromise was reached.

Subsequent experience completely vindicated the attitude of the board and the views originally urged by the deputation to the members of the State Electricity Commission. In fact, the board was forced to add another unit to its power house plant, which it did without further reference to the Commission. Had the opinion of the Commission as to the size of plant that was suitable for Merredin prevailed, or had the road board not added to its generating plant and increased the horse-power at the station, the supply of current in Merredin would have been considerably jeopardised and the resultant position most unsatisfactory. Similarly, the Northam Municipal Council was thwarted in its intention to provide an adequate electricity generating plant in that town, with the result that the present service is very unsatisfactory. At this stage, I would like to quote what the secretary of the Merredin Road Board had to say about the position. He said—

Can you wonder why my board is bitterly opposed to the payment of the proposed fees if that is the sort of disservice we get in return?

To that comment I will add—"audited and found correct." The levy of 1s. per consumer per annum is capable of being passed on, and I think it will be. To levy any additional charge on the consuming public of the metropolitan area, no matter how small it might be, at a time when the electricity supplies have never been worse, would be most inequitable. Consumption is restricted and regulated, and to ask consumers to pay more—and that is what the imposition of 1s. per consumer virtually means—for a deteriorated service is a little too much. Paying more for a run-down service has already been demanded in the increase in railway fares and freights, but



that does not give license to every other public utility to "slug" the public and give nothing in return.

The main characteristic of the State Electricity Commission has been the frequency with which it makes revisions in the forecasts that it gives as to when the new power station at South Fremantle will commence operations. Until that does happen—the prognostications of the Commission as to when the station will ultimately function are most indefinite—then things must remain as they are now—stagnant. Practically nothing by way of extensions to embrace new customers can be carried out and attempts to get something done are constantly frustrated because, according to the State Electricity Commission, the system in the metropolitan area is incapable of even the most minute expansion until the South Fremantle power station commences to function.

It would have been much more satisfactory if the various fees and charges, that are indicated in this multitude of regulations under the Electricity Act, had been left to Parliament to decide and not to the caprice of the bureaucratic mind. It is manifestly wrong to allow certain high-handed bureaucrats to churn out reams of regulations, many of them irksome, and none of which have so far received parliamentary sanction. It is common knowledge to members of this House and of another place that numerous complaints have been made regarding the actions of the State Electricity Commission and its officers, and certainly they have been the subject of much adverse comment. Quite a few members have received complaints about the treatment meted out and the pin-pricking tactics indulged in by this bunch of blundering bureaucrats at the State Electricity Commission. People residing in the country areas and in outer Goldfields towns have had to pay a great deal for their electricity supplies, some paying even as much as 1s. 6d. per unit.

Mr. Marshall: Yes, I can endorse that.

Mr. CORNELL: Any further increased cost, no matter how small, that the consumer may be called upon to pay for electric current is neither just nor reasonable. The statement has been made frequently that if we give a civil servant a chair and a table he will soon build up a department. That applies to the State Electricity Commission,

which has expanded during the last 18 months out of all knowledge. Similarly, administrative costs have been stepped up in keeping with its expansion. In order to keep up with the ascending costs, the charge of 1s. per consumer per annum that is now proposed may only be a beginning. I venture to say that the charge will be increased and the consuming public will have to pay more in the not too far distant future. The regulation under discussion has been the subject of a great deal of adverse discussion in the country districts, particularly on the part of local authorities that conduct generating plants. In the interests of the rural residents and also of consumers in the metropolitan area, I hope the House will redress an injustice and disallow the regulation.

On motion by the Minister for Works, debate adjourned.

#### PAPERS—POLICE SERGEANT R. KENDALL.

*As to Transfer and Appeals.*

MR. YATES (Canning) [5.26]: I move—

That all papers in connection with the three appeals lodged by Sergeant R. Kendall, of the Police Department, and all papers in connection with the inquiry held on Sergeant Kendall's transfer from the C.I.B. to the Uniformed Branch by Mr. H. D. Moseley, be laid on the Table of the House.

My reason for bringing this matter before the House is to correct what I consider to be an injustice meted out to a valuable member of the Police Force of Western Australia.

Hon. A. H. Panton: Where is the Minister for Police?

Mr. YATES: Some time ago I was approached by Det. Sergeant Kendall and many other members of the Police Force concerning alleged injustices that were being meted out by the Commissioner of Police and other senior officials of the Police Department. During this period Sergeant Kendall, now of the uniformed branch, has made repeated attempts to appear before police promotional boards, and eventually he appeared before a special inquiry that was instigated at my request and conducted by the then police magistrate, Mr. H. D. Moseley. I am also of opinion, after reading a lot of evidence submitted to me by various members of

the Police Force, that some grave happenings have taken place over the last two or three years, which require a complete investigation by, I think, a Royal Commission. First of all, I will deal with a statement submitted to me by Sergeant Kendall, which reads—

Mr. G. Yates (M.L.A.)

Dear Sir,

I George Reginald Kendall, wish to complain, and beg to bring under your notice, a glaring case of victimisation, perpetrated against me by the Commissioner of Police, John Doyle, on 8/4/47, when I was transferred from the position of Detective Sergeant C.I.B., to that of a Uniform Sergeant, Central Police Station, Perth, and hereby solicit your help in rectifying the wrong which has been done me.

Hereunder, the facts:—

I am an ex-Detective-Sergeant of Police, and at present a Uniform Sergeant, 3rd Class, attached to the Central Police Station, Perth.

I was transferred to this latter position on 8/4/47, from the C.I.B. by the Commissioner of Police, John Doyle, through his two subordinates, Inspector Lewis and brevet Inspector Blight, of the C.I.B., acting under instructions to give an adverse report.

On the 19th of June, 1947, I completed 25 years' service with the Western Australian Police Force.

I am one of the youngest members ever to join the Police Force, having enrolled at the age of 19 years, on the 19th of June, 1922.

My sole ambition when joining the Force was to graduate to the Criminal Investigation Branch as a detective, making such my career, and subsequently impart my knowledge to junior officers, and assist them at all times, which I have done.

For the first 10 years of my Police service I was employed in the clerical branch, in the capacity of Record Clerk, Receiver of Revenue, Staff Salaries and Paying Officer, and for three years in the Clerical Branch of the C.I.B.

I was selected from the Police Force in its entirety, whilst undergoing my Probationary Police Schooling, to take over the complicated position of Receiver of Revenues (upon the arrest for embezzlement of £800, by a fellow officer).

During this time I gained extensive knowledge of the internal workings of the Police Department, and I am about the only officer in the Force today with that general knowledge.

I was appointed to the outside branch of the Criminal Investigation Branch on 17/11/32.

I was appointed to the position of 3rd Class Detective-Sergeant on 26/7/40, which position I held until the time of my present transfer on 8/4/47.

I was nominated for the position of 2nd Class Detective-Sergeant by the Police Selection Board on 16/10/40.

During the last 15 years whilst engaged on outside criminal investigation duties I have been stationed at Perth, Fremantle (where upon taking up my duties at that centre the staff was reduced by one, and upon my transfer two years later on account of sickness, the staff was again increased by one, thereby proving my efficiency), two terms each of two years at Leederville and although a junior officer I was left alone for long periods at a time, as the late Detective-Sergeant O'Brien was a sick man and I had to carry the responsibility. I obtained results never known at that centre before or subsequently. Inspector Doyle at that time congratulated me on my efficiency and asked me to remain at the station as Detective-Sergeant O'Brien was a very hard man to handle and he was unable to get any other junior officer to partner him. Inspector Doyle then gave to the press an account of the outstanding number of house-breaking offences that had been cleaned up throughout the metropolitan area by the arrest of the offenders by myself, resulting in the recovery of hundreds of pounds worth of property, including money, valuable jewellery, etc.

From Leederville I was transferred to Geraldton in charge of the sub. C.I.B. in 1939, where I remained for 10 months. During this time I was successful in eliminating the criminal class, but I was instructed by Mr. Doyle to close the branch and I was transferred to Northam, where I opened the sub. C.I. Branch. This being during the time when many thousands of troops were stationed there and good results continued. I was responsible for all C.I.B. inquiries, throughout the Eastern and Western Police Districts, whilst stationed at the respective centres.

On account of the shortage of N.C.O.'s. in the city I was transferred to Perth and then to Victoria Park, sub. C.I. Branch, as officer-in-charge, for four years, where I was highly commended for results by both members of the Department and public.

During the time I was stationed at Northam, then Inspector Doyle, on account of representations made to him for the re-opening of the sub. C.I. Branch at Geraldton, referred the matter to me for my opinion and report, and as a result he was guided by the evidence I submitted and the branch was re-opened.

Upon hearing this, Inspector Cooney, who was in charge of the Uniform Police at that centre, made special representations to the Department for my return to Geraldton, but on account of my having been promoted in the meantime, his wishes were not acceded to.

On 7/6/46 I was detailed for duties at the C.I.B. Office, as relieving O.I.C. Clerical Staff, during the sickness of the late Detective-Sergeant G. Smith, where I remained in such position until the middle of December, 1946.

On account of the late Detective-Sergeant G. Smith being boarded out of the Department as medically unfit, applications for the position were called through our "Police Gazette" and although senior detective-sergeants applied,

they were overlooked and the position was given to then Constable Croker, who was promoted over the heads of all us senior officers. His appointment carried the rank of 1st Class Detective-Sergeant and as a consequence, Detective-Sergeant Croker is now ranked third at the C.I.B. Branch so far as seniority is concerned. Applications as called by the Commissioner were to the effect that the successful applicant must be in a position to advise both the inside as well as the outside staff. Sergeant Croker, prior to his appointment, so far as my knowledge serves me, had never been associated with C.I.B. work and the whole matter of criminal investigation work was foreign to him and his appointment no doubt was made by Mr. Doyle to strengthen his hands as he was president of the Police Union and for no other purpose, as he has made two attempts to pass his Commissioned Officers' examination and has failed, whereas I succeeded at my first attempt.

Following the appointment of Detective-Sergeant Croker, the respective applicants for the position made special application to appeal against his appointment to the chairman of the Government Appeal Board. This was granted.

Inspector Lewis informed me that Mr. Doyle had told him, and to use his own words, "That I was going to play hell with a big stick and a basket of eggs," and the appeal would not be granted, as it was only a brevet appointment.

Giving evidence at the appeal, Mr. Doyle stated that I had been passed over for promotion for the position of 2nd Class Detective-Sergeant and the following day Inspector Lewis, who had been absent during the morning proceedings, but had given evidence against the various appellants during the course of the afternoon, called me into his office and apologised for giving evidence against me, saying, "I was forced to do so by the Commissioner" and added that the Commissioner was a bloody liar when he gave in evidence that I had been passed over for promotion, as the matter had only been shelved for three months at the instigation of the Commissioner. (Corroboration of this could be obtained from other Inspectors attending the Promotional Board.)

At 2 p.m. on the day of the appeal, Mr. Doyle appeared at the C.I.B. office, holding a piece of plain foolscap paper with some typing on, and quite excitedly inquired the whereabouts of Inspector Lewis, who could not be found. He then had an S.O.S. sent out for him and later Inspector Lewis appeared at the Appeal Board, with a similar piece of paper in his possession, with typing on it, which he read out as his evidence. It was then quite apparent from his demeanour and hesitancy of reading that the contents were new to him. His actions were quite noticeable and were remarked upon by various officers at the time.

Inspector Lewis, at the above interview, told me to be very careful of brevet Inspector

Blight, and Miss Murfitt, typist, who were both very dangerous and the main "Stooges" of the Commissioner, carrying all happenings at the office to him. That Blight had been appointed to his present position for the purpose of unseating him, and that he knew that the skids were under him. He (Lewis) gave very little typing to Miss Murfitt, as he could not trust her and that he had only been questioned the day before by the Commissioner as to the reason. He has told many other C.I.B. officers the same thing. He asked that if anything be done by the men to alter the turbulent conditions prevailing at the C.I.B. office, that he be left out as he had too many commitments.

Following Detective-Sergeant Croker taking over the position I had then to remain in the office for several days to tutor him in the work and general procedure, after being informed by Mr. Doyle that I was not qualified for the position. It was under Mr. Doyle's instructions that I should so remain and act in this capacity, thereby proving his further ignorance in the matter of office procedure, etc.

On account of the bad manners and culture of the two Inspectors, Lewis and Blight, towards the subordinates at the C.I.B. Office, I had a motion passed at a meeting on about 24/11/46, at the C.I.B. Office, and signed by 24 members, to the effect that Section 10 of the Police Regulations be given effect to by the two Inspectors.

This section reads as follows:—"Members of the Force in command, whether officers or otherwise, are expected to be at all times ready and able to afford advice and information to those who are under them on any matter relating to their duties. They must give their orders in language of moderation and of regard to the feelings of those to whom they are addressed. Any subordinate has the right respectfully to complain of an officer or sub-officer, from whom he may have received any orders he may consider improper or conveyed in unbecoming language."

Inspector Lewis apologised for his past behaviour to various C.I.B. officers and said, "He would alter his mannerisms towards the men providing the Commissioner did not get to hear of it." It was subsequently brought under the notice of the Commissioner by brevet Inspector Blight, and the Commissioner later upheld them, at a meeting he held at the C.I.B. Office on 26/11/46, and as a consequence they became more arrogant. The junior officers were unable to settle their investigations, and were threatening applying for transfer from the branch, and I endeavoured to right a wrong, but this was evidently registered against me by the Commissioner and two Inspectors.

On 26/11/46, Mr. Doyle came to the C.I.B. Office and addressed all the men, including myself. This was a result of the meeting referred to above. Mr. Doyle addressed the men and said, "That he had heard of the dissatisfaction in the C.I.B. and that it had been brought under his notice, that the men had

been discussing the appointment of Constable Croker to O.I.C. C.I.B. Office, and that some men had said that they would put everything in Sergeant Croker's way to hinder him." Mr. Doyle then threatened us over this. Several officers then spoke against the appointment, more particularly as Croker was president of the Police Union, and Mr. Doyle said, "Whilst he was Commissioner of Police he would run the Police Force the way he wanted to run it and if the time arrived that he could not, it was then time he got out." He said, "You remind me of Hitler's S.S. troops, and a lot of children the way you are all acting. Sergeant Richards then said, "You have two men who I consider could do the job equally as well as Sergeant Croker." Mr. Doyle said, "Who are they?" The sergeant said, "Well, there is Sergeant Woolley, he has previous office experience." Mr. Doyle said, "H'm, who else?" The sergeant said, "There is Sergeant Kendall, who has been relieving there for the past six months, done a good job, and has had years of office experience." Mr. Doyle said, "I wouldn't 'ave 'im there." I strongly resented Mr. Doyle's remarks, and called upon him there and then for an explanation, as I wished to have the matter clarified, especially as he had made this statement in front of all the men. He refused to converse further on the matter. I then demanded an explanation, which I considered I was justly entitled to, but Mr. Doyle would not speak and ignored me. He shortly afterwards left. Presumably the cause of his unwarranted attitude will explain itself in a later paragraph. He stated that Sergeant Croker was in the office only on six months' probation when heatedly contested, and in order to avoid further embarrassment.

I passed my Commissioned Officers' examination in all subjects in 1943. Sergeant Croker has sat twice for his and failed on both occasions, yet according to Mr. Doyle he is the most suitable man for the position.

Just prior to taking up my duties again on the outside staff, after having relieved in the office for the past six months, I was called into the office by Inspector Lewis. Brevet Inspector Blight was present.

Inspector Lewis said, "I have been instructed by the Commissioner, Mr. Doyle, to call you into the office and in the presence of Inspector Blight, to warn you that he is not satisfied with your inquiries of late and for me to report on you at the end of three months, and if there is no improvement he will consider transferring you." He said, "A Commissioner can either make or break an Inspector, the same way as an Inspector can either make or break a detective."

He said, "I have been instructed to warn you that you are not to say anything as to what has happened between us this afternoon when you leave this office, for if the Commissioner gets to know about it, which he naturally will, he will exercise his threats." He then turned to Inspector Blight and said, "Do you want to say anything Inspector?"

Blight said, "No, I can't say anything, as Sergeant Kendall has never worked under me." Yet this man was so unscrupulous according to Inspector Lewis, to act under the dictates of the Commissioner, and in collusion with Inspector Lewis, to submit a report concerning me which I had not yet had the privilege of seeing, although asked for.

Immediately upon hearing this I explained what a sorry pass the office had arrived at when a man in all good faith endeavoured to better the conditions, could be subjected to threats and intimidations on account of personal bias by the Commissioner. I explained the stupidity of it all, seeing that I had not been on investigations for the past six months, having been relieving in the office. Inspector Lewis said, "Well, they are my instructions."

Upon leaving the office I forthwith conveyed to three detectives—whose names can be supplied if required—the "stand-over" methods that had been adopted, that I had been threatened and intimidated, and that I would no doubt from then on be subjected to "victimisation."

The office since Mr. Doyle's regime has become a nest of intrigue, constant pinpricking, and wearing-down tactics, thereby impairing the health of various officers, and grave concern is being held regarding the general efficiency, as the officers are debarred from giving of their best.

On the 8th of April, 1947, without notice, I was given transfer notice by Inspector Lewis. I was informed of my transfer from C.I.B., Perth, to Uniform Police, Perth.

I asked Inspector Lewis for an explanation and he informed me "That he had been instructed by the Commissioner to put in an adverse report concerning me and he had naturally been forced to act upon it." He declined to state what the report consisted of. It will be noted that brevet Inspector Blight a short time previously could not say anything about me, as I had not worked under him, and as a result Mr. Blight must have been instructed to make this report.

This class of tactic adopted by Mr. Doyle is consistent with his past behaviour whilst Commissioner of Police, and is the sole reason why the complete structure of the Police Force is "white ant eaten." The Force during my 25 years' service has never had the discontent or intrigue in it as it has today and unfortunately the whole Force is in a chaotic state, and grave concern is felt by the men for its welfare under the present administration of Mr. Doyle.

On the 8th of April—the day of my transfer—a mass meeting was held at the C.I.B. Office regarding my transfer and the reasons and without a dissentient it was acknowledged that it was purely a case of "victimisation in its worst form" and it was decided that the Union be approached in the matter, and if no redress was obtained, that was, that if I was not returned to my former position, each member decided that he would make applica-

tion for his transfer from the branch, which would be submitted collectively, thereby leaving no C.I.B., a position which could not be tolerated, or allowed to arise under any circumstances whatsoever.

On April 9th, at my own request, I appeared before Mr. Doyle for the purpose of having the position clarified and in the presence of Inspector Lewis and brevet Inspector Blight. Mr. Doyle stated that he had been guided by a report submitted by the two officers and had decided to transfer me on account of three files which I had handled. Prior to this statement by Mr. Doyle, Inspector Lewis had verbally outlined what he considered to be unsatisfactory in regards the investigations appertaining to the three files in question. These files had all been negatived by me, as there was no other decision to be arrived at. They had been written off by me after first conferring with Inspector Lewis, prior to my going on holidays, this being the accepted and recognised rule, to confer with one's Inspector regarding files on hand, and the disposal of same under the circumstances, and I acted under his direction. After I had commenced leave, Mr. Lewis passed two of the files on for further inquiries by other officers; one a probationer (Detective Donovan)—this being a decided slur, and an endeavour to belittle me—an act in keeping with his general make-up. These officers were unable to meet with any further success. Considering it fit to do so, I could have done likewise, and marked the files off to other officers for further attention had I not acted under the direction of Inspector Lewis. It was then quite apparent that the whole matter, through bitterness and personal bias, brought about by the aforementioned facts, was engineered, and the excuse regarding my transfer was a complete camouflage and baseless. This was brought under my notice and remarked upon very caustically by several officers whilst I was away on leave, and who recognised the unhappy state of affairs.

I called upon Mr. Doyle to give his reasons, and he adhered strictly to the Police Regulations and said, "For the good of the Service," which he knows is an untruth and the section mis-used by him, and the act of a coward.

Had Mr. Doyle been in possession of a concrete case, he would, knowing him as I do, have charged me with "neglect of duty," the only legitimate and honourable course to adopt, and have allowed me a fair trial, which is only democratic and British justice, which even the worst of criminals is allowed, whereby they can defend themselves or procure counsel to act on their behalf, but I was not even given the opportunity to allay his vindictiveness towards me. The worst that could have been said about my inquiries in connection with the files was, "An error of judgment," but even this was not the case. Nobody is infallible during investigations, and the best of us are apt to miss some point, but it is apparently not so with some arm chair critics.

Eighteen years of good, honourable C.I.B. service forgotten.

Upon a number of occasions Miss Murfitt (C.I.B. typist) has informed me that the Commissioner was "sick and tired" of Mr. Lewis's continuous running to him regarding matters prejudicial to the men, and trying to gain favour at their expense. I have also heard from various sources, that the Commissioner had stated, "That he had suffered an indignity when placed in the position of having to apologise to the then Minister for Police, Mr. Kitson, for having recommended the promotion of Inspector Lewis to Inspector-in-Charge of the C.I.B., as he had since proved himself to be inefficient." This is also supported by his record as an investigating officer on the outside staff, when he had only 118 files marked off to him during his last 12 months in Perth, and was successful in about five apprehensions during that period. One is unable to obtain any advice from him, and he would not discuss any problems, which speaks for itself.

Similar cases of injustice and victimisation are known to be under way concerning other officers, and the branch members are daily working under a cloud of fear and trembling as to whom will be the next victim of Mr. Doyle's, and as a result they are unable to concentrate on their work and the public suffer. They openly state they are prevented from having their wrongs rectified and raising their objections owing to financial and domestic reasons.

Existing conditions were appropriately remarked upon lately by a senior officer, "That attendance at the office of a morning was in his mind, similar to receiving a sentence of six months' imprisonment." The general morale of the office has fallen and harmony is a thing of the past.

I have never been questioned, or taken to task about my work or conduct before this issue by Mr. Doyle. The correct procedure would have been for Mr. Doyle to have conversed with me and instruct on the files in question, in a similar manner recently meted out to other officers, instead of taking such drastic action.

At the appeal against Sergeant Croker, and through the medium of brevet Inspector Blight, it was suggested to two of the witnesses, Constables Short and Watts, during cross-examination, that I was a trouble maker, but they openly scoffed at the idea, and stated that I had been of invaluable assistance to them whilst working under very bad conditions and acting in the position of O.I.C. Office. It was during this period that I applied for extra staff, but was refused by the Commissioner.

The volume of work at the office had not increased to such an extent over the past few years to warrant an additional Inspector, and it is another cause for so much discontent at the C.I.B. Office, as both Inspectors give orders and instructions to the men, and each has practically no knowledge of what the other is doing. Thus orders given by one are

countermanded by the other, thereby causing friction and chaos. One has actually to work at the office to appreciate the true facts.

I hold one of the best records of any member of the C.I.B., and on account of Mr. Doyle's vindictiveness, personal bias, and victimisation, my career as a detective has been ruined and I have been deprived of seniority, and with a reduction of salary.

Mr. Doyle has caused fear to be spread amongst officers of the Department, such as, in the event of at all times not acquiescing to his wishes, they will be subject to transfer, thus upsetting their home life, or otherwise being charged with some trifling breach of the Police Regulations.

The responsibility rests entirely with the Commissioner. It is impossible for the men to continue indefinitely giving satisfactory service and at the same time working under the present conditions without the whole system being altered. It is solely on account of upholding what is just and right, which all members considered was for the betterment and harmony of the branch, that I was victimised.

Mr. Lewis has told the men that Mr. Doyle has practically driven him mad, and he can do nothing about it. Had he been strong enough to stand up to Mr. Doyle for what he considered was right, and stood by his men, instead of being continually humiliated, this position would never have arisen, and he would have had the backing of his men, but now as a consequence, he has lost all respect due to him in his position, as it can be generally accepted as a sign of weakness on his part.

Another matter which I referred to in an earlier paragraph was of a personal nature and repercussions no doubt had a lasting effect upon the Commissioner, when he stated he would not have me in the office, and also his subsequent victimisation.

During the past three or four years I had been approached upon several occasions by an old man, who stated that my wife was indebted to him regarding a sale of a "Kiosk" in Central Arcade and wanted my address, which I refused to give him. I informed him he was wrong, as my wife had never been interested in such a business. He still persisted until one day, whilst I was relieving in the office, he approached me at the front counter, and in the presence of a number of the public he became abusive and stated he had a summons for my wife for debt.

I told him he was a public nuisance, and to get off down the stairs. The following morning Mr. Doyle called me into his office and said that this same man, who was then seated in his office, wanted my address as he had a summons to serve upon my wife for debt. I remonstrated with Mr. Doyle for accepting this, but he "stood over" me and said, "If you don't give him your address so that he can serve the summons on your wife, I will."

I informed Mr. Doyle that this man was a "public nuisance" and that I did not appreciate Mr. Doyle interfering with my domestic affairs. I gave the address on the under-

standing that he called at 6.30 p.m. the following evening, when I would be home. Some weeks passed, when he eventually called one evening about 6 p.m. My wife answered the door and he asked if I were home. Mrs. Kendall recognised this man from a description I had given her previously. She said, "As Mr. Kendall was not at home, would he care to see Mrs. Kendall?" After some hesitation he said, "Yes," he would. My wife looked at him for a moment and then said, "I am Mrs. Kendall." He seemed astounded and then said, "You are Mrs. Kendall?" She said, "Yes, I am and as you are looking for a blonde, I suppose that now you realise you are accusing the wrong person, you old pest." She continued by saying, "The best thing that you can do is to return to your friend Mr. Doyle and tell him from me that if his brain power is so frail that he can send his personal friends out on false trails to satisfy his own vindictiveness, without first thoroughly investigating same as a good detective would do, then he had best see Mr. Kendall and have him teach him the correct procedure in this and other matters." She then told him that he was an odious old man and that his presence was obnoxious to her and ordered him off the premises. As he was leaving I pulled up in my car with another member of the office staff and intercepted him, as I wanted an apology from both Mr. Doyle and himself towards my wife.

The following morning a witness and I saw him leaving Mr. Doyle's office. I said, "Well, did you tell Mr. Doyle?" He said, "Yes, I told him everything." To date no apology has been received by my wife from either party.

It was a short time after this that applications were called for O.I.C. Office.

As presented, the above are true facts, given without malice or ill-will and without fear of contradiction, and can be corroborated. They are given voluntarily with the purpose of bringing under the notice of the Hon. Minister for Police and your Government the disgusting state of turmoil existing in the W.A. Police Force as a whole, under the administration of Mr. Doyle.

It is entirely through the unwarranted actions of Mr. Doyle that I, with many others, have suffered a nervous disorder from time to time.

In conclusion I now solicit your wholehearted support in the matter and ask that you will give this complaint your favourable consideration and place same directly before your Hon. Minister for his information, direction and action in the matter.

That covers the complaints given to me by Sergeant Kendall.

Mr. Kelly: Where is he stationed now?

Mr. YATES: At the Central Police Station, Perth. Very soon after I entered this House I approached the then Minister for Police regarding these allegations. He

stated that he had just taken over the position, and the matter would require a lot of investigation and consideration. The fact that I had been approached by other members of the Force—and that information I conveyed to the Minister—led me to believe that there was more in the matter than just the statements of Sergeant Kendall—in other words, that other officers of the department were involved. I will say that members of the Police Force with up to 25 years' experience, and brilliant records, and who have been a credit to the Force, approached me on different occasions and gave me statements similar to that made by Sergeant Kendall. Towards the middle of last year the secretary of the Police Union, Mr. Halliday, approached me at Parliament House. I had not met him before. He asked me whether I was being approached by Sergeant Kendall, and others of the Police Department.

I admitted that I had been approached by various members of the Force. He stated that the information I had received was from one source only, and that there were two sides to every question. I agreed with him, and also that it would be very diplomatic of me to tread cautiously in the matter before I had the full facts. I took that into account, and have acted very cautiously since. In fact, I let the investigation go for a period of 15 months before finally deciding to bring it before this House. Mr. Halliday spoke to me for approximately three-quarters of an hour and stated that he had at all times stood up for the rights of the men, and had approached the Commissioner of Police on their behalf for many things. He also said that he was there for the benefit of the members of the Western Australian Police Force, and that in his capacity as secretary of the union he acted for each and every one of the men.

He mentioned that he had seen the files of some of the officers in question, although I had not named any except Sergeant Kendall. He knew Sergeant Kendall had seen me, and I admitted the fact, and said that there were some things on the files that I was not aware of, and if they were brought to light they might make any case I had look a little silly. After he had left, I thought he was not a bad sort of a chap, and that he had come up to lay his cards on the table. We parted with quite good

feeling. Very shortly after, I received a document—and I can state quite definitely that in the meantime I saw no other member of the Police Force or person connected with it. One paragraph of this document, which is signed by Detective-Sergeant Smith, as a result of an interview which took place between Charles Henry Lewis, C.I.B. Inspector, with Detective-Sergeant S. A. Smith of the C.I.B., is as follows:—

He also stated that Doyle had told him that he (Doyle) had sent the union secretary, Mr. Halliday, to blow Yates up for what he was doing, and to let him know that Doyle regarded his interference in this matter as most unministerial, and that he had better watch his step.

Mr. Marshall: "Yates behind gates" would be poetic but rather tragic.

Mr. YATES: Later in the year, on the 21st October, I received a letter from the general secretary of the Police Union, which reads as follows:—

I attach extract of letter addressed to certain members of our union.

You will note that your name is used and my informants are responsible members of this body.

I have a minute on the records of the union concerning my interview with you on the only occasion that we have met; it is brief but accurately records the purpose of my visit which was undertaken at the direction of the responsible committee which waited upon the Minister for Police at the time.

Other than myself, the only possible source from which anyone could claim to know what transpired during our interview is yourself. Could you let me have your comments regarding this not later than 5 p.m. tomorrow (Wednesday)?

The following is a letter sent by Mr. Halliday to various members of the Police Force. I know that is correct, because he has put "Mr." without any name. The letter reads—

Mr.

C.I. Branch, Police Department, Perth.  
Dear Sir,

I have been informed that you have recently been making damaging statements concerning me, one such being in effect as follows:—

That, at the request of the Commissioner of Police, I visited Parliament House and did "stand over" Mr. Yates, M.L.A., for the purpose of persuading him to cease his activities in the Sergeant Kendall case.

I now ask that you commit to paper the statements referred to so that the matter may be dealt with by the governing body of the union without delay.

The next meeting of the union council is on Wednesday, the 22nd instant.

Hon. A. H. Panton: Was that letter written to you?

Mr. YATES: The second one is a copy of a letter that Mr. Halliday sent to me and which was sent out to one or more members of the Police Force. The first letter I read out was addressed to me. Mr. Halliday states in the letter to me that as the interview took place between himself and myself, no-one else could have known of it, and yet, in the document which I received, and which came into my possession after the interview I had with Mr. Halliday—I had not spoken to any member of the Police Force in the meantime—there occurs the paragraph concerning the alleged statement of Inspector Lewis. It is quite an interesting document, too.

Mr. Reynolds: Let us hear it.

Mr. YATES: Very well. It is as follows:—

(Charles Henry Lewis, C.I.B. Inspector, supplied the following information to Detective-Sergeant S. A. Smith, in an interview at Mr. Lewis's home, Forrest Street, North Perth, on the evening of Friday, 30th May, 1947:—

Mr. Lewis was asked by Sergeant Smith if he was prepared to give a written and signed statement, in confidence, relative to the maladministration of the present Commissioner of Police, Mr. Doyle, and the manner in which he had victimised Mr. Lewis and was endeavouring to work Brevet Inspector Blight into the position of C.I.B. Chief.

Mr. Lewis replied that he thought it a waste of time giving such a statement, as he was firmly convinced that Doyle was too well entrenched, and that the present Government would not shift him.

He also stated that Doyle had told him, that the union had "stood over" the Minister, Mr. McDonald, and he had agreed that all complaints would only be recognised by him, if put through the Police Union, and not otherwise.

He also stated that Doyle had told him that he (Doyle) had sent the Union Secretary, Mr. Halliday, to blow Yates up for what he was doing, and to let him know that Doyle regarded his interference in this matter as most unministerial, and that he had better watch his step.

Inspector Lewis then gave details of his length of service, his different and varied jobs at different centres, his experience at Kalgoolie C.I.B. in charge, at Victoria Park C.I.B. in charge, and in the office at C.I.B. in charge, and lastly, in the C.I.B., Perth, as inspector in charge.

He stated that Doyle planned his moves with cunning, and was always one jump ahead of the union.

He stated that nothing that Doyle did, was done without the backing of either a board or the union.

He stated that most of the inspectors sitting on the boards were Doyle's "Yes Men" because they were afraid of what Doyle would do to them if they did not vote the way he wished.

He said to me, "I will tell you something, Syd. Do you know why Croker was promoted from constable to his present rank of 1st class detective-sergeant?"

I said, "Why was he, then?"

Lewis replied, "Croker is the union president, and Doyle has now got him where he wants him, and the union, too."

Lewis said, "Do you know what happened at the board, when I appealed against Findlay's promotion over my head?"

I said, "No, Charlie."

Lewis continued: "Well, the first thing that happened was that before the proceedings got under way, I objected to Inspector Cooney sitting on this Board, on the grounds that he was Doyle's representative on the State Appeal Board, which I might have to appeal to if I lost this appeal."

"When I made my objection, Doyle curled his lip and said, 'I have already sought legal advice on this matter, and Cooney stays.'"

Cooney sat on the board.

Then, before the case went under hearing, Doyle said to the board, "Before we start to hear this appeal, I wish to send Inspector Blight out of the room for a minute."

Blight then left the room.

Doyle then turned to the inspectors there and said, "I could not say this in front of Inspector Blight, but, gentlemen, I want you all to know that the reason I promoted Inspector Blight to his present rank, and put him in the C.I.B., in that position, was because I was disappointed and dissatisfied with Inspector Lewis."

Blight was then called back and sat on the board.

Lewis continued, "You can imagine, Syd, how I felt, and what chance I had after that. Doyle deliberately cut the ground from under my feet, and I had no chance. Of course, I lost the appeal, what with that, and the inspectors who were his 'Yes Men.' Then I later learned that just prior to the Board sitting, Doyle, without a vacancy being due, promoted Washer in inspectorship, so that he could get another vote for certain against me."

I said, "What about the State appeal, Charlie?"

Lewis said, "I lodged my appeal there, and Doyle gave his reasons for opposing it, as follows:—

(1) That Findlay was senior in service.

(2) That he and I were of equal efficiency. This, in spite of my record, and the fact that I was in charge of the C.I.B."

He continued, "I later withdrew this appeal, as I learned that I was not likely to succeed



after the Cooney business at the prior board, and further, I learned that Doyle had arranged for me to be transferred at once to Broome after my second appeal, to get me out of the way. I withdrew this appeal and forestalled him."

I said, "How you stand things as they are beats me, Charlie, because you must know that Blight is there for a purpose, and is white-anting you so that you can be got rid of, and he can eventually step into your shoes with his brevet rank confirmed to full inspector."

Lewis said, "I can't do anything about that."

I said, "Do you know that he refers to you, when speaking to the junior men, as 'That Pommy B—'?"

Lewis said, "Yes, I have heard things, but what with him and Connie (Miss Murfitt), I can do nothing."

I said to Lewis, "Well, I think the move will be for him to transfer you to Fremantle and to transfer Findlay to C.I.B., Perth, in charge."

This statement was made on the 3rd June, 1947. This year those events took place. Findlay was transferred from Fremantle to Perth and Lewis was transferred to Fremantle. The statement continues—

Lewis said, "I don't think he will do that, but if he did, then he and Blight would drive poor old 'Fin.' off his head within six months, just like Doyle did Inspector Read. Then Blight would step in and take charge."

I said, "Let's only hope that Doyle and Blight get their walking ticket."

Lewis said, "You can put that out of your head; there is not a chance."

I said, "Has Doyle mentioned anything to you yet about Kendall lodging any protest?"

Lewis said, "No, he has not said anything."

Lewis continued, "As far as Kendall is concerned, do you know he threatened me and called me a b—— and said he would 'get me'?"

I said, "Well, Charlie, as far as what I know of Kendall, he wouldn't threaten anyone unless they had given him just cause to do so."

Lewis did not reply to this.

Lewis said, "Well, I have had all I can take up there, and I often feel that I would be happier out of it all back in the Uniform Branch and away from Perth; at least, a man would have contentment of mind instead of all this."

The conversation then turned to non-official matters.

I am of the opinion that, if Inspector Lewis was really convinced that there was a chance of Doyle being put off by this Government, he would readily give valuable evidence, covering many phases of Doyle's activities and his mal-administration.

Mr. Hegney: Who is the author of that document?

Mr. YATES: It is signed by Detective-Sergeant Smith, who is one of the senior men of the C.I.B. It is well known that there have been many resignations from the Police Force, and a number of the men that have resigned have done so because they could not get on with the administration, in some instances the Commissioner and, I take it, some of the Commissioner's subordinates. I also have a statement which is signed by Mr. A. V. Penrose, who was at one time the officer in charge of the Fingerprint Bureau of the C.I.B., Perth. Visiting police officials from the Eastern States and also men from Scotland Yard have stated that the work performed by Detective-Sergeant Penrose was equal to the best work of its type in the British Empire, and Penrose was highly commended for the very efficient manner in which he kept the records of his section of the department, and handled the men under him. Mr. Penrose, who was then Detective-Sergeant Penrose, resigned from the Police Force, and this came as a shock to many of its members and his friends outside. The statement I propose to read was prepared after Mr. Penrose left the Force. He is now established in business in the city and has prepared the statement without malice. He has nothing against anyone in particular but has stated the facts concerning his resignation from the Police Force. The statement is as follows:—

Albert Victor Penrose stated, when interviewed by Mr. Yates and later by Detective-Sergeant S. A. Smith:—

I am willing and prepared to give evidence along the lines following, at any subsequent inquiry which might be held into the mal-administration of the Police Force of W.A. under the present Commissioner of Police, John Doyle.

I have perused this statement and find it correct.

I am the sole proprietor of the Victor Penrose Photographic Studios, Central-avenue, Perth. I am also the president of the Professional Photographers Association of Australia.

In 1929, whilst I was a member of the Police Force, I took over control of the C.I.B. Studio and, from a comparative disorganisation I built up a combined department comprising photographic and fingerprint sections, and record, scientific and identification sections.

I was in full charge of this department with the brevet rank of Detective-Sergeant of

Police, and eventually finished with a staff of 13 persons.

Things went on smoothly until John Doyle took over the Commissionership.

From then on things went far from well.

His unreasonable and pig-headed attitude and lack of understanding soon made themselves apparent.

One day men came along from the P.W.D., without warning to me or anyone else there, to start effecting alterations in the section where I was housed.

No notification had been sent to me by Doyle so that I could make preparations.

I had previously expressed a wish in the presence of some of my staff and in the presence of some plainclothes men on that floor, to have a grill door installed.

I told the men from the P.W.D. that they would first have to give the plainclothes men time to shift and me to get prepared before they could start work.

Shortly after this Doyle rang for me to come to his office. There, in the presence of the P.W.D. men he barked at me, "You want a grill? Well you are not going to get one."

I told Doyle that I had not as yet asked anyone for a grill. He replied, "Yes you did. I was told."

He then said, "Here is the plan. It will be done on those lines and you get no grill, understand?"

He was insulting and domineering in front of the strangers, and with the position I held it can be well imagined how I felt.

I waited until the strangers had left and I went back into Doyle's office and said, "Mr. Doyle, anyone who told you that I asked for a grill is a liar, and I wish to know who it was that told you this."

Doyle refused at first to tell me but then said that one of the plainclothes men from the same floor had told him that and that he, Doyle, was telling me that I was not going to get a grill.

This was perhaps trivial but it showed Doyle's attitude to me and the fact that he was prepared to take the word of a junior man over a thing which did not even concern him.

Some time after Doyle became Commissioner, whilst I was still struggling to build up the branch, and work had increased beyond all bounds, I tried hard to convince Doyle that I needed at least one extra man to assist me. Doyle at last sent Mr. Bentley, the secretary to be, down and I went into things thoroughly with him.

*Sitting suspended from 6.15 to 7.30 p.m.*

Mr. YATES: The statement of ex-Detective-Sergeant Penrose continued—

Mr. Bentley recommended to Doyle that I be given an extra man. This was not good enough for Doyle and he sent Inspector Read down to go through things with me.

Inspector Read recommended an extra man.

Doyle later came down with Constable Edwards and he told me that he was putting Edwards there with me for three months to see what improvements could be made, and to see whether the extra man I had asked for was really needed. He told Edwards in front of me to report direct to Inspector Read every week.

What an insult to me, to first put a junior man, a constable, in, to "suggest improvements and report over my head to Inspector Read."

I told Mr. Doyle there and then that following the recognised rule, Edwards would report to me as he was a junior man and that I would forward his reports on to Inspector Read, with my comments on same.

Doyle then told Edwards, in my presence, to report to Inspector Read at the end of three months and to report to him direct and not through me.

My feelings could well be imagined, as both I and my staff realised that Doyle was deliberately belittling me.

At the end of the three months Edwards reported direct to Read, and recommended the extra man, and also two minor alterations, which I had already asked for in a report and which Doyle had refused to grant me.

I then applied for P.C. Stevens, who had had 18 months' experience in this work, and who had a medical certificate exempting him from beat duty, but Doyle refused me this man and sent me P.C. Reilly.

Time and again, improvements I suggested to Doyle and suggestions made to him by me for the betterment of this department were treated by Doyle with the usual refusal and total lack of co-operative understanding, and I had a constant uphill battle against his fault-finding and well known pin-pricking, which I could not tolerate.

In consequence of this things became harder and I was convinced that Doyle's antagonism was deliberate and studied.

I had seen the interfering methods which he was extending to other branches of the service and the fear which appeared to be instilled in inspectors of other branches as well as the C.I.B., but I was not prepared to be intimidated by Doyle.

This power that Doyle has, by virtue of his office, was well realised by all ranks, and this is the main reason why inspectors will not stick to the men when they should do, purely for fear of what Doyle could and would do to them and what would happen to them.

I can say from my own experience and my personal knowledge that the man who stands up to Doyle and shows that he is not afraid of him lasts for a very short time, even though he might be one of the best on the job.

Then came the approach of the Fingerprint Conference in the East, which is of the most importance, and is attended by the heads of the Fingerprint Departments from

the other States. I had previously attended two of these conferences, as the Fingerprint Head and representative of the W.A. Police Force.

These conferences, held yearly, involve the adaption of new methods and special co-operation between States, discussion of existing methods, and alteration of administration, and it was imperative that the head of the bureau, who understands things in their entirety, must attend.

It could readily be understood, that if a junior man was sent to attend then he would, on his return, have to instruct the head of the bureau in anything new adopted, or new system agreed upon there, which, of course, would be farcical.

Three weeks before this particular conference was due to be held in the East, I had received no usual notification from Doyle or Inspector Read that I was to attend.

I interviewed Inspector Read, then C.I.B. head and told him that as there was so much stuff to prepare for the conference, I wanted official notification that I was to be sent so that I could start the preparations without delay.

Read went to Doyle's office and when he returned he informed me that Doyle had told him that he, Doyle, had decided on a man to send but that he, Doyle, refused to disclose that man's name to me.

I told Inspector Read that if he did not at once ask Doyle for the name of the man whom he intended should go to the conference, then I myself would go and interview Doyle at once in his office.

Read said to me, "Don't you do that, Doyle will be real mad at you and then you will be for it."

When Read saw I was determined he went to Doyle's office again.

Read then sent for one of my staff named Constable Baird, and took us both into his office. Read said to me, "The Commissioner has decided to send Constable Baird, and not you, to the Fingerprint Conference."

I then said, "Congratulations, Jack," and shook Baird's hand, and I turned to Inspector Read and said, "I will be back in two minutes; that will be as long as I will take to write out my resignation from the Force."

I then went out and wrote out my resignation from the Force, asking for it to take effect as from the date of Baird's return from the East and the conference.

On receiving my resignation, Doyle immediately asked in writing for the reason for my resigning and I put in a page and a half, on the lines on which this statement runs. This is on my personal file at Police Records Branch, Chief Office.

I might say that investigation will show that my hard work entirely, my honesty of purpose, and the knowledge which I brought with me into the Force when I joined it, was responsible for the creation of the Finger-

print, Scientific, Record and Photographic Bureau, as it is today.

Constable Baird was later given the rank of Brevet Detective-Sergeant and was put in charge of what I created out of practically nothing, and the only changes that Baird has since made were those which I had previously recommended (*vide* reports on record), and which Doyle refused to agree to instal.

I left the Force in 1945, having been forced to give up a job which I had put all I knew into and which I had mapped out as my career and my only satisfaction lies in knowing that I left behind, in the Force, a comparatively good and efficient bureau, built by me, with the help of a reliable staff, who, with me, had only the interests of the Police Department at heart, and were not running the Force for the benefit of themselves.

22/5/1947. Perused by Mr. Penrose, and accepted as correct, and copy retained by him. Witness, S. A. Smith, Det.-Sergeant, 1488.

Those are the reasons for the resignation of a man who had achieved something worth-while, not only for the department here, but also for the benefit of police departments throughout Australia. His work had been commended at various inter-State conferences; he was in close touch with the heads of departments in other States, and for the Commissioner of Police to refuse to send the head of the department to that conference in itself proves that there must be substance in the allegations submitted by various members of the Force.

I shall next deal with a statement by a detective stationed outside the metropolitan area, namely, in the electorate of Northam. It is a statement by George Winning under date of the 17th May, 1947 and reads—

Sub C.I.B.,

Northam, 17th May, 1947.

I am a detective stationed at Northam. I joined the force on the 30/3/29 and have not a mark against my record. I joined the C.I.B. on the 20/4/38 under Inspector Doyle, as he was then, and was not long in finding out that he was a hard taskmaster, and a man who had never a word of praise or encouragement for work well done, but knew how to use his cynical and caustic tongue if everything did not meet with his approval.

I had heard of this, but when I went into the branch, determined to dismiss these rumours from my mind. I worked hard and long, and my wife and child, my home and my social obligations were put to one side so that I could do the best that in me lay.

I was not very successful, as I am of a nervous type, and it was not long before he was venting his wrath on me for petty things, largely due to my ignorance of procedure as applied to that particular office. It was hein-

ous crime not to find out what so and so was doing. If you knew what he was doing, you ought to have found out where he lived, etc., etc. A failure to put in a comma was also the signal for criticism and the application, in an angry fashion, of a red pencil. After being criticised for this or that, you might try to explain, but it would not be listened to and your diary would be thrown across the table, and was frequently picked up from the floor. To add to one's discomfiture, one's colleagues would all be waiting their turn outside the door, which was open, and between their conversations would hear what was going on inside.

In spite of this treatment, in which I noticed I was not alone, but had many others who were also treated similarly, I still strove to make allowances for Mr. Doyle, although as time went on I began to see that no one could hold an opinion that was at variance with his, and that he was always right. As a very junior officer, I granted that on Police procedure he was no doubt right, but as for many other matters, I formed the opinion that he was merely displaying an inferiority complex and gave every indication of a man who was trying to show his power.

Not long after I went up to the C.I.B., Perth, I had the necessity to conduct a "line-up" in connection with the theft of some clothing, and a criminal, whose name I just forget, was brought into Roe Street Lock-up, into the exercise yard, and mingled with the line while a second-hand dealer named Beckman came over, but failed to pick the man out. I was assisted in this by Detective-Sergeant J. W. Jones, who made all the arrangements at his own suggestion.

Next day, in reading my diary, Mr. Doyle noticed that I had booked up attending the identification parade with the dealer "in the Roe Street Lock-up," and he demanded to know by what right I had brought a dealer into a Police lock-up, and did I not know that he could claim compensation for wrongful arrests, etc., etc.

As it had not been arranged by me, and as I had heard that that was where the line-ups were always held, I claimed ignorance of the procedure, but in my stumbling way let drop that there was another officer with me. Mr. Doyle then demanded to know who he was, and I declined to tell him. He became very angry and asked me if I knew whom I was talking to. I said I did, but that surely he could not ask me to tell him. He said, "Do you mean to tell me that you refuse to disclose the officer's name?" I said, "Mr. Doyle, you surely realise the position that you are placing me in, as I have no desire to be an informer." He went red with anger and said something about my audacity in refusing to tell, and also something about what would have happened if he had been asked a similar question by a previous chief of the C.I.B., Steve Condon.

It is needless to say that after such an encounter, I felt emotionally upset for some time,

and got very little from him each morning, except a grunt when I spoke to him. In this I consoled myself that I was not alone, and the atmosphere of the whole place was not the happy place it could have been, but the abode of terror, and fear, with men walking around and talking in whispers. On days when he was away from the office, the change was remarkable. It was about this time that Detective-Sergeant Richardson coined the term "Happy Jack," and this was applied in a sly manner to Mr. Doyle, behind his back.

It seemed to me then that this man was losing the loyalty and respect and friendship of the most energetic body of men it was my good fortune to join, and I thought how different things might have been had he the happy knack of being able to handle men and get the best out of them by being a friend instead of a tyrant.

Some time in February, 1940, I was stationed at Leederville Sub-C.I.B., and Detective-Sergeant Richardson and I had occasion to take a young un-naturalised Italian, then living at Herdsman's Lake, to the police station there for questioning regarding a complaint of obscene exposure. We had previously spent some time watching this Italian riding his motor cycle up and down Newcastle Street, where the offence had taken place, but it so happened that he did not operate the nights we were there, and the girls could not swear to his photo. He became very insolent at the police station and as we had no evidence we had to let him go. He threatened us with all sorts of things, but as he was of the cocky Italian type, we took little notice. He had been a corporal in the Italian Army and made a boast of having bayoneted a number of helpless Abyssinians during the Italian invasion of Eritrea around 1936-37.

The next day Mr. Doyle called Detective-Sergeant Richardson and me into his office, and with the rest of the staff listening in at the door, accused us of having hulled and harried this Italian and of having kicked and cuffed him, which we denied. He told us that the Italian had complained to Father Valentine, of West Perth, who had in turn contacted him. He told us that he did not believe us, and, though we were guiltless, we were dismissed like naughty children.

This episode had a sequel, as far as I was concerned, as a few days later I was transferred to Fremantle, where many weeks elapsed before I could get a place to stay, and in the meantime, my wife and child were staying at Maylands. I would require much to convince me that this transfer was not the result of Mr. Doyle's desire to discipline me, and it will be interesting to watch how he gives vent to the same desire in a subsequent interview in 1947.

On the 24/5/44 I was transferred to Sub-C.I.B., Northam, where I have been comparatively happy, away from the unrest and dissatisfaction existing in Headquarters, Perth.

I worked hard and long in order to carry out the work here, with the full knowledge that

I had taken the place of a fellow detective (Cresswell) who had been transferred because of some dispute over hours being worked and days off. I decided to waive that and handle each job as it came, and in the main have been fairly successful, although much time was taken up in waiting for train transport to the various police stations, numbering 22 in all, which are included in my territory. The Eastern District, in which I am the only detective, embraces now from Westonia down as far as Brookton, but when I came here it included Southern Cross. It also takes in Dalwallinu, on the Mullewa line, and extends to Narembeen and Bruce Rock on the one side and round all the looplines as far as Beneubbin.

This fact was well known here, and several times when sheep-owners rang for me in connection with losses, they would find I was away and not likely to be back for some days. The matter was brought up without my knowledge at a meeting in Northam of the branch of the Royal Agricultural Society and the chairman, Robert McMillan, Esq., of Spencers Brook, moved that the Commissioner of Police be written to and asked to consider supplying me with a car. As a result of this letter I was called to Perth urgently, although I was busy at the time, and paraded to the Commissioner by Inspector Lewis. I was accused by Mr. Doyle of having been instrumental in getting the Society to put the proposition up, and also told that I must have been talking as how else would people know that a lot of my time was wasted travelling by trains. I denied this and was plainly told that I was not believed. A report which I had sent in about the same time suggesting that the Brands Act be brought up to date (it has not been amended since 1927-28 and it is not now possible to look up and find the owner of a certain brand, as it was intended it should be) I pointed out that if this were done it would be of great assistance to myself and other Police in sheep stealing enquiries. Mr. Doyle most irritably criticised my request and asked me if I knew this would cost the Government so much. He asked me what I thought it had to do with me, and told me I was taking too much on myself. This was all the thanks I received for an effort to assist in something which I had first hand knowledge of.

Later I sent in a report suggesting a questionnaire in connection with taking sheep stealing reports, to Inspector Lewis who was at first quite enthusiastic to have it made an Order, but nothing has come of it and it is possible that the dead hand of the Master is responsible for this also. This was towards the end of 1945 from memory as I have no record, but I know that the Northam Agricultural Society felt very upset at the reply they received from Mr. Doyle, and as I feared that I would be exposed to his spleen if further efforts were made, I personally went and asked Mr. McMillan and Mr. Byfield, the president and secretary respectively, to drop all further correspondence, which they very reluctantly did. I feel sure they will support me in this.

I returned to Northam again emotionally upset and in a mental turmoil to think that such action could take place and I be exposed to criticism without having redress. I knew that had the car been granted, I could have done twice the work in the same time and gone further afield to aid other Police, but I also knew that unless I kept quiet, I would simply be transferred and as it did not suit me, I said nothing beyond asking the two men I have mentioned for various reasons, to drop the matter.

I again "merited" Mr. Doyle's displeasure on the 10/4/47 when I was again paraded before him by Inspector Lewis in connection with a reference to Brother Keaney to which he took exception in a Character Report submitted by me to the Trial Judge concerning Francis Stoyal Nelson, committed for trial at Northam 22/3/47.

I have never seen a greater exhibition of display of so called "power" as he tried to make me admit to something which I would not, as I had no guilty intent, and submitted the report in all good faith. I simply recorded what Nelson had told me regarding his treatment by Brother Keaney at Clontarf, and although I did not believe it, I made no comment from a lack of desire to appear biased. I was told that it amounted to defamation, and that my action would be put before the Inspectors later, as I was due to be promoted, and that it was possible it might affect my promotion. He also made remarks about my having been too long in the country and required bringing back to the city for disciplining.

He also declined to believe that the Police, Sergeant Tunstill, Constables Larsen and Pippen whose good work I had drawn under the notice of Inspector Coppinger, were worthy of recommendation.

He also became very annoyed with me when I refused to admit that I had made a mistake and in a subsequent minute stated that I had tried to suggest that Brother Keaney's treatment of the man Nelson, was responsible for his committing the assault and robbery. I answered his remarks in the file and denied that such was my intention and that he had put a wrong construction on the report. He replied that I had repeated as a fact, something told me by a garrotter, and that I had submitted this without any attempt to find out if it was true or otherwise.

I had prepared to reply to this when he called at this office in passing through Northam on the 12th inst. and after some discussion he accused me of being in Nelson's "corner" which I denied and told him that he had placed a wrong construction on my report and I still maintain this is so.

At the same time, I felt that undue importance had been attached to the matter, and while feeling sorry that I have given anyone the impression that I reflected on the character of Brother Keaney, I feel very deeply hurt that a construction was put on the remark

which I never intended should be done, and that Mr. Doyle refuses to see my angle, and declines to drop the matter apparently until he has made me grovel, which of course he will never be able to. I feel that following the incident with the Italian at Leederville, he has made this a matter of religion, and intends to discipline me.

The interview with him took place just before I went to Supreme Court 10/4/47 and after being under the lash of his tongue for over half an hour, I was allowed to go. It did not matter that I had an important case in Court. It was a matter of no importance that I left his office in a most nervous state, and emotionally upset. I had said something which he had taken exception to, and I must be punished. It was of no importance that the report had already passed through Inspector Coppinger's hands and Inspector Lewis's hands first and they had said nothing. When it came to the pinch they both admitted they had not had time to read it, so I was left to take what was coming. I now feel that no matter how I beat Mr. Doyle on paper, I will be the loser in the end and that he will ultimately win. As a matter of fact, this last episode has almost got me down, and I have been thinking very seriously of getting out and into something else. It is pretty tough after putting nearly 18 years into a job and working hard, to receive treatment like this. If I had a record of any kind it might be different, but I have never had a stain on my character while with the Department.

I feel that Mr. Doyle and Mr. Lewis represent a spirit which must be kept under, namely that of the rule by fear. I feel that in their treatment of the men under them, they both border on the margin of sadism, especially Mr. Doyle. I am sure from watching his face and eyes on my visit to his office on the 10/4/47 that he was deliberately baiting me, and enjoying the sensation. I feel that such a man is not fit to hold such a position. It might have been quite the thing in Ireland during the late Victorian era, but it is not wanted in a free Australia of 1947. (Signed: G. Winning.)

Here is a statement signed by Clarence Grossman.

The Minister for Housing: Will you connect this up with the motion for the production of the papers relating to Sergeant Kendall?

Mr. YATES: Yes. All the statements submitted under this motion hinge on the final report I am putting in regarding Sergeant Kendall's inquiry. I consider that he was the only man in the Force who had the courage to stand up for his rights. These other men are backing up his statements; and the reason Sergeant Kendall's case is the only one dealt with in the terms of the motion is that he has submitted in-

formation to me which I have passed on to the Minister and which affects him only. But all these statements materially affect the whole of the Force and its administration and the policy of the Government in the future regarding appointments, promotions and transfers. I feel that this information should be divulged.

Mr. Hoar: There should be an inquiry!

Mr. YATES: This statement reads—

I am a Detective Constable of Police at present a member of the C.I.B., Perth.

I am respectfully asking that a full inquiry be held, to investigate the control and administration of the W.A. Police Force under the present Commissioner of Police John Doyle.

Since Doyle obtained his present rank, the Police Force here has become a hotbed of unrest and dissatisfaction, which extends throughout all branches.

This disgraceful state of affairs is not wholly the result of bad conditions we work under, but more due to the shocking dictatorial methods and attitude on the part of Doyle.

Any person, with only the ordinary degree of intelligence, knows that no human being can work capably or efficiently whilst being treated like a dog, or whilst he thus nurses a grievance, but this is the condition that Doyle expects the men to work under.

There is a limit to the daily use of all forms of pinpricking and intimidatory methods and the constant harassing that Doyle subjects the men to, often through the medium of weak inspectors, on whom he is using exactly the same methods.

I have seen inspectors become practically nervous wrecks, after contact and interviews with Doyle, as they know that if they do not go the way he wishes them to go, then they themselves will be his victim.

The power that he holds over the men is such that he can, and has on a number of occasions, forced men back into retrograde departments, and even out of the Force, as he did in the cases of Det. Sergt. Penrose and Inspector Read.

Read intended staying on until 65 years of age, but he informed me that Doyle was driving him nearly insane, and he was counting the days till he reached 60 years of age and then he was getting out as he could not stand Doyle any longer.

I can say that insofar as the main body of the men are concerned, they regarded Read as an efficient Inspector and no other body of detectives had worked harder than when under his jurisdiction, but Doyle had him that way that he hardly knew sometimes what he was doing.

Such conditions existing at present in the C.I.B. are just the reverse.

There are now, thanks to Doyle's cunning move, two inspectors in charge of the C.I. Branch, Lewis and Brevet Inspector Blight.

I might mention that Detective-Sergeant Lewis has been replaced by Inspector Findlay and Detective-Sergeant Lewis was transferred to Fremantle. This statement was made out prior to that transfer. It continues—

Both are giving orders and instructions to the men, and each has no knowledge of what the other is doing. Thus orders given by one are countermanded by the other causing friction and chaos. Blight refers to Lewis, whilst speaking to junior detectives, as "That pommy b——" and like remarks. The morale of the C.I.B. at present can be well imagined.

We are all aware that the reason for this state of affairs is to create chaos, so that Doyle will have an excuse to get rid of Lewis out of the C.I.B., and put Blight in charge under full inspector's rank, and this will give Doyle exclusive control of the C.I.B. Then woe betide anyone in it, that Doyle wants to get rid of. With Blight assisting, this would be an easy problem for Doyle to bring to fruition.

Brevet Rank Blight has had a charmed life since Doyle attained power, and it is common knowledge that Blight boasts that he has "something on Doyle."

Doyle has personally told me that he thinks Read as an inspector was inefficient, but to see Lewis, floundering, in an endeavour to run the C.I.B. with the present set up, all stacked against him by the Blight-Doyle combination, is more than nauseating to the members of the C.I.B.

Unfortunately, as this oppressing system continues, men become abject, and some big proportion of them are scared to voice their honest opinions openly. This is more than obvious to us who are tied hand and foot by the Police Regulations under which Doyle, if he so wishes, can make or break any man under his control. He can transfer a man without explanation, giving him lower rank, all "in the interest of the service." I know of actual cases when men have been castigated and transferred owing to domestic troubles they have had, one of whom had separated from a wife who would not give a divorce to him, in consequence of which he was living with a lady he intended marrying when he could. There is an old adage that says, "Let him who is without sin cast the first stone." It is known throughout the Force that Commissioner Doyle's private affairs leave much to be desired, but with him, it is apparently a case of "Don't do what I do, do what I say you shall do."

Doyle wants everyone to humble himself to him, and even insists that men in plain clothes shall raise their hats to him (a distinct breach of Police Regulations). When any man sticks up for his rights such as asking for his just dues, he is referred to by Doyle as a trouble maker, who wants disciplining, and a transfer is threatened.

The Minister for Housing: I do not think this has anything to do with the administration of the Police Force.

Mr. YATES: Very well, I will finish at that. The statement continues in a similar strain to the others. I have statements from many members of the Police Force, and they are all signed. No-one knows better than a policeman what it means to sign a document, because it is part of his work to obtain statements signed by people in various walks of life, either in relation to an offence or an accident and so on. Policemen know what they are doing when they sign their names to documents. Referring back to Sergeant Kendall, the original statements he gave contained a precis of his activities with the Force extending over 25 years, and at no time did anyone in the Police Department say that he was transferred for inefficiency. He was transferred for the good of the service. In the "Police Gazette" of the 17th September, 1947, we find the following under the heading, "Proposed Promotions":—

Notification is hereby given that the names of the undermentioned members of the Police Force have been selected by the Selection Board for promotion, and will be duly submitted to the next meeting of the Promotional Board for confirmation or otherwise, in accordance with Police Regulation 113 (e).

The "Gazette" contains a list of first-class, second-class, and third-class inspectors, and then we find among those recommended to be first-class sergeants the names of second-class Sergeant A. C. Cooper; second-class Sergeant J. M. O'Brien; and third-class Sergeant G. R. Kendall. The Selection Board nominated the last named for appointment as a first-class sergeant. In case he failed on that, he was included in the next group to be a second-class sergeant. These names were selected by the board which sits to select the various members of the Police Force for promotion in the ranks. It generally bases its decisions on efficiency. Seniority has a lot of bearing, and also whether a man would make good in the higher positions. The Police Selection Board in that case consisted of Chief Inspector Tetterington, in place of the Commissioner of Police, who was absent in the Eastern States according to information I have received and have no reason to disbelieve. In addition,

there were Inspectors Cameron, Nicholson and Rowbottom.

The Police Promotional Board sat on the 2nd December to deal with the promotions nominated by the Selection Board in the "Police Gazette." It is usual at the Police Promotional Board for the inspectors, with the exception of the one in the North-West, to come to Perth to meet for the purpose of fixing or recommending the new appointments. On that particular promotions board sat two brevet inspectors and the board, after dealing with all the names mentioned in the list, excluded Detective-Sergeant Kendall from any promotion—at that time he was Sergeant Kendall—although he had been recommended by the Selection Board to be placed in the highest category possible—that of first-class sergeant. Just prior to the month elapsing, the Commissioner returned from the Eastern States. He called a meeting of the C.I.B. one morning, at which practically the whole staff attended. He explained to them the new system of general promotions, whereby detectives instead of seeking promotion in their own branch, as had always been the case, could be nominated for promotion into the uniform branch when their numerical term came on the list.

Detectives, in spite of being nominated for promotion on the general list, which meant going back into uniform, could, if they so desired, forgo that promotion and elect to remain in the C.I.B. and take their chance on gaining promotion there. If a detective did forgo that promotion, however, it meant that other men, either in the detective office or in the uniform branch, actually junior to them, would automatically jump over their heads as promotion came around. Mr. Doyle stated that in his absence a list of nominations had been issued in the names of Detective-Sergeants Flanagan and Smith, and that the names of Detective-Sergeants Pilmer and Johnson had for some reason been omitted from the list. He stated that the Selection Board had been unconstitutional, and that a fresh list would be issued and published in the "Gazette."

It is claimed by the members of the Force concerned that the Commissioner, in his absence, found that the name of Kendall had been placed on the list for promotion, and he stated that the board had

been unconstitutional inasmuch as the Commissioner was not sitting on it, when he must have known before he went away that the Chief Inspector, acting as the Commissioner of Police, would be discharging all the duties normally carried out by the Commissioner. I believe that legal opinion was obtained—it was against him—that the board was constituted correctly. Getting back to this meeting at the C.I.B., after the Commissioner had told the men of the new system of promotions, he asked all those who were not in favour of it to step forward, or put up their hands. We can just imagine the feelings of the men. No one stepped forward or put up his hand, and when the Commissioner asked if they were in favour of the new set-up, they agreed to it. But they were not very happy, either within the C.I.B. or outside, about the new system.

A supplementary list was later published in the "Gazette" showing the additional names, two in number, of Detective-Sergeants Pilmer and Johnson. Members will note that the names of Detective-Sergeants Flanagan and Smith were omitted. I have a copy of the "Police Gazette" and it does not show their names, although the first two are mentioned. Owing to the fact that Sergeant Kendall came on before Pilmer and Johnson, no further promotions were dealt with. Just after that the board disbanded and their promotions were not proceeded with—that is, the men following Sergeant Kendall were deleted from the list. Sergeant Kendall appealed three times through the normal channels to the various committees that are set up in the Police Department to deal with any man who has a grievance against the promotion of another officer.

In every case an officer must appeal against the appointment of someone who has gone in before him. There is nothing personal in it; it is just a matter of procedure. In this particular case, Sergeant Kendall three times appealed against the promotion of another man because, all things being equal, Kendall should have been appointed in his place. I eventually approached the Minister regarding the position and, after a lot of discussion, he agreed that an independent inquiry would be set up to deal with the allegations made by Sergeant Kendall, and the facts that I had placed before him. He finally ap-



pointed Mr. H. D. Moseley to take charge of the inquiry—call it a departmental inquiry—into the “demotion” of Sergeant Kendall. I asked the Minister whether the man could have counsel and bring his witnesses.

Sergeant Kendall was given a maximum of 18 hours in which to prepare his case. He would have to arrange for witnesses to come down from various parts of the country, but the magistrate conducting the case stated that he was going to proceed with it immediately and that Kendall would have to manage with the witnesses he had. He did have a number there, and from them the magistrate selected, I think, five witnesses, or, after hearing five, decided he had heard enough. It has been stated to me that Mr. Moseley did not take down any evidence. He made a few notes on the evidence submitted to him, and five files were presented by the Commissioner and put in against Sergeant Kendall. Mr. Moseley is alleged to have said, “I am having nothing to do with the five files submitted by the Commissioner. There is nothing in them. I am wiping my hands completely of them and I intend to submit my report to the Attorney General on the evidence of Sergeant Kendall’s witnesses.”

He said that if Kendall could not prove the case with five of the 20 witnesses who were present, he would not be able to prove anything, and after listening to five of them, he did not want to hear anything further. In addition, it is stated that he gave no indication that the inquiry would go against Kendall, and in fact led one to believe, by his remarks, that the case was in Kendall’s favour. Kendall’s vacancy at the C.I.B. was kept open for 14 months. It was eventually filled by Detective-Sergeant F. Jones, at the end of that period. Such a long lapse of time before the filling of a vacancy has never before been known in the Police Force, and I suggest there must have been something in the mind of the Minister that led him to believe all was not right concerning the “demotion” of this officer, so that the position was kept open for that long period before a final decision was reached in the case. That inquiry took place last December. I allowed a certain period to elapse, taking into account the fact that it was Christmas time and that the magistrate,

Mr. Moseley, was then working on the Royal Commission on Housing.

I eventually rang the Minister for Police and asked what was the result of the inquiry. I did not get a very satisfactory reply, but he told me that he was handing over the portfolio of Minister for Police to Mr. Parker, and that I would have to contact that gentleman in future regarding police matters. I then approached Mr. Parker about this document and, as it was an inquiry held at my instigation, I felt I was entitled to read the report as submitted by Mr. Moseley. From that day to this I have not been able to find out what is in the report. The Minister would not let me peruse it at any time.

[Resolved: That motions be continued.]

Hon. E. H. H. Hall: Were you refused permission?

Mr. YATES: Yes, on at least two occasions, the last of which was approximately three weeks ago in this House, when I again asked the Minister could I peruse the file and he said definitely that I could not. Questions were then asked in the House, one by me and one by the member for Northam, as to the reasons given in the Kendall case by Mr. Moseley. Offhand, I think the answer given was that the transfer was justified. I am of opinion that there is much more in the report than just those few words. The inquiry was fairly lengthy and Mr. Moseley is a man skilled in police work, who has been associated with the Police Department over many years. There must have been something in that inquiry when, after listening to five of the 20 witnesses, he was convinced that he did not want to hear any more, and from the few points given to me by those who attended the inquiry, I know they thought from the remarks of Mr. Moseley that the inquiry appeared to be going in Kendall’s favour.

I understand he said there was no truth in the statement submitted by the Commissioner regarding the five files which evidently formed the basis of the Commissioner’s findings against Kendall in the original “demotion.” That is why, after this long period, I have brought the matter before the House. The statements I have received have come from men with long experience in the Police Force. I know

they have been loyal officers and that they have given of their best to this State. They have risen from the ranks of uniformed constables, in some cases to the rank of detective sergeant, first class. One man in particular has had 25 years' service, and can speak three languages.

Hon. A. R. G. Hawke: Including Australian!

Mr. YATES: He is also mentioned in one of the statements that I have not had opportunity of reading. He has been shelved, in the matter of promotion, from time to time. Things have not been altogether of a happy nature in the Police Force. I refer principally to a report in "The West Australian" of the 1st September, 1944, where the heading is "Police Affairs," followed by "Gestapo Methods. Serious Discontent Alleged." The article goes on to criticise the Commissioner of Police, then Mr. D. Hunter, and his methods of control of the Police Force. It was touched on during the debate on the Address-in-reply in the Legislative Council by Hon. H. S. W. Parker. It goes on to enumerate inquiry board happenings, which happened to concern the detective-sergeant I have just mentioned, and who gave such loyal service in the Police Force.

This man had been victimised, and Mr. Parker was defending him. Throughout the years, that man has not been able to get much further ahead, and I fear he will not unless a complete inquiry is held into the present administration of the Western Australian Police Force, and a new basis upon which the future policy of the Force can be established, with an inquiry into the methods of promotion within the Police Force, an inquiry as to whether brevet ranks are desirable within the Police Force, and an inquiry into the set-up of the police promotions board and the selection board. When those things are done, I feel our Police Force will know where it stands. That would be preferable to the present method of promotion. I suggest that we revert to the system used in the A.I.F. where officers gained promotion on seniority up to the rank of major, and above that rank on selection by the divisional commander or G.O.C., if necessary.

If a man has the requisite qualifications to be admitted into the Police Force and

has passed his probationary period and can prove, after a period to be fixed, that he is efficient and able to carry out the duties not only as constable but as sergeant, he should receive promotion on his seniority. When it comes to selecting men to be inspectors, there should be a different method used. Men should not automatically go to that position unless it can be proved, as was done in the A.I.F., that they have outstanding qualifications that will enable them to do the work. In the Police Force for the rank of inspector a man should have qualifications enabling him not only to assist in administration but perhaps one day to take over control of the Force. Of the hundreds of men in the Police Force, obviously not all would be capable of becoming commissioners.

Many would have certain disabilities that would appear in later life. That is why I think the appointment of police inspectors should be on the lines I have suggested, or by some other method that could be devised to give satisfaction to the rank and file of the Force. I stated that there was nothing against Sergeant Kendall's character on his police file. It has been admitted that he was a good man. I am not going to read the names of the men who have been promoted recently but I will leave it to the House to decide whether they should have been promoted over the head of a man such as Sergeant Kendall. The following are the records of some of the men who have been promoted:—

A 1st class Sergeant: Convicted in Perth Police Court on a charge of assault. Fined £5 and costs.

A 3rd class Sergeant: A co-respondent in a divorce proceedings with name plastered over all local papers. Previously passed over for promotion on account of this.

A 3rd class Sergeant: Whilst stationed at Meekering, conduct far from being exemplary. An affair with a married woman. Local larrikins took the police station sign board away from the Police Station, and erected it outside of the residence of his lady friend, to the utter disgust of the local residents.

Hon. A. H. Panton. Is that all on their files?

Mr. YATES: To continue—

A 3rd class Sergeant: Transferred from Pillaging Staff, Fremantle, for "neglect of duty." Later appointed to Plain Clothes Branch but was subsequently transferred back to uniform after summons for debt had been served on him.

A 3rd class Sergeant: A bad record for drunkenness. Last occasion found in a drunken condition on duty—was speechless and unable to state where he lived. Convicted and fined £3.

Mr. Brady: Are these recent promotions within the Police Force?

Mr. YATES: If a man in the Police Force is convicted of a minor offence, I believe that after five years, reference to it is expunged from his record. I do not know how old the offences are to which I have referred, but I do know that they are known to the Commissioner and to his senior inspectors who do the promoting. If Sergeant Kendall had had reference of such an offence on his file he would not have a leg to stand on because it would be said he had a bad record for drunkenness and that his promotion could not be recommended. He had nothing of that nature against him, yet these men were promoted over his head. Whether the offences are recorded on their personal files I do not know. It grieves me greatly to have to keep to the motion because I could say quite a lot on police affairs generally. My remarks would deal with drunken drivers who have been picked up on the roads, driving while drunk.

Hon. A. H. Panton: Members of the Police Force?

Mr. YATES: No, not policemen but civilians who have been able to escape drunken driving charges and often have escaped going before a magistrate. I know the case of one lawyer, who offered a bribe of £70 to be paid to the Police Boys' Club if the charge of driving while drunk was reduced to that of dangerous driving. There is the case of another man who was picked up in Cottesloe close to the Police Station after a collision. He was definitely drunk yet his name did not appear in the Press, and he walked out of the police station without even paying the bail money.

The Minister for Housing: Those are irrelevant matters.

Mr. SPEAKER: These cases are outside the motion. Unless the hon. member can bring them into the motion he cannot proceed.

Mr. YATES: I have brought in enough to let members know of the complaints regarding dissatisfaction in the Police Force with promotions, etc., but there are many other things that require investigation.

On motion by the Minister for Housing, debate adjourned.

## PAPERS—COLLIE COAL.

*As to Black Diamond Leases.*

HON. A. R. G. HAWKE (Northam)  
[8.25]: I move—

That all papers dealing with the acquisition of the coal leases—known as Black Diamond—by the Electricity Commission, and the subsequent handing back of these leases to the Amalgamated Collieries Company, be laid upon the Table of the House.

Before leaving for overseas the Leader of the Opposition made a number of unsuccessful attempts to obtain an opportunity to peruse the papers referred to in this motion. He made his first attempt directly through the Minister for Mines. He went to see the Minister at the appointed time and on the appointed day and was handed some papers which, after perusal, he found, by no stretch of the imagination could be considered as the more relevant and more important papers in connection with this matter. While still at the Minister's office he asked if the more important papers could be made available to him for perusal. After waiting some moments while the necessary inquiry was made through a clerk to the Minister he was advised that the papers were at the Attorney General's office and were receiving attention from Crown Law officers, and consequently could not be made available.

He made a request that, as soon as the papers in question were available, they should either be sent to him or that he should be given an opportunity of again going to the Minister's office for the purpose of studying them. That opportunity was never given. The Leader of the Opposition then placed questions upon the notice paper asking that the papers be tabled in order that he, as well as other members, might have an opportunity to study them. The reply to the question put forward by the Leader of the Opposition was that the papers in question were not to be tabled. Subsequently I understand, the Premier did suggest to the Leader of the Opposition that he should move a motion asking for the tabling of the papers and if that were done they would most probably, or possibly, be tabled.

The Premier: That is the usual procedure.

Hon. A. R. G. HAWKE: It is not the usual procedure. I know of dozens of instances where Ministers have given members an opportunity to study departmental files in the office of the Minister, and I am sure that the Premier knows of several others of that sort as well. However, for some reason which up to the present is quite unknown to me, the Government is insisting upon a motion being moved for the tabling of the papers before any member may have an opportunity to study them.

The State Electricity Commission was constituted under an Act of Parliament passed in 1945. Under the provisions of the Act, the Commission was given extremely important powers in respect to the generation and distribution of electric current. By Section 29, the Commission was given, amongst other powers, authority to open, establish, supervise, operate and maintain workings for the production of coal or mineral oil, briquetting works, and by-product recovery works. It was also given power to supply, sell and dispose of electricity, coal, pulverised coal, oil, briquettes or any by-products of its works and undertakings. In addition, it was given legal authority to take on lease or sub-lease any coalmine or coalmining lease or land bearing coal or shale or mineral oil deposits within the State with a view to working the same and producing coal or mineral oil therefrom.

There can be no doubt that complete legal authority exists within the provisions of the State Electricity Commission Act of 1945 to enable the Commission to take possession of coal leases and subsequently to develop coal deposits for its own requirements and, if thought desirable, for the further purpose of making coal available to other Government departments and private businesses and individuals who might require it.

The previous Government, in accordance with its policy of establishing the Commission and in accordance with the legal authority set out in the Act, decided to reserve to the Commission the coal areas in the Collie district known as the Black Diamond leases. Previously these leases were held in the name of Amalgamated Collieries Ltd. The members of the previous Government considered that it was necessary to give the Commission coal deposits of its own so that it might be able, either to produce coal in

a direct way for itself, or to employ contractors to produce coal for it, thus obviating the heavy intermediary charge that the Commission would have to pay if it were compelled to purchase its coal requirements from a coalmining company carrying on operations in the ordinary way to produce a profit for its shareholders. We considered that the Commission, being an entirely new body and starting from scratch, would be very heavily handicapped in its later operations if there were imposed upon it a much higher cost for each ton of coal it needed than would be necessary if the Commission were in a direct way to produce its own requirements.

Our main thought in that direction centred on the proposed electric scheme for the South-West and Great Southern districts. We considered that if the Commission could make arrangements to produce its own coal requirements from land comprised in leases held by it, it would thereby save anything from 5s. to 10s. per ton in the price it would pay for coal. We, as members of the Government, were naturally anxious to enable the Commission to do this in order that it might pass on to consumers of electric power in those districts the benefits in lower charges for electric current. Otherwise, the Commission obviously would have to pass on in its charges for current the prices it had to pay for the coal necessary to carry on its undertaking. In brief, we felt—and members of the Commission also felt—that it would be better to give the advantages to the Commission's consumers rather than to Amalgamated Collieries Ltd. and its shareholders, or to some other company and its shareholders.

At that time we had before us the very successful experience in a similar field of the State Electricity Commission of Victoria, so it could not be said that we or the Commission were setting out on something that was entirely new, on a course that was in no way chartered, or on a road that would be sure to lead to great losses to the Commission and its consumers. I think every member is sufficiently aware of the remarkable progress and success of the activities of the State Electricity Commission in Victoria to make it unnecessary for me to detail the measure of success that has been achieved, except to say that the Victorian Commission for many years has, in a direct way,

operated its own coal deposits and produced its own coal requirements, thus escaping the need for paying the very much increased charge for its requirements that it would have had to pay had it been purchasing from a private company operating in the ordinary way to make profits.

After the previous Government had reserved the Black Diamond leases to the Commission—the leases had previously belonged to Amalgamated Collieries Ltd.—the Commission set to work to develop a programme for testing the extent of the coal deposits on land covered by the leases. So far as I am aware, Amalgamated Collieries Ltd., although it had controlled this land for a considerable period, had made no conclusive attempt to prove the extent of the coal that might be under the surface. Members of the Commission, after consulting with the appropriate technical officers of the Mines Department, considered that the land comprised in these leases offered a reasonable prospect of the discovery of substantial deposits of coal which in all probability could be worked successfully by what are known, in the field of coalmining, as open-cut methods. In due course, the Commission set to work to carry out a boring programme on the land for the purpose of ascertaining beyond any shadow of doubt whether it contained sufficient coal to warrant the Commission opening it up for coal production.

According to replies given in this House this week by the Minister for Works to questions asked by the member for Murchison, the Commission expended £2,660 in the putting down of 68 bores for the purpose of ascertaining at what depth coal might be obtained and the quantities in which it might be obtained. I rather think that the expenditure of £2,660 given by the Minister for Works in his answer is not the total expenditure met by the Commission in connection with its activities covering these leases. In any event, it is clear that the Commission did expend out of its funds nearly £3,000 to test the field and it is also certain that the tests made by the Commission were successful because they proved that coal could be obtained at varying depths and in sufficient quantities to warrant the Commission developing the leases so as to produce at least its own coal requirements.

In March of last year, whilst the Commission was still busy over its plans for the

development of these leases, a change of Government took place and not many weeks elapsed before members of the previous Government were shocked, and members of the general public were surprised, to read in the newspapers of a decision made by the Government to hand these leases back to Amalgamated Collieries of Western Australia. By various methods since that date members of the previous Government have tried to ascertain the real reason for the new Government's decision; and the reasons given from time to time have varied and also have been contradictory. We have not been allowed up to this stage to obtain any information whatever from the Government as to the advice, if any, which the State Electricity Commission gave to the Government on this matter. We have not even been able to ascertain whether the Government showed the Commission the courtesy of seeking its views and advice. The probability is that the Government ignored entirely the members of the Commission. The Government, as a Government, would of course have been entitled to ignore the Commission, but if that course were followed by the Government it is one which, in the circumstances, was completely inexcusable.

The first excuse or reason offered on behalf of the Government for this decision was that Amalgamated Collieries possessed the equipment required to develop an open-cut on the leases, whereas the State Electricity Commission had no equipment of any kind to carry out a similar work. That was the reason given to the public by the Minister for Mines when his statement covering the Government's decision was published in "The West Australian." The Minister's statement could not have been the reason at all, as it was not true. As a matter of fact, as more than one member of the House knew at the time, and still knows, Amalgamated Collieries has no equipment of its own suitable for the development of an open-cut. Therefore, it was in exactly the same position in that respect as was the State Electricity Commission, except that, I should say, the Commission was in a better position to obtain the requisite machinery than was the company.

At that time and for some considerable time previously the company had been obtaining coal from open-cuts in the Colli district; but it was being produced for the

company by contractors employed by it. One firm was Bell Bros, and I think Wakelam Bros. the other. Each of those firms owned sufficient of the requisite machinery to enable it to produce coal for Amalgamated Collieries on two different open-cuts then being worked in the Colliery district. So it is obvious that the State Electricity Commission could quite easily have negotiated with Bell Bros or Wakelam Bros. to enter into a contract to produce coal from the proposed open-cut on the Black Diamond coal leases, in order to sell direct to the Commission, in just the same way as Amalgamated Collieries had been using the same system for the two open-cuts which were already being worked, and in just the same way as the company is operating a similar system in connection with works now being carried out for Amalgamated Collieries on the Black Diamond coal leases.

The only difference—and it is a very vital difference—is that Bell Brothers, with their plant and equipment, will produce coal from the open-cut at the Black Diamond leases and will sell it to Amalgamated Collieries Ltd. at a profit, and then Amalgamated Collieries will sell the same coal to the Electricity Commission at another profit. The State Electricity Commission, therefore, will be paying a double profit; whereas if the Commission had been permitted, as the previous Government had intended, to make its own arrangements to obtain its own coal from these leases, there would have been, at the most, only one charge payable, and that would have been to Bell Brothers. Amalgamated Collieries would not have come into the picture in any shape or form.

So the effect of the decision of the present Government to reverse entirely the policy of the previous Government and the policy of the Commission, has been to impose a much heavier expenditure on the Commission in the purchase of its coal requirements; and because of that, to impose in the future a much heavier charge on the consumers of electric power from the Commission on account of the higher cost that will be involved in the production of that power. When the Minister for Mines found that the reason he had advanced for the decision of the Government could not be substantiated, he dropped it fairly quickly and sought to put forward other reasons or excuses to justify its action in the matter.

The second reason or excuse he submitted was that the Government would have been compelled, either voluntarily or by law, to pay to Amalgamated Collieries a huge sum in compensation if the Government and the Electricity Commission persisted in the policy of developing the leases and producing coal therefrom without the company being allowed to obtain a profit from its production. I understand the Minister for Mines based his contention upon the fact that portion of the land contained within these leases is freehold land and therefore the absolute property of the company. I am not sufficiently well informed on that point at this stage to be able to argue decisively about it; but when the Government has placed all the papers in connection with this matter on the Table of the House, I and other members will be in a position to study them closely and take such subsequent action as is thought desirable or necessary.

I think it is correct to say, however, that most of the land within these leases is under the direct control of the Mines Department and not freehold land owned by Amalgamated Collieries or anyone else. The Minister for Mines, at a public meeting at Colliery, suggested that the company had informed him and the Government that its claim for compensation in this matter, if the Government did not hand all the leases back to the company, would be in the vicinity of £100,000.

Mr. Marshall: What for?

Hon. A. R. G. HAWKE: The Minister went on to say that no Government could possibly face a claim of that magnitude, because it was roughly the same as the total amount of coal it was expected could be produced from these leases. The Minister did suggest that, if the case were taken to court, the company probably would not get the full amount of its claim; but he and other members of the Government feared the company might be awarded a fairly large sum. So that became the excuse or the reason which the Minister for Mines put forward why the Government cancelled the reservation of these leases to the State Electricity Commission and handed them back to the company. When he was solidly challenged at the meeting on that point, he finally took refuge in the claim that the decision of the Government was made because it did not believe in

Socialism and was in no way prepared to produce coal as a Government or through any Government instrumentality.

So if the Premier or any Minister of the Government takes part in this debate, I do ask that the real reason why the Government made the decision it did in this matter might be clearly stated to the House and to the country. If the decision was based on its disbelief in Socialism or any activities smacking of Socialism, it is a remarkable thing that the Government's policy differs drastically in this regard from that of the Liberal-Country Party Government in Victoria and the Liberal-Country Party Government in South Australia. In Victoria, as I said earlier, there is a State Electricity Commission. That Commission has been operating successfully and on a very large scale in that State for many years. Fairly recently the new Liberal-Country Party Government in Victoria introduced legislation to increase the capitalisation of the Commission there by an amount of, I think, at least £20,000,000, to enable the Commission to develop more coal deposits and to carry out further capital works in connection with the generation and distribution of electric power in Victoria.

So whilst the Liberal-Country Party Government in Victoria is going in for Socialism in the field of electric power generation and distribution in a very large way, a similar Government in this State refuses to allow its own State Electricity Commission to have the opportunity to produce its own coal requirements in order that it might benefit consumers. The Commission would not want to produce its own coal requirements, either with its own equipment or through a contractor, such as Bell Bros., except for two reasons, the first being to ensure, as far as is humanly possible, the continuity of sufficient supplies of coal for its needs, and the second, to obtain those supplies at the lowest possible cost. The South Australian Government has been working for several months now on the development of coal deposits at a centre known as Leigh Creek. That Government did not try to get a private company to carry out this development work and production, but set out to do it itself.

The Attorney General: How do you know it did not try?

The Minister for Housing: I shall have a word on that. I have just come from Adelaide. The hon. member has come from Adelaide, too.

Hon. A. R. G. HAWKE: That is right. If the South Australian Government did in the beginning try to get a private company to undertake this work, it failed. If the argument is to be put forward that because it tried, first of all, to get a private company to undertake the work, it proves it was not in favour of taking on socialism—if that is the right term—in any shape or form, then I think it can be completely destroyed by the fact that the Government of that State, not so many months ago, took over completely, by Act of Parliament, the assets of the Adelaide Electricity Co., which was a private company and had for many years generated and distributed all the electrical power in the metropolitan area of South Australia, and through many parts of the country districts of that State.

I put forward these points to indicate that there are Governments, other than Labour Governments, in Australia which are prepared, in the public interest, to undertake in a direct way the production of coal for use in connection with electrical power undertakings, and also to carry on those power undertakings as complete State-owned units so that the great public utility of generating and distributing electrical power will, all the time, be under complete public control. I mentioned earlier that roughly 120,000 tons of coal per annum are likely to be produced from this open-cut which is being developed on the Black Diamond leases. I am quite positive that if the State Electricity Commission had been given the right by the Government to make a contract with Bell Bros. to produce coal from that open-cut, for direct sale to the Commission, it would have obtained the coal for at least 5s. a ton less than it will now have to pay because of the fact that it will have to hand over to Amalgamated Collieries Ltd. a double or second profit.

If the saving were to be only 5s. a ton, it would, on the basis of 120,000 tons of coal a year, mean approximately £30,000 per annum to the Commission. I suggest to the Government that that is a substantial saving and one which is worthy of the practice by the present Government of even a

small amount of socialism, if that is the correct term. As a matter of fact, this stand by the present Government on the "no socialism" platform is a bit silly, and thoroughly amusing, because, if the work of the Government since it came into office is closely studied, it will be found that most of its activities have been in connection with the furtherance of socialism of some kind or other in Western Australia.

Mr. Bovell: You have a fertile imagination.

Hon. A. R. G. HAWKE: No. It is not correct for the member for Sussex to suggest that I have a fertile imagination. All I think I have is the ability to observe those things that are clearly to be seen. I am surprised the hon. member has not that ability. I suggest the Government cannot possibly justify its action in connection with these leases. I am surprised the Minister for Works has never said anything in this House, or anywhere else, about this matter because, in addition to being Minister for Works, he is the Minister in charge of the State Electricity Commission. It is certain that the future work of the Commission has been struck a fairly injurious blow by the decision of the Government to refuse to allow it to proceed with its plans to develop coal on the Black Diamond leases, or any portion of them.

I know it was suggested, when this matter was previously discussed in the House, that the State Electricity Commission might not be able to produce coal as cheaply as Amalgamated Collieries will be able to sell it to the Commission, when that company is producing coal from this open-cut. The suggestion there, of course, was that the State Electricity Commission would not be able to operate nearly as efficiently or economically as would the company. I think anyone who has studied the work of this company on the coalfields will know that its methods have not been the acme of efficiency or economy. The member for Collie, in his speech the other night on the Address-in-reply debate, made that very clear to us.

Mr. Styants: The Royal Commissioner did not think too much of them, either.

Hon. A. R. G. HAWKE: More than one Royal Commission has severely criticised the lack of efficiency and economy in the methods adopted by this company. How-

ever, the answer to that contention or suggestion is that the Electricity Commission would, had it been allowed by the present Government to do so, most probably have purchased its coal requirements direct from Bell Bros. or Wakelam Bros. at a set contract price per ton. I am fairly sure that if either of those firms had been given the opportunity to produce coal from an open-cut on the Black Diamond leases, for sale to the Commission, they would have agreed by contract to sell to it at a price no higher than that in the contract now existing between Bell Bros. and Amalgamated Collieries Ltd. Therefore there would not have been the possibility of the State Electricity Commission itself being the mining medium and, as a State instrumentality, perhaps allowing expensive and inefficient methods to creep in—not that I suggest for one moment members of the Commission would have done that.

From whatever angle this question is examined it becomes obvious that the consumers of electric power in this State are in future going to pay dearly, in pounds, shillings and pence, for the decision of the Government in taking these leases away from the State Electricity Commission and handing them back to Amalgamated Collieries Limited. The consumers will not appreciate the action of the Government in this matter, especially in the present period when the prices of so many things are rising and when everyone in the State—especially the family man—is finding it increasingly difficult to balance his domestic budget. Members of the Government would not be wise to think that, because they made this decision, the matter is more or less at an end so far as they are concerned. They would be even less wise to think that the only people complaining about the Government's decision are members of the Opposition in this Parliament.

As time goes on and opportunities are given to many of the people concerned to express an opinion, I think it will be discovered that they decisively condemn the Government's decision, and feel that the direct operation of these coal resources by the State Electricity Commission would be preferable and advisable in order that the production cost of power generated by the Commission might be kept at the lowest possible figure. Although the Government



might in its general policy oppose State enterprise I suggest there are—even to a Government of the class of the present one—certain vital undertakings, affecting the life of the people, that must be protected in the interests of the population as a whole.

The Attorney General: We have tried to do it with the railways, but they have not proved a great success.

Hon. A. R. G. HAWKE: I do not at this stage wish to enter into a discussion on the railways, though I quite understand why the Attorney General is anxious to get away from the question now before the House. If there were to be a thorough stocktaking of the railway system, especially in regard to the value it has conferred on the State in the development of our lands and the production of agricultural and mineral wealth, I am sure the railways would be shown to have thoroughly justified their existence.

Mr. Marshall: They have paid this State handsomely.

Hon. A. R. G. HAWKE: That is so. It might well be that a different method of accountancy must be adopted in the years of the future. In view of the assurance given by the Premier to the Leader of the Opposition and myself that these papers would be tabled when the motion was moved, I do not desire to go further into the matter at the present stage. After the papers have been tabled and members have had opportunity of going thoroughly into them and studying them in detail, members of the Opposition, at all events, will reserve to themselves the right to take such further action as they might feel is justified.

On motion by Mr. Brand, debate adjourned.

## BILL—PRICES CONTROL

Returned from the Council with amendments.

*House adjourned at 9.15 p.m.*

## Legislative Council.

Thursday, 9th September, 1948.

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

### QUESTIONS.

#### ELECTRICITY SUPPLIES.

*As to Loss on Current to Municipalities and Railways.*

Hon. A. THOMSON (without notice) asked the Honorary Minister for Agriculture:

On the 1st September I asked a question dealing with electricity supplied by the Government. Part of the question was answered, but I also asked if a complete statement would be obtained from the Auditor General showing the loss incurred in supplying the electricity below cost for the years 1946, 1947 and 1948 respectively. Can the Honorary Minister now answer my question?

The HONORARY MINISTER replied:

I discussed this matter with the Minister in charge of the Electricity Commission and he has made representations to the Auditor General for the report. I understand it will take a little time to get the information but the matter will not be overlooked. As soon as the information is available, it will be laid on the Table of the House.

#### GALVANISED WIRE AND NETTING.

*As to Utilisation of Imported Material.*

Hon. A. L. LOTON asked the Honorary Minister for Agriculture:

In answering my question No. 1 on Tuesday, the Honorary Minister advised that of the 4,000 tons of rods imported, 248 tons