

Hon. J. NICHOLSON: As I understand it, the question before the Chair is the amendment on the amendment moved by Mr. Cornell. The matter referred to by Mr. Moore I previously explained, and I do not want to repeat myself.

Hon. T. MOORE: We have been asked by Mr. Nicholson to take notice of what has happened in the Old Country. He says he has explained it. I leave members to decide whether that is so. If I bring up an argument about what happens in other parts of the world, I produce facts to support my case. It is only fair that the hon. member should tell us whether women are allowed to remain off juries in the Old Country.

Hon. J. CORNELL: I want one point cleared up. Is there any part of the British Empire where women can write in?

Hon. J. Nicholson: Yes, Queensland.

Hon. J. CORNELL: I heard something said about New Zealand the other night. When I looked the matter up, I found that the statement was not correct. I venture to say the same applies to other statements we have heard to-night.

Hon. G. B. WOOD: It seems to me that the question is whether women should serve on juries. Whether they have the privilege of writing in is not the question.

Amendment on amendment put and a division taken with the following result:—

Ayes	..	..	..	..	8
Noes	..	..	..	..	16
—					
Majority against	..	..	..	..	8
—					

#### AYES.

Hon. C. F. Baxter	Hon. E. H. Gray
Hon. J. Cornell	Hon. W. H. Kilsen
Hon. J. M. Drew	Hon. T. Moore
Hon. G. Fraser	Hon. G. W. Miles
	(Teller.)

#### NOES.

Hon. E. H. Angelo	Hon. J. Nicholson
Hon. L. B. Bolton	Hon. H. S. W. Parker
Hon. J. A. Dimmitt	Hon. H. V. Piesse
Hon. E. H. H. Hall	Hon. H. Seddon
Hon. W. R. Hall	Hon. H. Tuckey
Hon. E. M. Heenan	Hon. C. H. Wittenoom
Hon. J. M. Macfarlane	Hon. G. B. Wood
Hon. W. J. Mann	Hon. A. Themann
	(Teller.)

Amendment on amendment thus negatived.

Amendment put and passed; the clause, as amended, agreed to.

Clause 4, Title—agreed to.

Bill reported with an amendment.

House adjourned at 10.57 p.m.

## Legislative Assembly.

Tuesday, 22nd November, 1938.

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

### QUESTION—RAILWAYS.

#### All-steel Boilers.

Mr. STYANTS asked the Minister for Railways: 1, What has been the average cost per boiler for repairs and replacements to tubes, stays, etc., in the 10E's all-steel boilers built in 1932-33 and 1935? 2, What has been the average "standing time" for each of these boilers due to repairs for tubes, stays, etc.? 3, How many stays have had to be renewed (average per boiler)? 4, How many tubes have had to be renewed (average per boiler)?

The MINISTER FOR RAILWAYS replied: 1, £294. 2, 138 days. 3, 845. 4, 47.

### QUESTION—PUBLIC SERVICE COMMISSIONER.

Mr. MARSHALL (without notice) asked the Premier: Is it a fact that the Public Service Commissioner was re-appointed subject to the introduction of legislation to control the administration of the Public Service; if so, will he indicate to the House at what period, if at all, such legislation will be introduced?

The PREMIER replied: The present Public Service Commissioner was appointed, I think, originally in 1931, and was re-appointed under the same conditions as those under which he was appointed in 1931. It is not possible to say at this stage whether any legislation will be introduced this session.

**QUESTION—APPRENTICES.***Introduction of Legislation.*

Mr. SAMPSON (without notice) asked the Minister for Employment: The Minister recently mentioned that he proposed to bring down a Bill to provide for a liberalisation of the legislation in respect of apprentices. Is he able to advise the House when such legislation will be introduced?

The MINISTER FOR EMPLOYMENT replied: The matter is receiving consideration.

**BILL—BOOKMAKERS.***Second Reading.*

Debate resumed from the 15th November.

**HON. C. G. LATHAM** (York) [4.35]: The first thing I asked myself when I heard the Minister for Agriculture address himself to this Bill was, what was the reason for its introduction. For close on six years the present Government has been in charge of the administration of the laws of the State. Personally I consider the laws are sound, and provide heavy penalties for anyone who violates them in relation to gambling. It seemed to me that the Minister's speech was a candid admission of the inability of the Government to administer those laws. After six years the Government finds it necessary, in the last session of this Parliament, to bring down legislation in a half-hearted manner to permit certain individuals to violate the existing law, and to impose a penalty on the remainder of the people for any infringement. Perhaps I should not say that the Bill was introduced in a half-hearted manner, but I do declare that the legislation itself is half-baked. I have come to the conclusion that its introduction is a candid admission of the Government's inability to administer the laws of the State. That is a serious charge inasmuch as Ministers, each and every one of them, have undertaken to see that the laws are carried out. For six years this particular law has been violated, though I will not say it has not been violated for even longer than that. I admit that the development of this violation took place about the time when the depression first set in. Probably the reason for this was that men who had been accustomed to attend race meetings and engage in a little gambling, found themselves with insufficient funds with which to

do this, and there was set up a sort of business—this is a business, not a sport—to cater for those who were not attending the racecourses. In Western Australia, as elsewhere, are always to be found people prepared to provide for any shortcomings in respect to any class of business, whether legal or illegal. In this instance there exists, unfortunately, a system whereby a type of business is being conducted in houses for the purpose of displacing that which was usually permitted on racecourses.

Mr. Rodoreda: Where it is also illegal.

Hon. C. G. LATHAM: We ought to examine the class of house where this business is conducted. On Friday evening, with the best of intentions, I went into a place to purchase some cigarettes.

Mr. Raphael: That is an old story.

Hon. C. G. LATHAM: It is true in this case.

Mr. Raphael: You do not smoke.

Hon. C. G. LATHAM: I do. I walked inside and found that the establishment was being conducted either to mislead those who were administering the law or members of the public. Inside the building was nothing to indicate that anything was being sold. When I asked the man in charge for cigarettes he said, "We do not sell them." All that was done was to advertise the cigarettes, and there were indications in the window to suggest that cigarettes were available. I ask myself whether such people are in this type of business to assist those who wish to gamble, or for their own benefit.

Mr. Fox: Does anyone engage in business except for his own benefit?

Hon. C. G. LATHAM: I have come to the conclusion that this is not only an illegal business, but a highly lucrative one. Unfortunately, in this State, it has grown to an extent that some steps must now be taken to check it. I know enough about the law and its observance to realise that we cannot prevent crime. By means of legislation we can check crime and punish those who participate in misdemeanours, but we cannot eliminate wrong-doing altogether.

Mr. Warner: We can minimise it.

Hon. C. G. LATHAM: Yes, but we cannot prevent crime. The latest report of the Commissioner of Police shows that a large number of prosecutions have been launched against thieves and convictions obtained, but

stealing still goes on, although the law provides a heavy penalty. The fact that stealing continues despite the convictions that have been obtained during the past year would not warrant Parliament in passing a law to permit a section of the people to steal while others would be prohibited from doing so. The fact that one of our laws has been broken consistently during the many years it has been in operation does not justify the introduction of the present half-baked legislative proposal.

Mr. Raphael: Would you favour wiping out the bookmakers on the racecourses as well as the other bookmakers?

Hon. C. G. LATHAM: The same argument applies to crime for which capital punishment is provided. Although murderers have been executed, murders still occur. It is useless for members of the Government or anyone else to say that we have reached the stage when, because of the prevalence of the betting evil, we should legalise it. That is a weak argument that will not hold water.

The Minister for Justice: It is not as weak as your argument, nor is there any analogy.

Hon. C. G. LATHAM: The Minister says there is no analogy. Let us examine the Criminal Code, which has been in existence for many years during any one of which it could have been amended. Even though the Bill is before us now, there is no suggestion of amending the Criminal Code, Section 211 of which definitely provides a penalty of three years' imprisonment for any person convicted of conducting a gambling house. The Police Act of 1903 makes provision covering all those engaged in betting, which is gambling within the meaning of that term. Members will see that sufficiently heavy penalties are already provided to check illegal betting, yet the Minister for Justice says there is no analogy! Of course there is.

Mr. Patrick: The police sometimes raid a few Chinese.

Hon. C. G. LATHAM: If Parliament is justified in amending the law so as to allow a few of our citizens to bet legally and engage in gambling, why not amend the law so as to legalise two-up schools, which are just as fair a form of betting as any other.

The Minister for Mines: More fair.

Hon. C. G. LATHAM: The person who invests a shilling, 2s. or £1 in a two-up school gets back more of his money than he

can possibly hope to secure as a result of investing on a horse race.

Mr. Sleeman: Why not abolish horse-racing altogether?

Hon. C. G. LATHAM: Either the law is good and should be observed, or it is bad and should be repealed.

The Minister for Justice: That is what we are trying to do now.

Hon. C. G. LATHAM: That is not so. There is no question of repealing any Act in the Bill under consideration. If this is the attitude of the Government, then it should say, "We will repeal the legislation so that the people can bet and gamble as they like. It will be no offence and all shall have an open go." There is no other alternative.

The Premier: What about the sale of liquor?

Hon. C. G. LATHAM: I am not sure that we are justified in our legislative attitude on the liquor question. I say that because in other countries where no licenses are required for the sale of liquor, less drunkenness is apparent than in countries where the licensing system operates. In saying that, I do not for one moment suggest that the people of Western Australia can be classified as drunkards, for that would not be correct. Nevertheless, in cities where liquor can be procured at almost every second or third shop or house, drunkenness is seldom seen. The reason why so much intoxication is apparent under the licensing system is that that method amounts to creating a monopoly. The Bill is the most extraordinary legislation the present Government has placed before Parliament. The Government claims to disapprove of monopolies, yet the Bill represents the most monopolistic ever introduced.

Mr. Fox: The Bill is no worse than the Licensing Act.

Hon. C. G. LATHAM: We are asked to agree to a board being constituted, the members of which will be able to select some of our citizens who will be able to engage in betting while others will be prohibited.

The Minister for Justice: The board will fix the quotas!

Hon. C. G. LATHAM: The Bill does not even suggest giving them a quota. The Bill will enable the board to say to a selected few, "You are permitted to exploit the public if they desire to gamble with you." That is a cheap low-down sort of law and the Bill

represents a serious retrograde step in the life of the nation.

The Premier: It is the same as the liquor licensing law.

Hon. C. G. LATHAM: I have not heard anything to indicate that that is so.

The Premier: You never attempted to repeal the Licensing Act.

Hon. C. G. LATHAM: Nor will the Government attempt to do so, because I have never yet heard of an Administration that derived revenue from any source indicating a desire to forego its right to collect that money. The worst phase of the Bill before the House is that it will impose taxation on the weak-minded section of the community. That section could not be described as weak-minded if it were not for the fact that they resort to betting.

The Premier: All the heads of the country engage in betting.

Hon. C. G. LATHAM: I am not in a position to pit my knowledge against that of the Premier on such a question.

The Premier: You go to the Perth Cup and see for yourself.

Hon. C. G. LATHAM: I go to the races once a year to see the Perth Cup.

The Premier: And who is there?

Hon. C. G. LATHAM: Quite a number of people, but their presence does not signify that they are there to bet.

The Premier: They nearly all do so.

Hon. C. G. LATHAM: Once upon a time people thought it was a sport.

Mr. Patrick: I know a man who goes to the races and has never put a shilling on a horse in his life.

Hon. C. G. LATHAM: Does any member of this House think that starting-price betting in the city has any relation to the sport of horse-racing? It has not relation whatever. On the other hand, the practice is a means of getting simple-minded people to invest their money, the return of which, in the long run, they can never hope to secure. Let us examine what the bettors, not the starting-price bookmakers, pay. I understand that £18,000 was collected last year in the form of fines. Do members think that the bookmakers pay those fines?

Mr. Raphael: They are very generous-hearted.

Hon. C. G. LATHAM: The bookmakers do nothing of the sort; the money comes out of the investments of the public. Then,

again, these people pay high rentals that are out of all proportion to the value of the premises occupied. Does the rent come from the pockets of the bookmakers? Of course not. It is furnished by the bettors.

Mr. Raphael: What about the rentals for hotels?

Hon. C. G. LATHAM: I have been credibly informed that one bookmaker who is operating illegally makes £8,000 a year.

Mr. Rodoreda: There is no illegal bookmaker.

Hon. C. G. LATHAM: No wonder we read of assertions that we are interfering with the liberties of the people, particularly if some men are able to make £8,000 a year as the result of these illegal operations. What actually takes place? The people who have these betting shops are never prosecuted.

Mr. Raphael: They are never there.

Hon. C. G. LATHAM: No. We have the spectacle of these people setting up dummies who have to face prosecution and fines are duly paid on their behalf. That statement is perfectly true. One man told me that he had been employed by a starting-price bookmaker but had been unfortunate enough to be caught. The bookmaker would not employ him again because he said that if he were again prosecuted, the fine would be double the first penalty.

Mr. Rodoreda: That is rationing the work.

Hon. C. G. LATHAM: We are presumed to be serious-minded representatives of the people and we cannot afford to treat this problem frivolously. We represent the people, wisely or otherwise. We represent them to the best of our ability. This remark applies to members on both sides of the Chamber.

Mr. Rodoreda: You are talking about illegal bookmakers. We might listen to you if we knew there were legal bookmakers.

Hon. C. G. LATHAM: I am not saying there are legal bookmakers. I have not made that statement. I have pointed out the position in which we find ourselves to-day. We know very well these men have evaded the law; they instal dummies who are prosecuted in their stead. The Government has known this for a very long time. When the Royal Commission appointed by the South Australian Government was inquiring into betting matters, it quoted the penalty here. I challenge the Government to prove that it has at

any time laid a charge under the Criminal Code against any person known to conduct a starting-price betting shop. It is called starting-price betting; but, as a matter of fact, it is not starting-price betting at all, because there is a limit. These bookmakers do not pay out the starting-price because, as I say, they have a limit. They have everything in their favour in that respect. Yet the Government comes along in good faith to this House and says, "We have been unable to enforce the law, and now we wish you to permit us to pick out a few of our citizens to the exclusion of all other citizens, and enable them to carry on this form of betting."

The Premier: Who said we did not enforce the law?

Hon. C. G. LATHAM: Such action as has been taken by the Government has not resulted in a decrease in the crime.

The Premier: Tens of thousands of pounds of fines have been collected.

Hon. C. G. LATHAM: That leads the public and this side of the House to conclude that starting-price betting is a revenue producer.

The Premier: No.

Hon. C. G. LATHAM: Suppose there was a wave of stealing and a sentence of six months' imprisonment did not check it. Do not you think the judiciary or the magistracy would inflict a heavier punishment in order to check the evil? Would it not be the Government's duty to inform the judiciary or the magistracy to inflict heavier penalties?

The Premier: No.

Hon. C. G. LATHAM: I should think it would.

The Premier: You start interfering with judges and magistrates and see what will happen.

Hon. C. G. LATHAM: It is all right to talk about interfering. All the Government has to do is to draw attention to the fact that the penalties provided are inadequate. The Government is in a position to ensure that the penalty is made severe enough to check the evil. If not, then Parliament could be approached, through the Minister, with a request that the law be altered. The police have not laid a charge under Section 211 of the Criminal Code or under Section 86 of the Police Act.

The Premier: Was it done when your party was in power?

Hon. C. G. LATHAM: Yes. Action was taken under Section 86 of the Police Act. As a matter of fact, I made a statement in the House which the Minister said was not true because of facts that he had received from the department; but I think he will admit now that it was true. Not only did we prosecute persons who were conducting the gaming houses, but also persons frequenting them.

Mr. Raphael: How many times did you do it? Two Saturdays only.

Hon. C. G. LATHAM: I will give the hon. member the dates: From September, 1931, to January, 1933.

Mr. Raphael: Rats!

Hon. C. G. LATHAM: Mr. Speaker, if that is the way the hon. member chooses to speak—the statement is true—

Mr. SPEAKER: Order!

Mr. Raphael: It is untrue.

Mr. SPEAKER: Order! The member for Victoria Park must obey the Chair. I do not desire to say more to the hon. member than that he must obey the Chair.

Hon. C. G. LATHAM: My statement is perfectly true. In the last action taken by the police some 40 or 45 men were arrested, but the prosecution failed. Consequently, no further action was taken. I do not know the reason; I was not in the confidence of the Commissioner of Police, so I cannot tell members, but I think the Minister can easily verify what I say. I think the last action was taken on the 2nd January, 1933.

The Premier: Your party was then in power.

Hon. C. G. LATHAM: We assumed office in 1930 and relinquished it in 1933. As I say, the last prosecution took place on the 2nd January, 1933. As the House was not then sitting, there was no chance to bring down legislation to amend the law.

The Premier: But the prosecutions stopped at that stage because of some defect in the law.

Hon. C. G. LATHAM: That may have been so; I am not in a position to say. Perhaps there was some defect in the law. That information will at least show that while our party was in power we did make an honest attempt to prevent this betting. Some people say betting is not a crime. I will say it is not on a par with such crimes as killing people or stealing; but nevertheless under our Criminal Code it is a crime. Some very

good reason must have existed for making it a crime. If we look at this matter from an ethical point of view, we shall see many connections between gambling and other serious crimes. For instance, very recently a young man was charged at Midland Junction with an indictable offence. The only excuse he made was that he had tried to win some money and to do so had taken other money that did not belong to him. Of course, he was found out.

The Minister for Mines: He lost it on the racecourse.

Hon. C. G. LATHAM: Who said so?

The Minister for Mines: I did.

Hon. C. G. LATHAM: Then you know more about the matter than I do. I understood he lost the money in a bookmaking shop at Midland Junction.

The Minister for Mines: You are wrong.

Hon. C. G. LATHAM: I do not know whether the Minister is wrong or not.

The Minister for Mines: You know you are always wrong, and you are wrong this time.

Hon. C. G. LATHAM: Those knocks come off sometimes, but not as far as I am concerned. Just recently, several cases of boys—mere boys—came before the magistrate appointed under the Child Welfare Act.

The Minister for Mines: This Bill will prevent that.

Hon. C. G. LATHAM: Will it?

The Minister for Mines: Yes.

Hon. C. G. LATHAM: It may, if the Bill becomes law. I hope it does not. But the law will have to be enforced. If it is enforced in the same way as is the existing law then nothing will be achieved. The Government will have to prove to me that it can enforce this law before I will support the measure. If the Government can prove conclusively that this proposed law can be enforced, I will give the Bill my support.

The Premier: The law is enforced. Penalties are being inflicted in hundreds of cases.

Hon. C. G. LATHAM: Severe penalties have not been inflicted. Will the Premier tell me of a charge that has been laid under Section 211 of the Criminal Code? Another fact which is an outstanding disgrace—and this is common property—is that instead of prosecuting starting-price bookmakers, the police proceed against only some of them.

Mr. Patrick: The police select them.

Hon. C. G. LATHAM: Astounding stories are reaching me each week. I do not pro-

pose to repeat them to the House because I cannot verify them, nor do I propose to be unfair to anyone who has told me the stories. We all know that certain people are picked out for prosecution on certain days. That is a very common statement, and it is serious indeed if it is true. I understand that the people who conduct the illegal betting shops have formed themselves into a strong organisation, and that they pool large sums of money from which the fines are paid. It is a sort of underwriting business, and I understand it has been going on for the last six years. The Government is opposed to that kind of thing; it is not part of the Government's policy, but now we have before us a Bill to grant a monopoly to certain people to carry on betting. That seems to be most extraordinary. It is not right that we should simply look at the Bill and say, "We will accept it because it has been introduced by the Government, or not accept it because the Leader of the Opposition opposes it." I assure members opposite that we on this side of the House are free either to support or to vote against the Bill.

The Premier: The position is the same on this side of the House.

Hon. C. G. LATHAM: This is a matter that should receive serious consideration at the hands of all members. If thoughtful consideration is given to the Bill, members will do what I propose to do, and that is to vote it out on the second reading, and if it is not voted out at that stage, then it should be our duty, when it reaches the Committee stage, to destroy it to such an extent that it will be completely useless.

The Premier: The Government does not particularly want the Bill.

Hon. C. G. LATHAM: Then why waste the time of the House?

The Premier: We want to make an effort to suppress the evil.

Hon. C. G. LATHAM: Does the Government desire to get more money from those people who are foolish enough to gamble away their hard-earned wages?

The Premier: You can apply the same argument to the liquor traffic.

Hon. C. G. LATHAM: If I were to discuss the liquor traffic, I should probably be ruled out of order. If a man wants a pot of beer after hours on a summer day, and pays 6d. for it, he is not, after all, committing such a great crime. Likewise, in winter, if a person is suffering from a cold and

thinks that a tot of rum—I think that is what it is called—will do him good, and he purchases that rum after hours, he is liable to punishment, but neither is that a very serious crime. Anyway, he may derive considerable benefit from it. But do not let us mix the two issues—the liquor traffic and gambling. The question is whether we are to permit gambling in our city, in country towns, and everywhere else. We must give serious consideration to the matter, and there might not be any harm in adopting the advice given by the Royal Commissions that have investigated the question throughout Australia in recent years. If members read carefully the considered findings of those Commissions, they must come to the conclusion that the Bill now before us is an unwise piece of suggested legislation. Investigations made by the Queensland Government—and they were thorough—are well worth considering. It is a most extraordinary thing, too, that in that State it was a Labour Government that tightened up the law regarding betting, and support was given by the opposite side of the House. There was no divided opinion there. The Government in that State had exactly the same class of people to cater for as have we in Western Australia.

Mr. Sleeman: Have they stopped betting in Queensland?

Hon. C. G. LATHAM: To a certain extent it has been stopped. We know, of course, that there is no law that will actually prevent the commission of a crime. It would be absolutely impossible to do so. The law, however, does deter crime, and when offenders are apprehended, they are punished for breaking the law. The Queensland Government gave their betting laws a great deal of consideration before putting them on the statute-book. Then if we peruse the South Australian Royal Commissions' reports we will find that the first report advised the Government against licensing bookmakers. Despite the fact that the Government received that advice, legislation was introduced in that State. What was the result? At the next election, the Government found its numbers considerably reduced and, had it not been for a combination with the Independents, it would not have been able to form its Government and carry on. In Queensland, on the other hand, where the law was definitely

tightened up, the Government was returned practically as it went to the people.

The Premier: You do not suggest that that is our object?

Hon. C. G. LATHAM: No, I do not say it is an electioneering move.

The Minister for Justice: Tell us what the second Royal Commission in South Australia had to say.

Hon. C. G. LATHAM: I shall deal with that later, but it said that to encourage betting was, ethically, socially and morally wrong. The Commission also said that the law should be tightened up, and that betting should not be permitted to go on increasing as it had been doing. The Bill before us will have the effect of increasing betting.

The Minister for Works: Those people will go to the races.

Hon. C. G. LATHAM: Not the patrons of the betting shops. The Bill will give the betting shopkeepers and the bettors there a tone of respectability and the only result will be to increase this form of gambling.

The Premier: Tell us about the law under which a person bets at a racecourse.

Hon. C. G. LATHAM: The Totalisator Act is the statute that permits betting on a racecourse. I am sorry that the Premier is not better acquainted with the law of the State, and that he finds it necessary to ask the Leader of the Opposition questions on the point. The Totalisator Act is the only law that has permitted gambling on a racecourse over a period of years. All the same, a tax has been imposed on tickets issued by bookmakers, and the present Treasurer has been collecting it. When that law was introduced, there was no question raised about taxing an illegal ticket, and every Treasurer has accepted the revenue that has come from that tax.

The Minister for Works: Which Government introduced that tax?

Hon. C. G. LATHAM: The Labour Government in 1911.

Members: Oh!!

The Minister for Mines: It was much later than that.

Hon. C. G. LATHAM: What the Government with which I was associated did was to increase the tax from a halfpenny to one penny in the leger and to 3d. in the Royal enclosure—I think that is what it is called—where the Premier goes.

The Minister for Works: It was your Government that recommended legalising the betting.

Hon. C. G. LATHAM: It had already been legalised by the imposition of a half-penny tax on the bookmakers' tickets. What we did was to increase the tax and we did at that time, at any rate to some extent, remove that form of gambling from the homes of the people. The Minister told us that trotting was the more popular form of racing. I agree that that is so, but the reason probably is that the trotting course is nearer home. Associated with trotting, however, there is no starting-price betting, and the reason is that the shopkeepers do not operate at night.

Mr. Raphael: Of course they do.

Hon. C. G. LATHAM: The hon. member knows all about it and I am prepared to accept him as an authority. In any case, we do not see around the betting shops at night time the congregations that we do during the afternoon while the other races are in progress. It may be also because the shops are, after all, only pseudo tobacconist establishments and the occupiers are aware that genuine tobacconists shops must close at 8 o'clock and so, to that extent, they conform to the law.

The Minister for Works: Then you object to all forms of off-the-course betting?

Hon. C. G. LATHAM: I object to the law being altered in the way the Government proposes to do. We should say that gambling is a crime, or that everybody should be permitted to indulge in it.

The Premier: What action would you take with respect to Tattersall's Club?

Hon. C. G. LATHAM: What is Tattersall's Club? I have never been there in my life and do not know anything about it.

The Minister for Works: It is where people bet in thousands.

Hon. C. G. LATHAM: I am afraid my education has been sadly neglected in that respect. Anyway, I shall leave that matter to those members who know more about it.

The Minister for Works: The members of the Turf Club do all their betting there.

The Minister for Mines: And play poker as well.

Hon. C. G. LATHAM: The game of poker can be played in anyone's home, and I suppose a club is the home of many people. I belong to a club and I have never seen

anything there of which I would be ashamed. Some members imagine that evil things happen in clubs. I have seen dominoes played in a club. Would Ministers suggest that we should prevent such a harmless game from being played? Getting back to the Bill, however, it will permit everybody over the age of 21 years to enter a starting-price shop, irrespective of whether he can afford to bet or not. The effect will be to increase the encouragement to bet. Section 86 of the Police Act, as I have already pointed out, provides for a penalty of £100 or six months' imprisonment upon the owner or keeper of a gaming house and a penalty of not more than £10 upon any person found in a place where betting or gaming takes place. Have we ever attempted to enforce that law?

The Minister for Agriculture: Was Section 86 the section under which your Government prosecuted?

Hon. C. G. LATHAM: Yes, but with that must be read Sections 4, 5 and 6 of the Act of 1893.

The Minister for Employment: It would be interesting to know how many prosecutions there were.

Hon. C. G. LATHAM: The Minister would find that there were quite a lot. The Police Act Amendment Act, 1893, Vic. 56, 10, brought betting in under the gambling laws. The Minister, when introducing the Bill, took us back to the dark ages and told us that gambling had been regarded as a crime from the very earliest days. About that he gave us a good deal of information, but that information has very little reference to present-day conditions. We have had sufficient experience during the last six or seven years to enable us to realise what a scourge betting has become in our social life. While it was very nice, therefore, to know something about the history of this evil, the information supplied had very little bearing on the issue. The Bill has nothing to recommend it. Whether it is regarded from an ethical, economic or moral point of view, there is nothing to justify it. I wish to make reference to the report of the South Australian Royal Commission.

Mr. Tonkin: Do you think that was a well constituted Commission?

Hon. C. G. LATHAM: I am not here to criticise the constitution of the Commission.



Mr. Tonkin: What is your opinion of it?

Hon. C. G. LATHAM: I think it was composed of very able men.

Mr. Tonkin: Do you agree with its report?

Hon. C. G. LATHAM: I do not know that I agree with all of the report, but the Commission had a difficult job. The report was submitted on the 27th September, 1938, so that it is up to date and is well worth quoting. The Commission's observations regarding the operation of betting legislation in Tasmania, upon which this Bill is based, are set out in paragraphs 35, 36 and 37 on page 9. Paragraph 35 states—

From our inquiries it is a reasonable assumption that betting has increased since the provision of betting premises. No information as to the amount of illegal betting prior to 1923 was available to us, but in the years since 1933 the totalisator investments and bookmakers' turnover have increased.

Paragraph 36 reads as follows:—

The preponderance of evidence is that a certain amount of illegal betting still goes on.

I want the Minister particularly to note that. The paragraph continues—

This is chiefly telephone betting, either by unregistered men or by registered men when premises are closed for a local meeting.

The closing of betting shops at 1 o'clock is the weak point of the Bill before us. If the Minister thinks he is going to enforce the law, he is wrong. I want to assure him that he will not be able to enforce the law any more than has been the case in the last four years.

Mr. Sleeman: Read paragraph 38.

Hon. C. G. LATHAM: Telephones will still be installed, and people with some credit with the bookmaker will still be able to bet by telephone and will have no need to frequent these places. Another thing that will happen is that there will be men in the streets collecting bets just as is being done to-day. Paragraph 37 is as follows:—

Bookmakers are charged a turnover tax of two per cent. on bets made on Tasmanian races and 2½ per cent. on other bets. They regard these rates as excessive and police witnesses were of opinion that methods were used to avoid the tax, either by representing the amount received by some fraction of the true amount or by not entering certain bets at all. Confidential information which we received from other sources confirms that some such practices do exist.

The Minister for Mines: They have existed under the income tax laws too. People do not pay if they can help it.

Hon. C. G. LATHAM: Even in Tasmania the amount of tax to which the Government is entitled from this source is not secured. On page 12 of the report the Commission makes the following astounding disclosure:

For the year ended the 30th November, 1937, the total number of betting tickets issued to bookmakers in Queensland was 4,239,000, whereas in South Australia for the year ended the 30th June, 1937, the number of bets made was 34,109,000.

That is, 30,000,000 more were issued in South Australia than were issued in Queensland. In South Australia there are licensed or registered bookmakers of which Queensland has none, which indicates that the registration of bookmakers has encouraged betting. The report adds—

These figures should approximately represent the number of bets lawfully made and recorded by bookmakers.

I do not propose to weary the House by reading all the report, but in Part 3 the Commissioner deals with the social aspect of betting as follows:—

The problem of public betting and gambling is causing intense difficulty throughout Australia. Never before has there existed in Australia such facilities for gambling as exist to-day. At one time betting was practically confined to betting on racecourses; to-day there is organised betting on and off the courses, on horse-racing, trotting, dog-racing, plumption coursing, athletic meetings and football matches, and also there are lotteries. Some of these exist only in certain States, and in none of the States do all of them exist.

The main aspect of the problem with which this Commission is concerned is what is known as starting-price betting. This is in effect betting away from the course at which the race is being run, the odds being determined at the course. This calls for consideration from various points of view.

The report then proceeds to deal with the ethical, the economic and the social aspects. At this point I should like to say that if we are unfortunate enough to have this law placed on the statute-book we should ensure that starting-price bookmakers pay starting-price. They should not be permitted to do what they are doing to-day, namely, pay up to a limit. That only adds to their profits and is not starting-price betting at all. If the starting price is over a certain figure these men will not pay it. On the other hand, if a man loses, they do not give him any-

thing back. Provision should be inserted to ensure that unregistered bookmakers should pay the proper amount.

Mr. Marshall: In South Australia that is done mostly by regulation.

Hon. C. G. LATHAM: The hon. member and I are opposed to government by regulation. Let us put it all in the Bill.

Mr. Marshall: Let us kick the Bill out.

Hon. C. G. LATHAM: That is a good idea. I think the hon. member is right. He nearly always is. Paragraph 100 of the Commission's report reads as follows:—

We state, for the purposes of this chapter, certain of our findings of fact with regard to South Australia:—

(a) There exists a strong desire by a portion of the community to gamble on racing. This portion is a minority of the population, but constitutes a substantial number.

(b) Only a small section of the bettors is interested in the racing as a sport. The majority regard it merely as a means of gamble; they do not even wish to see the events run. Approximately 95 per cent. of the number of bets made on horseracing is on events which the bettors do not see run.

That indicates that the question of sport is not involved and that we are building up a form of gambling that cannot be regarded as anything but a scourge in the life of the people.

The Minister for Mines: No one has suggested that horse-racing is a sport to-day. It is purely a commercial business.

Hon. C. G. LATHAM: I regard the Trots as being well worth looking at. I am not a betting man; I know nothing about it. I believe that there are other people who like to see a race.

The Minister for Mines: Ninety-five per cent. of them go to have a bet.

Hon. C. G. LATHAM: Doubtless, by the way in which the laws are being set aside, we are building up a class of people that desires to make a business of horse-racing instead of keeping it as a sport. I do not think that the Minister would suggest that the very large number of people that attend the football semi-finals do not go there to see the sport, but go in order to bet. There still remains a sporting instinct in the people.

The Minister for Mines: Not on the race-course though.

Hon. C. G. LATHAM: Regarding the ethical aspect of betting, the South Australian Commission stated—

This has been strongly urged upon us by several witnesses, particularly ministers of religion and social workers. It has been submitted by them that all gambling is in itself simple and should therefore be totally repressed by legislation. We feel that it is beyond our province to attempt to answer this very difficult question. As an ideal it is to be commended, but from a practical point of view we think it should be striven for through education and instruction, rather than by legislative prohibition.

My view is that if gambling is to be regarded as a crime such as murder, homicide or anything else of the sort, we should endeavour to prevent it. Certainly, looking at it from a social or economic point of view we know that it brings a good deal of poverty into homes. Of that we are perfectly satisfied. The people using starting-price betting shops are men who bet in small amounts which they can ill-afford to spend in that way. It would be much preferable for the money to be used to provide necessities for their homes. Concerning the economic aspect the Commission reported—

We find that:—

(a) the amount expended by South Australians in betting is beyond what is reasonable.

(b) A large number of people lose money which they cannot afford to lose.

(c) A large amount of money which is spent in betting could and should be profitably applied to legitimate channels of trade.

(d) On mid-week race days much time is wasted by bettors to the detriment of industry.

Referring to the social aspect, the Commission stated in paragraph 103—

That (1) there has come into existence a claim to a right to bet off the course and that the State should sanction that right and provide all facilities for its exercise. In our opinion such a claim is untenable and has no foundation; it is absurd, for example, to maintain that a resident at, say, Port Augusta, has a right in respect to races at Woodend in Victoria. He only has such right as is given him by law and is consistent with all the rights of the people as a whole. He has no right to any greater favours than any other citizen and certainly not to any which create a social evil.

The bookmakers ask that the betting premises be open on every day of the week as are other businesses and on Saturday afternoons as well.

They ask for a great deal. The Bill does not limit the days on which the shops shall be kept open. All it does is to prohibit the

use of the premises between 1 p.m. and 5 p.m. on a day when races are run within a radius of 15 miles of the General Post Office, Perth. In South Australia there is more betting on Victorian races, and other "outside" races, than there is on South Australian events. There is no limitation of hours during which betting shops may be kept open. Western Australia closes all other shops by law, but bookmakers' shops can be kept open from 6 p.m. on Saturday for an unlimited number of hours.

The Premier: Well, put in a restriction!

Hon. C. G. LATHAM: It is not my place to draft this measure. The Minister will say that the hours are to be fixed by regulation. Under the provision itself, however, bookmakers' shops can be kept open night and day. If the Bill passes the second reading, we shall have to make sure that the shops remain open during certain hours only. Subparagraph (iii) of paragraph 103 states—

Prior to 1933 bookmakers considered that they were fully justified in betting contrary to the law. Now it is admitted by Mr. Lewis, the bookmakers' representative, that if restrictions unduly limited their profits, some of the bookmakers would undoubtedly resort to illegal betting.

In South Australia the bookmakers say, "If you put restrictions on us, we shall set aside the law just as we have been doing." An absolute challenge to the South Australian Government!

The obtrusions into the political life of the State by the advocates for and against the present laws have gone beyond what is desirable. A candidate's views on such should not be made the sole ground upon which he is supported or opposed.

That report was framed just about the time an election was looming, and evidently betting was a vital issue in the campaign.

The Minister for Justice: What was recommended?

Hon. C. G. LATHAM: Closing down.

The Minister for Justice: At what time?

Hon. C. G. LATHAM: Paragraph 108 deals with the functions of the State—

As a general principle we repeat the statement of the South Australian Commission on Lotteries in its report of 1936—

That is the statement of the Royal Commission whose recommendations the South Australian Government did not accept.

The function of the State in dealing with questions of ethics is not easy to define. The

State has, on numerous occasions, had to permit to its citizens rights which are not in accord with strict views of ethics, and the fact that some believe a thing sinful is not in itself a ground for depriving others of the right to do something in which they see no harm. We think, however, that the State has a duty not to permit organised or professional gambling on a scale or in a manner which will bring about serious social consequences. Further, we think that it is the State's duty to protect its citizens from this state of affairs and from the undesirable and harmful features connected therewith. This duty particularly applies to persons such as young people and the ignorant, who are untrained to resist the inducements and glamour of gambling, and who require and have a right to protection.

That is for the information of the Minister for Justice.

The Minister for Justice: That is merely a statement. What did the Royal Commissioner recommend?

Hon. C. G. LATHAM: The report says—

We therefore recommend that some provisions for off-the-course betting should continue to exist in South Australia through the registration of bookmakers in betting premises. On the other hand, the penalties for illegal betting must be adequate and the law as to offences must be widened in some respects. Our recommendations in detail are contained in other parts of this report (chapters XV. and XXIV.).

This was written after the thing had been going on for two years. If a similar measure was passed here, then, this having been permitted, the thing might not be prohibited even if there was a change of Government, because of the difficulty of bringing about such an alteration. Part V. describes the present position in South Australia. At the 30th June, 1934, there were 370 bookmakers with 244 premises. At the 30th June, 1938, there were 368 bookmakers with 321 premises. If the Bill passes, there will be agitation for increases here just as there has been in South Australia. In South Australia the number of bets with bookmakers both on and off the course for the year ended on the 30th June, 1935, was 21,914,498. But for the year ended on the 30th June, 1938, the number rose to 36,548,706.

Member: Betting must be popular in South Australia!

Hon. C. G. LATHAM: Stealing would also be popular, if it was legalised.

The Premier: Oh!

Hon. C. G. LATHAM: This is a mild form of stealing.

The Premier: Oh no!

Hon. C. G. LATHAM: If a man who works hard for his living goes into a betting house where he has no chance in life of getting his money back again, what is that but a form of stealing? During the first year of the operation of the Betting Control Board the turnover was £4,660,547. For last financial year the turnover rose to £7,740,912—an increase of over £3,000,000 with a small population like South Australia's!

Mr. Nulsen: That would not involve more than half-a-million pounds altogether.

Hon. C. G. LATHAM: Would it not?

Member: It shows the prosperity of the South Australian people!

Hon. C. G. LATHAM: Bookmakers betting in licensed premises there, not betting on the racecourse, took 19,750,180 bets for the year ended the 30th June, 1935, and that total rose to 32,994,654 in the last financial year. Compare those totals with the totals of course bets! Last financial year 3,554,052 bets were made on South Australian racecourses against 32,994,654 in South Australian betting shops. The South Australian Government has made it easy for the South Australian people to lose their money.

The Premier: The same amount may go into five or six bets.

Hon. C. G. LATHAM: I admit that a man may put some money on repeatedly. I recall a friend of mine who was a great gambler. In camp at night he used to figure away, declaring he was working out a system. He would get a cheque for £50 or £60 and go off with it to the races. He used to come back with nothing. There is only one sure system, and that is the one which consistently favours the bookmaker. The bookmaker limits the amount he pays out.

The Minister for Works: You are on sound ground now, for the first time.

Hon. C. G. LATHAM: If the Minister says that, I had better change my tactics. Here is the conclusion of the South Australian report, to which conclusion the Minister for Justice might listen—

We conclude that:—(a) Betting is more widespread; (b) Many more people are betting; (c) The predominant cause is the existence of betting premises, which furnish complete facilities for supplying the bettors with betting information and enable bets to be made during the progress of the race meetings.

If the result is to make people more prosperous, let us simply repeal our betting laws and permit everyone to keep a betting shop who cares to do so. If there is any justification for the argument that betting circulates money, we shall find ourselves in a happy position.

The Minister for Justice: There has been a wave of gambling all over Europe.

Hon. C. G. LATHAM: The following is a comment on the Betting Control Board, paragraph 140—

The board's policy and its practical application thereof have been the main contributing factors in the marked increase in off-the-course betting (vide Chapter XIV.).

Although the board has, in some of its reports, drawn attention to this increase in the volume of betting and pointed to the folly of gambling—

Let us not forget those words, "the folly of gambling." We are asked to legalise that folly.

—its adopted policy has required it, for the sake of consistency, to disregard the social and economic effects of the system that was being created. It did not concern itself with imposing restrictions that would tend to reduce betting but rather made concessions which would tend to increase it, not, of course, with that as an object, but out of fear of illegal betting.

What a reply to make! The Government encourages the growth of betting because the Government is afraid to enforce the law. The South Australian position is somewhat similar to that existing here. Paragraph 158, headed "Other Comments," states—

We now refer to certain other examples of the manner in which the spectacle of illegal betting has influenced the board's policy and the views of certain of its members.

There is nothing better than to have a board controlling betting if one wants to open the way to corruption.

(a) The board, in its desire to prevent illegal betting, has registered premises in places where it thought illegal betting might or did exist. We think that at times it was unduly apprehensive on this matter. It appears that it has registered premises in some districts solely on the assumption that the absence thereof was a sufficient ground for fearing that illegal betting would arise. In fact there are at present districts where no premises exist and where there is no suspicion of illegal betting.

The board set out to create establishments for the encouragement of betting; and that

is what a board will do here, undoubtedly, if the Bill is passed. There will be no question of limiting the number of shops to 50 or 100. The board will be pushed by the Government to bring in more revenue from that source, a despicable method of obtaining revenue. It makes me sick to read this.

The Minister for Mines: Then why read it?

Hon. C. G. LATHAM: The Minister agrees with this Bill; otherwise it would not have been introduced. The South Australian board is establishing betting shops in districts for fear someone might have a bet on the quiet. A shocking thing! I prefer letting a man break the betting laws to encouraging a board to use a law for the purpose of inducing people to do something they probably have no mind to do.

(b) We suggested to the chairman and to the Commissioner of Police that if betting shops were shut in the metropolitan area on the Saturday afternoon on which races were being run in Adelaide the bookmakers who occupy the betting premises would operate on the racecourses. They both considered that this was impracticable as there would not be enough bettors at the course to attract the bookmakers, and illegal betting would become prevalent.

The chairman was asked what would be the effect if an admission fee to betting premises were charged, or if an additional stamp duty, to be borne by the bettors were imposed. He stated that bettors would rather bet illegally than pay a tax. He further said that the predominant idea of members of the board was that an additional halfpenny ticket tax would make the difference between legal and illegal betting.

Everyone must come to the conclusion that a section of the community has been permitted to carry on illegal betting for so long, as in our own State, that we hear this said, "If you do not care to make a law that suits us, we will go on betting illegally." To-day that sort of thing will force dictatorship on countries. If we ourselves will not conform to the people's wishes and enforce their laws, somebody else will take over the reins of government in spite of us. That is definitely the position here. There is a certain section of the people in South Australia that says, "If you do not make a law that will suit us, we will carry on in spite of you."

Hon. P. Collier: And they threaten also to defeat the men who are opposing their wishes.

Hon. C. G. LATHAM: In Western Australia an organisation is in existence and it is sending out nicely phrased letters. I understand this body is called the Citizens' Rights League. I have enough common sense to understand who the real authors are—none other than the people making a handsome profit out of the business.

Mr. Sleeman: That is not the only organisation that is sending out letters.

Hon. C. G. LATHAM: The Citizens' Rights League is the only body that is sending out letters from the people who are interested in maintaining the business. The others that are sending out letters look at the position from the social and economic viewpoint. Moreover, those letters are not printed, and, again they are from people who have not the money that is possessed by the Citizens' Rights League. I am sorry that we have not all been able to get together and come to some decision about amending the law in respect to gambling.

Mr. Styants: You tried hard enough at the last Hannans election to defeat the candidate on this question.

Hon. C. G. LATHAM: I know nothing about what the hon. member is driving at. I was never in the Hannans electorate in my life and so I am entirely absolved of that charge. Usually the hon. member is very accurate, but on this occasion he has gone completely astray.

Mr. Styants: Well, it was a member of your party.

Hon. C. G. LATHAM: I do not think any Country Party member of Parliament ever went near the Hannans electorate. The Bill before us should not be a party measure and I appreciate the Government's statement that it is not such.

The Minister for Justice: Tell us what the Commissioner of Police in South Australia has to say about betting in that State.

Hon. C. G. LATHAM: The Commissioner of Police there is chairman of the Betting Control Board. What would the Commissioner of Police say? Is he likely to find fault with his own work? The Royal Commission has stated that betting should be removed from the control of the board.

The Minister for Justice: I mean before there was a board in existence in that State.

Hon. C. G. LATHAM: What did the Commissioner of Police say? Was it the same Commissioner of Police in control at the time?

The Minister for Justice: He gave evidence before the Royal Commission.

Hon. C. G. LATHAM: I suppose he realises now that he made a mistake, but it is not likely that an interested party will condemn his own work. I wish to deal with the revenue side of the gambling business in South Australia and I will quote from the report. This is one conclusion that was arrived at by the Royal Commission—

The majority of the bookmakers either do not keep adequate records showing the net results of their businesses, or if they do were not willing to disclose them to us.

I know that in our Bill there is provision that a bookmaker shall keep books to be approved by the board. The people engaged in this business, however, know how to evade the law. If they evade it in one respect, they are likely to do so in others. Thus, great care will have to be taken, in the event of the Bill becoming law, to see that that portion of it is observed.

The amount of revenue received from the tax in South Australia for the year ended 30th June, 1937, was £194,729. That figure is less than we receive from the hospitals tax, which is levied on wages, salaries and incomes in this State. Yet we are going to license a form of gambling for the purpose of getting probably £100,000. I imagine that the income in Western Australia will be less than that received in South Australia. Does not the Government think that, in fairness to the younger section of the community, everything should be done to prevent the encouragement of betting?

The Premier: We are providing for heavy penalties where bets are made with anyone under age.

Hon. C. G. LATHAM: But surely the youths of the city will have the business brought under their very eyes. They will know that it goes on and, if they are under age, it will not be a difficult matter for them to ask someone else to invest their shilling, or whatever it may be. If they knew as much about gambling and the effect of it as many who are older, they would think twice before indulging in the evil. They will be attracted by the appearance of the betting shops, and I have no doubt that if they become legalised we shall see the names em-

blazoned in neon lights outside all the premises. We can rest assured that the shops will be made to appear as attractive as possible. It will not be possible at all to prevent youths from gambling. The keepers of the establishments have no respect whatever for the law, and they will stop at nothing. That is the position to-day. Lads will be passing the premises on their way to school and it will not take them long to acquire a knowledge of the nature of the business conducted there. Let us take steps to encourage the youth of the State to indulge in out-of-door sports.

The Premier: Does everyone under 21 years of age become drunk merely because he passes a hotel?

Hon. C. G. LATHAM: There are many young fellows of 17 or 18 years of age who are able to get liquor. I can take the Premier to dance saloons and show him the extent to which liquor is consumed in those places by young people. But let me revert to the revenue that I was about to quote as having been received in South Australia from gambling. As I said, the total revenue was £194,729 and here are the details taken from the Royal Commission's report—

From the totalisator—

On racing ..	15,321	9	4
On trotting ..	14,232	13	6
		29,554	2 10

From stamp duty on betting tickets—

On racing in South Australia ..	40,902	16	6
On racing outside South Australia ..	43,597	10	2
On trotting ..	3,715	0	0
On coursing ..	95	1	8
		88,310	8 4

From turnover tax—

On South Australian racing ..	65,822	19	11
Less paid to racing clubs ..	56,497	13	1
		9,325	6 10

From turnover tax—

On racing outside South Australia ..		66,210	10 4
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From turnover tax—

On trotting ..	8,842	12	2
Less paid to trotting clubs ..	6,531	18	10
		2,210	13 4

From turnover tax—

On coursing ..	281	18	4
Less paid to coursing clubs ..	169	3	0
		112	15 4
		195,723	17 0

Less paid to charity .. ..	994 16 10
Total Government revenue ..	£194,729 0 2

I remind members that a Bill was introduced some time ago dealing with the legalisation of tin hare racing. I want to claim every vote that was given at the time against that measure. There is no doubt the motives of members on that occasion were honestly in the interests of the State.

Mr. North: Tin hare racing had not been started then.

Hon. C. G. LATHAM: No. Members used their common sense, and saw to it that it did not start. Only a small minority was in favour of the Bill. I have always been proud of the condemnation by this House of that class of sport. I knew what it meant to New South Wales. We knew all about the history of that type of sport.

The Minister for Mines: It is a decent enough sport in South Australia.

Hon. C. G. LATHAM: I do not know whether the Society for the Prevention of Cruelty to Animals would agree with that remark.

The Minister for Mines: Nine out of every ten live hares get away.

Hon. C. G. LATHAM: I presume the dogs are muzzled. We would not relish watching a dog rushing after a hare. I am sure the Minister himself would not like to see it. He has very fine feelings concerning animals.

The Minister for Mines: I would as soon see a dog chase a hare as I would poison a rabbit.

Hon. C. G. LATHAM: I cannot see that there would be much sport in destroying a hare. Evidently this is not in high favour in South Australia. In 1936-37 the revenue in that State from stamp duty on betting tickets was £43,597, and £66,210 from the turnover tax. Thus the Government there received £109,808 from the tax on bets made on races outside the State.

Mr. Marshall: What has this to do with the principle of legalising betting?

Hon. C. G. LATHAM: I am showing where the bets are made and the revenue received from the taxation.

Mr. Marshall: It does not affect the principle of registration.

Hon. C. G. LATHAM: No. Immediately we authorise the registration of these

places, the practice will grow to such an extent that not only will it cover racing in our own State, but racing beyond the State.

Mr. Marshall: You do not understand the local position. To-day 80 per cent. of the bets in this State are made on interstate races.

Hon. C. G. LATHAM: Is that so?

Mr. Marshall: You are talking in the dark.

Hon. C. G. LATHAM: The hon. member's interjection means that most of the betting to-day is not done on races within the State.

Mr. Marshall: No.

Hon. C. G. LATHAM: But is done on races outside the State. Let there be no misapprehension concerning my attitude on this Bill. If I have anything to do with it, it will not receive any support.

Mr. Marshall: I thought you were supporting it.

Hon. C. G. LATHAM: As we are two hours ahead of Sydney, the relative starting time of races here would be about 11 a.m.

The Minister for Mines: The difference is also two hours in the case of Melbourne.

Hon. C. G. LATHAM: If the starting time were 1 o'clock in Melbourne, the equivalent time here would be 11 a.m. We shall have to fix a closing time here for bookmakers at 11 a.m. They will have to finish their business by that time.

The Minister for Agriculture: Move an amendment in Committee to that effect.

Hon. C. G. LATHAM: I am afraid I shall get no support from the Minister. The Minister gave us a few points, but did not tell us much about the history of betting. Recently I read a book on the history of capital punishment for all kinds of offences. The Minister reminded me of that when he spoke of present-day and past conditions. The Bill gives the Government power to appoint a board to permit betting to be carried on in the metropolitan area or in any part of the State, as well as on racecourses. It is proposed to appoint a chairman, a stipendiary magistrate, and a public accountant. Why did not the Minister ensure that the magistrate was chairman? That would have followed the recommendations of the South Australian Royal Commission. No reason has been given why the magistrate is not to be the chairman.

The Minister for Mines: The chairman would have a pretty fine job.

Hon. C. G. LATHAM: The Government proposes to pay the magistrate's salary, and yet he will not be able to deal with one of these cases.

The Minister for Agriculture: We will make him the chairman.

Hon. C. G. LATHAM: That would not be so bad, but the Minister will have to amend the Bill. I do not know that the chairman need be a magistrate. It should be sufficient if he has the qualifications of a magistrate.

The Minister for Agriculture: There would be no objection to that.

Hon. C. G. LATHAM: If the magistrate is to be placed in a subordinate position on the board, he will be prevented from trying any cases of offences against the law. His time will only be wasted.

Hon. P. D. Ferguson: Apparently you can do what you like with the Bill, so long as you pass it.

Hon. C. G. LATHAM: The Bill makes betting lawful in certain instances, and gives a privileged few the right to break the law, whilst others will be prevented from doing so. It says "So long as you are registered by the Government, you can gamble, but we are going to prevent anyone from gambling." The Bill will permit the public generally to gamble with registered men, but they will be unable to gamble with a man who is not registered. The moral is wrong. Betting should be legalised or it should be pronounced illegal. If there is no need for our betting or gambling laws they ought to be repealed, so that people may bet as they please.

The Minister must see that the men who are registered are financially stable. They must be men of substance. If he is going to allow the registration of a man who has £30 in his pocket, and the law is going to be tightened up, probably quite a number of welshers will make their appearance. When I was a young man in Sydney a good deal of off-the-course betting was going on. I remember seeing a big crowd congregated outside a building in Pitt-street one Monday morning, and I joined in to ascertain what the trouble was. I found that a man who had been running a starting-price establishment had lost such a lot of money on the previous Saturday that he fled, and the people were left lamenting.

The Minister for Mines: Men have been killed on a racecourse for welshing.

Hon. C. G. LATHAM: I believe such things have happened. If we are going to legalise these people, they must be made to put up a substantial sum of money to justify their registration.

The Minister for Justice: That will be done under the regulations.

Hon. C. G. LATHAM: That would not be fair. The Government did not do that when it gave the right to a body of people to conduct the Wheat Pool in the State. The Government said definitely that £20,000 must be put up. Why such differential treatment? If it was a good thing to do that with a body of men who were handling wheat, it is a good thing to do with men who are to be registered to take bets.

The Minister for Agriculture: All right.

Hon. C. G. LATHAM: I am suspicious of the Minister. Apparently he does not want the Bill, and is anxious that I should draft it for him. He will get no assistance from me, but if a majority is against me on the second reading I shall attempt to knock the measure into shape in Committee. My opinion is that the Bill will not reach the Committee stage. We must do something to see that the men who are registered shall put up a bond. I know what has happened in the past. If we are not careful, it will be a question not of one man one building, but of one man half a dozen buildings. People will do as they are doing to-day. Not long ago a man appeared before a judge of the Supreme Court and told His Honour he was conducting three or four betting shops, though he knew he was acting illegally. I am going to make sure that no dummying is allowed. We know there must be dummying to-day. The people who are fined are not necessarily the owners of the shops. I could give the names of some prominent book-makers who have never yet been caught.

The Minister for Mines: We have found one or two instances of dummying under the Mining Act.

Hon. C. G. LATHAM: I wish the Minister could deal as well with dummying under our gambling laws as he does with similar cases under the Mining Act.

The Minister for Justice: It would be interesting to know how you are going to make certain that people are only dummies.

Hon. C. G. LATHAM: We shall make quite sure of that when we occupy seats on



the other side of the House. I know I shall have a sally from members on the cross-benches when I say that, if there is any place where these people should be registered, it is on the racecourse.

The Minister for Mines: Why? Betting is no more moral on a racecourse than elsewhere.

Hon. C. G. LATHAM: No.

The Minister for Mines: Then why register gambling there?

Hon. C. G. LATHAM: Because I am told that racing cannot be continued without a certain amount of betting. If people want to bet, let them do so on the racecourse where they can see their horses run.

Mr. Marshall: How many bets would make a proprietary course successful?

Hon. C. G. LATHAM: That brings up a new issue. Surely we are not going to put this money into the hands of private people!

Mr. Marshall: How does the immorality of the proceeding disappear on a racecourse?

Hon. C. G. LATHAM: It does not, but it is the lesser of two evils.

Mr. Tonkin: Would you allow people to play two-up on a racecourse?

Hon. C. G. LATHAM: Why not? Possibly next week the Government will bring down a Bill to license two-up on the Esplanade or in Hyde Park? If an unfortunate Chinaman in James-street is found running a betting school, the police take him and all his nationals to the station.

The Minister for Mines: That is because they take down white people.

Hon. C. G. LATHAM: Then it is time we protected the whites.

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

Hon. C. G. LATHAM: I have practically finished dealing with the Bill itself. The measure provides the machinery to enable the Government to collect the tax on betting tickets and the turnover tax as well. I do not know that anyone can find fault with the machinery clauses, but nevertheless there are plenty of loopholes in the Bill. This class of legislation should be made watertight and we should not depend on a board to give effect to the law through regulations. The responsibility should be upon Parliament to see that the legislation is so drafted as to leave no loopholes. At the Committee stage a number of amendments

will be moved to ensure that Parliament shall know exactly what the law will be and will not leave effect to be given to it by way of regulations. The clause that deals with regulations is strictly limited, providing power as it does to deal with the payments to be made to members of the board and to prescribe penalties not to exceed £20. The clause also sets out that the regulations must not be inconsistent with the law. I hope the consideration of the Bill at the Committee stage will not be hurried, but that time will be afforded members to place amendments on the notice paper; that is if the Bill ever reaches the Committee stage, and I certainly hope it does not.

I have set out my views before members and have declared that betting is nothing but a social scourge. It is nothing short of a canker on the social life of the community. Parliament's responsibility should be to pass laws that will uplift the people and not degrade them. The Bill will certainly not tend to uplift the community, but will degrade them. Parliament has great responsibilities and members should take no notice whatever of the letters and circulars that have reached them, not even those that seek to intimidate members in carrying out their duties. No weight should be attached to such communications.

Mr. Rodoreda: I do not think it is.

Hon. C. G. LATHAM: I am glad to hear it; I hope they do not influence members at all. I trust the House will view this question from the public point of view and not from any personal standpoint. We are asked to take a serious step, one that involves the degradation of the people. I appeal to members to be extremely careful in their consideration and investigation of this type of legislation. Ever since I have been a member of this Chamber, no legislation that tended to make gambling easier has ever been passed. I hope Parliament will be consistent and will reject this Bill, because it cannot be regarded as anything but against the best interests of the public generally. We who associate with the public must know that the majority of the people do not want such legislation. We cannot ignore the wish of the majority. We are not here to do so; we are here to give heed to the wish of the majority. I appeal to members to dismiss their private opinions and regard the problem entirely from the standpoint of the people throughout Western Australia. I

contend that if the existing law is not sufficient to enable the State to suppress the betting evil, the Government should introduce amending legislation to make the Act more stringent and thereby enable the police to deal with it more effectively. Members will agree that it is useless to make laws unless they are enforced. In the past the law has not been applied, and that very fact prompts me to vote against the Bill and to hold that even this law will not be enforced. Already we have the fact that the bookmakers in South Australia issued the ultimatum that if the law was too severe, they would evade it.

Mr. Lambert: Was the law ever enforced when you were in power?

Hon. C. G. LATHAM: We attempted to enforce it, and we did something along those lines.

The Premier: Surely you are not contending that the present Government has not attempted to apply the law.

Hon. C. G. LATHAM: I say the gambling evil has grown during the past six years until it is now a canker upon the community.

The Premier: And so have the fines and penalties grown and grown

Hon. C. G. LATHAM: That is not so; the fines have remained almost stationary. Even so, members will note the differentiation between the penalties imposed in Perth and those at Fremantle. At the port fines of £5 are customary whereas in Perth the fines range from £20 to £40. Why that differentiation?

The Premier: Does the Government control that phase.

Hon. C. G. LATHAM: I do not know.

The Premier: You do know.

Hon. C. G. LATHAM: The Government is responsible for seeing that the law is administered. If the Commissioner of Police does not administer the law effectively, as he is expected to, the responsibility rests upon the Government to draw his attention to the Criminal Code. Now I am going to link up every Minister with the Bill. Such a measure cannot be introduced by the Government unless every Minister is responsible for its introduction.

The Minister for Mines: Marvellous!

Hon. C. G. LATHAM: Not one Minister can try to get away from it.

The Minister for Mines: Have you noticed any one Minister trying to do so.

Hon. C. G. LATHAM: While the Minister for Agriculture introduced the Bill, all Ministers are responsible for it.

The Minister for Mines: Of course they are.

The Premier: You need not go into heroics about that.

Hon. C. G. LATHAM: I am not going into heroics, but I am telling Ministers plainly that later on it will be useless for any one of them to say he did not favour it, for all Ministers must favour the Bill.

The Minister for Mines: Who said they did not.

Hon. C. G. LATHAM: I know what may be said later on.

The Premier: Of course you do not.

Hon. C. G. LATHAM: The Government as a whole is responsible for the introduction of this legislation, but it is Parliament's responsibility either to endorse or to reject it. I sincerely hope Parliament will tell the Government that it has made a mistake in introducing this class of legislation.

The Minister for Mines: It will not be the first time Parliament has told a Government something of the sort.

Hon. C. G. LATHAM: No, I suppose not. Mere evasion of the existing law cannot be regarded as justifying the introduction of the Bill. Of that there can be no doubt. The measure cannot be justified by merely saying that the existing law has not prevented betting in the city or elsewhere. All that can be said of the measure is that it does challenge the Administration. To suggest that the Bill will clean up what I regard as a social evil, would be useless. The Bill will not do that, but rather will it leave loopholes for still further illegal betting. Such legislation represents an attempt to make that evil respectable. No country can ever be respectable that has to permit legalised gambling. I regret that the statute-book contains an Act authorising the State lotteries. I am sorry that I was one of those responsible for the introduction of that enabling legislation, because instead of discouraging gambling, by means of advertising and other methods the State has encouraged, in the name of charity, extended participation in gambling. That is what will happen if the Bill be passed. The experience here will be similar to that of South Australia. Operations will start in a small way, but in the end they will be made

use of as a means of raising additional taxation. Let members look at the problem from the economic point of view. Do they think it wise to encourage bets of 2s. or 5s. to be made by people in the city when we know very well that men have to work hard for their living and the money spent on bets could be more profitably used in their own homes?

Mr. Rodoreda: Would it be used there?

Hon. C. G. LATHAM: Yes, it would. I was astounded to note in a statement appearing in the "Daily News" this evening that the Premier attempted to justify this legislation by associating it with the laws relating to hotels. If a man spends 6d. in a hotel, he receives value for his money. The liquor trade employs many people and encourages industries, starting on the farm.

The Minister for Mines: That is what is claimed for horse-racing.

Hon. C. G. LATHAM: I have not said anything against horse-racing at all.

The Premier: Could it live without people gambling?

Hon. C. G. LATHAM: I do not know that it could; I am not in a position to say. On the other hand, Parliament has admitted that it cannot do so because we have on the statute-book the Totalisator Act, and Parliament has permitted the racing clubs to deduct certain sums from the investments made. The difference between the liquor trade and gambling is that money spent in the former does return something. I do not know that the purchase of a glass of beer would be a wiser investment than the purchase of a packet of cigarettes. In each instance the person receives value in the commodity he secures. What return does the investor receive if he spends 1s. in a betting shop? Only one or two persons can win, and the sole man who definitely wins every time is the bookmaker.

Mr. Coverley: We all agree with that.

Mr. Rodoreda: No, he does not win every time.

Hon. C. G. LATHAM: Does not the responsibility rest upon Parliament to remove temptation from people rather than encourage them to succumb to temptation? Of course it is our responsibility, and a grave responsibility too. We should shoulder the burden. In doing so, we should consider the Bill before us without fear or favour. We should not regard it from the standpoint of those interested parties that

send us letters and circulars. We should not be influenced by the communication from the Citizens' Rights League, which is definitely interested in the matter. For my part I agree that every member of this House would prefer to go out of public life doing right rather than to continue in his present capacity by doing wrong. I have sufficient respect for members of this House to know that they endorse my expression of opinion in that regard. I have heard about the £7,000,000 expended in South Australia.

The Premier: You do not think that came out of the pockets of one section?

Hon. C. G. LATHAM: Where did the money come from?

The Premier: That represents money that has been gambled over and over again.

Hon. C. G. LATHAM: I admit that it may represent £2,000,000 or more at the outset, but no matter how much or how little the turnover may be, someone must go short in consequence of such investments. The moral aspect of the whole matter is wrong. The Act has stood the test for many years. Year after year the penalties imposed in respect of this type of crime have been increased. I suppose it is a business and not a crime; at any rate, betting is a folly or a misdemeanour. Parliament indicated its views when it provided in the Criminal Code a maximum penalty of three years' imprisonment with hard labour. The provision of such a penalty indicates that Parliament must regard the misdemeanour as serious. There is no justification for viewing it otherwise.

Mr. Rodoreda: At one time they hanged men for stealing sheep.

Hon. C. G. LATHAM: Never under our laws. I have referred to the Criminal Code, and we provided a penalty of three years' imprisonment. There was justification for that, too. We will probably receive no credit for our actions to-day, but we may in a hundred years' time. Parliament acted with wisdom in the past, just as we will be wise to-day if we reject this legislation. I am not saying we should not progress with the times, but let us lift the people out of the morass into which they have fallen and put them on to a higher plane, not degrade them with this class of legislation. The Premier's justification for the Bill is that it will do away with the bad features of betting by closing

the betting shops. All it will do is to give the hall-mark of respectability to betting. In effect, the Government says, "If you have a few shillings to spend, you can go in and spend it like a man." That will not improve our people. We are here to improve their morals, to uplift them socially and assist them economically in every way possible.

The Premier: Gentlemen spend their money on the racecourse.

Hon. C. G. LATHAM: The Premier has some references to it in to-night's paper. He says—

The present position is anomalous. Betting is illegal no matter whether the transaction is carried out on or off the racecourses and has been illegal since the State was founded.

I agree Parliament has legalised betting on the racecourse by imposing a tax on betting tickets, and members must accept responsibility for that. We have not attempted to amend that law. We have legalised betting on the racecourse—do not make any mistake—because we have imposed a tax on betting tickets.

Mr. Raphael: How can you make it legal by imposing a tax?

Hon. C. G. LATHAM: It is made legal to a certain extent. Immediately a tax is imposed on betting, to all intents and purposes it is legalised.

Mr. Marshall: Nonsense.

Hon. C. G. LATHAM: Parliament has not gone so far as to say that betting on racecourses is illegal; in fact, it has legalised such betting by having imposed a tax on betting tickets. Even the present Treasurer is collecting money from that source. Every time a race meeting takes place he collects the tax.

The Premier: It has even been increased.

Hon. C. G. LATHAM: I do not take the responsibility personally. Parliament agreed to it.

The Minister for Mines: Your party when in power increased the tax.

Hon. C. G. LATHAM: And Parliament endorsed the increase.

The Minister for Employment: Did you agree to it?

Hon. C. G. LATHAM: Yes. As a matter of fact, I preferred to raise money from that source rather than to deprive workers of their wages, which we had to do at that time. Would the hon. member suggest we should still cut down wages and salaries or

take money from sport? We discouraged sport at the time so as not to cut down the wages of workers.

The Minister for Employment: You cut their wages as far as you dared.

Hon. C. G. LATHAM: We did, and it was no credit to us, but it had to be done. We were in good company, because every other Government in Australia did it, even the Labour Governments in Queensland, South Australia and Victoria, besides the Lang Government in New South Wales. If the hon. member had been a member of the Government at the time, he would have had to conform to that principle, too. I suppose if the necessity arose to-morrow and the screw were put on the present Government, it would have to take a similar course. I only hope that we on this side of the House will treat the Government a little more generously than we ourselves were treated.

The Premier: What is the difference between betting on and off courses?

Hon. C. G. LATHAM: I do not say there is any difference. I say that Parliament has legalised betting on racecourses by collecting a tax from it. The Government now proposes to bring betting into the very homes of the people, to legalise betting shops so that the people can dispose of their hard-earned wages. A man recently told me, "I have gambled all my life; I am a born gambler and cannot help it. Remove the temptation and I will be much better off." I worked with the man for two years when I was a young fellow; he did pick-and-shovel work and gambled every penny he earned. Had the temptation been removed he would have had money to buy clothes, but the temptation was too great for him. Now the Government, by this legislation, proposes to put temptation into the very homes of the people. I rely on the common sense of the House—

The Minister for Mines: Why did you not advise your friend to become a bookmaker?

Hon. C. G. LATHAM: How could he? He was not well enough in with the authorities, I suppose. Is it not a fact that certain bookmakers set themselves up opposite a certain place every Saturday and are charged by the police, whereas those on the opposite side of the street are immune from prosecution?

Member: Where is that done?

Hon. C. G. LATHAM: Not far from Tattersall's Club. I challenge the Govern-

ment to prove that all bookmakers in this State are being prosecuted, and I will give the names privately.

The Premier: Give them publicly.

Hon. C. G. LATHAM: I will not. To do so would be unfair. The Premier knows them.

The Premier: I do not know them.

Hon. C. G. LATHAM: I will say the Premier does. The Premier is intending to put right that which I for many years past have regarded as wrong. I sincerely hope we will not associate the beer trade with starting-price betting, as there is no comparison between the two. A man does get some return for his money when he buys a drink. In the other instance, he gets nothing.

The Minister for Employment: He is a lot worse off than if he were betting.

Hon. C. G. LATHAM: The hon. member knows; I do not.

The Minister for Employment: I do know.

Hon. C. G. LATHAM: There is no doubt about it, the hon. member does know. I always think that a reformed person is a far better citizen than is a person who has never had a lapse. I ask the Government if it thinks the establishment of betting shops will improve the conditions of the workers? Should we not direct our attention to assisting workers instead of providing an avenue for them to lose their money?

The Premier: We have assisted the workers.

Hon. C. G. LATHAM: The hon. member has?

The Premier: Yes.

Hon. C. G. LATHAM: Very well. The next time a man comes to me for employment I will send him to the Premier.

The Premier: He will get a deal ten times better than any you would give him.

Hon. C. G. LATHAM: There are still many men wanting work.

The Premier: Thousands of them.

Hon. C. G. LATHAM: I have refrained from sending them to the Government—

Mr. SPEAKER: That has nothing whatever to do with the Bill. The hon. member must confine himself to the Bill.

Hon. C. G. LATHAM: What I have said relates to the Bill; the Bill will not help the worker. Rather will it afford him an opportunity of losing his money. As a

matter of fact, betting will later be regarded as a necessity, and so will have to be taken into consideration when fixing the basic wage.

The Premier: Now you are talking nonsense.

Hon. C. G. LATHAM: Am I talking nonsense? Why should Parliament legislate in this way so that people may spend their money on betting? We are introducing legislation to say, "We are establishing shops for you everywhere so that you may lose your money in them."

The Premier: Not everywhere.

Hon. C. G. LATHAM: Even the Premier cannot answer that.

The Premier: I can.

Hon. C. G. LATHAM: The increase in betting will be rapid, as it was in South Australia. Betting shops are to be established in country districts. The Government, in effect, says, "There is no betting shop here, but in case one is required, we will establish it." That is a most trivial excuse. Yet it has appeared in print.

The Minister for Mines: Apparently you did not even read the recommendations contained in the report from which you quoted.

Hon. C. G. LATHAM: I have left it to the Minister. Would he like me to read the recommendations?

The Minister for Mines: Yes.

The Premier: No.

Hon. C. G. LATHAM: I think the Premier still controls the Ministry, so I will not gratify the Minister for Mines. I must still regard the Premier as the Leader of his party. This proposed legislation will have a demoralising effect on the people. Should we legislate to encourage people to bet?

The Premier: We are not encouraging betting. This is a limitation.

Hon. C. G. LATHAM: Oh, Mr. Speaker!

The Premier: Oh!

Hon. C. G. LATHAM: What a bandying of words. The Premier says this Bill is a limitation. Why? Let us examine the position. The only States we can quote are South Australia and Tasmania. In both those States betting has increased.

The Premier: It has increased everywhere.

Hon. C. G. LATHAM: I have quoted the number of bets made in Queensland and in South Australia. I told the Premier that

in 1937 there were 30,000,000 more bets in South Australia than in Queensland.

The Premier: All the illegal bets have not been recorded. There are thousands of them.

Hon. C. G. LATHAM: I presume all the illegal bets made in South Australia were not recorded.

Mr. Patrick: The legal bets have increased.

Hon. C. G. LATHAM: Yes. The Government is putting the hall-mark of respectability on betting. It is encouraging the people to bet by providing an avenue for them to spend their money. If we introduce a Bill to encourage young people to go into the open on Saturday and indulge in outdoor sports—

The Premier: This legislation will shut up the betting shops.

Hon. C. G. LATHAM: The people who evade the law to-day will evade it to-morrow.

The Premier: No.

Hon. C. G. LATHAM: Do not make any mistake. Do you mean to tell the House that if those people closed the front door they would not leave the back door open? Do you think the keepers of those shops will discontinue business during the hours when trade will be most brisk?

Mr. Raphael: Don't shout.

Hon. C. G. LATHAM: These people will continue their business. The Telephone Department will be working overtime. There will be a backdoor entrance. The Government cannot now enforce the law. Does it think it can do so to-morrow? As I say, no justification exists for this legislation. I have clearly shown that betting is not a necessity in the economic life of the people. To legalise betting will not improve the position. Do not encourage betting simply by putting the hall-mark of respectability upon it, because that is all this legislation will achieve.

Mr. Raphael: How would you deal with the matter?

Hon. C. G. LATHAM: The Minister said that if we do not pass this legislation, we shall force betting underground. Would not this Bill have that effect? Between the hours of 1 o'clock and 4 or 5 o'clock on the days that racing takes place there will be betting in the city.

The Premier: You say so.

Hon. C. G. LATHAM: Definitely.

The Premier: That does not mean it is right.

Hon. C. G. LATHAM: The statement has been made that if the law is not enforced this evil will be driven underground. That is the excuse of the Commissioner of Police. If the penalty provided is light enough, people will break the law. My worry is that in a little time people will have no respect for the law.

The Premier: As was the case in the United States.

Hon. C. G. LATHAM: Yes. We are even to-day a little late in enforcing the law, but better be a little late than never enforce the law at all. The Minister has an opportunity between now and the next election to enforce the law.

Mr. Nulsen: Are you prepared to stop racing altogether?

Hon. C. G. LATHAM: I certainly am not. I am prepared to say what I will do. To support horse racing is quite right, because to a certain extent it is an industry. It provides a lot of employment and it is the best avenue for the disposal of farming products, chaff and oats, that exists to-day.

The Premier: That is weak.

Hon. C. G. LATHAM: I would like to see the Premier on a horse. We should certainly see more of him if he were on horseback than if he were sitting in a car. I am sorry that the Government has introduced this Bill: it will ring the death knell of the Government. If by any chance it should be passed, I expect the Government will legalise some other form of crime, because it has been found impossible to enforce the law in respect of this particular offence. The mere introduction of the Bill is a blot on the State. I cannot understand the position of some of the members occupying the Treasury benches, because at one time they condemned the principle of making gambling easy. Two or three members opposite used their influence against facilitating gambling, and to think that after a few short years we should have them supporting a Bill of this nature, a Bill that will lend respectability to gambling off the course! It is a retrograde step of the worst form.

The Premier: Some of the members amongst the Opposition who are now opposing the Bill were against the lotteries legislation when it was first introduced.

Hon. C. G. LATHAM: That was an entirely different matter. At that time all

forms of gambling were being indulged in, including crossword puzzles, and the Government of the day was obliged to introduce that legislation.

The Premier: Oh!

Hon. C. G. LATHAM: I know that someone will speak with a loud voice at Northam very shortly.

The Minister for Mines: You set out to limit gambling.

Hon. C. G. LATHAM: Yes, and I am sorry to say that it has got out of control. We gave an undertaking to the people that if the lotteries legislation were passed, there would be no private soliciting in the streets for charitable or other purposes. We also gave an undertaking that there would not be any sale of tickets in doorways or in open places. What do we find to-day? Tickets are to be secured in the arcades, not at one kiosk but at several in each arcade. No nation will grow great on gambling, and so long as I have any voice I shall protest against legalising any form of gambling. I strongly oppose the Bill on four grounds—ethically, it is wrong; economically, the people cannot afford it; morally, it is degrading; and socially, it does not uplift the people. The introduction of the Bill is an admission by the Government, and a sorry admission too, that it is incapable of enforcing the laws that exist. If passed, the Bill will go down in history as an admission by the Government that it was elected to administer faithfully and honestly the laws of the State, but that it was unable to do so, and consequently it had to produce a Bill of the type before us to give the hall-mark of respectability to something that has always been regarded as a social evil. I oppose the Bill.

MR. MANN (Beverley) [8.5]: I oppose the Bill. When speaking on the Address-in-reply I mentioned the subject of starting-price betting and I am very sorry that the Government has seen fit to bring down a Bill to legalise that form of gambling. I intend to oppose it for more than one reason, but the principal reason is the welfare of our rising generation. If the Bill should by any chance become law, the people of the State will curse the present Government and Parliament for having brought into effect machinery to give legal sanction to a gross evil. Many people have been ruined by gambling, and more people have been sent

to gaol as the result of gambling than for any other reason. The Bill has been classed by the Minister as a non-party measure. But it is definitely a Cabinet Bill. I intend to quote a few extracts from "Hansard" of 1932 to show the attitude adopted by present Ministers—when in opposition—to the Lotteries Bill then being introduced. The present Minister for Mines said this—

If it does anything at all, it simply shifts the burdens from the shoulders either of the Minister or of the Commissioner of Police wherever they have respective jurisdiction and places it in the hands of the proposed Commission. We have a Criminal Code to deal with these matters. That being so, the authorities should deal with them under that Code and not shelve the responsibility on the proposed Commission. I do not intend to deal with the moral aspect of gambling nor its economic aspect. It is in human nature to gamble. Gambling, however, has reached such proportions in the city of Perth that some action must be taken against it. It would be a fallacy for me to argue the matter from a moral point of view. Gambling is a stupid thing.

The Minister for Mines: Hear, hear!

Mr. MANN: The hon. member's remarks continued—

I am often amazed to note how many men of good commonsense go to the races every Saturday with the object of beating the book-maker, whose business it is to engage in gambling.

That was what the hon. member said. I shall make another quotation to refresh his memory—

The only effect legislation will have will be to run a lot more men into the police court and produce a little more revenue by way of fines for the State and generally cause dissension and trouble in the community. I am one of those who for years have said that the administration of the gambling laws in Western Australia has not been carried out with any equity.

Mr. Marshall: Whose speech are you quoting now?

Mr. MANN: The speech of the present Minister for Mines. If the Bill is not a party measure, what is the position of Cabinet in regard to it? The Premier himself knows that three members of his Cabinet opposed the Lotteries Bill, and very strongly, too.

The Minister for Mines: What did the Leader of the Opposition do?

Hon. C. G. Latham: I told you what I did.

Mr. MANN: The member for Fremantle interjected to the effect that he was not op-

posed to a man having a bet provided he could afford to do so, and he further expressed the opinion that the gambling laws in Western Australia had been administered less efficiently than any other law. I would add for the information of the member for Fremantle that nine-tenths of the people who make bets cannot afford to do so, and that when they do make a bet they deprive their wives and children of many necessities of life. Thus the member for Fremantle cannot on this occasion support the Bill. That is, if he is true to his colours. We realise what the starting-price "joints" are like when we see the type of people that are betting there. Women and children also are often to be seen about the premises, and now we are bringing down a Bill to legalise that evil.

Mr. Sleeman: Tell us what the Leader of the Opposition said at that time.

Mr. MANN: In the same year, 1932, the member for Boulder, who was then in Opposition, told us definitely where he stood with regard to gambling, and his speech on that occasion is well worth quoting. This is what he said—

I would prefer to see gambling rampant as it is to-day rather than give it legal sanction, rather than I should see it reduced and controlled by the authority of Parliament. In the one case it could be stopped at any time if the Government so desired, while in the other case it would continue.

The Government has the power, through the Minister for Police, to stop gambling.

Mr. Marshall: Are you aware that the same member introduced that same Bill in the following year?

Mr. MANN: The Government has power to control this curse.

The Minister for Agriculture: It is wonderful how some people's vices become virtues—and everybody else's virtues become vices.

Mr. MANN: I do not profess to have any virtues.

The Minister for Agriculture: I was not referring to you.

Mr. MANN: The Minister I know does not like my quoting from "Hansard," but I am doing so because "Hansard" does not lie. Let me refer again to what the member for Boulder said in 1932, on which occasion many members on this side of the House agreed with him. If the Minister desires his memory to be refreshed, no harm

will be done by reading what the member for Boulder said.

Mr. Sleeman: Give us ideas that are your own.

Mr. MANN: Members make statements in this Chamber, and when the tide turns against them or something happens, they raise objections. I shall be very much surprised if the member for Fremantle supports the Bill now before us in view of the remarks that he made in 1932. He knows very well the position of the foolish people who indulge in this form of gambling, and he is aware of the effect it is having on family life. Starting-price betting is a greater evil than the taking of drugs.

Hon. C. G. Latham: And probably we shall be legalising the taking of drugs next.

Mr. MANN: What I want to know is why the Bill has been introduced, since we have the power to suppress this form of gambling? Therefore, why not carry out the laws that exist to-day? The Criminal Code covers the position. What I would do would be to give a man who conducts a starting-price shop three years for a while.

The Minister for Mines: Three years for a while or do you mean three years for a year?

Mr. MANN: This is no time for levity. The subject is more serious than any we have discussed for some time past. In years gone by youths indulged in healthy sport; to-day they neglect that and support the curse we are discussing. The Premier, by way of interjection when the Leader of the Opposition was speaking, told us that there was practically no power to control the evil.

The Premier: I did not say that.

Mr. MANN: There is something radically wrong in the position if a Government cannot control the evil without the aid of the Bill now before us.

The Premier: I said we had fined the starting-price bookmakers thousands of pounds without having been able to curb the evil.

Mr. MANN: If competent people were appointed to control it, it could soon be cleaned up. If the Commissioner of Police liked to carry out his duties properly, he could end this business. Why does he not do so?



Hon. C. G. Latham: Because he has not the backing of the Government.

Mr. MANN: There is something radically wrong. This sort of thing has been going on, and the offence has been condoned by the Government. Where does the Commissioner of Police stand? Our police force is an excellent body of men, whom we can admire, but it is time that some investigation was made regarding the administration of the law with regard to this offence. There is something radically wrong that needs to be cleared up.

The Premier: Read what illegal betting has done to the police in the other States.

Mr. MANN: The present system of law evasion provides every inducement for the corruption of the police force; let us make no mistake about that. We have an excellent body of men as police officers, and I would be sorry to see them corrupted. There is something radically wrong with the administration, and the sooner an investigation is made, the better it will be. Why is it that each offender knows when he is going to be charged with illegal betting? The list of those to be arrested is made up each day.

Mr. Stubbs: Is that true?

Mr. MANN: That is definitely true. The bookmakers know when they are to be raided. The list is marked off.

The Minister for Mines: Where did you get that information?

Mr. MANN: It is perfectly true, and members of the Cabinet know it is true.

The Minister for Mines: Cabinet does not know anything of the sort.

Mr. MANN: Members of the Cabinet know it is true.

The Minister for Mines: I desire that remark to be withdrawn. As a member of the Cabinet I want to state that I do not know anything of the sort, and I ask for a withdrawal of the remark.

Mr. SPEAKER: There is no point of order.

The Minister for Mines: Is the hon. member permitted to say that I know that what he says is true?

Hon. C. G. Latham: He did not say you.

The Minister for Mines: He said members of the Cabinet.

Mr. SPEAKER: Order!

Mr. Thorn: Sit down!

The Minister for Mines: I will sit down when I like. You are not the Speaker.

Mr. SPEAKER: There was nothing objectionable in the remarks of the hon. member.

The Minister for Mines: I say that they were objectionable to me. I object to the statement—

Mr. Thorn: Sit down.

The Minister for Mines: I object to the statement made, and ask for a withdrawal.

Mr. SPEAKER: The Minister claims that the words used by the member for Beverley were objectionable. I therefore ask for a withdrawal.

Mr. MANN: I withdraw. I am sorry if I offended. I had no intention of hurting the feelings of the Minister for Mines. He is rather hasty. However, what I mentioned is general knowledge, though the Minister may not know it. I suggest that 90 per cent. of the members of this Chamber are aware of it. I wish now to refer to a speech made by the member for Canning (Mr. Cross) when speaking on a motion for the disallowance of the regulations made under the Native Administration Act. The hon. member said that the Government should give effect to the wishes of the churches. Irrespective of denomination, the churches are bitterly opposed to this Bill. I wonder what the hon. member's attitude will be. If he considers that the wishes of the churches should be given effect to, he can hardly support this measure. This is the first time for many years that there has been a move by a body of people that has the spiritual welfare of the State at heart to organise for the defeat of a measure of this description. That fact, the presence of so many people in the galleries to-night, and the remarks that have appeared in the Press from day to day, are all evidence of the bitter opposition to the Bill. Why, in the name of God, it has been brought down at this hour to condone something that will be a curse is beyond my imagination. I cannot understand the action of the Government. Have the starting-price bookmakers the welfare of the people as a whole at heart? The Citizens' Rights League is an organisation that has appealed to members of Parliament to support the Bill. I have been told that if I do not support the Bill there will be an attempt to secure my defeat at the next elections. Rather than sit in Parliament and support a Bill of this description I would go back to the obscurity of my farm. It is wrong that we should

be told by an organisation of that kind what we are to do. The time is not far distant when people will decide that Parliament shall no longer exist. For a long time majority rule has been the custom, but that seems very definitely to have ended, and we are being instructed by a small minority to give effect to a Bill to legalise something of a most damnable character. That is a pitiable state of affairs. If members are going to be forced into supporting the measure for the reason I have stated, it will be a greater blot than ever on this House. I felt that I could not cast a silent vote on the measure. I have children of my own, as other members have, and I do not wish them to develop into gamblers. The Minister for Mines knows what happened in the trenches, where there were two-up schools and other forms of gambling.

The Minister for Mines: Not in our battalion.

Mr. MANN: Perhaps that applied only to the gentlemen of the Light Horse.

Mr. Patrick: Do you want that withdrawn, too?

Mr. MANN: The Minister for Mines realises that the two-up school is a superior form of gambling to this, yet if the House had a game of two-up to-night, what would happen? All the members would be arrested for gambling. That is what would happen. Yet we are asked to support a measure of this kind. God help the people of this State if the Bill becomes law! The measure is a non-party one, and I hope that commonsense will prevail. I trust that members will realise their responsibility to their children, to the organisations opposing this Bill, and to the future generation, and that they will vote against the Bill. As the member for Boulder said, when speaking on the Lotteries Bill, once this measure goes on the statute-book it will never be removed.

Hon. P. D. Ferguson: He is always consistent.

Mr. MANN: He is. If the Bill does become law, God help the State in years to come. I hope, however, that members will oppose it. Unfortunately, if the Bill is passed by a majority of one, that is all that will be necessary, and Parliament as a whole will be regarded as having given assent to the measure. Yet I suppose that if the Premier took a vote from the people

of Western Australia to-morrow, not 20 per cent. would be in favour of the Bill.

Mr. Patrick: We need a referendum.

Mr. MANN: Yes, why not have a referendum? If we did, not 20 per cent. would favour the Bill. Why was it brought down? If the Premier will withdraw it and introduce a measure to amend the Criminal Code to provide a period of imprisonment of two or three years without the option of a fine, and the further penalty of confiscation of property, we will support it. If that were done, this iniquitous form of vice which is worse than drink or drugs, would be ended in no time. I appeal to the House to vote against the measure, which I hope will be defeated so that we can feel that we have done a just, fair and honest thing, without fear or favour, and for the welfare of the State.

**MR. RAPHAEL** (Victoria Park) [8.25]: After listening to the remarks of the Leader of the Opposition and the member for Beverley, one can only feel that this incubus on the population of Western Australia is something that is going to lead the State into inevitable anarchy and revolution. The position appears to me to be similar to that summed up in the argument on trolley buses versus omnibuses. The comparison might be a poor one, but the position is just the same. I do not want to make any derogatory remarks about the churches, but I do wish to say that vested interests of the racecourses and the Trotting Association have been using every endeavour to influence members of this House to vote in a certain direction just as starting-price bookmakers and the churches have been attempting to persuade us to vote in another direction.

Hon. C. G. Latham: In one case the advocacy is personal and in the other it is not. The churches have the public interest at heart.

Mr. RAPHAEL: I am acquainted with the members of the ministers' fraternal in my district and they are men for whom I have the greatest respect. They submitted to me a request concerning this Bill. In my opinion the measure does not go half far enough. I listened for a period of hours to discover whether the member for Beverley and the Leader of the Opposition were prepared to enlighten the House not only as to the position of the starting-price book-

makers, but as to the corruption and graft that is taking place on our racecourses and trotting grounds to-day. The most rotten form of corruption in existence to-day in Western Australia is taking place on the Trotting Association grounds every Saturday night that a trotting meeting is held there.

Mr. Mann: You frequent the grounds, do you?

Mr. RAPHAEL: Not very much, but I do go occasionally and I take notice of the amounts that the Trotting Association obtains from the investors at the totalisator each night. On one occasion I took the trouble to observe the amounts of fractions on six races. I discovered that the Trotting Association filched from the investors no less than £220. If we are to give protection to the horse breeding industry, to Mr. John Wren and to the Turf Club of this State, then they should put their own house in order first. Mr. Stratton and many other members of the Trotting Association committee are owners of horses. The member for Beverley by interjection asked me if I attended the Trotting Grounds. I have not frequently done so because I am not prepared to be robbed more than once in three months at the present juncture. When I was younger and sillier I went there more often. In those days I was prepared to try to combat the wiles of the bookmaker in the calling of the odds, but it was a very sad experience for me. I lost many hundreds of pounds, perhaps thousands of pounds, in the course of my betting career. In the goodness of my heart I gave credit to owners of horses who said that one had only to pick out a horse that had shown particularly good form on the training track to have one that would stand an excellent chance of winning. However, I discovered that many members of the association had two horses in one race, and that the horse that had not shown such form during the week and started at ten to one was the horse that usually was first past the post. I claim that the gentlemen representing the religious bodies and the ladies representing various societies imagine in their hearts that they are doing the right thing by opposing the Bill. I acknowledge that they believe they are doing so in all justice to themselves and to the State and its citizens. But there should be a cleaning-up of the racecourses on behalf of which we are

asked to protect the breeding industry and men who have so much money invested in horses and in the different propositions associated with racing. I desire to quote the case of a horse owned by Mr. Stratton, the president of the Trotting Association. I have taken the trouble to make a search concerning the methods adopted by Mr. Stratton to protect his interests against men who, being in poorer circumstances, are unable to meet their liabilities, with the result that their property may be seized for the purpose of paying the feed bills of their horses. Mr. Stratton is, I believe, the biggest owner of trotting horses in Western Australia. Undoubtedly he has made a fortune out of trotting. A few short weeks ago he went to the Eastern States, as he is always doing.

Mr. Sampson: On a point of order, Mr. Speaker. I do not think the Bill should be made an opportunity to defame a citizen.

Mr. SPEAKER: I was waiting for the hon. member to connect his remarks with the Bill under discussion. I suggest that it would be better for the hon. member to get closer to the Bill.

Mr. RAPHAEL: While agreeing with your ruling, Sir, I still claim that I have a right to make these remarks in association with a Bill having purely and simply to do with bookmakers, who operate entirely on horse races. I maintain the public is entitled to protection against officials who are running horses on the trotting courses. I claim I have a perfect right to expose what, in my opinion, is graft going on in the racing game.

Mr. Withers: The Bill will prevent that, of course.

Mr. RAPHAEL: I am not too much in love with the Bill. I would prefer to see it go overboard. However, something must be done. When the member for Swan, in his usual stupid manner, raised a point of order, I was dealing with the case of a horse which I watched, and which I was told was owned by the president of the Trotting Association. I shall give the name of the horse.

Mr. Sampson interjected.

Mr. RAPHAEL: The hon. member is only a goat.

Hon. C. G. Latham: The member for Victoria Park has no right to call members of this Chamber goats.

Mr. RAPHAEL: I apologise to the goats.

Mr. Sampson: I do not mind at all.

Mr. SPEAKER: Order! Interjections are disorderly, and one interjection brings forth

another. The member for Victoria Park may proceed with his speech, and the member for Swan must not interject.

Mr. RAPHAEL: I watched this particular horse racing on two nights when it ran practically last and when bookmakers quoted it at long odds. Next time I saw the horse run, it was well backed on the tote and with the bookmakers; and strange to say it won. My search for particulars lasted only a short time. I did not go through too many books. However, during the short period of my investigation I discovered that the president of the Trotting Association owned four horses within a very short time. If a man devoted a full day to a search, probably he would find that the president of the Trotting Association owned forty horses. The position with regard to Eastern States enactments, especially that of Queensland, is as stated by the Leader of the Opposition. I have here a communication which I intend to read to the House. It is from a non-interested party, a solicitor in Queensland. I shall read the letter because during the Address-in-reply debate I spoke on the betting question and made certain allegations. I do not know the writer of the letter, and he does not know me very well.

Hon. C. G. Latham: He would not write to you if he did.

Mr. RAPHAEL: I will let that one go. The letter is dated Brisbane, the 27th August, 1938. The writer addresses me as "Dear Mr. Scapel." As I say, he does not know me very well. These are the particulars he writes—

Brisbane, August 27, 1938.

Dear Mr. Scapel,—

I am not sure that this is the correct way of spelling your name, but I observed in a report of a debate taking place in your Assembly that your statement that s.p. betting was still in existence in Queensland was challenged by another member. This letter is to inform you that your statement is quite correct.

Let me state here I am a Labour supporter and have been all my life; secondly, I want to make it clear that I have never met you nor have I ever been in Western Australia. A further object of this letter is to enable you to arrive at an intelligent conclusion in framing your Bill, and to offer you some authentic information regarding s.p. betting in Queensland. My position in life is such that I have no axe to grind, but I do understand the position here in Queensland, and whilst I know that the authorities have to keep a straight

front, they nevertheless realise the position and exercise the necessary discretion.

S.p. betting was in operation here until the passing of the 1936 Act, but prior to the Act being passed, we had a Commission to inquire into betting. The Commission brought in a majority report, to prohibit s.p. betting but a minority report was furnished by the present Commissioner of Police, who was a member of the Commission, in favour of legalising s.p. betting. He contended that it would be easier to control the betting and would also provide a very necessary source of revenue. These recommendations were in the opinion of all fair-minded people right, but they were passed aside. The "powers" behind the racing racket here then approached the Government (here) and obtained the present Racing Act; but the price allegedly was £30,000 to the party funds. When the Act was passed, the police declared war on all s.p. betting, and have succeeded in eliminating s.p. betting from the surface, by fining and even gaoling little men outside the "ring," but one can still ring up and book a bet—I do it regularly, but one must be known to the bookmaker. This applies in the suburbs and country centres, and it is fairly open in the country, but in the city there is a monopoly and the agents must belong to the "ring" to secure immunity. You must also know the "pass-word" and give your registered number to get on.

A syndicate also operates what is known as the South Coast Press Agency and operates from Brisbane. This syndicate disseminates racing information throughout Queensland and the north coast of New South Wales, on a subscription of £4 per meeting. The information includes starters, barrier positions, jockies, dividends, etc. The syndicate has a turnover of over £20,000 per year; so you can get an idea of their activities. True, they have been proceeded against and fined £20 (!); but that has been once in three years!

The Racing Bill was obviously brought in to help John Wren to get his money out of the Brisbane Amateur Club, to which he sold his interests for £250,000 and receives the instalments of £20,000 per year. Wren also holds Doomben, which he rents to the B.T.C. Prior to the Racing Bill the club had a profit of £11,000, but this year its gross profit was £40,000. Wren has been paid his £20,000. This indicates the "racket" that is dominating the racing here, and why the s.p. betting is connived at in the country and driven underground in the city, for a few to wax fat on.

Racing, or rather s.p. betting, is a matter to be determined by local circumstances, and my personal opinion, formed after intense study of the people who seek diversion at it, is to legalise the s.p. shops and at clubs, keep a rigid control over them and they will police themselves, destroying the glib but unimpressive argument that children will get the craze for it; and with the imposition of a 1d. tax on each bet made by the bookmakers, Consolidated Revenue would secure an income that

could be useful to the State and relieve other taxation. To prevent s.p. betting is to divide a right that exists for all members of the community; and it allows racing clubs to wax fat at the expense of the people, without contributing anything for the right.

I trust you will pardon my "butting" in, but I felt a little information would be useful to you, particularly as it exists.

I am a lawyer and for obvious reasons, do not want you to publish my name or yet disclose it, but you may make any use of the information contained herein. If you care to acknowledge this letter in confidence, do so.

Hon. P. Collier: The letter should be laid on the Table.

Mr. Marshall: The letter shows the huge success of Queensland's restrictive laws!

Mr. RAPHAEL: There we have information from a member of the legal profession in Queensland concerning the "control" existing there, as claimed by the Queensland authorities. That State's Act is being held up as an example of what can be done in Western Australia, as a reason why a similar measure should be passed by this Parliament. The Leader of the Opposition castigated the Government in no uncertain tones, claiming that the rights of the people should be considered. Instead of administering castigation to Ministers for what they have brought forward, great credit should be given to them. The Ministry has had the backbone to attempt in some way to gain control of the gambling vice undoubtedly existing in Western Australia to-day. Gambling will never be stamped out. The position has gone from bad to worse. The persons most to blame for the public outcry against starting-price betting shops are the starting-price bookmakers themselves. During the past few years the number of the shops has been growing, and now something will have to be done. The Leader of the Opposition claims that he is democratic, and he also claims, as did the member for Beverley, that only those persons that can afford to bet should be permitted to bet. If a man has a few shillings to spend on a Saturday afternoon he should be allowed to spend it as he desires. The Bill will permit him to do that. Why should we compel people to go to a racecourse where fares and entrance fees and other charges have to be incurred before it is possible even to make a wager?

Mr. Patrick: Charges for admission are not made at all the racecourses.

Mr. RAPHAEL: Paddy Connolly is the only one who at his Helena Vale course has on occasions thrown a part of it open to the people. He is the biggest controlling force there, and we know him also as a breeder and owner of racehorses. His object in admitting the public to one part of the course free of charge was to induce the public to go there to bet instead of making their wagers in town. We are told that it is a vice if the people make their bets in a shop. Why is it a greater vice for a man to bet in a shop or even in the streets of Victoria Park or Subiaco than it is for him to bet at Paddy Connolly's racecourse? If betting is a vice in one place it must be a vice anywhere else. The Leader of the Opposition did not tell us anything about the bank clerk, who, in Queensland, not so many months ago, embezzled £64,000 and lost it all on the races. Yet he has the audacity to quote Queensland as a State the legislation of which should be accepted by Western Australia.

Hon. C. G. Latham: I did nothing of the kind. I said there was less gambling there than in South Australia.

Mr. RAPHAEL: Well, the hon. member implied it. Generally speaking I do not believe in monopolies, but I believe that with the creation of a board to control starting-price betting in this State the Government will take a big step forward in the control of starting-price betting. In season and out of season in this House I have decried the conditions as they exist in the betting shops in my district. I make no apology for what goes on there, but I claim it is a disgrace that we should see women with perambulators on the footways outside the shops and that pedestrians should have to walk out on to the roadway to pass by. I intend to support the Bill, not because I am in love with it, but because I believe that given proper facilities those people who desire to bet should be able to do so under legal control. Before a license is issued the authorities will see to it that proper accommodation is afforded to those who wish to indulge in starting-price gambling. The Saturday afternoon spectacle of women with their perambulators betting in Victoria Park, or for that matter in other suburbs, should not be permitted to continue. The suburb I represent is industrial and many of my constituents like to have their Saturday

afternoon gamble. I am not saying that I agree to the proposal that the betting shops should close at 1 o'clock. There are also many other features of the measure with which I am not in accord. For that reason I have placed a number of amendments on the notice paper, and should the Bill survive the second reading, I shall do my utmost to improve it in the direction my amendments indicate. The Bill should be passed, and we should not do as the member for Beverley suggests, hide our heads beneath the sand as the ostrich does. The hon. member believes that nothing at all should be done, but if the condition under which betting is permitted to go on to-day is allowed to continue, we shall be making a serious mistake. The Leader of the Opposition referred to the great clean-up during the regime of the Government of which he was a Minister. For a period of 15 months the police did make an attempt to clean up the position. It is perhaps advisable to mention that the present Commissioner was not then head of the police force. I know that on one occasion the police visited Victoria Park.

Hon. C. G. Latham: And I think you were amongst those charged.

Mr. RAPHAEL: That is not true; I was never in a starting-price shop. What really did happen was that a policeman tried to get into an argument with one of my constituents who was rendered unconscious, and because of that I had to step in. Probably the Leader of the Opposition would not have done that. As I was saying, over a period of 15 months a great effort was made by the National-Country Party Government to stamp out the evil, and on several occasions the police were told to confiscate all the money that was in the shops.

Hon. C. G. Latham: The law sets out that that shall be done.

Mr. RAPHAEL: On one occasion 14 men from one shop were taken to the Central Police Station and charged on the following Monday. It is usual to find in the betting shops between 50 and 100 men, but on every other occasion never more than one or two were taken by the police. Probably they were told by the Minister in charge to bring in only exhibit one and exhibit two. Eventually, however, a big raid was carried out by the police, and 45 men were arrested. That was in December, 1932, and in January, 1933, the men were charged by the

police, but the case was dismissed by the magistrate.

Hon. C. G. Latham: You are only repeating what I told the House.

Mr. RAPHAEL: I did not hear the hon. member say anything about this. Perhaps he said it while I was out for a few moments.

Hon. C. G. Latham: Yes, you went out for a drink.

Mr. RAPHAEL: It is not my habit to go out for drinks.

Hon. C. G. Latham: It is a better habit than indulging in starting-price betting.

Mr. RAPHAEL: An election was approaching early in 1933, and the Government found that it was walking over quicksands just about that time. Anyway, it was strange that from then on no more men were arrested in betting shops.

Hon. C. G. Latham: I say definitely that statement is not correct.

Mr. RAPHAEL: I say definitely it is correct. The statement came from the Minister for Police that there were to be no more men arrested. The great reformer who was responsible for that order was a member of the then Government, a Government that was prepared to allow the evil to exist so long as it did not interfere with the approaching election campaign.

Mr. Patrick: That was why, I suppose, the Government brought down the Lotteries Bill?

Mr. RAPHAEL: As I have already said, I am not too keen on the Bill before us. It had been my intention to move to refer it to a select committee, but I realise that there would not be any time to take evidence and prepare to report before the close of the session. Therefore I support the second reading and if the Bill reaches the Committee stage then I shall move the amendments appearing in my name on the notice paper.

Hon. C. G. Latham: On a point of explanation, the member for Victoria Park stated that in January, 1933, the Government had issued instructions that no further action was to be taken regarding starting-price shops and that no one was to be arrested. What I wish to explain is that the question raised at that time was whether the men should not be proceeded against by summons instead of being subjected to arrest and holding them in the lock-up until they were able to secure bail.

Mr. Raphael: None of them was proceeded against by summons.

**MR. MARSHALL** (Murchison) [8.57]: I have no wish to cast a silent vote on such an important subject. I have given quite a lot of study to this question although I am not a bettor myself. I have, however, read up authorities on the question and they agree as I do, that in the main, betting, provided it is not abused, cannot in any sense be regarded as immoral. In other words, people should not bet to excess, that is to say, beyond their means, and thus it will not be possible to argue that betting becomes immoral. Members will agree with that. We have no right to say that people are immoral because they indulge in forms of pleasure that suit their particular taste and from which they perhaps get relaxation or recreation. A large section of the community views with a great deal of horror betting on racecourses. If they gave some consideration to the proposal, their criticism might be of some value. I ask the Leader of the Opposition, who finds nothing immoral in betting on a racecourse but finds everything immoral when it is done elsewhere, to quote one law that has been successful in eradicating this alleged evil. Can any member of the Chamber quote such a law?

Hon. P. D. Ferguson: We do not have to condone the evil because of that.

Mr. MARSHALL: We are not condoning it.

Hon. P. D. Ferguson: But you are perpetuating this one.

Mr. MARSHALL: I do not think any member or any person outside the House could say to me, "Here is a law. Put it on your statute-book. It is capable of enforcement, and all the alleged evils we see in betting will be brought to an end." Where is the country that has succeeded in stamping out this alleged evil?

Mr. Patrick: Can you quote a law that will stop any evil?

Mr. MARSHALL: That is the whole point. Where is such a law? The member for Subiaco (Mrs. Cardell-Oliver) a few evenings ago said "Close the betting shops." That is quite simple and easy. We could readily close all the recognised betting shops, but what would happen if we did? What has been the experience of other States and countries where that has been

attempted? Countries older than ours have for years been endeavouring to prevent the growth of betting and its allied evils, and have not yet succeeded in doing so. I am told by the member for Subiaco, and those who think with her, that if we close the shops our troubles will cease. What has been the experience of other States in Australia? Is that not when their troubles have started? I have here the reports of select committees and Royal Commissions that have operated for a century in England. I have the report of an investigation in South Australia into the alleged corruption of the police and the prevalence of betting. I have also before me the report that was incorrectly quoted by the Leader of the Opposition. Had he quoted that document correctly in support for his contention, he would have found that the report was hostile to him. I have given a great deal of consideration to this subject, not because I believe in betting, for I have never made a bet. If every racehorse in the State were put into a "King-of-the-road" sulky and used for pleasure, I would be a happy man.

Mr. Rodoreda: That is where some of them ought to be.

Mr. MARSHALL: They are not qualified to be anywhere else, except perhaps in a delivery van. For all the speed some of them possess, that would be their rightful position.

Mr. Styants: Did you not win the last sweep on the Melbourne Cup?

Mr. MARSHALL: Why should the hon. member bring that up? Anyone listening to the Leader of the Opposition would come to the conclusion that Western Australia was embarking upon a proposal unknown in any other land. One would think we were introducing new legislation, were going to do something that had not been tried in any other country, and that thereby we were going to breed a community of immoral people. That was the argument used when the lotteries legislation was dealt with, and is the immoral aspect about which numbers of people are so conscientious. Are the residents of South Australia any more immoral to-day than they were in 1932?

Mrs. Cardell-Oliver: Yes.

Mr. MARSHALL: Then all I can say is, "There are none so blind as those that will not see." The hon. member adopted the same attitude with respect to the lotteries.

legislation. I put this to her: Tasmania has had a lottery for as long as I can remember. Are the people of that State any more immoral than are those in a State which does not permit of lotteries being held? By her reply the people of Tasmania will know her opinion of them.

Mrs. Cardell-Oliver: The answer is "Yes."

Mr. MARSHALL: The whole community of Tasmania, because its views differ from those of the hon. member, is immoral. I suggest that the hon. member should go a step further. If any individual or any individual country disagrees with her standard of morals they must be immoral. That is her attitude.

Mrs. Cardell-Oliver: You do not know my standard.

Mr. MARSHALL: I do not wish to. I have grown up without understanding the morals of anyone, and I can finish my career in ignorance on that point.

Mr. Thorn: If you did know them you could not live up to them, so why worry!

Mr. MARSHALL: The hon. member ought to be an authority on that question. It is remarkable that when Bills dealing with betting, or the liquor laws, come up for discussion we invariably find a representative section of the community filling the gallery. I never find them here when we are doing our best to raise the standard of living for the unfortunate members of the community. People are not interested in that. May I ask the Leader of the Opposition, who put up a great plea on behalf of the working community, what his attitude has been on every piece of industrial legislation that has come into this Chamber.

Hon. C. G. Latham: I did not assist in putting people into gaol because they told an untruth in order to get work.

Mr. MARSHALL: I am talking about industrial legislation, and comparing the attitude of the Leader of the Opposition on industrial legislation, that has to do with the betterment of the conditions of unfortunate members of the community, with his attitude on legislation of the kind now before us.

Hon. C. G. Latham: I have always helped them.

Mr. MARSHALL: The hon. member has given wonderful help! His advocacy on industrial matters reminds me of cemetery worms advocating cremation.

Hon. C. G. Latham: You would not agree to the Federal basic wage a little while ago.

Mr. MARSHALL: If people wish to be sincere in their desire to uplift their fellows, I hope they will be consistent. The Leader of the Opposition took certain people bitterly to task. I think he included every individual bookmaker and bettor when he suggested they were nothing less than a pack of criminals. He implied that and reiterated the statement. He said they were robbers and garotters and equal to criminals. To whom was he referring?

Hon. C. G. Latham: I did not say anything about their being robbers.

Mr. MARSHALL: The hon. member reiterated the statement. Had I been the Speaker, I would have been inclined to ask him to sit down because of his tedious repetition. Not one bookmaker established in Western Australia is doing this work of his own free will.

Hon. C. G. Latham: Who is forcing him to do it?

Mr. MARSHALL: The demand is there for him to do it.

Hon. C. G. Latham: It is very lucrative work.

Mr. MARSHALL: They can only do it while people are foolish enough to patronise them.

Hon. C. G. Latham: I do not know whether you are trying to assist them, but I am not.

Mr. MARSHALL: I do not know whom the hon. member is trying to assist. If his speech goes for anything, he does not himself know what he is attempting to do. At least 75 or 80 per cent. of the people of the State are punters.

Mr. Thorn: They are not.

Mr. MARSHALL: More than half the people indulge in betting. They may not do so frequently, but nevertheless they bet. The Leader of the Opposition referred to them as "nit-wits"—men of small minds.

Hon. C. G. Latham: I did not use the expression "nit-wit."

Mr. MARSHALL: I know what the hon. member said because I took a note of it. He said they were weak-minded. Does he say that either Mr. Lee Steere or Mr. P. A. Connolly is weak-minded?

Hon. C. G. Latham: I might do so.

Mr. MARSHALL: Or that Dr. Robert Mitchell is weak-minded?



Hon. C. G. Latham: I do not know.

Mr. MARSHALL: Does he say that respectable commercial people in the city are weak-minded if they bet on a race-course?

Hon. C. G. Latham: If they bet, they are.

Mr. Thorn: How do you know they bet?

Mr. MARSHALL: I do know.

Mr. Thorn: But you never go to a race-course.

Mr. MARSHALL: I do not have to go to a racecourse to know that. Along the Terrace on Monday morning one can hear people talk about their bad luck on Saturday. One man says, "My horse was just beaten by a nose and I had 50 to one about it." From conversations I have heard I know that very few people refrain from betting at certain periods of the year, though they may not bet constantly. I take exception to the statement of the Leader of the Opposition that they are men of weak mentality.

Hon. C. G. Latham: I am glad to hear you defending Mr. Lee Steere and those associated with him.

Mr. MARSHALL: I will defend them against the accusation that they are weak-minded. I would call them shrewd gentlemen.

Hon. C. G. Latham: I suppose they win every time!

Mr. MARSHALL: They are ahead of some of us. At least it will be conceded that they usually ride around in beautiful motor cars, driven by chauffeurs, and live in mansions with every comfort.

Hon. C. G. Latham: Do you think they get all that out of racing?

Mr. Withers: Racing is only a sideline with them.

Mr. MARSHALL: Take the position of Mr. Lee Steere, who had a horse called "Eurythmic." Will any hon. member suggest that Mr. Lee Steere kept that horse merely because of sporting instincts, and made nothing out of the animal's prowess on the track?

Mr. Withers: Or that the horse won only one stake?

Mr. MARSHALL: Of course, he won plenty of stakes for Mr. Lee Steere. I could mention other horses that have provided their owners with fortunes, and good luck to them for their success! On the other hand, when I hear such men described as mentally weak, I can only regard such an argument as extremely poor. I do not wish to prolong

the debate, for members understand my attitude regarding betting. I wish to deal with one phase briefly in order that the member for Subiaco (Mrs. Cardell-Oliver) may have her memory refreshed upon the subject. I desire to give her, and those who think with her, some information regarding the position in other States prior to the legalising, or the control of betting. One gentleman refused to give evidence before the Royal Commission appointed to inquire into the prevalence of starting-price betting in South Australia in 1933. On page 4 of the Royal Commission's report, under the heading of "The Evil of Betting," the following appears:—

When the Church of England was invited to give evidence, the Lord Bishop of Adelaide replied that he did not desire to do so, but in an address to the Rotary Club on the 9th March, 1933, on "The Ethics of Gambling," he expressed his views on this subject. After dealing with the moral, social and economic evils of gambling, he said that legislation directed to its total suppression would do more harm than good, because it would not have the bulk of public opinion behind it; that State control of betting did not go to the root of the evil, and that the most urgent need was the creation of a right public opinion.

That expresses my viewpoint fully, and in better language by far than I could use. Either with control or in the absence of control, the community cannot be made moral by legislation. On the other hand, we may be able to control and restrict evil tendencies. Quite true, as the Leader of the Opposition said, the South Australian Betting Control Board did to some extent assist illegal betting by providing premises with which to stem it. On the other hand, the Leader of the Opposition did not quote from the latest report of the most recent investigations in South Australia. What did the board recommend? The repeal of the betting control laws in South Australia? No. After having surveyed the laws operating in Tasmania, Queensland, and South Australia, and thoroughly investigated the position, the board did not recommend the repeal of those laws, but expressed itself as well satisfied. The board recognised that the evil, if one may describe it as such, could never be eradicated by legislation, and therefore the only course to adopt was to compromise and exercise control. The board recommended amendments to the South Australian law, but the objections raised by the Leader of the Opposition to the Bill now before Parliament represented the very lines

along which the board recommended amendments to the South Australian Act. The Leader of the Opposition quoted extracts from the report with which to bolster up his argument, but those extracts were merely from the summary of the report. On the other hand, the board's recommendations were directly hostile to the arguments the hon. member advanced.

The Bill embodies many of the recommendations of the South Australian Commission. On that ground alone I shall oppose the second reading of the Bill. What was the condition of affairs in South Australia? I went to that State to investigate the situation for myself. I ascertained that the law was drastic in its provisions prior to the legalisation of betting. Members of the Royal Commission informed me that at the outset they did not for one moment contemplate the legalising of starting-price betting, but in the course of their investigations they ascertained that the whole position was so immoral and degrading that the only course to pursue was that of compromise, and so they recommended legalising the business. There was no alternative. For the further enlightenment of the member for Subiaco, who wishes all the betting shops to be closed up, I would like to point out that even though Parliament should make the law as restrictive as anyone could wish, and enforced the provisions of that law as strictly as possible, the effect would be, as any impartial observer would note, that the shops would certainly vanish: but what would we have instead? Here is what was found in Adelaide according to the report of the Betting Control Board.

During the inquiry by the Royal Commission on betting, evidence was submitted by police officers regarding their respective districts as to the number of habitual bettors who were suspected of wagering with illegal bookmakers, the total being 54,036. The police officers' estimates also show that there were 643 bookmakers operating in 426 hotels, 69 billiard saloons, 59 hairdressers and tobacconist shops, 29 in private homes, 24 in streets, and 36 in other places.

The member for Subiaco said that she wanted to close up shops and I retorted that if we did so every shop would become a betting shop. That was the position in South Australia. I am told that in the 29 homes where telephones were installed and betting was carried on, little children were sent out of the homes and told to play

around in the front to watch for the police. That was how they were educating the children in Adelaide. If members wish to abolish the betting shops, they will substitute the sort of thing I have just related. The report went on to state—

These figures represent only the premises and places actually known to the police at which illegal betting was conducted. The estimate further points out that "nitkeepers" to the number of 590 were employed by illegal bookmakers. The board has these figures as a guide in respect of the requirements of betting premises, and as the duty was placed on its shoulders of making provision for these folks to do legally in registered premises that which they have previously done in the above-mentioned premises and places, it became a problem not materially differing from providing sufficient accommodation for persons in any lawful business. As to the provision made for betting legally, the board has registered 370 bookmakers and 60 agents—a total of 430 compared with 643 before the board's appointment. This shows a reduction of 33 per cent. In respect of premises, the figures are 244 registered as against 528 knowingly used illegally prior to the passing of the Act—a reduction of 53 per cent.

There were 590 known "nitkeepers." When I asked General Leane, who is the Commissioner of Police in South Australia, how many "nitkeepers" he employed to watch the bookmakers, he replied, "That is not for publication." The bookmakers employed half a regiment of pimps and "nitkeepers" to watch their interests, and the police did the same to safeguard the interests of the force. That was what followed upon the legalising of betting control. If I could believe that by shutting up the shops and applying the law strictly, be the Act ever so drastic, we could entirely eliminate the betting evil, as it is called, I would not hesitate to adopt that course. I fear, however, that what the member for Subiaco complains about and what others who agree with her are afraid of, would be aggravated instead of eradicated. Such a legislative attitude would drive the evil underground. I have with me a letter that I have previously read in this Chamber indicating that in Victoria there are no betting shops at all, but every shop is a betting shop, even the public offices. Correspondence I have shows that little boys are engaged as runners and travel round with the butcher and the baker and carry wagers from the bettors to the bookmakers. As Mr. Tunnecliffe and Mr. Kent Hughes said, although every effort had been made to enforce the laws, those laws had

been just as unsuccessful as had been the prohibition laws of America. As a matter of fact, anyone can place bets of from £1 to £1,000 in Melbourne. Instead of controlling the betting business, it has been driven underground there, and the point that I most strongly object to is that the children are employed as runners or are sent out to watch for the police. Those children know all the time what is going on inside their homes. The Leader of the Opposition said that the youth of the State, on seeing legalised betting shops, will be anxious to attain the age of 21 so that they shall have the right to bet. Even if that be so, then for God's sake let us protect them until they are 21, but we can never do that by a mere law. I disagree with the Bill and to that extent I agree with the Leader of the Opposition, for the Bill will do no good. Even if the betting shops are closed, illegal betting will still go on. We are in the unfortunate position of having allowed people to become accustomed to betting, and if the starting-price betting shops are shut up at 1 o'clock, bets will still be made. A bookmaker or someone willing to make a book if the demand is there will always be available. The Bill will fail dismally. It will not prevent youths from being accommodated respecting their desire to bet. At any rate, I shall vote against the Bill and take a chance.

Mr. Nulsen: What alternative do you suggest?

Mr. MARSHALL: I prefer to have the law as it is to-day, in the hope that it will be applied rigorously. That would be preferable to giving the business legal sanction and yet have illegal betting in our midst. I will not associate myself with the attempt to legalise it, for I know there will still be illegal betting. There is another unfair aspect, that of closing the shops at 1 o'clock. The doors will be shut to the people who cannot afford to attend a course and yet who wish to bet within their means. To the wealthy, the telephone is always available; most of the big punters, I am given to understand, make their bets over the telephone. I shall never agree to legislation designed specifically to benefit a particular section of the community. Members know the attitude I have adopted on the question of reservations. I do not stand for preference to any section of the community; everybody must obey the law. If

the Bill is passed and the betting shops close at 1 o'clock, I agree that betting over the telephone will be illegal. The Bill may go as far as that, although I cannot find such a provision in it. The telephone, however, can be used without the bettor being detected and therefore he will not be prosecuted. A person may wish to make a bet within his means and may not be able to go to a course; if he were caught making a bet near a shop, however, the wrath of the law would fall upon him. The Bill does appear to me to extend a privilege to one section of the community and so I cannot support it.

The Leader of the Opposition referred to a monopoly. He contended that if the Bill became law a monopoly would be created. I cannot see eye to eye with him in that contention. If the Bill becomes law, the proposed board will no doubt function with discretion and not show preference to any particular person. Applications will, no doubt, be made to the board, who will consider them. Unless we doubt the probity or honesty of the members of the board, we need fear no monopoly. After all, the Bill proposes that a yearly license shall be granted; and if the holder of the license commits a breach of the Act, or the regulations made under it, his license will be forfeited. He will have an annual right only and will not desire to endanger it. That is the salvation of the South Australian law. Commissioner Leane states that since the shops have been registered, policemen are not put to any great trouble in policing the Act, because immediately a person commences to carry on illegal betting, the person holding a license and paying the tax and license fee, notifies the police. He says, "That man is operating down there," and everything is then over. Illegal bookmakers cannot get a start, because the licensed bookmaker himself polices the Act. He believes he is right in doing so, and he is.

Hon. C. G. Latham: Does he become a common informer?

Mr. MARSHALL: That is what I am told. Commissioner Leane told me that he has now very little trouble in policing the Act. A very different position prevailed in South Australia, however, before betting was legalised. A member of the community caught in a betting shop was then thrown on to the footpath; one policeman sat on his head, another held his nose and opened his

mouth to get the betting tickets which the man was trying to swallow to hide his guilt. That was a deplorable state of affairs. At that time every policeman who had a new suit of clothes or was seen in a theatre was accused of accepting bribes from illegal bookmakers.

The Minister for Works: Yes.

Mr. MARSHALL: It was said, "He got that suit from so and so." A member of the force was ashamed to go out in new clothes or to attend a theatre because of the snarling allegations made against him. That is the state of affairs we must look forward to in Western Australia. I commend the Government on its courage in introducing the measure. At least the Government is making an attempt to grapple with the problem, and that is more than many previous Governments have attempted. Although the Government is deserving of this credit, I cannot support the Bill in its present form. I do not think it will succeed.

Why did the Minister take from the report of the South Australian Commissioners the formula for the distribution of the tax and insert it in this Bill, while leaving out the reservations and stipulations contained in the South Australian legislation? The method of distribution is to be based upon the amount of prize money paid during the year by the clubs, the present year's distribution to be based upon the amount of prize money paid during the preceding year. The report mentioned restricted the payment on the aggregate to £70,000 per year and no more; and that particular position was to remain in force for three years only. The clubs would then have to stand upon their own financial feet. The Minister, however, did not insert the restrictions to which I have referred. I can see the proprietary clubs in Western Australia getting quite a good haul.

Member: We can cut them out.

Mr. MARSHALL: I hope we do. Under the South Australian law to-day, the basis of distribution is entirely different. Why the Minister recommended this basis I am not prepared to say.

Mr. Patrick: Are there any proprietary courses in South Australia?

Mr. MARSHALL: I think so; the Onkapinga course is one, but it has only a yearly meeting.

Hon. C. G. Latham: I do not think there are any proprietary clubs.

Mr. MARSHALL: What is the Onkapinga course?

Hon. C. G. Latham: It is a club. The licensed victuallers have one.

Mr. MARSHALL: That makes the position worse for Western Australia.

Hon. C. G. Latham: It does.

Mr. MARSHALL: Tasmania has a different method of distribution. At present bookmakers in South Australia are taxed on all bets made on races conducted outside South Australia. The whole of that tax goes to the Treasurer, which is right, because no course in South Australia is put to any expense in conducting those meetings. Under this Bill people who bet here on Eastern States races will contribute some portion of their money to proprietary clubs which were not put to any expense whatever in promoting those races. People on the Murchison goldfields, notwithstanding that 75 per cent. of their bets are on Eastern States races, will contribute to proprietary courses. The whole of the tax paid by them will go into the pockets of John Wren, P. A. Connolly, and other proprietary owners. I take very strong exception to that. There should be no proprietary courses.

The Minister for Justice: Who is responsible for them?

Mr. MARSHALL: That does not matter. We cannot justify their existence. John Wren, P. A. Connolly and other individuals have no right to conduct a common gaming house, any more than have Ted Begley, Ted Fry and others. Privileges have been creeping in and preference has been shown. This should not be tolerated. The Commissioner of Police has arrested men in betting shops; he should arrest bookmakers on race-courses. The latter should not be exempted.

The Minister for Works: And the punters betting with them?

Mr. MARSHALL: I care not what is done to the punters; they have not been punished up to date. Bettors off the course, bettors on the course and bookmakers on the course have not been prosecuted. I do not think the Government or anybody else can justify that.

The Minister for Works: The punters have been touched up.

Mr. MARSHALL: Yes. There is another aspect of the matter. Members of the community and even members of Parliament will suggest that a person may go to a betting shop with 2s. 6d. or 5s. and leave the shop

with his pocket full of the bookmaker's money. I know from conversing with people who bet at the shops what they think about the matter. They tell me they get a thrill out of having a shilling on each way. They are interested, and whether they win or lose they go home well satisfied. They even go again on the following Saturday.

The Minister for Justice: Many bookmakers are working for someone else.

Mr. MARSHALL: I believe the Minister is right there.

The Minister for Justice: There is no doubt about that.

Mr. MARSHALL: I am not disparaging all bookmakers. If everybody invested as much money as I do in horse-racing, there would not be a bookmaker, a racecourse or a racehorse in Western Australia. I realise the bookmaker exists only because there is a demand for him.

Member: What is your failing?

Mr. MARSHALL: Give notice of that question. Another point of which I disapprove is this: The Minister, by way of interjection, said there would be discrimination in the tax on the turnover. I do not know what the tax will be. The Minister infers it is to be  $2\frac{1}{2}$  per cent. The rate suggested by the report of the Royal Commission in South Australia is 2 per cent., and a recommendation has been made that it be reduced to 1 per cent. I do not know whether the Minister intends to impose a tax of  $2\frac{1}{2}$  per cent. If so, why give preferential treatment to bookmakers operating on racecourses over bookmakers who will be legalised to bet on private property?

Mr. Patrick: Has the Minister done that?

Mr. MARSHALL: In answer to an interjection by me, the Minister said that bookmakers on racecourses would have to pay a heavy license fee.

Mr. Patrick: The fee for betting on racecourses amounts to hundreds of pounds a year; for betting off the course, the fee is £1 a year.

Mr. MARSHALL: I do not know what the fees are; but I know that the Minister will, under this measure, control the fees to be charged by racing clubs for the registration of bookmakers. He has a safeguard there. When we look at the position I am doubtful as to which man—the individual in the shop or the person on the racecourse—will get over the year's operations at the lower cost. I will assume that landlords

are none too generous. We know that that is so, for immediately they become aware that their premises are to be licensed, and that those premises will thus have legal sanction, the rents will be increased considerably. Even as it is now, I understand that rents of between £25 and £30 a week are paid for premises in the city in which starting-price betting is carried on. The man carrying on operations in a shop will pay more by way of rental than will the man on the racecourse who merely has to pay a license fee. I disapprove of that; there should not be discrimination.

Mr. Patrick: It would pay the starting-price man to become his own landlord.

Mr. MARSHALL: Yes, but there are not too many landlords who are prepared to sell if they know that their premises have been chosen as places for the carrying on of betting operations. Under the South Australian law there must be at least 100 regulations framed, and all for the purpose of restricting the bookmaker. A breach of any of them will render the bookmaker liable to lose his license.

The Minister for Justice: That contradicts what you said a while ago that bookmakers would be betting outside the hours stipulated.

Mr. MARSHALL: Shops here will be closed at 1 o'clock whereas in South Australia they remain open while the races are being conducted either in that State or elsewhere. The Minister is not well informed because the recommendations of the Commission have not yet been enforced in South Australia. An objectionable feature, and it is an omission, is that nothing is to be done to prevent anyone under the influence of liquor betting on licensed premises. A definite provision appears in the South Australian Act to deal with that matter. Neither is there anything in the Bill before us to provide for picnic race meetings or what are called sweepstake race meetings. These are occasionally conducted in the back-blocks, and if the Bill should go through as it is, those people who have been in the habit of conducting such meetings in the country will find that they would come within the provisions of the Act and be subject to all the restrictions imposed by the measure. I cannot support the Bill because it contains a lot that is entirely wrong and it omits many matters that should certainly be included. I am not prepared to let it go

to the Committee stage because I have fears of what might happen at that stage. But to prevent people from betting anywhere and at any time I will go any distance. If members think that it can be done by law, I ask them to look up records of investigations that have been carried out and they will find that wherever that has been attempted it has completely failed. The Commissioner of Police in South Australia told me that before betting was legalised in that State he did not think he was ever able to catch one bookmaker. It was always the agent that was caught and the agent was willing to go to gaol, and while he was in gaol he was always paid wages by the bookmaker. What is the use of pretending not to know what is going on and saying, "Close up the shops." That is only hypocrisy. It is far better to face the facts, but the Bill will not do what we expect it to do. So I propose to vote against the second reading.

We have seen articles in the newspapers inspired by certain wealthy men and we find "Brooklyn," whoever he is, telling us about the wonderful effect of the Queensland Act. We heard a letter read by the member for Victoria Park and it proved that "Brooklyn" has a very short memory and is not able to concentrate on his subject. While he was writing against the legalising of shops in Western Australia and the wonderful results that were being obtained in Queensland, we get this in his own column on the 2nd August, 1938. I will read it to show the inconsistency of "Brooklyn"—

In an endeavour to place the local money, even Brisbane, where starting-price betting has been so harassed that only a comparatively small underground market is available, was not overlooked and reports from there indicate that available sources were tapped.

In this way he lets us know that it is possible to have a bet anywhere in Queensland. All that has been done in that State is to drive the betting business underground. I suggest that juveniles are used there as they were used in South Australia before betting was legalised. We know, of course, that betting is more rampant in those countries where there is not legal control. I respect the opinions of the religious bodies and I believe that all connected with those organisations are sincere and conscientious. At the same time I assure them that from investigations I have made—and I have no

axe to grind—I have come to the conclusion that it is utterly impossible to make people moral by law. Therefore, the only course we can follow is to legalise the evil, but to legalise it in such a way as it will be fair and just.

**MR. WITHERS** (Bunbury) [9.52]: I have no wish to take up the time of the House, but neither do I desire to record a silent vote. Considerable reference has been made to the investigations of Royal Commissions elsewhere and therefore I have no intention of touching on the reports of those commissions, knowing also that before the debate is concluded there will be further references made to them. I appreciate the fact that the Government has gone to considerable trouble in framing the Bill in the hope of submitting something to Parliament that might meet with the approval of members generally, a Bill that would control off-the-course betting. Personally, I do not believe in legalising any one particular form of gambling. I am not a puritan myself, and I do not mind saying that if there is a person for whom I have a good deal of respect, it is the legitimate bookmaker, the man who plies his trade on the racecourse and by calling the odds is prepared to take a risk. When members speak of starting-price betting I admit that I do not know the first thing about it, though I do understand that starting-price should mean the payment of the full value of the totalisator dividends. The bookmaker on the course follows a calling in which he is prepared to run risks. He makes the odds, and the small punter on the racecourse watches where the money goes, and then proceeds to take a ticket on the totalisator. Thus it will be seen that the average small punter relies upon the racecourse bookmaker who has to create the odds. There has been a good deal of discussion about the moral aspect of the position, but really very little has been said about the Bill. I do not know why it should be necessary for those that are opposing it to evade the question that is before the House. This is one of the occasions on which I agree with the member for Guildford-Midland (Hon. W. D. Johnson) in objecting to the creating of a board. I do not mind saying that I am not always at one with the hon. member, because there are occasions when I do consider boards are necessary. In respect of

betting, however, a board, in my opinion, is not necessary, principally because I think the Bill itself is not necessary. If we had brought down a Bill to legalise betting on the racecourse, I do not know that I would have given even that my support. What has created the demand for off-the-course betting? Racing, of course. If there were no racing, there would be no off-the-course betting.

Mr. Sleeman: Then cut out racing.

Mr. WITHERS: Probably then bettors would find something else to gamble on. Part and parcel of the sport of racing is the bookmaker who follows his trade on the course. I remember when I was quite a wee lad we used to go to the races in a dray.

Mr. Fox: And walk home!

Mr. WITHERS: No, the dray would take us there and home again. The dray was always a sure means of our getting there and back. I remember being on the course long before I left school and I heard the bookmakers calling odds, and I never forgot the calling out of "Bar one" and "Bar a couple." The bookmakers made a special lot of them and I thought they were good horses. They called out "Even money on the field." I did not know where the even money was or where the field was; but two horses were mentioned all day long by the bookmakers at every race. I thought they must be good horses, but I was too weak to have a bet on them.

If there were no racecourses, there would be no bookmakers. With the sport goes the bookmaker. The system has largely dwindled to off-the-course betting. I would like to tell members what has happened to horse racing in the South-West. A good many years ago there were race meetings at Collie that attracted fairly large attendances from the surrounding districts and from the Collie township, but starting-price betting became so strong in Collie that the people were able to bet in the town and would not go to the racecourse. The result is that for the last three or four years there has been no racing in Collie, which has a population of 5,000 or 6,000 people. The community, of course, can still bet on the metropolitan or Eastern States races, but if the process is continued, we shall eliminate the sport that creates the opportunity for betting. There was also horse racing in Bridgetown. People attended the races there

before the days of motor cars. Races were held, too, at Nannup, Capel, Waterloo, Bunbury and other places. We still have races at Bunbury but racing has been eliminated at other places. That is what has happened to horse racing in the South-West because people can bet off the course.

The people that create the sport are entitled to some consideration. Personally, I can go to the racecourse and watch an event without having a bet, and I would not stay away from the course and have a bet elsewhere just for the sake of having the bet. I have never thought that I could beat the bookmaker. It has been suggested that a lot of other people do not think so either, but that they like to have a little flutter. If we want to retain this sport, off-the-course betting will have to stop. The names of Mr. Lee Steere and Mr. Connolly have been mentioned. They are men who have gone to considerable trouble and expense to import some of the best horses into Western Australia. Some of our horses have gone to the Eastern States where they have raced with credit. Surely people who have done so much for the sport are entitled to consideration. Someone spoke about South Australia having legalised bookmaking. A notice appeared in the Press the other day that the Attorney General of South Australia had suggested the introduction of a measure to abolish bookmakers. I understand that in New Zealand bookmakers are unknown. What do we find in New Zealand? The very best racehorses in the Southern Hemisphere come from New Zealand; not only gallopers but trotters also. Racing seems to flourish in New Zealand without bookmakers. New Zealand even sent a horse over that won the last Melbourne Cup. All the betting in New Zealand is done at the totalisator and the people are satisfied. They see the sport and are contented because they have no form of betting apart from the totalisator. They cannot bet off the course. If betting of one kind is to be legalised, and a man who does not bet at horse racing wants a little flutter at poker, or a game of two-up, those forms of gambling will also have to be legalised. One form of betting cannot be legalised without the others being legalised. That is the objection I have to the legalisation of any one type of betting.

When the member for Murchison introduced his Betting Control Bill last year I

was prepared to oppose it, as I am opposing this measure, but the member for Fremantle took us to task and read an address by the Minister for Police in South Australia. That lasted about an hour and a quarter and I was so disgusted that I gave in and left the Chamber. I have here a copy of the Bill introduced by the member for Murchison. One of the reasons he gave to-night for opposing the present measure was that he did not believe in the licensing of betting shops because it would tend to push them underground. However, Clause 3, of his Bill stated—

Notwithstanding any law to the contrary, it shall be lawful for persons to bet by way of wagering or gaming on horse-racing in accordance with this Act—

- (a) on any racecourse or trotting ground during the holding of a race-meeting for horses thereon; or
- (b) at or in premises registered under this Act.

Why is he not prepared to support the present measure? Both Bills are similar.

The Minister for Mines: Except for the 1 o'clock closing.

Mr. Sleeman: There is a lot of difference between the Bills. The member for Bunbury has not the commonsense to comprehend what is in them.

Mr. WITHERS: The Bill introduced by the hon. member would have driven these betting places underground in exactly the same way if it had become law. The Minister for Mines referred to the closing of shops by one o'clock. What is going to be the effect of that?

The Minister for Mines: I said that was the difference between the two measures.

Mr. WITHERS: What will be the effect? Betting will be restricted to an area outside a radius of 15 miles of the G.P.O. on race days. I take it that anyone outside that area could open a starting-price betting shop, and if by the passage of this Bill the shop was registered, he could operate throughout the State.

In introducing the measure, the Minister said that it seemed that race broadcasting was what the majority of the people required. I do not know whether that can be regarded as correct. I have yet to learn that the majority of people really do require broadcasting, and that they want shop betting. I dare say that if we were to go into every betting shop in the metropolitan area on an ordinary race day and take a census

of the people frequenting those shops, we would find that they comprised a very insignificant portion of the population. The majority of the people do not want these things. What happens at our premierships football matches?

Mr. Raphael: Do you think people do not bet on them?

Mr. WITHERS: I am not going to say people do not bet on them. What I say is that from 20,000 to 30,000 people attend a football match on a Saturday afternoon. Compare that number with the people that patronise starting-price bookmakers' shops. The Government need not pander to the section of the community that wants starting-price bookmaking. I do not say that it is pandering, but what is being done is this: For a long period of time people have flouted the law with impunity. Such flouting of the law has become the custom, and because of that we are asked to legalise the system. I do not stand for legalisation. I hope that the Bill will be defeated on the second reading. I trust we shall not be put to the trouble of considering the Bill in the Committee stage. I have read the list of amendments on the notice paper. If they were accepted, the Bill would become very small indeed, and would be limited to about one clause to legalise betting on racecourses. I do not want that to happen. I want the Bill to meet the fate it ought to meet. Another Bill should be introduced to control betting in another way.

I am one of those—and I believe they constitute the majority of the community—who believe that we will not stamp out betting, whatever laws we have, any more than we can stamp out other evils. Hanging has not been a deterrent to killing. If a person wants to murder someone, he does not think of the consequences. People who plan to rob a bank do not consider the consequences. They should know that possibly they may spend ten years in gaol, but they do not think of that. If people refrain from doing these things, it is not the thought of the penalty that stops them. Proper supervision could do much to obviate the evil. The member for Murchison has pointed out that the number of pimps, both on the side of the police and on the side of the bookmakers is known. There must be some sort of supervision or that information could not be obtained. Supervision is what is required. On Caulfield Cup day I remained in town,



intending to see the football premiership final. The member for Beverley asked me whether I had half an hour to spend, and upon my replying that I had, he asked me to go with him. We walked through three or four starting-price betting shops. They were foreign to me. The most I had seen of them was the blackboards which were visible from the street. We walked through those shops, and no one took any notice of us. There were people in the shops saying, "I'll have a bet on the Cup." I do not know why police could not go in and see what I saw and hear what I heard.

Mr. Hughes: The police are tied up.

Mr. WITHERS: I am not prepared to say that, but if policemen were stationed in these shops, not many punters would go into them to bet, and there would not be many prepared to call the odds. Nothing is disguised. The names of the jockeys and of the races are put on the blackboard for all to see. The Leader of the Opposition referred to tobacconists' shops being only a blind, but no attempt is made to camouflage the blackboards, which can be seen by people walking past in the street. This sort of thing has gone on with impunity, and now the men who conduct the business consider they have the right to ask the Government to give them power legally to continue their practices. I emphatically protest against the legalising of any gambling whatsoever. I am not likely to be influenced by the numerous letters received from various organisations at such a time as this. Had not this Bill been brought down by the Government, we would not have been inundated with communications from people either supporting or opposing the measure. A Bill relating to betting awakens the community and creates queer bedfellows, as can be seen in the galleries this evening. The member for Murchison (Mr. Marshall) is quite right. We go on year after year endeavouring to legislate to the best of our ability for the purpose of benefiting Western Australia, and Australia as a whole, and our galleries are empty night after night while important legislation is being considered. But whenever there is a tin-hare stunt or a betting Bill, we can be sure of an audience. If the people would only take the same interest in State affairs all the year round, they would have a better idea of what we do or do not do in this Chamber, and we might receive

more support from the general public than we receive to-day. Not one letter I have received from any organisation has had the slightest influence on my attitude to the Bill. I have an opinion of my own, and I have expressed it. This, I am glad to say, is not a party measure. Recently I was at a conference representative of 70,000 Australian workers, and during the week that the conference lasted no mention was made of either betting or starting-price bookmaking. These matters are not part of the Labour Party's policy. The measure has been brought down by the Government with the best intentions: but, I repeat, it is not a party measure. In our party we have the freedom that as regards any subject not appertaining to the party platform we are entitled to give effect to our own opinions. Had I been on the Opposition side to-night, I might have had something more to say: but it is hard to be against one's own people. Still, I wish my party to understand that I am not a supporter of legalised betting.

MR. DOUST (Nelson) [10.19]: When I first heard that the Government intended to bring down a Bill to legalise starting-price betting, I was heartily in accord with the proposal of Ministers. However, after seeing the Bill and noting two of its clauses, I am compelled to say that unless the Minister, in replying, gives an undertaking that those particular clauses will be altered in Committee, I shall vote against the second reading. Several speakers have said this evening that they have had very little to do with either betting or horseracing. I can make a similar claim. With the exception of having visited the Helena Vale racecourse twice during my stay in Blackboy Camp some 22 years ago, I have never been on a racecourse in the metropolitan area, nor have I ever made a bet with any bookmaker, either registered or unregistered. Personally I am totally opposed to gambling in any form. Whilst I have perhaps had a threepenny wager on a game of cards, I do not regard that as gambling in the accepted meaning of the term. We all know that life is a gamble, and that almost any occupation or work or business in which we engage is a gamble; but that is an entirely different thing from the specialised forms of gambling that are corrupting the people not only of Australia but of almost every country in the world. The gambling craze is doing great damage

wherever it exists. Unfortunately, we can say with truth that it is to be found in every part of the world to-day.

The two clauses of the Bill to which I take strong exception, and the fate of which will decide my vote for or against the Bill, are those differentiating as to the betting tax being applicable to course bookmakers and starting-price bookmakers. For the life of me I cannot see why special privileges should be given to bookmakers operating on racecourses, where gambling is just as illegal as anywhere else, and moreover just as damaging to the character of the people. If the Government is to make money out of gambling, bookmakers on the course should contribute their quota as well as those off the course.

Further, I take strong exception to the proposed distribution of the betting tax if it operates, as mentioned by the member for Murchison, so as to allow proprietary clubs a share of it. It is wrong that the people of Western Australia should be permitted to gamble, and be taxed for gambling, and that then the proceeds of the tax should be handed over to private persons. If betting on the racecourse is necessary for horse-racing, then I claim that horse-racing should be conducted for the good of the people of Australia instead of for the good of a few persons interested in proprietary clubs. Unless the Minister is prepared to give way on those two points, I am definitely opposed to the Bill. I realise that unless the Bill passes this House and another place, present conditions as to gambling will continue. I would like to ask people who so strongly oppose this legislation whether they are prepared to have such conditions maintained? They would be merely doing justice to themselves and those whom they represent if they took steps to try to reduce the evils we suffer under now. Gambling is ethically wrong, socially and morally wrong. It is opposed to all Christian tenets. Even from my limited observation and knowledge of humanity I feel certain that it is quite impossible to stop gambling by legislation. If it cannot be done through education and through our religious bodies, there is a poor chance indeed of stamping out the betting evil. Two religious denominations have written to me, and those are the only letters I have received on the subject. They ask me to oppose this measure and to demand a Bill that will stop gambling. Such advice

and such a demand show that their own religious teaching has proved a failure. They are asking Parliament to do by legislation something they are unable to effect by education. In that respect they are on a wrong track altogether.

It must be remembered also that if there is not gambling on the racecourse or in starting-price betting shops, gambling exists in other places. Four or five years ago one could see on any of the timber mills in the South-West some of the greatest two-up schools to be found in Western Australia.

Miss Holman: Not on the timber mills only.

Mr. DOUST: Perhaps not. However, they were certainly predominant in my electorate. I believe they were also to be found in the metropolitan area, and members representing the goldfields have informed me that two-up schools are quite common there. I have never made a bet or a toss in a two-up school, but I know that at the end of the week certain men had practically all the money of the others who played two-up. Men who can double up are bound to be the winners. At the end of the week all but a very few of the two-up players had no money to speak of. They might take home some money to their people, but it would not be much. Gambling at cards and drinking will certainly increase if betting is abolished, but it is better to go home sober without money than to go home in a drunken condition without money. I am also convinced that the great majority of the Australian people do desire that present conditions should not continue. The Bill will assist largely to stamp out many of the evils attendant upon the present form of starting-price bookmaking, and also perhaps attendant upon bookmaking on the racecourse. However, unless the Minister is prepared to agree to the amendments I have suggested, I shall find myself unable to support gambling even in its present form if everybody is not treated on the same basis. Why should a few privileged, silver-tailed people in the city and in its vicinity be permitted to go to racecourses and record bets there, while those who are far-removed from racecourses, some of them thousands of miles, have not the privilege of making a bet?

Mr. Withers: They can form a club in their own district.

Mr. DOUST: That would be still more disadvantageous. It would be still more morally wrong for country places to start racecourses and other resorts to do their own betting. Racing and betting are not to the advantage of the Australian people. If the Government would bring down a Bill to stop all betting of every kind, and even to wipe out the racecourses themselves, I would support it wholeheartedly. I feel strongly on this matter. I shall oppose the Bill if it is to be used for the protection of privileged persons. However, if the two amendments I have indicated are accepted by the Minister, I shall support the second reading. Otherwise, I repeat, I shall oppose it.

On motion by Mr. Hughes, debate adjourned.

#### **BILL—WORKERS' COMPENSATION ACT AMENDMENT.**

Returned from the Council with amendments.

#### **BILL—INCOME TAX ASSESSMENT ACT AMENDMENT (No. 2).**

##### *Second Reading.*

Debate resumed from the 17th November.

**HON. C. G. LATHAM** (York) [10.31]: The Bill seeks to establish a system of collecting income tax by instalments. The object underlying the proposal is to abolish the financial emergency tax and to provide for the collection of an equivalent amount under the income tax method, with its deductions. The financial emergency tax will be abolished in name only. I agree with the proposed principle of collecting the tax at the source. It will catch those taxpayers who would otherwise evade the law, and will afford relief to those who prefer to pay the tax by instalments rather than in a lump sum. Although it is proposed to abolish the financial emergency tax, in reality the same tax will be collected under another heading. Reference was made in the Lieut.-Governor's Speech at the opening of Parliament to the intention of the Government to introduce this legislation. The intention is to combine the two taxes—the income tax and the financial emergency tax. Thus the object of the Bill is to carry out that policy. The most remarkable thing,

however, is that the new law will not come into operation until after the general elections. I intend to oppose the bill, though not because I do not believe in the principle of collecting taxes at the source. Surely the Government must realise it is quite improper to set up the principle of a new form of taxation and instruct the incoming Government as to what it should do. There is a general election pending, and if this is to be the policy of Governments that are about to face the electors, it is a very unsound policy, and may have serious repercussions, not only on existing but on future Administrations. Suppose we introduced legislation on principles that may be agreed to simply as an instruction to an incoming Government. What would happen? The fiscal policy of a Government is of the utmost importance. Therefore I do not agree that it is morally right to lay down such a policy for an incoming Government just before a general election. I could not imagine the present Government agreeing to anything of the kind if it had been submitted by a Government composed of members from this side of the House. An incoming Government might be seriously embarrassed by such a procedure. The present proposal would certainly embarrass financially any incoming Government. I cannot see how it is possible to find the necessary amount that will be lost if effect is given to what is proposed. I do not believe the Premier gave very much consideration to the Bill.

The Premier: I did so.

Hon. C. G. LATHAM: This legislation is not introduced for the purpose of assisting the present or any other Government. It seems to me to have been introduced to ensure the return of the present Administration.

The Premier: Oh no!

Hon. C. G. LATHAM: The present is the sixth year in which a Labour Government has been in power, and now on the eve of an election, such a Bill is submitted to bind an incoming Government. Nothing has arisen in the last few months to justify the introduction of the Bill. Therefore what is it except a bait to the electors? It amounts to saying to the electors, "We propose to relieve a certain number of you; we could not grant you relief before because Parliament would not agree to

it." Parliament, however, should not agree to this legislation. The Bill should not be agreed to by the supporters of the Government sitting on the back benches, though probably there is an understanding in the party that the Bill will have the party's whole-hearted support, since it may have a considerable value from an election point of view.

The Premier: You can say that too, and so you can support it.

Hon. C. G. LATHAM: I am certainly not going to say so, because it would be unfair to the people if I did. The Premier has told the House that this legislation is similar to that existing in South Australia and Victoria. I propose to show the House where incomes start for taxation purposes, both in Victoria and South Australia, and make comparisons with the position in this State. If we have no desire to mislead the public, we should say what we propose to do, namely give greater concessions. Then if the State is unfortunate enough to have returned the Government now in power, one of the first acts to be performed would be the amendment of the Bill we are now discussing. The Premier would be wise to allow the proposal to stand over until after the elections. In that way he would not embarrass either himself or a new Government. In 1933 the House was called together earlier in July than usual for the purpose of introducing financial emergency taxation that had lapsed on the 30th June. The Bill was passed, and was made retrospective to the 1st July. Thus this class of legislation—the Bill we have before us—could be dealt with in an exactly similar manner. I advise the Premier to let it go for another year. The proper time to introduce it will be when a new Government comes into power. If there is no alteration in the revenue, one year will not make any difference. It is being introduced as an instruction to the incoming Government and therefore should not be agreed to.

The Premier: According to your argument, we should not pass any laws before an approaching election.

Hon. C. G. LATHAM: It would be all right provided the hon. member carried out those laws himself. The existing Government would be responsible for the administration of those laws until there was a general election. The Premier should under-

stand that this is the wrong type of legislation to introduce in the last session of a Parliament. He would be the first to complain if we advanced a fiscal policy just when he might be expected to take office.

Mr. Rodoreda: Not if the Government agreed to the principle.

Hon. C. G. LATHAM: The principle of collecting the tax at the source and by instalments is all right, but it is proposed to alter the basis of taxation, and there is a difference of opinion about that. The deductions under the Financial Emergency Tax Assessment Act and under the Income Tax Assessment Act are totally different.

The Premier: They are so.

Hon. C. G. LATHAM: If the Bill be carried, no fewer than 14,000 taxpayers will be relieved of taxation.

Mr. Rodoreda: So they should be.

Hon. C. G. LATHAM: That is an indication that the Government has too much revenue. Is it intended to relieve 14,000 taxpayers and saddle the remaining 16,000 with the liability? I warn the Treasurer that he will not be able to do it. Facing this State, as is the case with other parts of Australia, is the probability of increased taxation from Federal sources. The Premier knows that.

The Premier: We should not get out of the way because the Federal Government wishes to tax the people.

Hon. C. G. LATHAM: No, but it is possible to overload our people with taxation. Knowing this is going to happen the Premier still proposes to relieve no fewer than 14,000 taxpayers, and probably more, and place the burden upon another section of the community.

Mr. Rodoreda: The man with the family bears the burden now.

Hon. C. G. LATHAM: I will directly compare Western Australia with the other States. Why have any taxes? This State gives consideration financially and otherwise to men with families. They are enabled to have their children educated free.

The Premier: We give everyone that right.

Hon. C. G. LATHAM: Men receiving low wages usually avail themselves of that opportunity, whereas other men send children to secondary or convent schools and have to pay for them.

Mr. Rodoreda: Tens of thousands of people do not accept the opportunity.

Hon. C. G. LATHAM: If we look at the number of children on the State education list and on the lists of other schools, we find that the number is not so great. The total number of children of school age within Western Australia does not run into a big figure. The Government should have brought the Bill down last year so that it could have accepted the responsibility then.

The Premier: We tried to get it prepared earlier, but it was not on easy thing to do.

Hon. C. G. LATHAM: The Premier has not held his position very long, and can hardly have been expected to put his ideas into operation at short notice. He has, however, been a member of the Ministry for six years. If he knew of any way to help the Treasurer he could have mentioned it long ago. A Government is not comprised of only one man, but enjoys the co-operation and assistance of all Ministers. When one Minister has an idea worthy of consideration, Cabinet will always look into it.

The Premier: It took five or six months to get this Bill framed.

Hon. C. G. LATHAM: The Government has become so unpopular that it must have a decent election cry, hence the exemption of 14,000 taxpayers, with their wives and families, from the financial emergency tax. It is a wonderful vote-catching piece of legislation, but it will have no endorsement from me.

Mr. Sleeman: You see elections in everything.

Hon. C. G. LATHAM: Does not the hon. member see the elections in this Bill? There are none so blind as those that will not see.

Mr. Sleeman: You see the elections in everything that comes up.

Mr. Rodoreda: The taxpayers you were talking about will get the benefit of this legislation no matter which Government is in office.

Hon. C. G. LATHAM: My facts are indisputable. Has an old campaigner, such as is the Minister for Works, ever known this class of legislation to be introduced in the last session as an instruction to the incoming Government to give effect to it?

The Minister for Works: It is good legislation.

Hon. C. G. LATHAM: As a bait for the electors.

The Minister for Works: Is it not the right kind of legislation?

Hon. C. G. LATHAM: The Premier ought to withdraw the Bill. I know he does not desire to be politically dishonest, but there is political dishonesty in this.

The Premier: No.

Hon. C. G. LATHAM: He ought to withdraw the Bill.

The Premier: Another 12 months will pass before we again reach this stage.

Hon. C. G. LATHAM: The Premier can have all the machinery ready and increased staff to deal with it.

The Premier: We cannot get a trained staff together as easily as that.

Hon. C. G. LATHAM: He always has an executive staff used to this class of work.

The Minister for Works: You know what the Federal Government is doing.

Hon. C. G. LATHAM: It is no use the Commonwealth and State Governments vying with each other to see which can raise the most money by taxation. All that the Premier will do will be to relieve 14,000 people, and say to the Federal Government, "You can tax them so long as we are allowed to saddle the other people with taxation." Everyone would have to bear increased taxation at the hands of the Federal authorities. Not long ago the Minister for Employment brought down a Bill for the encouragement of industry. Who will pay the increased taxation? This will fall upon people who have capital to invest and are likely to earn an income. The measure will discourage others from coming to the State and investing their money here. If the Premier cannot see that, it is my duty to call his attention to it. Should we relieve the lower-paid taxpayers and place the burden upon someone else, less employment will be available. To make good the loss of revenue resulting from the proposed amendment to the financial emergency tax provisions, the Government will be obliged to impose greatly increased taxation upon other people. The financial emergency tax collection for the 12 months ended the 30th June last, was £1,074,000, and the Premier's estimate for the ensuing 12 months is £1,100,000. From income tax collections last year the State received £582,000.

The Premier: Including dividend duties.

Hon. C. G. LATHAM: No. If the Premier is going to relieve 14,000 people of paying financial emergency tax, he will have to make this up from those who are paying

income tax. He will probably have to impose double or treble the taxation upon people paying income tax under the income tax assessment.

The Premier: No!

Hon. C. G. LATHAM: Then how will he make up the deficiency? It is plain as a pike-staff. In order to get in a total of £1,600,000 which the Premier received last year, the average income tax rate will have to be increased by not less than 200 per cent. I believe I am under-estimating the figure when I make that statement.

The Premier: I have asked the Taxation Commissioner, who says that it can be done.

Hon. C. G. LATHAM: I believe it can be done, but the Premier has not taken into consideration other important factors. If we exempt from the financial emergency tax a taxpayer with two children earning between £300 and £330 per annum, we must impose a high rate upon those in receipt of a greater salary. The man on £300 a year will not pay one penny, whereas to-day he pays at least £6 a year by way of financial emergency tax. His salary is fairly high in comparison with that earned by many other people. The Premier said that the financial emergency tax was introduced because of a serious emergency that existed. Does he contend that a serious emergency does not exist to-day?

The Premier: I say we can alter our system of taxation.

Hon. C. G. LATHAM: All that the Premier is doing is to alter the name, to unload the burden from a certain number of taxpayers, and place it upon the shoulders of other people. If the principle is wrong to-day it was wrong when the legislation was amended a little while ago and the tax increased from 9d. to 1s. The Premier did not attempt to relieve the lower paid man then. All he desired was to get in a little more revenue, and to that end he increased the tax from 9d. to 1s.

The Premier: We relieved a considerable section of middle-class people at that stage.

Hon. C. G. LATHAM: A serious emergency exists to-day as it did some years ago. The Government cannot do without this money. I confirm that by quoting a statement made by one of the supporters of the Government, who is also a member of the Perth City Council.

The Premier: Do not say which one.

Hon. C. G. LATHAM: He is a good supporter of the Government. He spends his

time raising bogeys in the House, having Royal Commissions appointed, and knocking them down again. I have here a newspaper article with the heading "Assisting the Indigent." This states that the Perth City Council had agreed to a motion by Cr. H. S. Raphael that a suggestion be made to the Lord Mayor to initiate a fund for the assistance of persons in indigent circumstances. The councillor in question said he did not think the Lord Mayor would have any objection to the proposal, and the Lord Mayor replied that he would be delighted. The full text of the article is as follows:—

Without opposition, the Perth City Council yesterday agreed to a motion by Cr. H. S. Raphael that a suggestion be made to the Lord Mayor that he initiate a fund for the assistance of persons in indigent circumstances in this State.

Cr. Raphael said that he did not think that Mr. Harper would have any objection to playing such a part in connection with a fund of that nature.

Mr. Harper: I should be only too delighted.

Cr. Raphael said that the response to the Lord Mayor's Fund for Czech Refugees showed that, when the occasion arose, people were prepared to help those who could not help themselves. There were many cases of persons who were reluctant to go to a government department and ask for relief. Some concrete expression of goodwill should be shown to the indigent people of the State.

Cr. Caddy, seconding the motion, said that he thought the suggestion good.

The motion was agreed to on the voices.

Cr. Raphael induced the Perth City Council to take this action because he was of opinion that there were people in this State requiring assistance even from such charitable sources. His proposal was endorsed not only by the Lord Mayor but by all the councillors present. It is an indictment against the Government on the ground that a condition of affairs existed that had not previously existed. No member sitting behind the Government has yet had to go to the City Council and ask it to put forward a public subscription list. Notwithstanding this we find the Premier saying he proposes to relieve of taxation the man receiving £300 a year.

Mr. Rodoreda: Married men.

Mr. Raphael: You know quite well I did not want the money to go to Czecho-Slovakia and therefore out of the State.

Hon. C. G. LATHAM: He knew the Government was not able to control the finances, and desired that charitably minded people should give that assistance which the Gov-

ernment did not give. The member for Victoria Park (Mr. Raphael) never goes to the City Council with a view to doing anything for mere publicity or advertisement, so that his name shall appear in the Press. He goes there with a serious mind knowing the condition of the people of the State, and that the Government of which he is a strong supporter cannot give them the necessities of life. He went there with a view to getting assistance from the general public.

Mr. Hughes: With how much did he himself start the fund?

Hon. C. G. LATHAM: The hon. member knows. The member for Victoria Park told us to-night that he lost hundreds of pounds on racing. We could not expect him to have much money left with which to start a subscription list. I do not oppose the suggestion that the tax should be collected at its source, nor do I object to the principle of a graduated tax which makes the maximum allowance for families. We cannot, however, go as far as the Bill goes.

Mr. Cross: Would you tax the man on the basic wage?

Hon. C. G. LATHAM: Will the hon. member hold his tongue? I am sure the Premier did not take into consideration the fact that already the hospital tax is paid by the people and then there will be the increased taxation levied by the Commonwealth Government. If we retain the statutory exemption at the present figure of £200, many persons well able to make some contribution will obtain relief under this legislation. Surely the Premier will agree that that is not right.

The Premier: No.

Hon. C. G. LATHAM: I do not think it is right. If a person's net income does not exceed £200 in the taxable year, he will be exempt from the tax.

The Premier: He would not be.

Hon. C. G. LATHAM: Such a person would pay no financial emergency tax.

The Premier: If he had an income he would.

Hon. C. G. LATHAM: But he would pay no financial emergency tax. The rate of tax to be applied to the higher incomes must necessarily be increased enormously in order to make good the amount which a large number of present-day taxpayers will not be called upon to contribute in future. The Premier referred to the fact that the principles embodied in the Bill had already been

adopted in Victoria and South Australia. Let us compare the position in those States with that which will obtain if the Bill be accepted by the House. Members will recall that the Income Tax Assessment Act passed last session fixed the statutory exemption at £200, which sum is deducted from the net income after allowing for all other deductions.

In Victoria the minimum income of a resident taxpayer that is subject to tax is £201. The rate of ordinary tax—that is, in respect of income derived through personal exertion—commences at 7d. in the pound on taxable incomes not exceeding £500, and increases at the rate of 1d. in the pound on incomes in excess of £500, with a maximum of 10d. in the pound. In addition, a special income tax is imposed on all taxable incomes of £105 and over, but in the case of a married person whose spouse has an income of less than £50, the minimum taxable income is £201. This special tax commences at 6s. per £100 on incomes exceeding £104 but not exceeding £1,000, and increases to 12s. 6d. per £100 on the higher incomes. Then, again, in Victoria there is the unemployment relief tax, for the purpose of which the statutory exemption of £200 and the concessional deductions in respect of wife, children, medical expenses and life insurance are not deductible. Incomes from £105 upwards are liable to a tax graduating from £1 0s. 7d. per £100 to £4 10s. 7d. per £100, less 20 per cent. So much for the position in Victoria, where they start at £104, but, in addition, there is the unemployment tax in respect of which statutory and concessional deductions are not taken into consideration when the tax is assessed.

In South Australia all taxation is levied under the one heading, that of income tax, and the statutory exemption is £100. The Income Tax (Rates) Act of 1937 provides that where the taxpayer has a spouse and at least one child under 16 years of age, and the net income of such taxpayer does not exceed £177, the taxpayer shall be exempt from tax. Under this Act concessional deductions are not allowable for the purpose of ascertaining the net income. The rate of tax is 13d. in the pound where the taxable income does not exceed £1,000, and is increased uniformly by two one-thousandths of a penny with each increase of £1 of the

taxable income. Let members consider the position of a resident taxpayer with two children whose net income is £300. In Victoria he pays the following taxes:—

Special income tax . . . . .	18	0
Unemployment relief tax . .	3	1 10
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	£3	19 10

In South Australia a taxpayer is assessed for income tax only and pays £6 14s. 7d. In Western Australia a person with two children returning a net income of £300 is assessed for financial emergency tax at £6 5s. 0d., compared with £3 19s. 10d. in Victoria and £6 14s. 7d. in South Australia. If the Bill becomes law, the Western Australian in the position indicated, will contribute nothing at all. Nevertheless, Victoria and South Australia are the two States held up as examples of this type of legislation. I have indicated the difference because I feel the Premier did not give the House all the information he could have. If the Bill becomes law, the man who to-day contributes £6 5s. under the heading of financial emergency tax will contribute nothing at all as against the experience I have indicated of the taxpayers in the Eastern States.

Every member has received a copy of the pamphlet dealing with Commonwealth and State income taxation for 1937-38, which was published by the Commonwealth Treasury. I shall not delay the House by reading from that document, but members can find therein particulars regarding the tax imposed upon single persons, upon a married man with a wife and upon a married man with a wife and one child, or with two children or with three children. They will also find set out the rates of income on amounts from £50 upwards. They are clearly indicated and members can make comparisons for themselves and ascertain that Western Australia to-day compares very favourably with the position obtaining in other States. The exemptions provided to-day are more generous in Western Australia than in any other State. Particularly do I refer to Queensland, Tasmania and South Australia. It is for these reasons that I oppose legislation of this type being introduced and enunciating a principle, particularly an important one as affecting the fiscal policy, for an incoming Government at a time when a general election intervenes. I cannot support

the second reading of the Bill for the reasons I have indicated. These are that relief is to be accorded people who may be well able to pay the tax.

The Premier: You have heard complaints.

Hon. C. G. LATHAM: Apart from the general complaint against all taxation, I have not heard any taxpayer who has been assessed for the payment of £6 5s. under the heading of financial emergency tax, complain of the impost.

The Premier: Have you not?

Hon. C. G. LATHAM: No, not apart from the general complaint. I regret that I have to oppose the Bill. Had it been introduced in the early part of last session, the taxpayers would have been afforded an opportunity to ascertain the effects of the scheme and they could then have decided whether they desired this class of legislation, or whether it was the type to be introduced with a general election impending.

On motion by Mr. McDonald, debate adjourned.

*House adjourned at 11.12 p.m.*

## Legislative Council.

*Wednesday, 23rd November, 1938.*

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

### QUESTION—MILITARY TRAINING.

*Concessions to Government Employees.*

Hon. E. H. ANGELO asked the Chief Secretary: 1, Has the Minister's attention been drawn to a statement made by the general manager of the Vacuum Oil Company in the "West Australian" of the 22nd