I do not mean to cast any reflection on the reputable driving schools. They do a wonderful job, and I feel that this measure will receive their support. There are many other matters to which I would like to refer, but time is against me.

Mr. J. Hegney: Move for an extension.

Mr. Graham: Save it till the Committee.

Mr. CRAIG: I will save all the other comments I have to make until the Committee stage.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (Mr. I. W. Manning) in the Chair; Mr. Craig (Minister for Police) in charge of the Bill.

Clauses 1 and 2 put and passed.

Progress

Progress reported and leave given to sit again, on motion by Mr. O'Neil.

House adjourned at 6.7 p.m.

Legislative Council

Tuesday, the 17th September, 1963

CONTENTS

The PRESIDENT (The Hon. L. C. Diver) took the Chair at 4.30 p.m., and read prayers.

QUESTION ON NOTICE

LEONORA-LAVERTON ROAD

Bituminisation

The Hon. D. P. DELLAR asked the Minister for Mines:

(1) Is it the Government's intention to bituminise the road from Leonora to Laverton?

(2) If the answer to No. (1) is "Yes", when will the work take place?

The Hon. A. F. GRIFFITH replied:

(1) No. Recent reports from the Shire of Laverton indicate that the road is in excellent condition. Traffic on the road is very light.

(2) Answered by No. (1).

REGULATIONS

Precedence of Motions for Disallowance

THE HON. F. J. S. WISE (North—Leader of the Opposition) [4.35 p.m.]: Mr. President, I seek a ruling. Standing Orders Nos. 63, 64, and 65 govern the management of the notice paper in this House. Standing Order No. 63, quite properly, gives authority to the Minister to arrange the notice paper. Standing Order No. 64 provides for the postponement of any Order of the Day until some subsequent day, but, if a member so moves, there shall be no debate allowed on the motion. Standing Order No. 65 deals with a motion connected with the conduct of the business of the House, which can be moved by a Minister at any time without notice.

Standing Order No. 104 deals with a specific matter affecting items on the notice paper. It deals with the precedence of a motion for the disallowance of a regulation. The wording is definite. It states—

> A motion for the disallowance of a regulation shall take precedence—

The question on which I desire your ruling is this: Have the motions for adjournment of debates on motions for the disallowance of regulations so far this session been in order; and, should the motions dealing with the disallowance of regulations take precedence of Government and private business on all days until disposed of?

The PRESIDENT (The Hon. L. C. Diver): I can inform the honourable member that I will give a ruling on the next day of sitting.

The Hon. F. J. S. WISE: Thank you, Mr. President.

OCCUPATIONAL THERAPISTS ACT AMENDMENT BILL

Second Reading

Debate resumed, from the 12th September, on the following motion by The Hon. A. F. Griffith (Minister for Mines):—

That the Bill be now read a second time.

THE HON. R. H. C. STUBBS (South-East) [4.37 p.m.]: We on this side of the House have studied the Bill and find that although its provisions are simple they are quite necessary. The Bill seeks to register occupational therapists who have qualified as such before they have reached the age of 21 years. Under this Bill they will be granted provisional registration before reaching that age. Of course, those occupational therapists who have qualified after the age of 21 will also be granted full registration. In effect, the measure seeks to protect members of the public in their dealings with occupational therapists and also to protect the newly-qualified therapists under the age of 21 years. If the Bill is passed it will allow such persons to follow their chosen profession and be gainfully employed.

The existing position is that it is possible for an occupational therapist to set up in rooms and put up his plate and carry on his profession, but, being under the age of 21 years he would be devoid of any responsibility in respect of suing or of being sued. This amending Bill before the House will remedy that position. So, in short the Bill will protect the public and improve the position of the registered occupational therapist—whether male or female—under the age of 21 years when he starts to follow his chosen profession.

This is a simple and straightforward measure. Students seeking to enter this profession may enter at the age of 17½ years and qualify when they reach 20½ years, but they will not be able to become registered. Consequently they will be lost to their chosen occupation until they turn 21 years of age. Under the Bill provision is made to enable this category to carry on in the profession, to be usefully engaged, and to be able to accumulate experience.

I have undertaken some research into the subject of occupational therapy, and I find it is a pretty deep study. At first glance the general public may think that people receiving this therapy are engaged merely in the making of rag dolls and baskets, but I can assure members that if they make research into this subject they will find it is a deep medical subject, and the student receives a high level of medical training. It is a three-year, full-time course.

In Western Australia there is a school of occupational therapy attached to the Royal Perth Hospital, and that school, in conjunction with the University and the Education Department, provides students with technical education. Students must not be less than 17 years of age, and they must possess good characters; furthermore, they must be in good medical and dental health.

The student is required to hold the Leaving Certificate, and must have passed English, one science subject, and three other subjects. The course of training includes the subjects of anatomy, physiology, psychology, medicine, surgery, psychiatry, and the practice of occupational therapy and therapeutic activities. This is a fairly expensive course, the cost being £300 for the three years' training.

In each of the first two years the student has to pay £120 for tuition, and in the final year £60. In addition, there are the costs of £15 for materials, £10 for tools to be used in this profession, £25 for text books, and £16 10s. for uniform. It is also necessary for students to possess a set of bones in order that they may study anatomy.

When the student passes the examination he or she receives a diploma in occupational therapy issued by the Royal Perth Hospital School of Occupational Therapy. The graduate can then become a member of the Western Australian branch of the Australian Association of Occupational Therapists, and also a member of the Royal Association of Occupational Therapists. The course undertaken by students in this State is recognised all over the world.

I find that, outside of New Zealand, Western Australia is the only place in the British Commonwealth which legislates for the registration and recognition of occupational therapists. Occupational therapy is any mental or physical activity given by therapists and prescribed by a medical practitioner to assist in the rehabilitation of a patient. It is a type of treatment which provides interesting and congenial work within the limitations of a patient who is affected by mental disorders; and, in order to re-educate and co-ordinate the muscles in physical defects, occupational therapy is associated with the rehabilitation of the patient.

A rehabilitation centre is an establishment which provides for organised employment within the capacity of the patient, and with special regard to the needs of the work involved. The teachers must be fully trained. Such a centre is concerned with the conditioning of the individual to maximum work potential, compatible with normal living, and with the necessity to place him in a useful occupation. It provides for activity in the body and mind of a patient who is seeking a cure for his condition. One of the most harmless types of work used in this field is the weaving of scarves. This may seem to be non-medical, but the apparatus employed is used specifically to co-ordinate the muscles and the mind so that the patient may be rehabilitated.

I understand that the successes achieved in the mental treatment of patients through occupational therapy are becoming greater and greater. Where previously a patient was put away for a mental disorder, and was probably forgotten, now with occupational therapy many mental patients have successfully re-entered life in the community, instead of being shut away to deterioriate.

The standard of training conforms to world standards. I understand the first batch of students in Western Australia is due to qualify this year, and the proposed amendment to section 8A will overcome a problem which now exists and will provide a legal safeguard for the employment of qualified students who are under the age of 21 years. In short, this Bill seeks to bring about provisional registration before the age of 21 years, full registration after 21 years, and gainful employment in the meantime. We on this side of the House support the measure and give it our blessing.

THE HON. N. E. BAXTER (Central) [4.47 p.m.]: I wish to make a few remarks on the Bill, and to draw the attention of members to what took place in this House five years ago when the legislation was placed on the Statute book. That brings to mind the fact that occupational therapists in Western Australia have reciprocity with those in other parts of the world. That was a provision inserted into the Act by this House.

One portion of the Bill exercises my mind a little. I refer to proposed new section 8A (3), and to the words "other than an occupational therapist who has not attained the age of twenty-one years." I am wondering whether or not those words are redundant, because this provision states—

> Nothing in this section prevents an occupational therapist who has not attained the age of twenty-one years from being employed as an occupational therapist by any person approved by the Board . . .

When the Bill was drafted, the Minister responsible, or the draftsman, might have fancied the board would give approval to practise to an occupational therapist under 21 years of age, who employed another occupational therapist also under 21 years of age. I ask the Minister to tell me if this is likely to happen.

As the Bill is framed, I do not think the words in the last three lines of proposed new section 8A (3) are necessary. They seem to be redundant, because the board has the power to approve of the employment of persons under 21 years of age. If an occupational therapist under the age of 21 years employs another occupational therapist, then the first mentioned will be covered by proposed new section 8A (1) which reads—

> An occupational therapist who has not attained the age of twenty-one years is not entitled to practise on his own behalf as an occupational therapist.

Therefore, by employing another occupational therapist, such a person would be practising on his own behalf. I would like the Minister to comment on this aspect and let the House know whether the words I have referred to in proposed new section 8A (3) are necessary. I support the second reading.

THE HON. F. R. H. LAVERY (West) [4.50 p.m.]: Like Mr. Stubbs and Mr. Baxter, I want to support this Bill, if for no other reason than to draw attention to the fact that about 18 months ago a very fine building was erected at Heathcote to provide an occupational therapy branch, at which both voluntary and paid workers are employed.

This establishment is in my province and I often visit it to keep abreast of developments, and I can assure members that the administrator of the hospital would be pleased to welcome any member of this House who desires to gain first-hand knowledge of the work that is done. Some of those working there are receiving training while they are studying. However, I know that although some students have shown a real aptitude for the profession and have passed the necessary examinations, they have had to wait sometimes from 12 to 18 months before, under the present law, they can take up an official position at the full salary.

I have spoken during this debate specifically to draw attention to the fact that very fine work is being done by those voluntary and paid people in the occupational therapy branch.

THE HON. J. G. HISLOP (Metropolitan) [4.52 p.m.]: Mr. Stubbs gave a very good outline of the conditions applying to occupational therapists, and I do not intend to repeat anything he said. I want to take up another avenue in relation to this occupation and make it known that there is ample opportunity for young women—and possibly young men—to enter the field of occupational therapy.

The avenues in which occupational therapy is employed are growing; and one might say that rehabilitation of the sick, injured, or mentally afflicted is a new field of medicine, the outskirts only of which we have touched. It is interesting to record the number of avenues in which occupational therapy is used.

Recently I made a visit to the totally and permanently incapacitated soldiers' headquarters and found it has a room

fitted up so that the inmates can enjoy the pleasures of occupational therapy. If an individual is to be well he must be able to do something; he cannot just sit and let time pass, because that destroys a human being. These returned soldiers were doing fine leather work, cane work, and basket work; and there are many other avenues.

It is interesting to learn how they dispose of their work. They are not, of course, allowed to make anything very much from the sale of their work; nor do they desire to do so. The Red Cross provides the material which each man buys; and then when the product is finished, it is sent back to the Red Cross for sale at twice the cost of the material. Therefore each inmate receives a small amount. They only spend a limited number of hours per day at this work because if they worked at it continually they would tire themselves.

That is one avenue in which occupational therapy is employed merely to provide an occupation and as a means of stabilising the individual's outlook, character, and physique. There is, of course, the other side to it. When a patient leaves hospital he may be quite capable of resuming his previous occupation. However, this can be brought about much more quickly by the aid of the occupational therapist.

We are accustomed to regard an occupational therapist as one who teaches such work as basketwork, leatherwork, and other handworks, but they do not completely cover the field. Such work is indulged in with a view to restoring muscle-tone and power, and co-ordination of muscles. The work extends now to such things as woodwork and metalwork, and beyond that it continues into the field of commercial training. All of these things can be regarded as forms of occupational therapy, and so the occupational therapists have to cover a wide field while training.

Not only must they do this kind of work, but they must have some idea of the psychology of the individual whom they are training, and be able to report the progress which the individual is making as a result of the therapy.

I could expand greatly on the possible avenues of the future which seems limitless so far as this type of training of the injured or afflicted is concerned. It even extends, as Mr. Stubbs said, into the mental health field in which it is providing a different outlook for some individuals, because in the past their time has been spent in pure idleness.

We are a long way from realising how far this could go, and the rehabilitation journals being published from time to time in America and Great Britain show what advances we can still make within this field. I would like again to emphasise that this is a field to which the young can turn their thoughts, because even today in the Commonwealth rehabilitation service there is a difficulty at times in obtaining the necessary numbers of occupational therapists, and it has been necessary to obtain trained therapists from the Eastern States.

I should say that there are still a number of vacancies at the city hospitals, because almost every hospital will soon be fitted with an occupational therapy unit, so more occupational therapists will be required in the future.

This is a worthy Bill and one which will stimulate the interest of the young people and close that period of inactivity which would have been necessary but for this measure, which I support.

THE HON. R. THOMPSON (West) [4.58 p.m.]: We have drifted away from the subject matter of the Bill so I hope I, too, will be allowed a little latitude.

I want to raise one point. At present, although occupational therapists are in great demand, neither the Education Department nor the Medical Department allows any bursaries or scholarships for occupational therapy in Western Australia. Following on Dr. Hislop's speech, I would like to know whether it would be possible for the departments to recognise the need for the establishment of scholarships and bursaries so that those interested might study for this profession.

THE HON. C. R. ABBEY (Central) [4.59 p.m.]: My contribution to this debate will be more in the nature of a question to the Minister. It seems to me that occupational therapy could play an important part in the lives of the aged. I have had occasion, on behalf of women's organisations in the country, to take hampers to *Sunset*. I have, several times, talked at great length to some of the inmates in order to ascertain what occurs in this institution. I have observed at *Sunset*, particularly, that a bowling green is being established, and that will certainly be good occupational therapy.

I just wonder what has been done in this regard in homes like *Sunset* to fill in the time of the elderly people. The system seems to be: they rise; have breakfast; probably have a bath and a shave; then fill in their time by wandering around the ground; have another meal; and so on through the day. The ones who are able to go out may do some visiting; and it must be very difficult to arrange to fill in the time adequately for the people in these places.

It would seem that occupational therapy could play a big part in these institutions. If it only fills in the time for these elderly people for two or three hours a day, it would be a very worth-while contribution to their health and enjoyment, and to their life, generally. I just pose this question

to the Minister: Could he inform the House, when he replies, whether this is done or whether it is envisaged for the future?

THE HON. G. BENNETTS (South-East) [5.2 p.m.]: Since the last member spoke, I thought I would speak in the debate, although at first I did not intend to. Some three or four years ago I visited different centres in various parts of Australia. At one of the centres in Queensland various recreation facilities such as bowling greens —which were mentioned by Mr. Abbey— have been provided, and the patients were on different committees and ran everything. They ran the library and everything else.

At Adelaide I was taken to the Methodist home which is practically self-supporting so far as the inmates are concerned, because it is run by them. They do everything. They run the poultry farm and the orchard, and they pick the fruit and bottle it. Everything is done at that place to help the patients.

The Minister could, perhaps, report the Bill to the authorities and ask them to investigate what applies in the homes in the other States, because if they do that they might find a solution to the problem of the old people.

THE HON. R. F. HUTCHISON (Suburban) [5.3 p.m.]: I support the Bill. This is a question I dealt with when I was doing a survey overseas and in the other States of Australia into the value of occupational therapy. I saw people who had been institutionalised for many years put into groups and started on occupational therapy. I saw the progress they made through having their minds and hands occupied for the bulk of the day. If there is one thing I would be in favour of, it is this Bill.

In the aged women's centre of Ballarat, I saw people who were bedridden, or who would have become bedridden but for occupational therapy. They were sitting in groups preparing clothes for a fancy dress ball. They were making hats, dresses, and costumes for other people to wear. In Sydney I saw people in mental institutions doing the same as they do here.

I think there would be much value in a boy or a girl at 18 years of age teaching occupational therapy, because those are the years when young people become informed; and they are quite capable of taking on the work of an occupational therapist. As a matter of fact, their very youth helps them considerably.

Occupational therapy is something that has come into society since the war, because we are now taking an interest in people as individuals and not just in putting them away in homes to become almost inanimate. Occupational therapy can also be brought into private homes; and, as Mr. Lavery said, in Heathcote we have a good example of occupational therapy. Anyone who takes up occupational therapy should be encouraged to pass on his knowledge, even before he is 21, to the advantage of the community as a whole.

THE HON. A. F. GRIFFITH (Suburban —Minister for Mines) [5.6 p.m.]: The purpose of the Bill, as I said when moving the second reading of the measure, is to enable the board to permit a person qualified as an occupational therapist, and who is so qualified before reaching the age of 21 years, to practise under certain conditions.

I think you, Sir, rather tolerantly permitted members to bring forward matters which, to say the least, were in the nature of side issues, although appropriately raised at this point of time, because this is a convenient time to voice opinions and ask questions. I will forward the speeches made by members to my colleague the Minister for Health for his opinion.

I have had a look at the Bill and I do not think there is any difficulty in connection with the point raised by Mr. Baxter. Perhaps it will be appropriate when the measure is in committee for me to explain why I do not think there is any looseness in the drafting. I thank members for their support of the Bill.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Commitees (The Hon. N. E. Baxter) in the Chair; The Hon. A. F. Griffith (Minister for Mines) in charge of the Bill.

Clauses 1 and 2 put and passed.

Clause 3: Section 8A added—

The Hon. A. F. GRIFFITH: In regard to the point that you, Sir, made when speaking to the second reading of the Bill, I think you—and other members, too—will appreciate what the position is if you look at the Bill. Section 8 of the Act describes the method by which the board can approve the registration of an occupational therapist. Clause 2 of the Bill adds a section which provides that an occupational therapist, although he has not attained the age of 21, may be permitted by the board to practise.

Clause 3 of the Bill provides, firstly that the therapist shall not practise on his own account if he has not attained the age of 21 years; secondly it says that if he contravenes the previous provision he is guilty

of an offence; and thirdly, it states that nothing in this section shall prevent him from being employed provided he is a person approved by the board, but that he shall not employ anybody else; and the last words say, "other than an occupational therapist who has not attained the age of twenty-one years."

So, as long as he has attained the age of 21 years, he can employ someone else, but if he has not attained that age, the way I see it, he is not in a position to employ anybody else but he can be employed by someone who, under other sections of the Act, has been first approved by the board.

The Hon. J. G. HISLOP: If we pass clause 2 we must add clause 3, and particularly the last three words in subsection (3) of proposed new section 8A. If clause 2 had been drafted differently, the last three words to which I have referred would not be necessary. I just wonder whether this provision could not be challenged by an individual, because in clause 2 we state that an individual, even though he has not reached 21 years of age, can be registered as an occupational therapist. But he is not allowed to practise for six months. That, roughly, is what the clause amounts to. But this person is already a registered occupational therapist, and I am not at all certain that he could not challenge that provision.

A similar type of provision exists in the Medical Act by which a medical student, after passing his final examinations, does not have the right to practise, but must serve a year in a hospital. I wonder whether it would have been better to have a similar provision included in this measure so that an individual, after passing his examinations, would have to do six months' or a year's practice with an occupational therapist.

The Hon. A. F. Griffith: Where do you say he cannot be registered for six months?

The Hon. J. G. HISLOP: He can be registered, but he cannot practise until he reaches the age of 21 years.

The Hon. A. F. Griffith: That is in the Act.

The Hon. J. G. HISLOP: I realise that, and that is where I think the difficulty arises. I am prepared to let the matter go now and give the provision a reasonable opportunity to function to see whether any problems arise, and if they do we can alter it later.

Clause put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

BILLS (2): RECEIPT AND FIRST READING

1. Criminal Code Amendment Bill.
   Bill received from the Assembly; and, on motion by The Hon. A. F. Griffith (Minister for Justice) read a first time.

2. Prisons Act Amendment Bill.
   Bill received from the Assembly; and, on motion by The Hon. A. F. Griffith (Minister for Justice), read a first time.

BEEKEEPERS BILL

Second Reading

Debate resumed, from the 12th September, on the following motion by The Hon. A. F. Griffith (Minister for Mines):—

That the Bill be now read a second time.

THE HON. J. DOLAN (West) [5.17 p.m.]: We on this side of the House support the Bill. The measure gives me an opportunity to direct the attention of members to the very important part the honey industry plays in the economy of the State. Since 1930 the honey industry has been regulated and controlled in accordance with the Bees Act, 1930, and subsequent amendments to that legislation.

The majority of the provisions in the present Bill are already in the existing Act, but by redrafting the legislation it has been possible to achieve greater clarity and conciseness. The revision of the Act follows the appointment of Dr. F. G. Smith as senior apiculturist. He carried out a complete investigation of the industry, and, in principle, he has secured the agreement of the beekeepers section of the Farmers' Union.

Before dealing briefly with the major provisions of the Bill it might be of interest to members if I were to give them some details of the industry and its value to the State. There are at present in the State approximately 45,000 hives together with 649 registered beekeepers. Of these beekeepers we find that 105 operate more than 100 hives each, which produce 94 per cent. of the total crop. There are 48 full-time commercial beekeepers who operate more than 300 hives each, which produce 75 per cent. of our total crop.

The commercial operators average 267 lb. of honey per hive, which is approximately £16 per hive. In Western Australia for the year ended the 30th June, 1962, we find that 7,982,377 lb., or 3,561 tons of honey were produced, valued at £252,775. This was 18 per cent. of the overall honey produced in Australia. There were 4,000,000 lb., or 1,799 tons, of honey exported to the value of £175,000. For the

year ended the 30th June, 1963, we find that 5,424,842 lb., or 2,420 tons, of honey were exported to the value of £289,674. For the year ended the 30th June, 1962, 42 tons of beeswax were produced, and of this quantity 20 tons valued at £9,500 were exported. For the year ended the 30th June, 1963, the export of beeswax totalled 31 tons. This was valued at £15,000. The total value of honey produced in the last financial year was over £300,000. That is certainly a very sizeable contribution to the economy of the State.

The Hon. F. J. S. Wise: Very busy bees.

The Hon. J. DOLAN: Over the past ten years Western Australia has exported approximately 80 per cent. of the honey it has produced. Might I add that Western Australia's honey carries a very high name in every part of the world to which it is exported.

The major provisions of the Bill cover almost every facet of the industry. They deal with types of hives, and the fact that they have to be branded so that the owner can be recognised, or, in the case of theft, so that the hives might be recovered. The legislation covers every aspect from the bees point of view. For example, it ensures that diseases are not introduced into the industry; and where, perhaps, disease does attack certain hives there is provision to cover the possible extension of the calamity to the industry. We find that even interstate operators are covered by the Bill.

Members will appreciate that large numbers of beekeepers come from other States of the Commonwealth—even from as far afield as New South Wales—and they take a reasonable share of the nectar from our forests. In this context I refer particularly to the karri which blossoms every four years. Beekeepers cannot move their hives from place to place—which, as members know, is an essential part of the industry—without notifying the department. The purpose of this requirement is to enable such movements to be checked with a view to minimising the spread of possible disease.

Inspectors are given sufficient power to ensure that the industry is always well controlled. Provision is made for quarantine, and for the elimination of hardship of any beekeeper whose hives have been quarantined. To ensure that such beekeepers do not suffer undue hardship, provision is made for fresh pasturage for their bees—if I might use that expression. I would suggest to the Minister, however, that there is still room for improvement in the industry, particularly with regard to the aspect of finding new areas in which beekeepers can operate. Within the last two years, for instance, very valuable areas have been discovered near Coolgardie.

Most of the beekeepers in the State have taken advantage of the opportunity to move their hives. In order to ensure that beekeepers do not create a nuisance with their hives—and this did happen, I think, in the Swan area last year where the bees became a nuisance to those engaged in the grape industry, and the dried fruit industry—there is provision to empower inspectors to have hives removed to places where they will no longer be a nuisance.

I have gone very carefully through the Bill to see whether any aspect of its provisions might require brushing up. There is no doubt that an excellent job has been done; as a result, no doubt, of the efforts of Dr. Smith. There is only one point on which I might have needed some information. I have however made some investigation, and I pass the information on for the benefit of members.

There is no mention of the fees, or the registration charges, to be made; and I accordingly took the trouble to find out what the current fees were. Having done so, I suggest to the Minister that the present fees—which are acceptable to the beekeepers—be retained. If this is done I am sure the beekeepers will give their full support.

For the first 25 hives kept, the very modest sum of 2s. 6d. is charged. For every additional 25 hives—and the number of hives is not limited—the fee is 1s. There is also a fee of 7s. 6d. which the beekeeper pays for a registered brand. In order to provide some form of encouragement for those engaged in this highly successful industry, and to help the economy of the State, I suggest that the fees be kept at these modest levels.

If the Bill is passed—and I am sure members will not object to it—it will come into operation by proclamation, and the Bees Act, together with its amendments, will be repealed. My colleagues and I support the Bill. We feel it will be of immense value to the honey industry.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (The Hon. N. E. Baxter) in the Chair; The Hon. L. A. Logan (Minister for Local Government) in charge of the Bill.

Clauses 1 to 7 put and passed.

Clause 8: Registration of beekeepers—

The Hon. A. L. LOTON: If a beekeeper does not apply for his license, does he automatically cease being a beekeeper?

The Hon. L. A. LOGAN: Yes. If he does not apply for his license he is automatically out; he is no longer a beekeeper. This might be the appropriate time to thank Mr.

Dolan for his excellent exposition of this Bill. It was a credit to him as a new member to have given such an analysis of a Bill of this nature.

Clause put and passed.

Clauses 9 to 25 put and passed.

Clause 26: Regulations—

The Hon. F. J. S. WISE: I would assume that normal practice will obtain in this clause and that as soon as possible after the passing of the measure regulations will be framed and tabled. I am wondering whether the Minister has any information at this stage as to the likelihood of the continuing of the fees that at present exist or whether he can clarify the point raised by Mr. Dolan.

The Hon. L. A. LOGAN: I cannot inform the honourable member at the moment. I intend to pass on Mr. Dolan's comments.

Clause put and passed.

Clauses 27 to 29 put and passed.

Schedule put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

FIREARMS AND GUNS ACT AMENDMENT BILL

Second Reading

Debate resumed, from the 12th September, on the following motion by The Hon. A F. Griffith (Minister for Mines):—

That the Bill be now read a second time.

THE HON. D. P. DELLAR (North-East) [5.33 p.m.]: I have studied the amendments to the Firearms and Guns Act carefully and with great interest, and consider the Minister for Police submitted his amendments very well. I realise that over the last few years trouble has been going on with regard to firearms, more so in the metropolitan area, and that something had to be done to give the police more control. With this I wholeheartedly agree.

I would like to pass a few comments on one of the amendments to the parent Act. This amendment will result in a uniform charge of 10s. for a license irrespective of the number of firearms to be licensed. At the present time there are 44,000 single-unit licenses. If the fee for licensing those firearms is increased from the present 5s. to 10s., the increased revenue received will be £11,000.

If section 18 (h) is amended in accordance with this Bill, industries in the outback area will be automatically penalised because there will be no control whatsoever over the charge for a gun license. The Minister stated that a fee of 10s. will be charged, irrespective of the number of guns licensed. Therefore, 44,000 people will be automatically affected the moment this particular amendment becomes law; and I would say that 75 per cent. of the holders of the 44,000 single licenses are people who are earning their living off the rifle.

I have here a list of industries which will be affected. First of all, there is the vermin board, which employs quite a number of men. Then there is the prospector who relies on his rifle to feed himself and his family. Then we have the sandalwooder. The sandalwooder has to rely on his rifle more than any other man in the bush, because at the present time sandalwood is scarce. Therefore, the sandalwooder has to go right back into the north country in order to find enough wood; and his rifle is his workmate. To take a rifle from a sandalwooder would drive him out of the area.

The Hon. A. F. Griffith: Are we going to take his rifle away?

The Hon. D. P. DELLAR: I will come to that in a moment if the Minister will wait. At the present time I am talking of the industries that will be affected.

The Hon. J. Heitman: How many are there in the sandalwood trade?

The Hon. D. P. DELLAR: We then have the kangaroo shooter. The people in all the industries I have mentioned rely on their rifles, not only for their own living, but to support their wives and families. A moment ago the Minister mentioned taking their rifles from them. I made no suggestion of taking their rifles from them, but said that the amendment to section 18 (h) would automatically put the sandalwooder and the others out of the industries in which they are engaged.

The Hon. A. F. Griffith: I merely asked you a question.

The Hon. D. P. DELLAR: If this Bill is passed there will be an automatic rise of 5s. for a single license, so how will these people be able to go on? That will represent an increase of 1,000 per cent. in three years.

The Hon. A. F. Griffith: Five shillings on five shillings is 1,000 per cent., is it?

The Hon. D. P. DELLAR: Three years ago the license fee was 1s.; and if this Bill is passed the increase will be 1,000 per cent. If gaol or hanging is not a deterrent to people who commit murder I cannot see that this increase in the license fee will be. The Minister is laughing, but I can see no other reason for this fee being increased.

The Hon. A. F. Griffith: You do not know why I was laughing.

The Hon. D. P. DELLAR: That is so. What I have said are my thoughts on the matter.

The Hon. F. J. S. Wise: You mean that the rifle is a tool of trade and a man has to pay a multiple according to the number he owns.

The Hon. D. P. DELLAR: Yes. Therefore, the people in the four industries I have mentioned will be penalised. I venture to say this with regard to the 75,000 weapons in the metropolitan area: If the Minister increased the fee even to a tenner for those rifles in order to place them under some sort of control, I would be only too happy to agree with him.

The Hon. A. F. Griffith: Are you concerned that the sky may be the limit in regard to firearm licenses?

The Hon. D. P. DELLAR: Eventually it will be.

The Hon. A. F. Griffith: Don't you know the regulations are placed on the Table of the House and they can be disallowed?

The Hon. D. P. DELLAR: Section 18 (h) of the Firearms and Guns Act reads as follows:—

> . . . prescribing the fees to be taken under this Act; provided that the fee for a license to possess a firearm shall not exceed five shillings.

It is the proviso to that paragraph which I do not want removed. Once it is removed the sky will be the limit.

The Hon. A. F. Griffith: It will be done by regulation.

The Hon. D. P. DELLAR: There is no regulation in the Bill.

The Hon. F. J. S. Wise: The provision for making regulations is in the Act.

The Hon. D. P. DELLAR: I am sorry.

The Hon. A. F. Griffith: If Parliament did not agree with that regulation it would be disallowed. Any regulation is subject to disallowance.

The Hon. D. P. DELLAR: If this measure is passed in its present form, the fee of 5s. for a single unit will be deleted from the Act; and it is proposed that the fee will be 10s. for the license of a single firearm.

The Hon. A. F. Griffith: That is right.

The Hon. D. P. DELLAR: I think it is wrong, because it will penalise the individual who is in the bush, and also those industries I have mentioned. The vermin control board employs a lot of men throughout Western Australia.

It might be stated that shire councils license rifles. But there are many men in the north who have private rifles, and there are many women in that area who also have private rifles. Those people wish to license their rifles as they are making their living from them. My request is that this provision relating to paragraph (h) should not be removed.

Perhaps the Minister could provide a regulation similar to that which applies to licenses in respect of hotel trading hours on Sundays. If he could provide that license fees for single-unit rifles within a radius of 25 miles from the G.P.O shall stay as they are, and that fees for single-unit rifles within that radius be increased to 10s., then I would be quite happy; but I am not in favour of paragraph (h) being removed.

The member for Murchison stated that he could not see anything wrong with the Bill. But I made an appeal—

The PRESIDENT (The Hon. L. C. Diver): Order! The honourable member will not mention the name of a member in another place.

The Hon. D. P. DELLAR: I apologise, Mr. President. Let me confine myself to members in this House. Mr. Heitman's province is next to my own. He knows the type of persons who will be affected by the Act if it is amended. All Country Party members know of such people, as also do those members on the Government side of the House. I oppose the removal of paragraph (h) from the Act.

THE HON. F. J. S. WISE (North—Leader of the Opposition) [5.48 p.m.]: I feel sure that the Minister will be in a position, with the information he has received from his colleagues in connection with the Bill, to clarify the situation in regard to what might be anticipated if paragraph (h) of the schedule to the parent Act is deleted.

A fee for registration, or a fee for any purpose, is sometimes specified in an Act, although not often. It is usually done by regulation. The purpose of deleting this proviso is, I take it, to enable a new regulation to be made specifying new fees.

I can quite understand the feeling of Mr. Dellar on this subject. My only concern is for those people whose rifles are their tools of trade. I refer to rifles not as singular, but plural; several rifles, which are used by kangaroo shooters and others in the course of their livelihood. The issue is whether they should be charged a fee at a flat rate per rifle, or whether the fee of 10s., which was mentioned in another place and, I think, here, should apply to all firearms which an individual possesses.

If the Minister would clarify that point, it would allay the fears expressed by the honourable member as to the very serious effect it will have on people whose livelihood depends on the use of rifles. Those people, in all conscience, pay enough nowadays for ammunition. Unless a person is a very good shot, it does not pay him to become a kangaroo shooter. It did not pay him at any stage; but today, when each shot fired has to hit its mark or else the one who fires is scratching for a living, it

is a very important matter. I hope that when the Minister replies after other members have contributed to the debate, he will clarify that aspect.

THE HON. G. BENNETTS (South-East) [5.50 p.m.]: This Bill is another taxing measure. The Government must be getting very low down to the bottom of the bin when it has to raise the fee from 5s. to 10s., which would bring in from 44,000 people somewhere in the vicinity of £11,000. There are 83,600 registrations for licenses in this State. The Government has asked people to help to eradicate the dingo and rabbit pests. People in remote areas are trying to keep these pests down, and the use of rifles is one of their main means of doing so. As the Leader of the Opposition said, every shot fired today is an expensive one. I understand that cartridges for shotguns cost about 1s. 1d. each. I do not know what cartridges for a .22 rifle cost nowadays, but I used to get them at 1s. 6d. for 100 many years ago when I was working in the bush.

A number of people use rifles for kangaroo shooting and for providing themselves with food. On a trip from Cue to Marble Bar I lived mostly on kangaroo shot with a .32 rifle. I think those bullets would today cost in the vicinity of 1s. each.

So the game is expensive, and I would like the Minister to use his powers to keep the license fee for a single rifle down to 5s. Other firearms which are used solely for sport are often used by men in a higher income bracket and a higher fee would impose no hardship on them.

The same would apply to firearms in the metropolitan area, where firearms are used for more restricted purposes. I can quite understand the Police Department wishing to check up on these firearms. It is dangerous for people to use them, and to have them in their possession. As we read recently, a rifle was taken from a person who had not used it for a long time. I know of one person who has not used his rifle for two or three years, and if this increase is approved he will turn his rifle in. He says it will not pay him to have it in his house if he has to pay an extra fee. He has no wish to pay fees for a rifle which is not being used. I oppose this particular provision in the Bill.

THE HON. J. D. TEAHAN (North-East) [5.54 p.m.]: The object of the Bill is, I take it, to provide better control over the use of firearms. We who represent the more remote areas of the State would like to ask the Minister this: That he keep in mind those people who possess rifles not only for protection in the bush but mainly to enable them to vary their diet. Mr. Dellar spoke of such people. There are sandalwooders; there are prospectors; there are kangaroo shooters; and there are others. There are people living in places where the nearest butcher shop is about 200 miles away and where meat is obtainable once a fortnight. Let us take a place like Kookynie. Prospectors there might obtain meat only once a week. Let us take a place like Mt. Ida, 80 miles from the nearest railway, or other places such as Laverton, where meat is not easy to obtain.

In order that workers in the bush might vary their diet they use rifles to shoot rabbits or kangaroos. I would not like to see license fees doubled in respect of those people, and I would ask the Minister to remember them when license fees are being fixed. He might be able to provide that the license fee shall remain as it is for people who live in remote areas outside, say, a radius of 150 miles of Perth. I would not like to see those people prohibited from possessing rifles.

The Hon. F. J. S. Wise: From having a sporting rifle?

The Hon. J. D. TEAHAN: Yes. Rifles are used in towns for various reasons. Some reasons are not very good ones, and control is necessary. But when we are endeavouring to provide control, we should remember those people who live in the bush.

THE HON. A. F. GRIFFITH (Suburban —Minister for Mines) [5.57 p.m.]: Mr. Dellar became, I think, a little bit confused; and it is quite understandable. Being a new member, he would not perhaps appreciate the regulation-making power which legislation provides, and also the fact that Parliament at times sees fit to disallow regulations; and as we all know, we even have authority to amend regulations.

The simple position is this: At the present time there are two types of license fees. One is in respect of a single rifle, for which the license fee payable is 5s. The other is in respect of the ownership of more than one firearm—a multiple number—for which the fee is 10s. It is proposed to remove the proviso to paragraph (h) of section 18 of the Act, which is the regulation-making power, because it provides that we shall subscribe fees but not a sum greater than 5s. per year.

It is proposed that instead of having two separate license fees, we shall have one license fee—one flat rate of 10s.—irrespective of whether a person owns one firearm, two firearms, or a number greater than two.

Let us be reasonable. In the imposition of a charge of this nature, is it a very great impost for a person to hold one firearm and be charged an additional 5s. a year for it? Because that is what would happen in the case of a person who had one firearm. In my own case, I have two firearms.

The Hon. F. J. S. Wise: Have they been inspected lately?

The Hon. A. F. GRIFFITH: One of them has, because it is a .22 rifle. The inspection proved to be satisfactory.

The Hon. R. Thompson: It must have been a Lithgow.

The Hon. A. F. GRIFFITH: I pay 10s. for those two firearms. There is a great deal of work attached to the Police Force in servicing this particular matter. The police are very co-operative. I must admit that there are times when all of us who have firearms are, I suspect, guilty of not renewing our licenses on the due date, and the police are, in such matters, very co-operative.

It is necessary for a Government to have not only some control and influence over the issue of licenses for firearms in this State, but, as I said when explaining the Bill, control over the difficulties which arise in transactions which occur when a person buys a firearm in another State and conveys it somewhere else.

The Hon. D. P. Dellar: I appreciate that point.

The Hon. A. F. GRIFFITH: I am sure the honourable member does. The Standing Committee of the Attorneys-General has dealt with this matter, and I believe all the States will introduce legislation of a reciprocal nature and that information will be available to the Commissioners of Police in all the States. For the reasons I mentioned when introducing the second reading, that sort of thing becomes very necessary. It is no use having adequate control of the firearms situation in one State if it is lacking in another.

There is a great deal of paper work required in connection with the issuing of licenses. I was trying to take my mind back to the time when, as a private member, I asked the Minister how many licenses were in existence. That was at the time when licenses cost 1s., and I think I was told that there were something like 75,000. During the tea suspension I will try to find the reference to that question.

So far as the State is concerned, of course, providing a firearm license and recording it for the sum of 1s. must have been an extraordinarily costly business for the Police Department. The work involved is still of such a nature that I doubt very much whether 5s. covers it. The amount of additional income—if we can call it such—that will be derived from having a flat rate of 10s. is not very much. As a matter of fact I think it will provide about £3,000 additional income per annum. The important thing is, of course, that there will be a considerable saving in stationery and time that is now being used for the renewal of licenses.

The Hon. D. P. Dellar: More than £3,000 will be obtained from 44,000 license holders.

The Hon. A. F. GRIFFITH: Not necessarily. Some of the people about whom the honourable member is complaining might hold two or more rifles.

The Hon. D. P. Dellar: No; there are 44,000 single units.

The Hon. A. F. GRIFFITH: A note on my file states that apart from the saving in stationery and time there will be an increase in current revenue of £3,000.

The Hon. F. J. S. Wise: I think that in answer to a question it was disclosed there are 44,000 single licenses.

The Hon. A. F. GRIFFITH: That is so; and I could probably find that point also on this file. But to return to the point complained about by Mr. Dellar, Mr. Teahan, and Mr. Bennetts, I think that members will agree that the additional imposition—if members like to call an amount of 5s. an additional imposition—will only apply where a man has one firearm.

The Hon. D. P. Dellar: That is 60d. divided over 365 days of the year.

The Hon. A. F. GRIFFITH: Really! Is it going to be so radical that it will affect the living conditions and the employment of the men earning their living with a rifle? Is it not stretching the long bow a little to say that will be the case?

The Hon. D. P. Dellar: It amounts to 15s. in three years.

The Hon. A. F. GRIFFITH: Gracious me! And so one can go on. I will not make any other comment on that point, because there are many comparisons which one could draw.

So I feel that the House could accept this provision and, by deleting the proviso to paragraph (h) of section 18 of the Bill, give the Minister the right to prescribe the amount of the license fee. Perhaps I can say it is intended that the fee will be 10s. If it is other than 10s., or if Mr. Dellar's fears are realised—that the sky is the limit—I repeat that the regulation will be subject to disallowance. However, there is nothing in the mind of the Minister to do anything of that nature.

The Hon. G. Bennetts: This increase will add to a prospector's cost of production, whereas gold is bought at a fixed rate.

The Hon. A. F. GRIFFITH: I would be obliged if the honourable member could register the amount in percentage compared with the ounces of gold won by a prospector during a year.

The Hon. F. J. S. Wise: Some people spend more than 5s. on beer, don't they?

The Hon. A. F. GRIFFITH: The only comment I can make on that interjection is "I'll say they do!" I think you, Mr. President, will tell me I am getting away from the Bill if I talk about the consumption of alcohol.

If members will think about this matter they will agree it is not a very great impost. I thank the House for their support of the other sections of the Bill, and if it is intended to persist with this objection the appropriate time to do it will be during the Committee stage. However, I hope that will not eventuate.

Question put and passed.

Bill read a second time.

In Committee

The Deputy Chairman of Committees (The Hon. G. C. MacKinnon) in the Chair; The Hon. A. F. Griffith (Minister for Mines) in charge of the Bill.

Clause 1 put and passed.

Sitting suspended from 6.7 to 7.30 p.m.

Clause 2 put and passed.

Clause 3: Section 18 amended—

The Hon. A. F. GRIFFITH: During the tea suspension I made certain inquiries concerning this matter. In the first place I said I had been informed that the increased revenue, in the event of there being a flat rate of 10s. for each license, would be in the vicinity of £3,000 odd. I do not think that figure is accurate, but I would like to say it is difficult to assess exactly what the additional income will be. However, it will not be a 100 per cent. increase because certain exemptions are provided in the regulations, and some people are issued with free licenses.

Nobody above the 26th parallel has to register a firearm unless it is a concealable weapon. Those people are not issued with licenses and therefore they would not come into the calculation. Also a person owning a firearm and who is living under the same roof and is a member of the same household as a person who has a firearm's license is not required to pay any additional fee. Banks, financial institutions, and the like are issued with free licenses.

According to the Commissioner of Police, a large number of people hold free licenses, but I am not in a position at the moment to tell members just how many free licenses there are.

The Hon. H. C. Strickland: Why should they be free?

The Hon. A. F. GRIFFITH: The regulations state that a bank, for instance, shall hold one license, and it does not have to pay a fee irrespective of the number of firearms it owns. With the application of a flat rate that situation will not alter. There are 44,000 single licenses and if we applied the 5s. increase to all of them the revenue increase would be £11,000; but, as I have explained, because of the number of free licenses the figure will certainly not be £11,000.

I notice that according to the Act there are many people who do not have to hold a license. Section 9 of the Act states that no license shall be required by certain persons, and it lists them. As regards the people in Mr. Dellar's area—

The Hon. D. P. Dellar: Not only in my area.

The Hon. A. F. GRIFFITH: I said "Mr. Dellar's area" because he mentioned this factor. I do not know how many sandalwood cutters there would be. How many would there be?

The Hon. D. P. Dellar: I would say possibly six to 10.

The Hon. A. F. GRIFFITH: That will be a magnificent increase in the State's finances—between 30s. and 50s.!

The Hon. D. P. Dellar: But that is not the point.

The Hon. F. J. S. Wise: It doesn't matter if it is an injustice!

The Hon. A. F. GRIFFITH: But surely it is not an injustice! The sandalwood cutter of whom we are speaking may not suffer any injustice in his particular case, because he may own two firearms. We cannot assume that he owns only one. It may suit the argument to say that he owns only one, and even if he does we ask him to pay only an additional 5s. to make it 10s. for 365 days of the year.

This will obviate a great deal of work for the Police Department in the way of issuing licenses. The department proposes to issue a firearms license similar to the specimen I have in my hand. It will be more in the nature of a permanent license rather than the one we have at present, which has to be written out every year.

It is not proposed to remove the whole of paragraph (h) but only the proviso to it, and the Act will still retain regulation-making power and it will be possible to prescribe a fee by way of regulation. To have a fee prescribed in this way is not new. It is done with a number of other Acts, as I think Mr. Wise said. I hope the Committee will agree to the clause.

Clause put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

OFFENDERS PROBATION AND PAROLE BILL

Second Reading

Debate resumed, from the 12th September, on the following motion by The Hon. A. F. Griffith (Minister for Justice):—

That the Bill be now read a second time.

THE HON. F. R. H. LAVERY (West) [7.42 p.m.]: This Bill relates to the release of offenders on probation or parole and, in my opinion, it is one of the most important measures that has been before this Legislature since I have been a member of it. In the course of my remarks I think it will be seen that I believe it to be a good measure, although there are some points in it that I do not altogether agree with.

I hope members generally will look upon the legislation as something which is not simply to be passed over and allowed to go through without general debate. My reason for saying that is that it is approximately 45 years since any substantial alterations have been made to legislation dealing with people in our community who fall by the wayside and find themselves imprisoned.

This legislation is certainly not before its time, and it is my belief that many of the provisions in it will be of great benefit to the persons it is intended to cover. I hope that before the legislation is finally passed through this House members will give it the investigation it deserves, and that some very sound suggestions and points of view will be put forward in discussing the Minister's introductory speech.

As far as I can see the Bill can do nothing but good for the community, and as I go along I will probably repeat myself once or twice; because with legislation of this nature one can hardly do otherwise. In the main I think the Bill is intended to permit the courts to allow persons on conviction to be paroled.

The Hon. A. F. Griffith: No, probation.

The Hon. F. R. H. LAVERY: On probation to be paroled. If the person observes the conditions of his parole, and does not do any wrongful act, he should receive great assistance from the community against which he previously had offended.

One feature which pleases me very much concerns the remarks made by the Minister on introducing the second reading when he said—

> It is important to note that nothing in the Bill in any way affects Her Majesty's Royal prerogative of mercy.

When I took this Bill home last weekend I had a fear that that power would be deleted. On making research into the subject matter of a Bill such as this, one finds the sources and the availability of information so vast that one cannot go into all the details in one or two days. For that reason, the submissions which I shall make in this debate will in no way please myself, in that they will be very limited and will not be as full as I would like.

This Bill has been introduced after the existing legislation has been in operation for approximately 45 years. It is 45 years since any great alteration was made to this penal law. One point we must be careful to take into consideration is the possibility that many years will elapse before the provisions in the Bill before us will be amended to any great extent.

From the common talk one hears among the public, there seems to be a fear that this proposed parole system may not prove to be in the best interests of the community, because one or two offenders in other States did not play the game when they were released on parole, and, in fact, went from bad to worse.

City dwellers may have some reason for thinking along those lines; but the people in the country will be the ones to be most concerned with the release on parole of men and women from prison, and with their re-entry into the community. Of those who will be granted freedom on parole, a great many will seek employment in the country. Therefore, I urge both city and country dwellers to bear in mind the words of a man who has studied very closely the parable of the prodigal son. His words were to this effect: The return of the prodigal son is only half of the Bible story; the other half is that his fellows in the community welcomed him home. If this lesson is borne in mind, then I believe the proposed parole system can be made to work.

In my few years of parliamentary life I have had occasion to call on Attorneys-General and Ministers for Justice to put forward cases on behalf of incarcerated persons. I can say that in all cases except one the Ministers were most helpful and generous with respect to my appeals. When Parliament establishes the right for people to be freed from prison on parole, the good relationship which exists between the prison authorities, the prisoner, and the Minister for Justice, will not disappear completely, because each and every person applying for parole will have to appear before a board. I may be wrong in saying —I am prepared to accept correction by the Minister—that the board envisaged in the Bill will consist of members who will be very much bound by conclusions drawn from a departmental point of view.

The Hon. A. F. Griffith: That will not necessarily be so.

The Hon. F. R. H. LAVERY: I appreciate that remark, and I hope it will not be so. As I said a few days ago when speaking to another measure, at present over 50 per cent. of those who are in gaol are under 21 years of age. I am sure that you, Mr. President, and all members will agree with me, that people of that age, except in exceptional circumstances, are not beyond redemption.

I know the board will have the guidance of the Comptroller-General of Prisons (Mr. Waterer). As Superintendent of the Fremantle Gaol he went out of his way to see the young people who were sent to that

gaol, and to ensure that they were given the opportunity of being re-educated so that when they were returned to the community after having undergone the punishment meted out to them for their misdemeanours they would prove to be good citizens.

I want it to be recorded in *Hansard* that on one or two occasions the Superintendent of the Fremantle Gaol (Mr. Waterer) sent for me—I have had many dealings with him—to see if I could do something for some prisoners in his charge. That is Christianity at its best.

This Bill is a step in the right direction for another reason—a mercenary one. The cost of keeping people in gaol, which has to be borne by the community, can be reduced by returning prisoners on parole to work in the community. We know that some people who are sent to prison deserve all the castigation they receive from the judges, because they are really bad characters; but many are not beyond redemption. If prisoners below the age of 25 years cannot be rehabilitated and returned to the community as solid citizens then I am afraid our system is at fault.

During the Address-in-Reply debate I said that a new organisation had been formed by a group of people in this city. It was first instituted by the Women's Service Guild, which, with the help of many other organisations, formed the Civil Rehabilitation Council. The inaugural meeting of the organisation was attended by people from all walks of life. The intentions of this body are the very best, and it attempts to do what it can to assist people to be rehabilitated after their discharge from prison, particularly to place them in employment.

The Bill before us should not be accepted lightly, because of what happened in Victoria. In that State an Act, similar to this Bill, was introduced in May, 1956; that was the Victorian Act for penal reform. It was proclaimed in 1957. In 1958 the parole board made its first report to the Chief Secretary of that State, and that was only a little over five years ago. Having perused the Victorian Act, which is a voluminous one, I found quite a number of the provisions were similar to those in the Bill before us. I think that some of the comments made by the board in Victoria will be applicable to Western Australian when the board is set up in this State.

In that report for the year 1957-58 the board expressed some views on its growth since its establishment and on the amount of work which it did in the first year. I am afraid that when the parole board is formed in Western Australia attempts may, or may not, be made to chisel the finances a little in an endeavour to keep the cost as low as possible. If the staff under this Bill has anything near the amount of work which the Victorian staff has had to face, it will soon have to be increased. In vol. 2 of *Papers Presented to Parliament* in Victoria in 1958-59, on page 740, is the following:—

> 8. Activities of Board.—(a) Meetings.—There were 48 meetings of the Board during the year, 34 of which were held at penal institutions.

As there are 52 weeks in a year I would say that the board held a meeting once a week except for holidays. Further on the report reads—

(1) Under Sections 39 and 40. (Indeterminate sentences converted to definite sentences and minimum terms fixed in respect of habitual criminals and other reformatory prisoners.)	191
(2) Under Section 44. (Minimum terms fixed in respect of persons undergoing definite sentences having twelve months or more remaining to be served on 1st July, 1957.)	271
Total	462

In other words, the board dealt with 462 prisoners. On page 741 of the same volume appears the following:—

> (c) Paroles.—(i) At the request of the Honourable the Chief Justice, Sir E. F. Herring, the Chairman of the Board wrote on the 4th July, 1957, setting out certain matters for the consideration of the judges in the exercise of their sentencing function. That letter contained (amongst other things) the following observations:—

I must interpolate here to state that I am reading these extracts to demonstrate that we are not dealing with a light matter. The staff in Victoria had to be increased tremendously over a period. The second paragraph of the letter mentioned above reads—

> As a broad general rule, and subject to revision in the light of experience, it is thought at present that in most cases where the period of sentence exceeds twelve months, the purposes of parole will be achieved by the offenders being under parole supervision for not less than twelve months nor more than two years. There may be cases where the sentencing judge may consider a longer period than two years on parole may be desirable, and it is presumed that in such instances he will frame the sentence accordingly. Of course, where the sentence is for less than twelve months imprisonment the period of parole must be less than the twelve months period the Board considers desirable.

I have quoted the above because I believe it will be at least two years before the board in Western Australia will get under way. In Western Australia there are usually between 600 and 700 prisoners in the Fremantle Gaol and other State prisons. At the moment it is part of Mr. Gannaway's onerous duties to find ways and means of ensuring that prisoners receive at least some sort of rehabilitation when they re-enter the community. I could elaborate on that point quite a lot but I will not do so at this stage, because I believe the Bill is essentially a Committee Bill.

As I have said, Mr. Gannaway does do all he can to assist the prisoners to secure employment. However, it is very difficult for these people to keep their employment, because not very long after they are placed, a little bird seems to fly round and inform the employer of the place from which his employee was recently released. The employee in question very soon after this finds himself in search of other work, and usually drifts into the country. Quite often he feels bitter, and as a consequence does not do the right thing and finds himself back in prison. However, that percentage of the whole is rather small.

I feel that the success or failure of the parole system depends on whether or not employment is found for these people. The Bill contains several restrictions which could make the men released from prison on parole—I am not mentioning women, because luckily there are fewer than 40 women at the moment in prisons in Western Australia—feel they had served their sentences. The chairman of the board in Victoria makes it quite plain in his report to the Chief Justice that these people must have explained to them very carefully the conditions under which they are being released. He suggests that some sort of form should be issued indicating what is expected and desired of those who are released on parole.

I cannot see anything in the Bill which gives the board the authority or the right to do this sort of thing. I suppose that the people who will be appointed to this board will have access to reports such as the one to which I have referred. There are in that report many things which could concern Western Australia, and I commend the reading of it to all members in this Chamber who have some thoughts on the matter.

I think the feeling exists in our community that once a person has committed a crime and been sent to prison, that is the end of him. However, the idea behind this Bill is to try to demonstrate that such is not the case and that because a fellow goes to prison is no reason why after a certain amount of education and guidance, he should not be free to go back into the community and become not only a useful citizen, but a very sound one. There are many facets of this matter which I do not like—

The Hon. F. J. S. Wise: But generally you feel it is worthy of the risks involved.

The Hon. F. R. H. LAVERY: That is a good interjection. I do not know how I have been doing, but that is exactly what I have been trying to convey during my speech.

The Hon. F. J. S. Wise: You are doing very well.

The Hon. F. R. H. LAVERY: Any assistance I, as an individual or as a member of the Civic Rehabilitation Council, can give to a person, I will gladly give. Speaking personally, I am one of those people who leave the finances of the country to the ones capable of dealing with them, but I take second place to very few on the subject of what should be done in regard to the humanities and for the assistance of folk who somewhere along the line have not been able to stand up to the pressure they have had to face.

In conclusion, I would like to say that half our worries and troubles today involving young people sent to prison arise from the family background. There is usually a broken home involved, or excessive drink, or the young folk have been left completely to themselves with no parental guidance. I was asked to attend the Supreme Court last year on behalf of a young chap 18 years and 2 months old who was up before Mr. Justice Wolff on a charge of having stolen four gallons of petrol. He had already been charged with stealing a motorcar. When asked by the judge whether he had anything to say, he did not speak, but just shook his head. Then, when asked whether his mother and father were in court, he gave the damning answer "They are not interested." I support the Bill.

THE HON. J. M. THOMSON (South) [8.12 p.m.]: My remarks on the Bill at this stage will be very brief, but I rise to support it. We know, of course, that it is very important and is designed for the benefit, assistance, and guidance of those people who, from time to time, find themselves in difficulties with the law.

At this stage, I merely seek some information as to the chairmanship of the board and perhaps the Minister could enlighten me when he is replying to the debate. During the Minister's introductory speech, he stated that the board, instead of consisting of three members, as at present, will comprise five members under the chairmanship of a judge. I do not know whether this is wise, and I believe we should give the matter more thought.

The Hon. A. F. Griffith: Who would you suggest? I do not mean the man's name, but the type of person.

The Hon. J. M. THOMSON: That is a good question. I must admit that at the moment I have no answer, because I have not had an opportunity to consider that aspect of the point I am raising. I am questioning the advisability of appointing a judge as a chairman or even as a member of the board. It is the intention under the Bill that a different judge from time to time will be appointed by the Chief Justice?

The Hon. A. F. Griffith: It is not intended that the responsibility will be a rotating one, if that is what you mean.

The Hon. J. M. THOMSON: I see.

The Hon. A. F. Griffith: It would not be on a roster basis.

The Hon. J. M. THOMSON: I see. The point I wish to make is this: A person who is sentenced by a court could well come before the same judge as chairman of the parole board. The evidence which was heard in the Supreme Court at the time of the trial might not be forgotten by the chairman of the board, and that could adversely affect the consideration of the person's application for parole.

At times people are convicted on evidence submitted by the police, and even on their own evidence and actions. I can recall a person who was convicted in respect of an action that arose between him and a constable. He was convicted because there were no other witnesses to the ocurrence. This person eventually appealed against his sentence, and when he came before the Supreme Court the presiding judge made remarks to the effect that this man was either a larrikin, a hoodlum, or a no-hoper. Such remarks are a grave reflection, when made by any responsible person, on a prisoner standing in the dock; particularly when made by a judge who does not know the true circumstances of the case. In the instance to which I have referred, the judge, of course, was guided by the constable, who had to justify his accusations.

I would say that this is not the only occasion when that sort of thing has occurred; it could apply on numerous other occasions. If a prisoner comes before the parole board, he should not have to face the person who passed sentence on him.

I trust that ere we deal with this matter in Committee, serious consideration will be given to the points I have raised and some other person substituted as chairman of the board. I feel that the interests of the people whom the Bill sets out to benefit could be lost sight of in the present circumstances, and I trust that the Minister when replying will deal with the points I have raised; and, if necessary, during the Committee stage we may deal with them further.

THE HON. G. C. MacKINNON (South-West) [8.18 p.m.]: I wish first to commend the Minister for introducing a Bill of this nature, which is probably overdue. We must regard a measure of this type as simply part of the prison system of the State.

In regard to the prison system of the States, in these days we tend at times to forget just why prisons are necessary. If we read a lot of the stuff that has been written in recent years, we can imagine that prisons exist simply for the psychological treatment of certain individuals in the community, and for their ultimate reformation and their particular good.

I think it has been forgotten by some that the prime purpose of a prison is for the protection of those people who can and do obey the rules of the country in which they live.

The Hon. F. J. S. Wise: Some people do it automatically. It is easy for some.

The Hon. G. C. MacKINNON: The vast majority, of course, do live by the rule, and prisons do not worry them at all; it is for the protection of those good citizens that it has been found necessary to have prisons and all the various things that go with prisons. There is no doubt that many of them who find themselves in prison can be helped in one way or another.

Of course, in fairness to those people, all methods of assisting them—rehabilitating them—must be investigated; and the Bill opens up one of the avenues in which people may be helped or rehabilitated to such a degree that they can take their place again in the community. It is to the credit of this Government that two such steps have been made—one, the opening of Karnet, and the other, the introduction of this Bill. Both to some degree are experimental.

I do feel there is room for yet one other step, and in this connection I have spoken to some prisoners who, strangely enough, agree with me. The other step to which I refer is that I think the time is rapidly approaching when we require a maximum security and a maximum severity gaol.

The Hon. R. Thompson: You do not mean severity.

The Hon. G. C. MacKINNON: I mean severity.

The Hon. R. Thompson: I thought you had had enough of that yourself.

The Hon. G. C. MacKINNON: I have never been in a military gaol.

The Hon. R. Thompson: I do not mean a military gaol.

The Hon. G. C. MacKINNON: There is a need for maximum severity for certain types, and that is generally recognised. I doubt very much whether there is any member present who has not gone through the mixed joys and pleasures of being a parent, and I also doubt whether there are many of us here who have not at some time or another felt constrained to apply a heavy hand to a fairly tender portion of a child's anatomy. That is maximum severity so far as a child is concerned, within a reasonable framework of that term.

I repeat, there is a growing conviction over recent years that the only way to handle malefactors is by psychological means; kindness, consideration, and that sort of thing. The other day I was interested to read an article in a newspaper where the question of severity was dealt with. The article mentioned the handling of some juvenile criminals in America. Those juveniles had been passed over to a criminal court and dealt with, not as juveniles but as criminals. The results rather indicated that the experiment could be a great success.

I think there is in modern thought a degree of swinging back to the idea that some cases demand severity, in just the same way as some cases require consideration, kindness, and human understanding. The Minister said—

> It will be readily appreciated that the concurrence of the prospective probationer and his willingness to endeavour to carry out the terms of a probation order are basic requirements to the success of the probation system, which is a system based on good faith and endeavour towards personal rehabilitation under the supervision of the probation officers and the supervising court.

That is self-evident. Any system of probation must have, as a basis, those requirements, and that paragraph is absolutely the keystone of the probation system.

The Hon. A. F. Griffith: He must know the conditions in order that he may have an opportunity to fulfil them.

The Hon. G. C. MacKINNON: That is right; and he must have that good faith. We are all aware—those of us who have knocked around—that there are men in this world who have not good faith. Some of us could, perhaps, even recall an odd person who would not even know the meaning of the words. I have no doubt that among the more vicious type of criminal—and there are some in every community—there is a section which would not have the required degree of good faith to allow them to participate in this scheme.

The Hon. R. F. Hutchison: Is a parole system meant for them?

The Hon. G. C. MacKINNON: No; they would be segregated. But those are the types of people for whom, very often, the sort of gaol I have mentioned can do some good. Those who were members of the armed forces will remember, perhaps, having seen the type of military gaol where this sort of treatment was meted out to prisoners; and, generally, one thought very long and hard before committing a man to a provost military gaol where everything was done at the double, no questions were asked, and rigorous conditions applied. I have spoken to one or two fellows who have been in such gaols, and they generally decided that one stay of 28 days was enough, and they did not want another.

We must visualise this Bill as part of a comprehensive plan for the handling of citizens who break the rules. The Fremantle Gaol forms a part of that plan; this Bill forms a part; and the new establishment of Karnet forms a part. Most countries have found it necessary to have a gaol or institution at the other end of the scale as well, and it is quite probable that in Western Australia the day will come when we will need that severe type of gaol.

Another very important paragraph in the Minister's speech is this—

> The ultimate success of the new board will depend to a great extent on the board itself and on the success of the work carried out by the parole officers.

That remark, in respect of legislation of this type, is a self-evident truth. The success of the scheme will depend greatly on the members of the board—on their understanding and appreciation of human nature, and their ability to segregate the sheep from the wolves and those who can be assisted by the rehabilitation measures envisaged by the Bill.

In that connection I tend to agree with what Mr. Jack Thomson had to say about a judge. I can see some difficulties arising where a judge is chairman of the board, and he, or one of his colleagues, sentenced the applicant for parole and maybe made some comments on his behaviour at the time.

The Minister by interjection asked Mr. Thomson whom he would suggest. My own inclination would be to appoint someone who had had a fair amount of experience in one of two services—the Navy or Army. I deliberately excluded the Air Force because the type of personnel in control is somewhat different. The Air Force does not tend to have the same breadth of types.

The Hon. A. F. Griffith: They were very good types.

The Hon. G. C. MACKINNON: Well, perhaps that is why.

The Hon. G. Bennetts: Would you consider a minister of religion?

The Hon. G. C. MACKINNON: Not particularly. I would prefer someone who had a fair amount of experience; for example, a reasonably highly-placed officer in either the Army or the Navy. Perhaps, as the Minister is an ex-Air Force man I should explain a little more clearly. The Air Force is made up of various air crews and they tend to operate in small groups and under a particular control. Whilst I have had no experience of the Air Force, I understand the whole control is somewhat different to that in the Army or the Navy where men are dealt with in the mass.

This point was raised by Mr. Jack Thomson, and by interjection the Minister asked whom he would suggest; and my thoughts run along these lines in preference to the appointment of a judge. No doubt the Minister has considered this aspect and can give us a satisfactory reason why a judge should be appointed. One reason is that a man must be able to consider the points of law raised.

The Hon. A. F. Griffith: The Bill provides that points of law shall be determined by a judge.

The Hon. G. C. MACKINNON: Yes, as was mentioned by the Minister in his second reading speech. That point does worry me. Another provision in the Bill which is not explicit is that relating to the conditions laid down. It would be possible for conditions to be imposed by a probation board which could make it very difficult for the scheme to be successful. However, one would not expect a board of such a high calibre as this one undoubtedly will be to impose such conditions. For instance, I will cite a foolish example to illustrate my point. Let us suppose that a prisoner on parole was expressly forbidden to enter a public house to have a drink. It would be quite possible for him to meet a friend outside a public house on a hot day and, almost automatically, walk into the public house and have a drink. Therefore, in view of the condition imposed, for a very minor offence such as that he could find himself in trouble.

Although the Bill is not explicit on this, it is to be hoped that no pettifogging or minor restrictions will be imposed by a board on any person under probation or on parole. I have no doubt that it will be explained to us that it will only be a certain percentage of prisoners who will enjoy the benefits of parole, or will even be considered for parole. I am fully aware of that. Nevertheless, in considering the Bill —which I intend to support wholeheartedly —I still maintain that we must view this as only a part of a developing plan for an improved method of handling criminals within our community, bearing in mind that criminals range from brutal killers to those who find themselves in the position of being criminals almost by accident.

Over that range of criminals we must, of necessity, provide for a wide range of treatment. I would like to conclude by again commending the Government for its action during the last few years in taking two dramatic steps; firstly, in introducing the overall plan for the establishment of Karnet Rehabilitation Centre, and, secondly in introducing this system of probation and parole.

Debate adjourned, on motion by The Hon. R. F. Hutchison.

BILLS OF SALE ACT AMENDMENT BILL

In Committee, etc.

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

METROPOLITAN REGION IMPROVEMENT TAX

Legislation to Remove Anomaly: Motion

Debate resumed, from the 29th August, on the following motion by The Hon. H. C. Strickland:—

> That, in the opinion of this House, the Government should legislate during the present session of Parliament to relieve home owners, occupiers of premises, and landowners from an unjust anomaly which exists under the provisions of the metropolitan region improvement tax by—
>
> (a) exempting from that tax all land reserved for public work as defined in section 2 of the Public Works Act, 1902-1961; and
>
> (b) refunding to taxpayers or their estates all metropolitan region improvement tax moneys collected on land which has been reserved, resumed or otherwise acquired for public work as defined in section 2 of the Public Works Act, 1902-1961.

THE HON. L. A. LOGAN (Midland—Minister for Town Planning) [8.38 p.m.]: I find it rather difficult to understand the approach of the honourable member to this matter, and I find it particularly hard to understand his reasoning. He has argued on the basis that certain people in the metropolitan region will be paying improvement tax to build up the value of property owned by somebody else and to the detriment of their own. He repeated this statement often throughout his speech. Not once during his remarks did he cite a concrete example of how this applied. That is

understandable because it would be impossible for him to give an example. Therefore, the whole of his argument falls down on that fact alone.

All property that has been acquired under the Metropolitan Region Scheme for public purposes, and which is subject to an interim development order, will be purchased at current market valuation.

The Hon. H. C. Strickland: What is the current market valuation?

The Hon. L. A. LOGAN: The current market valuation is the valuation of the property in and around the area where the Metropolitan Region Planning Authority intends to purchase property.

The Hon. H. C. Strickland: At what time?

The Hon. L. A. LOGAN: On the day it is purchased. If the property referred to by the honourable member is purchased in ten years' time, the value of that property in ten years' time will be the price the authority will pay for it.

The Hon. H. C. Strickland: The value of neighbouring properties?

The Hon. L. A. LOGAN: All valuations are based on the value of neighbouring land; all valuations are made on comparative valuations and comparative sales. A valuation could not be reached unless that were done. Up to date the authority has purchased land to the value of £1,012,133, based on current valuations. Following the resumption of the land there have been no problems over improvement tax.

All resumptions have been made as a result of negotiation. At no time has there been recourse to law, and in only one instance has the valuation been referred to an independent valuer. All the other resumptions have been successfully negotiated between the land resumption officer, the Metropolitan Region Planning Authority, and the owners themselves. That is a remarkable record for an authority that has purchased over £1,000,000 worth of property in such a short period; and without having any recourse to law. This, in itself, proves that the authority must be purchasing land at top-market values. So the furphy raised by Mr. Strickland can be completely ignored.

The Hon. H. K. Watson: Did the Perth City Council do that with the Beaufort Street land?

The Hon. L. A. LOGAN: That has nothing to do with this.

The Hon. H. C. Strickland: You are on the wrong Bill.

The Hon. L. A. LOGAN: I do not even know whether the Perth City Council purchased that land. I do know that the owners were asked to submit prices to the City Council, and, to my knowledge, not one was submitted. If prices were submitted I have not been informed. I repeat that none of this land will be reduced in value as a result of the ramifications of this scheme; and, as I said before, all valuations are made on comparative values and sales of land in the area concerned.

If land is the subject of an interim development order and the land on either side of it increases in value, the land embraced by the interim development order also increases in value. Therefore it does not make sense to me to argue that the owners of land which eventually will be taken over by the authority for the purposes of the Metropolitan Region Scheme will not have to pay tax.

A classic example of this is what occurred in the Welshpool area. When I first became Minister for Town Planning much of the land there had been resumed by the Railways Department for the purpose of constructing the marshalling yards, but there was still some land which had not been resumed. This property was covered by an interim development order and the owners could not sell it. The rates were increasing and therefore the valuation of the land must have been increasing. Some large firms purchased land outside the marshalling yard area which was not covered by the interim development order. Those firms paid up to £875 an acre for it. This was land on which owners, in 1952, had been paying £60 per acre for rates and taxes before the authority came into being.

In fact, when I made arrangements through the Treasury Department to obtain some money to assist the authority to solve its problems, some of these large firms were paying £1,000 an acre for the land in this area, but they were not exempt from the interim development order. Therefore, do members consider that any hardship would be imposed on them by their paying ⅜d. in the pound in improvement tax? If the land around that embraced by the interim development order went up in value, so must the value of the land within the interim development order increase in value. The owners came to me complaining that they could not pay their rates and taxes, but when one reviews the prices they obtained for their land there was no reason for them to complain.

The Hon. R. Thompson: They must have been treated better than the people in the North Fremantle area whose land was resumed.

The Hon. L. A. LOGAN: That was not resumed by the Metropolitan Region Planning Authority. We have paid top market prices for all of them. I do not say that the authority has paid the price every owner has asked; but I can assure members that some people want much more than the current market valuation. When these people see the land resumption valuation, and the current valuation; when they get

the taxation valuation and have their own independent valuation made, they appreciate what the value of their land is.

The honourable member mentioned something about two values outside, and a Press report about the values going up 100 per cent. in a year. This was supposed to have been said by one of my officers. The officer, of course, did not say anything of the kind, and the Press report did not say anything about the values going up 100 per cent. in a year. What the officer said was—

> The important point will be access. Similar site values in such locations on American freeways have been known to increase tenfold in as many years. One day I feel that we will witness the same pattern in Perth.

The Hon. H. C. Strickland: He says tenfold in 10 years.

The Hon. L. A. LOGAN: The honourable member said in one year.

The Hon. H. C. Strickland: That's right.

The Hon. L. A. LOGAN: The honourable member said 100 per cent. in one year.

The Hon. F. R. H. Lavery: Ten per cent. in 10 years is the same.

The Hon. L. A. LOGAN: Of course it is not. If it increases 100 per cent. in one year, it means that a property worth £100,000 today will in one year's time increase to £200,000. Mr. Strickland agreed that this valuation would go up. That in itself proves his argument wrong when he says that the tax these people are paying will reduce their property valuations. I cannot see on what the honourable member bases his argument that these people's valuations will go down the drain. They must be included in exactly the same valuation as the property alongside. The honourable member has not proved anything; neither has he given one argument to support his case. Mr. Strickland also mentioned 3,000 acres of land in the Wanneroo area. Here again he is off the mark.

The Hon. F. R. H. Lavery: That is the only way he could find out; by asking you.

The Hon. L. A. LOGAN: He did not ask me. He made a statement and said—

> I will now relate the circumstances surrounding a property which is much further out. It is one of some 3,000-odd acres, and at the moment it is used for grazing. Because of that the owner is exempt from the payment of taxation under the Act. Under the Metropolitan Region Scheme, the proposal is that the land be reserved as a site for a cemetery.

That land is Crown land; it is part of a stock route. It does not belong to an individual.

The Hon. H. C. Strickland: How did they appeal to the authority?

The Hon. L. A. LOGAN: The local authority appealed because it did not want the cemetery there. Mr. Rees, who was the shire clerk, appealed against it because he thought the site as a cemetery would reduce the value of the land. Mr. Strickland went on to say—

> I often wonder why the overall scheme has received such little publicity as an actual plan. Since the plan of the scheme has been tabled I have not seen any full-page sketches with diagrams to show the public where it stands.

I have taken the trouble to investigate this matter and I find that between the 7th April and the 24th October plans and sketches have been shown on 19 different occasions in *The West Australian, The Sunday Times* and the *Weekend News*. The entire plan was shown in sketch form.

The Hon. H. C. Strickland: What year was that?

The Hon. L. A. LOGAN: In 1963; and Mr. Strickland was not out of the State then.

The Hon. H. C. Strickland: We have not reached October, 1963, yet.

The Hon. L. A. LOGAN: I am sorry; it was the year 1962. The entire plan was shown to the general public. There is one here which gives a plan, and an aerial picture. So it is wrong for the honourable member to say that the public has not been told what is going on. For three months the plan was placed around the metropolitan area where people could have a look at it.

The Hon. F. J. S. Wise: They still did not know.

The Hon. H. C. Strickland: How many times has it been publicised since it was laid on the Table of the House?

The Hon. L. A. LOGAN: It is public property now. The honourable member talks about selling the Technical School. If we sold the Technical School we would have to use the money to build a new one; and the price of the old would certainly not build a new technical school. Mr. Strickland also talked about selling part of the railway property, but the amount we would get for the sale of that land would not pay for the cost of sinking the railway line. He also suggested selling Christian Brothers College; but this of course belongs to the Perth City Council, not to the Government.

The Hon. F. R. H. Lavery: What about the Hilton Hotel block?

The Hon. L. A. LOGAN: It seems to me that Mr. Lavery, like Mr. Strickland, is gloating over the fact that the Hilton Hotel was not built.

The Hon. F. R. H. Lavery: I am not.

The Hon. L. A. LOGAN: Mr. Strickland was certainly gloating about it.

The Hon. F. R. H. Lavery: I am very pleased the hotel was not built.

The Hon. L. A. LOGAN: It is a tragedy the hotel was not built, particularly after seeing the type of service such hotels give.

The Hon. R. F. Hutchison: We have better.

The Hon. L. A. LOGAN: Mr. Strickland could not give one example in support of his case. He had no case at all. Every piece of land purchased by the authority was purchased at current market valuation. It could not be otherwise. We have done this since the authority has been in existence, and since we have had the regional tax.

The Hon. R. Thompson: Have not the interim development orders and the threat of resumption tended to depress the values of land in the areas?

The Hon. L. A. LOGAN: No. We cannot publicise individual cases, because the Taxation Department will not permit this. I have gone through the valuations from the point of view of the City of Perth, and from the taxation angle, in regard to these areas, and there is not one sign anywhere of a depression in price because of the interim development order. I mentioned the case of the Welshpool marshalling yards. If the principle referred to is to apply, it should also have applied there; which of course it did not. It is readily agreed that every time a valuation takes place there is a general trend in increasing valuations of roughly 4 to 5 per cent. That has been going on all the time. Every time there is a water supply valuation everybody growls, because their valuations have gone up.

The Hon. R. Thompson: The prices of their houses have not gone up.

The Hon. L. A. LOGAN: Why is it that we have bought £1,000,000 worth of land—

The Hon. F. R. H. Lavery: Do not get cross.

The Hon. L. A. LOGAN: I am not getting cross. Why is it that we have bought this land in the areas which have been covered by the interim development order at the current market valuation; not at the depressed price, but at the increased valuation?

The Hon. R. Thompson: Who talked about depressed prices?

The Hon. L. A. LOGAN: The honourable member did. There is no case to answer and I trust the House will not agree to the motion.

THE HON. F. J. S. WISE (North—Leader of the Opposition) [8.58 p.m.]: There never is a case to answer if one is almost cocksure of the result when a motion is moved. The Minister either deliberately or inadvertently missed dealing with the most essential ingredients of the motion. We are dealing with the question of people who are prejudicially affected because of impending compulsory acquisition; people who, if left alone with their investment in real estate or properties which belong to a family would never think of selling them in this generation. They form part of the interest on capital acquired over long years of hard work and investment, and a very large income, realistically, must be expected to accrue to them.

The Hon. L. A. Logan: For which they will be paid.

The Hon. F. J. S. WISE: They will not, because at some point in the very near future there must be an interruption of their plans, and they will not be able to enjoy in the ultimate the incremental value associated with such investment. That will be because of the disturbed situation during the course of earning an income from the investment which is entitled to the incremental. Then as time goes on that is allayed—that is stopped. It is not only stopped at the point of acquisition, it is stopped at the point of notice that the plan is intended to proceed. In actual fact, the persons are tied and become unwilling sellers; not those people who find some advantage in an estate of comparatively small dimensions, but very important to them; not merely those who find they are receiving more than they anticipated for their property from the £500 or £600, or £1,500 or £1,600 that has been invested and on which, in some cases, they did not expect to realise, but those who have, for family reasons, invested hard-earned money to go on perpetually earning an income and so enjoy the incremental advantage.

The plain request in this motion is that because of that prejudice to their asset and their interest, since they cannot in the ultimate enjoy all the fruits of their investment, they should not logically, realistically, or fairly be attached to such properties and taxed just as if that land were free, unencumbered, and uninterrupted in the purpose the owner had for it. That is the point the Minister deliberately—

The Hon. L. A. Logan: You read Mr. Strickland's speech.

The Hon. F. J. S. WISE: I not only read it, but I listened to it—and listened to the Minister as well, and he said that over £1,000,000 has been spent, and that is regarded as something to the credit of those associated with it.

The Hon. L. A. Logan: No.

The Hon. F. J. S. WISE: They are acting in accordance with the law and unavoidably must pay some equitable figure which is reasonable and fair at this point. But we must look a little further into the

future than that. We must look at what this "ten-times within the next ten years" would mean, especially in the areas cited where normal growth, if uninterrupted, would build an extraordinary and valuable increment to which the present owners are entitled. But they are not going to enjoy that. They are going to enjoy only the accretion of value to this point—the point of acquisition, or the point of notice of acquisition.

The Hon. L. A. Logan: Which could be in ten years' time.

The Hon. F. J. S. WISE: They are prohibited from selling the property as such, without approval, to some other person who will share the same fate, because it is realised that to all intents and purposes these values become pegged to the point of purchase by the authority. The proposal in the motion, therefore, becomes a realistic approach to give those persons in their lifetime, and at this time, the waiving of a charge which, if applied to such people and to such premises, would be entirely wrong. I support the motion.

THE HON. H. C. STRICKLAND (North) [9.4 p.m.]: The Minister accused me of failing to put up a case. I must say the Minister has certainly not put up a case—maybe for the reason that he has no need to. However, he talked of everything but the object of the motion. He talked about valuations and what people are getting; and he drew a few of Mr. Mattiske's red herrings across the trail and simply dodged the issue, which, in the motion, is a matter of justice and fairness to people who live within the metropolitan region.

The Hon. L. A. Logan: You based your argument on the fact that values were going to be reduced.

The Hon. H. C. STRICKLAND: I wanted to know why people should be taxed on properties which are going to be taken away from them.

The Hon. L. A. Logan: And reduced in value.

The Hon. H. C. STRICKLAND: The properties will be taken from them; while other people who live in the region are exempt from tax and will enjoy a very large increment in the value of their properties.

The Hon. L. A. Logan: So will they.

The Hon. H. C. STRICKLAND: That was the basis of my argument, no matter what the Minister read into my speech.

The Hon. L. A. Logan: I will read it to you.

The PRESIDENT (The Hon. L. C. Diver): Order!

The Hon. H. C. STRICKLAND: If the Minister likes to turn around what I said to suit himself, that is his business.

The Hon. L. A. Logan: I read exactly what you said.

The Hon. H. C. STRICKLAND: The Minister read from an uncorrected copy of my speech. I would say he is very privileged to get one. No other member can get a copy of a Minister's speech until he has corrected it, but Ministers are able to get copies of members' speeches before they are corrected.

The Hon. L. A. Logan: Don't tell me you didn't say what is in this.

The Hon. H. C. STRICKLAND: If the Minister chooses to twist around some of my examples that is his business.

The Hon. L. A. Logan: I did not twist any words around; I read exactly from the honourable member's *Hansard* speech.

The PRESIDENT (The Hon. L. C. Diver): The honourable member may proceed.

The Hon. H. C. STRICKLAND: Perhaps I should put what I have to say in more diplomatic words.

The Hon. L. A. Logan: I think you ought to.

The Hon. H. C. STRICKLAND: If the Minister chooses to quote sections of my speech to bolster his case he is entitled to do so—

The Hon. L. A. Logan: That is better.

The Hon. H. C. STRICKLAND: —but I say my words were twisted around a bit. I quoted from the reports, and handed the reports to *Hansard*.

The Hon. L. A. Logan: And handed them wrongly.

The Hon. H. C. STRICKLAND: If *Hansard* has not copied them correctly I suppose it is my fault for not correcting them. Probably *Hansard* was right and the Minister wrong. I quoted a case of an estate further out—as the Minister quoted—which is used as a grazing property and which objected to the authority—the authority's report says the proposed scheme was a cemetery site reservation—on the ground that the site would be a serious hindrance to the development of the area.

The Hon. L. A. Logan: That is right.

The Hon. H. C. STRICKLAND: The Minister said it was Crown land.

The Hon. L. A. Logan: So it is.

The Hon. H. C. STRICKLAND: I am forced now to quote No. 151 on page 50 of the Metropolitan Region Scheme—Submission of Scheme and Report on Objections, 1963. No. 151 is Whitfords Beach Pty. Limited, Swan Location 1370, Lots M1362 and 1564, Whitfords Beach.

The Hon. L. A. Logan: That is not the cemetery site.

The Hon. H. C. STRICKLAND: That is what I quoted.

The Hon. L. A. Logan: No you didn't!

The Hon. H. C. STRICKLAND: According to the regional plan on the table this area contains something like 1,544 acres, and another 1,500 acres adjoins it.

The Hon. L. A. Logan: We will not take in the cemetery block.

The Hon. H. C. STRICKLAND: It is no good the Minister coming along with a cock-and-bull yarn.

The Hon. L. A. Logan: It is not a cock-and-bull yarn.

The Hon. H. C. STRICKLAND: How could the Crown appeal to the authority? It is reported here that local government authorities have made some objections.

The Hon. L. A. Logan: They could raise both of them.

The Hon. H. C. STRICKLAND: It says, "Whitfords Beach Pty. Limited."

The Hon. L. A. Logan: That is not the cemetery site.

The Hon. H. C. STRICKLAND: The Minister tells me I am out of order. He switched around what I had to say to suit himself.

The Hon. L. A. Logan: I did not. I read exactly what you said.

The Hon. H. C. STRICKLAND: I did not mention any Crown land.

The Hon. L. A. Logan: The cemetery site is Crown land. It is part of the stock route.

The Hon. H. C. STRICKLAND: The Minister said it is Crown land.

The Hon. L. A. Logan: So it is.

The PRESIDENT (The Hon. L. C. Diver): Order!

The Hon. H. C. STRICKLAND: I am sorry, Mr. President. However, all this is beside the point. The important fact is that the Minister and the Government have no sympathy for the person who is going to be taxed until his property is resumed and taken from him. Never mind those people who have negotiated! They are satisfied people. However, there are going to be many hundreds of dissatisfied people. It is a true old saying that mugs or fools rush in where angels fear to tread; but, on the other hand, people are in the position where they have been squeezed in connection with this scheme. They know they cannot develop any further; they know they are coming to a dead end. Some people might have only a small equity in the property to be resumed—or perhaps the full equity—and, for their own personal ends, they are prepared to obtain the current market value as assessed; and I do not know whether the valuation is made by the authority or the land resumption officer. However, there are many others who are not so eager to part with their investments.

I previously quoted the case of a man in Newcastle Street. He had one property which he used as his home, and evidently another from which he received an income by way of rental, which provided him with a livelihood. The authority said the land may not be required for 15 to 20 years, but that man will be taxed for that 15 to 20 years; and, in effect, he is contributing to the fund which is going to buy him out. All I am asking is that that man, and those in a similar position, be exempt.

The Hon. L. A. Logan: What is wrong with that?

The Hon. H. C. STRICKLAND: What is right with it? The Minister makes some funny remarks to make his points.

The PRESIDENT (The Hon. L. C. Diver): Order!

The Hon. G. Bennetts: He is a very funny man.

The Hon. L. A. Logan: I am satisfied about you.

The Hon. H. C. STRICKLAND: I read the debate on a couple of Bills that the Minister introduced into this House last session. I was not here when certain advertisements appeared in the paper—and I will have more to say about that later on. The measures he introduced contained amendments to the town planning Acts and passed through this House. The Minister was not able to convince all members of this House. He was not so truculent then and took a little more time to use reasonable expressions, and he went on to say, "It was surely not the intention of Parliament that anybody should suffer as a result of the Metropolitan Region Improvement Scheme."

Those were his words: That nobody would suffer. The Minister now considers that a man who is going to lose his home and his investment, and who is going to pay tax until he does lose it, will not be suffering. But the person who has 12,000 acres along Whitfords Beach, and who pays no improvement tax because he has a few cows on his land, will be sitting happily. His property is going to improve tenfold, according to the Minister. The Minister tried to deny that 100 per cent. increase, but a tenfold increase represents 100 per cent. increase for the first year, and there will be a further 100 per cent. increase on the land over each of ten years. The Minister put up no case in defence—

The Hon. L. A. Logan: Neither did you!

The Hon. H. C. STRICKLAND: — because he would not have read out the argument of his own officer about the 100 per cent. increase. He did not wake up to it until he had read it out. That is the type of thing which is put before this House of review to convince members.

I do not think that is a fair go at all; because, after all, we represent property-holders throughout the State. We are charged with looking after their interests. The franchise is a property-owner's franchise. It is a pity, but it is so; and it is our responsibility primarily if we are to stand up and defend the franchise on which we are elected.

There is very little that can be said about the motion. It simply wants to exempt people from paying a so-called improvement tax when such people are going to lose their properties; when they are going to be bulldozed out of their properties. Some people will be paying this tax, according to the report, for 40 or 50 years.

The Minister said that those people whose properties are resumed will receive the current value. In reply to an interjection I made as to what is the current value, the Minister said that it would be the value of neighbouring, adjoining, or surrounding land on the day that the land is purchased. That would be very nice if it were written into an Act. But it is not written into any Act. When anybody enters into litigation he does not take any notice of parliamentary speeches or assurances. He simply interprets the appropriate Act.

The Hon. L. A. Logan: It is in the Act, of course.

The Hon. H. C. STRICKLAND: I hope the Minister will introduce legislation during this session to write something into the Act, if it is the Government's honest endeavour to pay the ruling value of surrounding land. That would be a fair proposition.

When introducing the motion I mentioned that very little publicity had been given to the scheme. The Minister said that between April and October there were some 18 references to the scheme in the Press. He tried to tell us that it was this year, until he found out that it was last year. He will put anything over this House if members are not careful. That was twelve months ago. But I have never seen any prominent reference in the Press to the effect that the plan was tabled some 15 or 16 days ago. I have seen no reference in the Press about that.

At the end of 21 days a lot of people will be receiving notices in connection with land which is to be resumed in the near future—in the early stages of the scheme. Of course, those who are going to have to wait up to 40 years will not receive any notice. They will not know anything about it. But in the meantime they will be lucky if their land can be sold. At the same time, they are expected to pay an improvement tax. They are put into a squeeze: an absolute squeeze. They cannot improve their land; they cannot sell. They can negotiate, if they are lucky; but if they are not satisfied with the negotiations, they must sit on their land and pay a tax until their land is finally resumed by the Government.

The Government does not like the word "resumption". We heard a lot about resumption when a different Government was in office. We are always hearing the word from one side of the House or the other. Even the authority does not like the word "resumption". Call it what we like, it is resumption. One member called it ex-propriation, which made the Minister very hot under his collar. It is confiscation, without a doubt—confiscation of people's property.

No-one objects to the ruling value. As I said when introducing the motion, I have no objection to those values or to the plan. One cannot stop progress. I introduced the motion solely for the purpose of having some equality, some fairness in the implementation of the tax. The motion simply asks that people should not be taxed on land which they occupy but really do not own because it belongs to the Government, or the Government will purchase it in the distant future. Of course the Government does not agree with that; it thinks there is no fairness in the proposition.

But to go to the other extreme the Government believes there is fairness in people outside the resumption area having their land increased in value tenfold in 10 years—and that figure is according to the authority itself. It is quite a good proposition for those who will enjoy the increment, but the whole position is rather unfortunate and unfair for those who will be taxed until the day their properties are taken over.

This is not a Bill. It is simply a motion asking the Government to do something; and I was amazed at the offhanded approach of the Minister, on behalf of the Government, to a suggestion of this kind. It is a motion which simply asks for fairness and equity to be shown to home owners, occupiers of premises, and landowners where properties are to be resumed.

I trust members will support the motion, because it simply asks the Government to introduce legislation to exempt people from what in my opinion is a very unjust and unfair tax.

Question put and a division taken with the following result:—

Ayes—14

Hon. G. Bennetts	Hon. H. C. Strickland
Hon. D. P. Dellar	Hon. R. H. C. Stubbs
Hon. J. Dolan	Hon. R. Thompson
Hon. J. J. Garrigan	Hon. H. K. Watson
Hon. E. M. Heenan	Hon. W. F. Willesee
Hon. R. F. Hutchison	Hon. F. J. S. Wise
Hon. F. R. H. Lavery	Hon. J. D. Teahan

(Teller.)

Noes—13

Hon. C. R. Abbey	Hon. R. C. Mattiske
Hon. A. F. Griffith	Hon. H. R. Robinson
Hon. J. Heitman	Hon. S. T. J. Thompson
Hon. J. G. Hislop	Hon. J. M. Thomson
Hon. A. R. Jones	Hon. F. D. Willmott
Hon. L. A. Logan	Hon. J. Murray
Hon. G. C. MacKinnon	*(Teller.)*

Majority for—1.

Question thus passed.

MINING ACT AMENDMENT BILL

In Committee

The Deputy Chairman of Committees (The Hon. G. C. MacKinnon) in the Chair; The Hon. A. F. Griffith (Minister for Mines) in charge of the Bill.

Clauses 1 to 4 put and passed.

Clause 5: Section 291 repealed—

The Hon. F. J. S. WISE: This clause, of course, is the crux of the Bill and it brings into even a Committee debate all of the implications and operations of section 291 of the parent Act; because the intention is that that section shall no longer exist.

I was very surprised at the resentment of the Minister at the criticism offered to this clause. He alleged that basically untrue criticisms and falsehoods were uttered, and he then went on to say that the tenor of the debate showed that this was a purely political approach by the Labor Party obviously dictated by the attitude of the A.W.U. That is untrue. I could call it by a very nasty name—

The Hon. A. F. Griffith: I am glad to hear it.

The Hon. F. J. S. WISE: —but I simply say it is not true.

The Hon. A. F. Griffith: All right then.

The Hon. F. J. S. WISE: Let us trace the debate on this Bill. It was introduced at 4.30 p.m., on Thursday, the 29th August, and the debate on the second reading was resumed at 4.50 p.m., on Tuesday, the 3rd September. On the merits of the case as they appeared to me I put forward my case against the clause, following no consultation with anyone. There was no approach to me by the A.W.U., and there was no approach by me to that body. There was no dictation from anyone and no-one affected or prompted my attitude to the clause. If there is to be an allegation of a queer and dictated or directed sentiment it has been expressed by members of the Liberal Party.

The Minister states that this section must be repealed. His very words were—

> I merely wish to give these people permission to technically supervise the installation of any equipment.

That is what the Minister said; but Mr. Mattiske had other ideas. In the course of a very remarkable speech from that gentleman, this was said—

> All that is intended with this piece of legislation is for those who are prepared to invest their money in purchasing iron ore from this State to have the opportunity to come here to supervise the winning of the ore from the ground, and its transport to Japan, and to ensure that the companies get value for the very great amount of money that they are going to pay us for it.

Is that true or false?

The Hon. H. K. Watson: Are we in the Committee stage, or in the second reading stage?

The Hon. F. J. S. WISE: If the honourable member has lost his place, I would remind him that we are in the Committee stage and dealing with the clause which seeks to repeal section 291 of the Mining Act. We know it must be horrible for those on the other side of the Chamber to hear the conflict of views; because the intention, according to Mr. Mattiske, is to win the ore from the ground for the Japanese to ensure that they get value for the very great amount of money they are going to pay for it. They want the opportunity to supervise the winning of the ore from the ground. Is that true or false? Is that the intention? I know it is a question to the Minister without notice; but I know, too, that it conflicts entirely with what the Minister expressed, and it does not line up with the assurance given by him.

Is not the position that Japan or any other buyer will buy the iron ore if the grade obtainable suits their needs and at a price at which the ore is obtainable? That is the situation; and that is why we strenuously object to the repeal of section 291. The Minister went on to say—

> People living in Asiatic countries find it a little difficult to understand some of our restrictive laws, especially in this case when in five other States the mining law does not exclude Asiatics and yet, in this State, they are excluded by the provisions of section 291.

They find it difficult to understand the law in relation to Asiatics mentioned in section 291 of our Mining Act. I find that hard to believe. There is no nation on this earth which is as alert as Japan on the ramifications of international law. There is no nation more conversant than Japan as to how much privilege it can exercise in fishing along the borders of the continental shelf, whether they be fishing for pearls, or for tuna or any other fish. There is no nation more conservative in purchasing any commodity it wishes to purchase and there is no nation more favoured on general exemptions that

are enjoyed in regard to tariffs and trade or special laws restricting quotas for their needs than is Japan.

Therefore I find it extremely hard to believe that people living in Asiatic countries experience difficulty in understanding our restrictive laws. I repeat that no nation is more alert than Japan in so far as her own industries are concerned, and in so far as protecting those industries—no matter how it hurts other nations—is concerned. Has the Japanese shipbuilding industry hurt the shipbuilding industry of our Mother Country? Japan has no conscience or concern if it is a matter of its internal industry benefiting and others being sacrificed. The Minister went on to say—

> The very life blood and the existence of Australia depends on our ability to trade with other nations . . .

The Minister then went on to pose this question: How would the Country Party members of this House view the situation that would be created if the Japanese were to cease buying the £100,000,000 worth of wool they buy each year?

To borrow again one of Mr. Mattiske's phrases—what sort of red herring is that one? Why do they buy our wool? The Japanese buy it because they cannot buy it elsewhere at the price, and because they cannot buy the quality which they obtain in this country from elsewhere. Japan will not cease buying £100,000,000 worth of wool if this section of the Mining Act is not excised.

The Hon. A. F. Griffith: Did I suggest it would?

The Hon. F. J. S. WISE: The Minister implied that unless we did something to allay Japan's concern over our restrictive laws it might even cease buying £100,000,000 worth of wool.

The Hon. A. F. Griffith: That is the interpretation you find it convenient to place upon my words.

The Hon. F. J. S. WISE: May I read again what the Minister said?

The Hon. A. F. Griffith: No; you need not read it again, so far as I am concerned.

The Hon. F. J. S. WISE: No; it does not suit the Minister because of the line of argument he wishes to put forward if this section in the Mining Act is not repealed. However, I maintain that Japan will continue to buy our wool whether this section remains in the Mining Act or not.

The Minister went on to say that it was the Japanese who had kept Ravensthorpe going because of the investment of their capital; that it was Japanese capital which had kept the men employed in that copper mine. Why? Because it suits Japan to invest its money at a profit in the Ravensthorpe copper mine. It suits Japan to obtain that commodity at the cost at which it can be produced in Ravensthorpe. Has Japan any interest in Ravensthorpe? It suits Japan's purpose to produce copper at Ravensthorpe because it is a profitable investment of her money. She needs the copper and operates within our existing laws because of that.

So it is with the Japanese working in any other industry in this country. It was the same in the history of our pearling industry when the Japanese became dominant as pearlers, either as masters or on indenture. In regard to the culture pearl industry here, the Japanese dictated the terms and did not allow any Australian to follow the sort of operation they biologically controlled.

So I say very definitely that the suggestion that the Japanese find it difficult to understand our restrictive laws will not bear any examination. Both Australia and Japan have the right to control their internal labour laws and industrial conditions, and Japan certainly expects us to have an understanding of its laws. Every nation has the right to control its immigration laws—otherwise it could not govern—and every nation has the right—which we have exercised—to control the social, racial, and economic conditions as they affect our nation. Why, we in Australia exercise the right to keep out people from our own British Commonwealth! Despite the fact that tens of millions of them would be anxious to come here, our laws prohibit many people coming in from the British Commonwealth. There is no discrimination in regard to colour or creed; but there is discrimination because of non-assimilability due to economic circumstances.

Mr. Mattiske referred to the Japanese mills he saw operating on low-grade ore, which comes from India, Malaya, the Philippines, and from the United States in some cases. It suits Japan at the moment to buy ore wherever it is available for the particular industry for which she wishes to use it. While there is peace in usually unsettled countries she is obtaining the supplies she needs from those countries. To use an illustration: It suits Australia to subsidise Australian wheat to enable Communist China to purchase it on terms. This is nothing new.

Nations preserve the right by their own industrial conditions and migration laws to control certain industries. A perfect illustration of this is when Ceylon received self-determination in 1947. There was no outside control, or Parliament; and the first law Ceylon passed was to restrict the number of Tamils coming in from India to work in rubber and tea. But that did not affect commercial relations between the two countries. Trade continued between India and Ceylon.

As far as I know nobody has ever cavilled at the right of one nation to exercise control of its industries. I am quite unmoved

by the argument that this provision should be deleted from the Act because no other State has it. We cannot extend that argument very far to support the Minister. We are a Sovereign State and our laws suit us without necessarily suiting Tasmania, South Australia, or Japan.

We must be consistent in the advocacy of something which suits our particular circumstance and industries. The sales of our minerals and other goods will be to customers who need them at prices we think should be paid. Japan and other Asiatic countries mentioned in section 291 will desire reciprocity in trade; but are we not responsible people? Are we not sufficiently responsible to ensure that the credits are in our favour? Surely we do not wish to weaken our own internal position! That is why I referred to the Broome pearling industry, and the fact that we should not allow Japanes operatives under indentures to work within that industry. This section in our Act preserves our position, because I think the mining industry as a whole needs to be protected. I oppose the clause.

The Hon. R. C. MATTISKE: In what sounded like the summing up of a debate Mr. Wise made play with certain words used during the second reading debate. The words used are correct. Labor members implied that if the clause were repealed there would be a heavy influx of Asiatics working in the mines. That is far from the truth. Apart from our immigration laws there is the Australian Workers' Union which precludes Asiatics from working in mines in this State. This is nothing but a red herring being dragged across the trail. I stand by the words I used.

It is essential for a person or an organisation to invest large sums of money in a foreign country to see how the work is proceeding in order that their interests may be safeguarded. It is quite unfair for Mr. Wise, or anybody else, to twist the words around and to create an impression different from that given by the Minister. I resent strongly any different interpretation being placed on those words from that which I intended in the context.

The Hon. A. F. GRIFFITH: We all know the trend the debate took during the second reading. I stick by the words that there were certain real falsehoods spoken on that evening. Members may care to call it a misunderstanding, if they like. Perhaps that might be kinder.

We had Mr. Dolan prove the point, and go back 100 years and tell us that there were 20,000 Chinese in Gympie in Queensland in 1867. When I asked him how many there were now he could not tell me, except to say he did not think there were any. I think that would be a fair assumption.

The Hon. J. Dolan. I did not say Gympie; I said, the Palmer River.

The Hon. A. F. GRIFFITH: Mr. Dellar said Japanese could not enter the mines because they did not have A.W.U. tickets. I agree with that. But I did not agree when he said there would be swarms of them coming here to do our people out of jobs. That is not the intention at all.

It is perfectly valid to say that other States of Australia do not have this particular provision in their mining laws. In my years in this House I have often listened to members opposite using the examples in the other States to prove their case; but when it is inconvenient, as in this case, they dismiss the example of the other States and say it does not count. That proves the truth of the old expression "horses for courses."

The intention of the provision in the Bill has been misunderstood. I say the Labor Party is making this a political issue in misunderstanding the real intention. I have told the House that I look at this proposition from the point of view of what can be achieved.

When the second reading debate was in progress the commencing words of many of the members opposite were along these lines:—

> I do not want to do anything to impair international relationship. I do not want to do anything to prevent Western Australia from selling its mineral products. I realise the position in which the Minister finds himself.

Those three statements were made by not one, but by half a dozen members opposite. I appreciate hearing those sentiments, because I believe those who expressed the opinions I referred to realised the situation.

Unfortunately they went on to exaggerate the position, by saying that dozens or hundreds of Asiatics would be able to come to this State to work. The debate was centred on the question of iron ore and the Japanese; but why it should be so centred I do not know, except that it was convenient for them to do so.

If I were to take out of context—as Mr. Wise chose to do—some of the remarks I made, and match them with some of the remarks made by Mr. Mattiske, I would be armed with an excellent method of approach to some Bills, because often there is a difference of opinion on one side, as there is sometimes a difference of opinion between members on the opposite side.

There is no need for me to say anything more, because whatever I say will not be understood by members of the Opposition. I believe they do understand my point of view and can see what I am endeavouring to achieve; but I am not endeavouring to do what some members think I am endeavouring to do.

The Hon. F. R. H. Lavery: Why are you endeavouring to do what you are doing?

The Hon. A. F. GRIFFITH: I have told the honourable member many times. Whatever I say will not alter the opposition to the clause before us. The deletion of the section from the Mining Act will bring the Act into conformity with the legislation of the other five States, the Australian Capital Territory, and the Northern Territory. If the clause is passed, Asiatics coming to Western Australia to examine our minerals with a view to buying them will be able to go on to the mining areas without the risk of being prosecuted. I do not agree that Asiatics will come here *en masse* to work. If members do not accept this as an honest and commonsense explanation of the situation then I cannot help it.

The Hon. G. BENNETTS: During the second reading I mentioned there was talk of the goldfields branch of the R.S.L. holding a meeting. Over the weekend a news item was broadcast intimating that the meeting had been held, and a resolution had been passed and sent forward to the State executive of that body, in protest against this Bill.

The Hon. J. DOLAN: The Minister would have made a much better case if he had given us some examples of how the existing section in the Act was operating harshly against the people covered by it. I have not heard of anyone in that category being denied entry to Western Australia for the purpose of protecting their interests, inspecting properties and making bids, or interesting themselves in sections of our mining operations. The Minister chided me because I went back 100 years to refer to troubles which took place on goldmining fields.

I can bring him up to date by referring to racial troubles in this State in comparatively recent times. I recall the racial riots on the goldfields in 1934. I suggest if there had been Asiatics working on the goldfields at that time there would have been more than bloodshed; there would have been fatalities.

We do not have to go far back to recall the racial troubles which arose in Broome. When I referred back 100 years I gave examples to show that trouble and the people covered by the section of the Act under discussion were synonymous. I could not follow the assertion of the Minister that there would be no trouble.

I am quite agreeable to the suggestion made by the Minister that none of us wishes to impair international relationship. I consider myself to be as internationally-minded as any member. Last night I was in the company of people from Malaya and other parts of Malaysia, and I enjoyed being in their company. But those people are confined to certain sections of the community and are in Western Australia as students to learn some of our ways of life, so that they can return to their country and help their people. I am all for that; but I am not in favour of section 291 of the Mining Act being deleted, because I feel trouble will start.

We should protect ourselves. It is all very well for the Minister to say that the Commonwealth immigration law covers this aspect. I do not say that law has ever acted harshly against Asiatic people, because they were here as merchants, students, sporting groups, or artists, and no restriction was placed on them. When their job in Australia was finished they left. That is a fair and reasonable proposition.

In Western Australia we have seen Japanese merchants, Japanese financiers who were interested in what we had to sell, and Japanese wool buyers. They came here unrestricted. They received visas, and when their jobs were finished they left. I do not show resentment against that practice.

But in the case before us we wish to protect the people of the State, because we have the men available and capable of doing the work to the satisfaction of everyone. Do not tell me that the iron ore deposits at Yampi Sound or Cockatoo Island have not been worked satisfactorily by Australians! Our people are quite capable of doing every branch of mining work. We also have metallurgists and geologists; so what more do they want? Australia has never made any claims for the right of entry to any other country, and we have a perfect right to make our own regulations in regard to other people coming into our country.

If the Minister can give us examples showing how this Act has acted harshly against the people referred to by Mr. Mattiske—people who have invested money and who want to be able to see that that money is wisely spent—he might convince me. However, to date I am not convinced one iota and am completely against the abolition of section 291.

The Hon. A. F. GRIFFITH: I would refer Mr. Dolan to the last three lines of section 291 of the Mining Act, which read as follows:—

> . . . no Asiatic or African alien shall be employed as a miner or in any capacity whatever in or about any mine, claim, or authorised holding.

It so happened that some Japanese went on to a mining lease at Whim Creek and everything about the situation was rosy until the Australian shareholders—not the Japanese shareholders—decided to have an argument. There is nothing to prevent Asians holding freehold title in this country or investing capital, as in this case. However, they were prosecuted for being

there—and I take it that if we retain section 291 in the Act they will be prosecuted each time they go there.

Does Mr. Dolan know there are Asians in the School of Mines at Kalgoorlie? The Colombo Plan enables the education of Asians in various schools of Western Australia. We have them at the University. They can work in any other form of industry but the mining industry. They can work behind the counter in Boans; they can work for B.H.P. at Kwinana, provided it is not on a mining lease; but as soon as they go on to a mine they are subject to prosecution. I do not know how many there are in the School of Mines at the moment.

The Hon. J. Dolan: There are 970 in Western Australia.

The Hon. A. F. GRIFFITH: Perhaps Mr. Dellar would know how many there are in the School of Mines.

The Hon. D. P. Dellar: I would be guessing as to the number, but there are some there.

The Hon. A. F. GRIFFITH: We have the ridiculous situation where they can study the full curriculum in the School of Mines; but when it comes to obtaining practical experience, they are not allowed to go to a mine because somebody would say they were working on that mine, and they would render themselves liable to prosecution. I saw an Asian this morning in a Government building. I am not sure of this, but he could be working for the Western Australian Government.

I do not think the removal of this section from the Mining Act will produce the terrible results that some members envisage. I think it will preserve in the State a little bit of commonsense in relation to the immigration laws of our State and the other States, and in regard to other industries in Western Australia. I do not know of such a preclusion in any other Act. I do not want to be involved in the argument between the shareholders of one particular company, but I believe that if that quarrel had not taken place maybe none of this would have been stirred up.

Without any intention whatsoever of breaking the law, I pointed out that section 291 of the Mining Act strictly precluded any Asian or African from working in a mine and we could not contemplate it, but that I did not think there could be any valid objection to their being there for the purpose of supervising the installation of equipment. That was the basis on which they were told they could go there. I would like that to be accepted as an honest statement of fact.

Because of the internal trouble that took place with this one company, one lot of shareholders sued the other shareholders and the warden found against them. Straightaway, in the Press, some citizen said I should resign because I had broken the law. However, the Supreme Court set aside the judgment because the action had been taken against the miners who were working in the mine instead of against the people who employed them. That is how silly it gets.

All I want to do is to remove this anomaly. Let these people come here in accordance with the Commonwealth immigration laws and stay the restricted time which their visas permit in exactly the same way as I can go to any other country in the Asian zone.

The Hon. R. H. C. STUBBS: As I see it, this question is covered not only by the Mining Act, but also by section 40 of the Mines Regulation Act, which deals with the employment of foreigners. It reads as follows:—

> (1) No person shall be employed in any mine as manager, undermanager, platman, shift-boss, or engine-driver unless he is able to speak the English language readily and intelligibly, and to read it whether printed or written.

The Hon. A. F. Griffith: You know the reason for that; it is a matter of pure unadulterated safety.

The Hon. R. H. C. STUBBS: The section goes on—

The DEPUTY CHAIRMAN (The Hon. G. C. MacKinnon): Does the honourable member intend to connect his remarks to clause 5 of the Bill?

The Hon. R. H. C. STUBBS: I am hoping to.

The Hon. R. C. Mattiske: Talk about red herrings!

The Hon. R. H. C. STUBBS: It is not so much a red herring as Mr. Mattiske suggests.

The Hon. R. C. Mattiske: It is.

The DEPUTY CHAIRMAN (The Hon. G. C. MacKinnon): Order! Would the honourable member please continue?

The Hon. A. F. Griffith: Would you tell me from what page you are quoting so that I can follow you?

The Hon. R. H. C. STUBBS: From page 19 of the Mines Regulation Act. The point I am trying to make is that if these Japanese can speak and read the English language, I fail to see why they cannot look after their interests in the mine.

The Hon. R. C. Mattiske: If they are permitted to enter the lease!

The Hon. R. H. C. STUBBS: That is plain enough, even for Mr. Mattiske.

The Hon. A. F. Griffith: Now, don't get rude!

The Hon. R. C. Mattiske: A lot of rot!

The Hon. R. H. C. STUBBS: Sections 23, 24, 42, 48, and 291 deal with Asians working in mines. Under the Mines Regulation Act a person can look after his interests provided he can speak the language. However it is entirely different under the Mining Act.

If a person has invested capital, provided he has an Australian manager, he can look after that capital without breaching the Mining Act. Section 24 also deals with it again, so the Minister can give his permission under that section.

The Hon. A. F. Griffith: That is a different thing altogether, really.

The Hon. R. H. C. STUBBS: There are four sections in the Mining Act dealing with Asians, and power is given to the Minister to give permission.

The Hon. A. F. Griffith: I have certain power under sections 23 and 24, but that is in connection with miners' rights. You are helping my argument, of course.

The Hon. R. H. C. STUBBS: I have not come to section 291 yet.

The Hon. R. C. Mattiske: You won't find it in the regulations, either.

The DEPUTY CHAIRMAN (The Hon. G. C. MacKinnon): Order! Members must address the Chair.

The Hon. R. H. C. STUBBS: Section 291, I believe, will be the start of the problem. Racial riots were mentioned earlier, and I was in Kalgoorlie when they occurred. Unfortunately, these disturbances are started by hotheads, and I can visualise the same thing occurring again. None of us wants that to happen; and I suggest that if section 291 is left as it is, it will not happen. As I said before, the A.W.U. will not let Asians into its unions; and therefore, if Asians work, they will be non-unionists; and that is where the trouble will be sparked off.

The Hon. R. C. Mattiske: They won't be working.

The Hon. D. P. Dellar: You won't be able to stop them if you alter the Act.

The Hon. R. C. Mattiske: There are none so blind as those who will not see!

The Hon. R. H. C. STUBBS: If they are working, that is where the trouble will start; and even if Mr. Mattiske does not like it, I will say my piece.

The Hon. R. C. Mattiske: Even though it is irrelevant!

The Hon. R. H. C. STUBBS: The A.W.U. has been a very peace-loving union over the years; and, if this provision is passed, the wrath of the A.W.U. will be on the heads of these people if they do work in the mines. Since the inception of the A.W.U. its policy has been conciliation, but if this clause is passed I can see that that policy will go by the board. This union has a large membership and can be a big force. Therefore section 291 should be left as it is, thus avoiding any trouble.

The Hon. H. C. STRICKLAND: The Minister was very informative when he was explaining his reasons in connection with the proposed deletion of this section from the Act. He based his arguments mainly on the fact that this is the only State which has such a restrictive section in its Mining Act. I base my opposition to the Minister's proposals on the fact that this section has been in the legislation since about 1903. It has served a very good purpose not only in connection with Japanese but also Indonesians and other Asians.

When we consider the troubles experienced in other countries today, we must come to the conclusion that it would be wise if we progressed slowly with any easing of restrictions on Asians. Only last year the British Parliament had to legislate to prevent the influx of coloured labour into Britain. In fact, no labour of any kind was permitted to enter Britain after, I think, June of 1962 without a special entry permit. I mention that fact because it is considered by some members that protection lies in our immigration law. This immigration law provides restrictions on entry but not in connection with the employment of labour.

The Minister himself has told us that Asian students here are not debarred from working as shop assistants and in other occupations except mining. However, there must be some longer objective in relation to the deletion of this section, because it would open the gate to Africans, Asians, Japanese, Chinese, Indonesians, and Malayans.

It will open the gate completely, provided they can obtain entry into Australia. I think the pressure for entry into Australia is much greater than the pressure for employment in the mining industry, or it could be, from an international angle. I do not think the international angle should be considered in this matter. I do not think that Britain lost any prestige because she closed the gate completely 12 months ago against anybody seeking employment in Britain. That was a Conservative Government, too.

We must be very careful, because we have seen the results. There were tremendous riots between coloured people and Europeans in some cities in Britain because of the large number of West Indians, Africans, and others who have gone to Great Britain. It is shameful that we should read of atrocities which are happening these days in the United States of America, resulting from an influx of Africans originally as slaves.

The Hon. A. F. Griffith: Have they any section 291 in their Mining Act?

The Hon. H. C. STRICKLAND: I do not know. It might have been a good thing if they had. They might not have had the troubles which they are having today. They might have been wise to have had such a section in many other Acts. Had they done so they would not be faced with the problems which they are facing today. The European is not at all welcome in Egypt, and I doubt whether he would obtain a job there. A similar situation applies in South Africa, where Europeans have taken over the country from the Africans.

I believe it was Rudyard Kipling who said that "Never the twain shall meet." Only yesterday we read in the Press that the British Embassy in Djakarta was almost destroyed by rioting. It is all very fine to say "Unless we open the gates, international situations will arise." They are arising right in front of our eyes. Surely we must be careful before we allow any large numbers of Asiatics into the country!

We all know that mining offers the best employment for the largest number of people. The greatest number of people are employed in the mining industry because they can be absorbed quickly.

I wish to refer members to the court case concerning a Japanese company at Whim Creek. I think the Supreme Court was pretty right in connection with the employment aspect of the case. The Japanese concerned seemed to have put it over the Minister. A letter was produced at the defence, written to a Mr. Woodfield from the Western Australian Mines Department, advising that the Minister agreed that the Japanese should remain to supervise installation and equipment at Whim Creek, and that two Japanese might be able to remain subject to annual review.

Of the Japanese who were convicted, one was a mining engineer, one a geologist, one an ore dresser, one a clerk, and one a diamond driller. They were not supervising the installation of machinery. They were a miner or diamond driller, an ore dresser—another man who works around a mine—a geologist, a mining engineer, and a clerk.

While the Minister was quite conscientious in thinking he was assisting the company and doing the right thing in advising these people that it was all right for them to supervise the erection of plant, the were actually working as miners and were breaching the Act. However, according to the evidence, the Minister did not permit them to do that. Apparently, to give an inch means the taking of a yard, as the saying goes; and members should think very carefully before they give that inch.

In another case, which developed from the previous one, a machine miner and driller who had been working under contract, sued for wages. A report appeared in the *Daily News* and in *The West Australian*. The report stated that the Japanese employees at Depuch wanted to introduce Japanese relationships between employer and employees at Whim Creek. The Japanese had refused to accept advice when it was stated that they would have to conform with Australian conditions.

The Australian Workers' Union is opposed to any relaxation in this matter. The union would not be in favour of the removal of this type of clause which has worked so well over the years. We would hope that the Minister and the Government would not deliberately provoke any industrial unrest by removing a clause which has worked so well over the years, for the sake, apparently, of helping just a few men.

The relevant clause in the Mining Act is very definite on employment. It states that no Asiatic or African can be employed on a mining field. An Asiatic or an African may be removed from a mining field by a warden. The Act does not state that they are not allowed on a mining field; it states that they may be removed from a mining field.

The Hon. A. F. Griffith: You have to read the rest of it. You must read all of it.

The Hon. H. C. STRICKLAND: It says—

> Any Asiatic or African alien found mining on any Crown land may, by order of the warden, be removed from any goldfield or mineral field, and whether such person has or has not been convicted of an offence against the last preceding section; and no Asiatic or African alien shall be employed as a miner or in any capacity whatever—

The Hon. A. F. Griffith: Those are the words that count.

The Hon. H. C. STRICKLAND: Then the Minister wants them to be employed?

The Hon. A. F. Griffith: Oh!

The Hon. H. C. STRICKLAND: For what other reason does the Minister want that restriction removed? It says—

> —and no Asiatic or African alien shall be employed as a miner or in any capacity whatever in or about any mine, claim, or authorised holding.

The Minister says "Oh!"; but by removing that clause they will be eligible to be employed.

The Hon. A. F. Griffith: You tell me what the words "in any capacity whatever" mean.

The Hon. H. C. STRICKLAND: They mean work in any capacity whatever. The Minister appears to want to throw the whole of the mineral fields of Western Australia open to the employment of Asiatics. I am not saying they are rushing in, but they would be eligible to be employed in

any mineral or goldfield in Western Australia. If the Minister does not want to permit that, why does he not introduce a special Bill to suit the particular group he desires to accommodate? It is all very well to say that the other States do not have this restriction. We have it, and we may be lucky. We do not know; history will prove that point. Up to date no harm has come from the restriction.

Only since negotiations for the sale of iron ore to the Japanese has the Minister desired to alter the Act. The Japanese have bought holdings in the Whim Creek copper project and I understand those deposits will last for some 30 or 40 years. When I asked by interjection if the Japanese had any iron ore reservations the Minister said very definitely "No." Yet I received a circular from a firm of solicitors intimating that there are huge prospecting reservations held by Japanese.

The Hon. A. F. Griffith: Would you rather believe me or that letter?

The Hon. H. C. STRICKLAND: I believe the Minister when he says the Japanese do not own the interests, but I am not too sure that there are not people who may be dummying for the Japanese. I say the question is becoming serious, and I honestly believe that when a firm of solicitors puts its name to a circular, and circularises members of Parliament, an appropriate investigation should be made to clear up the matter.

In 1920 I had occasion to be sworn in as a special constable at Broome because Japanese were rioting. A Japanese carpenter was put in gaol for creating a disturbance, and he was assisted by a man named Freeney. He was the man who started the oil fields.

That same sort of trouble could occur with our iron ore. I am not suggesting that it will, but I think that when one receives a circular stating that such a thing exists and the Minister says definitely that it does not, it is time some type of inquiry was made to clear up the matter.

The Hon. A. F. Griffith: I would have to inquire into myself.

The Hon. H. C. STRICKLAND: We do not want to stop foreign capital; I have no objection to it as long as it does not buy the country. However, I do object to the employment of Asiatic labour in our mines.

The Hon. A. F. GRIFFITH: Mr. Strickland knows as well as I do that every temporary reserve granted by any Minister for Mines is laid on the Table of the House. From time to time I rise and ask the President for permission to lay on the Table of the House temporary reserves under the Mining Act. The reserves I have granted during the last 12 months, to the best of my knowledge, are all here. I have nothing whatsoever to hide, and as far as I am aware there is no Japanese company holding a temporary reserve for iron ore in Western Australia. I am not responsible for any part of the printing of that letter which, as I said the other night, I have seen. Nor am I going to enter into this conflict which is taking place, and about which I think the honourable member knows a little more than he has told us tonight.

I would say to Mr. Stubbs that the point on which he was talking has no relevancy whatsoever to section 40 of the Mines Regulation Act. Members who were miners and who worked underground know that this section is in the regulations for the safety of men working underground; and it is a bit to the point when through you, Mr. Chairman, I ask Mr. Dellar, Mr. Garrigan, Mr. Stubbs, and Mr. Heenan, or anybody else who knows the mining industry. What are the nationalities of the people working the mines at Kalgoorlie? There are so many nationalities they could not be counted on two hands.

The provisions mentioned by Mr. Stubbs are in the mines regulations to ensure that all those people who are working underground know the proper signalling methods. Am I not right in saying that?

The Hon. D. P. Dellar: That is correct.

The Hon. A. F. GRIFFITH: There must be no confusion in the event of an alarm underground. It is common sense that they should be able to understand English and understand the signals to be given when the circumstances arise. That is a very desirable state of affairs, and it has nothing to do with this Bill whatever.

I am quite prepared to let the House decide what is best in the circumstances. As I said before, Mr. Strickland thinks that by retaining section 291 in the Mining Act we will attend to all the ills that may occur both in the mining industry and in all other forms of industry that exist in the State.

The Hon. H. K. WATSON: I move—

That the question be now put.

Motion put and a division taken with the following result:—

Ayes—14

Hon. C. R. Abbey	Hon. R. C. Mattiske
Hon. N. E. Baxter	Hon. H. R. Robinson
Hon. A. F. Griffith	Hon. S. T. J. Thompson
Hon. J. Heitman	Hon. J. M. Thomson
Hon. J. G. Hislop	Hon. H. K. Watson
Hon. A. R. Jones	Hon. F. D. Willmott
Hon. L. A. Logan	Hon. J. Murray
	(Teller.)

Noes—13

Hon. G. Bennetts	Hon. H. C. Strickland
Hon. D. P. Dellar	Hon. R. H. C. Stubbs
Hon. J. Dolan	Hon. R. Thompson
Hon. J. J. Garrigan	Hon. W. F. Willesee
Hon. E. M. Heenan	Hon. F. J. S. Wise
Hon. R. F. Hutchison	Hon. J. D. Teahan
Hon. F. R. H. Lavery	*(Teller.)*

Majority for—1.

Motion thus passed.

Clause put and a division taken with the following result:—

Ayes—14

Hon. C. R. Abbey	Hon. R. C. Mattiske
Hon. N. E. Baxter	Hon. J. Murray
Hon. A. F. Griffith	Hon. H. R. Robinson
Hon. J. Heitman	Hon. S. T. J. Thompson
Hon. J. G. Hislop	Hon. H. K. Watson
Hon. A. R. Jones	Hon. F. D. Willmott
Hon. L. A. Logan	Hon. J. M. Thomson
	(Teller.)

Noes—13

Hon. G. Bennetts	Hon. H. C. Strickland
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Hon. E. M. Heenan	Hon. F. J. S. Wise
Hon. R. F. Hutchison	Hon. J. D. Teahan
Hon. F. R. H. Laverv	*(Teller.)*

Majority for—1.

Clause thus passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

House adjourned at 10.47 p.m.

Legislative Assembly

Tuesday, the 17th September, 1963

CONTENTS

The SPEAKER (Mr. Hearman) took the Chair at 4.30 p.m., and read prayers