

\$23 per year for a full-time student, \$11 for a part-time student, and \$2 for an external student. I could not imagine that the Government would agree to compulsory membership of any organisation of this nature, yet we find this is the position at the University. Of course the University is not directly controlled by the Government. I would be interested to know the manner in which the student guild at the Institute of Technology will be established and whether it will be compulsory for every member to belong to the guild, and whether the guild will have as wide a function as the one at the University.

I would like to know whether the fees are going to be in line with those at the University, because I think the amount of \$23 for a year's subscription is very substantial. If it is going to cost \$23 to belong to the student guild at the Institute of Technology, this is going to be an added impost. I have already said that some of the students find the existing tuition charges, the cost of books, and so on, beyond their means, and I certainly hope we are not going to set up a fanciful body at the institute which is going to mean that students attending will be forced to make provision for this additional cost.

I would certainly like to see a student guild established, but I do not wish that there be any added cost—certainly not of the magnitude of the charges at the University of Western Australia. The Minister said that the student guild would be responsible for running certain activities at the institute and he mentioned the cafeteria. I think this could provide a source of revenue, as I understand the University is able to make a profit from the cafeteria by skilful and careful management.

An interesting point, not amplified in the Bill, is that the student guild shall be the recognised means of communication between the enrolled students and the council. I am wondering whether the Minister is able to tell us how the proposed lines of communication are to be established. There is no specific provision for a member of the student guild to be on the council. There is, as I read out in relation to an earlier comment, provision for two persons to be appointed, from time to time, by co-option by the council, but that excludes academic staff. This may be an avenue for someone from the student guild to be co-opted onto the council.

I do not know whether it is desirable to have a member of the student guild on the council, because the council has, indeed, a very important function to fulfil. I understand that at the University a representative of the student guild—generally the president—has a standing invitation to attend Senate meetings. He has the right to speak but not the right to vote. This would appear a reasonable

provision, and perhaps something along those lines could be established in regard to the Institute of Technology. When he replies, the Minister, if he has any knowledge, might inform us how the lines of communication are to be established.

The Bill contains four amendments which have been found necessary as a result of the application of the legislation we passed in 1966. It is not unusual for new legislation to be amended within a short period, and I do not oppose any of the provisions which the amending Bill proposes on this occasion.

Debate adjourned, on motion by Mr. Mensaros.

*House adjourned at 10.51 p.m.*

## Legislative Council

Wednesday, the 9th October, 1968

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

### QUESTIONS (12): ON NOTICE

#### TEACHERS

#### *Overseas Experience, and Disabilities Suffered*

1. The Hon. R. F. CLAUGHTON asked the Minister for Mines:
  - (1) Under what conditions are teachers granted leave, apart from long service, to obtain experience in their profession outside Australia?
  - (2) Where teachers seek such experience without being granted leave by the Education Department, what disabilities do they suffer when they return to the department in, for example, loss of seniority?

The Hon. A. F. GRIFFITH replied:

- (1) Each year a limited number of teachers who have completed the teachers' college contract is granted leave without pay for a calendar year (1st January-31st December) to travel or teach outside the State. Such period of leave will not count as service, but will not constitute a breach of service.
- (2) Resignation would be necessary in such cases with consequent loss of seniority, sick leave, long-service leave, and superannuation credits.

## TOWN HALL AND CULTURAL CENTRE

### *Merredin*

2. The Hon. R. H. C. STUBBS asked the Minister for Local Government:

In regard to a town hall and cultural centre at Merredin, which development is vitally necessary due to the increased population in the district as a regional centre, would the Government be prepared to grant financial assistance to the local authority to enable this facility to be provided?

The Hon. L. A. LOGAN replied:  
No.

## TEACHERS

### *Increased Salaries and Allowances*

3. The Hon. J. DOLAN asked the Minister for Mines:

Arising from the recent report of the Government school teachers' tribunal on salaries, when will the increased payments of salaries and allowances be made?

The Hon. A. F. GRIFFITH replied:  
Increased payments of salaries and allowances, resulting from the appeal on the reclassification of the 1st July, 1967, were paid during August, 1968.  
The only adjustments not effected would be for teachers who have resigned since the 1st July, 1967, and who have not made application for payment.

## RAILWAYS

### *Kalgoorlie-Leonora Line*

4. The Hon. G. E. D. BRAND asked the Minister for Mines:

- (1) Will the Minister ascertain from the Minister for Railways and advise the latest information on the fate of the railway line from Kalgoorlie to Leonora?
- (2) Will the Government continue to bear in mind the large amount of mining activities in the Leonora area which could materially affect the situation?

The Hon. A. F. GRIFFITH replied:

- (1) The Director-General of Transport is studying the role of the Kalgoorlie-Leonora railway in the context of the transportation task in the area as it exists now and may exist in the future. The results of this study, together with a recommendation as to how transport in the area should be handled, will be sent to the Minister for Transport and Railways within the next few days.
- (2) Yes.

## TRAFFIC

### *Country Patrols*

5. The Hon. J. HEITMAN asked the Minister for Mines:

- (1) Is the Minister for Police and Traffic aware that an eminent police traffic official recently stated in an A.B.C. telecast that there was no traffic control whatsoever outside townsites in the country?
- (2) Is he also aware that figures were obtained by the Country Shire Councils' Association from those councils abutting on the Albany Highway; Great Eastern Highway as far as Coolgardie and extending to Kalgoorlie; the North-West Coastal Highway as far as Geraldton; and the South-Western Highway as far as the outskirts of Bunbury and Dardanup; and that these figures indicated that, during the 12 months ended the 31st August, 1968, the inspectors of these councils spent 25,554 hours patrolling highways outside of townsites, in the course of which patrols they covered no fewer than 517,759 miles, and in addition to warning hundreds of people, they actually instituted proceedings against 3,746 offenders against the Act or regulations?
- (3) If he is aware of this, does he consider that this supports the statement by Inspector Duggan, or whether it indicates that the country councils are carrying out their duties in highway patrols to a commendable degree?

The Hon. A. F. GRIFFITH replied:

- (1) The Minister for Police was absent from the State when this telecast was made and he is not aware what was said by the police officer concerned.
- (2) Yes.
- (3) It is agreed that the figures given by the Country Shire Councils' Association indicate a commendable degree of enforcement.

## SEWERAGE

### *Merredin*

6. The Hon. R. H. C. STUBBS asked the Minister for Health:

In view of the development taking place in Merredin, and the type of soil where homes are constructed being unsuitable for the efficient use of septic systems, will the Government plan for deep sewerage in all areas of Merredin, and provide for a yearly schedule of extension to the sewerage system on a priority basis for the more urgent areas?

The Hon. G. C. MacKINNON replied:  
In general, the suggestion is in accord with Government policy which is always subject to availability of finance.

It is pointed out that an extension to the Merredin scheme has just been completed at a cost of \$30,000.

### TEGGS CHANNEL

#### *Deepening*

7. The Hon. G. E. D. BRAND asked the Minister for Mines:

Will the Minister advise the reasons for cessation of work on the deepening of Teggs Channel at Carnarvon?

The Hon. A. F. GRIFFITH replied:

The work is unable to continue because of unsuitable sea conditions at the dredging position. Alternatives are under consideration.

### MAIN ROADS GRANTS

#### *Merredin*

8. The Hon. R. H. C. STUBBS asked the Minister for Mines:

In view of the increased costs of road construction in the last 10 years, due to the upgrading of more important roads carrying traffic from surrounding districts to the business and shopping centre of Merredin, and the increased revenue available to the State of Western Australia, why have the Main Roads grants remained virtually the same during this period?

The Hon. A. F. GRIFFITH replied:

Statistics taken out by the Main Roads Department show that in 1958-59 the allocation for roads in the Merredin Shire Council area, exclusive of declared main roads, was \$32,660. In 1968-69 the comparable figure was \$51,220, in addition to which the council received \$66,643 from the Central Road Trust Fund.

Therefore it cannot be said that there has not been a substantial increase in grants to the Merredin Shire Council for the upkeep of its local road system.

### DRIVING LESSONS

#### *Private Tuition*

9. The Hon. G. E. D. BRAND asked the Minister for Mines:

With respect to my question on the 2nd October, 1968, concerning instruction of under-age drivers, will the Minister advise the House

who made the decision, and if applicable, what qualifications are held by that person?

The Hon. A. F. GRIFFITH replied:

The decision was made by the Government on the recommendation of the Commissioner of Police and the National Safety Council.

### COASTAL SHIPPING COMMISSION

#### *Private Loans*

10. The Hon. H. C. STRICKLAND asked the Minister for Mines:

What are the undermentioned particulars surrounding private loans mentioned in the reply to my question on the 10th September, 1968, concerning capital expenditure by the Western Australian Coastal Shipping Commission—

- amount of each sum borrowed;
- from whom is each amount borrowed;
- what interest rates are applicable to each loan;
- for what period is each loan made; and
- what type of security has been made to each lender?

The Hon. A. F. GRIFFITH replied:

(a) \$	(b)	(c) %	(d) Years	(e)
200,000	Rural and Industries Bank	5.75	20	Guarantee by the Treasurer under Section 27 (3) of the Act
200,000	Motor Vehicle Insurance Trust	5.75	15	" " "
100,000	Motor Vehicle Insurance Trust	5.75	15	" " "
100,000	Rural and Industries Bank	5.875	20	" " "
100,000	Motor Vehicle Insurance Trust	5.875	15	" " "

### DRUNKEN DRIVING

#### *Inspections at Hotels*

11. The Hon. G. E. D. BRAND asked the Minister for Mines:

As in the majority of cases action on drunken driving is not taken until after an accident has happened involving death or serious injury to persons, will he advise the House if the police make regular inspections of hotels near closing time?

The Hon. A. F. GRIFFITH replied:

Firstly, more motorists are apprehended driving vehicles whilst under the influence of liquor without having been concerned in an accident than those involved in accidents.

Police do make regular inspections at hotels during their term of duty, including the time near closing hour.

*Removal of Ignition Keys*

12. The Hon. G. E. D. BRAND asked the Minister for Mines:

(1) As I understand that in some States of Australia a member of the Police Force is permitted to take the keys of a person's car, if he considers that the driver is incapable of handling that vehicle safely due to intoxication, dangerous driving, or speeding, will the Minister inform the House if this is correct, and has this type of action ever been investigated and/or contemplated?

(2) If not, will the Government arrange for this to be done?

The Hon. A. F. GRIFFITH replied:

(1) There is no provision in Western Australia permitting keys to be taken from a person's car. In some instances, where considered desirable because of the suspected condition of a driver who may have been drinking liquor, he is requested to hand over the keys of his car to a police officer and they are taken on a voluntary basis.

(2) This is not considered necessary in view of the action referred to in (1).

**BILLS (2): THIRD READING**

1. Nickel Refinery (Western Mining Corporation Limited) Agreement Bill.

Bill read a third time, on motion by The Hon. A. F. Griffith (Minister for Mines), and passed.

2. Railways Discontinuance and Land Revestment Bill.

Bill read a third time, on motion by The Hon. L. A. Logan (Minister for Local Government), and passed.

**PROPERTY LAW BILL**

*Second Reading*

**THE HON. A. F. GRIFFITH** (North Metropolitan—Minister for Justice) [4.45 p.m.]: I move—

That the Bill be now read a second time.

This Bill to amend and consolidate the law relating to property and for incidental purposes has been drafted by the Chief Parliamentary Draftsman from material supplied by Mr. P. R. Adams, Q.C., to whom the State is indebted for the time and effort spent in preparing the material.

The Bill is accompanied by an explanatory memorandum, which sets out the background surrounding the need for the legislation. As the Bill is purely "lawyers' law" and, I believe, in no way politically contentious, approval was given for the draft to be distributed to His Honour, the Chief Justice, the Law Society of Western Australia, the Law Reform Committee, and the Commissioner of Titles. Any suggestions which were received, consequent on their examination of the Bill, have been incorporated in the measure now submitted for consideration by Parliament.

This is an important measure which may be of interest to other sections of the community, such as banks, trustee companies, and others dealing with property. It would therefore seem preferable for action to be taken to introduce the second reading and to allow further consideration to stand over until the next period of this session of Parliament. The procedure to be followed in this case is similar to that which was adopted in regard to other legislation, as it provides an opportunity for any interested person to obtain a copy and submit any suggestions for amendment.

When the Bill is being considered during the next period of this session of Parliament, members will have the opportunity to address themselves to the Bill, following any examination of its clauses that they may care to make. Any constructive criticism of the Bill and suggestions for improvement will be given consideration.

Debate adjourned, on motion by The Hon W. F. Willesee (Leader of the Opposition).

**HEALTH ACT AMENDMENT BILL**

*Second Reading*

**THE HON. G. C. MACKINNON** (Lower West—Minister for Health) [4.49 p.m.]: I move—

That the Bill be now read a second time.

Mr. President, this is a Bill designed to amend various aspects of the Health Act. It contains no earth-shattering provisions but does extend the scope of the Act in one or two regards.

I would like to say a word or two generally about the parent Act before explaining the amendments. As members are aware, the Health Act of Western Australia is very old—it was first enacted in 1911. It governs, to a very great extent, the lives of all of us and contains a number of provisions which give very sweeping powers under emergency situations. No time at all is necessary to think of some situations under which such powers might be needed. The general principle of the Act itself is to safeguard the health of

the people of the State of Western Australia. The general principle underlying this amending Bill is also to safeguard the health and comfort of the people of Western Australia.

There are, however, a number of Bills—and this is one of them—in which a specific explanation can only be given by dealing with the various amendments proposed, and this I would like to do.

Clause 2 of the Bill deals with large areas under close residential development in the metropolitan area and which are not served by the metropolitan deep sewerage system. These premises rely on septic tanks to achieve disposal of sewage and liquid wastes. The Metropolitan Water Board is extending deep sewers at a rate within the scope of its financial resources. This, however, is not coping with the situation.

Some of the areas in which high density housing is being developed are fairly low lying. The ground water table is higher than is desirable for the efficient functioning of septic tanks. In other areas the soil has a high clay content and the disposal of liquid effluent is difficult. The desirable answer would be the universal use of deep sewers and any move towards this state of affairs will be a worth-while gain.

This clause inserts a provision in the Health Act which will enable local authorities to raise funds which can be used to extend deep sewerage lines in the areas now dependent upon septic tanks.

The procedure will be for the local authority to use some of its loan raising powers to find the money required for sewer construction. This construction would be undertaken in co-operation with the Metropolitan Water Board. The board would undertake the repayment of the loan.

The purpose of the amendment, in short, is to increase the availability of loan moneys which may be applied to the extension of deep sewers. A particular case in point has to do with the Shire of Perth, and indeed this amendment has been discussed with the shire and will enable it to proceed with the planning of a particular area to the advantage of everybody concerned. It also brings the Health Act into line with recent amendments moved in this Parliament by the Minister for Works and the Minister for Local Government to their respective Acts.

Section 112A of the Health Act regulates the collection and disposal of refuse from premises. It provides for householders to receive authority from local councils to use small incinerators to dispose of garden refuse and other material which cannot be conveniently placed in a bin.

It is an unfortunate fact that a minority of householders use incinerators with a total disregard for the comfort and convenience of their neighbours. This is

usually the result of thoughtlessness or perversity. The amendment will give a local authority the power to take action against a householder who adopts an unreasonable attitude and causes annoyance to his neighbours by the manner in which he disposes of rubbish on his own property.

This is another interesting problem in the use of words. Members will note when they examine the parent Act that the section states, *inter alia*, "Where a local authority undertakes or contracts for the efficient execution within its district or any part of its district of the work specified . . . the local authority may . . . authorise the occupier . . . to remove or dispose of . . . refuse or rubbish from or on the premises."

Local authorities do not, or do very rarely, undertake or contract for the efficient disposal of garden refuse. It therefore follows that they have no authority with regard to the disposal of such refuse on the property. It has therefore come to the attention of some local authorities that they cannot move in order to stop a nuisance being committed by persons who burn such refuse in an inefficient manner which causes a nuisance to their neighbours. This amendment will correct the anomaly.

Clause 4 of the Bill amends section 140. The Health Act gives a local authority the power to declare a house unfit for human habitation and, where justified, to order that the house be demolished. There is, of course, a right of appeal against all such orders. Circumstances arose recently in which a house was to be demolished, but the local authority could not proceed because the householder refused to have the electricity and water services disconnected. If the local authority had proceeded, a dangerous situation would have been created.

The proposed amendment to section 140 of the Health Act will make it clear that a local authority may secure the disconnection of these services by direct approach to the supplying authority. This, of course, can only be done after all the necessary procedures have been completed. In the case where the owner has appealed, a court order will, of course be issued. If he does not appeal then it is taken for granted that he has no desire to do so and, in accordance with the parent Act, the matter may proceed with the additional power just outlined.

Clause 5 amends section 195. The Department of Public Health is in the process of bringing up to date regulations which fix the standard of construction and hygiene for slaughterhouses. This is being done in collaboration with the industry. Section 195 of the Act lays down obsolete standards which should not now be permitted. The proposed amendment substitutes new provisions which will require the

construction, drainage, and equipment of slaughterhouses to be in accordance with regulations.

Clause 6 adds a new section. This was mentioned in the Lieutenant-Governor's Speech at the opening of Parliament. The pattern of food production and distribution has undergone dramatic changes. This is especially so in the case of processed foods. A potentially dangerous situation exists with regard to large-scale production of meat products. Meat pies, cooked and processed meats, and smallgoods in great variety are produced in great volume at centralised factories. The products are distributed throughout the State. It can be readily seen that any contamination occurring at one of these factories could result in a very wide epidemic. There have been relatively minor episodes recorded recently in Western Australia. Fortunately, the results have not been tragic. This, however, is not the case in some overseas countries where epidemics have had serious consequences and have been widespread.

The position represents great potential danger and demands that the health authorities be equipped with basic powers to step in at the first sign of danger and control an outbreak. The amendment would give the Commissioner of Public Health the right to order the suspension of production in an infected factory until the necessary safeguards had been observed.

Clause 7 adds a further section to the parent Act which has a direct relationship to the one just described. This amendment goes further by providing positive powers to insist on preventive measures so that the likelihood of outbreaks would be greatly reduced.

The overall aim would be to ensure that this highly sophisticated industry will in future operate according to acceptable standards of hygiene and according to the kind of community in which we live, and clause 8 makes allowance for the new penalty which is written into clause 6 of the Bill.

Clause 9 amends section 344. The Health Act deals with an infinite variety of subjects which affect the day-to-day lives of our people. It is frequently necessary to exercise a wise discretion in applying the letter of the law. This was recognised by writing a reasonable flexibility into the Local Government Act. This has meant that where a citizen has proposed to meet the aim of any by-law or regulation by a means not specified in the law, his proposed method may be approved.

This is the aim of the amendment proposed in clause 9. Under this amendment a health inspector will be able to apply common sense to practical situations and to recognise the value of new building materials and equipment which are not yet catered for in existing by-laws and

regulations. The rapid advance of technology and the development of new materials has highlighted the need for this amendment.

In a Bill of this nature, with such wide diversity in the amending clauses, one would expect the major debate to take place in the Committee stage. It may well be that there is universal approval for the measures proposed, and I sincerely hope that this is so. However, might I suggest that the various clauses could perhaps be dealt with more effectively in the Committee debate than at the second reading stage. I commend the Bill to the House.

Debate adjourned, on motion by The Hon. R. H. C. Stubbs.

## LAND ACT AMENDMENT BILL

### *Second Reading*

THE HON. J. M. THOMSON (South)  
[5 p.m.]: I move—

That the Bill be now read a second time.

The purpose of the amendment contained in this Bill is to entitle discharged members of the forces to preference or priority over other applicants when Crown land is thrown open for selection under conditional purchase lease agreements. A discharged member of the forces is clearly defined in section 139B (1) of the Land Act.

After the last two World Wars the nation acknowledged its obligation to ex-service personnel by passing certain enactments governing those who desired to take up land for farming. The State of Western Australia acknowledged its obligation by the passing of the Discharged Soldiers Settlement Act, 1919. Again we find that in 1949, 1950, 1951, 1953, and, finally, in 1954, legislation was presented to the State Parliament by way of Bills which confirmed and maintained the War Service Land Settlement Scheme Act, with which we are all familiar owing to our close association with that scheme in recent years.

As I have said, the amendment before us is designed for the benefit and interest of the discharged members of the forces who have served in spheres of hostilities since the cessation of World War II. It deals with those young men who are compelled by law, and as a result of a ballot, to serve for two years in a theatre of war to which the Commonwealth Government decides to send them.

This very fact places the young men to whom I have referred, and who are called up for service today, on a footing similar to those who served in the 1914-18 World War and the 1939-45 World War. To say the least, the circumstances are very similar.

Accordingly, it is felt by many people that we should acknowledge in some practical way the sacrifice that has been made

by these young men in their endeavour to keep far removed from our land and shores the forces that would disregard the peace and threaten our very way of life. The Bill seeks to give preference to those young men who are desirous of entering upon farming activities—to give them preference over other applicants—because they have given service and have risked their lives in the defence of their country, having served in the particular theatre of hostility in which they were engaged.

I wish to make it clear that it is the desire and intention of the legislation that any application for land under the amendment contained in the Bill is to apply to all discharged members of the forces, whether they be sons of farmers, blacksmiths, greengrocers, or others employed in industry; so long as they can satisfy the board of their potential to develop the land for which they have applied.

In preparing this Bill I felt it was necessary to ascertain the position in other States of the Commonwealth, as it relates to giving discharged servicemen preference or priority over other applicants for land disposed of by the various Governments; particularly as it relates to discharged members of the forces since World War II.

I find that the New South Wales Parliament has on its Statute book legislation which was passed as recently as 1960. This legislation provides preference and priority to discharged members of the forces in any ballot for closer land settlement. The position in New South Wales is different from that which obtains here. The applicants here appear before a land board, but in New South Wales the allocation is done by ballot.

It is interesting to note that under the provisions of the Land Act in New South Wales the priority applies to 25 per cent. of the farms that might be available in any one estate. Apparently, when large estates are divided into farms they come under the control of the State Government of New South Wales, and it has laid down that in the ballot which is to be taken, 25 per cent. of the blocks are to be reserved, by way of priority, to ex-servicemen who have served in the recent wars.

I notice from the schedule before me that if three farms were to be carved out of an estate, one would be reserved for discharged ex-servicemen and two for general applicants. If four farms were carved out of an estate, one would be reserved for ex-servicemen, and three for general application. If, for example, 20 farms were available, five of them would be reserved for ex-servicemen.

In the State of Queensland, I know that one-fifth of the better class selections of land open to application are reserved for ex-servicemen. Under its Land Amendment

Act, 1967 and its Land Settlement Act, 1959, the State of Victoria also grants preference to ex-servicemen. I also made inquiries from South Australia and Tasmania as to the position in those States, but since I have had no reply, I presume they have nothing to report.

Members will recall that I did consider introducing a Bill to Parliament last session to give preference to discharged members of the forces. I intended at that stage that a certain percentage of the land thrown open for selection should be reserved by way of priority for discharged members of the forces. I did not proceed with the Bill, however, because it was eventually considered that it would not be practicable when dealing with very small parcels of land.

I was hopeful, however, that I would still be here after the last election, and I felt the opportunity might then present itself for me to introduce such a Bill. I am very pleased, therefore, that I am able to present this Bill to the House this afternoon.

I have known occasions—and they have been recent occasions—when applications for conditional purchase blocks have been received from discharged members of the forces who had recently served in Vietnam, Malaysia, and other spheres of hostility, but the land board passed over those applications and allocated the blocks to others who were not discharged members of the forces.

When I say this, I want it to be clearly understood that I make no criticism of the personnel of the land board, because like other members of Parliament, I know how responsible a body this is, and I would not wish to be critical of its actions. I have the utmost respect for the land board, for its personnel, and for the purpose it serves.

However, it has been indicated to us—and when I say us, I mean the public generally and those interested in such distribution—that these cases do arise in the selection of Crown land. I know of three such cases in particular, two of which concerned sons of farmers who, no doubt by their experience, would have been able to make a success of farming, on which they wished to embark. However, they were not successful in their applications for land.

I also know of a young lad who was wounded and who, on returning home from Vietnam, applied for a conditional purchase block, but he was not successful either. It is a great pity that the young men to whom I have referred—and I am sure the board must be impressed with the stamina of these young men—have not been successful in their applications, because they had a very sincere desire to make a go of farming. Those of them who were sons of farmers would have received

substantial backing both by way of finance and plant, which is very necessary in the development of virgin land.

For reasons best known to the land board, however, their applications were not accepted. One of the young fellows I mentioned was the son of a small businessman in a country town. His father was an elderly person who, I am sure, would have been able to assist the young fellow in developing his property and in making a success of his farm.

For these reasons it was considered by many people—including members of my own party who support this Bill—that something of an obligatory nature should be included in the Act to give a guide to those who are called upon to make these determinations. Of course, if a person does not have the potential, he would not be favourably considered; but if he has the potential to develop the land for which he has applied, it is considered his application should be granted in preference to an application from a person who has not been discharged from one of the forces.

I hope the Bill will receive favourable consideration. Other States have adopted the provision included here and now give preference to a discharged member of a force if he has the potential. In many instances these people will make a success of the venture. This has been the experience in the past as will be realised by a study of the war service land settlement scheme. Prior to enlisting, many of those farmers had no idea of taking up land, but when they were discharged the State gave them the opportunity to follow this means of a livelihood. Many of them have proved successful farmers and have rehabilitated themselves and are now good citizens within the community. I commend the Bill to the House.

Debate adjourned, on motion by The Hon. A. F. Griffith (Minister for Mines).

## SCIENTOLOGY BILL

### *Second Reading*

Debate resumed from the 3rd October.

**THE HON. W. F. WILLESEE** (North-East Metropolitan—Leader of the Opposition) [5.18 p.m.]: This Bill is a particularly serious one for contemplation by the members of this House. It was brought here by the Minister concerned with the utmost faith in the belief that he was doing the right thing; and he supported his case with the submission of many documents. If the Bill is passed, it will have the effect of banning the activities of the organisation known as Scientology; and the Minister went into detailed reasons why this should be done. He emphasised the fact that people are entitled to their individual beliefs; and in this I, too, believe. He went on to say that Scientology as an organisation had reached the stage where

it enforced a set of rules which cut across the liberties of people. This was a dramatic statement, in any circumstances, and although the Minister honestly believes it, it may not necessarily be right.

The Minister went on to say that the State of Victoria had banned Scientology, and that South Australia was in the process of doing so. I think he presupposed somewhat in that direction, but he could be correct. He also drew attention to the fact that the founder of this organisation was in considerable difficulty in England. He forecast that other Australian States would, in due course, follow suit in the proposals he was enumerating to the House.

Even if all the forecasts he made prove to be correct, is it right, in a democratic country, to ban a set of people? I quote from the notes of the Minister who was, in turn, quoting from a pamphlet issued by the organisation, dealing with the state of "enemy." He said that an enemy—

May be deprived of property or injured by any means by any scientologist without any discipline of the scientologist. May be tricked, sued or lied to or destroyed.

Now, if the provisions of the Criminal Code were applied to those words, they would have a devastating effect. I think the value of words to a person depends on his education; and my reading of Scientology does not lead me to believe that scientologists have a very high standard of education, and this would not help them to any great degree.

If a physician says something must be done, he is believed, because even if he diagnoses in the coldest terms, every word he says has a meaning. Also, if one consults a lawyer, one accepts his advice because one knows he has had the necessary background and training to issue the advice. But, does any member here truly believe this organisation is capable of seriously encroaching into the democratic system of Western Australia? Does any member believe we should go so far as to ban an organisation, some of the manifestations of which would be almost laughable were it not for the fact that some individuals succumb to the glib promises?

However, do not other organisations offer similar inducements to entice people to join, and do not people suffer as a result of becoming associates, members, or supporters—even if only for a short period—of such other organisations?

I believe that within the existing laws and capacity of Parliament we should be able to prevent any organisation from becoming a positive encumbrance to an individual.

If this organisation is offending the medical profession by charlatan attitudes—and I believe it is—then it is incumbent upon the Government, with the help of the Opposition, to enact legislation which will



apply not only to one organisation, but to any organisation which transgresses the province of the medical profession.

To me it is absurd that these people—who profess to belong to a religion, but who originally, I understand, registered themselves as a company—can convince others that an instrument, used for a specific purpose in the electrical trade, can have some effect upon them. On the other hand, we accept it if a member of the medical profession tells us that an electrical appliance can help us, because we know that he has the necessary knowledge to handle the instrument correctly. Surely, therefore, we could deal with that aspect, not in regard to this organisation alone, but in regard to any organisation which seeks to move into this field.

This organisation has not been in existence for very long, and I regard it somewhat as a fashion. It has developed within the lifetime of one man, and in chapter 6 of the Anderson report, we can read of this man's achievements.

He is not alone in what he has done. I think it would be fair to say that the Billy Graham cycle is somewhat within the same scope as this but in different terms. Is it not possible to believe that, given a few more years, they will fizzle out as quickly as they started? Do we have to panic—if I can use that term—to the point where we ban the organisation when we know full well that many of the individuals who join it are obtaining some sort of solace from it? This could apply to many aspects of life. For example, it could apply to the various accredited religions which are acknowledged in a world situation, in Australia, and in our State. Many of them are quite new, but many of them satisfy the needs of some people.

The single deep-rooted ill-feeling which I possess towards the organisation is in regard to the cruel attitude it displays to those people who say, "I want to get out; I want to leave." At that time it seems the organisation is at its most aggressive.

However to my knowledge a case has not been brought before any court of law in Australia whereby victimisation has been proved, nor has it been established that any very palpable wrong has been done to an individual.

Some years ago I heard a man who is now an eminent judge in this State make a comment. His words so dumbfounded me that I can almost repeat them verbatim, although it was many years ago. He said, in effect, that it is almost possible, within the precincts of the Criminal Code, to arrest a man when he walks down the street, if we like to apply all the sections of the Criminal Code to the various situations which can arise.

The purpose of our Parliament is to amend and add to the Statute strength of this State in many areas, and this we do year after year. We strengthen the

Justices Act, the Criminal Code, the Police Act—I could go on and on. We are always giving greater strength to the administrative factors whereby the State is able to be run on a democratic basis through the the institution of Parliament.

A little tinpot organisation such as this cannot be compared with the vast capacity of the Communist Party; yet the Communist Party is accepted in Australia today. I have no brief whatsoever for the Communist Party, but I think it is better that any party should be accepted rather than be driven underground or be declared illegal. If democracy ever reaches the point where it is frightened of someone or has something to hide to the extent that it must drive someone underground, then it ceases to be the very efficient method of Government which stands up to all other methods of Government.

There are many varied situations in our community at the present time. Which one of us very much likes the fellow with hair down on his shoulders? But which one of us can deny that he would have a brain equal to any other person born of woman? Which one of us very much likes the fellows who gather on the street corner in a group and almost force the humble pedestrian off the footpath? I do not think this type of person is very much different from the poor, unfortunate person who believes he is a nervous wreck and needs consolation from something other than medicine or the church in which he was baptised—in this instance, from Scientology. It could be the Plymouth Brethren or those people who knock on one's door on Sunday afternoons. I cannot think of their name at the moment, but I detest them.

The Hon. I. G. Medcalf: The Jehovah's Witnesses.

The Hon. W. F. WILLESEE: Yes, the Jehovah's Witnesses. I could read from some articles which I looked at when I was deciding what might be fair comment to pass on the legislation. Perhaps I should read some of the cuttings, and I refer, in particular, to an article by Henry Mayer which was published in *The Australian* on the 13th of this month under the heading, "Scientology: Deception and Freedom." I do not intend to read all of the article; but, as I have mentioned, it is available to any member who wishes to look at it. He writes in this manner—

Should Scientology be banned? It's clearly a despicable racket, trading on the credulity of its victims.

But this is true of many enterprises—commercial, religious, sexual.

On what grounds can one justify banning one brand of deception while letting others flourish?

Two starting points are beyond reasonable doubt. First, Scientology offers no benefits, and is a mixture of

phoney psychology and brainwashing, clothed in absurd jargon. Second, it aims to exploit suckers, which it does ruthlessly.

Later on he says—

There are three pro-banning arguments in the current dispute. The simplest, most popular, and weakest is to stick a pejorative label on what Scientologists profess to believe. Terms such as "pernicious," "ugly," "weird," and the favourite "sinister" are used.

Those who think that beliefs as such, long before they have led to action, should ever be touched cannot be argued with from the point of view of upholders of democracy and the rule of law.

Mr. Mayer goes on to make more or less political comment which I do not intend to deal with. He then continues in this vein—

A large proportion of the utilities we get for our money are quite real to us, but are seen as illusory or deceptive by others who do not have the same scale of preferences.

If we were to ban the advertising and selling of products which make someone feel younger, more attractive, more confident, more likely to marry the boss's daughter, a good deal of modern business would collapse.

It's possible to oppose all trading on illusions. But then you must not merely ban Scientology and most advertising and selling in, say, both Australia and the Soviet Union, but go much further.

You would have to lay down, by law, what is to count as real value, and what is to count as illusion. In which group is lipstick, Dale Carnegie, the Vietnam policies of the Government and of the Opposition, watching Homicide or Batman, and going to church . . . ?

If we are to ban Scientology because it leads to emotional dependence and traps people so that they are tied to future expenditure, should we also ban the processes which lead up to most marriages?

Millions of women thrive on encouraging emotional dependence, which you can call love if you prefer. A major part of woman's role in our society is to catch or trap her man. He is enticed into a long-range costly enterprise, known as marriage.

The Hon. G. C. MacKinnon: You could get an argument from a lot of women on that one.

The Hon. W. F. WILLESEE: The article continues—

Some men and women feel trapped and deceived after the event.

Do not our divorce courts emphasise this point? Of course others do not, and some of us are fortunate. However, is this not also true of scientologists?

I do not intend to weary the House with long quotations from articles. I think I have made the point clearly; namely, it is within the province, within the right, and within the capacity of a democratic State to function without banning anything. We can stand on our own feet within the Statute laws of the State. We can strengthen them for any occasion; but the basic principle behind every Act which is written into the Statute book is that it is for the right of the individual, and we do not ban organisations.

I find myself in complete agreement with the Minister on one point; that is, when he clearly said he did not want to do anything whatever which would interfere with the right of the individual. I believe this legislation, if passed, would affect the right of the individual. It does not matter what number of people are involved—whether it be 10 per cent, or 1 per cent, of the community—we have no right to move in on them if some of the people believe they are drawing something from the situation with which they are associated.

All other arguments become complete asides to this simple principle. We must accept that there are some people who act voluntarily when they join this organisation. We must accept that there are some people within the organisation who still believe in it and want the right to carry on. Therefore it is not the prerogative of Parliament to stop them from doing that. I oppose the Bill.

**THE HON. J. G. HISLOP** (Metropolitan) [5.43 p.m.]: I wish to limit my remarks on the legislation to a question about which I feel very strongly; namely, the matter of what happens when the individual desires to leave the organisation?

The Hon. G. C. MacKinnon: That is the rub.

The Hon. J. G. HISLOP: Over the past few years we have seen publicity which goes something like this: A woman who has left the organisation is penalised, frightened, and she has to walk around with soiled material around her arms and do various other things as well.

I would not mind allowing the organisation to continue to function if it would accept the fact that, if somebody wanted to retire from the organisation, that person could retire without any trouble whatever and could not be dealt with in the ways which have been recorded in the Press.

I have had contact with, I think, only two women who were terrified by what they were called upon to do. I consider the real point at issue is for Parliament to say, "Well, you can join this organisation; but,

if you want to get out, you can get out freely." In that way I think we would have control over the organisation. If some people were not satisfied that they had achieved everything they had set out to achieve when joining the organisation, and they wanted to leave freely, I think we should give them that right. I have been watching the situation regarding this organisation. I know of some people who were members, but they eventually left the organisation and were free once more.

If we can introduce legislation which will, in some way or another, provide that if an individual has joined this organisation he can leave it with complete freedom and without being chased or persecuted by those associated with it, we will have covered the position satisfactorily. I offer that as my contribution to the problem we have in our midst.

**THE HON. R. THOMPSON** (South Metropolitan) [5.46 p.m.]: Before giving reasons for my opposition to the Bill, let me say that last Thursday I think we heard the Minister giving the best acting and play-reading performance we have ever seen or heard in Parliament.

#### *Point of Order*

**The Hon. G. C. MacKINNON**: Mr. President, I think that this smart sort of remark implying that I was insincere by acting a part or reading a play is pretty low, and I would describe it as disgusting, particularly when it follows on what the leader of the honourable member's party had to say, in the course of which he did at least give me credit for being sincere.

**The PRESIDENT**: What is the point of order?

**The Hon. G. C. MacKINNON**: I would like the honourable member to withdraw his remarks from which an inference can be drawn.

**The Hon. R. THOMPSON**: Mr. President, it was not intended an inference should be drawn from my remarks.

**The PRESIDENT**: The Minister has taken exception to the words used by the honourable member. Will you withdraw those words?

**The Hon. R. THOMPSON**: Certainly, because I was congratulating the Minister on the way he presented the Bill—

**The Hon. G. C. MacKINNON**: You were doing it in a funny way!

**The Hon. R. THOMPSON**:—as I thought he gave a lot of detail in its presentation, and I was not acting in the way the Minister considers I was acting.

#### *Debate (on motion) Resumed*

**The Hon. R. THOMPSON**: I do not know a great deal about scientology, because I have not studied it, and possibly it may

not be a good thing; but when we endeavour to interfere with the rights of individuals and tell them what they shall or shall not do, we are, in my opinion, taking the first downward step, so far as democracy is concerned. This is the point that concerns me, in the main.

The Minister has told us about the members of this group having to wear dirty armbands, and of pressure being applied to people when they try to leave the ranks of scientology. This is purely a matter for the individual concerned, and if scientology is transgressing the law, or is restricting the rights of individuals, I consider there is sufficient scope within our laws for any person so affected to take action against it. If any intimidation or blackmail takes place, I remind members that any person, under the provisions of a Bill we recently dealt with, can take remedial action by approaching the police and, as a result, the associates of Mr. Ron Hubbard, and others connected with scientology, can be taken before the law courts.

If we examine some of the oaths of allegiance which must be taken by people if they wish to become members of a lodge or other similar society, we will find that they are just as bad as what we have been told scientology expects of its members. I have read various books, which are freely available in any bookshop, on the subject of lodges and secret societies and of the oaths people must take if they desire to join them. These lodges are based on the principles of Christianity, and yet the oaths that are taken by the members of these organisations are atrocious.

**The Hon. G. C. MacKINNON**: Have you ever seen any of them carried out?

**The Hon. R. THOMPSON**: No, I have not; but scientology considers itself to be a religious body in the same way as do these lodges and, what is more, the gentry of the land belong to the lodges.

If we ban scientology we then come to the next step we must take. For example, what about the Exclusive Order of Brethren? They have been the subject of just as much adverse publicity in Western Australia as scientology, because one of their beliefs is that they refuse to let a husband and a wife, if one is a non-believer, eat at the same table. They cannot sleep in the same bed if one is a non-believer. If the children are non-believers, they must be cast from the house. Therefore, will our next step be to ban the Exclusive Order of Brethren? When the Salvation Army was first formed it was shunned by people, but look at the worthy job the Salvation Army has performed since its formation!

When we start to interfere with the rights and liberties of people we are heading for trouble, and I think Parliament

has more to do than to introduce laws that restrict people from following a faith, if that is what scientology is considered to be. When I was about 13 or 14 years of age, I can recall being invited to attend a meeting of an organisation, the members of which are now practising as a religious body and attending a church. The meeting was conducted by a lady and there were 70 or 80 people present. Because I used to attend church regularly when I was young, I was invited to attend the meeting. To witness this ceremony—that is all one could call it—was something which possibly members would not believe if I described it in detail, because the people who had been indoctrinated into this faith were required to fall on the floor following their calling each other sister or brother, and to pray incessantly—whilst under some hypnotic spell they cast upon themselves; if such can be done—in some sort of gibberish which no-one could understand.

From my point of view this was very dangerous. It was a religion that had been introduced to this State from South Africa, and was called, "Talking in Tongues." Several years later I attended the funeral of a friend of mine who had been a member of this organisation. I can recall that the burial service, which took place in the Karrakatta Cemetery, started at 1.30 p.m. and at 5.45 p.m. those attending the service were still present.

The Hon. G. C. MacKinnon: Will you be so kind as to read the sentence which commences at the foot of page 4 and continues on the top of page 5 of the Bill; because in this regard it would sum up both your argument and mine?

The Hon. R. THOMPSON: So it can be seen that the members of this religion are still practising their faith in Western Australia; and I point out that if any of the members ceased to follow the faith of this religion they were hounded in much the same way as the Minister suggests those associated with scientology hound anyone who ceases to believe in their organisation.

In my opinion those who join scientology are weak in some way or other, or they require to be instilled with confidence by other people. I have been told that two people I know took the course in scientology, but did not continue to follow its precepts. These people have not been hounded, but they claim that the scientologists helped them considerably. I think they are sincere in their belief that this is true.

By and large I consider that people join this organisation either through loneliness, or because scientology holds out something to them. Therefore I cannot agree that this organisation should be banned. Not that I believe it to be a

religion, but the Minister, during his second reading speech, quoted from the Anderson report as follows:—

Meantime the public should be warned that advertisements offering intelligence testing and improved personal efficiency should be treated with great caution.

If the Government is so concerned about this matter, it should let the public know of its concern.

The Hon. G. C. MacKinnon: Incidentally, I think that quotation was from the minutes of a meeting of the Mental Health Committee of the State Health Council.

The Hon. R. THOMPSON: I knew it was from one of the reports quoted by the Minister, and the Anderson report was mentioned quite frequently throughout the Minister's speech. On the subject of fluoridation we had quite a deal of brainwashing for several years by the reports that appeared in the Press, so why cannot the Government follow a similar procedure if it is so concerned about scientology? Why cannot the Government put out the same propaganda against this organisation as was published in the Press against fluoridation, without taking steps to ban it; because if we agree to legislation of this kind, in my opinion democracy is going downhill?

It is a terrible thing when we have to tell people what they can do and what they cannot do. We cannot legislate for fools at any stage, and if some fools believe in scientology it is purely their business. Because the Bill, if agreed to, will impinge on the civil rights and liberties of the individual, I could not support it.

**THE HON. H. C. STRICKLAND (North)**  
[5.59 p.m.]: I have no brief for scientology, or the science of knowing, or whatever it is called, but I still do not believe that the banning of scientology will achieve the desired result. For the life of me I cannot believe that the mere fact of introducing this legislation to ban an organisation will prevent the malpractices its members are purported to carry out. If we ban the practice of scientology, what is to prevent its members from carrying on, in the same manner as they are now, under some other designation? What will merely banning scientology do to stop these people in their pursuits, and in the persecution of others that we hear so much about?

One of the reasons I have for believing that the Minister might be on the wrong track is that mentioned by Dr. Hislop when he said he was of the opinion that some type of legislation should be introduced to curb the malpractices of these people and their persecution of others.

Mr. Willesee pointed out that under the Criminal Code there is provision to arrest people for almost every type of offence.

I was a little intrigued as to why the Minister, as Minister for Health had not taken some action or initiative. The Minister gave us some reasons why this organisation should be banned by law, and on the 3rd October, on page 1451 of *Hansard*, he said—

Perhaps a stronger reason for banning scientology is that it does constitute medical quackery.

Now, if the Minister is convinced that such is the case why does he not take action through the proper channels to have these people—quacks as they are called—brought before the courts of justice to see whether or not the charges are correct?

The Hon. G. C. MacKinnon: It would not appeal to you that if this were possible it would have been done. Hence the Bill.

The Hon. H. C. STRICKLAND: I am quoting what the Minister said. If the Minister knows of malpractices, why has he not taken some action? And why has not the Australian Medical Association taken action if such is the case? The only action that has been taken is through Parliament by an attempt to ban the organisation. However, banning scientology will not cure the problem because scientologists could call themselves anything and still practise medical quackery unless the Minister takes action through the proper channels.

I feel that we are on the wrong track. I agree that if these people persecute others, and cause great concern and—as, I think, Dr. Hislop said—terror; well, heavens above, surely there is redress through our ordinary channels! The people who are terrorised can lay a complaint to a policeman, or to the Public Health Department and, if they can prove their complaint, of course they are all right. In other cases, whether the people concerned are of some substance or not, they can appeal to the Law Society to take up their case and issue a writ against the organisation to prevent it from persevering with its terrorism or malpractices.

I think the right idea would be to introduce legislation covering the points about which the Minister complains; that is, the persecution of adherents who desire to leave the so-called faith. I believe that can be done. It is done with other organisations: it is done with unions in a minor way; and one cannot chase a person with a small debt forever. It is done with all sorts of organisations and there is no reason why this particular organisation should not be prescribed and legislated against in a like manner.

If we were to let this legislation stand over until such time as we had had a proper investigation into it—even by a Select Committee—the House might be in a better position to recommend the type of action that should be taken by Parliament

to deal with this apparently unpopular organisation. However, it is not unpopular everywhere. I read in this morning's paper that the Premier of New South Wales, who is a Liberal Party Premier, has refused to introduce legislation of a similar nature to this Bill. So not all political parties, and not all members of each political party are satisfied that the legislation will be a success, or that it is the right step to take in an attempt to ban the organisation.

The Hon. G. C. MacKinnon: Or it is not yet in their State, of course.

The Hon. H. C. STRICKLAND: When one bans something or some people one runs up against human rights and all sorts of problems connected with democratic rule. In my opinion we must have evidence of treason, or something very serious in connection with the affairs of State against an organisation before we can ban it completely.

I am firmly of the opinion that this Bill should be referred to a Select Committee so that members can examine the proposition and make a recommendation to Parliament. There is no great hurry for this legislation. I do not think it should be rushed through Parliament and I can see no reason for that to be done. It is a serious matter to interfere with people's beliefs, no matter what they be.

*Sitting suspended from 6.8 to 7.30 p.m.*

The Hon. H. C. STRICKLAND: Before tea I was explaining that I was not convinced this Bill will have the effect which the Minister hopes for. The complete banning of this organisation does not necessarily mean that it will be broken up, or that its members will be prevented from following the practices that they have adopted. I feel there are other ways to deal with the officers of this organisation, should they break the law by practising medical quackery or should they persecute people who desire to have no further truck with their teachings. That is the correct way to deal with the situation.

If the present law does not cover the objectionable practices, or the persecution which the followers of the sect have been subjected to, and they are compelled to bear the result of their adherence because of some psychiatric influence the organisation has on them, then the law should be amended to cover such acts by making them offences.

I repeat that I do not think the banning of the organisation will prevent these offences from occurring. I would much rather see legislation introduced in the manner I have suggested. For that reason much more consideration should be given to this measure; it should be examined thoroughly before it is proceeded with and becomes law. I would like to hear the

views of some of the Government members as to the imposition of a complete ban or some form of control through legislation.

Banning will offend a large number of people who sincerely and faithfully believe that Scientology is a system of teaching which they prefer to the teachings of other sects. Rather than offend a large number of people in order to placate perhaps a minority we should give very serious consideration to the action which the Minister and the Government is asking Parliament to take. I would be pleased to hear the views of some Government members on this matter.

**THE HON. N. E. BAXTER** (Central) [7.35 p.m.]: This sect known as Scientology, which the Bill proposes to ban in Western Australia, is akin to many sects that emanated from America not only during this century but in previous centuries. I have read books dealing with various sects which were started in that country in the previous century, and find that most of them were similar to Scientology. The main object of those sects was to extract as much money from the gullible public as they could.

From that angle one has to determine where the money so obtained goes. In the case of Scientology the money is raised by the charges that are made for a purported course in Scientology. In the case of some of the other sects which existed in the previous century the money was obtained as some form of religious contribution. The underlying basis remains the same: To extract as much money as they could from the gullible people.

We should examine where the money goes to. In this case an organisation exists in Western Australia. It has established an office in Hay Street, on this side of Milligan Street. I do not know of any other office it has established, or any investment it has made in the State. It has not done what, for instance, the Exclusive Order of Brethren has done—established churches, and started businesses and farms. This particular sect remains a group within itself, and I do not know that it interferes with people outside its own religious order. The adherents practise religion amongst themselves, and they keep to themselves, although that might not be a good thing. However, they do not interfere with or persecute other people.

Then we have another religious sect, the Jehovah's Witnesses. Their followers call on people by knocking at their doors and trying to persuade them to join. This sect does build churches and practises its religion in those churches. Perhaps such sects contribute something to the well-being of the State or the country in which they are established.

Some remarks have been made about the method of dealing with these people, and it was suggested that the Criminal Code

could be used. This Code consists of a thick volume which I have gone through very closely. I cannot find any provision in the Code under which the practices which are purported to be carried out by the Scientology organisation could be construed as breaches of the law. The only possibility of dealing with this organisation under the Criminal Code is when someone complains that he has been defrauded of some money by it. He would have to make and sustain a substantial charge.

In my perusal of the Code I could not find anything which would lead me to believe that could be done, because some people approach the Scientology sect and take the so-called course. In doing that they agree to pay what they are asked to pay, or what the sect can get out of them by one means or another. For that reason I do not think the Criminal Code covers, or can be amended to cover, this situation.

The Hon. G. C. MacKinnon: You are quite right. That is why the Bill had to be introduced.

The Hon. N. E. BAXTER: Reference has been made to the obligations of members of various lodges, and to the secretiveness of those lodges. I am a member of several of these organisations, and their members are free to resign at any time without any repercussions of the slightest degree. They can resign in the same way as people who belong to parents and citizens' associations, or who are members of Parliament can resign. In resigning they are free of any challenge or any fear of something which will interfere with their lives.

I do not think we can compare Scientology with any of those organisations. Scientology is something absolutely different. One cannot compare it with other organisations, and use the difference as a reason to ban it. I have no particular brief for some religions, but I am not anti-religious. If a religion has something sincere behind it, and has something to offer to its adherents, there is nothing wrong with it. Apparently, as far as I can find out, in Scientology some of the followers who have resigned have suffered. Their family lives have been smashed up, after many years of happily married life; and their future has been ruined. One cannot say there is any religion or sincerity in a group which extracts what it can get out of its followers in hard cash.

Mention has been made that some people could have received solace from this organisation, and that others might have found relief from nervous tension or have been provided with something which they could not find themselves. If people cannot find relief within their own established churches, or through assistance from their members of Parliament and friends, then there is something radically wrong. They should not have to go to an organisation

like scientology which makes outrageous claims of cures for illnesses, and which holds out offers of help to gullible people.

Recently a friend of mine was walking along Hay Street and saw a car bearing one of the signs of this organisation. He heard one man using very bad language, and he wanted to tear the sign down. A lady looked at him, and this man apologised for his language and said that what scientology had done to him was unforgivable. He said it had wrecked his life and had taken his wife and children from him. He said that he and his family were living happily until his wife got in touch with this organisation; subsequently his family life was interfered with, and he was left without his wife and children.

This is how far these people will go; and that would not be the only case. How much religion is behind a body like this? How much relief do they give to people? Are we justified in letting an organisation like that continue this sort of practice in our democracy? And democracy has been referred to. Do we allow people of this type to continue to practice in a democracy when they wreck the lives of others, take what money they can, and do not invest a penny in the State?—and I do not think they intend to do so. If the lives of only half a dozen people in the State are ruined by an organisation of this nature, I think Parliament is justified in banning it from operating in the State. I support the Bill.

**THE HON. V. J. FERRY** (South-West) [7.46 p.m.]: This Bill is a measure which I believe affects very deeply the rights of the individual. I feel the expressions already used by members in this debate indicate that that would be the main point at issue.

I regard this Bill not only as an historic measure, but also one which touches any decent person very deeply because of its implication. I believe it is the responsibility of Parliament to legislate for the good of the people as a whole. There are many examples of this and maybe it is unnecessary for me to quote any particular piece of legislation. However, for the sake of contributing to the debate, I will quote some Acts which this Parliament has seen fit to pass over the many years since it has been constituted.

Many members will be aware of an infinite number of measures that have been passed for the welfare of the people of Western Australia. However, as I have said, for the sake of this debate I would like to mention measures that have been introduced particularly for the benefit of our community. I would refer to the Traffic Act, the Health Act, the Education Act, and the Electoral Act.

**The Hon. R. Thompson:** They are world-wide Acts.

**The Hon. V. J. FERRY:** That may be so, but they do apply to the people of Western Australia and, in a sense, they are restrictive and impinge to some extent on the freedom of the individual. Measures have been introduced in order to protect us from ourselves.

**The Hon. F. J. S. Wise:** I thought it was only the Town Planning and Development Act.

**The Hon. V. J. FERRY:** It may apply to that Act, but I am more concerned with Acts that affect the lives of an individual in a very personal way—not so much the material things in life, but the aspects bordering on the spiritual side of our being. I believe the Health Act is one that could be quoted. There are many facets of that Act which affect our health, as individuals; and they would even affect our spirits if we did not carry them out. The Electoral Act certainly impinges on the rights of some people.

**The Hon. W. F. Willesee:** I would like to hear you elaborate on the Health Act.

**The Hon. V. J. FERRY:** Perhaps I will at some other time. I have quoted some Acts to show that they control our lives and have a bearing on the way in which we conduct ourselves in the community. There are provisions in these Acts to provide for our welfare and which are of benefit to the community as a whole—the community of persons who choose to live in any part of the State of Western Australia—from the top to the bottom or from the east to the west.

I would like to refer to the organisation to which this measure alludes.

**The Hon. R. Thompson:** You haven't told us of any sects we have banned.

**The Hon. V. J. FERRY:** I will now refer to the Bill itself, which in no way impedes a person's right to study scientology or a similar sort of belief in private. However, I believe that as a group, this organisation is not in the best interests of the community of Western Australia. Man is more than a pig in a trough. He needs higher goals and a nobler purpose. He needs more than mere satisfaction of bodily appetites. Bodily appetites could include such material things as owning a house, a motorcar, conducting a business, owning stocks and shares, or maybe occupying a position of trust. Man needs to be guided in these matters so that he can progress in our society and lift his standard of living in regard to material things.

But there is more to life than material things. There is a way of life which as Australians and Western Australians we do not wish to have corrupted; and I believe the practice of scientology, and the organisation, are not, I repeat, in the best interests of Western Australians. There should be more emphasis on quality rather

than on quantity. Quality rests with man himself; and it is the beliefs of individuals who make up our community that make our community great. Indeed, we can do a lot more to make it greater; but if man himself does not have this inner quality, the material advantages will indeed crumble.

Having touched on self-development in a higher sense, that brings me to the measure itself. As I said at the beginning of my address, I believe this organisation impinges on the rights of the individual. I have said that many Acts of Parliament do this to some degree or another, but from my understanding of Scientology, and the manner in which it is practised, it provides little of what I believe to be a decent code of conduct for any organisation, whether it calls itself a church, a sporting body, or by some other name.

I have received through the mail—I am led to believe many members have received similar literature—several publications which are purported to originate from the Scientology organisation. I do not think I need to read them, but I wish to make this comment: I believe by their publications they have damned themselves. Their phraseology is extravagant in the extreme, and any decent person reading it would, in my opinion, think it more of a joke than anything else. However, the danger lies in the fact that there are people in the community who would accept what is said in these publications as being Gospel. I do not believe it is. Therefore I feel the publications these people have put out emphasise to the decent people of the community that the organisation of Scientology is a little below the standard we would hope to have in our community.

For the record, I think I would be doing a service—even though I may weary the House a little—to the people of the State if I quoted some passages from a report of the Board of Inquiry into Scientology which was appointed to carry out an investigation in Victoria in 1965. If members will bear with me I propose to quote from page 83 of this report. Under the heading "Indoctrination in Scientology" appears the following:—

The oppressive processes of auditing, with their repetitive and searching procedures, produce, in the case of a person who is already mentally or neurotically disturbed, at least some psychotic condition. The Board heard expert psychiatric evidence that repetitive questions and repetitive commands increase suggestibility and, if continued long enough, may reach the point where indoctrination could be effected, and a reversal of opinions and ideas previously held could be obtained. Many of the processes are hypnotic, and there is a fruitful field for post hypnotic suggestion. A pre-clear who "cognites" unreservedly

upon Scientology theory at the HPA level may well be a paranoid, though apparently normal in other respects. A person suffering from a paranoid disorder can often disguise the symptoms of his disease by an impressive facade of reasonableness and normality; he may even be in an advanced state of paranoia, but, provided that he comports himself in a creditable manner and speaks lucidly and reasonably, a layman—even an informed layman—may not realise that the individual is mentally ill. A quality of imperturbability and an air of reason and normality on most matters tend to give to the nonsensical utterances of such a person a spurious quality of reason. Herein may lie an explanation for the dedication of several of the witnesses who gave evidence in support of Scientology. Several spoke with the same engaging frankness and clarity about normal matters and the nonsense of Scientology. Their speech and attitude were equally as open and direct when they talked about thetans, engrams, theta bops on the E-meter, time tracks and past lives, as when they gave their names and their addresses appropriate to this lifetime. One began to understand how staff members, confronting the curious enquirer and lecturing to those attending the free lectures, could impress the gullible and the anxious and the mentally ill with an admixture of common sense and nonsense.

The effect of prolonged processing and training is that the critical faculties and common sense of the individual are destroyed, so that he comes to believe that Hubbard is right, Scientology is right and everything else is wrong and that the greatest thing that he can do is to work for Hubbard and thereby assist in saving the world.

That is a very gross statement. In my view, these beliefs are indeed extravagant. I wish now to quote from page 138 of the report, where is set out what is known as a security check. This is carried out by the organisation in regard to an individual who seeks assistance. I quote as follows:—

"The Only Valid Security Check," prescribed by HCO Pol. Lr. of the 22nd May, 1961, contained 150 questions, of which the following are examples:

Have you given your right name?

Are you here for a different purpose than you say?

Have you ever stolen anything; forged a signature, cheque or document; blackmailed anybody; been blackmailed; cheated; smuggled anything; entered a country illegally; been in prison; tried to act



normal; indulged in drunkenness; done any reckless driving; hit and run with a car; burgled any place, embezzled money?

Are you guilty of anything?

Do you have a secret you are afraid I'll find out?

Have you ever assaulted anyone, practised cannibalism, been in gaol?

Have you ever been a drug addict, made anyone into a drug addict, peddled dope?

Have you ever raped anyone or been raped, been involved in an abortion, committed adultery, bigamy, practised homosexuality, had intercourse with a member of your family, been sexually unfaithful, practised sex with animals, practised sodomy, slept with a member of a race of another colour, committed culpable homicide, committed a justifiable crime, bombed anything, murdered anyone, hidden a body, attempted suicide, caused a suicide, kidnapped anyone, aided an informer, betrayed anyone for money, threatened anyone with a firearm?

Are my questions embarrassing?

Have you ever plotted to destroy a member of your family, had a member of your family in an insane asylum, ever been pronounced insane, looted any place, conspired with anyone, practised fraud, ever had anything to do with Communism or been a Communist, been a newspaper reporter?

Are you hiding anything?

Have you ever used hypnotism to procure sex or money, ill-treated children, practised sex with children or practised masturbation, taken money for giving anyone sexual intercourse, sexually coerced a servant?

Do you have any bastards?

Are you withholding anything?

And so it goes on. All this is contained in the official report as compiled by the board of inquiry in Victoria, in 1965. As I have already said, I have taken the liberty of quoting at length so that this information can be recorded in *Hansard*, just to illustrate some of the practices of this organisation.

The Hon. H. C. Strickland: I suppose every one of those questions would have been asked of someone by the police, at different times?

The Hon. V. J. FERRY: I wish now to refer again to some of the literature which has come into my possession purporting to have been distributed by the scientology organisation. I will refer to its publication *Kangaroo Court*. With the indulgence of the House I wish to quote three or four paragraphs, commencing at page 3 of the report, as follows:—

In October, 1965, after spending 159 days listening to many witnesses, Mr. Kevin Victor Anderson, Q.C., came to the conclusion that it was decidedly evil to believe that one was a spiritual being and that any technique or process devoted to increasing spiritual awareness is evil and its practice a serious threat to the community of Victoria, medically, morally and socially.

Only a society founded by criminals, organised by criminals, and devoted to making people criminals, could come to such a conclusion. A criminal society would applaud brutality, would regard leucotomy, lobotomy, and other major operations depriving a being of the use of his brain, as necessary to relieve a desperate situation.

It may only be possible to understand this Inquiry in the light of the history of Victoria. The first fleet of convicts landed in Australia at Sydney Cove, on the 26th of January, 1788, with 759 convicts. Transportation of convicts to the Australian mainland continued without abatement until 1840. Samuel Speed, the last of the early convicts, died in Perth as recently as 1938. These early convicts were described as "most notorious offenders, every one . . . as great a villain as ever graced a gibbet."

The Hon. R. F. Hutchison: What has that to do with scientology?

The Hon. V. J. FERRY: This is contained in the organisation's own publication. To continue—

A member of the London Missionary Society reported of the times, "Here iniquity abounds, and those outward gross sins which in Europe would render a person contemptible in the public eye, and obnoxious to the civil law, are becoming fashionable and familiar—adultery, fornication, theft, drunkenness, extortion, violence and uncleanness of every kind."

And so the report goes on. At the bottom of page 3, it continues as follows:—

The whole background of the law of Victoria represents this picture of brutality in both its administrators and in those it sought to administer. The keynote was not justice; it was repression. In the 86 years which have passed since the execution of Ned Kelly, the policy of repression is still the policy which most commends

itself to the people into whose hands the administration of the law has passed. The growth of ideas which require freedom of expression and security under the law, is stunted under a system which still applies the old grim solutions to problems which have passed away.

Victoria is not the grim place of those early days. It is indeed a pleasant place in comparison. Unfortunately, institutions do not change so easily, and of all institutions none changes more slowly than the law. The corruption and brutality of its origin linger on in the practices and prejudices of its practitioners. As far as they are concerned, the result which is desired will be obtained, for what is the law but an instrument to be played as whim or prejudice dictates?

I repeat, that is a quote from the first page of the publication put out by the scientology organisation. I believe this organisation holds the administrative bodies of Victoria in contempt, and holds the people of Victoria in contempt. I submit to the House that if it thinks thus in one State of Australia, is there any reason to believe that it will hold a different belief in any other State, and that it will hold this State in any light different from Victoria?

The Hon. L. A. Logan: On television the other night they were treating us with contempt, too.

The Hon. V. J. FERRY: I believe that is true, and I urge members to support the Bill. It is my earnest belief that we will be protecting decent people in the community from this type of high-pressure salesmanship. I use that word advisedly because I believe the organisation is selling something for its own particular benefit, and in most cases those who seek assistance from the organisation are losing money. I do not hold with their views at all.

The provisions of the Bill provide complete protection for the individual who wishes to study scientology. There is no provision in the Bill, as far as I can see, that impinges on the religious beliefs of anybody. If a person wishes to believe in this sort of life, as an individual, without hindering others, I understand that under this legislation he is at liberty to do so.

I trust members will support the Bill because it is my sincere belief that the Minister has brought the Bill forward on behalf of the Government to correct a situation which, if it were allowed to continue, would not be in the best interests of the State. It is said by some that this particular organisation is only small and insignificant now. I do not subscribe to the view that as it is only small at this point it should be allowed to prosper and flourish if that is not in the best interests of the people.

I could not believe that the Forests Department, or any landowner would allow a bushfire to burn several thousand acres before an attempt was made to put it out. That is not logical, and I believe this organisation may be likened to a bushfire: Where there is smoke—to use an old phrase—there is undoubtedly and invariably fire. For those reasons I support the Bill.

**THE HON. C. R. ABBEY** (West) [8.10 p.m.]: I rise to make my position quite clear. I support the Bill because the people of Western Australia should not have the organisation known as scientology firmly established in their midst. It seems quite clear to me that if we do not take the action proposed in the Bill the headquarters of the organisation will be established in this State.

Speakers opposing the measure have made the point, very clearly, that they do not think this organisation has anything whatever to recommend it. However, they oppose the measure on the grounds that it will interfere with the rights of the individual. Several speakers, in supporting the Bill—and also the Minister himself—have made it clear that it is not the intention of the Bill to interfere with the rights of the individual. The contention that matters affecting individuals, who feel they have been harmed by this organisation, should be dealt with under the criminal law, as Mr. Baxter has pointed out, is obviously wrong. If this were not so I am certain that a considerable number of people would have sought help from the Minister and his advisers, and also from members of Parliament. I am sure people would have been advised to seek this protection. No doubt the Minister will elaborate on this point when he replies.

I do not believe the Bill is a panic measure. It is one that has received a great deal of consideration by the Minister for Health, and by Ministers for Health in other States. As has been pointed out some States have taken action and others are in the course of doing so. I sincerely hope that the South Australian effort will succeed.

The Minister for Health in this State deserves commendation for his courage in approaching a matter such as this. I am sure he had many sleepless nights before he reached a decision. For that reason, we should give him great credit for the step he has taken. As we know, the Minister is under legal threat from the organisation, and this is very much in keeping with the methods used by the organisation to prevent its own members from leaving.

When speaking to the Bill, Mr. Ron Thompson made certain references and the Minister suggested to him that he read out portions of the Minister's comments.

Mr. Ron Thompson did not do so, so I will read out the relevant portions of the Minister's speech, as follows:—

I am firmly convinced, from the inquiries I have been able to make and what I have been told, that it was called a religion for quite sordid reasons.

The sordid reasons, I would think, would be such things as obtaining protection from certain people, and avoiding taxation. That would be a very obvious reason for calling the organisation a religion. However, nobody in his right mind would agree that scientology could be classed as a religion. The Minister's comments continued as follows:—

This is also the view expressed in the Anderson report; but that is beside the point. Whilst it perhaps adds weight to our desire to control the cult, on its own it would not be sufficient reason.

The Minister's advisers, who went very exhaustively through the Anderson report, and who have advised the Minister on this matter, were members of the Mental Health Committee; and I am sure it would be interesting to the House if I were to read the names of those who are members of the Mental Health Committee of the State Health Council. Those members are—

Dr. A. S. Ellis (Chairman)

Mr. Macaulay

Dr. W. E. Robinson

Professor E. Saint

Dr. F. G. Prendergast

Mr. J. Devereux

Dr. E. R. Beech

Dr. W. S. Davidson.

The Hon. G. C. MacKinnon: For the sake of the record, they were members of the committee at the time the advice was given to me. Professor Saint is no longer in the State.

The Hon. W. F. Willesee: Professor Saint has not been in the State for six months.

The Hon. G. C. MacKinnon: They were the members of the committee at that time.

The Hon. C. R. ABBEY: That is so.

The Hon. G. C. MacKinnon: I mention it just for the sake of the record.

The Hon. C. R. ABBEY: Fair enough. The point I wish to make is that a committee composed of such eminent people, after an exhaustive study of the Anderson report, backed up the Minister in his endeavours to investigate the movement; and finally the members of that council recommended that the movement should be banned. Surely that is worth-while support for the Minister to have in his endeavours to place some control over this organisation.

I would now like to bring to the attention of the House portion of a personal letter written by a lady who had some contact with and knowledge of this organisation. This is the portion of the letter which applies to the organisation—

I read where the Hubbard people are raising their ugly heads and I have a letter that may interest you. You can quote my experience without using my name if you wish, but this is the story.

Over 10 years ago, possibly over 12, I went to one of their free meetings and bought a few pamphlets for a few shillings only, found it was not of any interest to me, and did not attend again. They wrote reminding me of meetings, etc. I replied with the usual courtesy at first, saying I did not have time. As more reminders came I ignored them, but it went for years.

I changed my address, but they found out and followed me up, and I wrote asking them not to send me any correspondence etc. as I had no intention of joining.

They got more persistent, then I started getting swags of expensively printed matter from England.

This lady, I understand, was originally from England. The letter continues—

I wrote again, but still it came, so I wrote to both Perth and England saying if they kept it up I would advise the police that I was being harassed by them. I told them in England that they had been outlawed in Victoria, and I'd heard steps were taken to that end in W.A.

Still it came, so I wrote to the officer in charge, Police Department, to the county they gave, explaining my position, and received the letter enclosed.

The letter enclosed was from the Sussex Constabulary, and it reads as follows:—

Dear Madam,

I am in receipt of your letter of the 30th May, 1968, and in reply have to inform you that one of my officers has seen an official at Saint Hill Manor who has promised that your name and address will be withdrawn from the mailing list.

I hope, therefore, that you will not receive any further publications.

That letter is signed by the Chief Superintendent, but the previous letter I read shows one of the avenues which this organisation uses. It is a case of a wealthy organisation putting pressure on the individual.

The Anderson report contains an examination of the financial structure of the organisation, and it will be found that in most cases when money is paid into the various accounts the only persons who can operate on those accounts are Hubbard

and his wife. Very rarely does anybody else have the authority to operate on the accounts; so, obviously, it is a matter of personal gain for these people.

From the evidence available I believe that this organisation obtains such a grip on the minds of its members that, quite apart from the threats, to which reference has been made during the debate, they would find it difficult to clear their minds sufficiently to make a decision to leave the organisation. Surely that is a very serious matter.

One other point that has struck me forcibly is the absence from the gallery of any person who may be a supporter of the organisation. I wonder why that is? Is it because some people are afraid to be identified with the organisation? Surely that must be the case, because if the matter were of such great importance one would expect the gallery to be packed. Personally I cannot see anybody in the gallery and so it is obvious that these people are afraid to be identified with the organisation. I support the Bill.

**THE HON. G. C. MacKINNON** (Lower West—Minister for Health) [8.25 p.m.] I thank those members who have spoken, for what I believe to be thoughtful and searching addresses. I was just speaking quietly to the Minister for Mines and we were commenting on the standard of the speeches and the thought that had gone into them. I am also delighted that we have at least one thing in common: We agree that the cult is bad and we have very little time for it. I think an examination of the speeches would bear me out on that point. Also, we all agree that something ought to be done about it, and working from this point, I hope to convince the House in my reply to the debate that what we propose to do about it is the proper thing.

If members cast their minds back over all the speeches that were made I think it would be fair to say that we can commence on the basis of the two premises I have enunciated. Also, there is another premise which I think we ought to accept; that is, that virtually every Act which is passed by Parliament restricts the liberties of some in order to protect the liberties of others.

The Hon. W. F. Willesee: To a certain extent.

The Hon. G. C. MacKINNON: Always it is a matter of degree, as Mr. Willesee points out. However, this is fundamental in a representative democracy, such as we have. Mr. Medcalf could probably give us the correct quotation of a very famous jurist who, when commenting on freedom, said, "Your freedom to swing your arm stops half an inch short of my nose."

The Hon. W. F. Willesee: Mr. Medcalf does not seem very enthusiastic about that.

The Hon. G. C. MacKINNON: All our freedoms are limited in some way, but the third premise is another one which I think we ought to accept.

Many of the matters which were raised could, without doubt, be answered by quotations from the most thorough report that has ever been presented in Australia—I refer to the Anderson report. I should like to refer to the initial paragraph which reads—

There are some features of Scientology which are so ludicrous that there may be a tendency to regard Scientology as silly and its practitioners as harmless cranks. To do so would be gravely to misunderstand the tenor of the board's conclusions. This report should be read, it is submitted, with these prefatory observations constantly in mind. Scientology is evil; its techniques evil; its practice a serious threat to the community, medically, morally and socially; and its adherents sadly deluded and often mentally ill.

May I now go through the various speeches that were made and deal with the points that arose? As one would expect, Mr. Willesee set something of a pattern—which, naturally, is normal procedure—for those following him who shared his views. He expressed concern about individual beliefs and cutting across the liberties of the individual. I dealt with this aspect at some length when I introduced the Bill.

Mr. Abbey read a portion of my speech where I said that I did not believe the fact that Scientology was claimed to be a religion, when others said that it was not, was sufficient ground for banning the organisation. I also said the fact that they got money out of people was not in itself a sufficient ground to ban them. Members will recall that I said their medical quackery was far more important, as was their intrusion on the civil liberties of others. I read out an extract from a Vatican Council report in order to give someone else's views on the matter and so that members would not have to take only my word for it. Members will recall my reading that extract from the Vatican Council report.

It has been said by members that the introduction of the Bill is something which has been done in panic. Mr. Baxter, who gave an extremely thoughtful and thought-provoking address, put that statement in its proper perspective. I think a question was answered today in another place, indicating that the first Bill in this State was prepared in 1966, and it has been under consideration since then. There is nothing panicky about this Bill; quite the reverse, in fact, because I have never been in any doubt about what my situation would be once this step was taken. I was never in

any doubt, and the mere fact that currently two writs are out against me makes me believe that this is not the end of it.

We are members of Parliament. We are in a situation where we must at times take action, and I refer members to the quotation by Mr. Ferry in which he revealed without doubt that the inference could be drawn that those charged with the responsibility of legislating in this country were bad. I would like to add something which might highlight this point. It appears in *Kangaroo Court*, and deals with the refusal to let L. Ron Hubbard appear to defend himself. This, of course, is an absolute lie. They refused to pay his fare out.

With regard to Dr. Cunningham Dax, it would take me two minutes to read out his qualifications. He is one of the most highly qualified men in his field. He is the person who set the pattern for mental health in Victoria.

The Hon. R. F. Hutchison: I know him well.

The Hon. G. C. MacKINNON: Mr. Lavery and Mrs Hutchison have met him, I know. We have followed his pattern and our director was one of his men in Victoria. I want members to listen to this—

One wonders what was planned.

This is the refusal to pay the fare of Hubbard to Australia. To continue—

If L. Ron Hubbard had gone to Australia, the opponents of Scientology would have improperly jailed him or even possibly have him certified for his writings and beliefs. This isn't as far-fetched as it seems, as there was evidence before the Board that a psychologist, who wanted to get rid of his wife, had had her improperly certified.

What better way of ruining Scientology than by getting hold of the Founder, jailing him for purposes of "his own protection" and then quietly taking the opportunity to have Dr. Dax perform one of his special, guaranteed to depersonalize, dehumanize to idiotize and zombie, operations. Who knows but what the scalpel might have "accidentally" slipped and then another statistic could have been added to the many who have already died in such operations.

In Victoria they play rough-rough.

The Hon. L. A. Logan: This is serious.

The Hon. G. C. MacKINNON: This is an accusation against one of our most eminent medicos. However, let me say this: It is also an accusation against us, because we control the organisations of this country; and the implication is that we would condone this sort of thing.

I come now to a point dealt with by Dr. Hislop and a number of others. This was also admirably dealt with by Mr.

Baxter. Incidentally, I earlier heard an interjection to the effect that Mr. Baxter does not often get quite so much praiseworthy comment from the front bench. This might be well said. I happened to hear the comment from somewhere in the House; but it is beside the point. Mr. Baxter did deal with this point.

Let me assure members that had there been any way of dealing with these people other than by introducing legislation, it would have been done. At least I suppose the poor old Minister for Justice might have had to deal with it under legislation he controls and he might have been in my shoes now; I do not know. But there was no other way. All these things have been inquired into, checked, and double checked, including the letters sent through the post. When a person pulls out and a preclear goes in before the—

The Hon. R. F. Hutchison: What is a preclear?

The Hon. G. C. MacKINNON: It is a new enrollee who has not got far along the road to total freedom. Everyone who goes in before these people for an auditing session writes a letter under instructions saying what a nasty person the other one is and how heartbroken the preclear is that this person who has left will not come back, and that he is in a state of "wasness"; that he no longer exists; and will have no more to do with the other person. Imagine if members here received such a letter from people they had met every day in a friendly way. I must add, of course, that these letters are sent out day after day after day. Is this a transgression of civil liberties? I assure members that this matter has been checked in every possible way.

Mr. Ron Thompson mentioned quite a deal about the religious aspect, and again Mr. Abbey read out my comment on this to the effect that I did not think this in itself was sufficient to ban the organisation.

The Hon. R. Thompson: Mr. Abbey wrongly stated that you asked me to read it out. You only asked me to read it.

The Hon. G. C. MacKINNON: Very good! The following is again from the Anderson report:—

The attitude of Hubbard towards religion is one of bitter cynicism and ridicule, which gives the lie to his directive to "change no man's religion." In a warped and sneering fashion he snipes at all things sacred in much the same way as he attacks the medical profession, though there is generally less venom in his tone when he is dealing with religion.

Scientology is opposed to religion as such, irrespective of kind or denomination. The essence of Hubbard's axioms of scientology is that the universe was created not by God, but by

a conglomeration of thetans who postulated the universe. Sometimes God is referred to as the Big Thetan. Many of the theories he propounds are almost the negation of Christian thought and morality.

That is to be found on page 149 under the heading, "The Attitude of Scientology to Religion."

Mr. Strickland dealt with the change of name. I point out that the Bill uses phraseology based on the dianetics or writings of L. R. Hubbard. These are an integral part of this organisation.

The honourable member may be right. We may find there are some other difficulties which arise from time to time, as they do with regard to so many other Bills. I said when I introduced the measure that whilst I did so with a great deal of determination, I was not tremendously happy about it. We could have framed a much harsher Bill. I did not think it was desirable, and I still do not think so. I believe this measure will be satisfactory, and I hope it will be.

The Hon. R. F. Hutchison: Did they put legislation through in the other States?

The Hon. G. C. MacKINNON: South Australia is currently doing so; and Victoria has done so.

I did not see Mr. Dunstan on TV last night but I gather he was quite in favour of the controlling of scientology, but he did not like some dragnet clause in the South Australian Bill which could bring in a lot of other organisations. This clause is not in our legislation, so it could well be that Mr. Dunstan may have supported it. I did not see him on television. What information I gained was merely hearsay.

The Hon. L. A. Logan: He said that scientology was absurd.

The Hon. G. C. MacKINNON: So did everyone here tonight.

There is one other aspect I would like to mention, and it concerns threats. I would again like to direct the attention of members to page 137 of the report. I will not read all that is printed, because so much has already been read. Under the heading of "Dangers of Coercion," is the following at page 137:—

One psychiatrist said in evidence that this preclear—

Let me here first of all state that this preclear had got so much under the control of Hubbard that he had written quite a lengthy fake confession to Hubbard believing it was for Hubbard's personal files, as, of course, are all references, because a copy of every preclear's audit done anywhere is sent back to Saint Hill. I will commence the quote again—

One psychiatrist said in evidence that this preclear had done everything he could to regain favour with the

organization, never expecting that his confession would be made public, and that psychiatrically its disclosure "was a dreadful and cruel thing to do."

The use which Hubbard sought to make of this confession is in line with his general attitude towards those who offend him. It is quite clear from correspondence between Hubbard and his Melbourne HCO that Hubbard was quite prepared to privately "black-mail" scientologists who offended him. In a letter dated the 24th May, 1960, Hubbard wrote to Mrs. Williams, the secretary of the Melbourne HCO, in these terms "Dear Eliz-re (name omitted): Horner blew up in our faces and has had his certs. —

That is, his certificates. To continue—

— cancelled. We have criminal background on him. Rape of a girl pc in Dallas and countless others. This will do something to (name omitted). Now, I firmly believe you will be able to find a criminal background this life —

Because everyone has lots of lives, of course! Continuing —

— on (names of two Melbourne scientologists deleted) . . .

And so it goes on. It is blackmail and threatening. Is this an infringement of civil liberties?

I trust I have covered the various points which members have raised. I started with a premise which I accepted from the speeches made that we all regard this organisation as being abhorrent to us and one about which something ought to be done. I have done the best I can to convince the House that the only thing we can do is contained in the measure before us, and that it ought to be done as soon as possible. I commend the Bill to the House.

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

#### Ayes—17

Hon. C. R. Abbey	Hon. G. C. MacKinnon
Hon. N. E. Baxter	Hon. N. McNeill
Hon. G. W. Berry	Hon. I. G. Medcalf
Hon. G. E. D. Brand	Hon. S. T. J. Thompson
Hon. V. J. Ferry	Hon. J. M. Thomson
Hon. A. F. Griffith	Hon. F. R. White
Hon. C. E. Griffiths	Hon. F. D. Willmott
Hon. J. G. Hislop	Hon. J. Heitman
Hon. L. A. Logan	(Teller)

#### Noes—8

Hon. R. F. Claughton	Hon. R. Thompson
Hon. J. Dolan	Hon. W. F. Willesee
Hon. R. F. Hutchison	Hon. F. J. S. Wise
Hon. H. C. Strickland	Hon. R. H. C. Stubbs
	(Teller)

#### Pair

Aye	No
Hon. E. C. House	Hon. J. J. Garrigan

Question thus passed.

Bill read a second time.

*In Committee*

The Deputy Chairman of Committees (The Hon. F. D. Willmott) in the Chair; The Hon. G. C. MacKinnon (Minister for Health) in charge of the Bill.

Clauses 1 to 4 put and passed.

Clause 5: Scientological records to be delivered up—

The Hon. H. C. STRICKLAND: I seek some information on this clause. Could the Minister inform us whether it will mean that all documents which are in his possession, or which may be in the possession of any Government department at the moment, and which deal with scientology, must be destroyed or those concerned will be fined for having them in their possession?

The Hon. G. C. MacKINNON: The question raised by Mr. Strickland is a very good one. It is a key to the way we hope the legislation will operate. Clause 5 deals with the scientological records which are to be delivered up. I ask the honourable member to refer to the interpretation of "scientological record" on page 2 and to go through it very carefully. It reads—

"scientological record" means any document, file or register, and any gramophone record, wire, tape or other thing by which words or sounds are recorded and from which they are capable of being reproduced, relating to the practice of scientology on, by, or in relation to, any particular person.

Of course this means on a particular person, by a particular person, or in relation to a particular person. Therefore the records in my possession, whether at my home at 57 Stockley Road, Bunbury, or in my office do not constitute scientological records provided I do not use them on a person, or in relation to another person, even though they may be about scientology.

This is really one of the key points. If a person is really enamoured of the writings of Mr. Hubbard, and wishes to read them by himself, the definition I have just read will allow him to do so. This is different from any other statutory measures which have been proposed in the other States of Australia.

I said when I introduced the Bill that we hoped to preserve the right of the individual to follow the teachings himself if he wished to do so, but he could not impose them upon any other person nor follow any of the unethical practices which are carried out at the present time.

The Hon. H. C. Strickland: He could not influence his family?

The Hon. G. C. MacKINNON: The family would have to lodge a complaint, and the police would act on any complaint.

Clause put and passed.

Clause 6 put and passed.

Title put and passed.

*Report*

Bill reported, without amendment, and the report adopted.

**BILLS (2): RECEIPT AND FIRST READING****1. Western Australian Marine Act Amendment Bill.**

Bill received from the Assembly; and, on motion by The Hon. L. A. Logan (Minister for Local Government), read a first time.

**2. Aerial Spraying Control Act Amendment Bill.**

Bill received from the Assembly; and, on motion by The Hon. G. C. MacKinnon (Minister for Health), read a first time.

**POLICE ACT AMENDMENT BILL***In Committee*

The Deputy Chairman of Committees (The Hon. J. M. Thomson) in the Chair; The Hon. A. F. Griffith (Minister for Mines) in charge of the Bill.

Clauses 1 to 3 put and passed.

Clause 4: Section 94B amended—

The Hon. J. DOLAN: Last night I raised a point in connection with paragraph (f) of section 94B (1) as to whether the words "cannabis or" should be inserted before the word "opium," which occurs in lines 3 and 4 of this paragraph. The Minister undertook to obtain the information from the draftsman. I understand he has done this and I thank him for his action.

The Hon. A. F. GRIFFITH: The purpose of clause 4 is to amend section 94B in order that the provisions of the section will in future apply to cannabis as they apply at the present time to opium. The section of the Act lists particulars of offences against part VI of the Act under the various headings (a) to (g). It will be seen that paragraphs (a) to (d), and also paragraph (g) are being amended, but paragraph (f) is not being amended. This is the point which was raised by the honourable member.

The draftsman tells me that this has not been overlooked. Paragraph (f) specifically refers to any pipes or other utensils for use in connection with the smoking of opium. An opium pipe is quite a distinctive type of pipe, and if the police were to enter a room and see an opium pipe a charge could be laid for possessing an opium pipe as such.

Cannabis is not smoked in a pipe and, so far as it is known, there certainly is no such thing as a cannabis pipe. This is a point on which Mr. Dolan dwelt last night when

he wondered whether cannabis could be smoked in a pipe. This is the information which I have obtained.

The Hon. J. Dolan: It would still be an offence if one used a pipe.

The Hon. A. F. GRIFFITH: But cannabis is not smoked in a pipe. Opium is smoked in a pipe. It is emphasised, therefore, that the purpose of paragraph (f) is to permit a charge to be laid for the possession of an opium pipe. If it were a charge in respect of smoking opium or cannabis, it would be made under paragraph (g).

It would not be regarded as good drafting to anticipate the possible manufacture of a cannabis pipe in the future and making a specific provision for it at this stage. Hence it is considered that the drafting of the Bill is in order.

Nevertheless I would like to say that it is a very good thing that points of this nature should be raised. It becomes very obvious that the honourable member made an infinite study of the Bill, even to the point of picking out this one point to question me upon. I am glad to be able to provide him with the information.

The Hon. J. DOLAN: I thank the Minister for obtaining this information. It is only by inquiries such as this and by seeking information that we really get to the bottom of things. I understand of course that if in the future cannabis were smoked in a pipe it would be very easy to amend the legislation to cover the position.

The Hon. A. F. Griffith: If the charge was for smoking opium or cannabis, it would be made under (g).

The Hon. J. DOLAN: I thank the Minister and the draftsman for providing the information.

Clause put and passed.

Title put and passed.

#### *Report*

Bill reported, without amendment, and the report adopted.

### **FISHERIES ACT AMENDMENT BILL**

#### *Second Reading.*

Debate resumed from the 8th October.

**THE HON. R. THOMPSON** (South Metropolitan) [9.1 p.m.]: I support the measure, but I will not speak for long, because members have possibly heard me for hours speaking on fisheries previously and I think I can now say that, generally, the Fisheries Act is in pretty good shape. Nevertheless, it did take a long time for it to reach this state. We now have provisions in the legislation which at least are workable.

There are some points in this amending Bill which I would like clarified. Some of the amendments seek to repeal certain subsections and substitute others, and others seek to add completely new subsections. I agree with many of these additional provisions because omissions were made when the previous legislation was drafted. If the Minister will look at page three, he will notice that clause 5(c) proposes to add a subsection as follows:—

(4a) The Minister may, from time to time, in relation to a Committee—

(a) appoint an officer of the Department, not being a member of the Committee, to act as a member and Chairman of any meeting of the Committee at which the Chairman is not present, and any officer so appointed has, at such a meeting, all the powers and functions of a member and the Chairman, and while so acting shall be a member for the purposes of subsection (3) of section five E of this Act;

Generally, I have no complaint with the proposed new subsection, and possibly it may be said that I could raise this point in Committee. I specifically raise the question now so that the Minister can supply me with an answer when he replies to the debate on the second reading.

In my opinion the proposed new subsection will defeat the purpose of the Act by doing away with the two committees appointed under it. Members of the rock lobster fishermen's association and fishermen belonging to other organisations are not permitted to appoint proxies under this proposed new subsection. If the amendment is agreed to it will mean virtually that if one of the officers appointed by the department to the committee is not present at a meeting, another departmental officer can be appointed to take his place for that day. To be fair on this point, if we are to provide for proxies to be appointed for departmental representatives, we should also provide for proxies for members of the rock lobster fishermen's association and other representatives of fishermen.

In regard to clause 10, which seeks to amend section 35C, the Minister in his speech stated that the amendment contained in paragraph (e) sought to repeal the existing subsection (2) of section 35C. It was considered this provision was redundant as it was covered by another section. That is true, but I am of the opinion that when this subsection was included in the Act it was inserted as a safeguard for processors who, when processing crustaceans or fish of any other kind, would have to record the type of fish and advise the department accordingly. The main purpose of this provision in the Act was to control the undersized crayfish racket which was rife at that time.



I can agree with the Minister it would appear that the existing subsection sought to be repealed is redundant, but by the same token it was inserted in the Act for a specific purpose, and I am yet to be convinced that it still would not serve a good purpose. The Minister's explanation in support of the amendment to repeal the subsection was that the recording of various types of fish processed was already covered in the monthly returns. By no stretch of imagination can we say that the catching of undersized crayfish has completely ceased in Western Australia.

In some of the most northern ports the catching of undersized crayfish still continues, but at least this undesirable practice has been curbed to a degree to make those engaged in the industry reasonably satisfied. Nevertheless, I can appreciate the department's position in this regard, because it would be impossible to make rapid and frequent raids on those fishing centres in the north. Being situated such a long way from civilisation the residents in those areas would have plenty of warning that inspectors were on their way in road vehicles to make a raid on their centres.

I am not happy about the prospect of the existing subsection (2) of section 35C being repealed, but if the Minister can assure me that proper records will be kept and made available to inspectors when visiting processing works, I will be satisfied.

On page 6 of the Bill, in paragraph (b) of subsection (2b), which will be substituted for the existing subsection, there is a restrictive provision. That paragraph reads as follows:—

- (b) having regard to the number of processing establishments or proposed processing establishments in respect of which licenses or permits under this section are then in force, and to the sizes and natures of those establishments and proposed establishments, it is in the better interests of the fishing industry that the proposed processing establishment be constructed or erected, and a license under this section granted therefor—

Proposed subsection (2b) then goes on to read—

—he shall grant the application and issue a permit to establish the proposed processing establishment subject to such conditions and restrictions as are specified in the permit . . .

It is the reference to conditions and restrictions that I do not like. Members must bear in mind that we cannot take into consideration the views expressed by the Minister whilst making his speech; it is

the Bill that becomes the law. In effect, the amendment means that two processing plants could be working in the one area. In fact, there could be 10 processing plants in the one area, but in remote areas, where there are possibly two or more processing factories, restrictions could be applied to one of them stipulating that, the proprietor of one of the processing factories could process only crayfish or prawns; that he could not process fish, or *vice versa*. But there is no definition of "processing" in the interpretation.

I maintain that if one merely freezes fish in a freezing chamber those fish are being processed. Therefore if there were a major company and a smaller company processing in the one area, one could be granted a license to process all types of fish and crustaceans, but the smaller operator, being at a disadvantage in not having an outlet, may not be able to purchase fish to freeze for the purpose of forwarding them to the metropolitan area for sale. Therefore, I would like that amendment clarified.

I agree with those amendments the Minister has introduced which will enable processing establishments to be granted a provisional processing license to go ahead prior to the construction of the factory. That was a point overlooked by all of us when amending legislation was previously before us. Another point at issue when dealing with approval being granted for the erection of a processing factory in that, earlier this year, I had occasion to accompany a gentleman who is interested in purchasing a beach block at a fishing resort where a small processing factory has been in operation for some years. This gentleman had been told that at Cape Leschenault some blocks were available and would be offered for sale in the near future.

Whilst visiting the area we happened to meet an officer from the Lands Department, and he pointed out to us the blocks in question. At that stage three blocks had been surveyed. They were good residential lots, but this officer was of the opinion they were being surveyed for a large fishing company which had moved on to what is termed "jumped land" to establish a portable freezing works, if one may call it that. This company had been advised by the Lands Department to move these works, and as a result the company moved then to private blocks.

The company had erected a bore on top of the hill just outside the survey pegs, and it intended to re-erect its factory on the site it occupied previously as soon as the block of land was sold.

In this area an average of about 25 boats fish out of what is called "Seabird." A processing works is operating at that

spot. I met the original owner, but I believe the works have now changed hands, and I do not know the name of the present owner.

The Hon. G. C. MacKinnon: I cannot remember the name of the present occupier of the factory, either.

The Hon. R. THOMPSON: I think his name was Wing, or something like that. I have never spoken to anyone connected with the company. This is an example where I feel it is necessary to apply the provisions of this legislation. Because of the small number of boats fishing in the area, it would be detrimental to the fishing industry generally if another company were allowed to establish a factory alongside the existing processing works.

The Hon. G. C. MacKinnon: It would not bring in any more crayfish.

The Hon. R. THOMPSON: No, and it would only ruin the small factory already operating. The company of which I am speaking proposes to move any day to establish a factory and to pay any price for the land proposed to be sold.

The Hon. G. C. MacKinnon. It would also encourage the catching and sale of fish of a doubtful size.

The Hon. R. THOMPSON: I trust that under this legislation the Minister will not issue permits to permit unfair competition. That is all the provision in the Bill would mean. If this were done it could mean ruin for the small and cleanly run establishment—by that I mean where no under-sized fish go through the works at the present time. I understand this is generally the case.

Apart from those comments I support the Bill. It contains nothing of any great consequence which might upset anyone in the industry. Its provisions will make the position clearer and more concise and will help the economy of the industry in the long run.

**THE HON. G. C. MacKINNON** (Lower West—Minister for Fisheries and Fauna) [9.16 p.m.]: I would like to thank Mr. Ron Thompson for the kind words he uttered at the beginning of his address, and also for his analysis of the Bill. Just before answering the queries raised by the honourable member, perhaps I may be excused if I inform members that their co-operation is in no small measure responsible for placing the fishing industry in this State in such good heart. Members have afforded me considerable co-operation over the years in the gradual amending of the parent Act by legislation which has been brought down from time to time.

Last year the catch of the crayfish industry was about 25,000,000 lb. whereas four years ago it was only 16,000,000 lb.,

and dropping. This is the only crayfishing area in the world which has managed to retain its catch to that extent and, indeed, to increase it; and this is largely due to the manner in which members have co-operated in assisting me with the framing of the laws concerning the fishing industry.

The Hon. N. E. Baxter: A good Royal Commission recommended this.

The Hon. G. C. MacKINNON: That is so. The honourable member referred to section 5E subsection (3) which states in part—

A person who is or has been a member or acting member of either Committee is not personally liable for anything done or omitted in good faith. . .

It seems desirable and necessary to say that the Director of Fisheries can appoint a chairman if he cannot visit a town, and that anything done by that person as chairman shall be done in good faith, and he shall not be liable, even though he is appointed chairman for only this time. It is not always possible for the chairman to talk to the people on the spot, and it is a matter of giving protection.

I would refer the honourable member to section 18 of the parent Act. Under this section he will find that lists must be prepared of all the fish brought in to the processing plant. When we included the provision dealing with processing we included another requirement that these returns should be kept. In effect, these people keep daily lists in their log books, and at the moment they have to lodge two special reports, one of which is specified and which we intend to delete, and the other is under section 18.

This is unnecessary work. We have all the information required in the log books, and the documents are taken out and kept. The provision in the Bill would save a great deal of work.

The Hon. R. Thompson: This has been submitted by the processors.

The Hon. G. C. MacKINNON: That is so. The co-operation we are receiving is very good indeed. The honourable member was worried about the restrictions which might be placed upon a plant, and the Bill seeks to protect the small fellow. There are one or two ventures which are currently in the wind, which would be fairly big and which deal with some new aspects of fishing. As an example, however, let us say that a big firm proposed to operate in a type of fishing which required large capital expenditure. Let us say it was tuna fishing, where it is necessary to freeze the fish very quickly.

There might be a comparatively small fishery in the vicinity, and someone might desire to start oyster farming nearby. We

think he should be protected, and a restriction placed on the big fellow to prevent him from handling oysters.

This seems reasonable. There would appear to be quite a good little business in some of the prawn trawling areas in catching and bagging fish for bait. As a sideline this would seem a reasonable proposition, and we might prohibit a certain person from engaging in this in order to provide a lucrative business to someone who is prepared to collect these fish. This provision would be used intelligently to protect and look after the industry.

The honourable member must bear in mind that our fishermen in Western Australia are comparatively well off. This is not the world pattern. The world pattern is that fishermen live at a subsistence level. This is borne out by the fact that in Canada 25,000 people are taking 30,000,000 lb. of lobster, whereas in Western Australia 2,500 fishermen are taking 21,000,000 lb. of lobster. This is a pattern we want to retain, and we believe our fishermen should get this protection.

Section 35A of the principal Act deals with another question the honourable member raised. "Processing," however, is clearly defined in part IIIB of the principal Act, as follows:—

"processing", in relation to fish, includes cutting up, breaking up, filleting, preparing, packing, freezing, canning, preserving or otherwise treating in any manner whatever.

I am aware of the problem at Cape Leschenault. Again, the honourable member was right when he said that we are coping with our crayfish. The industry seems reasonably well divided, though, of course, everyone no doubt seems to want a little bit more. I can see no purpose in adding capital investment—particularly shore-based investment—to the industry, and it would take a lot of persuading to convince anyone holding the position I occupy at the moment that we should have more processing plants.

The Hon. R. Thompson: Representatives of all the metropolitan processing plants call in to Cape Leschenault. This would mean that the local processors would go out of production.

The Hon. G. C. MacKINNON: That is so.

Question put and passed.

Bill read a second time.

*In Committee, etc.*

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

*House adjourned at 9.28 p.m.*

## Legislative Assembly

Wednesday, the 9th October, 1968

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

### QUESTIONS (28): ON NOTICE

#### LAND AT BALCATT

##### *Zoning and Subdivision*

- 1 Mr. GRAHAM asked the Minister representing the Minister for Town Planning:

Reference questions the 19th September and the 2nd October, 1968, regarding land zoned residential in an area bounded by North Beach Road and Cedric and George Streets, Balcatta—

- (1) Will he state definitely whether there is at present any application before any authority to zone portion of the area for hotel purposes?
- (2) If so, what stage has been reached in the determination of the matter?
- (3) If not, does this mean the the question has been finally resolved?
- (4) If the reply to (3) is "No," then what is the position?

Mr. LEWIS replied:

- (1) and (2) As previously stated, there is no application before the Town Planning Department or Town Planning Board. In response to the honourable member's further question, I have had inquiries made and understand that an application has been made to the Perth Shire by the Swan Brewery for rezoning for hotel purposes in the area described. It rests with the Perth Shire to decide whether it will amend its by-laws.
- (3) and (4) No. As stated in my reply to the honourable member on the 19th September, the final resolution of any such application is subject to the processes detailed in the Town Planning and Development Act, Town Planning Regulations, and the Local Government Act.

#### RURAL LAND

##### *Taxation Exemption*

2. Mr. DUNN asked the Premier:

- (1) Because of the high values applicable to metropolitan land, has any consideration been given by the