

Mr. LESLIE: I strongly object to this item. I understand it is to be spent only in the metropolitan area and I cannot see any justification for that. If we were experiencing a depression the position would be different, but in these days everybody except those who are incapacitated is supposed to be in work. If the privilege were extended to deserving cases only I should not mind but, if it is to be a free milk scheme for children indiscriminately in the metropolitan area, I consider it quite unjustifiable.

Hon. J. B. Sleeman: It should be the lot or none.

Mr. LESLIE: I agree. I hope the Premier will seriously consider the item before disbursing the money. I could suggest many ways in which £500 could be put to a more useful purpose.

Vote put and passed.

Progress reported.

ADJOURNMENT—SPECIAL.

THE PREMIER (Hon. D. R. McLarty—Murray-Wellington): I move—

That the House at its rising adjourn till 7.30 p.m. tomorrow.

House adjourned at 11.11 p.m.

Legislative Council.

Wednesday, 29th October, 1947.

	Page
Questions: Goldmining, as to allowance to prospectors, etc.	1567
Cinema films, as to objections by local authorities	1567
Government motor vehicles, as to activities and fuel restrictions	1568
Bills: Economic Stability Act Amendment (Continuance), 3R., passed	1568
State Housing Act Amendment, 3R., passed	1568
Wheat Marketing, 2R.	1568
Land Alienation Restriction Act Amendment (Continuance), 1R.	1570
Commonwealth Powers Act, 1943, Amendment, 2R., Com.	1570
Commonwealth Powers Act, 1945, Amendment, 2R.	1571
Companies Act Amendment, 2R.	1571
Inspection of Machinery Act Amendment, Assembly's amendment	1572
Municipal Corporations Act Amendment (No. 1), Assembly's message	1572
Child Welfare, 2R.	1575
Adjournment, special	1575

The PRESIDENT took the Chair at 7.30 p.m., and read prayers.

QUESTIONS.

GOLDMINING.

As to Allowance to Prospectors, Etc.

Hon. E. M. HEENAN (on notice) asked the Minister for Mines:

(1) In view of the importance of the goldmining industry and the necessity for the encouragement of prospecting, is it the intention of the Government to increase the allowance of 30s. per week now made to prospectors under the Government prospecting scheme?

(2) Is it the Government's intention to accede to the request of the Amalgamated Prospectors' Association that a supervisor be appointed to fill the position held by the late Mr. Curtis?

(3) Is it the Government's intention to abolish the present system which precludes men in the receipt of an old-age pension from being eligible to receive assistance under the Government prospecting scheme?

The MINISTER replied:

(1) This matter is at present under consideration.

(2) No. It is not considered practicable.

(3) It is intended to review the question as regards old-age pensioners.

CINEMA FILMS.

As to Objections by Local Authorities.

Hon. E. M. DAVIES (on notice) asked the Minister for Mines:

(1) Is the Minister aware that certain local authorities are objecting to the types of films being screened at matinees?

(2) If so, will he consider introducing legislation to improve programmes by the screening of more films of an educational, travel and comic nature to the exclusion of films of the "two-gun" variety?

(3) If not, will the Minister make the necessary inquiries and obtain a copy of the Victorian Act?

The MINISTER replied:

(1) Yes.

(2) and (3) Inquiries have been made from all State authorities relative to their legislation in connection with censorship of films, and a draft Bill dealing with this matter is now under consideration.

GOVERNMENT MOTOR VEHICLES.

As to Activities and Fuel Restrictions.

Hon. C. F. BAXTER (on notice) asked the Minister for Mines:

In reply to my question, asking if the Government fuel supply had been reduced commensurate with others, to which the Minister replied—"There had been no reduction commensurate with that applied to private users. It was impossible to control essential activities in the same way as pleasure motoring."

(1) Does the Minister consider all motor vehicles are used for pleasure?

(2) Is he aware of the fact that supplies for private use have been reduced by 25 per cent. and essential uses by 15 per cent.?

(3) Does he consider that Government activities are more important than the activities of those who are carrying on industry and supplies generally?

(4) What are the essential Government activities which make it impossible to reduce fuel supplies?

The MINISTER replied:

(1) No. This was not suggested.

(2) Private—Yes. Essential use—No. Reductions approximating 15 per cent. have been made on vehicles used for business purposes, but no reduction has been made in a number of classes of essential use.

(3) It is impossible to make an effective comparison on such broad terms.

(4) It was not said that it was impossible to reduce fuel supplies but that it was impossible to curtail essential activities in the same way as pleasure motoring. Steps are being taken to curtail motor running where possible but regard must be had to the services required by the public. Police protection, maintenance of water supply and sewerage, health inspection, transport, agricultural services and construction of public works and roads are among the activities concerned.

BILLS (2)—THIRD READING.

1, Economic Stability Act Amendment (Continuance).

2, State Housing Act Amendment.

Passed.

BILL—WHEAT MARKETING.

Second Reading.

THE HONORARY MINISTER (Hon. G. B. Wood—East) [7.37] in moving the second reading said: This Bill, which is a measure to make provision for the control and disposal of wheat and to constitute a Western Australian wheat marketing board, is the outcome of a report on the wheat industry submitted by the Royal Commission which inquired into the matter. Last session the Legislative Council made it mandatory for the Government, before any wheat legislation could be implemented, to have an inquiry into the whole ramifications of the industry in this State and to ascertain whether it would be feasible, desirable and economical for a State wheat marketing board to be set up. I want to make it perfectly clear that this Bill is a precautionary measure only—an insurance measure just in case the Commonwealth Government does not proceed with proposals for the marketing of wheat. I do not intend to read the whole of the terms of reference or the recommendations of the Royal Commission. I would point out, however, that the principal terms of reference were—

To ascertain what schemes or courses of action are open to the State both before and after the termination of Commonwealth control of wheat marketing, including the possibility of the creation of a Western Australian pool independent or as part of a national stabilisation scheme.

To examine whether a marketing scheme, either State or Commonwealth controlled, should operate with the sole object of marketing wheat to the best advantage or whether, and to what extent, the machinery of marketing should be linked with and form an integral part of a general scheme aiming to stabilise the industry, for a period of years.

In my opinion importance must be attached to the benefits to be derived from the establishment of a pool on a State basis, the principal of which are referred to by the Royal Commission in the following terms:—

A State pool can be established on a firmer legal and political foundation than a Commonwealth pool, thereby achieving a much greater chance of permanent and peaceful existence.

The management will be more in co-operative contact with producers within the State and may in consequence be expected to meet their requirements with greater understanding. There are trained officers in this State the equal of any in Eastern Australia.

Short of a return to open marketing, a State pool provides the only practical way in which wheat marketing can be rescued from the unfortunate position it has reached, i.e. a cog in the machinery of internal and external politics. Furthermore, the development of pools in each State will provide an automatic safeguard against arbitrary bureaucratic control over a very widely spread industry.

I am wholeheartedly in accord with those statements. Everyone knows what has happened regarding wheat marketing in Australia during the past few years, and the undesirable state of affairs that exists today. Later on I will make further reference to that. Having heard about our State Wheat Pool, Mr. Pollard has asserted that it will conflict with any Commonwealth scheme. It cannot do that, because if there is a Commonwealth scheme under the National Security Regulations we will not have a State scheme. That is all there is to it, but in view of the dissatisfaction in the wheat industry—although Mr. Pollard has said that the Commonwealth's transitional powers will be extended—one does not know today what is going to happen in the matter of wheat marketing.

When I attended the Agricultural Council meeting at Canberra in July, I had every reason to believe that we would discuss wheat marketing, but we were told that the Premiers' Conference would hammer out a scheme. When that conference came along, the story was that the Ministers for Agriculture would do it, and ever since the Premiers' Conference there has been pending a conference of Ministers for Agriculture, both State and Commonwealth. The result is that today we are all at sea in the matter. Although I have made representations to Mr. Pollard and have asked him about this conference, he cannot tell me when it is to be held and therefore, although the Commonwealth has extended its powers, it is still problematical whether the States will agree to any Federal scheme that may be put forward.

I know perfectly well that the Minister for Agriculture in New South Wales is not happy about the Federal authority regarding wheat marketing—just as we are not happy about it. I will not go into the whole set-up of what has happened, but we know that New Zealand has been able to purchase our wheat at 5s. 9d. per bushel, and that at a time when wheat was worth about 16s. for export. That will demon-

strate the stupid and unsatisfactory state of affairs that has arisen. I have been told on good authority that our wheat will probably be sold to Britain for 10s. or 11s. per bushel while the export price today is 19s. 6d. I cannot keep pace with the present upward trend of wheat prices.

Hon. L. A. Logan: And Britain is clamouring for our wheat.

Hon. G. Fraser: Would you take advantage of England's position?

The HONORARY MINISTER: It is not that at all, but England is prepared to take our wheat and to send us manufactured goods. She is clamouring for our wheat and does not want to deal with America. She would rather deal with Australia, which is much more desirable. I believe that today she is prepared to take 60,000,000 bushels of our wheat for her own use and 30,000,000 or 40,000,000 bushels for India and other places. It is no use anyone trying to justify the Commonwealth attitude today in throwing our wheat away. Whatever Mr. Pollard has said, I am not too sure that the Commonwealth will eventually carry on with a marketing scheme. I am not referring to stabilisation which, of course, is in the hands of the Commonwealth. I mention these factors to justify the introduction of the Bill. It provides for a permanent board of five members, four of whom are to be elected by the producers and one nominated by the Minister. For the coming crop, if necessary, a temporary board will be set up. It will be nominated by the Minister and will consist of the chairman of Co-operative Bulk Handling Ltd., the chairman of the Wheat Pool and three members nominated by the Minister. It will carry on in a temporary capacity only until an election can take place, which will be before the harvesting of the second crop after the Bill is implemented.

I believe there is every chance of the Commonwealth withdrawing from marketing and concentrating its energies on stabilisation. The wheatgrowers are dissatisfied and I believe this Bill will give them some hope. They are talking about withholding their wheat, a policy with which I am not in accord. By the same token, the barley growers are so dissatisfied with the Commonwealth set-up that they are adopting a similar attitude. It is some-

thing that they can do, as there are only about 300 barley growers in this State, and all their product is consumed here. They will be able to get away with it. I mention that to show the state of mind of many of our producers today in regard to the Federal set-up.

The home consumption price of wheat today is 5s. 2d., which is below the cost of production. There will be an outcry from wheatgrowers if they do not get something comparable with the cost of production for home consumption wheat. Surely they are entitled to export parity for the balance other than for wheat for human consumption. We do not want to push the home consumption price up unnecessarily but I think that something near half of export parity would not be unreasonable—perhaps 8s. per bushel. That might cause the price of bread to be raised slightly, but it is well known that the price of bread has not risen during the last ten years and I do not think anyone would complain at a small rise at the present time.

I consider that we are missing a wonderful opportunity to stabilise our primary products. Instead of passing the money into a stabilisation fund, the farmers should be allowed to use it in reduction of their debts, free of taxation to a certain extent. This would be the ideal stabilisation plan and far preferable to something engineered from Canberra and not in the best interests of the people. Seemingly the farmers are supposed always to have a burden of debt hanging around their necks, but this is an opportunity to have those debts reduced, and it would be the sound way of stabilising the industry instead of having some scheme run by the bureaucrats or politicians in Canberra.

Those people are anxious to make long-term agreements with other countries for the purchase of our wheat. The proposal might sound all right, but it is not all right, because once they make such agreements, they insist upon controlling the wheat, saying that it is their wheat and that, because they have made contracts with other countries, they must deal with the wheat. However, it is very difficult to convince the Federal authorities otherwise about those matters. They seem to be

committed to doing things in that way. If the conference is held in Canberra, I expect it to be a very hectic one, and I know I shall have the full support of Labour Ministers for Agriculture in other States. Mr. Graham has said that he will not stand for this sort of thing, and I believe the four States concerned will be unanimous on the matter.

I think the principle contained in the Bill might well be adopted by the House and there will be ample time to deal with the matter in Committee. I should mention that provision is made for the wheatgrowers, if they are dissatisfied, to have a poll in 1951 as to whether the scheme shall be continued, discontinued or amended. Thus adequate safeguards are provided. We are not attempting to foist anything upon the farmers that they will not have an opportunity of reviewing in 1951 after it has been given a fair trial. I have some amendments which the wheat interests consider desirable and they will be dealt with in Committee. Meanwhile I ask members to support the Bill. I move—

That the Bill be now read a second time.

On motion by Hon. L. A. Logan, debate adjourned.

BILL—LAND ALIENATION RESTRICTION ACT AMENDMENT (CONTINUANCE).

Received from the Assembly and read a first time.

BILL—COMMONWEALTH POWERS ACT, 1943, AMENDMENT.

Second Reading.

THE HONORARY MINISTER (Hon. G. B. Wood—East). [7.54] in moving the second reading said: This is a very small and simple Bill and is complementary to the wheat Bill. Members will be pleased with this measure because it seeks to take some power from the Commonwealth. In 1943, certain powers were referred to the Commonwealth, one of them being the marketing of wheat. This Bill proposes to remove from the Act, the Commonwealth's power to control wheat, and that is all. No

further explanation of the measure is required and I move—

That the Bill be now read a second time.

Question put.

The PRESIDENT: To pass this measure, an absolute majority is required. I shall divide the House.

Bells rung and a division taken.

The PRESIDENT: As all members are voting with the ayes and there is an absolute majority present, I declare the question passed.

Question thus passed.

Bill read a second time.

In Committee.

Hon. J. A. Dimmitt in the Chair; the Honorary Minister in charge of the Bill.

Clause 1—agreed to.

Clause 2—Citation of principal Act as amended by this Act:

Hon. C. G. LATHAM: This measure is complementary to the Wheat Marketing Bill and should be passed after that Bill has been dealt with. I suggest that the Minister should report progress.

The HONORARY MINISTER: The proper course for Mr. Latham to adopt was to move the adjournment of the debate on the second reading. However, as he is probably right in his contention, I have no objection to reporting progress. I should have mentioned on the second reading that none of these Bills will be proclaimed unless that course be necessary, and the necessity will not arise unless the Commonwealth withdraws from wheat marketing.

Progress reported.

BILL—COMMONWEALTH POWERS ACT, 1945, AMENDMENT.

Second Reading.

THE HONORARY MINISTER (Hon. G. B. Wood—East) [8.0] in moving the second reading said: This is another measure complementary to the Wheat Marketing Bill and will not be proclaimed unless it is necessary to do so. In 1945 the Commonwealth Powers Act referred the control of prices to the Commonwealth for two years ended the

31st December, 1947, prices or rates charged by the State or semi-governmental or local governing bodies for goods or services being excluded. Semi-governmental bodies were excluded from the application of that referred power. This Bill seeks to exclude people who are concerned with the handling of wheat. I will read the particular subsection affecting the position. It is as follows:—

For the purpose of this section the term "semi-governmental or governing bodies" shall include and shall be deemed to include all road passenger transport operators whose omnibuses are operated under licenses granted by the Western Australian Transport Board.

This amending Bill seeks to add to that provision the following words:—

and any body constituted by any Act which has heretofore or shall hereafter be enacted to make provision for marketing, sale and disposal of wheat.

That is quite simple and just takes that little bit of extra power away from the Commonwealth. I move—

That the Bill be now read a second time.

On motion by Hon. E. H. Gray, debate adjourned.

BILL—COMPANIES ACT AMENDMENT.

Second Reading.

Debate resumed from the previous day.

HON. L. CRAIG (South-West) [8.2]: This is purely a Committee Bill. I happen to have been a member of the Royal Commission that framed this legislation in 1943. In any Act of these dimensions—this one is nearly a whole book—it is inevitable that anomalies or mistakes will occur. Some are printers' errors and some of them are minor mistakes which have been discovered and pointed out by the Registrar of Companies. All these amendments, which are proposed by the Government, were suggested by the Registrar and have been gone through by him. Legal societies, lawyers and accountants and everybody concerned have had ample time to peruse this Act because although it was passed in 1943, it has not yet been proclaimed. It will be proclaimed at the end of this year, on the 29th December. There may be reason for some controversy as to one or to of the clauses, but there is

certainly no reason for a discussion except in Committee.

HON. G. FRASER (West) [8.4]: I am going to ask the Minister if the second reading stage is passed tonight whether he will postpone the consideration of the Bill in Committee until the next sitting. I, too, was a member of the Royal Commission, which sat for approximately six months to deal with the Bill and drew up something like 500 clauses. Whilst amendments are suggested to only 18 or 19 of the Act, it may be, as Mr. Latham mentioned, that they will affect not only those particular sections but others which have not been referred to. For that reason, I hope reasonable time will be given in which to make comparisons with the Act so that we may be better able to deal with the measure. I trust therefore the Committee stage will be postponed.

THE MINISTER FOR MINES (Hon. H. S. W. Parker—Metropolitan-Suburban—in reply) [8.6]: I will be only too pleased to adjourn the Committee stage until next Tuesday, but I would like members to know that the amendments contained in this Bill rest entirely on their own. They will not, I think, interfere with any other portion of the Act, and I would ask members, if they have any intension of moving amendments to the Bill, to look at it very carefully. I do so because it has been gone into very thoroughly and most if not all of the amendments have been included owing to the representations of the Registrar of Companies, who also has closely examined it.

Hon. C. F. Baxter: These are only machinery amendments.

The MINISTER FOR MINES: Yes. As Mr. Craig said, they are only amendments to correct errors which have been found after perusal of the Act by various people.

Hon. L. B. Bolton: Not all of them, I suggest.

The MINISTER FOR MINES: Practically all of them. They are not only clerical errors but omissions which must be rectified to put the Act in order.

Question put and passed.

Bill read a second time.

BILL—INSPECTION OF MACHINERY ACT AMENDMENT.

Assembly's Amendment.

Amendment made by the Assembly not considered.

In Committee.

Hon. J. A. Dimmitt in the Chair; the Minister for Mines in charge of the Bill.

The CHAIRMAN: The Assembly's amendment is as follows:

Clause 3: Delete all words after the word "amended" in line 14 and insert in lieu thereof the words "by inserting after the word 'subject' in line two of Subsection (2), the words 'or an ex-Serviceman or a worker who served in the Merchant Navy or Merchant Marine of an Allied Nation during the period of World War 1939-1945.'"

The MINISTER OF MINES: This is an amendment to the Act which provides that the person who gets a certificate must be British subject. Another place wished to leave in the provision for a British subject but added the amendment now before the Committee. Although I would rather have had some different wording, I move—

That the amendment be agreed to.

Question put and passed; the Assembly's amendment agreed to.

Resolution reported, the report adopted and a message accordingly returned to the Assembly.

BILL—MUNICIPAL CORPORATIONS ACT AMENDMENT (No. 1).

Assembly's Message.

Message from the Assembly notifying that it had disagreed to the amendments made by the Council now considered.

In Committee.

Hon. J. A. Dimmitt in the Chair; the Minister for Mines in charge of the Bill.

No. 1. Clause 5, line 39, page 2—Insert after the word "the" in line 2 of paragraph (c) the words "date of the."

The CHAIRMAN: The Assembly's reason for disagreeing to both amendments made by the Council is as follows:—

The amendment proposed would give a council the right to order the removal of verandah and balconies supported by posts prior to the 20th day of February, 1952, and in the intervening period it is unlikely that either man power or materials will be readily available.

The MINISTER FOR MINES: I move—
That the amendment be insisted on.

I regret having to suggest that apparently members in another place did not read what was there set down. The intention of this House were merely to rectify a clerical error. I hope the Committee will insist on an amendment.

Question put and passed; the Council's amendment insisted on.

No. 2. Clause 5—Add a new paragraph after paragraph (c) to stand as paragraph (d) as follows:—

(d) adding to paragraph (47) a proviso as follows:—

Provided that nothing herein contained will invalidate any by-law heretofore made by any municipality under this paragraph, but any such municipality by bylaw may extend from time to time the time prescribed in any bylaw heretofore made by it for the removal of verandahs and balconies supported on posts and projecting over the footway of any street, road or way in any part of the municipality.

The CHAIRMAN: The Assembly's reason for disagreeing with this amendment, as I previously indicated, is the same as for No. 1.

The MINISTER FOR MINES: I move—
That the amendment be not insisted on.

I do not want to go over the whole matter again, but the reason given in the message from the Legislative Assembly really covers the position. Municipalities are at present empowered to order that verandah posts be removed; in other words, to order that cantilever verandahs shall be erected, or none at all, by the end of 1948. We are satisfied that material and manpower will not be available to do that. It was, therefore, sought by this Bill to prevent any municipality from forcing a landlord to put up a cantilever verandah prior to 1952. Under the amendment moved by Mr. Davies, a local authority could, if it so desired, extend the time. The conflict is this: Under the amendment, a municipality could enforce its order immediately after 1948, whereas we say that it should not do so until 1952.

Hon. E. M. DAVIES: I oppose the motion. The amendment was moved here because the Bill proposed to prevent local authorities from ordering the removal of verandahs until 1952. Cantilever verandahs are being constructed on one section of buildings in Market-street, Fremantle, today. No local authority desires to use undue force on any ratepayer to make him remove verandah posts, but local authorities should have that right if they so desire.

Hon. L. CRAIG: I agree with Mr. Davies that we should insist on our amendment. There is more in this than just a difference of opinion. It is taking away authority which belongs to local governing bodies. It is, in effect, saying to municipalities, "You are not fit to make decisions. You are not to be trusted to say whether a verandah is safe or dilapidated."

The Minister for Mines: There are other powers in connection with dilapidation.

Hon. L. CRAIG: A municipality is quite competent to say whether a verandah should be removed or not. I strongly object to local authorities having their powers filched from them. Is not the Fremantle municipality capable of saying whether a verandah should be removed? Is it right for some Government official to override the mayor and council?

The Minister for Mines: That is not the point.

Hon. L. CRAIG: It is, in effect. Local authorities are not going to do the wrong thing. If a shopkeeper cannot get materials, he has a let-out.

The Minister for Mines: No, he has not.

Hon. L. CRAIG: It is wrong to take power from municipalities in matters concerning them.

Hon. F. E. GIBSON: I supported the amendment, and I hope that members will insist on it. I see no reason why an Act should interfere with the powers of a local authority. Sir Hal Colebatch said yesterday that we resented the encroachment of the Commonwealth on the powers of the State Government, and we are now endeavouring to do the same thing in connection with local authorities. The reason given by the Legislative Assembly seems to

be not quite sound. No order of a council can be enforced if materials are not available, but quite recently the Fremantle City Council erected cantilever verandahs, and such work is being done in the centre of the city at the moment.

Hon. G. FRASER: I hope the Committee will insist on its amendment. It is ridiculous to say, by legislation, that irrespective of the dilapidated condition of a verandah we will automatically extend the time to 1952.

The Minister for Mines: Your Government provided ten years.

Hon. G. FRASER: It did some things with which I did not agree, and if it did this, I would not agree to it. No matter how dilapidated a verandah is, we apparently are to allow it to go on for another four years.

The Minister for Mines: It does not say that at all.

Hon. G. FRASER: Well, until 1952.

The Minister for Mines: No.

Hon. G. FRASER: What is this all about?

The Minister for Mines: I will explain it when I get the opportunity.

Hon. G. FRASER: The Minister will have some difficulty in explaining that it does not mean what I am saying.

Hon. G. BENNETTS: I have been a member of the Kalgoorlie Municipal Council and was on the works committee for many years. If our engineer or health inspectors think a verandah is not safe or not in accordance with the regulations, we serve a notice on the people concerned, and it is put in proper order. There would not be more than six buildings in Kalgoorlie that could carry cantilever verandahs, and only about two in Boulder. I do not know how we would get on if we ordered people in Kalgoorlie to construct cantilever verandahs. We cannot get the timber on the Goldfields or at Esperance.

Hon. F. E. Gibson: A local authority would not do anything as foolish as that.

Hon. G. BENNETTS: I do not know. Some people in municipal councils like to show their authority.

Hon. F. H. Gray: It will not effect you.

Hon. G. BENNETTS: I hope it does not.

The MINISTER FOR MINES: The present law is that municipalities may make bylaws—

For regulating the construction and use of verandahs now or hereafter erected over any part of a street, road, or way, for requiring proper maintenance of verandahs and balconies, and prescribing for the removal at the expense of the owner after a maximum period of ten years from the date of the commencement of this paragraph of verandahs or balconies supported on posts and projecting over the footway of any street, road, or way in any part of the municipality, whether such verandahs or balconies were erected before the commencement of this paragraph or not.

If the amendment is deleted, a municipality will still have power of regulation and require the proper maintenance of balconies. The Bill does not affect that aspect at all. In 1938 the Government added a section to provide that municipalities could require verandah posts to be removed. Now, we say it is not fair that a municipality should have that power until labour and materials are available, so that cantilever verandahs may be installed.

Hon. F. E. Gibson: What council would do that?

The MINISTER FOR MINES: Then why object?

Hon. F. E. Gibson: Labour and material might be available.

The MINISTER FOR MINES: It might, in another four years. A council can see that the verandah posts are maintained in proper order but to permit it to force the removal of a perfectly good verandah before 1952 is thought to be unreasonable.

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

Ayes	7
Noes	11
	—
Majority against	4
	—

AYES.

Hon. G. Bennetts	Hon. C. H. Simpson
Hon. W. J. Mann	Hon. G. B. Wood
Hon. H. S. W. Parker	Hon. H. Tuckey
Hon. H. L. Roche	(Teller.)

NOES.

Hon. L. B. Bolton	Hon. C. G. Latham
Hon. L. Craig	Hon. L. A. Logan
Hon. H. A. C. Daffen	Hon. G. W. Miles
Hon. E. M. Davies	Hon. F. R. Welsh
Hon. F. E. Gibson	Hon. G. Fraser
Hon. E. H. Gray	(Teller.)

Question thus negatived; the Council's amendment insisted on.

Resolutions reported, the report adopted and a message accordingly returned to the Assembly.

BILL—CHILD WELFARE.

Second Reading.

THE HONORARY MINISTER (Hon. G. B. Wood—East) [8.40] in moving the second reading said: This is a Bill for an Act to consolidate and amend the law relating to the making of better provision for the protection, control, maintenance and reformation of neglected and destitute children, and for relative purposes. If members will study the Bill they will agree that it is very acceptable. A tremendous amount of trouble has been gone to in framing the measure so as to consolidate the Act, which will be repealed, and to include a number of desired alterations. The amendments represent an endeavour by the Government to improve the lot of children who pass through the hands of the Child Welfare Department, either through delinquency or through no fault of their own. The amendments will facilitate the administration of the Act and should prove of advantage to the children under its control. I feel there will be little or no opposition to the measure at the second reading stage and I regard it as essentially one for consideration in Committee. In the circumstances I do not intend to spend much time in briefly explaining the provisions embodied in it.

In the first place, it is proposed to effect an alteration in the constitution of the Children's Court. This has been mainly accomplished by the appointment, in an acting capacity, of a qualified magistrate, Mr. E. B. Arney, in place of Mr. A. Schroeder, S.M., who has passed the age of 65 years. It is intended to appoint honorary members to the court and these will number three, all of whom will be women. Should the magistrate and his colleagues on the bench disagree, the magistrate's opinion will prevail. Members will agree that that is only right because the magistrate has the legal knowledge and will devote the whole of his time to this work. It is essential that women should be available to assist the magistrate in dealing with the children, and I am sure that their help will be of advantage.

Hon. W. J. Mann: Will all four members of the court sit on the bench?

The HONORARY MINISTER: No. Only one of the women will sit with the magistrate at a time.

Hon. E. H. Gray: Will they be justices of the peace?

The HONORARY MINISTER: Yes.

Hon. L. Craig: Should Mr. Arney be away, will the others sit?

The HONORARY MINISTER: No. The women members of the court will be appointed to assist him. I think members will agree that in a Children's Court it is essential that women should participate in the work. Then again, it is proposed to remove from the jurisdiction of the Children's Court cases dealing with offences by adults against children. Much careful thought and consideration has been given to this phase by the Government and by officers of the Children's Court and the Child Welfare Department. The consensus of opinion is that offences of this nature should be dealt with in a court that concerns itself with adults. The Children's Court should be free to deal with children, and the only adult cases that should be heard there are those concerning the custody, maintenance, neglect and desertion of children. This is the procedure pertaining to most children's courts in other countries, notably Great Britain and the United States. I think their example is one we might well follow.

Hon. E. H. Gray: It does not apply in the Eastern States.

The HONORARY MINISTER: I do not always want to follow what the Eastern States do. In many things we are, as Mr. Craig says, in advance of them.

Hon. E. H. Gray: I do not like to see young children forced into the courts. I do not agree to that being done.

The HONORARY MINISTER: The Children's Court should be a juvenile court only. It should not exist for the punishment of adult offenders. Members will agree, I think, that the Children's Court is intended to be a court of reformation, not a court of punishment.

Hon. E. H. Gray: But under this amendment you will force little children into the courts.

The HONORARY MINISTER: Does the hon. member mean courts other than the Children's Court?

Hon. E. H. Gray: Yes.

The HONORARY MINISTER: They will only attend such courts as witnesses. That is quite different from taking a child into an adult court as a defendant. The children will probably have the protection of a policewoman when they are to give evidence in another court. Provision will be made for that to be done.

Hon. L. Craig: Is this a dialogue?

The HONORARY MINISTER: It is becoming so. I defer to Mr. Gray, because I know the keen interest he takes in this matter. It has been found in the majority of cases that an adult defendant pleads guilty and the child witnesses are not required to appear. If the adult is not tried in an adult court but in the Children's Court, he would probably get a Children's Court conviction. It is time that that was stopped, and this Bill is to have that effect. The magistrate of the Children's Court is appointed to give his full time to the study of children's problems. He is a trained man, thoroughly conversant with his duties.

I was a member of the Select Committee appointed to inquire into juvenile delinquency. One of its recommendations was that publicity should not be given to children's cases. Child delinquency at that time was rife. Boys gloated over the fact that their deeds were chronicled in the "Daily News." They said, "I am in the 'Daily News' today and am being sent to Barton's Mill." Brigadier Ingles of the Salvation Army, who accompanied these delinquent lads to Barton's Mill, told me how the boys gloated when they saw their names in the "Daily News."

The Minister for Mines: Not their names, but their misdeeds.

The HONORARY MINISTER: Yes, that is so. The provision that publicity shall not be given to these cases is wise. One only needs to be connected with the Child Welfare Department to realise that. Under the parent Act a child can be remanded for eight days only. This period is insufficient to allow of a psychological examination which is necessary in the case of many children appearing before the court. The

Bill proposes that any child in need of such an examination may be remanded for a month, and this conforms to a similar provision in the Mental Treatment Act. The parent Act also provides that a child may be charged with being neglected or destitute. We are providing in the Bill that in such cases no charge shall be laid, but that an application shall be made to the court to declare the child neglected or destitute. It is unjust to lay a charge against a child of tender years who has no sense of responsibility and to whom no blame whatever can be attached.

Another amendment of the Act that is long overdue deals with State wards. Under the Act, a State ward may be indentured as an apprentice to a suitable person by the secretary of the department or by the governing authority of an institution—for instance, an orphanage, industrial school or reformatory school in which the ward has been placed. The Child Welfare Department stands in loco parentis to all its wards and should be the sole authority to decide where they may be placed in work. It also has the machinery, which the institutions lack, to ascertain whether the proposed employer is a suitable person. There are other considerations bound up with the apprenticing of wards. For example, I mention the necessity of finding them boarding accommodation and the placing of portion of the wards' wages in trust in a Savings Bank account. Another amendment deals with the order of liability for maintenance of children. At present the order is as follows:—

For legitimate children: Father, mother, step-father, step-mother, brothers, sisters and grandparents.

For illegitimate children: Father, mother's husband, mother.

The Bill will relieve the mother's husband of liability. This is a desirable step, as I cannot see why he should be saddled with the liability for the maintenance of an illegitimate child. This opinion is shared by the officers of the Child Welfare Department. The Act at present provides that where the near relative of a child has had an order made against him and desires to have the order varied—that is, reduced, suspended or annulled—all or any of the other near relatives may be called on to appear in court and, if the order is varied, the court may make a further order, or

orders, against any one or more of the other near relatives. This procedure is seldom, if ever, followed.

The practice has been for the near relative desiring a variation of the order to summon the person who obtained the order against him to show cause why it should not be varied. In most cases, it is the Child Welfare Department that is summoned. The Bill therefore does not include the provision relating to the appearance of other near relatives in the court. In lieu thereof, the Bill provides that the person in whose favour the order is made may be summoned to appear. This will give the Child Welfare Department, or whoever may be concerned, the opportunity to question the appellant on the genuineness of his application for a variation of the order. A point that will be of considerable interest to members is that under the parent Act children over the age of 12 years may obtain a license to engage in street trading. It is thought desirable that the age should be raised to 14 years.

Hon. G. Fraser: You will have some debate on that point.

The HONORARY MINISTER: I dare say. I said it would create considerable interest.

Hon. G. Fraser: We had a lively session over that once before.

The HONORARY MINISTER: I remember it. Personally, I think some children of 12 years are very immature.

Hon. C. F. Baxter: You did not think so two years ago.

The HONORARY MINISTER: I am not too sure of that. I think so now, anyhow, and I am two years older and have gained considerable experience in the meantime.

Hon. E. H. Gray: I think you supported it last time.

The HONORARY MINISTER: I think I did. Mr. Baxter is apparently astray on that point. I have made it my business to consider this point and I do think that many boys of 12 years are immature. Fourteen years is a suitable age for boys to engage in selling newspapers.

Hon. G. Fraser: Boys go to work at the age of 14 years.

The HONORARY MINISTER: The Education Department considers that if lads engage in street trading under that age, it interferes with their education. The Child Welfare Department is determined on this matter. Another point that will interest Mr. Gray is that the Bill proposes to increase the maximum penalty that may be imposed on any person guilty of contributing to the delinquency or neglect of children. The penalty at present is £30 or imprisonment with hard labour for three months. The Bill proposes to provide for a minimum penalty of £5 and a maximum penalty of £50 or imprisonment with hard labour for six months. Experience has proved that the present penalty is inadequate to meet the more serious cases dealt with by the Children's Court.

The parent Act also provides that any child under 14 years of age may be deemed to be neglected if he is employed or engaged in any circus or acrobatic entertainment or exhibition in which his life, health or safety may be endangered, but does not mention that his welfare might be endangered. This is included in the Bill. In the Second Schedule is a list of institutions or orphanages licensed by the Child Welfare Department. The list has been brought up-to-date by the Bill. These institutions are practically all controlled by religious bodies. I have visited many of them. We should commend them highly for the great and good work which they are doing. All denominations have a share in this work. If it were not for these institutions I do not know how the State would fare, and I take this opportunity of expressing the grateful thanks of the Government to them. The State is deeply indebted to them for their good work. I move—

That the Bill be now read a second time.

On motion by Hon. E. H. Gray, debate adjourned.

ADJOURNMENT—SPECIAL.

THE MINISTER FOR MINES (Hon. H. S. W. Parker—Metropolitan-Suburban): I move—

That the House at its rising adjourn till Tuesday, the 4th November.

House adjourned at 8.59 p.m.