

- (2) Any person, institution or organisation, not being a person, institution or organisation approved by the Minister pursuant to section four of this Act, retaining any eyes or or other parts of the bodies of deceased persons for grafting into the bodies of living persons shall be guilty of an offence against this Act.
- (3) Any person, institution or organisation guilty of an offence against this Act shall be liable to a penalty not exceeding one hundred pounds.

Again I think the conditions should be as rigid as possible, and that nobody except a legally qualified medical practitioner or an institution approved by the Minister should attempt to store tissues. Any other person or institution doing so should be liable to a penalty under the Act.

The CHIEF SECRETARY: The departmental comment again is that this clause is unnecessary, as the illegal actions outlined would be an offence under the Police Act and/or the Criminal Code.

Hon. J. G. HISLOP: There was once in this Chamber a member who said that it did no harm to make things abundantly clear.

New clause put and passed.

Hon. J. G. HISLOP: I have not included the final paragraph of this provision from the New South Wales Act, because firstly I did not understand its meaning; and, secondly, I did not know whether it was necessary.

The CHIEF SECRETARY: Now that we have accepted these amendments, the department thinks that certain other words should be added, but that will be dealt with on recommittal.

Title—agreed to.

Bill reported with amendments.

House adjourned at 6.15 p.m.

Legislative Assembly

Wednesday, 3rd October, 1956.

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

QUESTIONS.

HOSPITALS.

Contributions by Local Authorities, Government and Lotteries Commission.

Hon. A. F. WATTS asked the Minister for Health:

(1) Regarding question No. (1) on the 26th September, will he advise the amounts contributed by district boards and local authorities in the country areas towards

hospital construction and additions in the last three financial years, showing each district separately?

(2) In respect of the same districts, what amounts have been contributed towards such works by the Government and the Lotteries Commission?

(3) Which (if any) local authorities in the metropolitan area have made any such contribution and how much in each case?

(4) Regarding question No. (3), what were the Government and the Lotteries Commission contributions?

The MINISTER replied:

(1) No major sums were contributed by hospital boards or local authorities in country areas towards hospital construction and additions during the financial years ended the 30th June, 1954 and 1955.

During the year ended the 30th June, 1956, the following amounts were promised by the districts indicated:—

	£
Wyalkatchem	2,000
Dalwallinu	5,000
Moora	6,000
Boddington	5,000
Pingelly	5,000
Bridgetown	5,000
Pemberton	1,250
Donnybrook	1,000

In some cases the local authorities have agreed to provide part or all of the local contribution, whilst in others the money is being raised by hospital boards' special efforts.

(2) In each case the Lotteries Commission and the Government promised grants on a £ for £ basis with local effort.

(3) Nil.

(4) Answered by No. (3).

JUNIOR FARMERS' MOVEMENT.

Part-time District Organisers.

Mr. ACKLAND asked the Minister for Education:

(1) How many part-time district organisers are employed to assist the junior farmers' movement in Western Australia?

(2) What allowances are made to these part-time organisers above the salary they already receive?

(3) In which districts do the organisers work?

(4) How many of these district organisers are competent to assist the junior farmers' clubs with rural and agricultural problems?

(5) What was the average annual expenditure for the full-time junior farmers' district organisers prior to the change to part-time organisers?

The MINISTER replied:

(1) Five.

(2) £65 per annum plus car mileage.

(3) Roe, Blackwood, lower South-West, Harvey and districts, Milng and districts.

(4) They all are.

(5) £4,480.

OCEAN BEACHES.

Toilet and Washing Facilities.

Mr. MARSHALL asked the Minister for Health:

(1) Is he aware of the existing condition of the toilet and washing facilities at our ocean beaches?

(2) Who is responsible to see that these conform to reasonable health standards?

(3) Will he have an investigation made, with a view to improving the facilities for the benefit of the general public?

The MINISTER replied:

(1) Yes. Check surveys are made from time to time.

(2) Toilet facilities at beaches are under the control of the local authority.

(3) Every effort is being made to improve toilet facilities at beaches and other resorts, but it is an unfortunate fact that these efforts are largely nullified by the way such places are ill-treated and misused by irresponsible members of the public.

WATER SUPPLIES.

(a) Pipes for Pingelly Scheme.

Mr. W. A. MANNING asked the Minister for Water Supplies:

(1) When will the first pipes be delivered for laying from the Cuballing service reservoir to Pingelly?

(2) Could it be hoped, in view of Pingelly's very serious water position, that the work may be completed ahead of schedule?

The MINISTER replied:

(1) During November, 1956.

(2) Yes.

(b) Narrogin-Pingelly Scheme.

Mr. NALDER asked the Minister for Water Supplies:

(1) Will he give details of the progress of the comprehensive water scheme from Narrogin to Pingelly?

(2) When is it anticipated the Pingelly section will be completed?

(3) When is it anticipated the Kataning section will be completed?

The MINISTER replied:

(1) A contract has been let for the Narrogin pump station. Five miles 68 chains of pipe have been laid. Work is well advanced on construction of the Cuballing service tank.

(2) It is planned to relieve Pingelly before the 1957-58 summer.

(3) June, 1958.

(c) *Ocean as Source of Fresh Water.*

Hon. D. BRAND asked the Minister for Water Supplies:

(1) Has he seen an extract published in "The Farmers' Weekly" of the 27th September, 1956. which is headed—

Ocean to be Fresh Water Source in Ten Years.

San Francisco, California: Fresh water from the ocean which will be cheap enough for drinking and for industrial and irrigation use, will be here within 10 years. This prediction is made by Professor Everett D. Howe, director of the University of California's salt water conversion project, which has been working for some time on the problem of converting salt water to fresh water. Studies to date indicate that already, by means of one process being experimented with, fresh water can be produced from sea water at a cost of about £44 10s. per acre-foot ?

(2) Does he consider that such progress in the conversion of salt water to fresh will relieve the necessity within the next 10 years to provide major capital works for the conservation of fresh water?

(3) If so, would it not be sound policy to place greater emphasis on pipe reticulation in country areas?

(4) What information has the Government collated on this important subject?

(5) What is the comparative cost of water at Kalgoorlie as compared with the figures given by Professor Howe?

(6) Would he give consideration to the provision of a pilot plant in Western Australia in order to take advantage of the latest discoveries in America?

The MINISTER replied:

(1) Yes.

(2) Not sufficient is known at present concerning the possibilities of this new process to enable a satisfactory determination to be made.

(3) The greater proportion of country water supply expenditure is on pipe reticulation.

(4) The department has technical reports of progress in America and other countries. These may be inspected at the Public Works Department.

(5) £53 5s. 0d. per acre-foot for pumping only.

(6) Negotiations are already in hand for a British pilot plant when available.

FATAL ACCIDENTS ACT.

Amending Legislation.

Mr JOHNSON asked the Minister for Justice:

(1) Is the English Fatal Accidents Act, 1846, (Lord Campbell's Act) one of the Acts adopted in Western Australia?

(2) Has this Act been amended by the Fatal Accidents (Damages) Act, 1908, and by further amendment in 1934?

(3) Have these latter amendments been adopted in Western Australia?

(4) If not, would it not be advisable to pass similar amending Acts?

The MINISTER replied:

(1) Yes.

(2) Yes.

(3) No.

(4) This is under consideration. A Bill for the purpose was introduced in 1947 but did not progress beyond the Committee stage.

APPRENTICES.

(a) Responsibility for Fares.

Mr. JOHNSON asked the Minister for Labour:

When apprentices are required to attend technical classes during the employer's time, are the relative travelling costs (fares) payable by the department, the employer or the apprentice?

The MINISTER replied:

The apprentice.

(b) Employers' Proportion of Technical Education Cost.

Mr. JOHNSON asked the Minister for Education:

What proportion of the cost of technical education of apprentices in accordance with awards, etc., is met by the employers?

The MINISTER replied:

No analysis of the cost of wages, equipment and material is available to enable this ratio to be determined. However, the following costs in connection with apprenticeship training are borne by employers—

(a) Registration fee of 5s. for approximately half the apprentice intake.

(b) Donations of prizes and equipment from a number of employers and organisations.

(c) The wages of apprentices during their statutory attendance at classes.

CONSTABLE HARDY.

Departmental Instructions and Judgments.

Hon. A. F. WATTS asked the Minister for Police:

(1) Will he lay on the Table of the House the regulations and instructions issued to the Police Force and the circular

orders and general instructions, both of which were referred to in his speech in the Legislative Assembly on the 11th September last?

(2) Has the department obtained a copy of the judgments of the High Court judges in the case of Hardy v. Trobridge, and if so, will he also lay these on the Table of the House?

The MINISTER replied:

(1) Yes.

(2) The only copy of the judgment obtained by the Police Department was that contained in the "Australian Law Journal" which will be laid on the Table of the House.

"FIND THE BALL" COMPETITIONS.

Government Supervision and Charge Made.

Mr. COURT asked the Minister representing the Chief Secretary:

(1) Are the "Find the Ball" competitions conducted by the "Weekend Mail" subject to permit or supervision by the Government?

(2) How much has been contributed to charity by these competitions?

(3) Are the respective costs known and, if so, how much are they, divided between—

(a) costs of conducting the competitions excluding prize money;

(b) prize money?

(4) Is any charge made by the newspaper in connection with these competitions and, if so, how much and for what purpose?

The MINISTER FOR WORKS replied:

(1) Yes.

(2) £22,592.

(3) This information is being collated and will be made available to the hon. member.

(4) No.

GOVERNMENT BALANCE SHEET.

Completeness and Further Information.

Mr. COURT asked the Treasurer:

(1) With reference to my questions of the 27th September, 1956, with reference to the 30th June, 1956, Government balance sheet and contingent liabilities, are there any guarantees to banks, companies, persons or financial institutions in addition to the £6,724,394 Treasury guarantees to the Rural & Industries Bank?

(2) (a) What is the nature of the State Housing Commission debentures amounting to £790,871, including the name of the person to whom the amount is due?

(b) What movement has there been in the State Housing Commission debentures of the 30th June, 1954, the 30th June, 1955, the 30th June, 1956 and the 30th September, 1956?

The TREASURER replied:

(1) No.

(2) (a) Debentures issued under the State Housing Act to:—

	Amount Out- standing £	Rate %	Repayable
Superannuation Board	78,096	4	Half-yearly instalments.
Mine Workers' Relief Fund	52,178	4	Half-yearly instalments.
State Govt. Insurance Office	160,597	4	Half-yearly instalments.
Australasian Petroleum Refinery Ltd.	500,000	4½	6 Debentures repayable at maturity.
	£790,871		

(b) Movements—

	£
Outstanding 30/6/54	806,762
Redemptions during 1954-55	7,788
Outstanding 30/6/55	798,974
Redemptions during 1955-56	8,103
Outstanding at 30/6/56	£790,871

There were no redemptions during the quarter ending the 30th June, 1956; therefore, the balance outstanding at that date remained at £790,871.

FISHERIES.

(a) Development of Prawn Industry.

Mr. COURT asked the Minister for Fisheries:

(1) What is the state of research and development of the prawn industry in Western Australia—

(a) for local consumption;

(b) for potential export?

(2) Have any plans been formulated to exploit the industry, and if so, through what channels and by what means?

The MINISTER FOR EDUCATION (for the Minister for Fisheries) replied:

(1) A report is being prepared jointly by the C.S.I.R.O. and the Fisheries Department on the three years' prawn investigations in the Exmouth Gulf area. This report will not be available until early in November. Further research on the prawn occurrences in the Shark Bay-Carnarvon area will be carried out early next year.

(2) No.

(b) American Examination of W.A. Potential.

Mr. COURT asked the Minister for Fisheries:

(1) Have arrangements been finalised by the Minister for Fisheries (Hon. L. F. Kelly) who is abroad, for an American fishing boat and crew to examine the potential in Western Australia?

(2) If so, is their work to be confined to tuna fishing, or is it to be fishing of a more general nature?

The MINISTER FOR EDUCATION (for the Minister for Fisheries) replied:

These questions are still the subject of further negotiations between the Government and the American interests concerned.

EDUCATION.

Direction of High School Children.

Mr. JAMIESON asked the Minister for Education:

(1) Is it departmental policy that all children passing to high school standard from a primary school shall attend the same high school?

(2) Do children moving to new districts become subject to the same direction as to high schools?

(3) Would it not be preferable for children in the district of the Hollywood State School to be given the opportunity of attending The Claremont High School?

The MINISTER replied:

(1) Yes. With the tremendous demand for high school accommodation, it is possible to provide high school places only by accurate planning. Pupils are allocated to high schools from primary schools and all children from one primary school are directed to the same high school with two exceptions—

(a) where the course required is not available in the high school to which the child would normally be directed;

(b) where the child's home is moved to another district.

(2) Answered by No. (1).

(3) Yes. Unfortunately the Claremont High School, the smallest metropolitan high school, has insufficient accommodation for the area it could suitably serve. Contributory primary schools have to be limited to Claremont, East Claremont, Dalkeith, Nedlands and Graylands.

RAILWAYS.

Lowering of Fremantle Line.

Hon. D. BRAND asked the Minister representing the Minister for Railways:

What action has the Minister for Railways or his commissioners taken to give effect to the recommendation in the town planning report, that the railway line to Fremantle be lowered in order to facilitate road crossing?

The MINISTER FOR TRANSPORT replied:

The proposal is to lower the line between West Perth and about Jewell-st. beyond East Perth. No action other than planning will be possible until the marshalling yard has been established at Welshpool and the main country terminal station and administrative block established at East Perth.

NARROWS BRIDGE.

Completion and Access Road.

Hon. D. BRAND asked the Minister for Works:

(1) When does the Government plan to complete the construction of the Narrows bridge?

(2) Has any definite action been taken to construct the access road through to Charles-st.?

(3) If so, what are these works, and when will the construction be completed to the railway?

The MINISTER replied:

(1) During the first half of 1959.

(2) This project is at present in the planning stage.

(3) Answered by No. (2).

HOUSING.

Turnover of Maniana Tenants.

Mr. WILD asked the Minister for Housing:

(1) What has been the total turnover in tenants at Maniana since its inception?

(2) What have been the main reasons for people desiring to vacate?

(3) How many houses are now vacant at Maniana?

The MINISTER replied:

(1) Ninety-one.

(2) Tenants do not usually give reasons for vacating, but a perusal of records indicates the following reasons:—

(a) Moved to private accommodation.

(b) Moved to the country.

(c) Moved to the Eastern States.

(d) Purchased a war service home or State Housing Act home.

(3) Eleven, of which seven have been allocated and four are under renovations.

SPASTIC OR POLIO VICTIMS.

Reimbursement of Travelling Expenses.

Mr. HALL asked the Minister for Health:

Has the Government made representations to the Federal Government for tax reimbursement of travel expenses to parents of spastic or polio victims forced to travel to the metropolis for treatment?

The MINISTER replied:

The department has contacted the Taxation Department concerning taxation reimbursement in respect of travelling expenses involved in visiting polio cases and was advised that no concessions were provided for by law.

It is intended to discuss the matter at the forthcoming State Health Ministers' conference in the Eastern States. Meantime, travelling expenses of polio victims for treatment and of escort are paid by

the State, as well as the cost of treatment after the first 14 days. Spastics are not included in these provisions.

BILLS (3)—FIRST READING.

1. Licensing Act Amendment (No. 3).
Introduced by the Minister for Justice.
2. Betting Control Act Amendment.
3. Bookmakers Betting Tax Act Amendment.
Introduced by the Treasurer.

BILL—CHILD WELFARE ACT AMENDMENT.

Second Reading.

Debate resumed from the 19th September.

THE MINISTER FOR CHILD WELFARE (Hon. A. R. G. Hawke—Northam) [4.50]: This Bill was introduced by the member for Moore for the purpose of amending the Child Welfare Act. The main proposal is to give the court authority to call upon the parents or guardian of a child to meet certain fines, or damages, or costs which might be imposed or awarded by the court in connection with an offence committed by the child. The Bill gives the court a discretion except in those cases where the child is not over school age. Where the child is over school age, the court must make an order against the parent or guardian concerned.

Before dealing with that part of the Bill, I would mention that further on, the measure makes provision for the parent or the guardian of the child concerned to give security for the good behaviour of the child subsequently. Speaking generally to the problem of child delinquency as it is approached in this Bill, and as it was dealt with by the member for Moore, I would say that the problem is not by any means an easy one with which to deal adequately. I think the member for Moore said much the same sort of thing.

In these days there is a great deal more publicity given to some acts of juvenile delinquency than was the case many years ago. Looking back with some reservations upon my own childhood, I would say that we as lads did some things much worse than those for which I see some children hauled before the court these days. I think that all the things we did which we should not have done were carried out in a spirit of mischief or adventure rather than in one of deliberate destruction. Nevertheless we did, when in the mood, achieve some destruction of either Government or private property.

I remember that on one occasion we were walking along a railway track, and the spirit of competition—and also, I suppose, to some extent the spirit of free enterprise—moved us and we decided to

have a competition as to who could break the most insulators on the railway telephone lines. Of course, there was plenty of ammunition at hand along the railway track, and consequently a great number of those insulator caps were broken. I must admit, with some shame, that I have never since that time—or even at that time—sent any conscience money to the Postmaster General's Department.

Hon. Sir Ross McLarty: What age were you then—17 or 18?

The **MINISTER FOR CHILD WELFARE**: I mention that only in passing to indicate that it is quite an easy matter to indulge in delinquency when one is young.

Mr. Court: The point is, did you get caught?

The **MINISTER FOR CHILD WELFARE**: I do not know how you would spell that word! I quite agree it is wrong for destructive acts of that description to be committed. It might in a sense be good fun for the young people concerned, but it is damaging and costly to the unfortunate person or institution happening to own the property; and in occurrences of that kind, of course, considerable damage could be done.

Certainly I sympathise with the objective which the member for Moore is seeking to reach by way of this Bill. Just whether we should, in any particular instance or in connection with any age group of children, make it mandatory for the magistrate to make an order against the parents for the payment of fines, costs or damages, is, I think, open to considerable argument. We should seriously ask ourselves whether we should visit all the sins of the children upon the fathers. We can all conceive of circumstances where children would get into trouble and would create some damage and destruction for which the parents might not in any shape or degree be to blame.

With the rather sweeping assertion we sometimes hear and read that all the acts of delinquency committed by children are blameable fundamentally upon lack of parental control, I do not agree at all. I think that each of us in his own experience would know of many instances where the children of most respectable, careful and painstaking parents have finished up in strife of some kind or other.

Hon. J. B. Sleeman: Sometimes they are the worst.

The **MINISTER FOR CHILD WELFARE**: It is true, as the member for Fremantle says, that there are isolated instances of where that sort of child is particularly bad. It could be due to the imposition of too severe doses of discipline. I think we know enough about children to be aware that if they are, from their infancy as it were, kept under very strict parental control, with no discretion and no freedom of thought or movement, they tend

to develop within themselves suppressed desires and ambitions which some day burst within them, as it were, and they go completely haywire when the bursting operation takes place.

Whether we should, in a situation of that kind, direct the magistrate, without any discretion, to lay upon the parents the full financial costs, or any part of the financial costs, of fines, damage or destruction because of the action of the child, I would not be quite certain. Generally, I think we should expect the parents to accept responsibility, to a reasonable extent, for any damage or destruction carried out by their children, but where one would draw the dividing line I would not like to say.

I certainly do not agree that there should be an unlimited financial responsibility attaching to the parents or that the magistrate should be bound to award costs and damages against parents. We must remember that in dealing with children and their delinquencies we are dealing, in respect of the child, with very delicate material. I know there are still some people old fashioned enough to think that the only way to keep children constantly on the straight and narrow path is to hammer the very devil out of them whenever they get off that straight and narrow path.

Hon. A. F. Watts: With some children, if you hammer one devil out you hammer another five in.

The MINISTER FOR CHILD WELFARE: My own view is that physical punishment does not achieve much of a worth-while character except, perhaps, in a small minority of instances. I think the problem is largely one which requires education of a very skilled type. After all, children have their thoughts, feelings and ambitions. They also have a world of their own, which some older people often forget. The child has a world of its own and too often I think grown-up people fail to understand that situation and they often try to drag or force the child out of its own world and into the adult world. I feel that if all grown-up people could realise the significance of the child's own world to the child, the approach to child behaviour and delinquency might more quickly become more scientific than it has been, generally, in the past.

I have made those few comments which I thought might be helpful in order that we should not pursue either the child or the parent too severely in our anxiety to teach the child and perhaps the parent what we might think would be a much-needed lesson. I know that basically the objective of the member for Moore, in introducing this Bill, was to place more responsibility upon the parent and particularly upon those parents who neglect their children and to some extent, unfortunately, seem often to forget their very existence. I agree with the member for Moore on that point.

There are some parents whose concern for their children is so superficial, in these more modern days when the pursuit of pleasure is a rather overwhelming factor in their minds, that they do not give their children sufficient care. I know that when such parents are seeking and obtaining their own pleasures their children are often left under no control at all or perhaps a control which is not satisfactory or safe. I am prepared to go some reasonable distance with the hon. member in his pursuit of that objective. However, I think we ought to leave the total discretion with the magistrate and that we should not say to him, by law, that he must make an order against the parent or guardian in connection with a fine or costs of an action or damages, irrespective of the circumstances and irrespective of what he might find out about the case during the inquiries which he would make and the taking of the evidence which would be put before him during the hearing of the case.

Mr. Ackland: There is provision for the discretion of the magistrate under this measure.

The MINISTER FOR CHILD WELFARE: Yes, but in one part of the Bill it says that the fine or damages or costs shall be imposed against the parent or guardian.

Mr. Ackland: Read further on in the same clause.

The MINISTER FOR CHILD WELFARE: It continues "unless the court is satisfied that the parent or guardian cannot be found or that either has not conduced to the commission of the offence by neglecting to exercise due care of the child."

Mr. Ackland: That is what I referred to.

The MINISTER FOR CHILD WELFARE: Yes, but at the same time it seems to me that the magistrate should have a complete discretion. I think that if we could approach this question together and delete the word "shall", leaving it to the discretion of the magistrate in all cases, we would improve the measure. I do not see why we should distinguish between one age group of children and another age group. We should leave the discretion with the magistrate and give him the right to decide, after he is in possession of all the facts and knows all the circumstances, what should be done.

I would point out that although the magistrate is not by law at present empowered to make orders of this kind against parents, he does, on a voluntary basis, ask parents, in appropriate cases, whether they do not think they should make restitution in regard to any damage for which their children might have been responsible. I have been advised that in 90 per cent. of instances the parents or guardians, as the case might be, admit a moral obligation and undertake to pay the

damage which has been caused by the action of their children. I am advised that where a boy is of working age and is employed he is called upon to pay according to his financial ability, and that the response in the majority of cases is satisfactory. Further, even where children are sent to an institution by the court they are required to start paying damages for which they were responsible, when they are released from the institution and commence work. I have been advised also that it is the opinion of the magistrate, after ten years of experience in this court, that more payments are made by parents under the existing voluntary system than might be obtained even under a compulsory provision.

In other words, the opinion seems to be fairly strongly held that where people pay as the result of an appeal to their moral sense, they might respond far better than they would if the law suddenly said to them, by way of compulsion, "You must pay this or that." That is an additional reason why it seems to me that in every instance, irrespective of age groups, the magistrate should be left with the discretion to order payment of a fine or costs or damages.

It certainly seems to me that there should be some limit to the total amount of financial obligation to be carried by a parent or guardian. There are some guardians who should not be brought under this measure if it becomes law. For instance, there are thousands of foster mothers and foster parents. There are school teachers as well as many people who are members of the staffs of various institutions in which children are cared for and there are, of course, the men and women on the staff of the Child Welfare Department.

Many of these people become the guardians of children who have been committed to their care because those children have proved to be difficult and have committed various acts of delinquency. As a result of those acts they have been placed under the guardianship of the people I have mentioned and obviously it would be quite unfair and indeed unjust to expect those who are acting as guardians in a situation of that kind, to be made responsible for the payment of any fines, costs or damages resulting from the actions of the children. I think if we were to make these people responsible in the same way as we might make an ordinary parent responsible, the only safeguard which they would be able to adopt would be to refuse to become guardians or to build small prisons in connection with the institutions so that the children could always be kept under lock and key.

I think that aspect requires special consideration and at this point I would suggest to the hon. member that he should not attempt to take the measure through

the Committee stage today. I think it would be better if he were to give careful consideration to what has been, and will be, said on the measure and then decide what alterations or additions he thinks it would be advisable to make to the Bill, if any, and allow the Committee stage to be taken next Wednesday, by which time—if he thought it desirable—he could have amendments placed on the notice paper in order to effect the desired alterations to the measure. I support the second reading.

MR. EVANS (Kalgoorlie) [5.15]: As one vitally interested in, and concerned with, education, I have taken a keen interest in this measure. However, I cannot say that I am at all keen about it and, upon examination, to put it bluntly, I would rather oppose the measure than support it at this stage. However, I am open to correction and as other speakers discuss it and put their ideas forward, I may take a different view. It seems to me that it is an attempt to try to do too much at the one stage and it seems to be throwing out the baby with the bath water. I would like to read certain parts of the Bill to amplify my remarks.

I agree with the Minister in many of the salient features he outlined and the consequences that he said would follow if this Bill became law. There is one part of this measure which reads—

Where a child is charged with an offence for which a fine, damages or costs may be imposed, then if the court is of opinion that in the interests of administration of justice the imposition of a fine, damages or costs, whether with or without any other punishment, is right and proper, the court may in any case . . .

I hesitate to allow words such as "in any case" to be included in a measure such as this. To me it seems to be inviting an open go, or signing an open cheque with respect to children who will be at the stage where their characters are being moulded and at the time will suffer unduly, while punishment will also at that period be heaped upon their parents.

Of course, the children will know the effects of the punishments because the parents will probably say to them, "You have done this to me and you will suffer the consequences." So not only the parents will suffer but the children also. That clause goes on with the words "and shall". The word "shall" is a very determined word and allows no option. This clause continues—

. . . and shall if the child is not over school age, order that the fine, damages or costs imposed or awarded be paid by the parent or guardian of the child, unless the court is satisfied . . .

I would like to ask, "Who are the people who will have to satisfy the court? How does the court become satisfied? If parents are charged, do they have to prove to the court that they have not conducted to the offence?"

We have our old friend the onus of proof clause cropping up again; a principle about which we heard so much in the last few days; a clause which has been described as the curiosity of penal legislation. The clause goes on—

... that the parent or guardian cannot be found, or that the parent or guardian has not conducted to the commission of the offence by neglecting to exercise due care of the child.

I draw attention to the words "exercise due care of the child" and I might harken back to yesterday when we heard so much about the importance of definitions. I would like to have the words "due care" clearly defined. What is "due care"? What might be due care for one parent might be lackadaisical care on the part of another. Also, as the Minister mentioned, children living under the same roof—and, of course, having the same parents—are often entirely different in temperament. They react differently and there might be the traditional black sheep in the family. The parents can honestly claim that they have exercised due care over that child and yet the black sheep of the family can find himself or herself in trouble, and the parents under this legislation can be held responsible.

I would say that today parents are harassed enough without adding to their burdens and harassing them further, holus bolus, with the responsibility for offences which might be committed by kiddies, often without any knowledge that they were doing wrong. Yet in those circumstances the court could satisfy itself and although it could be done in error the parents would be held responsible. I say that the hon. member has made an honest attempt to investigate this problem but it is one for which a higher plane of investigation is needed. I think the solution is to be found in the field of education. The children of today are the citizens of tomorrow and the aims of education seem to be self-realisation and self expression. I should say that parents and teachers and the world at large must clearly distinguish in their own minds the difference between self-expression and self-realisation. When that is done, the people responsible will have to mould education accordingly.

It seems that vandalism is often caused by children who are not satisfied within; they have no self-satisfaction and they try to express themselves in other manifest ways. This gives them a feeling of importance for the time being, but afterwards they regret the offences they have committed, whether they are found out

or not. They regret the occasions when they let their feelings go. We all let our feelings go.

Mr. Roberts: Are you going to tell us about some of your misdemeanours?

Mr. EVANS: Mine would not be half as interesting as the hon. member's actions; so I would not like to steal his thunder. However, as I said, I believe that the answer lies within the field of education. I think that the parents can also enter this sphere of education by participating in and forming and creating new fields of adult education. I am led to believe that some parents are one of two kinds. There are those who are lackadaisical and do not take enough care of their children and there are others who take too much care of their children. Both types are liable to send their children off the beaten track.

So I believe that education would supply the answer and when I say "education" I mean primary education for the young children, secondary education for the adolescents and adult education for the parents. I realise that it is a long-range plan, but I believe that it will supply the complete answer and vandalism will be gradually and finally eradicated. I would also like to point the finger at our friend the newspaper. What a grand medium the newspaper could be for supplying the world at large with the right type of education and by warning people about this problem. I do not believe that a warning is actually necessary, but it would be a useful means of educating the people.

On the other side of the picture, what a danger a newspaper could be if it gave the wrong impressions and bad education. There is the old story of Fagin the Jew in "Oliver Twist". He was a teacher; he was a good teacher because he imparted his knowledge and skill to those under him. But the trouble with Fagin was that he taught bad things. We know that the newspaper is a good educator but perhaps at times it teaches what are wrong things. I would like to refer briefly to rock-n-roll that we hear so much about. The Speaker might say that this is completely outside the scope of the Bill but I will endeavour to show how, I think, it is concerned with it.

Mr. Roberts: Have you ever done the rock-n-roll?

Mr. EVANS: The newspapers publish stories about it and yet, at other times, do not hesitate to point out what a danger it is and what a problem it has been in other places. But newspapers do not hesitate to publish stories about it in order to sell their papers.

Mr. SPEAKER: As long as they do not rock-n-roll in here it will be all right.

Mr. EVANS: The same applies to different forms of vandalism; I refer to the pictures of bathing sheds on our city beaches where the windows have been

broken by stones. The newspapers do not hesitate to point the finger and say what a bad thing this is and that children will do this and do that. But the newspapers give them wrong ideas. I think that little side line will show members that the answer does lie in the field of education. However, to return to the Bill, I would like to say in conclusion that I do not agree with it because I do not think it will solve the problem at all. Therefore, at this stage, I oppose the measure.

HON. A. F. WATTS (Stirling) [5.29]: With the aim of the member for Moore I am in complete agreement; but it is true, as the Minister for Child Welfare said, that he has entered upon legislation about something which is a very difficult problem. I recognise the distinct possibility that there may be a parent who exercises complete and reasonable control of his or her children, and yet those children could be not only a great source of trouble but could also possibly find their way into court on some charge involving what is known as child delinquency.

But I do not know that that altogether justifies us in taking any steps to see that a parent is held responsible in proper cases. It has been done in other countries, in some with advantage, and certainly I feel that the considerable growth of what we know as child delinquency in this community, and others, has been the cause of the member for Moore going into this matter.

I cannot altogether take exception to the terms of the clauses that have been read wholly, and in part, by the two previous speakers. Proposed new Section 137A (1) reads as follows:—

Where a child is charged with an offence for which a fine, damages or costs may be imposed, then if the court is of opinion that in the interests of administration of justice the imposition of a fine, damages or costs, whether with or without any other punishment, is right and proper, the court may in any case, and shall if the child is not over school age, order that the fine, damages or costs imposed or awarded be paid by the parent or guardian of the child, unless the court is satisfied that the parent or guardian cannot be found, or that the parent or guardian has not conducted to the commission of the offence by neglecting to exercise due care of the child.

So the right of the magistrate to impose any penalty—and I shall come later to the limitation of the penalty—is not absolute; if he is satisfied that the parent has not conducted to the commission of the offence then he shall not impose a penalty. It will not be a difficult matter for the magistrate to determine, realising that the whole principle of the inquiry by the magistrate would be undertaken before a decision was

reached, because not only is that the practice which all magistrates follow, and will follow, but even the hon. member's Bill provides that no such order shall be made without the parent first being given the opportunity of being heard.

So there is no doubt that the parent's opportunity to establish that he has not been negligent in his care of the child is as clear as day. I have no doubt that in some cases there would be a different degree of care required by one parent as compared with another because I anticipate that notice would have to be taken—and I would definitely think would be taken—of the circumstances in which the parent himself was obliged to live. I am not at the moment making allowance for the parent who has the opportunity of living in reasonably homely surroundings and does not avail himself of that opportunity, but I am considering the case to which, of course, this Act will apply, of children who are brought up in surroundings such as camps, in the bush, and so on, where their parents may, because of their occupation, be obliged to live, and where the opportunities for control are, of course, not nearly so great as they are, and would be, in establishments in well conducted towns within easy reach of amenities and so forth.

But surely a magistrate would make allowances for that state of affairs. He would readily recognise, I think, that it is much more difficult to control children where a family is obliged to live, say, in a couple of tents, than it would if they were living, as I said before, in pleasant surroundings. A man would not be worthy of the position of magistrate, in my opinion, if he could not assess the degree of responsibility in differing cases such as I have endeavoured to exemplify.

Accordingly I do not think that that part of the Bill is open to the objections which appear to have been raised against it. But I must say that I am impressed by one point mentioned by the Minister relating to persons who are guardians purely by virtue of an arrangement made under the Child Welfare Act, or in similar circumstances. They do present a problem of which I think this Bill will have to take some notice; although I must admit when I first saw it that it had not occurred to me.

In introducing the Bill, the member for Moore obviously thought only of the parent and guardian who was in normal substitution for the parent; in other words appointed by the parent to take care of the children during his absence or subsequent to his death. I cannot see that there is any need to differentiate between those people and the parent, but the types of person referred to by the Minister—of which I had not previously thought—come into a different category, and must be given some attention, for the problems of

child welfare in Western Australia may increase because their relationship with the child is different from the one which we presupposed on first reading this Bill.

So I hope further consideration will be given to some suitable amendment to the measure that will deal with that particular point. I agree with the Minister, too, that one can be too strict with children in certain cases. It depends greatly on the mentality and make-up of the child which, not infrequently, is inherited from the parent. The utmost care has to be taken, I agree, in determining the best method of handling some children, particularly those with certain nervous temperaments, who are absolutely different in their make-up from those whom we might class as the stolid type and who, in many cases—indeed, I would say in most cases—are very much easier to handle.

Nevertheless with all those difficulties in the way, this matter should be given careful consideration before we finally pass the measure into law. I do not think they justify leaving the law entirely where it is because I think there are a substantial number of parents—and this was borne out during my experience as Minister for Child Welfare—who do not care twopence what happens to their children, and who do not attempt in any way to give the children even a fair chance, let alone to exercise any reasonable and proper method of control.

Almost from the child's earliest days, as soon as he begins toddling about, the responsibility of the parents in some of these cases has been known to cease. Not only have they not attempted to exercise any measure of control or consideration, but they have deliberately thrown temptation and opportunities for doing wrong in the way of the child not only by example, but sometimes also by precept.

I do not think, therefore, that we should continue to allow that type, of whom there is quite a percentage in the community, to continue to place the entire responsibility either upon the person whose property a wayward child damages or, alternatively, upon the State. If people expect, as they are entitled to expect, the protection of the State in so many directions, I think they are also entitled to co-operate with the State to the best of their ability in recognition of the protection which is given to them, and I think rightly so. It is perhaps high time that in those cases some action was taken along the lines proposed by the Bill to indicate to them that the measure of responsibility which they have to accept for the wrongdoing of their children—if they have failed in their parental duties—is going to be greater than it has been in the past.

It might be some encouragement to them to mend their ways in the cases I have been discussing. It might act as a deterrent to others coming after them who

might be inclined to enter upon a similar line of inactivity. So I do not think there is any doubt whatever that the House should support the second reading of the Bill. I have already said there are one or two aspects—and one which I had not previously thought of—which require a closer investigation than the measure would indicate, has been given to them.

That is the advantage of the procedure adopted in this House when a Bill is dealt with. If the debate on it is a reasoned one, as is usually the case in this Chamber, various lines of thought are advanced which had not occurred either to those, quite bona fide, sponsoring the measure; or even to those who, at first sight were prepared whole-heartedly to support it. In the net result, in most cases we arrive at a suitable conclusion and that is what we are going to do, I am sure, in this instance.

There is, however, one aspect that must be taken into consideration and that is the question of some limitation of the maximum liability that can be imposed upon a parent. It would be easy to imagine circumstances where some action of delinquency on the part of children might cause very considerable damage which could run into thousands of pounds, I take it, and would be completely beyond the capacity of 99-9/10ths per cent. of any parents who might be concerned to honour their obligations. Yet under this Bill, if the magistrate was not satisfied that the parents had done their best in exercising due care of the children, he would have little option but to make an order for the payment of these very substantial damages.

So that it is necessary, I think, to impose a limitation in this Bill on the maximum amount that the magistrate in any circumstances can order. I handed around an amendment in case this Bill went into Committee today; but I do not think it will reach that stage, and the amendment can go on the notice paper. The amendment proposes that the limitation be £150. I must confess I was in some difficulty as to what the limitation should be. I thought at one stage of £100 and really any sum which one cares to name in these circumstances is an arbitrary one.

But I was informed that the legislature of the State of Michigan in the United States, where similar legislation appears to have operated with considerable success, has imposed a maximum obligation of 300 dollars, which is, as near as I can calculate, £150 Australian. Hence my amendment; but I am not mortgaged to that figure, although I think it is a reasonable one as a maximum in all the circumstances but I think there will have to be some limitation. I certainly think now there will have to be some alteration to the Bill in regard to guardianship, and with those thoughts in mind, I support the second reading.

HON. D. BRAND (Greenough) [5.48]: I support the second reading of the Bill and congratulate the member for Moore on having brought this matter before the House. I suppose he realised the difficulty of achieving through legislation what would be a just arrangement. But I know he felt that, as a result of publicity of late and the experience in these modern days, we might justifiably expect that parents should accept a greater responsibility with respect to their children.

It would be right to say, too, I think, that the hon. member was prompted by the cases which he has in mind where obviously children are neglected or have got into trouble as a result of the neglect of their parents, which is so apparent to us all. We have only to go to hotels at week-ends and in many other such places to see for ourselves that parents are inclined in these circumstances to shelve the responsibility of their children by putting them in playgrounds or locking them in cars. That sort of neglect can be seen in the street, and I feel the member for Moore has these cases in mind and also the case of which he read in the paper regarding a parent who actually encouraged children to go along the wrong track.

On the other hand, as the Minister has pointed out, there are so many cases, where, in spite of a genuine effort by the parents, the children still get into trouble, create problems and cause disturbances, that it would be very unfair indeed to make the parents responsible for the damages and the costs involved. I also support the suggestion of the Minister that the member for Moore should merely endeavour to get the Bill through the second reading and then give full consideration to the points that have been raised, because no doubt the Premier, in his capacity as Minister for Child Welfare, has the benefit of the advice of the officers of the Child Welfare Department who would have perused the provisions of the Bill very carefully.

I do not desire to say any more on the Bill, except to point out that in the case of older children—I think this has been the case in America—some of them have held their parents to ransom and under no circumstances could anyone justify making the parents of all these children responsible for the penalties and charges incurred. It could, as one member has said, cost a very large sum of money and therefore another point which is quite obvious to us is that there should be some limitation, including, of course, the removal of anything in the Bill that makes it mandatory for the court to charge the parents with all the costs and damages incurred.

At this stage of our history members bring these matters before the House because, irrespective of the political colour of the parties concerned, we are all vitally interested in obtaining for the youth of this

country the very best training possible. At the same time, we must encourage the parents to make sacrifices in the interests of their children and also to give them the maximum assistance in order to fit the young people to become better citizens and more responsible parents. I support the second reading of the Bill with certain reservations as to the clauses which we hope will be amended in Committee.

MR. HALL (Albany) [5.52]: I desire to oppose the Bill, but I must congratulate the member for Moore on his efforts to really achieve something. With our knowledge of the country, we have seen many cases where children are parked in motorcars and their parents have gone to hotels or are doing some shopping. In some cases the children have been left crying. I do not think the answer is in agreeing to penal clauses to operate against the parents as is proposed in the Bill. I think the position has arisen because Governments have not provided centres where the children can be left in safety and entertained on modern lines while the parents go shopping or visit the local or attend a picture show.

Hon. D. Brand: Would not that encourage the shedding of responsibility by parents?

Mr. HALL: I do not think so. I think people in the country areas should be able to lighten their burden and be entitled to the same recreational facilities as people in the metropolitan area. When they go to town, they should be able to place their children in safe keeping where they could be given some form of light education whilst the parents do their shopping. I think the member for Moore would realise that we must establish some means by which children could be kept occupied while their parents were unable to look after them.

Mr. Court: Have not parents got a responsibility?

Mr. HALL: They have. These facilities should be provided and the parents required to pay a small charge.

Mr. Court: There are some things in life for which you do not shed responsibility by paying a charge, and parental responsibility is one.

Mr. HALL: My objective is to see centres established where children will be safe while their parents go to the pictures or do some shopping. I believe this is the answer and then people would not have to leave their children in motorcars.

MR. W. A. MANNING (Narrogin) [5.57]: I would like to support this Bill which has been introduced by the member for Moore, because I believe it will have largely the desired effect. I certainly could not support the idea of the member for Kalgoorlie that the solution of this problem

is in education. As education has grown and become more readily available, so has juvenile delinquency. Thus, the two have grown together. Education in itself could be dangerous unless there is something behind it in a child's life which teaches him how to use the education he has. I believe that that something behind the education has got to come from the home.

Then again, I certainly could not agree with the member for Albany that places should be provided for parents in which to leave their children, just to get them out of the way. That is the antithesis of this Bill. The idea is to create in parents the desire to look after their own children. Who is better fitted to do this than the parents? If the parents do not get pleasure out of caring for their children, they are not parents in the true sense of the term.

There are enough evils about today, but one cannot keep the children or the juvenile wholly apart from the evils; they have to be trained to do the right thing despite the evils. That can come only from the home. For the training to be left to anyone but the parents is wrong. The best way to prove the value of the Bill is to give one or two instances of what has actually happened under similar legislation.

In 1953 the State of Michigan, in the United States, passed the Parental Responsibility Act, and while there has been a rising tide of juvenile delinquency in the other States of U.S.A., in Michigan the tide has turned. The idea behind the Act in Michigan is that if vandalism costs the parents a sum of money, they will take a keener interest in what the child is doing and where it is going. Since the legislation has been in force, the desired result has been achieved.

It was suggested by the Minister for Child Welfare that the payment of damages could be voluntary, and it was shown by some figures that certain results have been achieved by payments being made on this basis, but I contend that a voluntary payment will simply mean that the parents who feel their responsibility and endeavour to do the right thing, will be the ones who will pay whereas the ones who are definitely at fault, will take no interest in the damage done or in the children themselves. I feel that suggestion would not overcome the difficulty in the slightest degree.

Here is a comment from the Director of Children's Services of the State of Michigan, made after the Act had been in force—

Parents we formerly had trouble with are now much more co-operative. Before they let their children roam wild, now they know where their youngsters are, especially at night, and they take a more active interest in their leisure hour activities.

We could not wish for a better statement in support of the Bill. A few days ago we read in the "Daily News," the heading: "Boy on Thirteen Car Charges." Nearly every day we read of this sort of thing. I have here an example from Michigan of a 14-year old boy who stole a car and went for a joyride. This lad smashed the car against a pole, and the following is a statement made by the father:—

My boy has learned his lesson. He has hurt us by making us spend our money to pay the bill. Before, it was just a prank to him. Now he realises that he has destroyed something of value and is going to work to pay us back.

Here is another example: Two 14-year old boys broke parts off 17 parked cars. The boys' parents not only arranged to pay the damage, but made each boy bear his share of the responsibility by working at odd jobs after school and on Saturday mornings to reimburse them. This is what the Detroit police commissioner says concerning this law—

It is a deterrent which has saved thousands of dollars in damage to public buildings. No one can put a monetary value on crimes, yet increased parental supervision must have a deterrent effect on these juveniles also.

The figures for the Detroit Juvenile Court are interesting. The number of destruction of property cases dropped from 244 in the year before the Act to 192 in the year after it had been passed. If there are any doubts in the minds of members as to the value of the Bill, I suggest that the only real basis on which to come to a decision is on the facts I have submitted, which prove that the one State in America that has tried it out has shown that it is of considerable value in controlling juvenile delinquency.

MR. COURT (Nedlands) [6.5]: In view of the principle that the member for Moore seeks to establish, I feel one has a duty to express support or otherwise for the Bill, particularly as it is a private member's Bill and, presumably, will be decided not by a party vote but by the opinions of the individual members. I support the principle that he seeks to achieve. The debate tonight has indicated that some care is necessary in the actual framing of the amendment to the law, and no doubt the hon. member will give that point due consideration in the light of the discussion that has taken place.

There is no doubt that there has been a drift away from a sense of responsibility on the part of some parents in respect of their children. I cannot imagine that some of the escapades that are being reported today occur with the knowledge of

the parents. Therefore, either the children concerned are uncontrollable or the parents have been neglectful.

As a parent, I always try to do my part. I would not like to say that I have succeeded, but one can only try, and provision has been included in the Bill to allow the magistrate what appears to be a considerable degree of discretion where the parent or guardian has not conducted to the commission of the offence by neglecting to exercise due care of the child. An experienced magistrate in a court such as this would build up a fund of knowledge to enable him to determine whether parents had been neglectful or otherwise.

I support the measure and I look forward with interest to the amendments to the Bill if the member for Moore so decides after he has reviewed the measure in the light of the debate.

MR. NALDER (Katanning) [6.7]: I, too, support the Bill because I feel it is a genuine attempt to help parents to take more responsibility in the training of their children. This is one of the biggest problems that we are faced with in these times. We read about the escapades of many young children, and it is regrettable that the number of cases coming before the court are not decreasing but are, in fact, on the increase. If by bringing these matters before the House, we can in some way assist in deterring young people from carrying on as they are and treating the law with contempt, we will achieve something in the interests of the State.

In his contribution to the debate, the Minister for Child Welfare stated that some parents exercised too much control over their children. I do not think there is much of that; I think it is more a case of parents neglecting to control their children. As has been stated by so many of the speakers this afternoon, young children, definitely neglected by their parents, are to be found on the streets. I have seen this sort of thing myself, and the parents do not possess the sense of responsibility that they should. I recollect vividly a case that happened in a country town only a few months ago when, during the height of the traffic period in the town, a small child ran across the road in the face of two cars coming in opposite directions. It was only by a miracle that the child was not killed.

After an investigation made by some on-lookers, it was found that the parents of the child were in a beer garden and were not interested in the fate of their child. That was so, because we found that in a carpark, not far away, three children were locked in the car, and this small child of about two years of age, had got out. When children of this sort grow up, not having had proper care taken of them or guidance given to them, when they go into the hurry and flurry of the world

and are asked to take responsibility themselves, they are caught up and find themselves in serious trouble, because they have no real foundation on which to base their thoughts and actions.

Last Saturday night an interesting discussion took place on the A.B.C. I mention this because I think it is relevant to the debate. It was only by accident that I heard the session. I happened to be travelling from one town to another and I tuned in to the A.B.C. which at the time was conducting a children's session. Young people up to the age of 18 had been invited to write in and give their views on child delinquency. This was one of the most interesting discussions I have heard on the question. The matter was discussed by the young people themselves. They wrote letters to the A.B.C. and the letters were read over the air. Opinions came from children varying in age from 14 to 16 years, and the points they brought forward were extremely interesting.

The debate centred mainly on pictures—the desirability of children seeing only the better type of picture. We should give thought to the fact that the minds of children are affected not only by the things that they hear, but also by the things that they see. Almost 100 per cent. of the children who wrote in to this session condemned the wrong type of picture and they condemned the parents who allowed the child to go to horror pictures and those not recommended for children. So, that is a means by which child delinquency is encouraged unless parental control is exercised and the children are allowed to see only the things that are good for them.

I would like to make one other point and that is with reference to the newcomers to this country. Quite a number of new Australians seems to take little interest in their children. I can give instances of where the parents—the father and the mother—go out to seek employment, and leave their children at home to fend for themselves. I think that members will find that in almost every country town a section of the newcomers to the State are more interested in looking after the financial part of the family affairs than in the children themselves, so that in quite a number of instances we can see children of new Australian families just wandering around the streets.

The Minister for Transport: That would not be very general.

Mr. NALDER: I can take the Minister to a number of country towns at any time and let him see the position for himself.

The Minister for Transport: They would be odd cases.

Mr. NALDER: I guarantee that if the Minister came with me he would be convinced that what I say is correct. I suggest that the Good Neighbour Council, or the immigration authorities should issue a

pamphlet instructing or suggesting to new Australian parents the need for parental control over their children.

Sitting suspended from 6.15 to 7.30 p.m.

MR. NALDER: Prior to the tea suspension I was referring to the incidence of neglect on the part of new Australian parents with regard to their children. I do not intend to infer that a majority of those people come under this heading. Far from it. There are many new Australian parents who are doing the right thing by their children and giving them an opportunity in life. They are trying to bring them up in the right way so that they will become responsible citizens in their new land. However, I have emphasised that I think more could be done for them in the way of advice when they arrive in Australia either by the Good Neighbour Council or the immigration authorities.

There is no doubt that there have been cases of neglect on the part of these people and during the tea adjournment I discussed the matter with a number of other members and they backed up my statements. Therefore, we should try to educate the parents and make them realise that they have a responsibility to their children. We in this country will rise or fall by the way in which the parents of today educate their children as to the responsibility of citizenship in the years that lie ahead.

Referring now to the Bill itself, I think that the sum suggested as a fine for parents when their children are brought before the court for causing damage to property, could be examined a little further. The suggestion of the Leader of the Country Party was that there be a maximum of £150. I think it could be a larger figure than that but that it should be at the discretion of the magistrate; he could decide whether or not a higher fine should be imposed. There are some people who can well afford to pay more and who, because of their lack of responsibility towards their children, deserve to pay more. In some stratas of society today children are just an accident and are a drag so far as some married people are concerned; from the time they are born, they are just a secondary consideration.

Hon. J. B. Sleeman: It would be only a small proportion who thought like that.

MR. NALDER: Yes, but we must consider all types when we are discussing a Bill of this nature. If there is a section of the community which will not accept responsibility and yet is in a position to pay a higher fine, I feel that they ought to be subjected to legislation of this type, and a higher maximum fine would not be out of place in such cases. These are some of the points I wanted to discuss and I commend the member for Moore for

bringing this measure before the House so that the question could be debated. I feel sure some good will come from it even if it is only to force home to parents the necessity of having regard to the responsibility they have to their children. I support the second reading.

MR. OWEN (Darling Range) [7.35]: I rise to support the second reading. I think this measure has much to commend it, but, as previous speakers have said, various amendments could be made which would improve it. They can be dealt with when we reach the Committee stage. There is no doubt that child delinquency has increased, or at least it would appear to have done so; but, as the Minister has said, that might be because news is disseminated more now than it used to be. This Bill will at least do something to make parents appreciate or realise their responsibility as parents.

During his speech the member for Kalgourlie said he thought it was all a matter of education and I am inclined to think likewise, inasmuch as it is a matter not only of educating the children but of educating the parents also. I feel sure that if parents were more alive to their responsibilities they would take greater care to bring their children up in the right way. I am old fashioned enough to believe that the matter of education in the home is most important in the pre-school age, during the school years and even after children have left school, but are still at home. By example, parents can teach their children the correct ways of life and particularly in regard to citizenship.

Also, the member for Katanning mentioned new Australians and suggested that some of them had neglected their children. I do not think they are the only ones to blame in that regard. I know of plenty of British people who have not paid sufficient attention to the welfare and well-being of their children. I realise that that is sometimes due to the fact that both the father and mother are out working and the children have to do the best they can to look after themselves.

In some cases children of tender years are left in charge of adults during the day, but when the older brothers and sisters—even though some of them are still only young—come home from school, they pick up the little ones from their neighbours, or wherever they have been, and look after them until the parents come home for the evening meal. But frequently these young children get together and, in an endeavour to amuse themselves, get up to all sorts of pranks. Unless the parents know what is going on and take steps to correct it, the children do not appreciate the difference between right and wrong and they have not much chance of becoming good citizens when they become older.

So the Bill, which at least provides some penalties, will, no doubt, have the right effect in inducing some parents to take a greater interest in the care and welfare of their children. It probably will not have complete effect because no matter where one goes, there will always be some child who cannot keep on the straight and narrow path, even though it may be reared in a convent under strict supervision. Nevertheless the Bill is a step in the right direction.

As to the limitation placed on the penalty, I would be quite satisfied for the penalty to remain at £150 for a start because even people of considerable means would not care to part with that sum as a penalty for the wrong doings of their children. There could be many people found guilty even although it was not directly their fault, and I am quite sure that there would be few parents who could afford to pay more than £150 as a penalty. Therefore, it would be wise to limit the penalty to the sum of £150 until we obtain more experience of this legislation. I support the second reading.

HON. L. THORN (Toodyay) [7.42]: I think that over-emphasis has been placed on the parent as being the guilty party. I know that the best training a child can get is from his parents in his own home. However, I would like to draw the attention of the House to cases—and there are many of them—where the home life of a child has been exemplary, the parents having brought the child up in a proper and decent manner but, nevertheless, the child gets into trouble, due, in most cases, to the company that he keeps outside his home.

The point I want to make here is that in the majority of cases the parents know nothing of the actions of their children outside their homes. Therefore, the fault could not lie with the parent in cases such as that. I will admit that there are certain factors surrounding the behaviour of youth today. The Minister mentioned a few of the things that he got up to when he was a boy.

Hon. J. B. Sleeman: How many did you get up to?

Hon. L. THORN: I was in South Australia for many years and I got up to many of the same tricks. Nevertheless, the practice of youths indulging in car-stealing today has become an extremely serious matter. It is a problem that needs investigating and I think we should include a clause in this Bill or in some other Act to deal with this crime which, in the main, is committed by adolescents. It is a very serious state of affairs when a youth can take possession of car upon car and smash them up, which results in heavy costs being placed on the taxpayer, because every day insurance charges are being increased to cover the misdemeanours of youths who steal and wreck cars.

It is ridiculous when we consider that a youth can misappropriate £30 or £40 or steal some article and can be dealt with very severely but, on the other hand, if he takes illegal possession of a motorcar most likely he will get off with a caution. There is no doubt it is time we did something about the matter. I support the second reading of the Bill although, undoubtedly, it is capable of improvement, but this is something we can do in Committee. We will have to be careful that we do not impose heavy penalties on parents who are not really guilty or responsible for the misdemeanours of their children. Members have been emphasising various aspects of this problem, but I consider that more blame is placed on the parents than should be.

MR. NORTON (Gascoyne) [7.46]: We have heard a great deal tonight about child delinquents and emphasis has been laid on the fact that the responsibility lies with the parents to regulate the actions of their children. We have also heard a great deal about child delinquency in general. After hearing the debate, during the tea suspension I endeavoured to ascertain the percentage increase in child delinquency over the past five years, but unfortunately I was unable to obtain those figures. Nevertheless, I do not think that child delinquency has increased in the same proportion as the increase in the school population over the past five years.

Mr. Ackland: Figures prove differently.

Mr. NORTON: Because one or two extra cases of child delinquency appear in the Press every week, this gives one the impression that there has been a large increase in that respect, but if one compared the number of these cases with the increase in the child population, it would not appear to be so serious. Over the past five years the increase in the school population in Government primary and secondary schools has been approximately 29 per cent., and I doubt very much whether child delinquency has increased by the same percentage over that period. I admit that some action should certainly be taken to curb child delinquency but whether the Bill will achieve that object remains to be seen.

If it can be proved in debate that the Bill will assist in reducing the number of child delinquents, I shall be only too willing to support the measure. In my opinion, not only are some parents indirectly responsible for the misdemeanours of their children but also, in many cases, it is not parents who are directly to blame. For example, there are many war widows and civilian widows who have been left to care for several children and because they are unable to earn a reasonable income, they cannot give to their children the care and welfare that they should.

On the other hand, often it is the father who is left to look after the children single handed. To cite another case, it could be that the father is a shearer and his occupation takes him away from his home and children for long periods at a time. As a result the children are left to the care of their mother who may not be able to control them on her own. Then again, even in those instances where both parents are living at home, the education and welfare of the children are often left to the mother. There is also the case of the child who plays truant from school, which has nothing to do with the parents. A child can do this very effectively on any odd day of the week until his non-attendance is reported to the parents.

The parent does not know what the children are up to. The one day they stay away from school may possibly be added to and become two days away from school. That would gradually build up and during the whole of this time the child is playing truant, he will probably be making associations which are not good for him, and which will lead him into bad company and later into the Childrens' Court.

I do not think it is right that we should inflict a heavy penalty on the parent. If that were done, it is possible that we might be penalising some widow or parent who was not deserving of such treatment. As the member for Toodyay pointed out, it is possible that the parent may have given the child every advantage both in environment and culture and yet that child might slip away from the control exercised by that parent and finally wind up in court.

Personally, I think it would be a very good thing if the Department of Child Welfare provided more facilities for youth organisations; they would do a lot of good by helping to take the children off the streets and provide them with an interest; they would help to guide them on the right paths over those vital years of their lives. Before I sit down I would like to inquire whether the parent who is fined under this Act has any right of appeal. I support the second reading of the Bill but reserve the right to vote against it if necessary on the third reading.

MR. O'BRIEN (Murchison) [7.52]: I rise to support the Bill because I believe that its provisions will greatly assist in ensuring that parents and guardians are made more conscious of their responsibility. It is absolutely necessary today that, as parents, we must educate our children; they must be educated to a certain age. But after the children have finished their schooling, there is generally an age gap during which all the trouble starts.

In my opinion, although we are bound to educate our offspring, they are not educated for pleasure. This education commences in the child's own home. If a child is brought up in the correct manner

by his parents and taught to do the right thing, he will almost invariably become a good citizen. Accordingly, I cannot emphasise too strongly that home-training is a most essential part of a child's upbringing. There is no doubt at all that today parents are dodging their responsibility by not showing the interest they should in their children.

It is really quite wicked when one considers that having been brought into this world, children are sadly neglected by their parents even though those parents may hold good and responsible positions. If there were more amenities and more facilities to educate children for pleasure, I have not the slightest doubt that they would grow up into good citizens. It is not unnatural that a young lad will look for some outlet for his energies, particularly after he has spent the greater part of his life in school, playing cricket and football, and indulging in other vigorous activities. If he finds that there are no amenities readily available, it is quite possible that he will go off on the wrong track.

There is a further aspect of which I have heard no mention made, and that is the pictures. I am sure that members will agree that some of the pictures that are shown are not in the least bit suitable for children; though I am proud to say that in this State we have visual education which has proved of great benefit in the various schools where it is employed. I am in complete agreement with the member for Toodyay when he said that it is between the ages of 12 and 15, and after that the school leaving age, during which children are apt to be led astray and get into the most trouble. We find the same problem exists with our half-caste population. I am sure that the measure is a step in the right direction, although I feel it could be amended with advantage. However, I shall content myself with supporting the second reading in the belief that the Bill will do endless good.

MR. CROMMELIN (Claremont) [7.58]: I support this Bill. The principle of it is good and although it may require amendment in the Committee stage, it is a move in the right direction. I feel that in some ways a lot of this so-called child delinquency is brought about by the parents themselves. Not wholly so, however, because today our children live with much greater freedom than they did some few years ago. Apart from this, they have the opportunity to earn more money than we could at their age and, added to that is the unfortunate fact that they are able to visit dance halls and learn to drink at too young an age. That has caused a great deal of trouble as it relates to the older children.

No psychologist is able to explain why in cases of child delinquency as it relates to boys, eight out of every 10 cases are concerned with stealing, while in girls

eight out of 10 cases relate to sexual misdemeanours. It is a known fact that psychologists cannot provide a reason for this phenomenon. I think that to some extent it is due to lack of parental control.

Indeed, I will go further and say that had parents, while their children were young, insisted on their going to church and Sunday school a bit more, a great deal of this trouble would have been avoided. Had they done this, the child would have developed more commonsense at a younger age and been easier to control. By the same means, for those of us who have children, it would be better to encourage them to bring their friends home and make their own amusement rather than to allow them to go out to dance halls and attend poor types of films.

Hon. J. B. Sleeman: Would you say that dances cause delinquency?

Mr. CROMMELIN: I was referring to incidents outside of dance halls. That is where much of the trouble comes from. Today the children are of a much more modern type, with the birth of the bodgies and widgees. Most parents do not know how such a condition is brought about, and neither do I. I do not know why an ordinary boy would want to dress in an extraordinary fashion or why a girl would want to wear trousers which she even wets to make them fit tightly. I might explain that the girls wet their trousers before they put them on.

The Minister for Child Welfare: That is better than Charlie North!

Mr. CROMMELIN: I have heard a lot of things being said about Charlie North, but I have never heard this said about him. I find it somewhat difficult to proceed. I was endeavouring to show that young and decent types of girls have exaggerated ideas of dress. I am quite sure that neither they nor their parents know the reason for it. It is a stage of life through which they are going, but I am of the opinion that the position will become worse within the next year or two.

A Bill of this nature will make parents realise their responsibilities. I have heard other members saying that more can be done for the entertainment of today's children, and in that regard I would draw attention to the fact that the police boys' clubs, with limited funds at their disposal, are doing a tremendous lot of good to help the boys, and they deserve full credit for this work. This is a problem that has grown of its own accord, but it is one that will kill itself in time during the softening down process. If this Bill can be amended and made a workable proposition, I shall support it.

MR. POTTER (Subiaco) [8.4]: I commend the sponsor of the Bill for bringing forward a very thought-provoking

measure. I do not feel that I can support it in its present form. Today much is said about child delinquency, and although statistics may prove otherwise, I doubt whether child delinquency is any more rife now than in the days of our childhood, or in the days of our fathers and forefathers. In many cases I do not think that the parents should be responsible for any damages that may arise from the acts of their children.

Many of the delinquent children come from good homes; they have all the advantages which can be given to children; yet they are brought before the court for some act of vandalism, some act of delinquency or some act of larrikinism which is an offence under the Child Welfare Act. I make no reflection on the present constitution of the Children's Court, but I must say that I regard it as a court of summary jurisdiction from which there is no appeal.

In the short space of time that I have been in this House much has been said on the rights of appeal by the subject, but in the Children's Court parents can be called upon to pay the costs, fines or damages arising from the misdemeanour or misbehaviour of their children, and there is no appeal. It frequently happens that children are led away by a particular child who seems to dominate the others. I would say that 98 per cent. of parents are, in fact, good parents. Recently I had occasion to see a group of children on a playing field who were well-dressed, well turned out and well behaved. They were certainly a credit to the community.

Too much stress is laid on child delinquency. I agree with the views expressed by some members here that owing to the wide news coverage given to this aspect, incidents from one end of the State to the other, from Australia, from Britain and from the United States are brought prominently before the public. This tendency is largely due to commercialism which had its origin in the U.S.A. There is a tendency to make the child a race apart when he reaches teenage. He is dressed differently. He reacts differently. He responds differently. His music is entirely different, as is the entertainment provided by the cinemas.

I consider that bad picture shows, bad books and bad radio programmes are the foundation of vice on the part of children today. I maintain that 98 per cent. of the children are brought up in good homes. Sometimes our legislation is like the tail wagging the dog. The member for Murchison referred to the fact that children in some cases are being brought up by a widow, or by a mother whose husband is away on shearing, or other work. She has to bear the full responsibility for bringing up the children. Thus, under the Bill there is a possibility

of some injustice being done. The mother may do everything possible to bring up a child; but unfortunately we have to take into account human psychology, and in the bringing up of a child there must be a balance in the home. Every child requires the male influence as well as the female influence.

Mr. Ackland: Under this Bill she is protected as it contains provision for that.

Mr. POTTER: I understand provision is made. Still, I should like to see this Bill somewhat expanded to cover not only her but other parents. The law is there to protect the innocent. Boys very often indulge in pranks, yet they are probably led astray by one individual. The others come from good homes. The leader is usually able to get himself out of the mischief while the others are left holding the baby. Any penalty inflicted upon the parents should be inflicted in a court of summary jurisdiction. That is one of my main reasons for opposing this legislation. It is both a stigma on adults and on children.

Then again, there might be a child in a large family who is brought before the court. His parents would be required to pay, yet there might be other children to look after. Therefore, at the present moment, I do not feel I can support the Bill as it is presented. I maintain that too much is made of a very few cases and too little is said of the vast majority that are doing such a wonderful job by our future citizens. I refer particularly to what organisations are doing for our future citizens, and I consider we have a generation before us of which we can well be proud. Therefore, for the sake of one delinquent, I do not feel that I can support this Bill.

MR. JAMIESON (Beeloo) [8.13]: I shall leave no doubt in the minds of members as to where I stand on this matter, and I tell the member for Moore that I am opposed to it in its principle and the Bill in its entirety as it stands at this juncture. I might be inclined to support a measure which gave power for the Children's Court magistrate to call upon further judicial consideration in another court. At present I would never in any circumstances give any more power to the Children's Court magistrate in this State. We are fast approaching the stage where we are trying to find a cure for social evils by penal measures. As a matter of fact this savours very much of the attitude of the hon. member on various other measures that have been before his House from time to time, and I cannot altogether forget his attitude in that regard.

We have statistics given us as to how a measure similar to this operated on the public in Detroit, Michigan; but without a clear and concise picture of what other

legislation might have been enacted about the same time and put on the statute book, and without a knowledge of the changed circumstances as compared with previous years, these figures and statistics would not mean very much to us. So to some extent we can disregard the figures quoted and, singular as they are in their incidence in the British world as we know it as an example as to how this measure works, I feel it can have two bad effects. One is in the case of a large family.

Delinquents can come from two classes of family. One is the family which is large and in which overall supervision is difficult when the children get to an unstable age. The other is the one with "irresponsible parents," as they have been termed repeatedly here this afternoon and evening. Surely this House in its wildest flights of fancy is not going to impose a penalty on the large family because of the misdemeanours of one of the children in that family! That seems unjust from any way it can be looked at; and in itself tends to nullify any support I could possibly give to the Bill.

In the second case—of a delinquent coming from a family with irresponsible parents—it would be, to my mind, quite obvious that if the parents were thought to be irresponsible their attitude as regards their having been made responsible for some misdemeanour of their children, would be to again rebuke the children in such a way as to cause a cleavage of feeling in the family. It can readily be understood that in those circumstances, as soon as a child was of mature enough age, a complete cleavage would occur; he would leave home and parental control would cease over the teenage years.

We should not do anything in this House which would drive a wedge into family life as this might be the unhappy lot of any child in the community. It is not the fault of the children that their parents are irresponsible, and I feel little justice can be served by making the parents liable to penalties. In so far as the stealing of cars is concerned, little consolation can be obtained by a person losing an expensive car and the parent being liable to a fine of £150, which would be the maximum liability provided under this measure as suggested in earlier debate.

I have yet to be convinced that the problem is any greater with a larger population, comparatively, than it was previously. We have a large and quick-growing population, and this always seems to bring with it a degree of irresponsibility both in teenage children and adults. I cannot imagine that British justice, which has been so eloquently referred to in this Chamber so often, can be served to any extent by making one person responsible for the crime of another, irrespective of whether the other person be a child or not.

The parents should be educated to look after their children. That is one of the chief functions of a community. I would not hazard a guess as to whether educating them through penal means will achieve the end, but I doubt it. In connection with goods, cars and such things, I suggest that if the owners were made responsible for seeing that their vehicles were securely fastened so that theft would not be encouraged, something would be achieved.

Reference has been made to bodgies, widgies and right down to rock-n-roll, but the people coming under these heads are just fanciful groups in the main and are not up to much harm. The character of an individual commences at a very delicate age; and, admittedly, the character of these people becomes apparent. If some of them are not of good character they may have a detrimental effect on some of their fellows in the particular age group.

In common with some other members, I think that the position would be better served by encouraging more youth movement work, as the Education Department is now carrying out—it is doing a good job in sponsoring youth movements in conjunction with the schools—than by encumbering parents with the responsibility of the damages incurred by their offspring.

I leave the matter with members to consider; but at this juncture, and as the Bill is framed at present, because what it proposes is an encumbrance on parents, whether they be irresponsible or not and whether they have a large family or not, I feel I would not be justified in supporting the second reading.

HON. J. B. SLEEMAN (Fremantle) [8.24]: I have no desire to cast a silent vote on the measure, and I can under no circumstances agree to support the second reading. I am always amused when Bills are brought down to make Acts of Parliament, and we think we are going to make people good by law. Of course, we will not do anything of the sort. No law is ever passed that makes people good. It is only tommyrot to think it does.

Mr. Nalder: That is a negative attitude. You would not have any laws at all.

Hon. J. B. SLEEMAN: I do not know what the hon. member is talking about; but, in my opinion, we cannot make people good by passing Acts of Parliament.

The Minister for Child Welfare: You can sometimes prevent them from being bad.

Hon. J. B. SLEEMAN: I am glad the Minister said "sometimes." It does not apply very often. Do members mean to tell me that little Tommy, when he is thinking about breaking the law in a small way, will say to himself, "If I do this Daddy will be up for £50. I will not do it"? That does not work at all. Children do not think of the consequences.

At one time we used to think that because we had a law to hang people who committed murder, we would stop them from committing murder. But the law did not do anything of the sort; in fact, since we have stopped hanging people, there have been fewer murders than before. I think that will always apply. A man never worries or thinks about the consequences of his acts. He thinks he is smart enough to get away with whatever it is he is doing, without being caught; but generally he is caught. Hanging will never stop murder.

We have heard some talk about youths taking motorcars. Of course, some of them take cars, and some adults take them! Some drunks take them, and some drunks drive them, and they have accidents and kill people at times; but I do not see any members rushing around to introduce a Bill for prohibition, in order to stop them getting the drink so that people will not be killed. Why not bring down a Bill to say we will have prohibition, and no more people will be killed by drunken drivers?

Mr. Nalder: Would you support it?

Hon. J. B. SLEEMAN: No; I would not think of supporting it. I try to educate the people. I have never drunk beer in my life, and I never intend to drink it; but I am not going to say that the other fellow shall not have it. Drink is all right if we do not let it become our master, and the same applies to gambling. There is nothing wrong in having a bet, as long as we do not let betting become our master.

Mr. Nalder: I will support you in educating them.

Hon. J. B. SLEEMAN: I have done my best; and if my friend does likewise we will see what we can do. As far as drink is concerned, America tried prohibition, and it was a total failure. I heard the member for Narrogin talk about the Michigan law and what a success it was. Well, I remember that when prohibition was introduced in America we in Australia were told what a wonderful thing it would be; there would be no more drunks, and so on. That move was the greatest mistake they ever made, because they were then without properly brewed beer; and, finally, they had to get the breweries to reopen and start brewing beer again.

The Minister for Child Welfare: That was only because free enterprise brewed some even worse stuff.

Hon. J. B. SLEEMAN: Let us examine the Bill. It says that the court may in any case, and shall if the child is not over school age, order that the fine, damages or costs imposed or awarded be paid by the parent or guardian of the child, unless the court is satisfied that the parent or guardian cannot be found, or that the

parent or guardian has not conduced to the commission of the offence by neglecting to exercise due care of the child.

As far as I can remember, just as many boys from good Christian homes, as from others, get into trouble. If a boy from a good Christian home is arrested, a sort of inquiry will be made, and the court will say, "This boy comes from a good home. His parents look after him wonderfully well, so we will not impose a fine." If however, the boy comes from a poverty-stricken home, the court will insist that he is not looked after as he should be. Quite as good boys come from poverty-stricken homes as from the others. I know of clergymen's sons who have committed most serious offences; but if they were charged under this measure, the court would say, "Their parents look after them wonderfully well," and no fine would be imposed. If, however, the son of some poor widow who was living in a humble home, was charged, the court would say, "We do not think this boy is well looked after," and the boy would be fined.

Hon. L. Thorn: You do not think that.

Hon. J. B. SLEEMAN: Yes, I do; and the hon. member knows it as well as I do.

Hon. L. Thorn: I do not.

Hon. J. B. SLEEMAN: Yes, you do! You know it all right! There was no children's court when the hon. member and I were children. Had there been such a court we would have been before it on plenty of occasions.

Most of these boys who get into trouble eventually turn out to be good men. I can remember a boy who cut his way out of gaol with a tin-opener. The gaol yard was fenced with galvanised iron, 10ft. high, and he cut his way out with a tin-opener that he found. We saw him eight miles away from the gaol. The police said that he was in the gaol at 8 p.m. and we saw him at 8.30, so he must have done a pretty quick trip. I said to him, "You should not be here. The police are looking for you", and he replied, "They will never catch me. I walked along the railway line and so they cannot track me". That boy, like so many others that get into trouble, turned out to be a very good man.

The Minister for Child Welfare: If he travelled that fast he could not have wet his pants.

Hon. J. B. SLEEMAN: Anyhow, he turned out to be a good man.

Hon. L. Thorn: You have not turned out too badly, yourself.

Hon. J. B. SLEEMAN: The member for Claremont wanted to blame dancing for juvenile delinquency. I have danced all my life and it has not done me any harm; but I would tell the hon. member that, after the dance is over, he wants to get home and to bed as quickly as possible.

The Minister for Child Welfare: You do not want to, but you should.

Hon. J. B. SLEEMAN: He should go home; and that reminds me that on occasions a lot of good times are had even after choir practice. I think the best thing to do would be to put this Bill aside to a future date, because I am satisfied that no legislation will reduce the incidence of crime among the youth of the State. What we should do is to endeavour to get more youth clubs going. The police are doing a wonderful job in that regard; and if there were more such organisations to keep our boys and girls occupied, we would be much better off. I repeat that no Act of Parliament will prevent boys from committing crimes. I think this measure would represent very one-eyed justice, and so I cannot support it.

MR. I. W. MANNING (Harvey) [8.34]: The member for Moore, in introducing this measure, has raised a most important subject for debate and is to be commended on having done so. As I see it, this problem falls into two categories: first there is the small child—the pre-school or primary school child—and then there is the teenager, who probably belongs to some of the peculiar youth cults.

I feel that the member for Moore has approached this question along the right lines as far as the small child is concerned. We know of many instances of small children doing considerable damage, particularly to new buildings or partly erected structures. Quite apart from those cases which appear in the Press, I have had instances of that sort of thing pointed out to me, and I suppose other members have, also. We all know of where a new home has been in the course of construction and, as soon as the workmen have left, a crowd of small children have moved in, doing considerable damage by marking the walls, and so on. In such cases as that I believe the parents should be held responsible for what is done by their children. If the children are permitted to do damage to private or public property the parents should have to pay for it and, if necessary, a fine should be imposed on them, particularly in those instances where they do not control their children.

We come then to what is perhaps the much greater problem: that of the teenager. I do not think we can easily control that group by fining the parents, as the problem goes much deeper than that. There are various organisations in the community such as the churches, the National Fitness Council, the Police Boys' Club and many others, the main purpose of which is to attempt to do something for the teenagers by occupying their time and providing them with sport and education. Perhaps the Government should give thought to greater encouragement for such bodies.

I do not see that we could do any harm by passing the Bill; and, in fact, I think we would be on quite safe ground by following that course. We should indicate to parents that they must accept responsibility for the actions of their children; and if this measure will do that, I think it is on the right lines. I do not see how anyone who realises the seriousness of the problem can oppose a measure brought down in an attempt to remedy the position. There are, perhaps, some features of the Bill which I do not like; and I accept, largely, the arguments put forward by the member for Fremantle who said, in effect, that one cannot bulldoze people into meeting all the requirements of the law, simply by tightening it up. But I think the measure is a step in the right direction; and for that reason, I cannot oppose the second reading.

MR. TOMS (Maylands) [8.37]: I do not intend to support the second reading because I think the measure is the answer to all our problems, but mainly because I believe that during the Committee stage it may be possible to put the Bill into such a form that it will be a step in the right direction. Only once during this debate have I heard reference made to what I think is the root of a lot of our troubles: spare time. It was mentioned by the member for Harvey; and I feel that the problem confronting us today arises from people having time on their hands.

In youth and childhood there is a terrific amount of surplus energy that must be expended. I would not say that the time people have on their hands should not be available to them; and I agree with the Leader of the Country Party who said, earlier in the session, that we had comfortably assimilated the 40-hour week. Now we have to look ahead to the time when automation will be in our midst.

The member for Moore is to be complimented on having brought forward a Bill of this nature, even though it has many faults. There are, in our community, a large number of youth organisations all striving to give our young people the opportunity of going along the right track. I believe that the time is coming when both the State and Commonwealth Governments will have to consider the time factor in relation to youth, and employ the energy and spare time of our young people along the right lines. Despite the fact that there are boy scouts, girl guides, various church clubs and organisations, police boys' clubs, etc., in different districts, when the parents' committees meet, we find quite frequently that it is the same parents who are attending all the different meetings.

We have to educate the children. Some people blame the children, and some blame the parents for child delinquency. But that will not overcome the problem. As the member for Fremantle said, too, legislation will not solve it. I feel sure that it

will be necessary for the Commonwealth Government to amalgamate all these various clubs and get the parents in the districts interested so that the spare time available to our young people can be channelled along the right line. Children are not destructive merely for the sake of being destructive—although it may seem that way at times. I believe that a child, given the opportunity, will develop along the right path.

A perfect example is a meccano club which operates in the Maylands electorate. The man who runs that club is a bachelor, and now about 40 years old. He started the club when he was about 16, and he has had under his care many boys from that district. I believe he has about £1,600 worth of spare parts for meccano sets. He also has a little lathe, and I am told by the parents of the boys who attend that club that the children are most enthusiastic. As soon as they get home from school they start doing something on their meccano models.

This man is doing an excellent job; and people like him, who are doing something worth while should be encouraged, and the setting up of clubs of that type should be fostered. We know that some children can play football and cricket but there are many others who are not blessed with such good health, and they must find other means of using their energy and amusing themselves.

As I said, I do not think the problem will be overcome by legislation; but I believe that the Commonwealth Government will, in the very near future, have to give consideration to providing money for the setting up of youth clubs, gymnasiums and the like, where the time of our young people can be spent in doing something productive. This will train them along the right lines. I support the second reading mainly because I hope that in the Committee stage we will be able to move amendments which will make the Bill a worth-while and workable one.

MR. ACKLAND (Moore—in reply) [8.43]: In the first instance, I want to thank those members who have taken part in this debate. We have heard some constructive criticism as well as some humour, which made the debate less monotonous. This measure was not introduced until after a great deal of examination and inquiry to find out what was being done in other places and the viewpoint of those in charge of children in Western Australia regarding this problem. As the debate progressed I became quite convinced that the Bill will need some amendment in order to make it suitable for our peculiar conditions. If the House sees fit to pass the second reading, I will welcome certain amendments, and in one instance I will move an amendment to make the measure more suitable for our local conditions.

As the Minister said, there is a need to define the word "guardian." That will have to be done before I can expect the House to accept the Bill. I would appreciate it if the Minister would make it possible for me to discuss this matter with the officers of the Child Welfare Department, because I would welcome their assistance in defining the word "guardian." When the Bill was being drafted, I looked upon a guardian as a relative in whose control a child was placed. Not for one moment did I think of the department itself or the institutions which would come under the dragnet of "guardian" as it is set out in the Bill.

I think sufficient provision is made to cover those parents who have genuinely tried to exercise due care of their children, whether the children come from big or small families, and whether the parents both work or have plenty of time on their hands. The court must give consideration to all aspects, and cannot take any action against a parent unless he or she has neglected to exercise due care of the child concerned. Proposed new Subsection (3) of Section 137A ensures that before any order is made against a parent or guardian, he or she must have been given an opportunity of being heard.

Frankly, I would rather the word "shall" had remained in the Bill; but I would sooner have it taken out than see the Bill destroyed because of it. The measure must do a great deal of good if it is passed, and I am sure it will have that effect. The measure as drafted is along the same lines as legislation which has been operating for some years—and most successfully, too, in the United Kingdom. When I was there last year, I had the opportunity of discussing this matter with those who are in charge of it, and I was told that it is working most effectively. If members think that there should be a clause limiting the amount for which a parent can be held responsible, some attention can be given to it, because I can see some arguments in favour of their contentions.

What I have been amazed at is that members who have spoken have given all the consideration and thought to the parent of the delinquent child, but they have lost sight of the person who has suffered a loss because of the action of that delinquent child. There are many instances where children of wealthy families have destroyed the property of those who are not in a position to renew the destroyed articles, whether they be cars or anything else. I was rather amazed, as I said before, that members had no consideration for people in that category.

I should like to give two cases: The first concerns a parent who lives in one of the most exclusive suburbs in the metropolitan area. He is a man who holds a very high position, and he has two very expensive cars: one for himself, and one for his wife. Because this man's son wished to go for a

joyride with somebody of whom his parents did not approve, he stole a car, and before he returned home that evening the car was badly smashed. Unfortunately the vehicle belonged to an owner in poor financial circumstances and he could not afford to pay to have the vehicle repaired. Yet the father of the boy who stole the car would not even consider making restitution for the damages to the car.

The boy was a student at one of the most exclusive colleges in Western Australia and the headmaster when questioning him for his misdemeanour, because of his "don't care" attitude sent for the boy's father. However, when he arrived, the father merely said, "Boys will be boys", and he was greatly annoyed when he was asked to take his boy away from the college.

The Minister for Native Welfare: Would not the insurance company cover that loss?

Mr. ACKLAND: I do not know whether it would or not; but the car was badly damaged, and the boy's father would not make good the loss.

Mr. Bovell: I do not think the insurance company would cover a car that was unlicensed.

Mr. ACKLAND: I do not think so, either; but I did not want to mention that fact. The other case is the subject of a letter which I have here from an orchardist who lives in the hills. Parts of it read as follows:—

Last year, as far as I can remember, Sunday, November 6th, I had two girls, about 14 and 16, in my place helping themselves to my cherries. I showed myself and there was their father standing by his car watching them and not saying anything. I said to him, "This is pretty hot" and he said "Yes, I see your point." I asked him for his name and address and I still have it. I said I would take proceedings. I informed the police and they said I had no case against the father, that I would have to go the children as he was not responsible. I wrote to the commissioner re same. I was informed by word of mouth that they belonged to a respectable family and the father did not want them to do it. I just had to take a defeat on it.

Mr. SPEAKER: I would like to point out to the hon. member that he can reply only to the discussion that has taken place, and he cannot raise any new matter. I therefore hope that the hon. member will not digress again.

Mr. ACKLAND: I thought I was replying to assertions made by various members. I would like to make some reference to

the remarks that were passed by the member for Kalgoorlie. What he had to say on the subject was most amazing to me. I know that at one time he was a school teacher, employed by the Education Department.

Before bringing this matter before the House, I had discussed it with nearly all the school teachers in my electorate, and several of the heads of the Education Department. I also discussed it with a brother of a Catholic school who has been in charge of children for many years, and I approached two principals of other denominational schools in connection with the subject matter of the Bill. In every instance, although they did not know the details of the measure, these men supported the principle behind it, and said that such legislation would be of tremendous value in preventing acts of vandalism by children.

It has been suggested by several members that more youth clubs should be established. I have spoken to the leaders of such clubs, and they have told me that it is the parents who break their hearts, because in many instances parents do not encourage their children to attend these clubs. The children go to them or stop away from them as they think fit. If the Government established such clubs throughout the length and breadth of Western Australia, that in itself would not be an answer to the problem. I do not want to discourage the formation of youth clubs of any description; but at the same time, they are not the answer to this question. The magistrate in charge of the Children's Court, and officers of the Child Welfare Department are of the same opinion.

There is one thing on which the Minister or I may be at fault. I certainly believe that the Minister is sincere in what he said, but I was of the opinion—which I expressed during my second reading speech—that all these people, including the gentleman who discussed it with the Minister, held the view that nearly 90 per cent. of parents were more responsible than their children for acts of vandalism. It is quite likely that I may have made a mistake in that respect. Nevertheless, the percentage is still too great, whether it be 10 or 90 per cent.

The wording in the measure is similar to that contained in legislation which has been working very successfully in the United Kingdom. I wish I had read more carefully the legislation which has been agreed to in the State of Michigan in the United States of America. That measure did make provision for a maximum penalty to be imposed on the parents. As the Leader of the Country Party pointed out, in that State the penalty is 300 dollars; and I believe that there is some justification for agreeing to an amendment along

those lines. There is no doubt that an amendment is vitally necessary in relation to a guardian. It is one on which I would welcome the opinion of the Child Welfare Department or the magistrate of the Children's Court in attempting to draft a suitable amendment to deal with that aspect.

The member for Kalgoorlie had a great deal to say about education, and I have already told him of the attitude that was adopted by people who are in charge of youth clubs. The same hon. member also referred to the Press. I would like to point out that at one time in this State we had a newspaper called the "Mirror" which was certainly not noted for its very high tone. However, it had to cease publication, the main reason being, I think, that the lowering of the tone of other newspapers in Western Australia made it possible for people to read of all the unsavoury incidents and sensational cases that occurred in the courts and, as a result, there was no need for them to buy the "Mirror" at the week-end. Perhaps I would be getting off the mark if I said any more about that aspect of the Bill.

It was suggested by the member for Albany that the Government should set up centres where children could be left whilst parents went shopping or to the local pub for a drink. Parents have a great responsibility towards their children, and the only way a child can be taught to act decently is for them to set a good example. If the parents are not prepared to set a good example unless it costs them something, the Bill is thoroughly justified.

If I replied to all that has been said on the Bill, I am afraid I would be merely stonewalling its progress. I will be only too willing to accept the amendments recommended and I intend to insert some myself to deal with the matters that have been raised during the course of this debate. That the introduction of the measure is justified is, I think, shown by the number of members who have spoken to the second reading. I never for one moment dreamt that the debate on this measure would take 3½ hours. It goes to show that it is a matter of considerable importance.

I believe the amendment contained in the measure will go a great way towards ensuring that the parents of children in Western Australia accept more responsibility in the upbringing of their children, and I think it will bring a greater consciousness of their duty to those who are not prepared to do so at the moment. Members are aware that in Michigan and the State of Washington the incidence of child delinquency dropped by 60 per cent.—there was a drop of 30 per cent. in the first year, and a further drop of 30 per cent. in the second; and I trust that the same effect will be shown here as a result of this Bill.

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

Ayes	....	....	....	29
Noes	....	....	....	14
Majority for	....	....	....	15

Ayes.	
Mr. Ackland	Mr. Moir
Mr. Andrew	Mr. Naider
Mr. Bovell	Mr. Norton
Mr. Brand	Mr. Nuisen
Mr. Cornell	Mr. O'Brien
Mr. Court	Mr. Oldfield
Mr. Crommellin	Mr. Owen
Mr. Gaffy	Mr. Roberts
Mr. Graham	Mr. Rodoreda
Mr. Grayden	Mr. Thorn
Mr. Hawke	Mr. Toms
Mr. W. Hegney	Mr. Watts
Mr. Mann	Mr. Wild
Mr. W. Manning	Mr. I. Manning
Sir Ross McLarty	(Teller.)
Noes.	
Mr. Brady	Mr. May
Mr. Evans	Mr. Potter
Mr. Heal	Mr. Rhatigan
Mr. Hoar	Mr. Sewell
Mr. Jamieson	Mr. Sleeman
Mr. Lapham	Mr. Tonkin
Mr. Marshall	Mr. Hall
	(Teller.)

Question thus passed.

Bill read a second time.

BILL—ELECTORAL ACT AMENDMENT (No. 2).

Second Reading.

Debate resumed from the 19th September.

MR. OLDFIELD (Mt. Lawley) [9.5]: I have given this Bill considerable thought to see whether suitable amendments could be moved to make it more workable along the lines desired by the hon. member who introduced the measure, and yet not impair the efficiency of the Electoral Department. I find it is practically impossible, without completely redrafting the whole measure, to effect suitable amendments.

I am concerned that while this Bill, if it is passed in its present form, may on the one hand overcome any possibility of abuse of the Act as was outlined by the member for Cottesloe, it could, on the other hand, preclude the officers of the Electoral Department from canvassing an area to remove from the rolls those people who no longer had the right to appear on such rolls. We all know that from time to time people on the Upper House rolls change their residence and move from one electoral province to another, but their names are not removed from the roll as is done in the case of the Assembly rolls.

The only way in which the Upper House rolls can be cleansed is for the electoral officers to go out and check whether the people appearing on the rolls are still living at the addresses shown, and to ensure that they possess the necessary qualifications to appear on those rolls. If we precluded the officers of the Electoral Department from carrying out that essential

duty, it would leave the Act open to more abuse than it is at present, because it would mean that on the eve of the closing of the rolls prior to a biennial election—or a by-election if one were held—some dishonest people could go to the Electoral Office with several hundreds or thousands of cards filled in by people with no qualification to vote for the Legislative Council. There would be no possibility of the Electoral Office being able to check this through the mail because the rolls would close at 8 o'clock on the evening concerned.

Members can also appreciate the magnitude of the task that would face the officers of the department if they had to check after the rolls were closed to see whether the people who had voted possessed the necessary qualifications. It would be too much to ask them to check that per medium of the post. The only way the rolls could be cleansed would be by a house to house canvass. If this Bill is passed it will result in an undesirable state of affairs coming into existence. I whole-heartedly agree with the principles which induced the member for Cottesloe to introduce the measure, although I cannot altogether agree with the manner in which he has gone about it.

In Western Australia, we have reached the stage when we should not tamper with the Act by making minor amendments to overcome breaches; it should be overhauled entirely to tighten up any provisions which lend themselves to abuse. Take the matter of sick votes: No member will agree that the present method for the taking of sick votes is water-tight; we all know that in every election abuses in the taking of sick votes do occur. There are many other instances where abuses can occur and I suggest it is the duty of the Government to tighten up this legislation. I urge the Government to give due consideration to over-hauling the Act, not only in regard to the matters contained in the Bill, but also in regard to sick votes and other provisions which lend themselves to abuse.

The Minister for Justice: Comprehensive amendments will be brought forward next year.

MR. OLDFIELD: I am pleased to hear that. I hope that the comprehensive amendments will include the matters raised by the member for Cottesloe.

The Minister for Justice: There is nothing wrong with that.

MR. OLDFIELD: That is something which can lend itself to abuse. If the Bill is passed in its present form, the avenue will be left wide open for further abuses. It is merely a case of closing one door and opening another. It is a case of accepting the lesser of two evils.

The Premier: What about a reduction in the hours of polling?

Mr. OLDFIELD: I suggest they should be from 10 to 4.

The Premier: It sounds as if the hon. member is laying the odds.

Mr. OLDFIELD: There should also be a prohibition on the handing out of "how to vote" cards.

Mr. SPEAKER: The hon. member should get back to the Bill.

Mr. OLDFIELD: Although the Bill is not all that it should be, a principle is brought forward which should be supported; that is, any loophole in the Act must be closed. We should all support that principle even though the Bill will not do everything that is needed.

On motion by Mr. I. W. Manning, debate adjourned.

BILL—GERALDTON SAILORS AND SOLDIERS' MEMORIAL INSTITUTE ACT AMENDMENT.

Second Reading.

Debate resumed from the 19th September.

THE MINISTER FOR JUSTICE (Hon. E. Nulsen—Eyre) [9.15]: I have had a look at this Bill. It is a very small one containing five amendments, and creates a body corporate that can sue or be sued. There is nothing to comment on other than to commend the Bill to the House. It is merely a measure for adjustment and correction of the present situation. I support the second reading.

MR. BOVELL (Vasse) [9.16]: I do not wish to delay the passage of this Bill. I was a resident in Geraldton when Birdwood House was erected. It is a fitting tribute to the memory of those who served in the first World War. I do not know any structure outside of the metropolitan area that confers such an advantage to returned ex-servicemen as Birdwood House. At the time it was built I was not a returned serviceman, but I was associated with the Toc H organisation, which assisted very materially in the laying out of the grounds and in installing the furniture. I was a guest of the sub-branch at the opening when the late Sir James Mitchell, as Lieut.-Governor, performed the opening ceremony.

To people in the State who are entitled to use these premises I would commend their attention to it when they visit Geraldton. One of the amendments in the Bill is to include airmen in the ex-servicemen's league. When Birdwood House was erected the term "airman" was not of such prominence as it is today. However, we now know that the league's name has been altered to Returned Soldiers, Sailors and Airmen's Imperial League of Australia. I support the second reading.

Question put and passed.

Bill read a second time.

In Committee.

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

BILL—ENTERTAINMENTS TAX ACT AMENDMENT.

Returned from the Council without amendment.

BILL—TRAFFIC ACT AMENDMENT (No. 2).

Second Reading.

MR. OLDFIELD (Mt. Lawley) [9.22] in moving the second reading said: The principal aim of this Bill is to endeavour to lessen the incidence of thieving of motor-vehicles. I do not mean this in the true sense of thieving, but in regard to the unauthorised use of motor-vehicles. During the past few years there has been an alarming increase in offences of this type. Recently I asked the Minister some questions and he gave the following advice in regard to the number of vehicles stolen each year:—

1954	....	....	....	478
1955	....	....	....	713
1956 (to the 12th September)				560

Out of that total, the number of charges under the Traffic Act for unlawfully assuming control were as follows:—

1954—472, of which the Children's Court dealt with 155.
1955—519, of which the Children's Court dealt with 172.
1956 (to the 12th September)—225, of which the Children's Court dealt with 177.

Further figures given by the Minister show the age groups of 17 to 18, 16 to 17 and under 16 were evenly divided. The words "unlawfully assuming control" were placed into the Traffic Act because it became very hard to prove that the person was stealing a motorcar when he said he was going for a joyride. Under the Criminal Code, to be successful in a prosecution for stealing, it must be established that there was an intent to permanently deprive the owner of possession or ownership of his goods. Therefore the Traffic Act provided for unlawfully assuming control.

People, when apprehended, readily plead guilty to unlawfully assuming control because the maximum penalty is £100 or 12 months' imprisonment. This is one of the sections of the Traffic Act which enables the court to award a term of imprisonment in excess of six months. The offenders readily plead guilty so that they will not be charged with an indictable offence under the Criminal Code and have to appear at the Criminal Court where they could be sentenced to up to three years' imprisonment. This year approximately from 12 to 15 vehicles per week were taken

by joyriders who not only endanger their own lives and those of their friends who travel in the cars with them, but also endanger the lives of other innocent people on the roads, because when they steal a car it is usually a fairly highly-powered vehicle they choose, such as a Holden, in order to get plenty of speed and fun. When chased, they feel they can give the police a run for their money before being caught.

In addition to endangering the lives of other people, they do untold damage to the vehicle. For example, they damage the engine and the transmission by sky-larking. This could cause great inconvenience to the owners of the vehicles, especially if they are professional or businessmen who require their cars for their vocation. It is easy to realise the inconvenience that could occur, and perhaps tragedy, if a doctor's vehicle were stolen and he wanted to answer an urgent call.

Furthermore, a person stealing any article of a value in excess of £50 is faced with the prospect of being dealt with in the Criminal Court on an indictable offence, but someone can steal a motorcar worth £2,000 and be charged merely with unauthorised use and unlawfully assuming control. The Bill before the House sets out to deal with this problem in two different directions. The first is based on the fact that if these young people of 15, 16 and 17 years of age were not taught to drive a car it would not be possible for them to steal one.

The Minister for Justice: I was never taught to drive.

Mr. OLDFIELD: It is all very well for people to say they do not have to be taught to drive, but a person who has never driven a car cannot get into one and drive it away. He could not handle a vehicle competently enough to do that. He would not know the gear movements or how to handle the clutch. During my army life, I was entrusted with the teaching of people to drive, and I know that no person can drive a vehicle efficiently enough to steal it without having had prior practice. He may never have been taught but he must have got into a vehicle and had a little practice so as to know how to declutch, change gears, accelerate, and so on.

The first part of the Bill deals with the problem of 15 and 16-year-olds who drive a car when they are not of sufficient age to obtain a licence, although a licence can be granted to youths under the age of 17 in special circumstances. The Bill sets out to make it an offence for any one, whether he be a parent or otherwise, to teach any person to drive a vehicle who is not the holder of an unexpired learner's permit issued to him in accordance with the provisions of the Act. Under the existing legislation, before any person can be permitted to be taught to drive a vehicle, he must go to the traffic office, pass an eye-sight test, pay a fee of 2s. 6d. and then be issued with a 60-day permit to learn; and

it is an offence to teach any person to drive unless that person is the holder of such a permit.

What happens is that when these young people are apprehended, they are asked who taught them to drive, because they are too young to be the holders of a learner's permit. They say they were taught by their father or brother and that they always learnt at home on the drive-way or on private property, which does not come under the Act. I can see no reason why anyone should learn to drive until he is old enough to obtain a licence. It is time enough to teach a boy to drive and to allow him to hold a licence when he is old enough to realise the responsibility of having a vehicle under his control on the road. The penalty provided here is the one already in existence, namely, £10.

Young chaps of 17 and 18 who are holders of licences get into stolen or borrowed vehicles and teach their young brothers to drive—and illegally so. In order to deal with this problem, I have provided for a disqualification or suspension of the licence for not less than six months or more than three years at the discretion of the magistrate, who will take into consideration the age of the person concerned, where the offence took place, and so on. I feel that a fine of £10 would hold no terrors for a lad of 17 or 18 years of age, but the threat of being deprived of his licence, if he does anything contrary to this section by teaching a person who is not the holder of a learner's permit, would have an effect on him. He would be careful then before he decided to break the law.

From time to time it has been said that young chaps working in service stations need to be able to drive vehicles and they are taught to do so by the master. As I understand the position, if a young man is working in a service station or garage, in consequence of which it is necessary for him to be able to drive a vehicle, and he is not of the age of 17 years, special permission can be obtained from the traffic office. The master goes in with the lad and a learner's permit is issued. The boy is taught so that he can drive the vehicles around the roadways, in and out of the service station, and around the yard if necessary.

The Minister for Justice: How about children in the country? Some of them at 10, 11 and 12 years of age can drive cars as well as I can.

Mr. OLDFIELD: Yes, and at 15 and 16 years of age they start to steal vehicles. I have heard parents boast of the fact that their children of 11 and 12 years can drive as well as they can, but when those children are 15 the parents will not let them have the car, and so the children steal vehicles.

The Minister for Justice: My kiddies could drive when they were 10 or 11 years of age, but they have not stolen any cars.

Mr. OLDFIELD: They might have been well brought up. Today we dealt with another measure dealing with child welfare, and during the debate concern was voiced about this type of offence. If a farmer or some other person in the back country desires his son, under 17 years of age, to have a licence so that he can drive into town, he can, under the existing legislation, go to the policeman and obtain from him a permit to learn to drive, and a special licence can subsequently be issued.

No hardship will be created here. All that is required is for the father or the employer to go to the policeman, pay the sum of 2s. 6d., submit the boy to the eye-sight test and have the permit issued, and he can then be taught to drive. This has been done in the past, and it is better done legally than illegally.

The second provision in the Bill is an attempt to minimise the incidence of this type of offence by increasing the penalty for the unauthorised use of a vehicle or for unlawfully assuming control of a vehicle. At the moment the penalty is £100 or imprisonment for up to 12 months. That is not altogether the right type of penalty for Children's Court cases. It is practically impossible to expect a magistrate to imprison a 15 or 16-year-old lad for 12 months for unlawfully assuming control of a car; and to fine him £100 is out of the question. Apart from that, these lads are not concerned with the fear of going into an institution. But one thing that these motor-crazy young lads do fear is the possibility of their being restricted or prevented from driving a motor-vehicle for any period.

The Bill provides, therefore, that, in respect to any person who is convicted of unlawfully assuming control, the court shall, if the convicted person holds any licence to drive under the Act, suspend that licence; or, if the convicted person does not hold any such licence for a period of not less than six months nor more than three years from the date of the conviction, or if he is sentenced to a term of imprisonment, from the date of the expiration of such term, whichever is the later date. The relative clause also contains these provisos—

Provided that where the convicted person is under the age of seventeen years, then the period of disqualification shall commence from whichever is the later date of the date on which he attains that age, or if he is sentenced to a term of imprisonment or to detention in an industrial or reformatory school, of the date of the expiration of such term or period of detention.

Provided further that the minimum period of six months referred to in this section shall be irreducible in mitigation notwithstanding any Act.

The inclusion of that provision is an attempt to deter people from stealing cars, again leaving the magistrate with discretion to inflict punishment according to the circumstances and nature of the offence.

I hope the Bill will receive favourable consideration as it is an attempt to deal with a question which has become serious in our community. I shall welcome any suggestions that members may desire to make during the debate and any amendments—during the Committee stage—which they think will help to achieve the desired result. I move—

That the Bill be now read a second time.

On motion by the Minister for Transport, debate adjourned.

BILL—CRIMINAL CODE AMENDMENT (No. 2).

Second Reading.

MR. OLDFIELD (Mt. Lawley) [9.43] in moving the second reading said: This Bill is a natural corollary of the previous measure and is designed to amend the Criminal Code in regard to the section dealing with the stealing of motor-vehicles. The reason for the introduction of the measure is to bring the penalty into line with that suggested in the previous measure in respect of the Traffic Act so as to provide that any person guilty of stealing a vehicle and convicted under the code shall suffer the same penalty as was outlined in the other measure. If that Bill is accepted, I trust the House will agree to this one. I move—

That the Bill be now read a second time.

On motion by Minister for Justice, debate adjourned.

BILL—CITY OF PERTH SCHEME FOR SUPERANNUATION (AMENDMENTS AUTHORISATION).

Second Reading.

MR. HEAL (West Perth) [9.45] in moving the second reading said: I have previously introduced measures dealing with amendments to the Perth City Council's superannuation scheme. Following those amendments the council found itself in the position that two more minor amendments were necessary, and I hope the House will see its way clear to agree to the measure.

The first amendment deals with a wages employee who is transferred to the salaried staff. Under the superannuation scheme as it stands at present, there is no provision for such a transfer. This relates to an employee transferred before he reaches the age of 65 years; and if the amendment is not agreed to, a wages employee can pay into the benefit fund for a

number of years and when he is transferred to the salaried staff can no longer carry on in the scheme. It is the desire of the council to overcome that difficulty by means of this amendment.

The second amendment relates to the person who commences employment with the council at an early age and continues until retirement. At present such a person can draw only 40/60ths of his average salary when he retires; and therefore, once he has served 40 years with the council, he can derive no further benefit from the superannuation scheme. I think organisations such as the Perth City Council and other institutions and employers generally like to make their superannuation schemes as attractive as possible in order to ensure continuity of the employment of their employees.

The Perth City Council considers that an employee entering its service at 18 years of age and continuing on is at a disadvantage in his later years of service. The proposal in this amendment is that if a person enters this employment at the age of 18 and continues to 65 years, he will have approximately 47 years' service, and the intention is to lift the maximum rate from 40/60ths to 47/60ths of the amount.

Under this provision an employee can also be employed up to the age of 70 years. In that case—it will not often happen—it is intended to lift the rate to 52/60ths of the average salary. There is at present a maximum provision under this scheme which allows no person to draw superannuation of over £12 per week on retirement. To explain these amendments more fully I will read a letter which I received from the Town Clerk. It is as follows:—

The City of Perth is contemplating amendments to its Superannuation Fund Scheme and these amendments include a provision which is designed to clarify the superannuation benefit for employees who are contributing to the section of the Superannuation Scheme relating to wages employees and who are subsequently transferred to the salaried staff.

The present scheme does not provide any superannuation allowance for the period of contribution as a wages employee prior to the date of transferring from the wages staff to the salaried staff, if such transfer takes place before the age of 65 years.

The amendment is designed to provide a formula which will grant a pension to the employee in proportion to the period employed as a wages employee prior to his transfer to a staff position. After transfer, of course, the provisions will continue the same as for other members of the salaried staff.

A further amendment is also drafted to overcome the disabilities in the present scheme which exist particularly in respect to members of the staff who join the fund at an early age. In order that you may appreciate this position the following explanation is made:—

The superannuation benefit for any salaried officer builds up each year on a formula which provides that an amount equal to one-sixtieth of his average salary for the year is set aside to provide superannuation benefits, and the maximum amount that any officer may receive under the present conditions is forty-sixtieths of his average salary. This means that any employee who has a longer service than 40 years receives no superannuation benefit for any period of service in excess of 40 years. It will therefore be appreciated that any youth employed by the Council, who contributes to the Superannuation Fund Scheme from the age of 18 years until the age of 65 years, that is for 47 years, should, in the opinion of the present Council, be able to receive a maximum pension of forty-seven-sixtieths of the average annual salary instead of the maximum of forty-sixtieths now provided for and, if he should remain in the service of the Council until he is 70 years of age, he should receive fifty-two-sixtieths on the same basis.

It may thus be seen that the present limitation to forty-sixtieths could be quite unfair to an employee who may finally achieve 52 years of service with the Council.

It should also be appreciated that the Superannuation Fund Scheme already provides limitations in respect to the maximum or total pension which any officer may receive. The Scheme sets out that, in no case, may an officer receive more than £12 per week, and the Council considers that this is a sufficient restriction and that there is no need to impose a further limitation of forty-sixtieths which may well be a disadvantage to an officer who would require the accumulation of the total years of his service and still be within the maximum superannuation benefits provided for under the Scheme.

That fully explains the amendments which the Perth City Council desires to be passed through this Chamber and I move—

That the Bill be now read a second time.

On motion by Mr. Court, debate adjourned.

House adjourned at 9.53 p.m.