

and American authorities, and they dealt both with the quality of the gas and the safety of this liquid petroleum gas.

Difficulties were experienced, first of all in finding containers for the distribution of the gas to country centres. The right type of steel for the making of these containers was not available in large quantities, but this difficulty has now been overcome. Anybody who likes to go along High Road can see the distribution centre for liquid petroleum gas, and they will see how enormous it has become.

In 1956 there were only three regular users of this product. They were, country homes, launches, and caravans. The owners of launches and caravans found that they could carry with them some of the comforts of home in the form of gas-operated appliances.

The record of safety in America, with regard to liquid petroleum gas, has been found, over the years, to be exceptionally good. Of the types of gas which are used—liquid petroleum gas has a lower fire risk than either natural gas or coal gas.

It was found necessary to incorporate a certain chemical known as ethyl mercaptan into the gas, which is odourless. By putting the chemical into the gas it was possible to smell the gas and this, of course, was an extra safety measure; and the Act provided that the liquid petroleum gas should have an odour, and that is the subject of the amendment which is sought this evening.

Liquid petroleum gas is more efficient in terms of British thermal units than coal gas or natural gas. Its British thermal unit rating is 3,125 a pound as against 475 a pound, which we insist on in our ordinary coal gas. The incorporation of the aroma-producing ethyl mercaptan into the gas has become an embarrassment. In the Eastern States, where this provision is not incorporated in the legislation, we find embarrassment has not occurred in the manufacture of certain propellants used in some of our petrols. Members have no doubt heard of butane boosted petrols which are reputed to make a motor vehicle fly along the road.

It is found that to a certain extent we are prohibited from preparing such products because, when this chemical is included in petroleum it produces a smell which immediately detracts from the value of the product and is of no competitive use.

The various uses for liquid petroleum gas have expanded considerably. Originally it was used only for heating homes, especially country homes. It may be of interest to recall that the Minister for Local Government was one of the first to have liquid gas installed in his home in Geraldton in 1956 for the purpose of heating. I have already referred to its use in caravans and

launches, but the uses of liquid petroleum gas today are so wide they are a story in themselves.

Liquid petroleum gas is used at present for domestic cooking; water heating; space heating; lighting, as a supplement to enrich normal gas supplies; heat treatment of metals, including soldering, brazing, flame hardening, steel-cutting, non-ferrous metal welding, and bright alloy annealing; vitreous enamelling; ceramic baking; textile singeing and drying; food processing; farm application, including tobacco curing, weed eradication, and crop drying; lighting of marine buoys and coastal lighthouses; fuels for internal combustion engines; fertilisers, particularly ammonia; manufacture of methyl alcohol; formaldehyde; carbon black; blending agents for motor and aviation fuels; and production of electricity.

Members can realise that if we keep the present provision relating to odour in the Statute it will be an embarrassment to the development of our liquid petroleum gas industry. Cracked refinery gases provide a source for the liquefiable gaseous fuels propane and butane, the domestic and industrial uses of which are developing rapidly.

This amendment will permit gas to be sold without an odour for some industrial and commercial uses. In fact, that is the purpose of the Bill. Members will appreciate how important the amendment is and the scope for expanding the many fields of industry that will be thrown open. I can see the importance of this amendment to the State in the future by the development of the uses of liquid petroleum gas. I have much pleasure in supporting the Bill.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

House adjourned at 10.1 p.m.

Legislative Assembly

Wednesday, the 11th September, 1968

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

QUESTIONS (52): ON NOTICE PEDESTRIAN CROSSING

Guildford Road

1. Mr. HARMAN asked the Minister for Traffic:

In view of the fact that a large shopping complex is now under construction in Guildford Road,

Maylands, between Ninth Avenue and Falkirk Street, what arrangements are to be made to ensure pedestrian safety for those crossing Guildford Road in this area?

Mr. O'CONNOR (for Mr. Craig) replied:

The attention of the Main Roads Department has not previously been drawn to this development. However, any pedestrian problem which emerges will be investigated.

KING'S PARK BOARD

Five-year Plan

2. Mr. LAPHAM asked the Minister for Lands:

- (1) Does the Government intend to implement, in whole or in part, the recommendations of the King's Park Board as set out in the board's second five-year plan?
- (2) If "Yes," in part, will he indicate which recommendations will be given priority?

Mr. BOVELL replied:

- (1) and (2) It is intended to consider the implementation of the King's Park Board's second five-year plan progressively.

During the first stages, priorities in the following order are under current consideration:—

- (a) additional public lavatories and staff changerooms;
- (b) extension of water supplies;
- (c) expansion of botanical and reafforestation activities;
- (d) wildlife sanctuary.

DYSLEXIC CHILDREN

Teaching

3. Mr. LAPHAM asked the Minister for Education:

- (1) What number of school children in Western Australia are dyslexics?
- (2) What action is taken by the Education Department in the teaching of these children—
 - (a) in the metropolitan area;
 - (b) in the country areas?

Mr. NALDER (for Mr. Lewis) replied:

- (1) At the present time there is no universally accepted definition of the condition. Thus it is not possible to quote numbers of children who could be classified as dyslexic.
- (2) Children with difficulties here are not treated differently in approach from any others in the remedial classes.

It is quite possible that a number of members do not know what this disability is. If you will permit me, Mr. Speaker, I will give a brief explanation.

A dyslexic suffers from a form of language disability which shows itself in reading and writing. Words appear to have no meaning for him. Four boys seem to be affected to each girl. There are few known severe cases in the metropolitan area, and most of these are in the process of overcoming their disability.

SUPERPHOSPHATE

Demurrage

4. Mr. McPHARLIN asked the Minister for Railways:

In reply to questions on the 20th and the 27th August, he stated "that the information was being extracted and would be made available as soon as possible."

Is he now able to table in the House all the information required—

- (a) in those questions regarding demurrage paid to the Railways Department on—

- (i) bulk superphosphate;
- (ii) bagged superphosphate;

- (b) on the inability of the department to supply wagons ordered by superphosphate companies during 1967-68?

Mr. O'CONNOR replied:

The information asked for by the honourable member is rather lengthy and I request permission to table copies of my letters of the 3rd September, 1968, and the 4th September, 1968, which set out the required details.

The papers were tabled.

DUPLEX PROPERTIES

Separate Titles

5. Mr. CASH asked the Minister representing the Minister for Justice:

- (1) Can the Registrar of Titles issue a separate certificate of title for each section of a duplex residential property?
- (2) If not, and to protect the interests of prospective duplex residents, could not the Act be altered to make separate titles readily available?

Mr. COURT replied:

It is not clear whether the question refers to certificates of title under the Transfer of Land Act or under the Strata Titles Act.

If the separate certificate of title referred to is a certificate of title under the Strata Titles Act, 1966, the answer is as follows:—

- (1) No. The Strata Titles Act requires that a strata plan shows the land or part thereof as being divided horizontally into two or more strata. As a duplex residential property comprises only one stratum, the Strata Titles Act has no application.
- (2) The Strata Titles Act could be amended to apply to single stratum buildings. Whether it should be so amended may be considered.

If the question refers to a certificate of title issued under the Transfer of Land Act, the answer is as follows:—

- (1) Under the Transfer of Land Act, the Registrar of Titles issues a certificate of title to land and not a building or portion thereof. A separate certificate of title can be obtained to a lot on a subdivisional plan or diagram approved by the Town Planning Board. If the Town Planning Board approves a subdivision of land on which a duplex residential property is erected, so that each section of the duplex is the subject of a lot, a certificate of title will be issued for each lot.
- (2) As the approval of vertical subdivisions are the province of the Town Planning Board, an amendment of the Transfer of Land Act is not appropriate.

PRIMARY SCHOOLS

Mandurah

6. Mr. RUNCIMAN asked the Minister for Education:

- (1) What plans has the department for the extension of the Mandurah Primary School?
- (2) Is it considered that the planning of a second primary school in the town is warranted?

Mr. NALDER (for Mr. Lewis) replied:

- (1) Tenders will shortly be called for two class rooms plus toilets.
- (2) Not at this time, but it will be under constant review.

SHEEP AND WOOL

Albany Zone

7. Mr. YOUNG asked the Minister for Agriculture:

- (1) What was the number of sheep in the Albany zone when the wool selling centre was established?
- (2) How many bales of wool did these sheep produce?
- (3) How many bales were sold through the Albany wool selling centre?
- (4) How many bales of wool have been sold in each year since the centre was established?

Mr. NALDER replied:

- (1) 2,463,914.
- (2) 84,248.
- (3) 29,359.
- (4) Bales submitted for sale each year since centre was established:

1957-58—	29,359
1958-59—	45,790
1959-60—	46,596
1960-61—	52,856
1961-62—	49,270
1962-63—	41,370
1963-64—	40,537
1964-65—	53,780
1965-66—	62,116
1966-67—	92,942
1967-68—	126,273

South-West Land Division

8. Mr. YOUNG asked the Minister for Agriculture:

- (1) What was the sheep population in this State for the years 1957-58, 1962-63, and 1967-68?
- (2) What was the sheep population in the South-West Land Division for the years 1957-58, 1962-63, and 1967-68?
- (3) How many bales of wool were produced in the same areas for the same periods?
- (4) What was the average price paid for wool in Western Australia for the years 1957-58, 1962-63, and 1967-68?

Mr. NALDER replied:

- (1) 1957-58—15,723,963.
1962-63—18,727,124.
1967-68—30,100,000.
Figures to the 31st March in each year.
- (2) Sheep population in the agricultural areas—South-West Land Division, plus shires of Ravens-thorpe, Esperance, Dundas, and Yilgarn.
1957-58—12,704,210.
1962-63—15,403,902.
1967-68—26,300,000.

- (3) Bales of wool produced in the agricultural areas—
 1957-58—408,640 bales.
 1962-63—481,747 bales.
 1967-68—810,206 bales.
- (4) Average auction price paid for wool in Western Australia—
 1957-58—60 cents/lb.
 1962-63—54 cents/lb.
 1967-68—40.5 cents/lb.

COPPER

Tonnage and Royalty

9. Mr. HARMAN asked the Minister representing the Minister for Mines:

- (1) What was the tonnage and value of copper mined in Western Australia during the years ended the 30th June, 1967 and 1968?
- (2) Does the mining of copper attract a royalty to the Mines Department?
- (3) If so, what amount per ton?
- (4) If not, why not?

Mr. BOVELL replied:

- (1) Year ended the 30th June, 1967—

	Ore and Concentrates Tons	Copper Content Tons	Value \$
Copper ore and concentrates ...	1,830.90	337.10	229,268.28
Copper by-product of nickel mining
Cuprous ore (for fertiliser)	684.52	100.28	56,934.02
Total	2,515.42	437.47	356,202.30

Year ended the 30th June, 1968—

	Ore and Concentrates Tons	Copper Content Tons	Value \$
Copper ore and concentrates ...	3,861.71	868.38	701,495.44
Copper by-product of nickel mining	255.49	118,261.00
Cuprous ore (for fertiliser)	894.75	114.10	65,383.03
Total	4,746.46	1,237.97	975,139.47

- (2) No.
- (3) Answered by (2).
- (4) Copper mining in the State for many years has been at a very low ebb and in order to encourage exploration for, and production of, copper, no royalty has been charged.

ELECTORAL ROLLS

Preparation

10. Mr. TONKIN asked the Minister representing the Minister for Justice:

- (1) Is it proposed to act in pursuance of the power contained in section 31 of the Electoral Act with a view to arranging with the Commonwealth for the preparation of conjoint rolls?

- (2) When did the State electoral office last carry out a canvass of electoral districts for the purpose of improving the completeness of the rolls?

- (3) Will he take the necessary steps to have State electoral rolls brought more up to date?

Mr. COURT replied:

- (1) Not at this juncture.
- (2) 1946. Since then enrolments have been canvassed mainly by way of publicity and correspondence.
- (3) The State electoral rolls are under constant revision.

FISHING INDUSTRY

Fish Markets

11. Mr. RUNCIMAN asked the Minister for Agriculture:

- (1) On what terms does the marketing trust lease the fish markets?
- (2) Are there any plans for future development and expansion of the fish markets?
- (3) If so, when is it expected this work will be commenced?
- (4) Apart from the cold storage units provided by private enterprise, what other cold storage or refrigeration is available to fishermen?

Mr. NALDER replied:

- (1) On a 12-monthly leasehold agreement similar to other tenants in the markets.
- (2) Yes.
- (3) Within the next three to four months.
- (4) Nil.

Research Expenditure

12. Mr. RUNCIMAN asked the Minister representing the Minister for Fisheries:

- (1) What was the total amount of money spent on research into the fishing industry in Western Australia during 1966-67?
- (2) How much was contributed by—
 (a) the State Government;
 (b) the Commonwealth Government,
 into crayfish research?

Mr. ROSS HUTCHINSON replied:

- (1) The expenditure during 1966-67 by the State Government on scientific equipment and laboratory requirements generally was \$8,100.

In addition, the cost of salaries and travelling for three research officers, three technical officers, seven staff on the research boat,

and the maintenance of two research vessels was approximately \$60,000.

- (2) (a) \$25,000.
- (b) During 1966-67, three research scientists of the Division of Fisheries and Oceanography, C.S.I.R.O., were engaged in research on Western Australian fisheries. One of these scientists was engaged on crayfish research. The actual amount of money expended by C.S.I.R.O. on these activities is not known.

CRAYFISHING

Boat Licenses

13. Mr. RUNCIMAN asked the Minister representing the Minister for Fisheries:

- (1) Has the department granted any new or additional crayfish boat licenses since 1965?
- (2) If so, how many?
- (3) Does the department keep a record of licensed boats and their owners or operators?
- (4) If "Yes," why is this information not available?
- (5) If "No," how does the department know when a license is duplicated?

Mr. ROSS HUTCHINSON replied:

- (1) No.
- (2) Nil.
- (3) Yes. The department has a record of all fishing boats licensed under the Fisheries Act regulations. Such records contain the name of the current licensees. In 1967 there were 1,487 boats licensed.
- (4) and (5) The records are available to the honourable member should he desire specific details.

Mandurah-Bunbury Area: Zoning

14. Mr. RUNCIMAN asked the Minister representing the Minister for Fisheries:

- (1) How extensive are the crayfishing grounds in the Mandurah-Bunbury area?
- (2) Is the department aware—
 - (a) that these grounds are mainly operated by boats stationed at Mandurah and Bunbury;
 - (b) that during the recently concluded season these boats were joined by deep sea boats from the north?
- (3) Having regard to conservation, will the department give consideration to zoning the area with a view to restricting these larger boats?

Mr. ROSS HUTCHINSON replied:

- (1) The crayfishing grounds in the Mandurah-Bunbury area are not extensive compared with areas between Safety Bay and Geraldton.
- (2) (a) the grounds are fished by boats from Mandurah and Bunbury together with boats from Fremantle.
- (b) Yes.
- (3) The Mandurah-Bunbury area is towards the southern extremity of the area occupied by the crayfish population. There would be little value in restricting the operations of the larger crayfishing boats by zoning the area. The crayfish policy on conservation and management has been based on a consideration of the fishery as a whole, including the Mandurah-Bunbury area.

CAR LICENSES

Rebates to Pensioners

15. Mr. TOMS asked the Treasurer:

- (1) What is the reason for a six months' car license and third party insurance being so much more than half of a 12 months' license?
- (2) As pensioners and people on fixed incomes are those most affected by this extra burden, will he give consideration to allowing a rebate on licenses taken out by pensioners?

Mr. BRAND replied:

- (1) A motorist who renews his vehicle license half yearly would pay 62c per annum additional to the person who renews annually. Of this amount, 25c is stamp duty on the third party insurance policy; 35c is intended to defray part of the additional cost in the Motor Vehicle Insurance Trust Office and licensing office, and the remaining 2c is a result of the terminology for the calculation of short-term payments under the Motor Vehicle (Third Party Insurance Surcharge) Act.
- (2) No. The amount in question is approximately 1c a week.

RENTAL AND PURCHASE HOMES

Metropolitan Area

16. Mr. BURKE asked the Minister for Housing:

Would he please advise the number of families accommodated in the metropolitan area by the State Housing Commission since the 23rd March, 1968—

- (a) rental;
- (b) purchase?

Mr. O'NEIL replied:

- (a) 404 families, 20 pensioner couples, and 12 single unit pensioners.
- (b) 180.

NATURAL GAS RESOURCES

Exploitation for Local Consumption

17. Mr. BURKE asked the Minister for Industrial Development:

In view of a recent report in the newspaper that a Japanese consortium is interested in exploiting resources of natural gas in Western Australia, would he advise if any consideration had been given to exploiting the gas reserves for local consumption?

Mr. COURT replied:

I can assure the honourable member that consideration has been, and is being, given to the use of natural gas in Western Australia. Before use of natural gas can be considered, the reserves of gas in the various areas in which it has been found will need to be established. Assuming that a large gas field is found, it will be necessary to establish a sufficient market for gas in a particular area so that its transmission by pipeline is economic.

For example, a market for 70,000,000 cubic feet a day would be required to justify a pipeline from Yardarino to Kwinana. The present market for town gas in the metropolitan area is equivalent to about 3,000,000 cubic feet of natural gas a day. Use of natural gas for large industrial uses would therefore need to be found before a pipeline could be justified.

I might add that a survey of industries which are already established, and which might be potential users of gas, is being undertaken, as well as a search for additional industries that could use gas.

MOTOR VEHICLE INSURANCE COMPANIES

Registration in Western Australia

18. Mr. CASH asked the Minister representing the Minister for Justice:

- (1) How many motor vehicle insurance companies are registered in Western Australia?
- (2) How many new motor vehicle insurance companies have been registered in the last three years?
- (3) What are the names of the motor vehicle insurance companies newly registered in the last three years and what were the dates of such registrations?

Mr. COURT replied:

- (1) to (3) The companies registry has no record of the nature of business actually carried on by companies registered with it.

It is therefore impossible to determine which companies are "motor vehicle insurance companies."

SEARCH AND RESCUE VESSEL

Stationing at Jurien Bay

19. Mr. FLETCHER asked the Minister representing the Minister for Fisheries:

- (1) Is he aware that—

- (a) an apparently now redundant D.C.A. 40-ton search and rescue vessel is due in Fremantle from Cocos Island in a few days;
- (b) no decision has yet been made whether the vessel will remain in Western Australia?

- (2) Will he endeavour at a Federal level to influence a decision to ensure the vessel remains here, in the capacity for which it was designed, to assist fishing and other craft frequently in trouble between Geraldton and Fremantle?

- (3) As these two ports have alternative rescue craft in an emergency, will he, subject to acquisition, give consideration to stationing this or a suitable alternative craft at Jurien Bay to assist in rescue work?

Mr. ROSS HUTCHINSON replied:

- (1) (a) and (b). The Department of Fisheries and Fauna is unaware of the movements of this vessel.
- (2) and (3). No. Air sea rescue operations are matters for the Minister for Police.

UNDERGROUND MAINS

Objections

20. Mr. W. A. MANNING asked the Minister for Electricity:

To what extent has the State Electricity Commission taken into account the following points in its continued objection to underground cables—

- (1) Cost to S.E.C. of repairs caused by widespread wind damage?
- (2) Cost to industry halted by such a breakdown?
- (3) Cost to S.E.C. in loss of current sales in the same period?
- (4) The aesthetic effect on streets carrying cables underground instead of overhead?

Mr. NALDER replied:

- (1) to (4) The State Electricity Commission does not object to placing electricity mains underground in the metropolitan area, provided the developer pays all the additional costs involved in so placing the mains.

WATER SUPPLIES

Point Peron

21. Mr. RUSHTON asked the Minister for Education:

- (1) When water mains to supply the national fitness camp at Point Peron are installed, is it intended to obtain a service from this supply for the Education Department's Point Peron camp?
- (2) If "Yes," when is connection expected?

Mr. NALDER (for Mr. Lewis) replied:

- (1) The main is purely an emergency service and is not designed to serve other than the national fitness camp.
- (2) Answered by (1).

ELECTRICITY SUPPLIES

Karragullen

22. Mr. RUSHTON asked the Minister for Electricity:

- (1) Is the commission aware that a number of consumers at Karragullen are receiving inadequate supply of power for irrigation and cool stores during hot weather in summer?
- (2) If "Yes"—
 - (a) what steps are being taken to upgrade the power supply; and
 - (b) when is the increased supply expected to be available?

Mr. NALDER replied:

- (1) and (2) During the 1966-67 summer, some consumers received inadequate power and additional transformers were installed. To meet the growing demand for power in the hills area, generally, a major substation will be placed in service at Kalamunda before next summer.

WARNBRO SOUND

Silting, and Restoration of Facilities

23. Mr. RUSHTON asked the Minister for Works:

- (1) Has the survey and data processing been completed for Warnbro Sound?

- (2) If "No," when is completion expected?

- (3) When does the department expect to restore the Safety Bay slipway to a usable condition and the Safety Bay jetty to full use?

- (4) Is it intended to evaluate the information from the survey with the objective of carrying out work to ensure permanent full use of the Safety Bay slipway and jetty and arrest extensive silting in Warnbro Sound?

Mr. ROSS HUTCHINSON replied:

- (1) Yes.
- (2) Answered by (1).
- (3) The department proposes to assist the Rockingham Shire in clearing sand from the slipway to enable it to be restored to use in the summer season 1968-69.
- (4) It is intended that an engineer of the department will shortly carry out an inspection of the Safety Bay slipway and jetty area with shire officers to investigate means to enable permanent use of the slipway. The information obtained from the Warnbro Sound survey in 1967 will be utilised in this connection.

WESTERN AUSTRALIAN WILD LIFE AUTHORITY

Report

24. Mr. W. A. MANNING asked the Minister representing the Minister for Fauna:

- (1) Has any report yet been issued by the Western Australian Wild Life Authority?
- (2) If not, can he supply a copy of the last report of the Fauna Protection Advisory Committee?

Mr. ROSS HUTCHINSON replied:

- (1) No. The authority came into operation earlier this year and the first meeting was held on the 5th July, 1968. Provision has been made in the Act requiring an annual report to be submitted to Parliament after the 30th June in each year.
- (2) The Fauna Protection Advisory Committee was not required to prepare, and has not prepared, annual reports.

TREES

Sales from Dryandra Nursery

25. Mr. W. A. MANNING asked the Minister for Forests:

- (1) What number of trees has been sold to the public from Dryandra Nursery over the last four years?

- (2) What were the most popular species sold?

Mr. BOVELL replied:

- (1) 1964 season—52,500 trees.
1965 season—52,642 trees.
1966 season—61,124 trees.
1967 season—71,359 trees.
- (2) The four most popular species sold over the above periods were in order of popularity—
River Gum.
Coral Flowering Gum.
Sugar Gum.
Dwarf Sugar Gum.

The sale of River Gum trees exceeded the total of the next three most popular species.

FLATS AND HOME UNITS

Provision

26. Mr. CASH asked the Minister for Housing:

- (1) Is he aware that a large suburban shopping centre was completed within 4½ months of the commencement of building?
- (2) What are the possibilities of the State Housing Commission co-ordinating with this type of builder to ease the accommodation problem by extensive high-density flat and home unit building in serviced areas within three miles of the city centre as suggested in my speech on the Address-in-Reply?

Mr. O'NEIL replied:

- (1) No.
- (2) The commission is already co-operating with project developers and builders as regards single residential, medium, and high rise flats. Redevelopment of older areas has been a subject of discussion at housing Ministers conferences for several years but the cost of acquisition of suitable areas presents problems. To provide flats at rentals within the capacity of tenants to pay requires heavy subsidisation of the land acquisition costs. All States have this question continually under consideration and it is also the subject of discussions with the Commonwealth.

RESIDENTIAL LAND

Kambalda

27. Mr. T. D. EVANS asked the Minister for Lands:

Does the Government intend to make residential lots available at Kambalda for acquisition by private persons?

Mr. BOVELL replied:

No. Under the agreement between the State and Western Mining Corporation Ltd., the whole of Kambalda townsite has been leased to the corporation for residential, commercial, and industrial purposes with the right to apply for freehold of each lot when developed in accordance with conditions specified.

ROAD TRAFFIC CODE

Amendment of Regulations

28. Mr. T. D. EVANS asked the Minister for Traffic:

- (1) Have representations been made by the Kalgoorlie District Regional Traffic Council requesting an amendment to Road Traffic Code regulations 103 as to definition of "control area" and 1001 (1) (a)?
- (2) Is it intended to effect such amendments?
- (3) In the said regulation 103 in the definition of "control area" what useful purpose does the word "village" serve?

Mr. O'CONNOR (for Mr. Craig) replied:

- (1) I have no knowledge of any such request.
- (2) Answered by (1).
- (3) The definition of "control area" is consistent with the definition of "townsite" in the Local Government Act, 1960.

LOTTERY RESULTS

Printing in Larger Type

29. Mr. T. D. EVANS asked the Chief Secretary:

Will he give consideration to having lottery results printed in a larger type in newspapers in order to assist elderly people who find difficulty in reading the present small print?

Mr. O'CONNOR (for Mr. Craig) replied:

Yes.

WOOL EXPORTERS PTY. LTD.

Royal Commission

30. Mr. JONES asked the Premier:
- (1) Has the Government received any requests to cancel the Royal Commission into the activities of Wool Exporters Pty. Ltd. and others?
 - (2) When will the Government announce the name of the commissioner?

Mr. BRAND replied:

- (1) No.
- (2) In the near future.

ELECTRICITY SUPPLIES*Line Loss of Power*

31. Mr. JONES asked the Minister for Electricity:

What is the line loss of power from—

- (a) Bunbury to metropolitan area;
- (b) Muja to metropolitan area?

Mr. NALDER replied:

- (a) and (b) Approximately 6 per cent in both cases.

POWER STATIONS*Oil Burning: Production Costs*

32. Mr. JONES asked the Minister for Electricity:

When the East Perth and South Fremantle power stations are converted to oil burning stations at Christmas, what is the anticipated production costs per unit of power from these stations?

Mr. NALDER replied:

East Perth generating station—estimate at 2.68c per kwh.

South Fremantle generating station—estimate at .96c per kwh.

INSPECTION OF SCAFFOLDING ACT*Amendments*

33. Mr. HARMAN asked the Minister for Labour:

Does he intend to introduce amendments to the Inspection of Scaffolding Act this session?

Mr. O'NEIL replied:

A committee is currently working on a proposed complete new scaffolding Act. I am unable to indicate at present when legislation will be introduced.

BANANA PLANTERS*Land Allocations*

34. Mr. NORTON asked the Minister for Agriculture:

- (1) Are the banana planters, north of the Gascoyne River and east of the Onslow Road who accepted land in exchange for their original plantations when they became eroded, to be allocated an extra five acres of land adjoining their present properties?
- (2) If so, when?
- (3) If "Yes," what will be the price per acre?
- (4) Will each person be required to make an application for such land?

Mr. BOVELL replied:

This question should have been more correctly asked of the Minister for Lands. The answer is as follows:—

- (1) Approximately five acres are to be offered to each of the existing plantation owners concerned.
- (2) Owners are being notified and on acceptance immediate right of entry will be given.
- (3) \$80 per acre.
- (4) Yes, on receipt of the Lands Department notification mentioned above.

TRAFFIC SIGNS*Anzac Road, Mt. Hawthorn*

35. Mr. BERTRAM asked the Minister for Police:

- (1) Is he aware of the increasing traffic occurring in Anzac Road, Mt. Hawthorn, since the road at the north end of Lake Monger was sealed recently? (This road is not dedicated but appears as a continuation of Dodd Street.)
- (2) Will he investigate this position with a view to placement of signs at junctions and intersections with Anzac Road as may be found necessary?
- (3) If "Yes," to (2), will he advise the House of the action taken?

Mr. O'CONNOR (for Mr. Craig) replied:

- (1) No. Details relating to traffic volume are not known.
- (2) Yes.
- (3) The honourable member will be advised accordingly.

SEWERAGE*Mt. Hawthorn*

36. Mr. BERTRAM asked the Minister for Water Supplies:

- (1) When were the last extensions made to the deep sewerage in the Mt. Hawthorn electorate?
- (2) In which area or areas were these effected?

Mr. ROSS HUTCHINSON replied:

- (1) The Metropolitan Water Supply Sewerage and Drainage Board is currently laying sewers in the Mt. Hawthorn electorate in the area bounded by Hutton Street, Hector Street, Frobisher Street, and Scarborough Beach Road.
- (2) Answered by (1).

RAILWAY INSTITUTE LAND

Disposal

37. Mr. MAY asked the Minister for Railways:

- (1) Has the Government any plans for disposing of the land currently occupied by the Railway Institute, Perth?
- (2) If so, when and how will the land be disposed?

Mr. O'CONNOR replied:

- (1) No.
- (2) Answered by (1).

WATER SOFTENING PLANTS

Provision by Government

38. Mr. MAY asked the Minister for Water Supplies:

- (1) In what localities have water softening plants been provided by the Government?
- (2) What was the individual cost of installation for each plant and the additional operating costs per annum?
- (3) What other areas are to be provided with water softening plants during the 1968-69 financial year?

Mr. ROSS HUTCHINSON replied:

- (1) Departmental water softening plants have been installed at Albany and Esperance.
- (2) Albany—Capital cost of three units \$107,000. Annual operating costs are of the order of \$20,000. Esperance—Capital cost of two units \$70,000. Annual operating costs are of the order of \$10,000.
- (3) None.

NATIVE WELFARE DEPARTMENT LAND

Canning and Gosnells

39. Mr. BATEMAN asked the Minister for Native Welfare:

- (1) Does the Native Welfare Department own land in the Canning and Gosnells Shire Councils?
- (2) If "Yes," when is it anticipated homes will be built?

Mr. NALDER (for Mr. Lewis) replied:

- (1) Yes.
- (2) Contracts have been let with completion dates approximating the end of January, 1969.

HOUSING

Forrestfield Area

40. Mr. BATEMAN asked the Minister for Housing:

- (1) Does the State Housing Commission have homes available in the Forrestfield area?

- (2) How many State Housing Commission homes is it anticipated will be built in this area?

Mr. O'NEIL replied:

- (1) The commission has erected 92 purchase homes, 35 rental homes, and five war service homes at Forrestfield. There are no houses vacant at present.
- (2) No further land suitable for building is at present available but feasibility studies are in progress regarding the possible utilisation of approximately 100 acres comprising the old gravel pits. This area has been set aside by the Lands Department for possible future commission use.

41. *This question was postponed.*

HOUSING

Kenton Way, Calista

42. Mr. TAYLOR asked the Minister for Housing:

Re houses at—

- (a) lot 38—No. 26 Kenton Way, Calista;
- (b) lot 34—No. 44 Kenton Way, Calista;
- (c) lot 203—No. 45 Kenton Way, Calista—

- (1) Were the above-mentioned houses in the Kwinana Shire built for the State Housing Commission?
- (2) Are these houses still owned by the commission?
- (3) If "Yes," on what date was each house completed ready for occupancy?
- (4) On what date was each house first rented to a tenant?
- (5) Who were the tenants in each case?
- (6) What, in each case, was the date of application to the commission for tenancy of a State Housing Commission house of each of the tenants?
- (7) What, in each case, was the priority on the State Housing Commission lists of each of the tenants in question?
- (8) (a) Have each of these houses yet been physically occupied;
- (b) if "Yes," on what date was each physically occupied;
- (c) if "No," why, in the light of extreme shortage of State Housing Commission rental homes, have any or all of these homes not yet been occupied?

Mr. O'NEIL replied:

- (1) to (8) These houses, which were completed in July, 1967, were erected by the State Housing Commission for C.S.B.P. and Farmers Ltd., with funds provided by the company. As the owner, the company, controls the letting of the properties, the information requested in (4) to (8) is unknown to the commission.

TRIPLEX DWELLINGS

Inclusion in Residential Zones

43. Mr. GRAHAM asked the Minister representing the Minister for Town Planning:

- (1) Has a decision yet been made to include triplex dwellings in general residential zones?
- (2) If so, what are the terms of the by-laws?
- (3) If not, when can a decision be expected?

Mr. NALDER replied:

- (1) The Building Advisory Committee has commenced investigation to prepare a draft amendment to the by-laws for triplex dwellings.
- (2) The draft is at present being investigated.
- (3) When all aspects of the draft have been investigated by the Local Government and Town Planning Departments.

44. *This question was postponed.*

MITCHELL FREEWAY

Earthworks and Structures

45. Mr. BURKE asked the Minister for Works:

Would he advise the estimated height above the river high watermark of earthworks and structures of that part of the Mitchell Freeway to be constructed on land reclaimed from the river?

Mr. ROSS HUTCHINSON replied:

Earthworks vary in height between 2 feet and 38 feet above high watermark—flood level—and structures vary in height between 17 feet and 58 feet above high watermark.

BASIC WAGE

Adoption, Discontinuance, and Adjustments

46. Mr. BRADY asked the Minister for Labour:

- (1) When was the basic wage first adopted by the State Arbitration Court?

(2) When was the basic wage dropped from wage fixation in Western Australia?

(3) When were quarterly basic wage adjustments dropped by the State Arbitration Court?

(4) What was the amount of the last annual basic wage declared by the Arbitration Court?

(5) What wage is at present used by the Arbitration Court in lieu of the basic wage?

Mr. O'NEIL replied:

(1) The Western Australian Court of Arbitration first declared a basic wage on the 14th June, 1926. This basic wage had effect as from the 1st July, 1926.

(2) The basic wage still remains an integral part of the wage structure in Western Australia.

(3) The Western Australian Court of Arbitration was replaced by the Western Australian Industrial Commission by Act No. 76 of 1963. Both authorities had a discretionary power to adjust the basic wage quarterly from 1931 until 1966.

The basic wage was not always adjusted quarterly during this period.

(4) In October, 1966, the Western Australian Industrial Commission declared a basic wage of \$33.50 and on the 1st July, 1967 declared a special loading of 60c which in effect provided a primary wage, exclusive of margin, of \$34.10.

(5) There is still a State basic wage.

TUNA FISHING AT FREMANTLE

Port Facilities for Japanese Craft

47. Mr. FLETCHER asked the Minister representing the Minister for Fisheries:

(1) How many Western Australian fishing craft fish for tuna 1150 miles south-west of Fremantle where the *Seishin Maru* No. 8 caught fire?

(2) How many Fremantle boats fish for tuna in the general locality of Fremantle?

(3) Since an estimated 300 Japanese craft do catch tuna in an area off our coast over which the State or the Commonwealth have no control—

(a) did he at the recent Canberra Fisheries Ministers' Conference bind this State to a policy of denying Western Australian port facilities to these craft and crews; and

- (b) did he deny the Port of Fremantle and the State the fringe benefit of the estimated \$325,000 mentioned in *The West Australian* of the 10th September, 1968?

Mr. ROSS HUTCHINSON replied:

- (1) Nil.
- (2) Nil.
- (3) (a) and (b) No.

MILLEN SCHOOL

Slow Learners: Enrolments

48. Mr. DAVIES asked the Minister for Education:

- (1) How many students can the Millen Special (slow learners) School accommodate?
- (2) How many students are currently attending this school?
- (3) From what districts are the students drawn?
- (4) Are there any slow learning children capable of benefiting from schooling debarred from schools, either in the metropolitan or country areas?

Mr. NALDER (for Mr. Lewis) replied:

- (1) 80 students at the main school in Carson Street and 27 in the annexe at Welshpool.
- (2) 68 at Millen and 24 at Welshpool.
- (3) Morley.
Bayswater.
Claremont-Subiaco.
Belmont.
Cannington.
Armadale.
Riverton-South Perth.
Victoria Park.
Midland.
- (4) No children capable of benefiting from schooling are debarred from schooling. However, a small number of metropolitan children are currently on a waiting list. They will be admitted as soon as practicable.

Difficulties in arranging boarding accommodation are experienced in the country. This situation will be eased with the opening of the Slow Learning Children's Group Hostel in Albany.

SUPERANNUATION

Updating of Entitlements

49. Mr. BURKE asked the Premier:

- (1) In view of the continued spiral in the cost of living which has accentuated the inadequacy of provisions made in amendments to the Superannuation and Family

Benefits Act in the final session of the 25th Parliament, would he advise whether the Government has investigated any new updating of State superannuation entitlements?

- (2) If so, will the necessary legislation be introduced in the present session?

Mr. BRAND replied:

- (1) Yes. The investigation is not yet complete.
- (2) Every endeavour will be made to introduce legislation this session, and I am certainly interested in having that legislation introduced.

HIRE-PURCHASE TRANSACTIONS

Number and Value

50. Mr. BERTRAM asked the Minister representing the Minister for Justice:

- (1) Is any record maintained as to the number and/or value of hire-purchase transactions which occur in Western Australia annually?
- (2) If "Yes"—
 - (a) who keeps the record; and
 - (b) how many such transactions have occurred in each of the three years ended the 30th June, 1968, and/or what was the value thereof?
- (3) If "No," what is the estimated number of such transactions which occurred in Western Australia during each of the three years ended the 30th June, 1968, and/or the value thereof?

Mr. COURT replied:

- (1) Yes.
- (2) (a) Commonwealth Bureau of Census and Statistics.
(b)

	Number of agreements	Value of goods \$
Year ended the 30th June, 1966	120,200	1 00,900,000
Year ended the 30th June, 1967	128,200	104,300,000
Nine months ended the 31st March, 1968	105,300	88,000,000
- (3) Estimated number of agreements and value of goods for three months ended the 30th June, 1968 are—

	Number of agreements	Value of goods \$
	32,000	27,000,000

LOTTERIES COMMISSION

Advertising of Consultations

51. Mr. CASH asked the Chief Secretary:

- (1) Are the advertisements relating to the various consultations conducted by the Lotteries Commission prepared by officers of the commission or an advertising agency?

- (2) Who would give the final approval to the general theme used in the advertising of the current \$150,000 Syndicate Special Lottery?
- (3) Does he approve of the use in the advertising for this special lottery of a general theme depicting persons armed with sawn-off shotguns and other dangerous weapons and obviously characterising a gang syndicate which included two of America's most ruthless criminals, Bonnie Parker and Clyde Barrow?
- (4) If "Yes," why not depict in the advertisements Australian bush-rangers such as the Kelly gang?
- (5) If "No," will he take action to prevent any repetition of this type of advertising by the commission, which is responsible to a Government pledged to maintain and uphold law and order in the community?

Mr. O'CONNOR (for Mr. Craig) replied:

- (1) An advertising agency.
- (2) The commission.
- (3) The Minister's approval is not asked for. An advertising agency is employed to devise methods of selling tickets to the advantage of charities in this State. It is a matter of opinion whether the advertisement referred to is effective or in good taste.
- (4) It is taken that this question is facetious.
- (5) The question asked by the honourable member will be referred to the commission.

ROYAL MINT

Employment Conditions and Future Use

52. Mr. BURKE asked the Premier:

- (1) Does the Government agree with the principle of arbitration?
- (2) If "Yes," why would it not recommend to Her Majesty that the Royal Mint be brought under the Industrial Arbitration Act?
- (3) Is the Government prepared to recommend to Her Majesty that long service leave be paid to Royal Mint workers in the same manner as State Government employees?
- (4) Can he inform the House if, after the 30th September, 1968, the Royal Mint will be used as a gold and silver retort?

Mr. BRAND replied:

- (1) Yes.
- (2) The Government cannot make such a recommendation because the workers at the Royal Mint

are legally employed by the Imperial Government and cannot be bound by the Western Australian Industrial Arbitration Act any more than employees of the Commonwealth Government can.

- (3) No. I understand that representations have been made in this regard on several occasions in the past and refused. Temporary employees receive payment in lieu of long service leave calculated on exactly the same basis as State Government employees. Permanent employees have been refused long service leave on the grounds that they receive certain benefits under the British Superannuation Act, 1934-1956.
- (4) I am not in a position at this stage to give an indication of what might be the future of the Royal Mint.

QUESTIONS (2): WITHOUT NOTICE

HIGH TENSION CABLES

Crossing over Swan River

1. Mr. TONKIN asked the Minister for Electricity:

Will he advise what is the present position regarding the proposal of the State Electricity Commission to have power lines across the Swan River?

Mr. NALDER replied:

The position is still being considered by Cabinet.

TRAFFIC HAZARD

Canning Highway-Barker Avenue Intersection

2. Mr. MAY asked the Minister for Works:

- (1) Is he aware of the dangerous traffic hazard which currently exists at the intersection of Canning Highway and Barker Avenue, South Perth, following the recent erection of a median strip?
- (2) If so, will he advise what action is contemplated in an endeavour to rectify the present unsatisfactory position?

Mr. ROSS HUTCHINSON replied:

- (1) Construction work is at present in progress at this site for the installation of traffic signals and no additional hazard exists other than that which may be expected at any construction site.

Proper signing of the works has been undertaken and observation by motorists of these signs allows safe negotiation of the section.

- (2) The installation will be completed as soon as possible, although some delay has been experienced in completion of the surfacing and marking of the roadway owing to wet weather.

DOOR TO DOOR (SALES) ACT

Amending Legislation: Grievance

MR. MAY (Clontarf) [5.4 p.m.]: I wish to project a matter which I feel should be brought to the notice of the House. In this instance my grievance is in connection with door-to-door salesmen. I refer to the unethical, high-pressure methods adopted by these salesmen.

It will be recalled that back in 1964 I introduced a Bill successfully into this House to restrict the activities of this type of high-pressure salesman; and, whilst I did say I was successful, I would like to add that it was not successful inasmuch as the original intent of the Bill was mutilated to such an extent it has created subsequently a considerable amount of confusion.

Briefly, I would like to go over some of the matters which have come to my notice since 1964. So that members will be conversant with what I did at that time, I shall quote portion of my speech from *Hansard* of the 9th September, 1964, as follows:—

Firstly I would like to thank the members on both sides of the House for allowing me to introduce the Bill at this stage. The main purpose of the measure is to safeguard certain credit agreements induced by high-pressure itinerant salesmen.

I believe that this Bill will meet what has become a real problem, where people who are not trained to resist specialised canvassers, frequently commit themselves to expenditure beyond their means and ability to pay, sometimes paying prices greatly in excess of the value of the purchases they intend to make. Where people are high-pressured into contracts it is my considered opinion that they should be given an opportunity to deny the contracts upon reflection.

As I indicated in that speech "upon reflection" was a provision in the Bill to allow a cooling-off period of seven days.

When the Bill was originally introduced into the House its provisions covered all types of goods but, unfortunately, the Government saw fit to amend the legislation to cover only books, magazines, and lithography. Since the Act was promulgated in January, 1965, there has been an increased spate of high-pressure salesmanship in the metropolitan area and in the State generally; and the confusion which exists over the interpretation is what I desire to bring before the House as a grievance.

Quite a number of high-pressure salesmen have been going round to householders in an endeavour to convince them of

the merits of the goods they have to sell, and if the householders do not want to enter into a contract, or if they would like to have another look at it, the salesman says everything is all right because under the Door to Door (Sales) Act people have a seven-day cooling-off period in which to sign the contract or have another look at it. They tell people that if they do not wish to carry on with the contract they can send the goods back.

People have been openly signing contracts feeling they have this seven days' coverage. But at the end of seven days when a woman has had a good look at a contract and discussed it with her husband and finds she does not want the goods, she takes them back. However, the firms say it is no good her bringing the goods back because they are not covered by the Door to Door (Sales) Act. This is something which I feel should be taken into consideration by the Government.

I recently asked several questions of the Minister representing the Minister for Justice as follows:—

In view of the increased activity of high pressure unethical salesmen selling various types of kitchenware, etc.—

- (1) What consideration has been given to providing legislative protection?
- (2) Have any steps been taken to extend the provisions of the Door to Door (Sales) Act to cover all types of goods?
- (3) If not, will he give consideration to this matter during the current session of Parliament?

The answer I received was that the matter of consumer protection is under consideration by the Standing Committee of Attorneys-General. That was also the answer I received in 1964; so this standing committee has been considering the matter for four years! There is obviously something wrong.

Mr. O'Connor: Have many cases been referred to the police or to the C.I.B.?

Mr. MAY: Cases have been reported to the police; but I am going to refer to the Ombudsman who reports in a daily newspaper. I have a number of cases to disclose. Over 100 cases have been reported to the Ombudsman during a period of two to three years; and these cases can be associated with the door-to-door selling provisions of the Act.

I have also recently received a considerable number of complaints. There was an advertisement in a Sunday newspaper advising people to send complaints to me and, since then, I have been flooded with this type of complaint. I was in a position to talk to a supplier and I was able to convince him that the contracts had not been made in the best interests of the people

concerned; and, in some instances, there have been retractions of the agreements. However, this does not always happen.

It is all right for the Minister for Transport to ask, "How many cases have been referred to the police?" but a lot of people do not wish to go to the police, as they feel they have foolishly entered into something and they do not wish to bring the matter under notice. If, however, they write to a newspaper they can use a *nom de plume* and so bring the matter forward.

I feel that at this point of time there is a case for the provisions of the Act to be amended so that it will provide a coverage for all goods. This would enable salesmen to go around to householders and legitimately sell their goods without any worry on their part or on the part of the householders. Some salesmen to whom I have talked have said they would welcome the fact that there would be unrestricted sales at the door and that the people to whom they were selling would be fully covered.

If salesmen are prepared to accept this, I am sure there is every justification for the provisions of the Act to be amended. Not all salesmen come within the bounds of unethical salesmanship. Those who do are the minority, but unfortunately those comprising this minority are going round peddling their wares to unfortunate individuals.

It is the proletariat that requires this protection. Usually the affluent person is academically in a position to interpret a contract and understand it before entering into an agreement. On the other hand, there is the ordinary person who is simply trying to obtain something for his home in order to improve his position. The only way for him to do this is to accept something at the door; and, after a fair bit of talking by the salesman, this type of person signs a contract to find out later he is tied down to an agreement.

The situation has recently been accentuated by the development that is taking place in the north. A considerable number of husbands, or breadwinners, have gone north in an endeavour to earn more money to provide for their wives and families, and the seven days cooling-off period is insufficient for a wife to get in touch with her husband. So, since 1964, there is sufficient justification for the Act to be amended, and I sincerely hope the Minister representing the Minister for Justice in this House will give this matter some consideration.

The SPEAKER: Order! The honourable member's time has expired.

MR. COURT (Nedlands—Minister for Industrial Development) (5.13 p.m.): On behalf of the Minister for Justice, I would like to briefly comment on the remarks made by the honourable member.

None of us condone unscrupulous tactics; and, when the honourable member introduced his legislation, the Government made it quite clear that it would keep the matter under review.

The Minister for Justice, through my answering on his behalf, made this very clear when the honourable member asked whether it was proposed to introduce amending legislation during this session. The answer I gave, on behalf of my colleague, was, "Yes, if sufficient complaints are received by departments." That answer still stands.

I presume the honourable member has forwarded his information and complaints to the Minister for Justice, in which case I shall take an early opportunity to discuss the matter with my colleague to ascertain the nature of the complaints.

I wish to make one point: Try as hard as we will in this Chamber to legislate to protect people, there will always be some we cannot protect. These people will not say, "No," and part of the job we have to undertake is that of education so that they will learn to not take on commitments which are beyond their means.

It is not always easy to say, "No," to some of the high-pressure boys; but the fact the honourable member has brought this matter up a number of times in Parliament could well be an educational medium. This will probably achieve more results than a Statute. In my experience, no matter how tight a Statute might be, somebody will always get around it.

DIESEL PASSENGER SERVICE

Northam to Perth: Grievance

MR. McIVER (Northam) (5.15 p.m.): I utilise this period to speak on behalf of the people of Northam and surrounding districts, and to support them in their claim for a modern diesel service to operate between Perth and Northam. Not a week passes that my phone does not ring or someone does not come to my door to pursue this issue.

Let us examine what has motivated the concern of the people of Northam in relation to this matter. The mode of transport available to them at the moment is the railway bus. This has, over a time, proved most unsatisfactory, and I place before the House the reasons for this state of affairs.

Firstly, people who have to attend the city to visit doctors and specialists, and for other reasons, must travel down the day before their appointment because the present service does not allow them to do otherwise. This is a ridiculous situation in a town which is situated only 60 miles from the capital.

In the past—and as recently as this year—buses have broken down, thus creating a delay of five and six hours. Good

heavens! I think the Israelites had a better mode of travel when they went to the promised land under the direction of Moses; and I am sure they were better looked after than are the people of Northam.

When the Avon Valley route was opened the people of Northam were debarred from all passenger services. They could not utilise the Kalgoorlie express or the Albany express, although a station, which cost the people of this State thousands of dollars, had lain idle for months. Following representations by my predecessor (Mr. Hawke) to the Minister, the latter agreed to allow the people of Northam to journey down on the Kalgoorlie express and return on the Albany express. Before this, the people had to be transported by bus seven miles from the town. On many occasions when people travelled on the Albany express, they had to crawl on their stomachs under the stationary train and over the couplings.

I still shudder to think what the situation would have been had the train on any occasion moved off. I would hate to have been in the commissioner's shoes if there had been a fatality under those circumstances. What I am saying is factual.

The situation to which I have referred is ridiculous in a modern State which is supposed to be on the move. Despite all our modern transport, this is what the people of Northam are facing. There is nothing to stop the Government introducing on Monday morning a modern diesel service to run between Northam and Perth. Half the time this section of line lies idle. It is beyond my comprehension why there is a reluctance to introduce the diesel service to replace the service that prevails today.

Many of the people concerned are up in arms about the matter. They leave Northam on the bus and are diverted to Wundowie and Wooroloo, and instead of getting to their business or medical appointments on time, they spend anything from two and a half to three hours to complete their journey. If a diesel service from Northam to Perth was introduced, these people could be down here in one and a half hours. That is, of course, if the train was travelling at normal speed. However, I have no hesitation in saying that this speed could be increased—the same as it has been in the south-west—to 50 miles an hour and the travelling time reduced still further.

If ever a demand for a service were justified, it is this demand by the people of Northam. I do not know why the Government wants to keep the Avon Valley route a secret. It is nothing to be ashamed of and the Government has nothing to apologise for in connection with it. The terrain is most picturesque, and I do not know why the Government wants to prevent people from seeing it and utilising the

route. It is one of the greatest attractions in Australia at present, and why people should be debarred from using this route, I do not know. I know people would come from far and wide if a service were opened. They would leave their cars in Northam and travel on the train and then return in the evening to their cars and so to their respective homes.

I respectfully request the Minister for Railways to go expeditiously into this matter and consider it in its right perspective. At present those in Northam are debarred from utilising modern transportation. If the Minister will correct this situation, he will be rendering to the people of Northam justice to which they are entitled.

MR. O'CONNOR (Mt. Lawley—Minister for Railways) [5.21 p.m.]: I think the honourable member over-simplifies this matter. The Government is always prepared to study any separate railway passenger set-up. However, we must, of necessity, do this not only from the point of view of giving a good service to the public, but also from the point of view of the economics involved.

It must be borne in mind that the taxpayers must bear something like a \$4,500,000 loss on the railways annually, and over \$2,500,000 of this amount involves passengers throughout the State. It must be realised that to run a bus or train willy-nilly, without giving thought to the economics of the situation, places the taxpayers in a worse position than they are in already.

The honourable member said that the rail buses to Northam are not satisfactory. I might say that I have not heard any comment, to any degree, to substantiate the information he gives.

Mr. McIver: Have a ride on one then.

Mr. O'CONNOR: I have done so, and I believe they are very good buses, operated very well by efficient men. They do a good job. I do not know whether the honourable member believes the buses are not good or that they are driven badly. When purchasing these buses, the department takes everything into consideration and buys what I believe is first-class equipment. The department also employs first-class drivers, and they do a good job.

Many of the buses running to some country areas are fully air-conditioned and are up to a standard as good as anything I have seen throughout the world. If the honourable member could give some guarantee that a certain number of people would utilise a diesel service if it were established, the Government would have a look at it. However, we have found that on many occasions when a train is put into operation to a country town, the patronage is not sufficient to go even

half-way towards meeting the cost of the service.

Mr. McIver: We would pack it, even if we had to kidnap half the town.

Mr. O'CONNOR: That may be so. However, if the honourable member could supply factual information in connection with this matter, we would certainly study it, but with two things in mind: rendering a service to the community, and the resultant burden on the taxpayers.

Resolved: That grievances be noted.

PARLIAMENTARY SALARIES

*Correction of Press Statement:
Personal Explanation*

MR. FLETCHER (Fremantle) [5.24 p.m.]: I would like leave of the House to make a personal explanation.

Leave granted.

I wish to correct a Press statement on page one of tonight's *Daily News* under the heading, "Opinions Divided on M.P. Pay Rises." I point out that my opinion was sought per telephone this morning, and I am on record as having said—

Fremantle M.L.A. H. A. Fletcher: "I am gratified that an independent tribunal made the decision to increase wages, as distinct from previous practice where the Government made the decision."

This is correct, with the exception of one important word. I did not use the word "Government." I used the word "Parliament" in the context that I believed the previous system to be wrong where parliamentarians determined their own salaries and conditions by way of legislation, while telling those they represent to go to arbitration to improve theirs. I hope I have corrected that Press misrepresentation of my remarks.

BILLS (6): RETURNED

1. Rural and Industries Bank Act Amendment Bill.
2. Dried Fruits Act Amendment Bill.
3. Road and Air Transport Commission Act Amendment Bill.
4. Artificial Breeding Board Act Amendment Bill.
5. Commonwealth and State Housing Agreement Act Amendment Bill.
6. State Trading Concerns Act Amendment Bill.

Bills returned from the Council without amendment.

BILLS (2): RECEIPT AND FIRST READING

1. Local Government Act Amendment Bill.

Bill received from the Council; and, on motion by Mr. Nalder (Minister for Agriculture), read a first time.

2. Motor Vehicle (Third Party Insurance) Act Amendment Bill.

Bill received from the Council; and, on motion by Mr. Brand (Premier), read a first time.

NICKEL REFINERY (WESTERN MINING CORPORATION LIMITED) AGREEMENT BILL

Third Reading

MR. COURT (Nedlands—Minister for Industrial Development) [5.29 p.m.]: I move—

That the Bill be now read a third time.

I want to answer two queries raised by the member for Cockburn. The first was in connection with the intrusion of what he referred to as a finger of land into the greenbelt area. The situation, as I understand it is that the company was given approval to fill up to the 65-foot contour. This involved some clearing. Incidentally, I might mention that the company asked to go to a higher level, but the request was refused after consultation with the parties concerned. The company is obligated to undertake a tree-planting scheme to rehabilitate this area, and it will not be very long before it will have completed its use of this particular area.

The second point is in connection with the rates under clause 3 (8) of the agreement. As I promised, I checked this morning and found that the negotiations between the company and the shire have not been completed, but there is every intention on the part of the company to work out what is an amicable arrangement; and the good offices of the Department of Industrial Development have been offered to make an assessment of what would be the ratable income, had the company not made this agreement, and had the original owners remained in possession of their land.

Question put and passed.

Bill read a third time and transmitted to the Council.

TWO-PART WAGE

Restoration: Motion

MR. TONKIN (Melville—Leader of the Opposition) [5.32 p.m.]: I move—

In the opinion of this House legislation should be introduced this session of Parliament to restore the concept of a wage divided into two parts, viz., one part to be subject to cost-of-living adjustments and the other part to reflect the relative skills of the workers.

When I gave notice of this motion I was unaware that the Minister either had made a statement of the Government's intentions, or was about to make a statement,

but I was aware that the question had been submitted to the Minister some little time ago. Of course, the fact that a matter has been before the Government for consideration is no criterion that it will be dealt with, or dealt with expeditiously.

We had the statement of the Minister for Industrial Development that the proposal of Hamersley Iron to promulgate by-laws for the Port of Dampier was received by his department and forwarded to the Crown Law Department in December, 1966. However, 22 months have elapsed and no decision has been made on a simple question of that kind. So it is understandable that with a matter of policy such as a basic wage proposal going at the same pace, the next election could well be upon us before the Government made any decision at all.

In view of that we on this side of the House had no hesitation in proposing this motion, the purpose of which is to indicate our thoughts to the Government so that when it gets round to doing something in connection with the matter, it may be persuaded to take a more realistic view of the situation and to bring in something more in line with the requirements of the State.

The question of wage fixation is one which has exercised the minds of industrialists, judges, scholars, and economists the world over, and many methods have been utilised from time to time to try to provide a method by which some semblance of wage justice could be given to the great body of workers.

It is undeniable, I think, that wages—and I use the word “wages” inclusive of salaries—are by far the largest category of income in any industrialised community and, therefore, if the wages are not justly adjudicated upon, a very serious situation can arise in connection with the economy and have not only an adverse effect upon the economy, but also a very disastrous effect upon the lives and the welfare of a big body of people.

Wage policies, we feel, need to be accompanied by appropriate measures relating to other incomes. In some countries Government pricing policies are sometimes utilised in conjunction with wage fixation for the purpose of endeavouring to bring about some stability in the economy and to ensure that wages, when fixed, will not be immediately eroded by increases in the cost of living.

It is the practice in some countries to utilise the system known as collective bargaining; and it is the normal practice in those countries where there is a high degree of workers’ and employers’ organisations to agree upon the wages to be paid in any particular industry. The countries which are currently doing that are the Scandinavian countries: Denmark, Norway, and Sweden. I think it is a basic

principle, surely, that earnings should rise in at least the same proportion as the cost of living.

If the Government takes steps which result in the freezing or holding of wages so that they cannot rise along with the rises in the cost of living, then the Government is responsible for a reduction in living standards, and that is precisely what has happened following the action of this Government in 1966.

As I proceed, I shall show the large amount of money which has been lost to the workers in a day—another way by which they have been deprived—because the basic wage at the time was frozen and the power of the court to make quarterly adjustments was removed. At the time the Government did this it could not anticipate that the Federal court would subsequently abolish the basic wage and come out with a total wage which would immediately cause complications so far as the application of State law was concerned; and one would have thought that the Government would have immediately given attention to this question.

When the State basic wage was frozen in 1966 the then wage was \$33.50 and, ordinarily—if quarterly adjustments had been permitted—as the cost of living continued to rise there would have been adjustments to that wage to ensure that there was no erosion of the standard of living.

Mr. O’Neil: Not “there would have been,” but “there may have been.”

Mr. TONKIN: I say there would have been. I have the consumer price indices in front of me not only for this State, but for all the States, and these show a gradual and continual rise in the cost of living from the time the basic wage was frozen. There is a difference of opinion as to whether the greater advantage to the economy is to be obtained from making quarterly adjustments to the wage, which would necessarily be smaller amounts, compared with making a yearly adjustment of a larger amount.

We hold the view that it is fairer to the workers to give them a quarterly adjustment, because wages, except in times of depression, are invariably lagging behind prices. I can recall that years ago, when prices were falling, the Government of the day was quick to enact legislation to reduce the period which elapsed before variations were made. That Government—naturally, because of the attitude it took, it was a Liberal Government—considered it was wrong to have a wage fixed on a yearly basis, and thus have to wait 12 months to catch up with falling prices and so reduce the wage. Legislation was, therefore, brought to Parliament—Sir James Mitchell was the Premier at the time—in order to reduce the period.

When it goes the other way, and wages are lagging behind prices, a Government of the same complexion is, of course, anxious to retard the wage fixation and to keep the wages as far behind rising prices as possible, and so we get the result which obtained here in 1966 when the basic wage was frozen and the power to make quarterly adjustments was taken from the court. When the Commonwealth court made its award of \$1, the unions here attempted to derive some advantage from that, because the Government had previously said its objective was to hold the State basic wage until the Federal wage caught up with it, and then the two wages could move forward together.

When the Commonwealth court made its award of \$1 and abolished the concept of the basic wage, the situation was a complicated one. The unions were entitled to expect that they would get some benefit from the \$1 increase. However when they approached the court they received only 60c. We feel there should be a return to the concept of having a basic wage which will provide a reasonable living standard for a man and his family, and there should be superimposed upon that another amount awarded according to the relative skills of workers in various sections of industry.

It is interesting to consider what the then chairman of the Industrial Commission had to say when speaking on behalf of the commission in a judgment which was given in December, 1965, on the question of whether it was advantageous to the economy to make quarterly adjustments of small amounts in preference to yearly adjustments of larger amounts. As this is very important and germane to what I am saying, I propose to quote from the *Western Australian Industrial Gazette*, page 942, on the 1st December, 1965. The chairman said—

Quarterly Adjustments and Price Movements.

The question whether frequent adjustments by means of quarterly movements of relatively small amounts contribute to price increases to a greater extent than adjustments of larger amounts at annual or less frequent intervals is one on which no definite conclusion appears possible. However, it is of interest to compare price movements in W.A., where quarterly adjustments have been fairly consistent, with those of other States coming under Federal jurisdiction, where less frequent and larger wage movements have occurred.

Taking the 1950 basic wage as the starting point, that being a time when all basic wages throughout the Commonwealth were increased by approximately the same amount, and could be related to the September Quarter in-

dex figures, the situation is as follows. In W.A. the basic wage was then £8 6s. 6d. and since that date there were ten variations on a quarterly basis up to and including August, 1953, and, including the present adjustment, 32 movements on a quarterly basis since 1953, making a total of 42 variations. These adjustments, including a very slight addition to real wages following the General Inquiry of last year, have increased the basic wage to £15 19s. 7d., an increase of £7 13s. 1d.

Under Commonwealth jurisdiction there were ten variations on a quarterly basis up to and including August, 1953, following which quarterly adjustments were abolished. Since that date there have been six variations to the basic wage brought about by inquiries at intervals of a year or more. These sixteen movements have brought the Federal basic wage (Six Capital Cities) from £8 2s. in 1950 to £15 8s., an increase of £7 6s.; Sydney £8 5s. to £15 15s. (increase £7 10s.); Melbourne £8 2s. to £15 7s. (increase £7 5s.); Brisbane £7 14s. to £14 10s. (increase £6 16s.); Adelaide £7 18s. to £15 3s. (increase £7 5s.); Hobart £8 to £15 14s. (increase £7 14s.).

If quarterly adjustments are a greater contributing factor to price increases than the less frequent movements resulting from the Commonwealth determinations, then one might expect that price movements in Western Australia over this period would be greater than other States. However, such is not the case, as the following figures indicate:—

I do not propose to read those figures, but Commissioner Schnaars then set out the figures showing the consumer price index for each of the capital cities, including Perth. Then he set out the actual increases. Without quoting all the figures from September, 1950, to September, 1965, I shall just read the percentage increases to illustrate the point the commissioner was making. The figures are as follows:—

Percentage Increase in Prices as Indicated by the Consumer Price Index.

	Increase per cent.
Perth	86.5
Six Capitals	92.1
Sydney	90.5
Melbourne	94.8
Brisbane	96.4
Adelaide	87.2
Hobart	99.7

So Western Australia had the lowest percentage increase of any capital city and, naturally, was below the figure for the six capitals. Mr. Schnaars went on to say—

Prices have increased less in Western Australia, where quarterly adjustments have been fairly consistent, than they

have in other States where, in line with Federal determinations, quarterly adjustments have been abolished, and have been less than in South Australia, where a form of price control has continuously applied.

May I break in at this point to emphasise that even in South Australia, where there is a form of price control in operation, the control did not prevent the rise in the consumer price index in that State from being more than the rise in Western Australia.

In my view, whilst it is not a conclusive argument, it points strongly to the fact that quarterly adjustments are more readily absorbed into the economy, because employers are not impelled to the same extent to add the increase to their prices as they feel they are when the increase is granted on a yearly basis, or is more substantial. Putting it another way: If the increase amounts to only a few cents, employers feel it is in their interests to absorb it and not bring about a price rise, but if the increase is more substantial they hesitate to absorb it, believing their profits will disappear in the process, and that, therefore, they cannot afford to absorb a large increase.

So we get a price rise which has a sort of snowballing effect and which causes a general rise in prices throughout the economy. This immediately has the effect of eroding the living standard, and, of course, of working adversely against the working man. Mr. Schnaars went on to say—

I recognise that there are so many factors which contribute to price movements that the foregoing does not entitle one to arrive at a definite conclusion, but nevertheless they entitle one to doubt whether the abolition of a discretionary power in relation to quarterly adjustments, which would then be replaced by the less frequent but larger periodical movements as applied under Federal jurisdiction, would prove as beneficial to the economy as some theoreticians would assume.

There may well be some justification for the line of thought which suggests that smaller and frequent wage adjustments can be better absorbed within the technical improvements which are so closely associated with increased productivity, than the less frequent but larger wage movements which psychologically prepare the way for the least line of resistance by the application of price increases.

It would be well worth while to read the whole of this section on this point, but I do not propose to do that. It is there for anybody who is sufficiently interested to read it, but I suggest to the Minister for Labour that he is one who should read it.

Mr. O'Neill: I have read it many times.

Mr. TONKIN: Apparently the message has not got home yet, so the Minister should read it again, and several times more, if necessary, because in my view there is a great deal of wisdom in what is expressed in that judgment.

From practical experience we know that employers do not readily rush to increase prices because there has been an increase in costs. The wise and able employer knows full well that if he can improve his efficiency and keep his prices down he is more likely to increase his business against his competitors than if he follows the leader and increases his prices perhaps a little more than the increase made by his competitor. After all is said and done, one might look to the example of Tom the Cheap Grocer to see how a business can be built up if one creates the impression abroad that a saving can be made by dealing with such a firm.

So any employer who is in the position that he need not increase the price of his commodity despite an increase in wages, is definitely in a more advantageous position than his competitor who does not hesitate to load onto his price every adjustment made to wages. I suggest therefore, that this is a point of view which should commend itself to the Government. I consider the Government was very short-sighted in the action it took previously, and of course this has cost the workers quite a deal of money.

It cannot be gainsaid that the action of the Government in 1966 has brought about what must be characterised as a serious deterioration in the wage standards of the people of this State. The Government has made no attempt to check price rises. A week or two ago, when it was suggested in this House the Government might follow the lead of Victoria and impose some sort of restriction on rents, which continue to rise in Western Australia, the Government could not see that any benefit would be derived from such a procedure. In other words, it was not interested in controlling rents in this State, nor has it shown any interest in controlling prices. Its only interest has been to control and freeze wages.

As a result it has been computed that the wage for a male has been kept down to the extent of \$1.62, and for a female \$1.22, or, in other words, the Government has deprived the work force of a total of \$416,930 in one week; and, if this continued for a period of 12 months, with wages and prices remaining at the same level as are obtaining now, the loss to the work force would be \$21,680,622. That is a colossal figure which cannot be justified in any shape or form, and which is brought about by the fact that the wage was deliberately frozen and nothing was done to check the rise in the cost of living. This has resulted in the serious deprivation of something to which the workers were justly entitled.

Many years ago, when the system of arbitration was being developed and it was felt that, as a basis, there should be a living wage—this wage being fixed on the basis of a man, wife, and two children—it was said that industry should be prepared to pay a sum required to keep a man, wife, and two children on a reasonable standard of living, having regard to the worker's commitments.

If we accept that as being wise and just, surely we have to make some provision for the worker who passes through a system of apprenticeship, studies at a school of technology, and spends his own time in order to improve his skill and efficiency. Unless rewards are available to such a worker, it is inevitable that the efficiency of the work force will decline, because there will be no incentive for any worker to undergo a course of study to improve his capacity.

We then introduced a system of margins, under which we superimposed upon the base a further wage as an inducement and a reward, according to the relative skill of the worker who was to receive such payment. That brought about what is known as a margin for skill. Surely there could be no fairer way of fixing the wage so that those in the various spheres of industry and commerce could be rewarded according to the contributions they made to the general development.

Labour is a basic ingredient. Although some of my parliamentary friends on the opposite side may place a greater emphasis on the value of capital, I would point out that capital would not get very far without labour, and possibly labour would not get very far without capital. However, I would not agree that capital is of any greater value than labour, as I will show by this illustration: If a person was cast off on one of the coral islands and had a letter of credit for \$1,000,000 in his pocket, that would not ensure that he could continue to survive; but if he was not physically disabled, was able to get around the island, and was able to use his feet and hands, then I have no doubt that he would survive. That simple illustration shows that in the ultimate, when it comes to a showdown, the more important of the two is labour.

Mr. O'Neill: If the person survived long enough on the island that letter of credit would be very handy!

Mr. TONKIN: Of course it would, but if the person had to eat it then he would not last very long. I think we all agree that the ideal situation is that we should use the two conjointly. We have to have capital so that labour can be rewarded and be employed; but we have to recognise the importance of labour. Greater steps to ensure that labour is properly rewarded should be taken than are taken

to ensure that capital is properly rewarded, because those with capital can look after themselves.

Capital is not available unless one is prepared to pay a certain rate of interest, and those owning the capital fix the rate. On this question—I know that you, Mr. Speaker, will not allow me to pursue it very far, but will permit me to give an illustration—I wonder who gives the banks the permission to put up the rate of interest when it suits them, just because they want more for the capital they provide to industry. This happened quite recently, when the banks suddenly decided—irrespective of the contracts in existence, or of the arrangements made by home buyers with the banks in regard to the rate of interest they shall pay on their loans—to send out a notification that as from a certain date the rate of interest would be at a higher percentage.

Mr. Rushton: The Reserve Bank controls that.

Mr. TONKIN: But the worker cannot do the same thing. He is obliged to accept what is awarded to him by the court, when the court is allowed to make an award. When there is a Government such as this in office, which decides to take the power away from the court, then the situation is made even worse. Nobody in this House can deny that was precisely what this Government did in 1966. It took the power from the court deliberately, in order to remove the impact upon the Treasury following rises in the basic wage.

It was obvious, as the Government was not doing anything to check prices, that basic wage increases would follow as surely as night follows day. Knowing that, the Government took immediate steps to ensure that the wage would be held at the level where it was; but no such action was taken to ensure that prices were held at the level where they were, or to ensure there was no erosion of wage standards. The Government was not concerned with that aspect at all.

We feel that as a complicated system has arisen because of the total wage declaration by the Commonwealth court—and the legislation in Western Australia refers to a basic wage—this is the time to look at this subject fairly so as to get back to a reasonable method of fixing the wage. We on this side advocate it should be a basic wage subject to quarterly adjustments by the court, with a margin for skill according to the relative skill of the workers in the various sections of industry.

When the Minister for Labour made his statement to the evening Press yesterday and to the morning Press today, it would have been more enlightening had he stated in general outline what the Government intended to do about this question. I defy anyone to be able to do other than to guess. There is nothing in the statement

of the Minister which is of sufficient substance to provide the basis for logical thought to arrive at a conclusion.

Mr. O'Neil: You would be one of the first to complain if Parliament was not given the first opportunity to see the new legislation.

Mr. TONKIN: I would not deny that; but why did the Minister not withhold all his statement and tell Parliament the whole lot, instead of telling half of it?

Mr. Brand: We cannot seem to win!

Mr. TONKIN: I do not think the Minister would have said anything to the Press if my motion had not been coming forward at this stage.

Mr. O'Neil: It took you a long time to bring it forward. I made a statement over the A.B.C. about 10 days ago.

Mr. TONKIN: I did not think it was of much importance, because it did not mention anything about this matter.

Mr. Brand: Of course that remark applies to many statements made in this House!

Mr. TONKIN: I do not suppose the Minister will be drawn—even though he is now in the House and will not breach any privilege at all by telling us—into saying just what the Government has in mind, and whether it intends to adopt the basic wage concept with quarterly adjustments in accordance with the rise in the cost of living. If, in not meting out justice to the workers, it is a move on the part of the Government to extricate itself from certain difficulties of its own making, then we will have none of it. If the Government intends to take some action to control prices, and particularly rents, which are outrageous in many instances, then we might take a different view of the situation.

If the Government intends to do nothing about the existing situation and allows rents to go sky high and prices to continue to rise, then we feel in common justice that quarterly adjustments of the basic wage should be reintroduced, so that when the price index rises the wages can be brought up to that level of prices, to ensure there is no erosion of wage standards.

I do not know how anybody, particularly in what is supposed to be a State on the move, can expect the State to move forward at the expense of the body of wage earners. Surely with some people becoming almost millionaires overnight, the big body of workers—without whom capital can do very little—should be permitted to share in the prosperity to some extent. What we are asking for is that the big body of workers shall not be called upon to bear the burden. If prices are rising and wages are frozen, then it is the big body of workers who are carrying the burden. Why should they be working

at a loss, and at an increasing loss, whilst other people are making hay while the sun shines?

That is the case we, on this side, present. We say the position requires urgent attention. Enough damage has been done already, as will be seen from the figures I have quoted; and it is high time the Government gave this matter top priority by introducing legislation to correct the existing situation, and so mete out to the people of this State—the big body of wage earners, and I include salary earners among them—what is their just due.

Debate adjourned, on motion by Mr. O'Neil (Minister for Labour).

BARRACKS ARCH

Resiting: Motion

Debate resumed, from the 28th August, on the following motion by Mr. Fletcher:—

That in the opinion of this House, the Government should use finance and existing material available, for the purpose of more appropriately resiting the Barracks Arch, entirely or in part, at the foot of Barrack Street after which, it is understood, the street is named.

MR. I. W. MANNING (Wellington) [6.11 p.m.]: I am opposed—

The SPEAKER: Order! The people in the gallery must remain silent as they are leaving. The business of Parliament is still continuing.

Mr. I. W. MANNING: I am opposed to this motion submitted by the member for Fremantle.

The decision that the archway of the old Barracks should be preserved and should remain where it is was made in this House in 1966. An assurance has been given that the edifice which still stands in its original position will be given a face-lift and rehabilitated at an estimated cost of between \$22,000 and \$25,000. To demolish the archway now and to remove it from the present site would be, to say the least, to throw in the towel just when the opportunity is with us to see what can be made of it.

I am sure that if the task of beautification and preservation is taken in the right spirit, the archway will emerge as a structure of character and beauty, and this undoubtedly will prove to be a joy forever to the supporters of its retention. Very many people have worked and pressed hard for the archway to be preserved on the present site, and they are now keenly looking forward to seeing the restoration proposals being undertaken, so that we may all see what we really have. I do not know how any member of Parliament could vote to deny us of the opportunity of seeing a restored Barracks Archway.

Mr. Brand: I think that costs too much.

Mr. I. W. MANNING: It seems the general public is somewhat disinterested in whether or not the arch should remain. At the moment it appears this is an argument or a contest between the member for Fremantle and his supporters on the one hand, and the National Trust and the Western Australian Historical Society and their supporters on the other hand. It would seem to me that we in Parliament might be influenced by the view we have of the archway, and our degree of hostility towards it stems from what we are able to see when we look out of our office windows.

The SPEAKER: Before I leave the Chair I would remind members that the Minister for Works will be showing, in the members' common room at 6.50 p.m., a film produced by the Harbour and Light Department on boat safety. In view of the fact that the film might run a little longer than is anticipated I will now leave the Chair until the ringing of the bells.

Sitting suspended from 6.15 to 7.34 p.m.

Mr. I. W. MANNING: Before the tea suspension I was saying that I believed members are, to some extent, influenced by what they see of the archway when they look out of their office windows. I have some sympathy for the Premier in this regard, because from his window the archway is a rather horrifying sight. However, from my office I can see the top of the archway as it peeps over a very attractive treetop, and it looks all right to me.

Mr. O'Neil: The tree or the arch?

Mr. I. W. MANNING: It is not easy at the moment for a layman to imagine what the rehabilitation of the archway will achieve, but I feel confident that something very worth while will emerge. It looks all right to me from the Terrace.

When I spoke on the previous debate in 1966 I said I considered the archway should remain because, among other things, it is at the terminal of the Terrace, and it serves to turn the traffic left into Malcolm Street or, if necessary, to divide it from that which goes into Elder Street. If the archway were not there, then some other barrier would have to be erected.

Also the very building itself tends to blot out the freeway behind it and hide the scars on the Parliament House side of the cutting. It would, too, I think, serve to cushion the noise from the freeway which could be heard in the city or, at least, at the top end of the Terrace.

Particularly, however, I am kindly disposed towards retaining links with the past, and surely some part of the Barracks—we have only a small portion left—could be retained to illustrate some of the history of the State. History, I might mention, is a sequence of events over a long period of time. At some point we must be able to

look back on the events of the past, and the old archway certainly fills the bill in this regard.

It is even now of some value as a historical tourist attraction, and the further we go into the future the greater will be its value in this respect. The tourist is always looking for something different. No other capital in Australia has anything like King's Park, and no other Australian city has anything like the old arch. Why not let us make something of it; keep it where it is; tizzy it up a bit; plant trees around it; wave the national flag from its battlements; and let us be proud of it. Let us look as if we are proud of it, and then when the tourist comes he can truthfully say that Western Australia is different and that it is a place well worth visiting.

Mr. Court: I'll say it is different; but I do not think the tourist would come to see the arch.

Mr. I. W. MANNING: I say again that people do not really appreciate what the tourist looks for. He does not want to see something he has at home; he wants to see something different. I would go so far as to say that if we were to establish a roadway across the desert, the tourist would travel across it just to see what the desert looks like. If we have something other places do not have, then the tourist will come here to see it.

The value Parliament places upon historical things will be reflected in the community; just as the concern of the community for various problems is reflected in Parliament. If Parliament places value on the preservation of the arch, this will be reflected in the community and the people in the State will also see value in it.

If the motion of the member for Fremantle is carried with support from the Government side, I am afraid a great deal of misgiving will be created in the minds of members of the public and, in particular, in the minds of those earnest people who devoted so much time and energy in seeking to retain the arch and retain it on its present site. These people are now counting on Parliament to stand firm and insist on the Government going on with the proposed rehabilitation work.

In the arch, as I have stated before, I believe we have something that has character. It is historical and it is unusual. I believe it can be made beautiful. I am appealing to this House to preserve it on its site and make something of it. I am supported in this view, I know, by many qualified people, including town planners and landscape architects. I say again that if at this point of time we demolish the archway, even with a view to re-erecting it somewhere else, we will still be taking down something which is of value to us,

something which has the enthusiastic support of a great number of people in the community. I feel that if we did this, Parliament would be going back on a decision it has already made in respect of the arch, and I appeal to members to give very careful consideration before they decide the motion.

MR. W. A. MANNING (Narrogin) [7.41 p.m.]: I could not let the motion be decided too quickly, because I feel I should say a few words on it. There is no need to shift the arch. If some need, or some particular reason, existed for doing so—if it were in the way or obstructing something—there might be some merit in the motion put forward by the member for Fremantle. As a matter of fact, in his speech he really defeated his own motion because he described the arch as a lavatory in the desert. If it is a lavatory where it is, it will still be a lavatory in Barrack Street, if he has his motion.

(Laughter.)

Mr. W. A. MANNING: That is the English language; I cannot help it.

Mr. Court: This is a serious matter.

Mr. W. A. MANNING: When the previous decision was made, a public opinion poll was taken and the result was that 49 per cent. wanted the arch sited where it is; 35 per cent. wanted it demolished; and 5 per cent. wanted it removed. That is a very poor percentage on which to base a motion—5 per cent. There is no justification whatever for the honourable member submitting a motion of this nature.

Mr. Nalder: A lot of the members of the public have changed their views since then.

Mr. W. A. MANNING: Yes, I think quite a few people have decided the arch should remain where it is because it is not obstructing anything. To say it is obstructing Parliament House from the Terrace is a lot of rot. It does look ugly from Parliament House at the moment, but the rehabilitation has not been concluded, so what else can we expect? Our Parliament House is not so good that a little bit of obstruction will do it any harm; and it is a usual feature to have huge buildings obscured to some degree so that only portion of them can be seen.

As members know, I was overseas last year and I found that some of the Parliament Houses in adjacent countries were of a quality far beyond ours; so I feel there is no justification for destroying an old building or removing it simply because of the view of Parliament House.

If we leave the arch where it is, there is no reason why, in a few years' time—say 10 to 30 years' time, or any time in the future—it should not be removed if it becomes obvious that it is of no use or interest, or that it is obstructing something. However, once we destroy it now, at this

point of time, that is the end of the building, and I feel in those circumstances we would be entirely wrong, because too many people desire it to be left standing where it is. We made a decision only two years ago, and surely we are going to stand by that decision.

I notice an amendment on the notice paper which gets away from the Barrack Street idea and proposes simply to put it anywhere. I certainly hope that no member will move a motion or an amendment suggesting that the arch should be shifted to some unknown site. If it is necessary to debate the matter twice in order to keep the arch in its present position, how many times will it be necessary to debate it if we agree to put it in an unknown site to be determined? For every site that is mentioned we will have to have a debate.

If we are to earn our pay, it would be better if we got down to matters more important than deciding the site of the Barracks Arch.

Mr. Brady: Well spoken.

Mr. W. A. MANNING: I think the arch has some tourist value. What do tourists look for? They look for something peculiar. It is perfectly true that they look for something different.

Mr. Bovell: Bring them up to Parliament House.

Mr. W. A. MANNING: Perhaps that is something different. However, there is not one other arch like this in the rest of the world. Why destroy it when there is no point in doing so?

I point out to members that when the Eiffel Tower was built in Paris, it was such a monstrosity that the authorities decided to pull it down. However, people were interested in the Eiffel Tower, and it is the greatest tourist attraction in Paris at the present time.

Mr. Dunn: No it is not!

Mr. W. A. MANNING: We could argue forever on that.

Mr. Court: It all depends how old you are.

Mr. W. A. MANNING: The arch has a value, because it relates to the past history of the State. I have said it is peculiar, perhaps in construction and position, and definitely in its history, and I feel that these are the very things that tourists look for.

Some people ask what is going to be done with it and what people see in it. I should like to make a suggestion. One of the best things which could happen would be for us to get the people in charge of Madame Tussaud's waxworks in London to prepare some figures which could be placed inside the building. The figures could be dressed in the clothing of the period and could especially depict the soldier-pensioners who occupied the barracks.

This is the sort of thing which appeals to tourists and depicts in a realistic form what the people of the day were like. The figures in the waxworks in London are very realistic. If appropriate figures were prepared for the arch it would bring the whole story of the past to life in the Barracks Arch—in the spot where many of the soldier-pensioners lived at the time.

Mr. Sewell: Could we put the Minister for Works there?

Mr. W. A. MANNING: A figure of the Minister for Works could be put there when he passes on. The people at Madame Tussaud's waxworks are well able to create figures which would depict the true life of the time.

I definitely oppose the motion for the demolition of the Barracks Archway with the idea of shifting it somewhere else. I consider we have something in the arch which is well worth preserving as it is.

MR. BERTRAM (Mt. Hawthorn) [7.48 p.m.]: Had somebody put the proposition to me six months or so ago that I would be in this place and talking about the Barracks Arch, I think I may have laughed with scorn. I did not expect that 51 members in the House would be occupying the time of the House once again within two years of having deliberated on the question and having reached a determination.

Mr. Sewell: That is democracy.

Mr. BERTRAM: I do not for a moment doubt the good motives of my colleague in bringing the motion before the House, but I am afraid that is about as far as I can go along with his thinking. As other members have indicated, I think perhaps he has been egged on by the daily irritation he experiences when, looking out of his office window, he sees something which is not very beautiful at all. On the contrary, it is a real eyesore when viewed from our side. I refer, of course, to the arch. Because he has been so irked, he has now come along to do something about it. In fairness to him, it should be remembered that when the matter was before the House in 1966, he was thousands of miles away.

It has been said that there is a large number of new members in the House and they should be entitled to have a say in respect of the arch. It has been left in its existing form since 1966, and no work—or very little work—has been done on it since then.

I do not think it is so much a question of what new members might think about it on a personal basis. If the Parliament is going to revoke any decision, to have a look at another proposition and reach a different decision in respect of any question—whether it is the arch or any other question—there must be a sound case made out in support of the proposition.

I have listened to what has been said so far by various speakers and I say very definitely that no clear case has been made out to show that the decision taken last time was clearly wrong and that obviously we should now do something to correct the error.

It is worth while mentioning also that in 1964 the National Trust of Australia (W.A.) Act was enacted by this Parliament. It was a trust set up to look after such matters as are listed in the schedule to the Act. In fact, the Act created a trust which took over from an old association. I am not sure of the precise name of the association but in any event it was constituted under the Associations Incorporation Act of 1895.

The objects of the trust are set out in the schedule. In fact, there is a long list which goes on for some pages, as one would expect in such a case. It is clearly a body which has been set up to lay down guide lines as to what should be the proper course of action to be taken in respect of buildings and many other things of historical importance.

Since Parliament has gone to the trouble of creating the trust, I think it is important that we should follow along with the thoughts of the trust in the absence of any clear case to show that we should just push its recommendations or thoughts to one side. As I understand the position at the moment the trust's thinking in respect of the arch is that it should remain where it is.

As far as I am concerned this is a matter of some real persuasion and yet another reason why I believe the motion should be lost and the arch remain where it is—at least until such time as the decision taken in 1966 has been given a chance to be either proved or disproved. As another speaker said, once the arch has been demolished it cannot be put back again, or it can be put back only at great inconvenience and expense. Perhaps it would be that once it is gone, it is gone for good.

Like every other question in life, I believe it should be given a fair trial, and the arch just has not been given a fair trial. It is being paraded in all its worst features at the moment. I say that we should give it a trial and perhaps at some future time we could again deliberate on it. But for Heaven's sake we should not be deliberating on it two years after a similar motion was brought before the House. Better still, we should leave it to some organisation which has been constituted by an Act of Parliament to deal with it. Let us not waste our time here.

People who have thoughts on the arch think about it from all different angles; for example, from the architectural side or from the historical side. They are

entitled to view it from whichever aspect they wish. However it may well be that the arch, which I am quite sure will be preserved in its present position, will in the fullness of time amount to a monument preserved for posterity, and in that fashion it will testify to the world and to the people of Western Australia, and Perth in particular, the paramountcy of the people over the Executive as was evidenced in 1966.

Debate adjourned, on motion by Mr. Norton.

PARLIAMENTARY COMMISSIONER (OMBUDSMAN)

Appointment: Motion

Debate resumed, from the 4th September, on the following motion by Mr. Tonkin (Leader of the Opposition):—

That the effectiveness and undoubted success of Parliamentary Commissioners (Ombudsmen) having been clearly established in all countries where they have been appointed, it is recommended to the Government that steps be taken, as early as possible, to establish the office in this State so that our citizens may not continue to be denied the benefits which the existence of an ombudsman confers.

MR. McPHARLIN (Mt. Marshall) [7.56 p.m.]: When members on the Opposition side were talking to the motion the Leader of the Opposition, the Deputy Leader of the Opposition, and I think the member for Fremantle, made reference to the fact that at the Country Party conference held in July a motion was passed to the effect that the conference was in favour of the appointment of an ombudsman. This is correct. However, as everybody is aware, the conference is a gathering of members of the organisation from all parts of the State and agreement to a motion is a reflection of the opinions or the thoughts of those who were at the conference.

It is a recommendation to the parliamentary party as to what their thinking is, but it is not binding; it is purely a recommendation. They then rely on their parliamentary members to regard their thoughts and give consideration to the recommendations, and apply them in the manner in which parliamentary members think is suitable in the interests of the affairs of the State.

When the question of an ombudsman comes before Parliament or is mentioned in any other organisation, I think it is up to members to make some effort to understand exactly what an ombudsman is. I would say a lot of people are not completely conversant with the functions of an ombudsman.

I am willing to admit that up until recently I was rather vague about just

exactly what an ombudsman was committed to perform whenever he was appointed in any country. I made it my business to study several books, one by Professor Rowat and one by Professor Gellhorn and I have been able to get a fairly clear picture of what is required of an ombudsman and what he is supposed to do. In looking through the books I saw where ombudsmen have been appointed in the Scandinavian countries of Sweden, Finland, Denmark, Norway, and also in West Germany, and New Zealand; and, I understand, one has now been appointed in the United Kingdom.

When one reads the books and learns what the operations of the ombudsmen are and the effect they have, one is more or less directed to think that these are very worth-while appointments to very successful offices which are in operation in those countries. One is led to that conclusion by a very searching analysis given by the very eminent gentleman I have mentioned.

I would like to make reference to one or two extracts which I have taken from Professor Rowat's book. He says—

Australia has never been backward in constitutional experience and legal reform. The colonies before Federation led the British Empire in establishing the secret ballot (still known in the U.S.A. as the Australian Ballot), universal suffrage, statutory rights for civil servants including discipline appeal boards, the alternative vote compulsory registration of voters and compulsory voting.

Later, with reference to the powers of an ombudsman, we find this—

The ombudsman has no power to reverse, quash or alter any decision, to award damages or give any other form of remedy, or to amend any law or regulation. His power is restricted to making recommendations, in the first place to the department or organisation concerned and to any relevant Minister. He can make such recommendations if he thinks that the matter investigated was "contrary to law", "unreasonable", "unjust", "oppressive", or "improperly discriminatory," based wholly or partly on a mistake of law or fact or simply wrong.

Further on it states—

The ombudsman is under a duty to keep information secret if the circumstances of the case make this necessary.

The country in which an Ombudsman operates that is nearest to Australia, is New Zealand; and it is clearly shown by Professor Gellhorn and Professor Rowat in their books that the operations of the ombudsman in that country have been

most successful. In this regard I should like to quote from Professor Rowat's book

As we have seen, a citizen who seeks parliamentary petition or complaint through the local member and the responsible Minister, has little prospect of having the decision changed. For obvious reasons the Minister will in most cases adhere to his own decision or stand behind his department's decision. Where the decision has been committed to an independent tribunal it has been recognised that the Minister should not or cannot intervene; only legislation can effect a change.

Further on he states—

Even in the United Kingdom, which has a highly skilled and efficient Civil Service, there have been instances of abuse of power by civil servants.

When the question of appointing an ombudsman came before the Parliament in England many questions were asked, one of which was—

Will the office of Parliamentary Commissioner conflict with the doctrine of Ministerial responsibility?

The answer to this was—

It already appears that this will be the main argument relied upon by opponents of the institution of a Parliamentary Commissioner. It invokes a hallowed constitutional doctrine (though one which is often overlooked) and has an emotive appeal. But we do not think that in this context it will bear examination.

The second question asked was—

Would the office of Parliamentary Commissioner diminish the rights and functions of members of Parliament in the taking up of grievances on behalf of their constituents?

The answer to that was—

We take the view that a Parliamentary Commissioner (who received complaints only through members of Parliament) would reinforce the rights and effectiveness of members of Parliament rather than diminish them. They would still receive and deal with the complaints and would, as at present, settle most of them satisfactorily with the Minister.

The next point raised was—

Civil servants will not be able to do their work properly with the threat of an outside investigation always hanging over them—they will be even more frightened of making decisions.

The answer to that proposition was—

These same fears were expressed by civil servants in Denmark when the appointment of a Parliamentary Commissioner was being discussed. In the outcome they have not been realised.

Further on the professor states—

In reality these characteristics of bureaucracy in the Commonwealth are not preserved mainly for the convenience of the Government in power. For they place serious difficulties in the way of the public's legitimate access to information, its right to know in a democracy.

All the quotes I have made indicate that there is no doubt that where an ombudsman has been appointed his appointment has been successful, and once made it has not been cancelled.

The countries which have appointed ombudsmen have been quite happy to carry on with the office, and even in New Zealand, where there was a change of Government after the first appointment of an Ombudsman the incoming Government was still happy to carry on with the office. However, I have a doubt in my mind that at this point of time it is the right thing for us to do. In support of that proposition, I would like to quote from Professor Gellhorn's book in respect of some remarks passed by the Speaker of the House of Representatives in New Zealand (Sir Ronald Algie), a former law teacher—

The ombudsman system probably would not work well everywhere. It works well in New Zealand because we have a fine public service. Corruption is so rare to be deemed virtually non-existent. Officials generally seek to serve rather than to defeat citizens. They give cases careful consideration, though of course that doesn't mean they invariably reach the best possible result. Our Ombudsman may stimulate officials to be even a little bit better than they have been. But the ombudsman system is succeeding here precisely because, really, there isn't a staggering lot for it to do.

Because of that I am of the opinion that if at this point we in Western Australia were to appoint an ombudsman, no doubt, for a start, he would have a rush of work; but I would think that, in a very short period of time, the rush would subside and we would have an officer drawing whatever salary Parliament saw fit to grant him, and having an office staff, with relatively little to do.

At this stage I would prefer to see a standing committee appointed to investigate any complaints that the citizens of this State may wish to make. The members of such a standing committee would not need to be paid salaries. I suggest it could be composed of three members of Parliament, who are already drawing a reasonable salary, and their appointment to such a standing committee would give them something extra to do—perhaps something extra which would not hurt them. This is what I would prefer to see

at the moment although, as I said, wherever an ombudsman has been appointed such appointment has been successful.

Another factor is that we have a much smaller population than New Zealand. We have not yet reached the 1,000,000-mark, our population being something like 850,000, whereas New Zealand has a population of 2,500,000, or thereabouts. The Speaker of the New Zealand Parliament said that the ombudsman system is successful in New Zealand, but, although it is successful, really there is not a staggering lot for the Ombudsman to do. If, with a population 2,500,000, an ombudsman has not a staggering lot of work to do—and there is little difference between the Government and the civil servants in this country, and their counterparts in New Zealand—I cannot see that if an ombudsman were appointed in this State he would have much to do. In preference to the appointment of an ombudsman I would favour the appointment of a standing committee such as I have suggested.

MR. LAPHAM (Karrinyup) [8.9 p.m.]: I did not intend to speak to the motion but I believe that those who are opposed to the appointment of an ombudsman are really opposed to it without having given a great deal of thought to the matter or to the power with which he will be clothed. The fact that the person who is appointed is being referred to as an ombudsman seems to have frightened the opposition.

Mr. Dunn: Which opposition?

Mr. LAPHAM: Those who are opposed to the appointment of an ombudsman. They seem to be frightened of the name, and that is why they are opposed to his appointment. Like the member for Kalgoorlie, I believe the name is an unwise choice and it would have been preferable to refer to the officer as a parliamentary commissioner. Such a person should have the power to make investigations at departments, to call for files, and to check on any bottlenecks that might have occurred, or are still continuing, in certain departments.

In this regard I would refer particularly to those departments responsible for town planning, because to my mind there seems to be a complete bottleneck in regard to subdivisions of land. The question of land, and the lack of subdivided land, has been a topic for a good deal of debate since the opening of Parliament, and I think we have reached the conclusion that land for purchase is in short supply. There is no doubt a vast quantity of vacant land is still available in Western Australia, but the land which is vacant is not available for purchase.

I have often asked myself why such land is not available. Surely there must be something wrong with our departments which are in control of this matter if there

is not sufficient land available as a result of departmental bottlenecks. That is one reason why I think a parliamentary commissioner, or an ombudsman—whatever one likes to term him—should be appointed. I think he would be able to do a good job in a situation such as this. He could investigate all of the activities in relation to the land question.

It has been said that a member of Parliament has the right to work for his constituents, and that he does this when a constituent asks for something to be done. The member concerned can approach the Minister or a department to get information. But there is a limit to what a member can do, as members on both sides will agree. We reach a stage where certain information is channelled to us but we can go no further, except to raise the question in the House. But that is not sufficient.

As a member of this Parliament I do not have the right to go to a department and look through files to find out exactly what is wrong in a particular case. If an ombudsman, or a parliamentary commissioner were appointed, he would be able to investigate the whole matter; there would be no comparison with the system under which we operate at the moment and the one which would operate if a parliamentary commissioner were appointed.

Only a few days ago the Minister representing the Minister for Police and Traffic laid on the Table of the House the financial statement and balance sheet of the City of Perth Parking Fund. I was rather interested in the accounts and I tried to ascertain the financial position from the information that was made available. A quick perusal of the accounts indicated that there was a debit balance of \$167,829 transferred to adjustment account. From that I gained the impression—and believe me, I was not the only one who gained it because the figures were quoted in *The West Australian* or the *Daily News*—that the City of Perth Parking Fund had made a loss of \$167,829 for the year.

However, having thoroughly perused the accounts—and I could only peruse the items that were submitted in the statement, because I have not the right to look into all the details of the parking fund accounts, or to peruse those accounts—I would like further details to finally ascertain the correct position of those transactions for the year.

I found that the statement submitted is called the Receipt and Expenditure Account and includes items such as principal repaid, which is normally a capital expenditure. Further, under the heading "Parking Areas," construction and improvements has been included, which again is a capital expenditure. There is also an item dealing with the purchase of motor scooters, and here again it is a capital expenditure, as is the purchase of meters

and the purchase of land. These are all capital expenditure items, and yet all these expenses have been included in what purports to be a revenue account to show that the parking fund had a loss of \$167,829 for the 12-month period under review.

When the matter is set out in true accounting form we find that the total receipts amount to \$644,174, but the expenditure is different entirely. If the capital expenditure is not included, and the depreciation of that capital expenditure only is included, there is a surplus for the year of \$277,098.

So, from the statement submitted and laid on the Table of the House, we have on the one hand a debit balance of \$167,829; and yet when the accounts are prepared in a proper accounting form we have a surplus of \$277,098.

Accordingly I can do no more than raise the matter in this House. If, however, we had an ombudsman, or a parliamentary commissioner, he could look into this question, because as I see it this fund is a semi-local authority fund, and it should be presented in such a form as to prevent any confusion at all.

As a matter of fact Professor Sidebottom, who is Professor of Accountancy in the Victoria University at Wellington, maintains that it is necessary for local authorities to present their accounts in such form that any layman can fully study and understand them. I think that is a very laudable aim for any local authority to follow.

It would appear to me that the organisation controlling the City of Perth Parking Fund does not wish to disclose the true position because, as I said earlier, it shows a figure in its accounts as a substantial loss which, when analysed, is really a substantial profit.

I merely use this illustration to indicate the sheer necessity for an ombudsman or a parliamentary commissioner. He would be able to see exactly what is happening in the Government departments. I have had innumerable complaints relating to local authorities, but I do not wish to itemise them at this stage, because that is not necessary.

As a matter of fact we get quite a number of complaints in connection with different things, and it is extremely difficult for us as members of Parliament to find whether or not there is any truth in these matters. We may be suspicious, but it is very difficult for us to really find out what is happening. If we are frustrated and unable to discover the true facts from the department, it is preferable in such circumstances to have an investigation made by a parliamentary commissioner or ombudsman. He could also quite easily see just how efficient the departments are.

The departments which deal with town planning and metropolitan region affairs must agree there is ample vacant land available around the metropolitan area. Everywhere we go there is vacant land, but it is not possible to find such land for sale. This is certainly a problem.

Even in Karrinyup recently land was sold for more than \$8,000 a block. The auctioneers and the owners were amazed at the price the land fetched. This all indicates that the people are land hungry; that there is not sufficient land available for sale; and for this I blame the fact that the land is not subdivided quickly enough.

Since I have been a member of Parliament numbers of people have been seeking subdivisions without any success at all. In such circumstances an ombudsman or parliamentary commissioner could only act to our advantage; he certainly would not act to our disadvantage.

We are rapidly reaching the stage in Western Australia of running up against a number of problems, and if we worked in co-operation with an ombudsman it would be very helpful to us in overcoming quite a number of the growing pains we are experiencing today.

MR. GRAYDEN (South Perth) [8.22 p.m.]: I want to say at the outset that I intend to support the motion. I do so with some qualifications, because I believe that in certain circumstances the appointment of an ombudsman in Western Australia would be quite unnecessary.

The other night the Minister for Industrial Development pointed out at length that we were a relatively small State, and yet we have 81 members of Parliament. It would seem in these circumstances that if members were doing their job adequately there would be no need for an ombudsman. I go along with this argument; I think it is extremely good. If that situation obtained, and if members of Parliament could air grievances adequately, there would be no occasion to support a motion of this kind. But I do not think that is the position.

Before I proceed to that matter I would like to say that there are, of course, alternatives to the appointment of an ombudsman, and the establishment of a court of administrative equity is one such alternative. I think the member for Floreat mentioned this in his maiden speech, and coming from a European country he would be well acquainted with such courts, because these have been long established in most of the West European countries.

There is an outstanding example of such a court in France; there is one in Germany; another in Italy; one in Austria, and others elsewhere. In Sweden, of course, there is a court of administrative equity which, in certain circumstances, can do a job similar to that of an ombudsman. This court is appointed in addition

to the ombudsman, and it is found there, strangely enough, that the ombudsman and the court of administrative equity do not overlap in their functions.

I mention that to show that were we in Western Australia to appoint an ombudsman it would certainly leave the way open in the future for the appointment of a court of administrative equity, without the functions of those two bodies necessarily overlapping.

I do not know whether the Government has said it proposes to give consideration to the appointment of such a court, but I do know that this is at the back of the minds of one or two of the Ministers. If we had a clear-cut assurance from the Government that it would give consideration to the appointment of such a court I would not be supporting this motion. In the absence of such assurance from the Government I feel morally obliged to support the motion for a number of reasons which I will recount later.

When the Minister for Industrial Development was speaking against the motion the other night he introduced a number of arguments which are commonly thrown up in opposition to the appointment of an ombudsman, and one such argument was the question of ministerial responsibility.

This is more or less a catchery which is frequently used, though I do not think anybody has ever bothered to define what it really means. On analysis it does not really mean anything, because obviously a Minister cannot be held responsible for the action of every individual in the department he administers. He certainly cannot be held responsible for the acts of omission of all such individuals in his department, and I do not think it is reasonable that he should be held responsible.

The Minister for Industrial Development also mentioned that the appointment of an ombudsman would ultimately usurp the powers of Parliament. That again will not stand up to analysis, because after all an ombudsman can only make recommendations to Parliament; he is actually the agent of Parliament.

In New Zealand, for instance, hundreds of cases are dealt with each year, and yet we find that not more than two cases would be recommended to Parliament; and I am not sure whether that number would be recommended. There have been years where no recommendations have been made to Parliament at all by the ombudsman in connection with cases that have been dealt with, because it has been found in practice that, when the ombudsman intervenes and goes into a question with the department responsible, the department concerned can either justify its actions or merely bow to the wishes of the ombudsman. We also know that such intervention by an ombudsman has a tremen-

dously salutary effect on the actions of Government departments. Accordingly I do not think for one minute that the arguments put forward are tenable.

Another argument that was put forward was that if we had an ombudsman in Western Australia it was likely that the members of Parliament would not do their job. I would dismiss that out of hand, because members have quite enough to do, in my experience, without having to take up various little grievances which come forward from day to day. I do not for one moment suggest that members object to doing this, but they do these things in order to obtain justice for the individuals concerned.

It is, however, a long and arduous process for a member of Parliament to obtain justice when faced with difficult circumstances, but an ombudsman would find this relatively simple. Every member has had the experience of writing letter after letter in connection with matters of one kind and another, and eventually he has built up a file about two inches thick, and has got nowhere in the process.

So I do not go along with that argument at all. The main argument put forward by the Minister for Industrial Development was that in view of the fact that we have so many members of Parliament here—there are 51 in the Legislative Assembly and 30 in the Legislative Council—it was incumbent upon members to air their grievances in this Parliament if they had constituents who came up against maladministration in the Government departments and felt aggrieved as a result.

I think this is fundamentally wrong for two or three reasons. Firstly, if that were the situation and members were encouraged to do this repeatedly, we would find that the entire time of this Parliament would be taken up on issues of that kind. Nobody can convince me that it is desirable that this Parliament should waste its time hearing cases of that kind—cases that could well be handled by an ombudsman. It is fundamentally unsound to suggest that members bring such things forward and so be precluded from devoting adequate time to the more important issues which concern the State.

Secondly, the argument is unsound for other reasons, particularly as in recent years in the State Parliaments—no doubt it happens in the Federal Parliament too—we have introduced party discipline to a far greater extent than was the case in former years; and certainly to a far greater extent than was intended when Parliament was first conceived. I have no doubt that when the institution of Parliament was first set up it was not for one moment thought we would reach the stage where party discipline would loom as large as it does today.

I do not suggest that someone controls us with an iron hand and says, "You vote that way." That does not happen; but let us examine what does. For instance, if I, as the member for South Perth, brought forward some of the cases I have—the Minister for Industrial Development suggested precisely this and said if we do not do so we are virtually failing in our duty as members and it is incumbent on all members to do this—and spoke upon them at length, I would be criticising my own Ministers and the Government. This, in itself, has a deterrent effect on members coming forward with cases of that kind. They simply do not do so for that reason.

I know perfectly well that if, by motion, I were to bring forward a case, no matter how justified it was, the motion would not be carried. How, under these circumstances, can the Minister for Industrial Development suggest we can obtain redress for grievances? We will recall that when the Leader of the Opposition spoke on the Address-in-Reply he gave some advice to new members of Parliament and said that they could not expect to get law or justice in this Parliament.

He is not alone in making this statement, because with party discipline as it is, it is not possible, no matter what the case is, to have a case decided on its merits. This is a most undesirable thing and it certainly cuts right across the argument which has been produced by the Minister for Industrial Development.

I have some glaring cases which at the moment I would love to bring forward as was suggested by the Minister for Industrial Development. I would relish the opportunity as it would mean I would be able to obtain some sort of redress for these individuals. I have a file two inches thick which goes back over two years in respect of a case for which I have been trying to obtain a remedy in regard to inequities that have taken place. However, I am not getting anywhere at all.

I know that if I bring it forward by speaking in this Parliament, I will receive no support, because there would either be a vote in the party room and members would decide to do a certain thing, or, alternatively, members would not support me because they would feel it would be unfair to the Minister concerned or to the Government—possibly for good reason.

Mr. Fletcher: Why not change the Government?

Mr. GRAYDEN: Irrespective of whatever Government it is, precisely the same sort of situation exists. I am not suggesting that this sort of thing happens in respect of this Government only—it has happened in many Governments in this State and in all the other States of Australia.

We have changed the original concept of Parliament, we have got right away from this being a free and deliberate Assembly. As the Leader of the Opposition said, one cannot obtain justice and law in this Parliament, because all members know the consequences of party discipline. Of course, there is a way of overcoming this. For instance, the Premier in respect of the Liberal Party, the Leader of the Country Party in respect of his party, and the Leader of the Opposition in respect of his party, could bind members only so far as party policy was concerned. I go the whole way with this, because if members are elected on party policy they cannot in any circumstances deviate from that policy.

In addition, if the Premier says something in his policy speech, the Government members are elected on the policy of their party and the issues contained in the policy speech. This also applies to members of the Opposition in regard to anything put forward in the policy speech of the Leader of the Opposition. Members in this House should be bound on the party policies and the issues to which they are committed through the policy speeches of their respective leaders, but on other matters they should have a free and deliberative vote.

If this were the position, then to my mind, there would be no need to appoint an ombudsman or a court of administrative equity in a relatively small State such as ours. However, in a bigger State or country the situation could be entirely different.

I suggest there is a way of meeting this situation. When members are elected to this House they have to swear the oath of allegiance in accordance with our Constitution Act, and I suggest that we add the words, "swear to exercise a free and deliberative vote on all matters other than those of party policy and issues to which I am committed." Then we would find that members of Parliament would come into this Chamber and air their grievances, which would be decided by Parliament on their merits.

In that way we would restore the original conception of Parliament and there would be no need for the appointment of an ombudsman or to set up a court of administrative equity. In addition, the Leader of the Opposition would not be obliged to get up and say that one cannot expect to find law or justice in this Parliament.

I have described the situation as far as the obtaining of redress to grievances is concerned; so when the Minister for Industrial Development comes along and virtually says to members they should air any grievances they have and if they do not they are failing in their duty, he is quite wrong. As I said before, if we did this, we would find that members would not

judge a case on its merits, but would vote along party lines. Therefore we can dismiss that particular argument.

I think also that if Ministers were extremely sensitive to injustice, there would be no occasion for an ombudsman or a court of administrative equity. I really believe this to be the position; but there are some Ministers in this Parliament who are insensitive to justice, while others would bend over backwards in an endeavour to do the right thing to remedy an injustice if it were clearly pointed out to them.

Unfortunately, some Ministers, because of the multifarious duties they are called upon to perform and the countless obligations they have to accept, are not able to give sufficient attention to this sort of thing, and as a result it is not possible for members to obtain justice.

I wish, in general terms, to give an example of a case for which I do not hold the Minister responsible, but I would say this: It is typical of the sort of injustice that is happening in Western Australia and about which we are virtually unable to do anything without embarrassing our own Ministers or the Government.

A milk vendor (Mr. Lewis) in my electorate has operated in that area for many years serving a great number of customers. The Milk Board decided it would rezone the metropolitan area. This milk vendor used to serve the Ngal-a mothercraft centre, which would take a substantial amount of milk each year, but because that institution was situated 100 yards or so outside this vendor's zone, he was told to stop serving it milk. He accepted this, as did all other vendors accept a similar situation. He also had a lot of other customers outside his zone and was told to discontinue serving them, which he did, because he knew everybody else in his zone would be required to do the same thing. In that zone there were three other vendors beside Mr. Lewis. The matter to which I am referring took place about three months ago. The position was clarified with the Milk Board, which said no-one else was permitted to go into the zone of these four vendors. However, we find that Sunny West, a big milk firm, tendered to supply the Mt. Henry Home.

That particular home takes 1,800 gallons of milk a month and is situated within the zone of this particular milk vendor. Notwithstanding the fact that several vendors were entitled to tender, Sunny West was successful. The milk vendors in the zone immediately took the question up with the Milk Board and said, "You stopped us serving outside our zone, and yet you allow Sunny West to supply milk within our zone. What are you going to do about it?" I think at this stage I will read a letter that was written to the Milk Board by these vendors.

They wrote to the Milk Board, on the 25th May, as follows:—

We have recently received notification from the Tender Board that we have lost the Mt. Henry Women's Home which we have served continuously for all but two years since it was opened. Sunny West now has the contract. We are confused.

We were given to understand that the zoning plan applied also to Depots. Some time ago you will recall, you instructed us to stop serving N-gala Mothercraft Centre which we were serving and for which we tendered before the zoning plan was started. We stopped, as per your instructions, and now we see the situation in reverse—we are being prevented (as a result of price cutting, in this case) from serving a customer in our District (Canning 140), and a vendor without a licence for this district is now intending to serve it.

The new contract commences this coming Saturday, 1st June, and we would appreciate if you would clear up this matter before then, by either advising Sunny West of the situation and instructing them to relinquish the contract, or advising us of your policy.

Also there is another matter—that is that Brownes are serving some shops in South Perth where we understand they do not hold a licence. Perhaps you could sort this out too, as neither of these Vendors were serving in either of these districts before zoning commenced.

No reply was received to that letter, so the milk vendors wrote a very short letter on the 7th June, 1968, as follows:—

We wrote you on 27th May regarding the Contract for the Mt. Henry Women's Home and other matters. As of this date, we have not received any acknowledgement from you, neither have we received any indication that these matters are being, or have been handled.

Would you please let us know what is happening?

They then received a letter, written on the 11th June, as follows:—

Receipt is acknowledged of your letter of 25th regarding the alleged price cutting by Sunny West and the subsequent loss to you of hospital trade.

I wish to advise that enquiries are being made with the Treatment Plants Association and the Board will take such action as considered necessary when details are to hand.

You will be informed of the results of the enquiry in due course.

Mr. Lewis then wrote back to the Milk Board as follows:—

We are in receipt of your letter dated 11th June, but it appears that you have misunderstood the purpose of our letter dated 25th May.

We are not over-concerned regarding "price-cutting". This was merely an aside remark in brackets. What we are concerned about is the Milk Board's inconsistency in the administration of its policies concerning zoning.

I would like to recall to your memory that when zoning was suggested to the Vendors, both you and Mr. Buzwell emphasised that the Vendors would be protected inasmuch that the depots would NOT be allowed to go into zoned areas for which they did not hold a Vendor's licence. In view of this, we did not object to being stopped from serving N-gala Mothercraft Centre, for which we had the contract at the time of zoning, but now that this situation is reversed we do have an objection.

We wrote to you immediately we were notified that Sunnywest intended delivering in this zone, so that you would have ample time to contact Sunnywest and advise them that they were not in a position to accept the contract in question.

I trust that you now understand what our complaint is, and realise that there cannot be one rule for one and another rule for another, and that the present situation will be put right as requested.

Our letter also stated that another depot (Brownes Dairy) has come into South Perth district and is serving some shops. You did not reply regarding this, either.

And so the correspondence went on. Of course, nothing has been done. He wrote me a very long letter on the 25th June, but I will not read it because I do not want to unduly waste the time of the House. On the 28th August he wrote to me as follows:—

We wrote to you on 25th June, and I contacted you by phone on several occasions regarding the Milk Board permitting a depot to deliver milk in an area for which they have no licence.

On 27th June the Milk Board wrote and informed us that "blanket licenses previously held by all treatment plants were all withdrawn at the time of zoning".

However, despite the fact that we advised them a week before the new contracts commenced, they have allowed Sunny West Dairies to serve the Mt. Henry Home at Canning Bridge for three months now.

We served the Mt. Henry Home from the time it was opened, and the loss of this contract is a loss to us of 1800 gallons of trade per month, and we feel that is worth doing something about.

The Milk Board has done NOTHING. We wrote to the Chairman again on 22nd July and have not received any reply.

Can you help us, please, or advise us who can?

I want to say, in fairness to the Minister, I then passed the matter to the Minister and no doubt he is making inquiries. I hope he will do something about it. This is an instance where the vendor had some sort of appeal: he could have appealed to the Minister. I am speaking tonight to indicate the sort of thing which is happening repeatedly. That is only one case of many I have, and as an example of what is happening in Government departments.

The Minister for Industrial Development said that every time we get a case such as this we should bring it forward and air it in this House. I will take the Minister up on that and I assure him he will hear plenty of these cases.

Mr. Rushton: Did you see the Chairman of the Milk Board?

Mr. GRAYDEN: I have had a lot of experience with the Chairman of the Milk Board, and I am not prepared to negotiate with him. The Minister said that if we do not bring these matters forward we are failing in our responsibility. I will relish the opportunity, but I point out that in the process of bringing these cases forward I will indirectly reflect on the Ministers. I repeat that it will be indirect, as is the case with the Milk Board. Because of maladministration within the Milk Board one of my constituents is grievously affected, but nothing has been done by the Milk Board to rectify this situation.

I do not want to air these grievances every time they occur. I think Parliament would be better off if it were free of these complaints so that it could concentrate on more important things. However, from now on I shall bring my grievances forward.

Mr. Hall: What about introducing liaison officers? One was recently appointed by the Lands Department.

Mr. GRAYDEN: When there are so many cases—and there is a multitude of them—why could not an ombudsman take these matters out of the realms of this Parliament? Why should we hold the Minister for Agriculture responsible for every action of the Milk Board. We should not. To my mind it is absolutely stupid, and that is why I believe we should have an ombudsman or a court of administrative equity to handle these things.

To illustrate the type of injustice which exists, I will quote another case. I have a file two inches thick on this case but I

certainly will not read the letters, because they cover several pages in some cases. I can assure members that after two years I have got absolutely nowhere with this case, and I will never get anywhere with it. Nor could anyone else in this Parliament while we have our present system of party discipline. At present, irrespective of the issue, voting is along party lines. In those circumstances, how can one obtain redress for a constituent? That is why I say that if we swore, in our Oath of Allegiance, to exercise a free and deliberative vote on all matters except those to which we are committed, then we would have a free and deliberative vote on these issues and there would be some point in having a Parliament, and there would be no need for an ombudsman or a court of administrative equity.

I say this because if we were able to introduce this sort of thing it would have a very salutary effect on Government departments, and maladministration would not occur so often. This, of course, would be precisely the effect of an ombudsman and after a couple of years, perhaps, there would be no point in retaining his services. The salutary effect he would have on Government departments would probably mean a tremendous reduction in maladministration. How on earth could the Chairman of the Milk Board expect to get away with a case such as I have mentioned if he knew it could be submitted to an ombudsman?

A further case I wish to mention is one which I have ventilated in Parliament before. I have also written a number of letters, but have got nowhere. I refer to Mr. George Page, another constituent of mine, who was the master of a vessel which took passengers between Perth and Rottnest. He was involved in a minor collision in the Swan River and lost his license for life, with no appeal. He cannot appeal under any circumstances.

It was an extraordinary case and was heard by a court of marine inquiry—for which I have the greatest respect. However, there are special circumstances associated with this case. The master of the vessel with which he collided has had similar collisions with other vessels, yet the individual I am talking about has lost his license for life and has no means of appeal.

I have been writing letters and doing everything I possibly can but I have got precisely nowhere. The circumstances are that when the court of marine inquiry was held the individual concerned was a patient in the psychiatric ward of the Repatriation Hospital, suffering from a nervous breakdown. The inquiry was held some considerable time after the accident. He was an ex-Navy man and as a result of his accident he subsequently went bankrupt.

Two weeks before the inquiry he had an operation for a double hernia, and he was dragged to the ears at the time of the

inquiry. In addition, I have a medical certificate in front of me to verify that he was suffering from laryngitis.

So this man appeared before the court of marine inquiry suffering from a nervous breakdown; he was dragged from the psychiatric ward; he was hardly able to speak because he was suffering from laryngitis; and he had recently been operated on for a double hernia. Also, he had no-one to represent him.

He went to the Legal Aid Bureau but he was told that because he had received notice to appear in court only two days before, there was no time to represent him. He did not receive the notice to appear in court until two days before he had to appear, because the notice was sent to his home whereas he was in hospital. When the letter subsequently found its way to him he got leave from the hospital and went to the Legal Aid Bureau. However, as I have said, the bureau told him there was not sufficient time to defend him. So he went to the court in the condition which I have described.

The magistrate who conducted the inquiry went out of his way to state that he attached some significance to the fact that the other person involved had witnesses and legal representation. He pointed this out and said that if Page had brought along witnesses the situation might have been different. The magistrate disbelieved that Page had left the Mends Street Jetty five minutes before the other boat with which he collided.

However, in the meantime, five individuals have come forward and have put it in writing that Page did, in fact, leave the jetty five minutes before the other boat. These witnesses included the person who was running the kiosk, and other people employed on and around the jetty. Page had a slower boat and was overtaken by the other boat, yet he was blamed for deliberately colliding with the other vessel, which left five minutes after him.

Mr. Ross Hutchinson: Do you seriously think an ombudsman would return that gentleman's certificate?

Mr. GRAYDEN: I will finish this argument and then return to that question. This is a case I have ventilated, but I have been unable to get anywhere with it. The Western Australian Marine Act, however, provides for a rehearing in such circumstances, and I ask the House to listen to what is contained in section 106 of that Act, which reads as follows:—

The Governor may, where any such inquiry as aforesaid has been made, order the case to be reheard by a

Court of Marine Inquiry, either generally or as to any part thereof, and shall do so if—

And this is the significant part—

- (a) new and important evidence, which could not be produced at the inquiry, has been discovered; or
- (b) for any other reason there has, in the opinion of the Governor, been ground for suspecting that a miscarriage of justice has occurred.

Surely in the case I have outlined there were grounds for suspecting a miscarriage of justice! The circumstances were that this man was taken from a psychiatric ward; he was recuperating from a hernia operation; he was suffering from laryngitis; and he was not offered any time in which to obtain witnesses or legal advice. Would not those be reasonable grounds for suspecting that a miscarriage of justice had occurred? Of course they would!

Nevertheless, we have not been able to get a rehearing of this individual's case, notwithstanding the provision in the Act I have quoted.

Mr. Ross Hutchinson: And notwithstanding the fact that we had this case exhaustively examined time and again to check the evidence you submitted.

Mr. GRAYDEN: I will return to that aspect later. To emphasise my point I wish to quote again the following part of section 106 of the Western Australian Marine Act:—

The Governor may, where any such inquiry as aforesaid has been made, order the case to be reheard by a Court of Marine Inquiry, either generally or as to any part thereof, and shall do so if—

- (a) new and important evidence, which could not be produced at the inquiry, has been discovered;

Now I shall deal with the interjection made by the Minister.

Shortly after this accident occurred a gentleman came forward to give evidence. He was one of a group of people who, from the premises of the Perth Flying Squadron situated near Nedlands, saw the accident happen. This gentleman is Reginald Carlyle Ward, of 36 York Street, Subiaco. He is a retired civil servant, and an ex-commodore or a vice commodore of this club, and a very responsible individual. He made the following statement:—

On the day in question I and a number of other members of the Perth Flying Squadron were on the club premises.

I had a good view of the river.

In the group with me there were included amongst others a Mr. John Bridges and a Mr. Tom Sargent.

Both of these men are members of the Perth Flying Squadron and experienced yachtsmen.

Mr. John Bridges had been vice-commodore of the Flying Squadron.

Our attention was drawn to the motor vessels Katamaraire and Andrew, which were proceeding down river en route to Rottnest.

Both vessels appeared to be off the normal course.

This is why our attention had been drawn to the vessels.

Normally the ferries to Rottnest take a course that would bring them further off shore than the course taken by the Katamaraire and the Andrew.

In fact the vessels were so close inshore that they were only about two hundred yards from the Perth Flying Squadron at one point.

The Katamaraire was closest inshore and therefore furthest off the normal course.

Apparently the Andrew, which I understand was skipped by Mr. Page, had rounded the inner dolphin and was making a bee line for Armstrong Spit.

There is no reason why this should not be done particularly if you are in a hurry although there are certain hazards.

One of the hazards is the bank which goes beyond the spit post and for a large vessel could be too shallow although it is sometimes possible to cut the bank and go across the shallow part.

I and my friends were discussing the situation and it appeared to us that the Andrew was in a reasonable position but the Katamaraire was closer inland and did not appear to be in such a reasonable position as the Andrew.

Because the situation was so unusual we continued to watch out of curiosity.

I saw the two vessels come close together at about three to four hundred yards east of the club premises and about two hundred yards from the north bank.

Because the incident was unusual we were discussing the reasons for it and I suggested that the two vessels must be exchanging baggage.

I thought that probably somebody from the Andrew had either left baggage behind and the Katamaraire was transferring it to the Andrew.

At the time that we were looking my impression is that there was about one third of the Andrew showing

ahead of the Katamaraire when the boats appeared to converge. I still have this impression.

If this is so then the Katamaraire must have been the overtaking vessel, at least at this point. I do not know what went on before this.

The overtaking vessel should always give the vessel it is overtaking plenty of water in which to move.

This in fact did not occur.

It looked as though the Katamaraire was pushing the Andrew up so that he could get around closer to the spit post.

That is a sworn statement.

The **SPEAKER**: The honourable member has five more minutes.

Mr. GRAYDEN: He knew nothing about the case, but, with other people, he came forward and gave evidence. Also, five individuals who were at the Mends Street jetty came forward to give evidence to say that, in fact, the *Andrew* did leave five minutes before the *Katamaraire*, but this evidence was disbelieved by the court. Here are all the facts which warrant a rehearing of the case, but I have been unable to obtain a rehearing. So I will do what the Minister says and raise the matter in Parliament, because this is the sort of thing on which Parliament should make a decision.

I want to point out to the House that similar cases are happening all the time. I do not hold the Minister responsible, because I know he referred this case to the Crown Law Department, but what that department and other departments do is back up their earlier decisions.

Mr. Ross Hutchinson: It was not an earlier decision of the Crown Law Department.

Mr. GRAYDEN: I do not know whether it was an earlier decision of the Crown Law Department or not, but how it could discount that evidence, I do not know. I have no time to talk about that this evening, but I will introduce the subject again by way of a formal motion when the House will be able to discuss it at length, because this is the sort of case an ombudsman could handle.

Mr. Ross Hutchinson: You are setting an ombudsman above the court.

Mr. GRAYDEN: I hope we can set up an ombudsman so that where there is a right of appeal, cases such as the one I have outlined can be heard by him. If we bring these cases to Parliament we do not get anywhere with them because the vote is taken on party lines, regardless of whether a member is in sympathy with the case or not.

In view of the circumstances I have outlined, I consider we should have in Western Australia either an ombudsman or a

court of equity. Alternatively, we should amend our Constitution Act so that members will be obliged to swear that they will exercise a free and deliberative vote on all issues other than those that are dealt with according to party policy. Other than that we will have to appoint Ministers who are particularly sensitive to justice and public opinion. If action were taken along any one of the lines I have suggested this would suit me, but in the absence of such action I am afraid, as a matter of conscience, I have no option but to support the motion.

The motion will not be carried, however, because it is purely a recommendation to the Government, which will have several courses of action open to it. I hope it will adopt one of them in order that this Parliament may function properly, as was originally intended. Even if the motion were carried the Government would not be bound to put it into effect.

I am greatly concerned about the matters I have brought before the House this evening, but I do not hold the Government or the individual Ministers responsible for what has happened. I have cited these cases, because members are placed in a foolish situation when they have to ventilate grievances of the kind I have outlined. However, if we are not to have some means of obtaining justice I, personally, will continue to bring such cases before Parliament. For these reasons, I shall support the motion.

MR. DAVIES (Victoria Park) [9.10 p.m.]: To say the least, this is not a new question. As you well know, Mr. Speaker, it has been introduced on a number of occasions in the past—as was mentioned by the Minister for Industrial Development—and subsequently articles in the Press, and the feeling of the general public far and wide, have all been in support of the appointment of a person such as is proposed in the motion. I think it will be found that editorials in *The West Australian*, the *Daily News*, and *The Australian*, have all supported the appointment of ombudsmen.

I have here the February, 1967, issue of the Jaycees journal, which is called *Enterprise*. Members of the Junior Chamber of Commerce support the appointment of an ombudsman, and I have a number of newspaper cuttings with which I will not weary the House, but the latest I would like to quote is one containing an article by Dr. Jean Battersby, who is the project officer with the third Duke of Edinburgh Conference. In an article submitted to the Victorian Employers Federation Newsletter she advocated the appointment of an ombudsman, and then went on to give some sound reasons why we should follow this procedure in Australia.

As I have pointed out, I think the only people who do not appear to agree with the appointment of such a person are the members of the Government and, like the speaker who has just resumed his seat, I think the Government accepts this motion as being one introduced on party lines. I did not think it would be accepted in this way, and I had hoped there would be a free vote on the motion, as there very often is on private members' business.

However, the Government has decided to deal with it on party lines, and that is entirely its business. We should have a close look at the motion and note that it makes only a recommendation. It does not direct the Government to do anything, nor does it declare the Government shall take any specific action. It is couched in general terms, and whilst we are thankful to the member for Floreat for the very interesting history he gave the other evening on ombudsmen in general, I think he was wrong in his criticism when he said the backbone of the motion was too vague. It is deliberately meant to be vague so the Government, if it accepts the recommendation, can take whatever action it wishes in order to appoint a parliamentary commissioner.

The appointment of such a person would come back to this Parliament and be debated at length, but it is only the principle we are dealing with at present. There has been some doubt as to whether there is any need for the appointment of such a person in Western Australia. I remind the House that an ombudsman, as is proposed, would have power only in regard to Government departments. Members should divorce from their minds the thought of the appointment of a person, such as has been promoted by the *Daily News*, to inquire into every possible aspect of Government business and commercial enterprise. The ombudsman we propose should be appointed would deal only with parliamentary matters, and one wonders whether in a State of this size there is need for such an officer.

Earlier this year, on a completely different tack, I asked the Premier how many civil servants were employed in this State as at the 1st July, 1960, and on the 1st July, 1968. I took the year 1960 as the datum point, this being the year after Labor went out of office.

Mr. Rushton: Were you not stagnant then? You would not have needed many civil servants at that time.

Mr. DAVIES: Of course, it is pure nonsense to talk like that. If the member for Dale is to continue indulging in clichés such as that he had better doze off again. If he wants to get into an argument about that, I will argue it out with him on some other occasion. I can recall the Premier standing up in Forrest Place saying that we were a Government of socialists; that we were letting the country go to rack and

ruin; that the public were being controlled beyond a reasonable measure; and that the Public Service was getting out of hand. That had the effect of winning the Government for him.

Mr. Brand: Was I not right about the socialism angle?

Mr. DAVIES: No.

Mr. Brand: I thought I read it in some book which you had printed for your platform.

Mr. DAVIES: That is democratic socialism.

Mr. Brand: Socialism with a bit of colour!

Mr. DAVIES: Let me remind the House that the Australian Labor Party publishes the proceedings of all its conferences, including Federal and State. We do not hold any secret sessions. Books are readily available at Trades Hall, and the interpretation of various matters is there for all to see. If the Premier wants an interpretation of the subject he mentioned, he is welcome to it; but if he does not want to take the trouble to obtain it then I cannot assist him.

I wish the Liberal Party would do the same thing and define "private enterprise." It is a wonderful and a pious sounding expression, and I have been trying to have it defined for some time. The fact is we are not debating that question at this point of time, and I thank you, Mr. Speaker, for allowing me the latitude which you have.

The point is that the Government said in 1959 we were over-governed. At that time there were under the Public Service Act 3,873 permanent and 891 temporary civil servants, making a total of 4,768. As at the 1st July, 1968, there were 6,441 permanent and 965 temporary civil servants, making a total of 7,406. That is an increase of something like 3,700, or approximately 70 per cent.

Let me remind the House that these are public servants employed under the Public Service Act, and the figures do not take into account the employees of the various boards: the State Electricity Commission, the Milk Board, the Metropolitan Transport Trust, and all the others. We all remember the document which was tabled in this House last year; it showed there were some 80 boards, excluding the hospital boards, which were operating in this State. If those boards had met on the minimum number of occasions required under the Acts, the members would have received sitting fees of \$80,000 a year.

Mr. Rushton: Are there not only two of them left?

Mr. DAVIES: The honourable member has a shocking memory. The only one that will be done away with—the relevant Bill has not yet been passed by this Parliament—is the Argentine ant committee.

Mr. Rushton: I thought you were talking about the hospital boards.

Mr. DAVIES: I excluded the hospital boards.

Mr. Brand: Do you think there are too many civil servants?

Mr. DAVIES: I am not saying there are too many civil servants. I expected that interjection and I shall deal with it at greater length on some future occasion. The fact remains there is a large number of boards in operation, many of which have been appointed as a result of legislation introduced by this Government.

In the case of civil servants, there has been an increase of about 70 per cent. during the period I mentioned, and there is some concern regarding the control of the community by civil servants. We know that most of the civil servants are dedicated officers.

Mr. Bovell: There is a number of boards the members of which do not receive any remuneration.

Mr. DAVIES: That is an astounding statement. It is quite true, but if the Minister looks at the document which has been tabled in this House he will find that it disregarded such boards in the figures that were supplied. Members of boards who receive some remuneration for attending meetings would receive something like \$80,000 a year if the boards met for the minimum times mentioned in that document.

There is considerable Government control, and not all the officers who have administrative power are perfect. They are only human, and there must be occasions when mistakes are made, whether they are made honestly or otherwise, and there must be some right of appeal.

I thought the Minister for Industrial Development promised to bring forward some new thought on the matter when he sought the adjournment of the debate, but I am afraid he came up with the same kind of answer which he gave on previous occasions; that is, Parliament is paramount, and there is no need to worry about the righting of wrongs, because Parliament has the power to do that.

I thought he reflected rather seriously on members when he said that they would tend to hand over the hard problems to the ombudsman, and only deal with the easy ones themselves. That was not a very fair statement to make, because he knows that all members of Parliament are hard workers and they do not try to pass the buck, although on many occasions they would like to.

If the Minister was speaking as a Minister of the Crown when he cast some reflections on the problems which are dealt with by private members, let me remind him that Ministers have considerable staff

at their disposal to deal with their problems. I cannot imagine the Minister for Industrial Development or the Minister for Forests telephoning the liaison officer of the State Housing Commission to say that some woman was being evicted in a fortnight's time, and to request the commission to supply her with a house. They would pass such problems on to their secretaries to deal with.

Whilst Ministers are able to accomplish a great deal because of the staff at their disposal, private members themselves have to do everything associated with the running of an office, except type their letters. Indeed, some of them even do that. Private members have to do their own filing, put through their own telephone calls, make their own queries, and make visits personally. If a private member applies himself to his electorate he has more than enough to do.

As the member for South Perth said, there are cases which take a considerable amount of time to handle. Sometimes after a private member has handled such cases for a year or two, he finds they are almost impossible to deal with.

The Minister for Industrial Development indicated that when the Bill was being handled in the Norwegian equivalent of Parliament, the responsible Minister was not very enthusiastic about it. The Minister said the debate made enlightening reading, but I have not been able to find an English translation of the debate. I understand the Minister for Industrial Development is not able to read Norwegian, so I do not know from where he got his information.

The only reference I can find is in a book which has been mentioned in this debate. It is entitled *Ombudsmen and Others*. This book takes in nine European countries and deals with the rights of private citizens.

Mr. Court: You were making the point that I do not speak Norwegian, and with that I agree.

Mr. DAVIES: I could not find an English translation of the debate the Minister referred to. The only reference I could find is in the book I have just mentioned. On pages 156 and 157 the following appears:—

Nearly two years of discussion preceded introduction of a partially re-drafted Cabinet proposal in 1926. During subsequent debate in the Storting, Minister of Justice Jens Haugland, presenting the Cabinet's views, stressed that the ombudsman was not to be a "super organ within the central administration," but would simply "protect the interests of the individual against all the mistakes that we know are bound to occur within a large administration." Leading the discussion for the then dominant Labor Party, Representative Jakob Pettersen

characterized the proposed ombudsman as "a sort of social worker for persons who feel they have been treated unfairly by governmental officials," and said that he would need "infinite patience and a good sense of humour" as well as sound judgment and legal knowledge. Representative Lars Ramndal, speaking for the minority Liberal Party, declared that Norway fortunately possessed a conscientious, capable civil service, but that mistakes must inevitably occur in all human institutions and that an ombudsman could lessen the risk of occasional misinterpretation of statutes or lapses in official judgment; moreover, the ombudsman might greatly help "personnel in exposed positions" by sifting out "unsubstantiated complaints from habitual querulents."

It was following low-pitched discussion of this tenor that the Norwegian Parliament unanimously approved adoption of the ombudsman system. Nobody argued an urgent need. The machinery of government was merely to be slightly refined rather than drastically remodelled.

This indicates that the question of the appointment of an ombudsman in Norway was dealt with on a very rational basis, and did not create a great deal of controversy. Nevertheless, it has done a considerable amount of good. I will refer to some more of the findings later.

The Minister for Industrial Development said there were ample opportunities for private members to bring matters before Parliament. I do not think that is so. It is true that we have almost unrestricted rights in the asking of questions; but sometimes the answers are so vague or so deliberately confusing that the asking of questions becomes completely hopeless. I have asked questions in this house and have taken the matters up with the departments through correspondence, but I have got nowhere.

The Minister for Industrial Development also said that private members have the right to speak on grievance day, but he must know that these debates take place only once a fortnight. Only two speakers from each side of the House are permitted to speak on each grievance day, and they are allowed a maximum of 10 minutes each. So if we have 12 weeks in this part of the parliamentary session, that will make available to private members six grievance days. This means that a total of 12 speakers from each side of the House will be given the right to speak, and that number represents only a bare half of those on this side who have a right to put forward grievances. There is certainly not a lack of members to take advantage of this opportunity to speak for 10 minutes on grievance day. Whilst this is a well

thought out idea it does not provide a great opportunity for members to put their complaints before Parliament.

Of course members can deal with their general complaints in the Address-in-Reply debate. In the last Address-in-Reply debate I dealt with only two complaints, although I had eight to bring forward. I am aware that during the debate on the Estimates members can bring forward the complaints that have been missed during the debate on the Address-in-Reply. Once again we are restricted to 45 minutes, and members can gather plenty to say in that time.

Let me remind the Minister that in the last session of Parliament the time of speeches was cut down. I violently opposed the lopping off of 15 minutes from speeches in the Address-in-Reply and the Estimates debates. I worked it out that the debate on the Address-in-Reply this session would only have taken another two hours if the time limit on speeches had not been reduced. The time limit on speeches on Estimates items has also been reduced. In my view the opportunity to bring matters before Parliament has been restricted. If a private member brings a matter before Parliament, what is the outcome? As the member for South Perth indicated, a matter can be completely ignored.

During the debate on the Address-in-Reply I drew attention to a rather disturbing position in relation to an application for a license for a "C"-class hospital at Carlisle. The person concerned was told by the Health Department, when he made tentative inquiries, that he could not build a hospital on the site he had in mind. Therefore he went to a lot of trouble and expense in selecting and purchasing another site only to find later that a "C"-class hospital is to be built on the site for which he could not obtain a license. The reason approval had been granted since he had made inquiries was that pressure had been brought to bear by a Federal member of Parliament.

The man who had first applied stated his case in writing and I raised the matter in this House, yet nothing has been done. Indeed, the answers to the last series of questions I asked were particularly evasive. I asked whether this fellow had made an application and I was told that no application for a license had been received. Of course, I was at fault for wrongly phrasing my question. I should have asked whether this man had gone into the office and spoken to one of the clerks; because he did go into the office and spoke to Mr. Dunstan. The Commissioner of Health knows this, and he knows that the man spoke to Mr. Dunstan because he has a copy of the letter I read in

Parliament during the debate on the Address-in-Reply. But the question was evaded. I also asked—

- (4) Did a representative of Carlisle Hospital Pty. Ltd. later make a personal application to conduct such a hospital on the same site?

The answer was "An application was received." Why was not the answer, "Yes"? because a personal representative did make an application. I know who he was and to whom he made the application, and when he made it. Yet the person concerned tried to dodge the question, because he did not want the matter to blow up. The same applies to the rest of the series of questions I asked.

This is the kind of result we get when we try to expose things in Parliament. Someone has been done an injustice. It is too late to right the wrong now, but we want an assurance that this sort of thing will not happen again. Why should a Federal or State member of Parliament have any special privileges not allowed to an ordinary citizen? That is the situation with regard to the case to which I have just referred; but we will not get any further with it. I do not suppose the fellow will ever make another application, so the situation is not likely to arise again.

What happens whenever we start to criticise a Government department? A representative of the Government is on his feet in a flash saying that they are good and loyal civil servants. However, the Government overlooks the fact that sometimes these civil servants are not as good or as loyal as they pretend to be.

The member for South Perth quoted some differences he has had with the Milk Board. I have had the same experience with that particular board. As a matter of fact, I have even had complaints from some members of the staff of the board, but none of them will come into the open. They are all frightened of victimisation. One member who has since had his services terminated has spoken to me about the position, but even he does not want anything done. They are all frightened to move. What is the good of making complaints? How will we get an inquiry? Is the man responsible going to be allowed to continue to rule with a rod of iron and be inflexible? If an ombudsman were appointed, the matter could be taken to him anonymously, as far as the general public is concerned, but the ombudsman would certainly know—

Mr. Runciman: How would you expect the ombudsman to deal with a situation like that?

Mr. DAVIES: In this instance I could supply him with letters which have been circulated by the head of this department as to what should be done. I could then take the witnesses to the ombudsman to indicate what the head of the department

has said in contradiction to his own instructions. Is this the way to run a Government department? Is not an injustice being done? Could not an ombudsman indicate that the person concerned needs some attention from his Minister? Could not the Minister admonish him and bring him into line? Surely we are not going to be frightened to take action? But that is what is happening. Individuals are frightened to open their mouths.

Mr. Runciman: Members of Parliament can say things, too, to their Ministers.

Mr. DAVIES: I agree with the honourable member. On a number of occasions I have told Ministers that certain things should be done.

The point is that we like to pretend we are very democratic; but in actual practice this is not always so. Shortcomings do occur and occasions do arise when we should have an additional avenue of appeal. The member for South Perth spoke about law courts and said it was hardly fair because many people did not have the finance available to enable them to go to court. This, indeed, is so.

My idea of an ombudsman is not that he will be a man who is going to stand like a big brother over the whole of the Government service, including members of Parliament. I am not frightened to have him standing over me as a member of Parliament; and I am not frightened to face anyone in connection with my actions as a member of Parliament. I am sure that everyone feels exactly the same. We have nothing about which to be frightened; but occasions do arise when we know injustices have been done and we know they should be righted. Surely we should supply the avenue through which these injustices can be righted!

As I have already said, I think we should remember that an ombudsman would be dealing only with State Government matters. The member for Mirrabooka went to considerable lengths to quote matters with which he has dealt. I do not know whether he thought he was alone in dealing with matters of this nature. However, the subjects about which he spoke included a TV set, taxation, immigration, social services, and the Repatriation Department. I jotted those items down as he was speaking. However, I would point out to the honourable member that an ombudsman would not have any power with regard to those matters, because they concern private matters or Commonwealth matters. We have no jurisdiction to appoint anyone to inquire into Commonwealth conditions.

I think we should get the facts quite clear. Our ombudsman would have power in connection only with the State Civil Service, the State Government, and associated boards. We do not intend to stipulate now how he shall be appointed, who he shall be, what his salary shall be,

or what his powers shall be. All those matters can be worked out in due course. I was very amused, to say the least, to hear the member for Narrogin say that the New Zealand Ombudsman cost \$28,000 a year. That is chicken feed. I do not care if he costs \$30,000. The member for Narrogin went on to say that this figure worked out at about \$500 or \$600 for each case investigated.

Mr. Runciman: He is surely not worth more than you are?

Mr. DAVIES: I doubt it, but that is a matter of opinion. The ideal situation would be if we were to appoint an ombudsman, and he had nothing to do. If anyone wanted to complain to him he would be there for this purpose. However, if he had nothing to do it would indicate that our civil servants were 100 per cent. efficient and that everyone was working to perfection, and no funny business was taking place. This would be the ideal position.

Mr. Bovell: You are reflecting on the civil servants.

Mr. DAVIES: I am not.

Mr. Bovell: Oh yes you are.

Mr. DAVIES: I am saying they are all human. I am not reflecting on them, but they are human. The Minister knows as well as I do that some of them might be inclined—

Mr. Brand: Are you implying that an ombudsman would be perfect to the point of being inhuman?

Mr. DAVIES: That is the last thing we would want. We would not want him to be inhuman at all. We would want him to be a very human person who could understand the problems brought to him, whether they were brought to him by a crank or merely a dissatisfied person. An ombudsman would have avenues through which he could deal with all these matters.

All the evidence brought forward in this debate so far points to the fact that in connection with the majority of cases submitted to ombudsmen no action is taken. However, the aggrieved persons feel satisfied because their complaints have been investigated at the highest possible level.

Mr. Brand: Would we not have the problem that where no satisfaction is gained pressure would be brought to bear for the appointment of another ombudsman?

Mr. DAVIES: I think that is carrying it a little to extremes. For my part, if I had submitted a problem of a constituent to an ombudsman, that would be the end of it. I do not think we are going to have ombudsmen inquiring into ombudsmen *ad infinitum*.

Mr. Brand: Yes you will, because this will follow.

Mr. DAVIES: No, I do not think so. This is certainly not the situation described in the book from which I have already quoted. Incidentally, I do not suggest that members take this book home to read in bed. I have tried it myself, and, although it is interesting, it is a bit heavy to hold up. If members were to study this book they would discover that in all except one of the countries in which ombudsmen operate, only one ombudsman has been necessary and in each case he has been eminently successful.

I will conclude my remarks by quoting one or two paragraphs concerning each of the countries involved. The first one is Denmark in which country the ombudsman was appointed about 1955. At the conclusion of the facts concerning each of the countries the author has made some observations. On page 45, he says of the position in Denmark—

"The Ombudsman is squeezing the arrogance out of government," said a prominent social scientist. "Decisions are quicker all down the line," said an attorney. "The Ombudsman is a safety valve and all of us feel more satisfied than we did before," said the head of a major women's organization. "The civil service exercises power more justly, it is prompter, its methods are fairer," said a business leader.

They were some of the comments, and it is generally agreed by the author that whilst the Ombudsman in Denmark is no panacea, as he says, for the cure of Government ills, the greatest injustice to the ombudsman would be to regard him as the possessor of a cure-all. This is so. However, we want a man with special qualifications who can be most human.

The position in regard to Finland was, as I have said, dealt with at some considerable length by the Minister for Industrial Development. The Ombudsman in Finland has been in operation for some considerable time and therefore ample opportunity has existed to assess his value or otherwise. On page 89, the author says—

With little to distract him, the Ombudsman can concentrate on citizens' complaints and in doing so he doubtless performs a valuable social function.

I am not trying to take these quotations out of context, but I am trying to pick out the most pertinent points. Of the New Zealand Ombudsman, the author says on page 152—

New Zealand's Ombudsman has been a striking personal success. True, he has not won over all unbelievers, among whom are a few powerful figures in the House of Representatives; but, on the other hand, some previously skeptical members have

more recently suggested that his power should be extended. Both major parties have thus far supported him strongly, and he is distinctly not a "political issue."

I think it was somewhere else in that chapter on New Zealand where I read that the Civil Service had welcomed the appointment of such a person.

Norway has been dealt with at some length; but the comment on page 192 is—

The Norwegian Ombudsman seems to have enjoyed considerable initial approval. This is not because Norwegian public administration was an Augean stable awaiting Hercules, in the person of Andreas Schei.

That apparently is the name of the person appointed. To continue—

Norwegian government was in the main so efficient, so fair, and so well intentioned that the Ombudsman has had to deal only with occasional aberrations instead of with major deficiencies beyond his capabilities. What he has done, he has done well. His suggestions have produced better results than would otherwise have occurred in some scores of individual cases, and have presumably stimulated administrative self-improvement that is incalculably important.

That clearly discloses that one of the more recent appointees—that is, the Ombudsman in Norway—has done exactly what I would imagine an ombudsman appointed in Western Australia would do. The summary on the person appointed in Sweden is given on page 255. It reads as follows:—

For one who thinks in American terms, the ombudsman system seems a useful device for achieving interstitial reforms, for somewhat countering the impersonality, the insensitivity, the automaticity of bureaucratic methods, and for discouraging official arrogance.

This is exactly what we want to do. We want to feel that the little man is getting a fair go and has someone to turn to other than his member of Parliament who may or may not be able to assist him. I do not think it is taking any work at all away from a member of Parliament. Indeed I am sure the ombudsman would want to know that every possible avenue had been explored before the matter was taken to him.

Because so many countries are now seeing the advantage of such an appointment; because those countries are democratically governed; because the British ombudsman has been so successful; and because our parliamentary system is, in the main, based on the British parliamentary system, I consider an ombudsman

should be appointed in Western Australia. If there has been a need for a parliamentary commissioner or ombudsman to be appointed in Britain, surely exactly the same need applies in Western Australia.

This is a matter which should be well and truly looked at, and considered favourably by the Government. I am disappointed that members of the Country Party do not propose to vote for it. I do not know how they will have the gall to face their members and say, "This is what you decided in democratic conference, but it is no good telling us to vote for it in Parliament, because we are not going to; we are going to make up our own minds."

I like to think I represent a party which certainly observes all the democratic processes with regard to the formulation of its policy. I have already said that the Labor Party prints the full proceedings of both Federal and State conferences. The Labor Party is prepared to print its platform policy and let the world know exactly what it stands for. It will sell copies to anybody who wants to pay \$1 or 50c—whatever the price might be—over the counter at the Trades Hall. I am pleased to say that we let the world know what we stand for.

However, when another party has what we presume is a democratic conference and the conference expresses an item as a matter of policy and it cannot get support from its parliamentary members, then I can only say that the parliamentary members must be a disappointment to the Country Party.

I remember a letter which was written by a great Country Party man and a great letter writer. I refer to Hugh Henderson who was at Dudinin and who is now at Gosnells. He rapidly went into print and wanted to know what the Country Party was there for, if it did not put into effect the items decided at the conference, or take some action on them.

Mr. W. A. Manning: We have a very great regard for the interests of our electors.

Mr. DAVIES: Of course the whole parliamentary system is based on the party system. While that continues I consider that if a member comes into Parliament purporting to represent a party—whether it is Liberal, Labor, Country Party, D.L.P., or Communist—he has to expound the policies of that party. I have already expressed my disappointment and, I am sure, what must be a disappointment to many supporters of the Country Party in the fact that a party can have a conference, decide something, and the people who are supposed to represent the party will not support the decision. It must surely be a disappointment.

I believe that from time to time injustices occur, either intentionally or otherwise, within the Civil Service, and also

that there are restrictions on the manner in which they can be exposed under our present system of government. I am of the opinion that a single person in the form of an ombudsman or a parliamentary commissioner would do away with any concern which exists regarding injustices—whether they turn out to be imagined or otherwise.

I do not think a committee should be appointed to handle it. It has been suggested that a committee of parliamentarians should be appointed but, surely, this would be an appeal from Caesar to Caesar. If a standing committee were appointed it would be necessary to appoint an office staff to go with it. As a member of Parliament, I certainly do not know how I could spend much time on such a committee, even if I were appointed to it; because my time is already taken up with the individual queries which I handle personally.

The evidence is that public feeling is directed towards supporting the motion for the appointment of an ombudsman. I most strongly support it.

Debate adjourned, on motion by Mr. Brand (Premier).

House adjourned at 9.52 p.m.

Legislative Council

Thursday, the 12th September, 1968

The PRESIDENT (The Hon. L. C. Diver) took the Chair at 2.30 p.m., and read prayers.

QUESTION WITHOUT NOTICE

SHIPPING

Service to Onslow

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

In order to avoid further chaos, worry, and expense to traders at Onslow, and producers in the Ashburton district, will the Government give urgent attention to the provision of a regular shipping service to that port and put a stop to the cancellation of scheduled sailings which cause great difficulties to the firms concerned?

The Hon. A. F. GRIFFITH replied:

I understand the honourable member was good enough to give my colleague, the Minister for Transport, notice that he would seek this information. I regret I am unable to supply it this afternoon, and I ask the honourable member to put the question on the notice paper.

QUESTIONS (8): ON NOTICE

CANNING HIGHWAY

MEDIAN STRIP

Traffic Hazard

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

(1) Has the Minister's attention been drawn to the traffic hazard occasioned by a median strip at the junction of Thelma Street, Barker Avenue, and Canning Highway, Como?

(2) If so, what action is being taken to remove this danger?

The Hon. A. F. GRIFFITH replied:

(1) Construction work is at present in progress at this site for the installation of traffic signals, and no additional hazard exists other than that which may be expected at any construction site. Proper signing of the works has been undertaken, and observation by motorists of these signs allows safe negotiation of the section.

(2) The installation will be completed as soon as possible, although some delay has been experienced in completion of surfacing and marking of the roadway due to wet weather.

CONSTITUTION ACTS AMENDMENT ACT

Simplification

2. The Hon. F. J. S. WISE asked the Minister for Mines:

Will the Minister give consideration to having the Law Reform Committee make a report to him after a close examination of the Constitution Acts Amendment Act, 1899-1965, in particular, with the view of bringing the Act more in line with the circumstances obtaining in 1968 and to clarify and simplify the verbiage used?

The Hon. A. F. GRIFFITH replied:

Yes, but projects already approved for the Law Reform Committee will engage its attention for a considerable period. It also occurs to me that so many important policy decisions of a political nature could be involved in implementing the suggestion made that it may not be appropriate for the Law Reform Committee to handle the matter.

WORKERS' COMPENSATION

Industrial Deafness

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

(1) Due to the hearing loss by miners and other people in industry caused by excessive noise in connection with their work, will the