

control is what is needed. The problem has not been looked at from a District angle and then later a State angle.

That is why a Hydrological or Agricultural Engineer should be the head of the Authority, advised and helped by people with local knowledge. Legislation to compel landholders to carry out work specified by the Authority would also be necessary. (Present legislation empowers the Soil Erosion Commission to compel landowners, under the Soil Conservation Act, to undertake conservation work if considered necessary. However, on the principle that widespread co-operation from farmers is essential, the Commission has never invoked these powers.)

At present there is provision in the Act to compel landholders to carry out work specified by the authorities, but as the co-operation of landholders is relied on to a great extent, that part of the Act has not been invoked. If the proposal is implemented on a watershed basis, the landholder at the top of the contour need only say that he is not prepared to join in, and the whole scheme will be spoiled. The only way to attack the problem of soil conservation is to adopt a scheme on a watershed basis under a district set-up.

I now wish to comment on the native welfare set-up in Western Australia. I know the Minister in charge of the portfolio has done a great deal of work to try to uplift the native population, but there is still plenty more to be done. I am sure the Minister agrees with this. From my point of view, the granting of citizenship rights has not arrested the problem in any shape or form. In many cases the natives work for a fortnight with only one object in mind; that is, to earn a fortnight's wages to enable them to have a beer-up at the end of that time. It is becoming more and more difficult to get natives, who are reliable enough, to work for periods longer than a fortnight.

The missions in the country are doing a terrific job educating the children. I just mentioned that when a native can save a couple of weeks' wages he spends it all on beer, and for that reason these missions miss out quite a bit because the parents are not paying for their children's education. I know the mission at Tardun has a terrific battle in this direction, and I feel that something should be done about it. Either the Government should subsidise more than it does at present or it should make it a bit harder for the parents to get away with the non-payment of their dues.

The Minister has done a very good job in erecting the various types of houses in the country area—the type 3 homes on reserves, type 5 adjacent to towns, and the conventional type in the towns. The main problem with these houses is hygiene.

The type 3 homes have no septic installations and therefore there is no chance of the natives learning about this all-important aspect of hygiene. It is no good erecting the type 3 homes on reserves and building an ablution block 150 yards away from the homes, because the natives would not avail themselves of their use at all times. I feel that if we started by providing the septic installations and bathing facilities in every building in the first place, it would make it a lot easier for the native to be educated in the correct method of hygiene.

I think I have had a pretty fair go, and I support the Bill.

Debate adjourned, on motion by The Hon. A. R. Jones.

House adjourned at 5.47 p.m.

Legislative Assembly

Thursday, the 14th October, 1965

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The SPEAKER (Mr. Hearman) took the Chair at 2.15 p.m., and read prayers.

QUESTIONS (13): ON NOTICE**ALCOHOLISM***Early Treatment at Community Health Centres*

1. Mr. FLETCHER asked the Minister representing the Minister for Health:

(1) Is he aware that Dr. John Lindell, is quoted on page 20 of *The West Australian* of the 7th October as having stated among many other valuable statements—

(a) that hospitals of the future should incorporate community health centres allied to the family doctor;

(b) that the healing process should begin before a disease became firmly established to an extent of needing hospital care?

Clinic at Hollywood Medical Centre: Lack of Provision

(2) Is he further aware that the proposed £11,500,000 Hollywood medical centre does not appear to have made provision for an alcoholic clinic?

Excise Duty: Allocation for Treatment

(3) In view of the accepted fact that—

(a) alcoholism is a major community health problem;

(b) and in view of (1) (b) above and of my question 19 of the 7th August, 1962, relevant to a State request for portion of revenue raised by excise on alcohol for treatment of alcoholics and the then Minister's reply that the matter would be a subject for a 1963 Health Ministers' conference:

(i) Is he in a position to state the outcome of any conference discussion?

(ii) Whether or not the Hollywood Medical Centre is to contain facilities for an alcoholic clinic?

(iii) If not, what plans exist in relation to early diagnosis, treatment, and prevention of alcoholism?

Mr. COURT replied:

(1) Yes.

(2) Detailed planning will incorporate requests for all medical needs.

(3) (b) The 1963 Health Ministers' conference considered that:

(i) the subject matter was one for the individual States to deal with and not necessarily to be financed from excise revenue.

(ii) Yes.

(iii) Not applicable, but by the establishment of Karnet W.A. already leads Australia in the treatment of alcoholism in one aspect.

RESERVE No. 26004*Classification*

2. Mr. NORTON asked the Minister for Lands:

(1) Is Reserve No. 26004 classified as an "A"-class reserve?

(2) If so, on what date was it gazetted as such?

Mr. NALDER (for Mr. Bovell) replied:

(1) and (2) No. Reserve No. 26004 is for "conservation of fauna and collection of guana" and is vested in the Fauna Protection Advisory Committee.

GAS SUPPLIES: MONTHLY SERVICE CHARGE*Fremantle Gas & Coke Co. Ltd.*

3. Mr. TONKIN asked the Minister for Electricity:

- (1) Although the Gas Undertakings Act may not require the Fremantle Gas & Coke Co. Ltd. to obtain approval to impose a monthly service charge, is it not likely that the revenue from such charge would affect the amounts which the company is permitted to apply as dividend or transfer to reserve and in such case would require to be taken into consideration by the State Electricity Commission?

*State Electricity Commission:
Consideration of Imposition*

- (2) Is it not necessary for the commission to pay some regard to the imposition of a service charge when administering sections 4 and 5 of the Gas Undertakings Act?

Effect on Cost and Dividends

- (3) Has the commission given any consideration up to the present to what effect the service charge in question might have on the actual cost of gas relative to the basic price and the authorised standard rates of dividends?

Mr. NALDER replied:

- (1) The rate of dividend is fixed by the Gas Undertakings Act, but it could affect the amount available for transfer to reserves.
- (2) Yes.
- (3) No. This will be examined when the basic price is next fixed. The rate of payment of dividends and the allocation of profits is watched to see that the company complies with the Gas Undertakings Act.

JUNIOR AND LEAVING CERTIFICATE EXAMINATIONS*Authority for Institution and Abolition*

4. Mr. GUTHRIE asked the Minister for Education:

- (1) What authority, body, or person initially instituted the Junior and Leaving Certificate examinations?
- (2) When were such examinations instituted?
- (3) Under what legal authority were such examinations instituted?
- (4) If such examinations were instituted by a Statute of the University of Western Australia—
 - (a) what was the Statute;
 - (b) what section in such Statute is relied upon for such authority?

(5) If such examinations were instituted by the Senate of the University, what legal authority empowered it to do so and how did it do so?

(6) What legal authority would empower the Senate of the University to abolish the Junior and/or Leaving Certificate examination, and by what method could it abolish such examinations or either of them?

Mr. LEWIS replied:

- (1) The University of Western Australia.
- (2) 1913.
- (3) University Act and Statutes.
- (4) (a) Statute No. 15 amended by No. 1 of 1950, No. 3 of 1958, No. 2 of 1961, and No. 1 of 1963.
(b) In particular sections 1, 2, and 11.
- (5) Section 30 of the University Act, under which Statute No. 15 was promulgated.
- (6) Sections 30 and 31 of the University Act, by repeal of Statute No. 15 if it were desired to abolish the Public Examinations Board. However, the examinations themselves could be altered in form by amendment to the regulations.

COAST HIGHWAY*Bituminisation Programme*

5. Mr. HALL asked the Minister for Works:

- (1) How many miles of the Coast Highway between Green Range, Marra Crossing, and Pallinup will be sealed and bituminised this financial year?
- (2) What mileage of the Coast Highway (all sections to link with Ravensthorpe) will remain to be sealed and bituminised on completion of this year's works programme?

Mr. COURT (for Mr. Ross Hutchinson) replied:

- (1) 30.4 miles.
- (2) 5 miles.

ONGERUP-RAVENSTHORPE ROAD*Bituminisation Programme*

6. Mr. HALL asked the Minister for Works:

- (1) What mileage of road between Ongerup and Ravensthorpe will be sealed and bituminised this financial year?
- (2) How many miles will remain to be sealed and bituminised between Ongerup and Ravensthorpe on completion of this year's works programme?

Mr. COURT (for Mr. Ross Hutchinson) replied:

- (1) 5 miles.
- (2) 33 miles.

EYRE HIGHWAY

Bituminisation Programme

7. Mr. HALL asked the Minister for Works:

- (1) How many miles of the Eyre Highway were sealed and bituminised for the financial year 1964-65?
- (2) How many miles of the Eyre Highway will be sealed and bituminised this financial year?
- (3) How many miles of the Eyre Highway will remain to be sealed and bituminised to South Australian border on completion of works programme this financial year?

Mr. COURT (for Mr. Ross Hutchinson) replied:

- (1) 25.7 miles.
- (2) 59 miles.
- (3) 242 miles.

POPULATION: DECENTRALISATION

Commonwealth Government Proposals, and Areas Affected

8. Mr. HALL asked the Premier:

- (1) As the Federal Government is formulating an immense scheme to persuade people to live in Australian country towns, can he advise if the Government of this State has been approached by the Commonwealth Government relevant to the proposed scheme?
- (2) If the Government has been approached by the Commonwealth Government respective to the proposed decentralisation scheme, what proposals have been advanced and what areas will be affected by such proposals, relevant to the decentralisation scheme?

Mr. BRAND replied:

- (1) No approach has been made by the Commonwealth Government. See attached copies of letters—
 - (a) the 18th August, 1965, from me to the Prime Minister;
 - (b) the 6th September, 1965, from the Prime Minister in reply.
- (2) The question of decentralisation was again discussed at a recent Premiers' conference, but no definite conclusions were reached.

The letters referred to in (1), which were tabled, were as follows:—

18th August, 1965.

Dear Sir Robert,

In the *Daily News* of 27th July, 1965, a press statement appeared to the effect that a major plan aimed

at persuading people to live in Australian country areas rather than the city, is being formulated by the Department of Trade.

A copy of this press statement is attached for your information.

Would it be practicable to obtain an indication of this plan, because, as you know, the question of decentralisation was the subject of discussion at the Premiers' Conference.

Subsequently there was a Conference of Departmental Officers convened by your Department at Canberra and each State was represented.

I do not know whether the plan foreshadowed in the press report is as a result of this conference, or whether it is something independent of it, and being formulated by the Department of Trade as a separate matter unrelated to the interstate discussions.

Because of the vastness of our State, the question of decentralisation is a major and difficult one. We have endeavoured through various means to encourage development over a wide area, but this has its limitations in practical terms.

We are therefore very interested in any proposals the Commonwealth has for decentralisation. It would be undesirable if we proceeded with schemes which might cut across any desirable nation-wide approach to this to question.

With kind regards,

Yours sincerely,

Premier.

The Right Honourable Sir Robert Menzies, K.T., C.H., Q.C., M.P.,

Prime Minister of the Commonwealth,

Canberra.

Prime Minister.

Canberra, 6th September, 1965

Dear Mr. Brand,

You wrote to me on 18th August regarding a press report to the effect that a major plan aimed at persuading people to live in Australian country areas rather than the city is being formulated by the Department of Trade and Industry.

I can assure you that there is no basis for this report. My colleague, the Minister for Trade and Industry, has already indicated this in reply to a question in the Federal Parliament on 24th August, 1965, and I am attaching the relevant extract from *Hansard* for your information.

As you say in your letter, there was a meeting of Commonwealth and State officials on the general subject of de-

centralisation earlier this year. Further such discussions are proposed shortly with the object of advancing understanding of this complex matter.

Yours sincerely,
Robert G. Menzies.

The Honourable D. Brand, M.L.A.,
Premier of Western Australia,
Perth.

UPPER KALGAN BRIDGE

Construction: Commencement

9. Mr. HALL asked the Minister for Works:

- (1) When is it contemplated that work will commence on the new Upper Kalgan Bridge, Albany?

Cost

- (2) What will be the approximate cost of the new Upper Kalgan Bridge, Albany?

Use by Grain Haulage Trucks

- (3) Is he aware that the Upper Kalgan Bridge will serve large grain-producing areas which will require services of heavy haulage trucks?
- (4) If the answer to (3) is "Yes," is he satisfied that the existing bridge will carry haulage trucks during the grain harvest?

Mr. COURT (for Mr. Ross Hutchinson) replied:

- (1) Early in 1966.
- (2) £20,000.
- (3) Yes.
- (4) Yes.

10. *This question was postponed*

ESPERANCE HARBOUR

Road Transport of Cargoes: Method and Route

11. Mr. MOIR asked the Minister for Railways:

- (1) As the Minister for Works has stated that the new Esperance Harbour will be ready for commercial use in November, 1965, is he now in a position to indicate what method of transport will be used for moving cargo?
- (2) If road transport is to be used, what route will be followed to and from—
 - (a) the railway grain bins;
 - (b) the superphosphate works;
 - (c) the delivery of other cargo?

Mr. COURT (for Mr. Hutchinson) replied:

This question was addressed to the Minister for Railways, but it should have been addressed to the

Minister for Works; so on behalf of the Minister for Works I reply as follows:—

- (1) Road transport.

- (2) The road leading from the wharf to the port boundary junctions with the Esplanade between Emily and Hardy Streets, and thereafter the route would come under the jurisdiction of the local authority.

Facilities: Use by Ships in 12-month Period.

12. Mr. MOIR asked the Minister for Works:

- (1) What is the estimated number of ships that will use the new harbour facilities at Esperance during the first 12 months of operation for—
 - (a) grain shipping;
 - (b) rock phosphate;
 - (c) sulphur;
 - (d) general cargo?

Tug Service: Provision

- (2) Will the services of a tug be available for shipping?

Mr. COURT (for Mr. Ross Hutchinson) replied:

- (1) (a) Approximately 10 to 14, depending on tonnage.
- (b) and (c) Approximately nine or 10.
- (d) Approximately three.
- (2) No.

GOVERNMENT STATISTICIAN'S FORMS

Delivery by Police Officers: Work Involved

13. Mr. DAVIES asked the Minister for Police:

- (1) Are members of the Police Force required to deliver to factories and other places various forms on behalf of the Government Statistician's office?
- (2) If so, what is the extent of such work?
- (3) Are they required to "follow up" such forms if they are not completed and returned within specified times?
- (4) If it is a fact that members of the Police Force do this work, what is the reason for same and why cannot the work be done by the Government Statistician's office using postal facilities?

Mr. CRAIG replied:

- (1) Yes.
- (2) To distribute such forms in July of each year and collect them during September.
- (3) They are required to serve one notice if the return is not available when called for but not to take any further action. Such further action is taken by the Government Statistician.
- (4) It is feasible for the Government Statistician to use postal facilities but the present method is considered more efficient.

QUESTION WITHOUT NOTICE

EDUCATION ACT

Regulations under 1965 Amendment

Mr. I. W. MANNING asked the Minister for Education:

- (1) Have the regulations proposed under the provisions of the Education Act Amendment Act, 1965 been prescribed?

Subsidy to Parents: Method of Payment

- (2) Is the department in a position to consider and grant subsidy payments in accordance with the provisions of section 9B of the Education Act?
- (3) Will he give details how the subsidy is to be made available to eligible parents?

Mr. LEWIS replied:

I thank the member for Wellington for giving me some notice of this question, the replies to which are as follows:—

- (1) Regulations are being prepared under the amendment which was assented to only on the 1st October.
- (2) Details are not quite finalised but should be completed in the near future.
- (3) Parents will apply through the school and payments will be made to the school.

WEIGHTS AND MEASURES ACT AMENDMENT BILL

Introduction and First Reading

Bill introduced, on motion by Mr. Craig (Minister for Police), and read a first time.

LEAVE OF ABSENCE

On motion by Mr. I. W. Manning, leave of absence for one week granted to Mr. Bovell (Vasse) on the ground of ill-health.

BILLS (2): REPORT

1. Painters' Registration Act Amendment Bill.
2. State Housing Death Benefit Scheme Bill.

Reports of Committees adopted.

ELECTORAL DISTRICTS ACT AMENDMENT BILL

Second Reading

Debate resumed, from the 7th October, on the following motion by Mr. Court (Minister for Industrial Development):—

That the Bill be now read a second time.

MR. JAMIESON (Beeloo) [2.28 p.m.]: This Bill proposes to make some alterations which, in my opinion, in many cases are most necessary. In the first instance the alterations will put into clear and concise terms the directions for the electoral commissioners who are charged, from time to time, to redistribute the boundaries in the electoral districts and provinces in Western Australia.

The Bill makes provision for an extra seat, which will be accomplished by an alteration to another Act; and in proposing to enlarge the Assembly to 51 seats, the Minister indicated that 50 was a reasonable number to constitute this Legislative Assembly. I must agree that there was no abundant evidence that the number should be changed greatly; and the increase of the number of seats by one is possibly brought about in case of a deadlock at some future date. At the present time, it will prevent a seat from the Rural, Agricultural and Pastoral Area from coming into the Metropolitan Area, which would cut by one, the numbers representing that particular electoral area.

It is interesting to note that this Parliament, unlike most of the other Australian Parliaments, has not altered its numbers in recent years. In fact, the last alteration in numbers took place back in 1899. It appears that the numbers were fairly quickly altered between the advent of responsible government in 1890 up to 1899, during which time there were no fewer than four changes in the number of representatives in the Parliament of Western Australia.

At this stage it seems as though we hit upon a principle which was suitable to the various Governments from time to time and Parliament has not endeavoured greatly to alter this principle although, as the Minister did indicate, there was a move by a previous Government a few years ago to increase the number to 52. As to whether an uneven number of seats will give any ultimate advantage in the future and prevent a deadlock is quite a debatable question. Is this more desirable than would be the position with the Speaker left to make the decisions of Parliament—because it must be obvious to all

concerned that with a majority of one the Speaker would be forced on all occasions to vote; he would be required to do so on each and every occasion whether it be on a second reading, a motion before the House, or a Committee stage. It would to a great degree deprive him of his air of impartiality, and I would say that that would be a bad feature.

However, it might prevent a deadlock to the extent that another election would not have to take place; but from a study of our history, it would appear that this does not occur very often. Indeed, this Parliament seems to have been more stable than most Parliaments which have come through the revolutionary era and entered into the party political system since the advent of responsible government. It is noteworthy that only the fifth Parliament, elected in 1904, failed to serve the term required by the Constitution Act. This, of course, was probably the beginning of party politics as we know them today. The reason for that Government failing to serve its time was the inability of the minority Labor Government formed by The Hon. H. Daglish to govern in a stable manner. From that time onwards each Government has been able to see out the three-year term—or three parliamentary sessions—and one Parliament, during the war years, was extended for a further two years.

So it would appear we have had reasonable stability with the number of members at 50, and I would suggest that this is quite possible because it is clear that if there had been only a majority of one, it would not have been sufficient for the Governments to remain in office. I appreciate that from time to time we have had instances of some Independent members in Parliament, and indeed at one stage there were as many as seven.

It would appear that the Government would have more security with a majority of at least two members to run the Legislative Assembly end of the Parliament. Of course, the stability that has been in evidence indicates that the people have always been able to be relied upon to do that. In future, they may not, and a change may clear this position.

It does raise an interesting point that in certain Acts of Parliament—as indeed in the one we are amending—the requisite of an absolute majority of members is provided for, and there again it would probably involve the Speaker of the day in deciding whether he would provide that absolute majority of members of the House. Again, I feel that is not a good feature, and an absolute majority of members of this House should be defined by further amendments of the laws being made to prevent any occurrence of this unsavoury feature of the Speaker being pushed into that position.

This was the case in South Australia where there have been a number of problems. Certain amendments to various Acts, proposed by the Playford Government, required a constitutional majority. The Speaker's supporting vote was required, which he was not prepared to give because of his air of independence and the fact that he had been elected as an Independent. Those are some side issues which might occur because of the change in the number of members. It would appear that there are some features which make this Bill desirable, and some features which could cause problems in the future.

Changes in electoral Acts and redistribution Acts through the ages, as a reference to *Hansard* will indicate, have always raised long arguments in the Parliaments as to whether the changes were justified and whether they were to the advantage of one side or the other. Governments and Oppositions of the State have argued backwards and forwards, and changes which could have been of advantage, were shelved. It is obvious that no clear direction of redistribution was in evidence until the 1947 Act, which this amending Bill is subject to. I think it was the McLarty-Watts Government which proposed the Electoral Districts Bill, and it has worked reasonably satisfactorily because it provided a method of impartially deciding the electoral boundaries if and when changes were desired.

However, the problem has always been the suspicion of one side or the other that some degree of advantage is being taken by the proposal before the House at the particular time. I well remember, that when the Minister was handling a Bill several years ago, when bringing up to date the consolidation of the Constitution Act Amendment Act, I suggested it needed some tidying up. He remarked that he was sure it did, but that any amendment of that particular Act was viewed with suspicion by the Opposition, and he had no intention of being involved in an amendment of the Act at that time.

I well remember a former Attorney-General who, at that time, was in the position of being spokesman for the then Opposition, acknowledging that the Bill introduced by the Hawke Government was a very good one—after it had been defeated for the want of a constitutional majority in this House. He expressed the opinion, in the corridor, that it was a very good Bill, but that there were several features about it which he did not like. There again it was defeated by suspicion rather than on merit. I feel sure that if that member had acted correctly on that occasion he would have been able to encourage a constitutional majority for the Bill in this House with a view to possibly putting his amendments into the Bill when it reached another place. I think we would have had an amendment to the Act

and probably an increase in the number of members for the Legislative Assembly at that time, had this been done.

However, for reasons best known to themselves the members of the Opposition of the day refused the constitutional majority, and the Bill got no further than the stage of being debated at the second reading.

The only thing that the increase in the number of Legislative Assembly seats by one appears to do is disadvantage the Opposition at present; not in the Legislative Assembly, but it has a slight, what might be called, gerrymandering effect in respect to the Legislative Council provinces. If there had been no provision for this extra seat, one of the country provinces would have had only two Assembly electorates in it.

Obviously the commissioners would have had to decide that the quickest growing areas were the ones to which the two-seat provinces should be allocated; and most possibly they would be Albany or, alternatively, Bunbury. From a party political angle, of course, it is a possibility that the present Government, being a composite government, would have lost a province ultimately because of the heavy influence the member for Albany could have on the vote of his running partner in that area as against the present influence that the two Government members who hold the other two Assembly seats in that province have.

This could or could not be the case; it is only a matter of surmise. However, if it is detrimental to anybody this Bill would be detrimental to the present Opposition with the provision of an extra seat and the retention of 24 seats in the rural and mining areas.

There is another aspect I would like to mention and that is in regard to the metropolitan area. In my view the question of the allocation of provinces for the metropolitan area is one which will need some attention sooner or later. This Bill, of course, does not completely cover that aspect but certain sections associated with it are amended by the Bill. I draw the Minister's attention to the fact that with the 23 Legislative Assembly seats in the metropolitan area, all requiring quotas of double the number for the country areas there are only five Legislative Council provinces; whereas in the country areas, which have 24 Legislative Assembly seats, there are eight provinces each covering three Legislative Assembly districts.

It is simple mental arithmetic to work out that if the people in the outer areas have double the voting rights of those living in the metropolitan area, for Legislative Assembly elections, they have quadruple the voting rights of metropolitan electors for Legislative Council elections. So unless we are prepared to adopt a basis of one vote one value there will

always be an argument along those lines. The argument has always been, of course, that in a rural State the rural areas should have some special privileges allocated to them, as do the people in the gold-fields areas and remote areas such as the north-west. People in those districts have had privileges accorded to them in regard to voting rights.

However, I do point it out as being an anomalous position because with the Legislative Assembly there are 23 seats for the metropolitan area as against 24 seats for the country; but for the Legislative Council the country areas have eight provinces and the metropolitan area five. To make it more correct I think the figures should be six and seven. That would certainly be more equitable.

To deal now with the Bill itself, and what it does, I would draw the Minister's attention to the fact that when the Bill is passed the long title will read—

An Act to make provision for the better representation of the people of Western Australia in Parliament.

However, I do not think it will do exactly that. It might; but to me it sounds as though such a title would refer to an Act which dealt with the particular qualifications associated with a person before he was entitled to stand for Parliament. I think the Bill could have a more correct title; and when the Minister is reviewing the debate—even if the Bill is not amended here it could be done in another place—I ask him to give consideration to a title along these lines—

An Act to provide for a periodic redistribution of the State into electoral districts and provinces.

If one read such a title one would know exactly what was intended. There is no guarantee that this Bill will or will not give to the people of Western Australia a better type of person to represent them as could be inferred from the proposed long title.

Many of the amendments contained in the measure are formal, such as the date on which the Act comes into operation, and so on, and I do not think much needs to be said about them. The Minister covered those aspects fairly effectively in his introduction.

The next matter to which I would draw the Minister's attention is the rather clumsy way in which the various areas are named in the Bill, and one of the problems with the present Act is the jargon and complicated verbiage in it. The direction to the commissioners is really hard to understand and it has had to be interpreted on many occasions. The proposal in the Bill is that there shall be three areas: the Metropolitan Area, the North-West-Murchison-Eyre Area—and if ever anything sounded jumbled that does

—and the Agricultural, Mining and Pastoral area. If any amendment is made in this regard probably a number of consequential amendments will be involved and perhaps if any amendment is accepted it would be better made at a later stage and in another place.

I believe the areas involved could be better named. The Metropolitan Area is perfectly clear and everybody knows what it means. However, in regard to the North-West-Murchison-Eyre Area, I think it would be better named the Pastoral Area, with the third one being the agricultural and mining area. To my way of thinking those names would more clearly define the areas to which they referred; because we must realise that the bulk of the Murchison, Pilbara, Kimberley, and Gascoyne areas are essentially pastoral areas although, of course, there are a few service towns there.

Mr. Burt: There are iron ore and other mining operations up there now.

Mr. JAMIESON: I know there are mining operations there now, but the broad acres are used essentially for pastoral pursuits, and I am sure the member for Murchison will readily admit that. Goldmining is carried out in his territory and in the other areas, and there has been goldmining in the Pilbara for many years. However, to refer to the area generally as the north-west does not clearly define that there is any mining being carried out there. For the sake of clarity in naming an area we do not want to use names like the North-West-Murchison-Eyre Area. However, as I said, if we decide to alter those names it would be better to do it in another place, and to name it the north-west or pastoral area at least would sound more reasonable than what is proposed. The proposal in the Bill does not even sound like a name; it is a conglomeration of words; and if we can clarify the position while we are amending the Act, and use reasonable-sounding words it is all to the good.

So I put that suggestion forward but I again remind the Minister that I do not intend to move any amendment along those lines at this juncture because of the need to study all the consequential amendments involved. If any such proposal is thought necessary the position can be studied and amendments placed on the notice paper.

The next part that the Bill proposes to amend deals with quotient fractions. As the Minister indicated, when there is a fraction at present it has the effect of granting another seat to the metropolitan area. It will be counted to the next whole number, which will mean that the rural-agricultural-mining area will, as a consequence, lose by that particular fraction. Now it is proposed that the area, be it either the country or the metropolitan

area, for the sake of brevity, with the largest fraction, will receive the seat that was being divided between the two areas.

This probably is a better scheme, although again it could have some detrimental effect in the long run on the number of seats in the metropolitan area. While we might be keen to keep seats in the country for purposes that many members of this Parliament have stated over the years, if we examine the matter closely we will find that Governments are made and broken in the metropolitan area and not in the country area. This is so mainly because in the country the people become closely associated with and attached to the member representing them, whereas in the metropolitan area, while this does apply to some degree, it is more an impersonal representation, and the electors are subject to fluctuations in thought far greater than they are in the country areas. Evidence in the past shows that the limited number of changes that have taken place in the country clearly indicate this to be a fact.

While it may be an advantage to some people to have that sort of arrangement, from the point of view of Governments coming and going it may be a disadvantage. The Act as amended again allows adjustments to the metropolitan area and the country or pastoral areas. It allows the commissioner some latitude in adjusting the boundaries. In other words there is no reason why at this distribution the commissioners would not be inclined to say that Swan View, High Wickham, and even Kalamunda and Armadale should come within the scope of the metropolitan area. Rockingham could come back to the metropolitan area.

It is, of course, desirable to allow some latitude. The only fault I find is that it is like placing the cart before the horse, that the electoral commissioners, when reconvened to reconsider the boundaries, should first look at the metropolitan area and determine whether it needs any extensions in any direction before they get their final figures for application to the formula.

If that were done it would give an up-to-date distribution, whereas if the commissioners work the other way round, and after deciding on a quota for the metropolitan number of seats and a quota of seats for the country, they bring in what is virtually enough numbers from the outer metropolitan area to create another seat in the metropolitan area they will introduce an imbalance immediately.

It would be better if this were in the other direction, and the commissioners were required before taking into consideration the quota of seats—and of course out of the quota of seats a quota of electors is arrived at—to decide that any expansion or alteration between the country and the

metropolitan area should be taken first. However, it is not the Government's intention at this stage to do that; or so it would appear from a reading of the Bill. I do suggest that this would be a much better procedure than the one that is adopted at the moment.

The newly-defined Murchison electorate will not be altered in any way except by name. This would put it in much the same category as the north-west seats, although it has been the practice of the electoral commissioners there, on occasion, to alter the boundaries between three of these seats. It would be difficult, however, to alter the boundary between, say, the Gascoyne and the Murchison, because of the long wide spaces that are very sparsely populated. The only reason we would attempt to alter the boundary would be to even up the respective number of electors from time to time, and we would have to deviate many miles to get any number, or even a few hundred, when dealing with the far outback areas.

Possibly the instruction is clear in that the commissioners there have a defined seat, and it must remain thus until Parliament at some subsequent date, in its wisdom, decides some other feature shall be included in the Act. At the present time it will be clearly defined and will remain as such until we again adjust it.

The further amendment clarifies the final action of the commissioners, and what will be, in effect, an automatic action once the commissioners have made their final report. As the Act stands at present this was not altogether clear, and allowed some final latitude to the Government to determine the time of gazettal and of dealing with it. I think this is a desirable move, and it is commended by the Opposition.

One section that requires some attention—and I intend to move my only amendments on it, although they are not on the notice paper at the moment—is in connection with the issue of the report of the Electoral Officer when the number of seats gets out of balance, and it is obvious there are eight out of balance at the time of the general election. In the proposals before us the Chief Electoral Officer is given six months from the date of polling day of the last general election to make his report. A report such as this is not a big report. It is one that any member of the Legislature here could knock up in the course of several hours if he applied himself to the sections of the Act. The Chief Electoral Officer, of course, with all the information at his disposal, would put it together in much less time.

In my opinion six months is far too long, and indeed allows a considerable manipulation. We have had a lot of argument in this House on the question

of the manipulation of the electoral officer and the time he has been allowed. Previously it has been such that the Minister for Justice, the Attorney-General, or whoever administers this for the time being, rings the electoral officer and says that he wants the report now or in a certain number of months. This direction states that he must make his report in six months. I feel it is left far too much to his discretion, and it may be desirable from the point of view of the Government to have it in a far less time than six months. Apart from this he would be in a position to hold up the proceedings to that time.

This cannot be in the best interests of the Parliament of Western Australia. If the need should arise for another election after a general election has been held, it might be desirable to have a redistribution, because on the occasions when there was an equality in the numbers returned it was very doubtful whether a change in the attitude of the electors would be made if the further election was held under the same boundaries.

The Government might then have to take some action. If it does manipulate the course of action of the Chief Electoral Officer to extend the time to the full period of six months—as almost happened on this occasion—then he would be made the tool of the Government, and he would not be acting as the servant of Parliament. To rectify the position I shall move to delete the period of six months, and insert a period of 30 days. If that is done the Chief Electoral Officer will have ample time to make a report to the Government, but what the Government does afterwards is its prerogative. If it decides to delay proceedings further it will have to accept the responsibility for its action. In my opinion the period of three months for giving further consideration to the matter, after it has been received from the Chief Electoral Officer, is quite reasonable. The Government could then proceed to move at its leisure within that period.

Because of my proposed amendment of the period of six months to 30 days, there is need for a consequential amendment to the period, dating from polling day, for the automatic issue of a declaration, if action is not taken by the Government. I propose to move an amendment to alter the period from six months to four months.

All in all, the measure will have the effect of tidying the Act. As members who were here last year will realise, I asked many questions to find out exactly what did apply. The Bill seeks to cut out the deadwood in the Act, such as section 11A, which is now redundant, and which had the effect of redistributing the seats in the Legislative Council for the first time in many years, and which gave

directions to the commissioners in that respect. In my opinion, we should not retain any provision in an Act of Parliament after it has served its purpose. If we get down to the fundamentals—of advising the general public, and in this case of supplying the specific information to the electoral commissioners as to what is desired—the Bill is a much more simple document. It is one which everyone can interpret quite clearly.

The proposal in the Bill to repeal the sections in the Act which enable the Government to make regulations, and to take other similar action, is quite justified. I cannot imagine any regulation which is required to be made under an Act such as this. It is a wonder the particular provision in the Act was inserted originally. It is obvious the whole of this document is merely an instruction to the three commissioners directing them to take action on behalf of Parliament. It was very doubtful whether regulations would have to be made covering features associated with such a procedure.

In general, I support the Bill, as I have amply demonstrated to the Minister in the course of this speech. I say there are certain features in the Bill, such as the naming of places, and in other respects, on which slight amendments are desirable, in order to give the legislation the clarity which it deserves.

Debate adjourned, on motion by Mr. I. W. Manning.

CONSTITUTION ACTS AMENDMENT BILL (No. 2)

Second Reading

Debate resumed, from the 7th October, on the following motion by Mr. Court (Minister for Industrial Development):—

That the Bill be now read a second time.

MR. JAMIESON (Beeloo) [3.5 p.m.]: This Bill is consequential on the one which we have just discussed, and seeks to adjust the Constitution to provide for 51 seats instead of the existing 50 seats for the Legislative Assembly. Most of the matters and reasons associated with this Bill have already been dealt with in my remarks on the previous measure, and very little else need be said.

I reiterate that in Western Australia we have been lucky to have had such stable government for a number of years, without any need for alteration. It is hoped that with the increase in the number of seats for the Legislative Assembly this long period of stable government will not be broken, and that in future the State will be well represented by governments which serve their full term.

Debate adjourned, on motion by Mr. Runciman.

FISHERIES ACT AMENDMENT BILL

Second Reading

Debate resumed, from the 5th October, on the following motion by Mr. Ross Hutchinson (Minister for Works):—

That the Bill be now read a second time.

MR. KELLY (Merredin-Yilgarn) [3.7 p.m.]: This Bill could be regarded as a case of closing the stable door only just before the horse got out, because the cray-fishing industry with which this measure deals has been going downhill for the past several years. The Bill represents to us an overdose of delayed action. However, at this stage I think there is some time left and some opportunity for retrieving at least something from the chaos that was very close to us when the Bill was introduced.

The main provisions in the Bill cover increased penalties. In fact, it revolves around increased penalties, and it is hoped that by increasing the penalties to very high figures they will act as deterrents to those who are creating so much nuisance within the industry. For a long time traffic in undersized crayfish has existed; and this has caused the department, and I think all right-minded people, a great deal of concern. The matter was getting out of hand, and the situation was worsening. We will be in a very serious situation if something is not done to arrest it at this stage.

The action contemplated under the provisions of this Bill will not get at the seat of the trouble. It certainly hopes to overcome some of the difficulties, by making the penalties very high, but it does not go to the core of the problem which the industry faces. If we are to achieve any really worth-while and lasting result then the industry requires a new look. Half-measures—and that is all we can say of the penalties—will only help to reduce the decline that this industry faced and is still facing; but if we prolong the period of indecision it will enable the transgressors to have a new lease of life, and to go from one success to another in furthering their particular outlook.

It seems that new techniques are developed by these wrongdoers. As soon as the department catches up with one technique, another technique under which these people are operating is developed and some new approach to their villainy enables them to still cash in very greatly on the lucrative undersized crayfish trade.

The price incentive is so very great that the dividends of success make the risk they take worth while. Therefore, as I said earlier, higher fines and cancellation of boat and personal licenses are only a part deterrent and something better will have to be devised.

This Bill proposes ministerial direction to replace the proclamation by the Governor in such matters as the opening and closing of waters and seasons and several other matters that normally would be dealt with by the Governor's proclamation. When this Bill becomes law, the Minister will be able to do all these things by the normal direction, and I think that will be quite good. It will short-circuit the necessity for taking this action firstly; and, secondly, it will mean the Minister will be able to act promptly when the necessity arises for urgent action.

I do not think that anyone will be disappointed about the abolition of the Fisheries Advisory Committee, because over a period of time many people have had the idea that it serves no purpose because it has absolutely no authority. It was appointed purely in an advisory capacity and no matter how well-meaning its decisions were—and the committee has been well-meaning and enthusiastic in the job it has done—it has contributed very little to the industry during the time it has been in operation. There are a nice lot of chaps on the committee and they have meetings in various parts of the State, but there is necessity for action to be taken and I know from experience that very little importance attached to the majority of the decisions the committee reached.

Under this Bill, although we are abolishing one committee, we are creating two others. It is true that both committees will function on a separate basis and that they will be covering two entirely separate facets of the industry. However, despite this I am not at all convinced that any overall advantage will result to the industry from the appointment of the two committees. Granted, the members of both committees will be representative of most sections of the industry and the committees will be dealing in a separate capacity with those different interests.

On the crayfish advisory committee I understand two will be appointed by the Rock Lobster-Crayfish Development Association; two will be active fishermen; and, literally two will be nominated by the Minister. This is a most unusual proviso. We find that in the matter of this committee provision has been made for a seventh member to be appointed. There is no need for the appointment to be made. It will only be made at the pleasure of the Minister; and whilst he would be a man not connected at all with the industry, I fail to see the advantage of having this swinging position left vacant on a committee that ostensibly should be a seven-man committee, if there is any committee at all. I do not think that six is a very good number to have on a committee. Even numbers on committees at any time are not good, but in this case provision is made for a seventh. Why not create the seventh position right at the beginning?

The same, of course, applies to the general committee, which is the committee which will deal mainly with wet fish from all over the State, and matters pertaining to the wet fish industry. Provision has been made for five or six members of that committee. Again, this is a most unusual method of appointing committees. I am wondering whether the Minister is feeling there may be a preponderance of some representation and he wants to have the right to be able to equalise affairs by appointing the swinging member when the time is ripe.

Those men who spend a lifetime learning the industry and have been among fishermen and other fishing interests, naturally know a lot more than a committee which just meets probably monthly or every two months. The previous committee, I think, met every two months. In any case it does seem rather a futile way of handling this industry. A committee should not be carrying out work which should rightly be done by the department, especially when there is absolutely no authority vested in the committee. It is purely an advisory committee and there is absolutely no necessity for the Government to take any notice whatever of it.

All the information the Minister is likely to get from the committees he can obtain from the employees in the department, the inspectors, and others; and, indeed, he has the option of using what his departmental heads and his officers tell him or discarding it as he thinks fit; and the same applies to these committees.

Therefore I feel the appointment of these two committees is a costly adjunct to the fishing industry and will not achieve anything at all. I just cannot understand why the Minister has decided this way; but I do feel it is a very futile attempt to obtain advice he can lean on when he requires to. As I said earlier, it is going to be very costly.

According to the Bill no fees have been fixed; but I suppose that is quite normal. Whatever the fees for the meetings and those for the chairman will be, they will not, I think, amount to less than £500 a year; and if the value from them is negligible, I think the money could be well spent in some other way.

Another amendment alters the title of Chief Inspector to that of Director of Fisheries and Fauna. I think that with an industry of the importance of this one we have, perhaps, delayed rather long in deciding to make this office carry the title of Director of Fisheries and Fauna. So I feel that is a move in the right direction.

One thing I have not been able to understand—I think the difficulty goes back a long time—is why we have a Minister governing flora through a department, and we have a Minister governing fauna through another department, yet

both these branches are contained within the same reserve areas. Why we have not at some stage decided to link both flora and fauna under one Minister and under one departmental head, I do not know. The two sections are akin, one to another, and deal ostensibly with the same form of control. Yet we find that, Government after Government, two separate positions have been maintained. I have always been at a loss to know why. Perhaps the Minister can shed some light on that aspect. I am sure the Minister for Industrial Development would know the reason.

Mr. Brand: If he does not, he will find out.

Mr. KELLY: I agree with the Minister that it is difficult to police closed waters. In the first place they are very extensive and cover an area extending from below Fremantle to beyond Geraldton, and they cover all the islands. It is difficult with the type of equipment we have had in the Fisheries Department over a period of years, and still have, for any inspector to operate effectively in what we term closed waters. The definition of closed waters gives a latitude of one mile from the shoreline before the relevant provisions of the Act can be applied.

There is no doubt in my mind that this portion of the Act could be the crux of the situation, or could largely contribute to the success the department can achieve; or it could contribute to the failure to overcome the difficulties in respect of undersized fish.

It can be said that the amount of harm that is done to the industry by poaching in closed waters is something we will never be able to assess because we have a nautical mile described as being the perimeter from which the licensed fishermen can operate. As a result, the doubt and confusion that exists is more than any inspector can cope with. For instance, time and again we find that inspectors have taken pots and eventually the transgressor has been brought to face the law, and the judges have thrown the case out of court because there was nothing factual about it.

On land it is very hard to determine what is a mile, and it is much harder on water to be able to say what a mile is, or to determine that cray pots set within a given vicinity are within a mile of the coast, or beyond it. Frequently this confusion arises.

I think there is only one remedy to this difficulty that arises when an inspector is placed in the position of getting a conviction because of a supposed distance, and that is for us to pick out the main areas that are of importance to the industry. There are a number of important areas, but some are more important than others.

Take the perimeter of Rottnest Island; and take again the area along the main coast, particularly between Geraldton and Dongara where the reefs are fairly close inshore and where, in some cases, there are several lines of reefs. It is very difficult for an inspector to pick up a line of pots and be certain that he is outside the mile limit, unless he allows a big margin; and if he allows a big margin he defeats the difficulty we want to overcome in the matter of people getting down on so much of the crayfish stock.

I think there is only one way to overcome this difficulty, and that is for us to place in the areas of great importance permanent buoys so that they can be sighted from one to another. They could be placed over a distance of, perhaps, two miles. They would not want to be closer to each other than half a mile, and perhaps there could be three or four buoys in a line. There would then be no doubt that any pots taken inside that line would be within the mile limit and would be confiscatable, and there would be a penalty attaching to the setting of them in the particular place. I think that is the only definite way by which we will ever be able to reach a position which will enable us to be certain of being able to bring those who are offending at all times to answer for their transgressions.

The Minister mentioned some of the malpractices that are taking place, and undoubtedly there are a number of subterfuges that he did not mention. Many subterfuges are known to most people who are interested in the factual side of fishing. Some of them are quite simple, yet they are causing a lot of difficulty and are depleting the industry stocks in no small degree.

For instance, I was on one occasion traversing some lightly covered reefs not far from here and I found that a number of cray pots were tied down with a strong wire on the underside of the reefs. An inspector could go along in his boat, which would draw seven feet or eight feet, and by no stretch of imagination could he get within coo-ee of those pots.

Frequently they are set at night by torch and they are detected only by chance should one happen to be walking along the reefs or wading out above one's knees. It is only then that one will find these wires fastened to a hole in the reef to hold the pots. In this way it is quite simple to get away not only with sized crayfish but also large quantities of undersized. This practice is going on not only in the place I have mentioned, but in many others besides. It is one of the ways by which the law is being flouted, and offenders are committing such breaches all the time.

In my opinion this slaughtering of undersized crayfish is what is having a serious effect on the industry and naturally it is one of the offences we are trying to stamp

out. It is one of the offences for which we are providing high penalties, and it is the offence which this Bill is seeking to eliminate. Unless we can get a lead on all the methods adopted by these defaulters the passing of the Bill will not have much effect. Another method of catching undersized crayfish that is becoming more popular as the days go by is that practised by many younger fishermen who have become experts at skin-diving with the use of the snorkel. They are able to operate inside protected areas and, in a couple of fathoms or less of water, they can set pots and remove them at will. They do not need floats or any type of indicator and they bide their time to pick up their pots.

One can always locate plenty of people who are willing to do business with any fisherman who has caught undersized crayfish, and these practices are taking place in many places under the very noses of those who are responsible for administering the law. It has just about reached the stage when it is almost necessary to set a thief to catch a thief in order to stamp out the activities of those fishermen who are catching undersized crayfish. No matter what fines we provide they will be more or less ineffective unless we can reach the core of this illicit fishing and work out from there until we overcome this problem completely.

It is an easy matter for a person to go from one dinghy to another and from pot to pot and, with the use of the grappling iron pull a pot up and set it down again without the use of any indicator, floats, or any other marker. Such acts are being committed in many places quite frequently, and undoubtedly they are largely contributing to the decline of the number of young undersized crayfish in our waters, because they are being caught in such great numbers. Inspectors have been faced with these difficulties for a number of years, but they have been seriously handicapped because vessels with which they are supplied are fitted with an engine that does not have sufficient power to enable them to carry out their duties in an efficient manner.

I can recall being out in a boat with one of the fisheries inspectors who had a reasonably good pair of binoculars and a five horsepower engine in his boat. He had reason to suspect the movements of a fisherman in another boat, but unfortunately he had an equally good set of binoculars and a 10 horsepower engine and, as a result, by the time our boat had travelled half a mile in his direction he had travelled two miles, and was able to get away. I feel certain that such an occurrence happens frequently and has been going on for quite some time.

The department has a few boats which have performed yeoman service. I know of several boats that were being used by officers of the department when I was

Minister, and they are still giving yeoman service. In these circumstances, should an inspector wish to apprehend an offending fisherman it is like putting up a Melbourne Cup winner against a country hack and then wondering why the Melbourne Cup winner was able to get so far out in front.

In this Bill the Minister is seeking to give authority to inspectors to cut floats from pots and to destroy pots when he finds that they have been used illegally. That provision has been in the Act for some time, but when we reach the situation when pots are required to be set outside the one-mile limit, and when there is no definite line of demarcation, it is very difficult for an inspector to define whether the pots set are inside or outside the one-mile limit.

If an inspector is clothed with additional authority under this legislation to enable him to cut floats and to destroy pots without his having to appear before a magistrate, I think we are moving to a dangerous field because, as I explained earlier, it is very difficult to define where the one-mile limit starts, and if a fisherman finds that his floats have been cut and his pots destroyed because the inspector considered that they were within one mile from shore, and it is subsequently found that they were $1\frac{1}{2}$ miles from the shore this could lead to a great deal of trouble in the industry; and, what is more, we are throwing too much responsibility on to the inspector and placing a fisherman in an invidious position of being apprehensive about having his fishing gear badly damaged or confiscated.

Of course, it could be argued that a fisherman should be competent to judge how far a mile would be from the shore, and if there is any room for doubt he should go beyond where he considers the limit is set. As against this, it could also be said that, in view of the high price being obtained for crayfish many risks are taken by fishermen and it is quite possible that some of them will be badly hit if we allow inspectors to be given authority to cut floats and destroy pots willy-nilly.

I next turn to the compulsory escape-gap provision. The Bill seeks to make it compulsory for an escape gap measuring 12 inches by two inches to be fitted to every craypot. I think this can only be regarded purely as an experimental measure. It should not be the intention of the department to make this provision a permanent one until it has been thoroughly tested and tried. After giving the escape gap in pots a trial it could be found that it works admirably but, on the other hand, it could be found that it will not achieve, to any great extent, that which it is designed to do.

It can be claimed, of course, that even if 5, 7, or 10 per cent. of the young crayfish that enter pots can be conserved in

this way something has been achieved. But there is nothing to show that the 10 per cent. of the crayfish we save is not the 10 per cent. that is getting into and out of the pots continuously and, in the long run, the percentage is considerably reduced if this should be so.

It may be an idea that will work, but I do not know whether it will be fully worth while. I have in mind several occurrences that give some little light as to the destruction of the younger crayfish which is taking place. On one occasion I remember being out in a boat—I think it was called *Sea Breeze*—in 300 feet of water. The majority of crayfish taken in this particular area came up size. They were good crayfish; but always there was a number of small crayfish in the pot—perhaps two or three or half a dozen—and invariably the majority of these crays were dead when they reached the surface. We put them back in the water and they floated around.

If we are going to conserve the crayfish by having a gap in the pots, we will be achieving something. There is another instance which occurred recently before the closing date of the time permitted to take crayfish, a fact which I will emphasise to the House. I was present when a craypot containing 63 crayfish was pulled up. Of those 63 crayfish, less than one-third were size. There were three jumbos, and the balance were small undersized crayfish—42, or something of that order. Some of these were already dead because of the hammering they had had from the bigger crays while in the pot. If pots are set in territory of that kind I wonder how effective the gap will be, because the crayfish enter in crowds. One can imagine how crowded a pot would be when it contained over 60 crayfish! There would be little room for manoeuvrability. It is a wonder that some had not been pushed out through the hole by which they entered.

I think this indicates that there is an amount of uncertainty as to the effectiveness of the gap which, at this stage, must be regarded as purely experimental. Irrespective of what the position is with these pots, we have to realise it is easy for us to pass a regulation; it is easy for us to agree that certain things should be brought into effect, but policing is a different matter.

I have in mind the policing of this particular provision in the Bill. It will cause the utmost difficulty. Several years ago we agreed on a pot quota. I think it was three pots to every 20 feet of boat, or something of that order; and we find that frustration exists throughout the industry, on the part of inspectors and those who have to provide direction. There is absolutely no control at all over the pot position. Some with an entitlement of 60 pots on a 20-foot boat would have perhaps

75 or 80 pots out. Some of the bigger boats have 250 to 300 pots out. So there is absolutely no control over the number of pots being used and it is almost impossible to police this provision under existing conditions.

I do not know whether we will be any more successful in the policing of the gap in pots than we have been in the policing of the number of pots. Undoubtedly, we have too few inspectors for the great amount of water that has to be inspected and for the number of fishing grounds that come into operation every season. I feel we will have to do something far more positive in the matter of policing our pots than we have done in the past.

Towards the end of my remarks I will make a few suggestions; and I hope the Premier will be in his seat to give me the good deal of attention he gave last night to the member for Fremantle when he was speaking.

Mr. Brand: I could not get to sleep after it.

Sitting suspended from 3.45 to 4.7 p.m.

Mr. KELLY: I was dealing with the pot quota and I was about to say that in its present form, with an allocation of three pots per linear foot, the system is farcical, ineffective, and incapable of being policed, and we have to do something regarding this very difficult regulation of the fishing industry. I think the positive approach to keep pots per boat within reasonable limits would be the introduction of a system used in the rural industry. This system is not only compulsory but it is also very effective—I refer to the registered brand system. This system could be applied equally to pots and a register could be kept in the same way as we have a register for sheep and cattle brands.

If that system were adopted it would be simple for the fishermen to operate and would be very effective from a State and industry point of view. Of course, so far as the ownership of pots is concerned this system is not new, because some fishermen are already utilising brands for identification purposes, but there is nothing compulsory about it. They are doing it for their own benefit and they burn their own brands on to their pots in case somebody feels inclined to purloin them or they break away from the floats and are found by other fishermen. A distinguishing mark is used and this enables a fisherman to identify his own pots.

We have given the present pot quota system a trial for several years now and the further we go with it the harder it is to police and be made workable. Instead of the Fisheries Department knowing that there are a given number of fishermen with a given footage of boats between them, and therefore they have in the water a given number of pots, we

are finding in some cases fishermen have 100 per cent. more pots than the number to which they are entitled; and in other cases fishermen have 30 per cent., 40 per cent., and so on more than they should have. In that way the pot quota system is being defeated.

This is bringing about a decline in the industry and the position is becoming worse as each year goes by. In connection with the brand system—and there is no pun about the use of that word—I think we should keep a close watch on all brands used. The brands should first of all be uniform and should be manufactured either for the department or under departmental control and supervision; they need not be large and there is no reason why they should be expensive. The pots could be branded in such a way and in such a position that every one would be branded in the same place and it would be a more effective way of controlling the number of pots used.

On the license which is issued to each fisherman could be listed the number of pots each boat is entitled to carry; in other words, if the boat were 20 ft. long it would be entitled to carry 60 pots. There would be authority on the license for that number of pots to be carried and they would be numbered consecutively from one to 60. In addition, provision would have to be made for the replacement of certain pots which would probably be lost during a season, and so the license would contain authority for a fisherman to brand his pots, in the instance I have just quoted, from one to 60, and he would also be given the right to brand pots which may be lost during the year with exactly the same numbers as those that had been lost. In other words, the new pots would be re-branded with numbers identical to those that were lost.

There is nothing difficult about this system and it could be introduced at this stage because under this legislation fishermen will be compelled to fit an escape gap of 12 in. x 2 in. in each pot. The old pots will have to be reconstructed; or, if that is not possible, new pots will have to be made and, in the majority of cases, new pots will have to be provided. So there is nothing to prevent the Government introducing the branding system at the same time. That would overcome many of our difficulties and the problem of having in the water thousands of pots over and above what is agreed should be the optimum number.

This system would give every fisherman the right to use a certain number of pots, and it would give every inspector in the employ of the Fisheries Department some rod to lean on in the examination of pots. At the present time we find—to use the same illustration as I used before of a 20 ft. boat with an allowance of 60 pots—a fisherman has 60 pots in the water in

one place, 60 pots in another section of water, and another 25 somewhere else. In the long run he has over 100 pots; and if we could stamp out that overlapping and reduce the number of pots to something approaching that which the industry can carry I think we would go a long way towards controlling the number of fish taken illicitly from our waters.

I feel that is one way we can control this position. It is at this juncture when the pots have to be renewed anyway, and when we are specifying new regulations in connection with the pots themselves, that we could overcome any objection that might be raised later by fishermen saying they cannot reconstruct their pots to take the brand. Now is the time that we should act, and I feel the suggestion is well worth while.

While speaking of things worth while, I might say that if this industry is worth anything at all it is worth being properly policed. In fact the time has arrived when the fishing industry should be placed in the major category that the industry warrants. Over the years the industry has floated along with a comparatively low budget allowance. I particularly want to appeal to the Premier at this stage, because succeeding Governments have for too long placed this industry on a shoestring budget. This is keeping the industry from doing the job it can do. Unless we are prepared to step up things in a financial sense we will continue to fob along as we have done in the past.

The industry has increased considerably over a period of time, and the Premier must realise that it is one with tremendous potential; it is one that can suffer tremendously in a very short period unless we adopt the right principles now. We cannot afford to let this industry go down the ladder any further than it has. The Premier probably has going through his mind at the moment the fact that the figures are good; and so they are. But they are not good enough when we find them declining year after year. We will eventually reach the position where the industry will not be the great dollar earner it has been in the past decade. The industry could be helped considerably if the Government were prepared to put in much more than the increase the Budget shows this year. The amount there is only a fleabite compared with what should be done if the industry is to be saved from going further down the ladder.

Mr. Brand: You believe it will be saved by policing the taking of undersized crays?

Mr. KELLY: There are a number of factors that enable the taking of undersized crays, and we must close those gaps if we are to do all that we should do for the industry. We will never be separated from the taking of undersized crays, because there are miserable types in the

fishing industry as there are in all walks of life, and these people will find ways and means of flouting the law and of getting away with the illicit taking of undersized crays. There are all sorts of ways in which they are doing this and getting away with it. With the industry at its present strength it is impossible to overcome the difficulty.

The whole matter calls for a very much more generous Budget grant than perhaps the Premier feels inclined to give to the industry at this juncture. There is no doubt, however, that the industry has tremendous potential. It is not only high on the list of dollar earners, but it is an industry which, in the past 20 or 30 years, has actually not cost very much from a Government control point of view.

If we could overcome what I term the lag in our set-up at the moment I think we would be well on the way to doing something constructive. We are trailing very badly from the point of view of equipment, particularly boats—types of boats generally. This is particularly evident when we consider the modern and up-to-date fleet that the majority of fishermen have. The Premier was not here when I said it was useless sending a boat with a 10 horsepower motor after a boat which was capable of doing 25 knots. It is not right that inspectors should be placed in such an invidious position.

The inspectors might see and know what is going on—they can see it through their binoculars—but they have no power to overcome that difficulty. I think the time has arrived when we must provide inspectors with more modern and up-to-date equipment in the way of vessels. Their boats must have the amenities which will put them one jump ahead of the fishing fleet as we know it at the present time. We must provide the boats with the latest detection devices, and there are quite a few of them on the market at the moment. These permit the finding of pots, the finding of equipment, sunken nets, and that sort of thing. These can all be discovered by devices that are available at the moment. All the vessels we build in future should be fully equipped in this direction, and be provided with the strongest binoculars possible. They should also be equipped with the latest devices for underwater viewing.

There are some areas, of course, where the depth will preclude any great detection, but most of our crayfishing takes place in the shallows, from 5 or 6 feet to 3 or 4 fathoms. That is where the majority of the harm is taking place. In many cases our fisheries inspectors are in boats that cannot get in close enough to do the job required. Every fishing vessel should be thoroughly equipped with a seaworthy tender capable of taking the shallows and of operating in most kinds of weather in which the bigger boats will

have to operate. By having that type of craft the inspector would be on a par with the fishermen, and that is the position we must reach if we are to achieve anything.

Another point I would like to mention is that I feel every inspection vessel should be manned not by one inspector but by two inspectors. This should be so because no matter how good an inspector is he frequently must face very ugly situations in the course of his duties. He may catch somebody redhanded doing something wrong, and it is possible that that person's mates are nearby. Some of these mates will not be clean potatoes either. We have had instances over a long period of time where inspectors have been molested; where they have been beaten and pushed into the water. I know of one inspector who was hit over the head with an oar, and he was in an open boat. There have been a number of such cases. There have been instances where fishermen have endeavoured to run inspectors down on the beach with their four wheel drive vehicles.

All these things are throwing a very unfair burden on the inspectors. They also defeat the object so far as the Fisheries Department is concerned, apart from which the State is also losing as a result of these occurrences, because an inspector may see a breach of the law taking place and find that he is faced with a very difficult position to declare that breach. Unless he is looking for a lot of trouble he naturally turns a blind eye to it. We should have all our inspection boats policed by at least two inspectors. If these boats are built to enable them to do the job properly, we will at least place ourselves on an equal footing with the men in the industry.

We must develop in the inspectors a new status—they have the authority under the law at the moment—which will enable them to put the authority they have into effect. They must be given the right type of assistance when they are making their decisions.

Another matter to which we must give some consideration in this industry—and the Premier might already have given some thought to it—is making available, or placing under the complete control of the department, a small helicopter or amphibious type of plane. There have been cases where vessels have been missing for some time, and where hardship has been faced by many people in the industry. So far as I know, at the moment we are in the position where we can only co-opt assistance from the R.A.A.F. or occasionally from private individuals.

I think the time has arrived when the department should be provided with either a helicopter or a plane under its complete control. There may be a string of pots or nets in illicit waters, and because of the information passed over the grapevine, by the time the Fisheries Department

vessel is prepared—if it is not already prepared—and leaves Fremantle, or Geraldton, or wherever it may be, and gets to the point in question the cockatoos have already got ahead and told everybody in that vicinity what is happening. Nine out of 10 of these people have two-way radios and when they get this information the pots are lifted and the fishermen leave.

I recall three occasions last year, and several other occasions at various times where a particular man would go into a bay on the Rottnest coastline and fish quite legitimately in deep water; but on a particular night—a moonlight night—he would bring his pots close to the shore. He would not be noticed quickly if there were not many people about, and several days would elapse during which time he would be pulling the inside out of the shallow stuff in that vicinity. By the time the Fisheries Department was notified and the man in question received the radio signal that the inspector had gone through the heads, he pulled up his pots and made off. This has been done time and again.

We know the man's name, and it is rather foolish for a couple of inspectors to be sent across after the incident has occurred, because when they arrive there is nothing for them to report; there is a clear coastline, and they can do nothing about it. After one or two false alarms—or what appear to be false alarms—no action is taken at all on future occasions. The people concerned are getting away with this sort of thing north and south of the island. But if the department had a helicopter or an amphibious plane these practices could be stamped out almost immediately. There are other means by which this type of equipment could relieve the Premier and other organisations of a lot of worry and trouble when vessels such as small craft and pleasure craft are missing from time to time. No matter what type of boat they have there will always be people who are prepared to take a risk.

We are continually sending out, at great expense, a number of police officers and officers from various departments, to find people who are lost in boats. Apart from the usefulness of a helicopter as an investigational machine, and as a means to bring transgressors to justice it can be used from the humanitarian point of view not only in the fishing industry but also in the interests of the rest of the State. That would be a very important adjunct to the facilities which this State possesses.

At this stage there is room within the industry for appointing a small detection unit within the Fisheries Department. It need only be a two-man unit, but nevertheless it can be placed solely in charge of detection work. The industry has been trusted for a number of years—I know there are many honest fishermen in the industry—but there are a few who are

the cause of all the trouble. They have been for years, and we are not getting any closer to stamping out their illegal practices. If we were to establish a small detection unit—such as the gold stealing unit on the goldfields—charged with the responsibility for investigating the illicit methods which are adopted by some fishermen, then we would achieve a worth-while result, and render a very important service to the industry.

One other matter I want to deal with relates to crayfish processors. It is through this channel that the greatest quantities of undersized crayfish are disbursed to various parts of the world, to the Eastern States, and to many centres in Western Australia. On many occasions in Southern Cross and in Merredin, as well as other centres with which I am acquainted, I have seen people approach a van and buy undersized crayfish. This practice goes on for a time, and is then discontinued, only to be resumed at a later stage.

These people take small crayfish in the flush season and purvey them in country centres. I have seen these undersized crayfish—not much bigger than gilgies—being sold at 8d. or 9d. each. It is a shocking indictment when an industry of such value as this cannot be controlled.

Mr. O'Connor: Have you seen that recently?

Mr. KELLY: Not very long ago—not longer than six or seven weeks ago. These people only come up to particular centres for a couple of weeks before they disappear. They then bring in another big haul and dispose of it in other parts of the State. They are doing this all the time, and it seems they cannot be stopped.

The processor is the one avenue at which we should look in trying to stamp out the traffic in undersized crayfish. It does not matter whether the processors are land-based or water-based. We have to clamp down on them. In the first place I think they should be licensed, because without a system of licensing we will have little control over them. After licensing them we should keep very carefully a log, so that we would know exactly the number of crayfish they handle and the people supplying the fish to them, and thus keep control over this section of the industry. The processors are the ones through whom a great leakage in undersized crayfish takes place. Having reached that stage, the penalties should be sky-high when processors are convicted; otherwise they will continue to disrupt the industry if they are allowed to carry on as at present.

I understand some control is exercised over processors through the Federal sphere, and that in this State at the present time we have no jurisdiction over crayfish handling and treatment. It is time the Premier took this matter up with the Commonwealth authorities, to make very certain that the State has control over pro-

cessors, and that licenses are issued through the State instrumentality instead of the Commonwealth authority. The Commonwealth authority is too far removed to have any proper control of the processors who seem to operate as they like in the handling of illicit crayfish.

If control is introduced—even in the form of a detection unit or a large increase in the penalties—without getting down to the processor basis, we will not achieve a great deal in stamping out the traffic in undersized crayfish. We could increase the penalties threefold, but we would not achieve full success, unless the processors were controlled. If some of the matters which I have raised are given full thought and are adopted in the very near future, such as the branding of craypots, then with regard to the new legislation which is now before us we will achieve some success.

MR. FLETCHER (Fremantle) [4.38 p.m.]: I support the Bill. The member for Merredin-Yilgarn dealt with the measure in considerable detail, but I will deal with it in general terms while making known some suggestions. The Premier is making notes of the comments made by the member for Merredin-Yilgarn; I hope he will do likewise in my case.

Mr. Brand: I will need a new pad.

Mr. FLETCHER: Comment is appropriate from me, in view of the amount of crayfish which are caught in the waters of my electorate, and in view of the fact that the economy of Fremantle is dependent, to a large extent, upon this industry, in the supply of craypots, boat gear, and so on. Furthermore the families of the fishermen who live in Fremantle make their purchases in that area, and thus contribute towards its economy.

I am alarmed, as are my constituents, at the existing situation. The Premier might have noticed that I asked several questions in this House recently relevant to this industry. No doubt he is also aware of the comment which I made and which appeared in the Press expressing the alarm that is felt by the legitimate fishermen who have many thousands of pounds invested in craft and gear, and who wish ultimately to leave these assets to the ones who come after them—particularly to the members of their families. Many of these fishermen have asked what good their boats and gear will be if there is no crayfishing industry in which to use them.

Relevant to this matter I asked several questions, one of which was on the 26th August last, recorded on page 556 of the *Hansard* of this year. My question was as follows:—

- (1) Is he aware of *The West Australian* newspaper comment, page 8 of the 23rd instant, regarding

Geraldton Professional Fishermen's Association concern at "clandestine transfers of live crays to processing boats at sea"?

- (2) Is he further aware of my question 1 of the 10th November, 1964, wherein I asked, among other things, would he, with a view to conservation, ensure that only size crays were processed by having such processing supervised by fisheries inspectors when processing craft were anchored at agreed coastal points, ports, or anchorages adjacent to fishing grounds?

- (3) In view of—

- (i) the Press comment mentioned;
- (ii) the concern of reputable fishermen with large capital outlay in the industry;

- (iii) the progressive annual decline in catch;

will he reconsider the reply of the then Minister that "such restrictions on freezer boats was neither practicable nor desirable"?

I thought the answer which the then Minister gave disposed of the question in a rather cavalier manner, when he replied that it was neither practicable nor desirable. I believe that the suggested restrictions on freezer boats are reasonable and practicable, and so do many of the fishermen.

I have before me an article which appeared in *The West Australian* of the 23rd August. One paragraph of it is as follows:—

In an attempt to stop the continuing drain on crayfish reserves, it will ask him to suspend the processing licences of all freezer boats permitted to operate in the areas as catcher boats.

Members may not be aware of the distinction. It is this: not only do processing boats process crayfish, but they also catch them. This is a very convenient arrangement. Having asked that question I drew the wrath of a considerable number of people on my head for appearing to support the Geraldton fishermen in such a move.

One person rang me at my home and inquired why I had asked such a question without having consulted him. I replied that I would ask whatever questions I liked in this House, if I thought they were beneficial to the industry; that if I desired processor boats to be supervised I would make the fact known; and, furthermore that if he had nothing to hide he had nothing to fear from my suggestion for introducing some form of supervision. I cannot see anything impracticable in the suggestion which I made.

I repeat what I said: processing craft which process crayfish as well as catch them should enter anchorages at coastal points or ports adjacent to fishing grounds. From Cervantes, through to Lancelin and Ledge Point, down south along the coast there are convenient anchorages adjacent to the fishing grounds. The processing craft could enter the anchorages and tie up from gunwale to gunwale. The inspectors could supervise the processing of the crayfish on such craft, and they would only have to walk from one craft to another to watch what exactly went on.

I asked the question to which I referred for this reason: What is to preclude a processing craft, miles out at sea, from taking the heads off undersized crayfish, disposing of the heads overboard and processing the tails; or, alternatively, having other boats put crayfish aboard and process them at sea miles from supervision; and yet at the same time have inspectors looking for transgressions on the beach when the offence is being committed many miles out to sea and away from supervision?

I will not elaborate the questions. I hope I have made the point clear. I cannot see anything impracticable or unreasonable in the question I submitted that as catcher boats congregate, including those catcher boats that fish as far out to sea as, or even further out than, processing boats, and come in to anchor of an evening, why could not the processing boats likewise do so? If they do not come in at night, why do they not come in? Is it because they have something to hide?

Members are not listening to me, but at least what I say will be in print. I do not doubt the Premier is listening attentively, and I know he has taken the point. As I have said, catcher boats can come in, so why cannot freezer boats do so? I think all present would admit that it would advantage the industry.

There are shortcomings in the Bill. The member for Merredin-Yilgarn has dealt with the Bill in detail so I will not bother to do so. I am generalising and making a few suggestions. Here is a shortcoming: Treatment plants, as distinct from freezer boats, are not licensed. I will admit that there is a penalty of from £1,000 to £2,000, but I do suggest that if treatment plants were also licensed on a basis similar to that for freezer boats, and a treatment plant could lose its license, it would have a vested interest in ensuring that the many thousands of pounds tied up in plant and equipment were not jeopardised as a consequence of the loss of its license. I feel that shore-based processing plants should be licensed, and the Bill is weak because it does not make this provision.

Mr. Grayden: How would the catcher boats dispose of their catch if you took the license off the processing plant?

Mr. FLETCHER: Processing craft can process crayfish and there is plenty of freezer storage space ashore where such processed fish could be sent for storage.

Time is running out and I do not want to spend a great deal of time on this Bill, because others might want to speak on it. However I do feel it is incumbent on me, as member for Fremantle, to mention the subject.

I am aware, incidentally, of certain methods adopted to avoid inspections. Inspectors arrive at treatment plants and they are told that an inspection cannot be made until such time as the temperature is reduced to the required level. Inspection is deferred and the inspectors are told to come back at a subsequent time. Naturally, if there is any incriminating evidence inside, it is removed before the inspectors ultimately obtain ingress to the plant.

A person associated with the inspection branch is also closely associated with me; and, on one occasion, this informant told me that while they were discussing the subject at the front door of a processing plant. One of the inspectors went round to the back during the discussion and found incriminating evidence being removed via the back door of the freezing plant.

These are some of the methods adopted. As has been mentioned by the member for Merredin-Yilgarn, the prospect of a fine of £1,000 or £2,000 is comparatively incidental in comparison with what is taken on an illegal basis.

Another aspect which has not been mentioned in this House before and to which I wish to draw the Premier's attention is that there is apparatus known as a mobile processor. It is mounted on a chassis and has a freezer compartment. It is taken to remote places in the bush and four wheel drive vehicles visit the beach where it is established in uninhabited areas.

Between Yanchep and Ledge Point, in the locality near where the Moore River comes down inland before entering the sea, one of these units was established during the last season. I state that emphatically because a man in the pastoral industry took me to the locality. He was on occasions given crayfish to keep quiet about the fact that the unit was there. He used to extract a toll in crayfish from those concerned approximately once a week.

This man also took me to a point on the beach in the vicinity of where the Tanais is on the beach. It is a locality known as Eagle's Nest. There is no habitation between Moore River and a point just south of Ledge Point. It is a very lonely point, but there were clearly defined tracks right on to the beach.

Into the rocks had been driven three-quarter round steel upon which people obviously stand to signal to craft coming

ashore. One track leads to the beach at Eagle's Nest and another on to the beach about one mile south. There is no habitation in the area and yet these tracks are used considerably. The undersized crays are brought ashore at these points and taken to a mobile processing plant, which was on the upper reaches, as it were, of the Moore River.

My informant has worked and lived in that locality for many years and is now the manager of a pastoral lease owned by a prominent firm of solicitors in Perth. He knows every inch of the area and he also knows what is going on. Therefore I would ask the Premier to make known to the department, if it is not already known, that mobile units do operate in that locality and that they are supplied with undersized crayfish from the localities I have mentioned.

There is another aspect. For some strange reason the fact that a departmental vehicle has departed is known before it arrives at its destination along the coast. I am not suggesting that anyone in Perth makes known the information that the vehicle has left, but I do suggest that someone between here and, perhaps, Yan-chep—it could be Wanneroo—apparently sees the vehicle pass and transmits the information north. I think the word "cockatoo" was used by the member for Merredin-Yilgarn to explain this situation.

Mr. Jamieson: So that's why they put the radio-telephone up the coast? I've wondered about that.

Mr. FLETCHER: The arrival of the fisheries inspector's vehicle is anticipated. Craft at sea are warned by various methods—by ship to shore radio and even by mirrors. Someone will walk on to the beach with a mirror and thus information is made known to the craft at sea and the craft does not come in at that particular time. Blinds in windows have been used to indicate the presence of inspectors in the locality. Children will run to the beach and warn friends and relatives not to bring in any undersized crays because inspectors are present.

Fisheries inspectors have to contend with all these things. Therefore those who would be critical of fisheries inspectors ought not to be. There are far too few inspectors in comparison with the huge area they have to cover. They are similar to police in that respect.

I will read one letter I have received. I sent my material to the various processing plants to let them know that someone has an eye on what is going on and also as a mild form of warning to them. I have had several replies, but this one is particularly pertinent. It is addressed to me and thanks me for my interest in forwarding

the material and a copy of my parliamentary question regarding freezer boats. It is dated the 7th September and, in part, reads—

The present Fisheries Minister, Mr. MacKinnon, has done much towards enforcing the Fisheries regulations based on conserving the available crayfish. I am sure that in the coming season he will have the full support of the processing factories—

Let me interpolate to say that I hope he has. Continuing—

and the bulk of the fishermen operating catcher boats.

Every year the trouble begins because freezer boats can process undersized crayfish and produce large size tails.

This is relevant to what I have been saying. To continue—

These crayfish are generally thrown back by the catcher boat so that in effect they are achieving nothing by their honesty.

He is alluding to catcher boats here. To continue—

It is a difficult problem—

I ask the attention of the House in this respect.

—with 44 registered processing boats on this coast to work out how to install an effective supervising system.

My ideas are to either increase the size of the tail which the boats can bring in, from 5 oz. to 5½ oz. and this would create plenty of problems, or else restrict the freezer boats to fishing grounds over 15 fathoms deep.

Some freezer boats make a good living without catching any small crays by concentrating on deep water fishing for which they are equipped. This latter suggestion seems to be the only practical way of solving the problem.

Further transgressions can take place at sea on these freezer boats from which heads are thrown overboard, thus destroying the evidence. If the tail is less than 5 oz. it can be manipulated by taking a piece of flesh from another part and inserting it in the underweight tail. The tail is then frozen and is the correct weight as a consequence of the piece being put in. The term given to this process is bulling the tails. As I said, the heads are thrown overboard.

The letter which I just read was signed T. G. Kailis, Managing Director. He says the freezer boats are equipped to fish well out to sea. So they are; but they are not continually fishing well out to sea, but on occasion close in-shore. As a consequence, they could be getting up to the mischief that has been suggested by the Geraldton crayfishmen.

There are very few small crayfish in deep water. I say that from my own experience, because on occasions I go to sea with crayfishermen; and those with the larger craft fish anywhere from 30 to 40 miles off-shore. I have seen their catches, and it is rarely that there is a small crayfish in the pots. So I suggest that since these large catcher boats can go 30 to 40 miles to sea, and catch only few undersized crayfish, so can the processing craft which are of a similar size, or even larger. They can go well out to sea and catch large crayfish.

However, even if they did go well to sea, some might argue that they would not be covered by the supervision I have suggested. They can be covered by that supervision, because the large catcher boats leave at approximately two o'clock in the morning and are back again by about six o'clock in the evening. The processing craft could go out and return at the same times, and as a consequence the supervision could apply to them. I do not know whether the Premier understands that point, but it is in *Hansard*.

To get back to the Bill, I notice that the inspectors are to be permitted to cut floats and destroy pots. I suggest to the Premier that he make a note of this point: that fisheries inspectors cutting floats and destroying pots at sea would need to have a sturdy pair of wire cutters. They are a double purchase arrangement, I understand, and they would need to be rather strong in order to cut through the nylon rope that is at present used, and also to cut through the wire frame of the craypot for the purpose of effectively destroying it and allowing it to fall to the bottom. Even if that is done, such a pot could still catch crayfish for some considerable time, thus defeating the purpose of the legislation and not helping the industry.

In relation to the two-inch by 12-inch escape gaps that have been suggested, I submit that those gaps would be ineffective. I heard the member for Merredin-Yilgarn say that the two-inch gaps could be of some benefit; but I am inclined to be doubtful. The illustration of these gaps I saw showed that they were parallel with the base of the pot. I saw the member for Merredin-Yilgarn give an illustration suggesting vertical escape gaps. I do not know whether his illustration was accidental or otherwise. There would be a greater prospect of crayfish swimming out of a vertical opening, but if it is parallel with the bottom of the pot, the crayfish would certainly not crawl out of the aperture.

The member for Merredin-Yilgarn and everybody else, including the Minister for Transport, knows that a crayfish in a crouched position is certainly more than two inches from the underside, including the legs, to the top of the horns. So it

would have to be a crayfish of the proportions of a prawn that could crawl through a two-inch aperture. I have reservations about the efficacy of these escape gaps. I submit they will be of doubtful advantage unless, attached to the pot, is a notice for the undersized crays—"This way out." I point out that crays crawl forward very slowly to enter a pot, and unless they reverse themselves and accelerate backwards, there is little prospect of their gaining egress from the pot. I suggest also that the two-inch by 12-inch apertures would provide splendid opportunities for octopuses to climb in and destroy the catch of crayfish.

The Bill makes provision for mobile units; and I am gratified to see this. Even though I understand only one is mooted, it will be a four wheel drive vehicle with a trailer, and on that trailer will be a fast outboard-motored craft which can be taken to the points I suggested earlier where snap inspections can take place; and furthermore there could be spot inspections on the coast. Such a craft could be launched and from it an inspector could cut floats and destroy pots that were inside the statutory limit. But, as I said earlier to the Premier, who is preoccupied at the moment, the inspector would need to have substantial wire cutters as part of his equipment.

I also submit there is no purpose in having inspectors in ports, or at Perth or Fremantle, when the transgressions I have mentioned are taking place far up the coast in the manner I have made known to the House. I have personal knowledge of these transgressions which occur.

In relation to methods of interception—I would like the Premier to make a note of this—the following practice is indulged in by those who transport undersized crayfish: One vehicle precedes another at night, and there is a spotlight on top of the first vehicle. If that vehicle is intercepted by a fisheries inspector at a road block, the driver immediately reverses the spotlight and lights up the track along which he has come. The vehicle following, which has the undersized crayfish on it, immediately turns around and disappears. The inspector intercepts nothing, except the first vehicle, which has warned the one behind.

In the daytime, if the front vehicle is intercepted, the rear one immediately turns around and hurries back in the opposite direction. One inspector, to my knowledge, witnessed such an incident during the last season. On that occasion he immediately got into his vehicle and chased the one that had turned around. He saw on the back of it what appeared to be a bag of crays. He admitted to me that he was quite frightened. He had never driven as fast before in his life, and he was driving over

the winding road between here and Yanchep. He took his life in his hands in his efforts to overtake the vehicle he was chasing.

After going around several corners he finally overtook the vehicle, and the fellow driving it said he would charge the inspector with having indulged in dangerous driving; but he did not. When the inspector caught up with him he did not have the bag on the vehicle. On the way back to the check point the inspector found the bag of crays on the side of the road, but he could not relate it to the vehicle; and he certainly could not have made a case stand up in court. The member for Perth will agree with that.

These practices are indulged in. I suggest to the Premier that to prevent the transgressions I have mentioned—and I know I am in rather difficult competition with the Minister for Education at the moment; but this is important and I would like the Premier to take a note of it.

Mr. Brand: I will have the Minister read this.

Mr. FLETCHER: Very good. Since walkie-talkies are available to those who transgress the law, I suggest that walkie-talkies be made available to the fisheries inspectors to prevent the practices I have just outlined. Two inspectors could be placed half a mile apart on the road between here and Yanchep, for example, and one would be in a position to forwarn the other, who would be half a mile further along the road. In this way, road blocks could be more effective.

In addition, not all people would have to be stopped, as is the position at the moment, when returning from Yanchep. Recently the fisheries inspectors had anything up to a dozen cars stopped on the road. Other car drivers were avoiding the road block by going around it. The inspectors could not stop them all. If the inspectors had walkie-talkies, and one saw a utility coming along that obviously had crayfish on it, he could warn the other inspector who would be half a mile away. I suggest that a walkie-talkie should be part of the essential equipment of the fisheries inspection branch.

Mr. Lewis: Do they make it so obvious?

Mr. FLETCHER: No; but an inspector need only put his head inside a vehicle in which there were cooked crays, and he would immediately notice the delightful aroma. I related how several transgressors have indulged in the tactics I outlined while the Minister was busy with his notes. When the transgressors see the inspectors, they turn around and avoid inspection, in the way I have described.

Walkie-talkies could also be of advantage on the beach. We could have one man on the beach and one on high ground,

and the man on the high ground could let the one on the beach know when a craft was coming ashore.

Mr. Brand: What a lot of money will be needed in the next couple of years to put all this into effect!

Mr. FLETCHER: The cost would be infinitesimal in relation to the value of the industry. I think that answers the Premier's interjection.

Relative to finance, let me make this point: I know one inspector who is buying his own binoculars. I ask the Premier: Why? The answer is: Because he is not issued with them. Binoculars are a necessity for each inspector in order to get the number of a craft that might be half a mile out at sea.

I admit that this inspector is issued with a pair of seaboots and with overalls—boiler suits, as they are generally known—and even gloves, but not binoculars. He is buying a pair himself. He has asked one of his friends to bring back to himself a pair from Singapore, as he thought he might buy a better pair cheaper that way. That is true.

Mr. Brand: We appreciate the services of dedicated men.

Mr. FLETCHER: The House does not want to be frivolous on this issue. I know members are impatient to get away, but the fact remains that if someone likes to bring back a pair of binoculars for himself and subsequently makes a present of them to an inspector friend, it does not necessarily mean that he is "dobbing him in," to use the vernacular, but is merely obliging a friend.

The SPEAKER (Mr. Hearman): Order! The honourable member has another five minutes.

Mr. FLETCHER: I will use the time to good advantage. Good men need good pay, and it is generally known that the fisheries inspectors are under paid. Even the members of the Public Service know that. It is well known that the Fisheries Department is the cinderella of the Public Service in regard to the salaries that are paid. I know one fisheries inspector intimately and he works until midnight on many occasions and on Saturday and Sunday, but does not receive any overtime for these extra duties. It may be said that the Civil Service Association is remiss in not taking steps to ensure that these inspectors are suitably remunerated for performing long hours of service. There is no doubt that the inspector I know is not properly recompensed.

I notice that the Minister is now in the House and I think he will agree that these inspectors definitely earn their keep and are entitled to more pay for the long hours they work and the tremendously long coastline they have to police. They carry out an extremely difficult job in

most difficult circumstances. I would certainly like to see them suitably rewarded for their labours and to hear an assurance from the Minister that he will place no barrier in their way when a case is subsequently submitted to the Public Service Commissioner on their behalf for an increase in salary. I know the Minister looks after them now and will continue to do so in the future.

I know that any offences committed are very difficult to prove. I also know that a person in this State obtained from a person in the Eastern States a case of undersized crayfish tails. The case even had the name of the person concerned on the container, but no charge could be proved. The member for Perth would know this only too well. This processor, if he were confronted with these facts would promptly say that someone else had put the undersized crayfish in the container that carried his name, and consequently a successful prosecution could not be lodged. Cases do occur where fishermen certainly commit a breach of the Act, but unless it can be proved definitely it is useless an inspector taking such cases to court. The inspector may consider that he has a cast-iron case against an offender, but he loses it in court if he has insufficient evidence.

I have made known to the House the various inherent weaknesses in the Bill. I am pleased with the increased penalties that are provided and with the provision to make available a mobile unit to the Fisheries Department in the future which can be transported to various places along our coastline so that snap or on-the-spot inspections can be made to apprehend any fisherman committing a breach of the Act.

MR. GRAYDEN (South Perth) [5.18 p.m.]: I wish to make only a few comments on the Bill. The first two points arise from statements that were made by the member for Fremantle during the course of his speech. One of the comments he made was that processing plants should be licensed. I cannot agree with this proposal; firstly, because the number of processing plants in this State are comparatively few and at peak periods find it difficult to process the catch. If these processing plants were licensed and a breach were committed by any one of them which meant that the license was withdrawn, firstly, the catcher boats which were supplying that processing plant with crayfish would be unable to have their catches processed, which is most important. Secondly, each processing plant has quite a number of employees and those people would be forced out of employment if the license of the processing plant were cancelled.

For those two reasons it is not a satisfactory proposition simply to issue a license to a processing plant and then, if a

breach of the Act is committed by the person operating that plant, to cancel the license.

For a breach committed in any processing plant, freezer boat, or in any other place where crayfish are processed, the first offence carries a penalty of not less than £1,000 and not more than £2,000, and for any subsequent offence the fine is not less than £2,000 or more than £5,000. It would seem to me that fines of that magnitude would surely be adequate to prevent any infringement of the Act that may be committed at a processing plant. I repeat that if we license a processing plant and then cancel the license because an offence is committed we will completely disorganise the activities of the catcher boats which supply crayfish to that plant. They would bring in their catch and then find that they were unable to have the crayfish processed and, as a result, the complete catch would be destroyed at considerable loss to the operators of those boats.

At a shore-based processing plant surely it is relatively easy for an inspector to ascertain whether any infringement of the Act has occurred. In view of the proposed penalties I do not think any processing plant could afford to commit an offence in the future.

The member for Fremantle has stated that stricter supervision should be exercised over off-shore processing plants or freezer boats. I would like to emphasise that the Minister has already made it clear he is giving close consideration to this aspect with a view to introducing another amending Bill next session to cover any breaches that may be committed by off-shore processing plants and I entirely agree with that proposed move. The member for Fremantle also mentioned that the operators of processing boats could do anything they wished on board without any chance of being detected, and therefore they should be more rigorously policed.

I can recall visiting Point Cloates, and in one instance I went to Babage Island where the whaling operations were being conducted, and I was particularly impressed with the fact that a Commonwealth officer was always present not only at the Commonwealth whaling station, but also at the private whaling station at Point Cloates. That officer would always measure a whale to ensure that it was not undersized. It would therefore appear to me that if the operator of a processing boat were caught processing undersized crayfish it would be a reasonable proposition to suggest that that boat from then on, at its own expense, should be compelled to employ a State fisheries inspector to ensure that it did not transgress in the future.

The last point I wish to make is that I do not think sufficient attention is being given to destroying the natural enemies of crayfish in an endeavour to conserve the

industry. This contention may be completely unfounded, and I appreciate that the officers of the Fisheries Department could have already made all sorts of inquiries into this subject. I wish to refer particularly to octopuses.

Whilst fishing at Rockingham in the past, repeatedly, over a period of many years, I would set craypots, but almost invariably, on returning to them, I would find only crayfish shells in the pots, together with a great octopus. In other words, apparently when a crayfish entered the pot the octopus would follow it and eat the crayfish. There is a classic illustration of this occurrence which happened either in the Taronga Park Zoo or in the United States of America. On one side of an aquarium at either one of those places there were octopuses in various tanks. On the other side of the aquarium there were crayfish, and for a while the authorities in charge of the aquarium could not understand why the crayfish were disappearing. At first they thought that people were taking them out of the tanks and for a time the attendants were under suspicion. Eventually, after a close watch had been kept over the tanks for a period of several nights in succession it was found that an octopus was getting out of the tank, bypassing all the fish in other tanks in the aquarium, and entering the tank containing the crayfish on each occasion consuming one, and then returning to its own tank. This actually occurred.

Mr. Craig: That is a fishy one!

Mr. GRAYDEN: So, as a result, the attendants of that particular aquarium were exonerated.

Mr. Norton: What did the octopus do with the shell?

Mr. GRAYDEN: I can also recall standing on some cliffs at a point along our coastline watching a seal and being extremely impressed by the fact that every time the seal dived it came up with a small octopus, ate it, and dived again to come up with another. Whilst I was watching, that seal must have destroyed at least one dozen octopuses. Along the Western Australian coast in the past we had infinitely more seals than we have now. In past years the practice was that if a fisherman saw a seal he would shoot it and use it for bait; this went on for many years. Apparently whilst the seals existed in large numbers along our coast they kept the octopuses down to a level where they did not seriously affect the stocks of crayfish. Therefore I think this is an aspect that is well worth examining in the interests of conserving the future of the industry.

As I have said, whilst I have been fishing at Rockingham over a period of many years, it has been my experience to have crayfish repeatedly taken by octopuses

from the pots I have set. I have also seen seals eating octopuses at a tremendous rate. This is well worth investigating, because if we can do anything to destroy octopuses it would at least be making some endeavour towards preventing the destruction of crayfish. Octopuses could be destroyed in a thousand different ways; and if, on investigation, we find that an octopus will eat half a dozen crayfish a week, surely it is better to destroy 100 octopuses than to concentrate our efforts solely on catching one fisherman who has committed a breach of the Act and, in fact, has destroyed only as many crayfish in a year as does an octopus.

The prevention of persons catching undersized crayfish is not necessarily the complete answer to the conservation problem. We have only to study the experience of the United States of America to prove this. Throughout the United States a great many fish are cultivated for human consumption. Virtually every pond, dam, or waterway in the United States is stocked with fish of one kind or another. When a farmer buys fish from, say, the Fisheries Department which makes them available he is instructed to kill the small fish in the dam on his property because fish breed so prolifically. One fish might lay 250,000 eggs in a year and unless many of the small fish in the dams are destroyed the stage will rapidly be reached when the dam is full of only undersized fish, and so they are killed by every possible means. If these fish are caught in nets or on lines, the farmers are advised, "Do not throw them back; kill them."

If one is trying to introduce fish into a dam or lake and is doing it in the manner I have suggested by putting in a few breeding stock to allow the numbers in the dam to build up, and one is instructed to kill as many small fish as possible, surely in the sea, in order to conserve crayfish, it is not necessarily the answer to the problem that we should conserve all the small fish. In the sea the enemies of the small crayfish are myriad, and the number of undersized crayfish caught by fishermen are negligible compared with the number killed by natural enemies of the crayfish.

Those are all the points I wanted to make. I did not intend to speak, but I wanted to comment on the two points made by the member for Fremantle.

MR. HALL (Albany) [5.31 p.m.]: In my opinion, the measure before the House is commendable. It sets out to establish two sections in the fishing industry—one to deal with the crustaceans and the other with wet fish—to be under the control of the one fisheries organisation.

There is a portion of the Bill which deals with another authority that has control over the fishing interests in the

southern portion of this State. I make reference here to the Road Districts Act, as it was formerly known, and which is now the Local Government Act; and the road board to which I refer is now the Gnowangerup Shire Council. I believe that about 1947 the then member for Stirling, who was the Leader of the Country Party, smothered through by regulation a coverage to give this council the authority to promulgate a by-law which gave the council complete coverage of the estuaries, tributaries, and inlets, including the Beaufort Inlet and the Wellstead Estuary.

If this fisheries committee is to function, I cannot see why this local authority should take control away from the body which we propose to set up. Without referring to the actual clause in the Bill, I will read paragraph (2), which is as follows:—

Notwithstanding the provisions of subsection (1) of this section, where the council of a municipality acting under any authority in that behalf contained in the Local Government Act, 1960, has made and gazetted by-laws applying to any Western Australian waters vested in or under the control of that municipality or specified portions of those waters, which by-laws relate to any of the purposes for which the Minister may publish notices under the provisions of subsection (1) of this section or of section ten of this Act, notices published under those provisions shall not, so long as the by-laws remain in force, apply to those waters or to the taking of fish therein.

I think that clearly signifies the decisive control by the shire council.

I know the Minister for Fisheries and his director cannot be very happy with this, because there are times when the mortality rate in these inlets and tributaries is very high on account of the congestion of fish and also on account of the decreasing salinity of the water, which brings about disease. It is unfair to the industry when a shire council or a municipality has this control.

We are now segregating fish from crustaceans; and the ability to police one side of the industry would not be applicable to the other. I do not say that in any derogatory sense in respect of the inspectors, as I know they possess wide experience. If one has regard to their activities in the north, right down to the southern portion of the State, one will realise they are handling everything from crayfish of all species to wet fish. In addition, they have to work very long hours. They may commence their duties at three or four in the morning, and then have to visit other parts of the zone or district under their jurisdiction.

I now wish to quote a fishing by-law made by the Gnowangerup Road Board, and published in the *Government Gazette* of the 31st May, 1960. It reads as follows:—

WHEREAS by the Road Districts Act, 1919, the road board of any district is empowered to make, alter, and repeal by-laws, in pursuance of the said powers, the by-laws made by the Gnowangerup Road Board on the 18th day of September, 1947, and published in the *Government Gazette* on the 19th day of December, 1947, are hereby repealed, and the said road board doth hereby make and publish the following by-laws:—

With this power the road board has complete control over the estuaries and tributaries to which I have referred; and the same matter was discussed rather vigorously in the report of the Honorary Royal Commission which inquired into the industry in 1964. The following is a quote from page 9 of that commission's report:—

Complaints by Witnesses.

1. The control of fishing grounds, particularly the closure of inlets, bays, and estuaries, was strongly criticised by witnesses who maintained that there was a serious loss of fish due to the present policy and provisions of the existing legislation, which, in their opinion had in some instances been responsible for the death of large numbers of fish.

I wish to emphasise that point. Continuing—

Your Commission recommends that the Government give earnest consideration to the repeal of section 213 of the Local Government Act and investigate the restrictions which apply at present to estuaries on the southern coastline. It was also maintained that with proper research and control the licensed fishermen could economically fish in a large number of the closed waters and not affect fishing by amateur fishermen and tourists.

So the tourist industry would be protected. I refer again to the fact that I do not think it is fair that the primary producer should be able to exclude the fishermen from making a livelihood. If the fishermen tried to interfere with the primary producers, I can well imagine what their reaction would be.

I would like now to make reference to the Fisheries Department and the large amount of investigation necessary to cover the southern coastline right through to the north-west in relation to the amount of money granted to the department by way of revenue and by loan. The amount of money provided is quite miserly and yet we are introducing legislation which is to be the salvation of the industry!

If we look at the loan programme from the year 1955-56 to 1964-65 we will find these were the amounts of money provided: In 1955-56, nil; in 1956-57, nil; in 1957-58, £11,000; in 1958-59, £18,433; in 1959-60, £7,207; in 1960-61, £644; in 1961-62, £4,970; in 1962-63, £9,982; in 1963-64, £301; and in 1964-65, £7,000. If we look at the Revenue Estimates for the year ending the 30th June, 1966, we will find the Treasurer has decided to provide an increase of £21,401 under the heading of "Fisheries." Just what portion of that will be used to increase the staff to facilitate the policing of the Act when it is proclaimed, I do not know. When we have regard for the gigantic coastline of Western Australia, we can see that this is insufficient finance for the Fisheries Department to provide for the policing of the Act.

I think the member for Merredin-Yilgarn has covered most of the essential points, in his long and fine address, into which he put a lot of research; and I have no wish to bore the House with a reiteration of the points he made. I would, however, like to refer to an article in the South African journal entitled *The Fishing Industry of South and South West Africa*, which brings out some points of interest. I may be digressing, but I wish to quote portion of the article dealing with the rock lobster which, I believe, is comparable to the crayfish we have in this State. I quote as follows:—

Many of the companies engaged in pelagic shoal fishing also catch and process rock lobster, a tasty crustacean found among the rocks and seaweed of coastal waters from the south-western Cape to north of Luderitz and also in deeper waters off Natal.

The rock lobster, a slow breeder, is the most carefully protected of South Africa's sea creatures and, among other conservation measures, the catch is subjected to a strict quota based on the weight of frozen and canned tails exported, mainly to the United States.

If too many people are fishing in this industry they will interfere with the breeding potential. In South Africa they take the precaution which I have just quoted. The journal goes on to make reference to the prolific growth of the industry in South Africa. Paragraph 3 of this article reads as follows:—

Although hundreds of small boats fish on and off for rock lobster, most of the catch is taken by vessels 55 to 65 ft. long working with a cluster of two-man dinghies and supplying freezing plants in Hout Bay, Cape Town and along the west coast up to Port Nolloth and Luderitz.

There is a point which I think the Minister has in mind. If he could get the processing works in close proximity, the policing of

this industry would be much simpler than it is now because it would then be possible to obliterate the facilities required to traffic in crayfish. I believe frozen water and a plastic container are used and that the processing works have injection systems in order to bring up the weight of the crayfish. If the processing works were closely situated the inspectors would be able to see the treatment being effected. This is something that would be of benefit to both the department and the inspectors; and it would stop this trafficking in under-sized crayfish.

The member for South Perth mentioned crayfishing boats. We could bring the crayfishing boats to a set point and buoys could be provided by the department at certain areas so that policing could take place when the catcher boats brought the fish in to the processing works. This would give the department and the inspectors a greater opportunity to see if illegal processing was going on and it would eventually eliminate it.

As I said before, the Fisheries Department should be provided with more finance, which up to date has been very stringent. This is a lucrative industry, yet we have been miserly in our contributions of loan and revenue money in order to keep that industry in existence and bring its efficiency up to a high standard.

The Police Force can be taken as an example. Not many years ago it was at a low ebb. There were all kinds of reports, conveyed by word of mouth, of accidents and crime of all sorts. However, that atmosphere has now disappeared. Similarly, we have to lift our Fisheries Department into a better category and atmosphere and one way to do it is to provide finance. The finance should be taken from the profits from our imports to help the fishing industry. That department will justify itself by eliminating the illegal traffic in crayfish.

That brings me to a point regarding an article in *The West Australian* of the 12th October, 1965. A portion of that article dealt with hatching and reads as follows:—

The department says there are two ways of stabilising and increasing the flow of new, young crayfish into fished areas—management of existing stocks and artificial hatching and rearing.

I have raised this matter before in this House when speaking of the jumbo crayfish in the southern portion of the State. They are big crayfish; and, as the member for Beeloo has said, they are elephants. They are of a different species, similar to South Australian crayfish. From the information I have gained, if we could establish this particular crayfish in a

natural habitat, a certain number of crayfish could be caught in that locality. We lack natural habitat for the fish, but we could establish artificial reefs. This is practised in America, and I cannot see why it cannot be done here.

Further evidence of the possibility of crayfishing, and what it could mean to this State, is contained in some literature I received from America. I wrote to America, through the consul, and what I was sent has mainly to deal with the cultivation of marron. The cultivation of marron in our rivers would be a means of supplementing the falling crayfish catch today. I know that the department has this matter in hand and we are hoping for some clarity on the point in the near future. If the marron can be established it will be a supplement to the crayfish industry. Although it is a different species, it is palatable and marketable. I believe the department is sincere. We have the waters necessary and I believe that any marketing would have to go through some central body. I believe there is a tremendous potential and I hope that we will hear from the department on the matter within a month or two.

As I said earlier, in my effort to gain further knowledge on the subject I wrote to the American Consul, but unfortunately I did not receive any information of great importance. Part of the information I received reads as follows:—

The Bureau of Sport Fisheries and Wildlife of the U.S. Department of the Interior assumes that fresh-water Marron (which you refer to as apparently fresh-water lobster in the United States) is our common crayfish of which there are several genera including *Cambarus affinis* which is abundant in the Eastern United States. *Diogenes* and other genera are found elsewhere. A related form *Astacus* is plentiful in Europe.

Crayfish are not commercially bred or produced in the United States except as an incidental by-produce in connection with the rearing of fish such as sunfish, bass and walleyed pike which are reared in ponds.

I could go on; but a remarkable feature is that there is another type of crayfish which they refer to as the crawfish, which seems to live in dams, lakes, ponds, and so on. There is another type which will burrow into the ground and which could be a complete menace to primary industry.

I have been trying to carry out an investigation to bring about a more practical approach to marron processing, which would stimulate the crayfishing industry in this State. It would also be a big money spinner and would relieve the

local markets and allow more crayfish for the export market. We can look forward to further development which might meet with the requirements of the export trade.

I ask the Premier to look into the finances of the Fisheries Department. The department has to be protected and this requires finance. Inspectors must carry out their duties enthusiastically and properly. We have to have those inspectors and compensate them for the hours put in and supply them with facilities and tools of trade to work with.

I think the Minister should have a look at the building which houses the Albany Fisheries Department. It is a little old place behind the post office and it does not suit the occasion. Since that department was established in that building the whaling industry has come to Albany and there has been great development in fishing generally. I reiterate my remarks, by saying that danger lies in the lack of finance to that industry, which needs protection.

MR. JAMIESON (Beeloo) [5.51 p.m.]: I think we are all very keen on making the crayfishing industry in this State last as long as possible. My own view is that we should endeavour to do just that. However, I again come to my theme on the subject of conservation and that is, that until the powers that be are prepared to bow to the proposition which I suggested some time ago—and that is to declare a completely-closed season during the berrying period of crayfish—they will not achieve their object.

For some years I have pleaded and groaned about conditions prevailing in the sale of illegal and undersized crayfish. It is true that we have cut it down to a sizeable proportion, but I still believe that to conserve the industry we have to start at the beginning and protect the female crayfish at the time of berry or spawn. Until the Minister has power to do this and heeds the request of those who have studied this industry for a long time, he will not achieve very much. A lot can be done by that small process of closing the waters annually for the six weeks. The waters can remain open for the remainder of the year. It would not matter because for the rest of the period the waters are too rough to do much fishing. It has been suggested that by closing the season from early January until late February, when the crayfish are in berry, a considerable amount of improvement could be achieved.

The other aspect I want to mention is the permission proposed to be granted to allow inspectors to cut pots loose and retain the floats. The Minister was of the opinion that the craypots would break up on the seabed. That would depend on the nature of the seabed. In places where

there were caverns and breakaway limestone reefs, there would not be much movement, and as a consequence of that the pots would not break or deteriorate quickly. They would become quarters of refuge for the crayfish that abound in the area. The statement made by the Minister that the pots would break up very quickly is doubtful to me; and if a pot is left like this, the fear expressed by the member for South Perth is the one that has to be considered.

Such pots then become traps, not for the purpose of trapping crayfish, but as a lair for the octopuses, who retreat into the pots and tear the crayfish to pieces as soon as they enter there unknowingly. The inevitable result of this will be a lot of fat octopuses and fewer crayfish. So I would suggest that the instructions to inspectors be very clear and that only in bad circumstances should they leave pots about. If, as they claim, there could possibly be a number of rows of pots left lying about in a particular area it could mean that the area will be denuded of crayfish because the pots will become lairs for octopuses, who have no respect for the size of crayfish. An octopus will eat small crayfish as well as large ones; and, as a consequence, we must protect this species of crustacea in its natural habitat. If we provide dens for octopuses—and, after all, craypots are built in such a way as to give the appearance of a natural hiding places—there will be a considerable depletion of the crayfish.

Many crayfish will stay in a craypot for the purpose of feeding on the bait that is placed therein, for by nature they are scavengers, and, like all scavenging creatures they fossick around in dark crevices, and after these pots have been in the water for some time they become covered with weed growth and are a very nice hiding place for crayfish. However, they would also become excellent hiding places for octopuses who would lay in wait for the crayfish and devour them. Therefore, in our efforts to protect the industry we should be careful that we do not provide hiding places for underwater Franksteins who will slaughter the crayfish.

As I said earlier, the member for South Perth clearly indicated the liking which sea creatures such as the octopus have for crayfish, and if one needs any evidence of that one has only to place a crayfish in a tank with an octopus. The octopus very quickly goes to town and the crayfish soon becomes only a few small pieces of shell. The octopus completely devours it; and so I would suggest to the Minister in charge of the Bill that a strong view be taken of the indiscriminate cutting away of pots by inspectors. Instructions should be given that only in extreme circumstances should such a procedure be adopted.

I would rather see the fishermen's floats removed and the pots attached to departmental floats and notes taken of where

the pots are to be found. Then, later, a work boat could come back and pick up the pots and empty them.

As regards undersized crayfish, despite the fact that fishermen will be required to fit escape gaps to their pots, there is considerable doubt whether, particularly in deeper waters, the small crayfish survive once they are thrown over the side of the boat. Therefore it is to be hoped that this escape gap will be sufficient to enable the small crayfish to escape before the pots have been pulled more than a few feet from the bottom. I hope more study will be given to this problem and particularly to making sure that the small crayfish can escape when the pots are first pulled.

Also, consideration could be given to the question of an optimum size to ensure that an escape device is designed to provide the maximum protection possible. Once small crayfish are taken to the surface and are thrown back into the water it is difficult for them to survive. If they have to float down through 50 to 80 ft. of water, and sometimes a greater depth than that, they are subject to depredation from all types of sea creatures who appreciate eating crayfish as a delicacy as much as do human beings. As a consequence, many of those that are taken away from their natural protection do not return to the seabed where they belong.

There are all sorts of problems associated with this industry to which the Minister in charge does not seem to have given full attention at this stage; and I hope that before long he will turn his thoughts towards the prime problem of conserving the industry—that is, conserving the berry of the crayfish so that they will be able to propagate and increase in areas where they have become depleted because of the heavy fishing in the past decade or so.

MR. TONKIN (Melville—Deputy Leader of the Opposition) [6.6 p.m.]: I support the Bill because I think it is very necessary indeed. I well remember the ex-Minister for Fisheries getting up in his place, shortly after the report of the Royal Commission was issued and saying, in effect, that the Royal Commissioners did not know what they were talking about when they drew attention to the parlous state of the industry. Although the Minister at that time did say it was his intention, later on, to introduce amendments to the law to tighten up the position, nevertheless he took the members of the Royal Commission to task for their report and implied, if he did not say so straightout, that they did not know very much about the question.

The contents of this Bill emphasise very much that the Royal Commissioners knew a good deal about the subject and that the Minister at the time was very slow to appreciate the serious position into which the industry was getting. One has only

to have regard for the diminution in the season's catch to realise properly the extent to which the industry is being threatened by the indiscriminate catching of undersized fish.

I have had put to me a suggestion which I have discussed with one or two members who are better informed on this subject than I am, that the crayfishing season should be curtailed towards the end because at that time the weather is getting rough and a large number of fishermen no longer engage in catching fish. They lay up their boats; but it is at that time there is a good deal of catching of undersized fish, and it would be beneficial to the industry if the period for which licensed fishermen are enabled to catch fish was reduced somewhat in much the same way as we have closed seasons for the taking of opossums, wild duck, and so on. When we open the season for wild duck we open it for a very limited period and then close it. I feel there is some merit in this suggestion and it may be worth while to end the season a little earlier, because by so doing it will inevitably result in the conservation of crayfish.

It is true that initially it will further reduce the catch and that could have a bad effect on the fishermen engaged, and also on the total income to the State from the industry. But that would be for a limited period only and there should be a greater benefit subsequently from the fact that more crayfish should be available. I put the suggestion forward as it was put to me and I undertook to make it known at the appropriate time as one worthy of consideration.

I have it from my colleagues with whom I have discussed this matter that fishermen generally would not be opposed to the idea because they appreciate that the measure would be aimed at preserving the industry, which must be to their own ultimate benefit; and, therefore, if it were considered worth while to do so, they would not object to its being done.

It has been emphasised to me that towards the end of the season very often the weather gets quite rough and bad, and increases the hazard of fishing, and it is at this time that many persons engaged in illicit fishing are prepared to take the risk, because they know that the chance of their being detected is lessened and there is a greater opportunity for them to do what they have set out to do.

I hope that that matter will receive consideration although there is no provision in the Bill to deal with it. But that is not necessary, because it can be done by regulation, and it would indicate that the department is prepared to take necessary and reasonable steps with a view to preserving the industry. This is most important from the State's point of view and we should not refuse to take advantage of

worth-while suggestions which could help us to preserve the industry in the interests of the people of the State.

I asked some questions within recent days following information which was given to me about a fisherman who, I was told, actually struck an inspector whilst he was acting in the course of his duty; that this fisherman had been before the court several times for having undersized crayfish in his possession; that it had been suggested his license should be withheld; and that an inspector in the department recommended that this man should not continue to hold a license. The reply given to me was that the inspector had not reported he had been struck; that the man concerned in the charge had not been charged with striking an inspector; and that he had tipped crayfish into the sea before they could have been measured. In that way his fine was less than that which could have been imposed, because if the crayfish had been measured he would have had to pay a fine for each undersized crayfish in his possession.

When I reported back to the person who supplied me with this information and told him the answer I was given he laughed very heartily. He said he knew the circumstances were quite different. When I asked him how he knew and was it secondhand information, he said he knew, beyond any shadow of doubt, that this particular fisherman had, in fact, struck an inspector and that, in some way, he seemed to be under some sort of protection. I do not know sufficient about the case to take it any further, but it is a very grave matter if the department is not to regard actions of that kind in a more serious light.

I accept the information given to me that, in future, if this person contravenes the law again and takes undersized crayfish, his license will be withheld. I will look forward with a great deal of interest to the enforcement of the new legislation because it is imperative that strong and resolute action be taken if this industry, which is most valuable not only to the State but also to Australia as a whole, is to be preserved. I support the Bill.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (Mr. W. A. Manning) in the Chair; Mr. Ross Hutchinson (Minister for Works) in charge of the Bill.

Clauses 1 to 7 put and passed.

Progress

Progress reported and leave given to sit again, on motion by Mr. Brand (Premier).

House adjourned at 6.13 p.m.