

Mr. MONEY: I think that would be wrong. It is equally important to revoke a dedication as to revoke a regulation if the dedication is wrong, and an important matter such as the revocation of a dedication should require to be done by a resolution of both Houses.

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

Ayes	9
Noes	19

Majority against	10
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AYES.

Mr. Angwin	Mr. Mitchell
Mr. Chesson	Mr. Nairn
Mr. Draper	Mr. Willcock
Mr. Holman	Mr. O'Loughlin
Mr. Johnston	(Teller.)

NOES.

Mr. Angelo	Mr. Mullany
Mr. Brown	Mr. Pickering
Mr. Collier	Mr. Pilkington
Mr. Duff	Mr. R. T. Robinson
Mr. George	Mr. Smith
Mr. Griffiths	Mr. Teesdale
Mr. Harrison	Mr. Underwood
Mr. Hudson	Mr. Willmott
Mr. Lefroy	Mr. Hardwick
Mr. Money	(Teller.)

Amendment thus negatived.

Mr. MONEY: I move an amendment—

That the following be added:—"Any dedication made under or by virtue of this Act, shall (a) be published in the 'Government Gazette,' (b) take effect from the date of publication or from a later date to be specified therein, (c) be judicially noticed unless and until disallowed as hereinafter provided. 2. Such dedication shall be laid before both Houses of Parliament within 14 days after publication if Parliament is in session and if not then within 14 days after the commencement of the next session. 3. If both Houses of Parliament pass a resolution disallowing such dedication, then the same shall thereupon cease to have effect, subject however to such and the like savings as apply in the case of the repeal of a statute."

The CHAIRMAN: What is the difference between this amendment and the one just negatived?

Mr. MONEY: The previous amendment referred to but one House of Parliament; this refers to both Houses. Again, the one just negatived made no provision for publication in the "Government Gazette," whereas this does.

Hon. P. Collier: All Orders in Council have to be published in the "Government Gazette."

The CHAIRMAN: I will accept the amendment.

Mr. MONEY: A revocation can be disallowed by resolution of both Houses of Parliament, and I think a dedication is equally as important as a revocation. Hence my amendment.

Amendment put and negatived.

Clause put and passed.

Clause 20—Revocation of dedication:

Mr. JOHNSTON: I move an amendment—

That paragraph (a) be struck out.

Any member of the House should have the right to bring forward a proposal of this kind if he so wishes. It can only come into effect if passed by both Houses of Parliament, and I do not see why Parliament should be prevented from expressing an opinion on the point unless the Governor first lays the proposal on the Table. It is a new departure.

Amendment put and negatived.

Clause put and passed.

Clauses 21, 22—agreed to.

[The Speaker resumed the Chair.]

Progress reported.

House adjourned at 11.10 p.m.

Legislative Council,

Thursday, 24th October, 1918.

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

[For "Papers Presented" see "Minutes of Proceedings."]]

PAPERS — POLICE QUARTERS AND TEACHERS' QUARTERS, MANDURAH.

Hon. J. J. HOLMES (North) [4.34]: I move—

That all papers in connection with the destruction of the old police quarters and the erection of teachers' quarters at Mandurah be laid on the table of the House.

I understand from the leader of the House that there is no objection to these papers being laid on the Table.

Hon. G. J. G. W. MILES (North) [4.35]: I second the motion.

Question put and passed.

The Colonial Secretary laid the papers on the Table.

BILL—VERMIN.

In Committee.

Hon. W. Kingsmill in the Chair; the Hon. C. F. Baxter (Honorary Minister) in charge of the Bill.

Clauses 1, 2—agreed to.

Clause 3—Interpretation:

Hon. C. F. BAXTER: I move an amendment—

That in the definition of "Government fence," in the last line, after the word "erected" there be inserted "by the Minister."

Amendment put and passed.

Hon. J. NICHOLSON: I move an amendment—

That in the definition of "Holding," after the words "or other lease" in line 4, there be inserted "including or granting right to the surface of the land."

Hon. C. F. Baxter: I have no objection to this amendment.

Amendment put and passed.

Hon. J. NICHOLSON: I move an amendment—

That in the definition of "Occupier," the words "including the manager," in line 2, be struck out.

In the Bill as it stands various rights are conferred on the occupier apart from the owner. If a manager is to have those rights which he would have if these words are allowed to remain, it would be wrong, because the manager is merely the representative of the owner. The owner may delegate any powers to the manager; but, while the Bill gives rights, it also creates certain obligations, and from the manager's standpoint it would not be fair that he should have the burden of obligations. The manager should not be made personally liable for carrying out instructions under the Act.

Hon. C. F. BAXTER: I must oppose this amendment. "Manager" means the resident manager of a holding of which the owner does not reside in the district. The occupier may not be available, and the manager, as the agent, must act and be liable. Otherwise, the clause would be almost unworkable.

Stranger in the Chamber.

Hon. Sir E. H. Wittenoom: As a very old member, I must take exception to any assistant to a Minister being allowed to occupy a member's seat alongside the Minister. It has never been known to be done before.

The Chairman: The hon. member is quite right.

Hon. Sir E. H. Wittenoom: The officer assisting the Minister ought not to take the seat of a Minister.

The Chairman: The Hon. Sir Edward Wittenoom is perfectly right. An innovation has crept in which is most unsatisfactory. No one has a right on the floor of the Chamber except members; but for the last two or three years there has been a custom for strangers to come on the floor of the Chamber. I do not know whether in the present case permission has been asked or not. It is a gross breach of Parliamentary privilege. I do not blame the stranger.

Hon. Sir E. H. Wittenoom: I hope I shall be excused for alluding to the matter, but as an old member I cannot allow the privileges of the Council to be overlooked; I will not say abused.

The Chairman: The hon. member is perfectly right.

Hon. C. F. Baxter: I apologise, and I fully recognise that I was wrong. However, I did approach the Clerk and request him to ask the President's permission for the officer to take a seat on the floor of the Chamber. I shall now ask the officer to withdraw.

The Chairman: While the House is in Committee, I am in charge of the House. If any permission is asked in Committee, it is I who should be asked. If the House is sitting in Council, the President has at all times full control. The point which has arisen is one that might very well be referred to the Standing Orders Committee for their decision. If it is the wish of the House, the gentleman in question will be allowed to remain on the floor. I will put the question, which must be carried without debate.

Hon. J. Duffell: Before the question is put, I desire to point out that similar action has been taken on many previous occasions. In connection with an important Bill such as this, on which the Minister in charge desires the assistance of the officer administering the legislation under consideration, permission for the presence of the officer should, I think, be granted.

The Chairman: In cases of this sort it is usual to obtain the leave of the House; but leave of the House is given or withheld, without debate. Is it the pleasure of the Committee that the officer in question be allowed to remain on the floor of the House?

Leave given.

Committee resumed.

Hon. H. MILLINGTON: This question is not one in which I am strongly interested; but what will be the liability of the manager if the words "including the manager" are left in? The manager, as occupier, might incur some liability. I would like to know if there is anything in the Bill which relieves him of that liability? The owner may refuse to accept responsibility.

Hon. J. NICHOLSON: In Subclause 5 of Clause 81 it is provided that where the owner is not the occupier the preceding obligations of the owner, including liability to penalties, shall attach to the owner and occupier, who shall be jointly and separately liable in respect thereof. Under the definition there are obligations which the manager, who is included in the definition of "occupier," would undertake on behalf of the owner. The manager is nothing more nor less than a representative of the owner, who may not be resident. I think it may reasonably be contended that, assuming the owner is not there, there is nothing to hinder the Minister or the board serving the owner with notice by leaving it at the particular place where the manager may be resident on the property. So the objection which the Honorary Minister has raised can readily be dispensed with. That the manager should have responsibility foisted upon him is absolutely wrong. He becomes involuntarily liable for all obligations under the Bill which the owner undertakes. I go farther, and say it is wrong that a manager should have rights co-equal with those of the owner himself, because the manager might have one idea and the

owner quite another. The difficulty can easily be overcome by the owner authorising the manager to carry out such work as he thinks proper.

Hon. Sir E. H. WITTENOOM: Instructions can be given to the manager, and no doubt they will be carried out. The hon. member is to be congratulated on having looked into these small points, but, viewing it as a whole, I think we might leave the clause as it stands.

Hon. C. F. BAXTER: This provision, I may say, is included in similar Acts in the other States.

Amendment put and negatived.

Clause as previously amended put and passed.

Clauses 4 to 9—agreed to.

Clause 10—Inspectors may hold office with other offices and shall be granted a certificate of appointment:

Hon. E. M. CLARKE: I think that if an inspector looks after his business it will be quite enough for one man to do. The whole of his time should be concentrated on his work.

Clause put and passed.

Clauses 11 to 14—agreed to.

Clause 15—Appointed boards:

Hon. J. NICHOLSON: I move an amendment—

That after "Governor" in line one of Subclause 2 the words "(save as provided in Section 43 hereof)" be inserted.

Under Clause 43 the Governor may appoint representatives of roads boards as a vermin board. If they are appointed under Clause 43, it is provided that a roads board member so appointed shall remain in office for three years. But under Subclause 2 of Clause 15 it is provided that members of vermin boards appointed by the Governor shall hold office until April of the following year.

Hon. C. F. BAXTER: This amendment is quite unnecessary. Clause 43, as it stands, is all that is required.

Hon. J. A. GREIG: I think there is a discrepancy here, and that we shall find the two provisions conflicting unless we have the amendment.

Hon. J. DUFFELL: The position is a simple one. It will follow the procedure adopted by the local governing bodies in connection with local boards of health. If a roads board is appointed as a vermin board certain members will retire annually.

Hon. J. A. Greig: Which members will retire if a new board is appointed without election?

Hon. J. DUFFELL: Those who retire by effluxion of time.

Hon. E. ROSE: I see no occasion for the amendment. One-third of the members of a roads board are elected every year. Those appointed by the Governor to act as a vermin board will hold office until the following April, when they will go before the ratepayers for re-election.

Hon. C. F. BAXTER: Clause 15 refers to members of a board appointed by the Governor. It will be necessary for them to retire in the following April, and be elected by the ratepayers. Clause 43 refers to roads boards

which have been created vermin boards. They will retire the same as under the roads board procedure. Under the Roads Board Act members of a roads board retire after serving their term or, if all have been elected at the one time, then according to the number of votes each has received. But the new boards appointed by the Governor will require to be elected by the ratepayers as soon as possible.

Amendment put and negatived.

Clause as previously amended agreed to.

Clause 16—Elective boards and periodical retirements:

Hon. C. F. BAXTER: I move an amendment to transpose the proviso to Subclause 3.

The CHAIRMAN: These amendments are not put on the Notice Paper in the proper manner. I know it is not the hon. member's fault, but I hope the hon. member will ask the Crown Law Department in future to follow Parliamentary procedure. I will accept the amendment on the present occasion, but it must be put in proper form in future.

Hon. C. F. BAXTER: I move—

That the following be added to Subclause 3:—"Provided that the retirements shall be apportioned amongst the respective representatives of the wards if not in proportion to their respective numbers, or in accordance with the determination of the board, in as nearly as may be such proportion."

Amendment put and passed.

Hon. C. F. BAXTER: I move a further amendment—

That at the end of Subclause 3 the proviso be struck out.

Amendment put and passed; the clause as amended agreed to.

Clauses 17, 18—agreed to.

Clause 19—Number of votes:

Hon. C. F. BAXTER: I move an amendment—

That in line 5 the word "under" be struck out and "not exceeding" inserted in lieu.

Amendment put and passed; the clause as amended agreed to.

Clauses 20 to 24—agreed to.

Clause 25—Payment of members by Governor in certain cases:

Hon. J. NICHOLSON: I move an amendment—

That the following words be added at the end of paragraph (1):—"and shall fix the date of retirement of such persons and subject thereto."

Clause 15 provides that when there is an insufficient number of members, or where no members are appointed, the Governor may exercise the power of appointing members to the board, but if members had been elected, as is provided in Clause 16, by the voters, their rotation for retirement would have been determined by the number of votes that each received, the member receiving the smallest number of votes would retire first, and so on. In the case of a member appointed under the clause there is no provision for the Governor to determine when these members should retire, and the question is whether they have to retire on the second Wednesday in April in the year following their appointment, or on some

other date. If the amendment is inserted the difficulty is overcome.

Hon. C. F. BAXTER: I have no objection to the amendment.

Amendment put and passed; the clause as amended agreed to.

Clauses 26 to 42—agreed to.

Clause 43—Road board or nominees of road board may be appointed:

Hon. C. F. BAXTER: I move an amendment—

That in line 1 of Subclause (2) the word "several" be struck out and "two or more" inserted in lieu.

Amendment put and passed.

Hon. J. NICHOLSON: I move a further amendment—

That in paragraph (4) of Subclause (2) after "subject" the words "as hereinafter provided in the case of an extraordinary vacancy and subject" be inserted.

The proviso states that in the case of an extraordinary vacancy the member appointed shall retire and so on. This amendment will make the provision more clear; it will make the clause read on.

Hon. C. F. BAXTER: I cannot see any reason for the amendment. The appointment is subject to Clause 22.

Amendment put and negatived.

Clause, as previously amended, agreed to.

Clauses 44 to 49—agreed to.

[The President resumed the Chair.]

Progress reported.

BILL—PRISONS ACT AMENDMENT.

Second Reading.

Debate resumed from the 22nd October.

Hon. Sir E. H. WITTENOOM (North) [5.15]: I have very few words to say in connection with this measure. I have given the matter a good deal of careful consideration and some amendments which I shall suggest I think we may wisely adopt. The Bill is an improvement on what has gone before, but whilst I would like to say one or two words in connection with it, I would also like to express my views regarding the new method of the conduct of our prisons. From a very long experience I find that the prison system is an absolutely wrong one. The prisons are made more like pleasure resorts than anything else. My theory of prison is that a man is sent there to be punished, and when he comes out he should never want to go back again. It seems to me, however, that at the present time some people look upon a prison as a place to go for relaxation instead of punishment. I have had a good deal of experience in this matter—I am not speaking personally. When I was a young man, at the first station I worked on, I had to attend to 40 or 50 convicts. They were all men on ticket of leave—the system we now propose to re-introduce—life sentence men of good conduct. Not one of those men would go back to prison if he had to be paid to do so. They had such an awful time

there that they vowed they would keep out of it in the future. When I was a young man too, I was a justice of the peace, and every week for about six years I heard all the cases in the small town of Northampton. My experience was that invariably every year about May or June half a dozen men whom I knew, committed some crime so that they would be sent to gaol for the winter. They were assured then of a comfortable home during the cold and wet weather.

Hon. J. Nicholson: Had the conditions of the prisons improved then?

Hon. Sir E. H. WITTENOOM: The conditions in prison were of such a nature that these men considered it much better to be in the prison than out of it. My theory is that when a man is sent to prison he is sent there for punishment. I am glad to see, however, that provision is made in the Bill for a certain amount of discrimination. It will be possible to get hold of a certain number of men who may be capable of being reformed—I do not say there are many men who go to prison who can be reformed. Experience has proved that many men like to return to prison after they have been released. They are well fed there. Speaking as one who in his younger days was an athlete, I can say that there is no finer training in the world than to go to prison. A man gets regular food, a fair amount of exercise and he is kept in the best of health because there is always a doctor to attend to him if he should become ill. I repeat that a prison should be made a place that a man, having once been in it, should not want to return to it. We find to-day that a man may be ordered a flogging, but the gaol authorities will not give it because they do not consider it right. The whole thing is conducted in such a manner that imprisonment becomes a luxury. In fact, some people have told me that they regard it as a sort of home from home. If a prison is to be a place of punishment, let us make it so.

Hon. J. E. Dodd: There are not as many in gaol to-day as there used to be.

Hon. Sir E. H. WITTENOOM: Not because they do not deserve it, but perhaps it is because they are not caught. I am glad to see that the department will be able to discriminate between sections of prisoners. So far as we can see there has been a lot of molly-coddling. What do we find in regard to the First Offenders Act? It is the most abused thing we know of. My idea also is that a man who is sent to prison should be made to earn enough to pay for his keep. Then he would have the mortification of being made to feel that he was not only being punished for what he had done, but that he was being made to support himself while being punished. The popular opinion seems to be at the present time that we must not let prison labour come into competition with that of outside, but every man who has been convicted should be obliged to work and to earn, at any rate, enough to pay for his maintenance while he is in prison. The only thing I welcome in

the Bill is that it enables the board to discriminate in connection with prisoners. Occasionally it may be possible to reform a law breaker. But, in my opinion, it is not any use talking about a prison as a reformatory. A prison is and should be a place of punishment, and we should make the conditions in the prison so unpleasant that a man should never want to go back. With these few remarks I intend to support the second reading of the Bill.

THE COLONIAL SECRETARY (Hon. H. P. Colebatch—East—in reply) [5.25]: I do not entirely agree with Sir Edward Wittenoom that our prisons are pleasure resorts, and I counsel him, no matter how strongly he may hold that view in the future as in the past, to take his pleasures vicariously. I have visited prisons occasionally, and they are places in which I would prefer other people should take their pleasures. There are very few points in connection with the speeches which have been made which need any lengthy comments from me, because the support given to the Bill has been most generous. Mr. Duffell raised the question of the position in the parent Act, in which it is intended to place the provisions of the Bill. I discussed the matter with the Comptroller General and the Crown Solicitor, and whilst they both say that it does not make any difference where these provisions were placed, they were of the opinion that the position in which it was proposed to place them was the right one. The parts of the Bill as they stand provide first for the establishment of prisons, next for visitors, then management and discipline, then the law of prisons, then offences in relation to prisoners and then the general provisions, and it is the opinion of the Crown Solicitor and the Comptroller General that the most convenient place in which the new provisions should be inserted is between the parts dealing with offences in relation to prisoners and the general provisions. But neither of those officers attach any importance to the position in which the provisions of the Bill may be placed. The point raised by Mr. Dodd that a prisoner should serve only the residue of his sentence if he is sent back to prison after a period in the reformatory prison is one that was debated at some length in the Legislative Assembly. As the Bill was originally drafted it was provided that the prisoner should necessarily and absolutely forfeit the time he spent in the reformatory, that that should not count as part of the sentence served. Some hon. members took the view that in any case the time spent in a reformatory should count as part of the sentence. Other hon. members took the view that it should not. After some discussion a compromise was arrived at which is expressed in the clause as it appears before this House. It practically means that the order for a man's return may state whether the time he spent in the reformatory shall count as part of the sentence, the intention being to decide the matter according to the gravity of the offence for which he is sent back from the reformatory to the prison.

Mr. Duffell referred to the unsuitableness of the Fremantle gaol as a reformatory prison. It is not intended to use it as a reformatory prison. I explained when moving the second reading of the Bill that there was sufficient accommodation there to use portion of the gaol temporarily more as a sort of receiving house between the prison and the reformatory prison. Exception has been taken to the suggestion that Rottnest Island might be used for the purpose. It was said that Rottnest Island, being at present a pleasure resort and destined to be more important from that point of view than it is at present to-day, would not lend itself permanently to the purpose of a reformatory prison; nor is it intended that it should do so. We have at present spare room at Fremantle. We have a gaol at Coolgardie practically unoccupied, and we have a prison at Rottnest Island. When we get things going, I have no doubt they will develop on the lines that hon. members have suggested. In my second reading speech, I said that no doubt the question of employing prisoners in forest work and in farming work would receive consideration. Mr. Dodd also emphasised the necessity of prisoners being employed in tree planting, and quoted the case of New Zealand. I have no doubt that is one of the most profitable and suitable works in which prisoners could be employed. I would remind the hon. member that in 1912 the Comptroller General of Prisons put up a fairly comprehensive scheme for the employment of prisoners in this particular work. The scheme involved a very small expenditure—an original outlay of some £700—which would have been insignificant if it was the means of contributing to the prisoner's earnings and a large proportion of his keep. This proposal was submitted to the Cabinet of which the hon. member was a member, but was not approved of.

Hon. J. E. Dodd: That is so.

THE COLONIAL SECRETARY: It is, therefore, not the fault of the present Comptroller General of Prisons, or of the Superintendent of Prisons, that a reform of this kind has not previously been introduced. Mr. Kirwan made reference to the very small amount that prisoners earned in comparison with the cost of their keep. He referred to the annual report of the Comptroller General of Prisons which shows that the earnings of the men are only about £15 per annum as against the cost of their keep, which is £75 per annum. In considering these figures it is necessary to bear in mind that the department has to assess, in a somewhat arbitrary method, the value of the prisoners' work. I might draw the attention of members to the different methods of presenting the annual reports of the Gaols Department. Here is the report for 1915 occupying some 34 pages; here is the report for 1916 occupying eight pages, and here is the report for 1917 occupying only four pages, although it includes the information that is really essential. Further, the last report is in a very much handier form for hon. members and for the public to read, and the cost of it is infinitesimal as compared with the cost of the Comptroller's reports in the past. Some of the departmental reports during the last year or two have been

been printed at all. Whether that is a wise course or not is open to some debate. I am quite sure that not only the interests of economy, but the convenience of the public who are interested in these reports will be served by a material reduction in their size compared with those previously issued. That, however, is by the way. Upwards of 12 months ago we went into the question of the prisoners' earnings. The Superintendent of the Fremantle prison submitted a report showing the methods by which the value of the prisoners' work was calculated. In regard to the tailoring establishment, there were 17 men employed for 365 days, and their keep cost 3s. 6d. per head per day. The total cost of the keep of these men was £1,088. That included supervision, a proportion of the warders' fees, and of the whole cost of maintenance in the gaol. The actual charge made for the labour of the 17 men was only £206.

Hon. Sir E. H. Wittenoom: Credit must be taken for the value of their work.

The COLONIAL SECRETARY: They make uniforms for other departments and garments, particularly for the inmates of the Claremont Hospital for the Insane, and these have to be charged to other departments. The charge made to the other departments for the work of this average number of men, working 310 days in the year, cutting out Sundays, was only £206. The charge made against the other departments was at the rate of about 1s. a day. Then we come to boot-making. For making riveted boots for males, the prison charge for labour was 1s. 6d., whereas the charge outside would be 3s. All other classes of boots are in a similar ratio. The charge made by the Prison Department for the labour is very much less than would be the case outside. As against that, it has to be remembered that the labour is not so efficient as in the case of the actual tradesman outside, and the prisoners have no appliances in the way of machinery such as outside people have. There are 13 men, on the average, engaged in shoe-making, and these were employed 310 days in the year at 3s. 6d. per day, and the cost of their keep was £830. The actual charge for the labour done was £219; so that the actual charge for the labour was little over 1s. a day.

Hon. Sir E. H. Wittenoom: How much is put to their credit?

The COLONIAL SECRETARY: It is not put to their credit but it is charged by one department against another. These prisoners are employed in doing work for Government departments. When, therefore, members see in the annual report of the Comptroller General that the value of their work was £1,000, they have to remember that the value of the labour is put down at a low figure. The prisoners are supposed to work 39 hours a week as against 48 worked outside. After going into the figures with the Comptroller General and the Superintendent of Prisons, we decided to confer with the Gaols Departments in the other States and find out what methods they adopted there. I think that probably in the future we shall endeavour to arrive at the value of the prisoners' labour in a less arbitrary fashion, that is to say, to arrive at the actual worth of what

they do. If that is done it will be found that our prisoners can go nearer to be self-supporting than appears to be the case on the returns at present issued. Our prisoners sell, to the Lunacy Department, boots and clothing at a considerably cheaper rate than they would be sold outside. They also sell printing to certain Government departments, particularly the Fremantle Harbour Trust, probably at a much cheaper rate than it would be sold at outside.

Hon. Sir E. H. Wittenoom: What do you do with the work that is turned out? Do you sell it?

The COLONIAL SECRETARY: Only to Government departments, as I have shown.

Hon. Sir E. H. Wittenoom: It is not sold, then?

The COLONIAL SECRETARY: It is not sold in competition with free labour, but it is made use of by Government departments. There is simply a book entry as between one department and another.

Hon. H. Carson: Do they only work 39 hours a week?

The COLONIAL SECRETARY: That is the time they are supposed to be actually at work in productive labour. For disciplinary reasons it would be difficult to make the hours longer.

Hon. J. Duffell: Are not the prisoners employed in making roads at Rottneest Island now?

The COLONIAL SECRETARY: There are prisoners employed at Rottneest in different classes of work, but I do not know that they are employed in road making just now. The custom is to employ a few prisoners at Rottneest during the off season, whilst there are no tourists there, but during the tourist season the number of prisoners is cut down to a very large degree. At other times we have as many as 20 white and 20 coloured prisoners at work on the island.

Hon. J. Duffell: I suppose they would be good conduct prisoners.

The COLONIAL SECRETARY: Yes, and they are often long sentence men who are approaching to within a year or two of their discharge. It is considered that if we can give long service men with good records six or 12 months in the open air, such as they would get at Rottneest Island, we shall fit them better to go out into the world than by discharging them direct from the prisons.

Hon. H. Stewart: If you increased the value of the work done you would show a higher increased cost.

The COLONIAL SECRETARY: That is so, but it would not place us in a better position. I quite agree with what hon. members have said. It is the view I have always taken, that the prisoners' work should be more reproductive than it is at present, not only from the point of view of the State—although it is very important from that point of view—but from the point of view of the prisoner. Habits of idleness will be cultivated so long as there are men who are either unemployed, or kept employed at work which is useless. If it is possible to make them work at something which is useful and they get the benefit of learning something, they become interested in it and, as

Sir Edward Wittenoom suggests, it induces them to believe that it is better for them to be working for themselves outside a prison than it is to be working for the State inside a prison.

Hon. J. Nicholson: Assume that you do credit the prisoner with a higher rate for the work he does, will it affect the grant which will be made to the Gaols Department, say, by the Lunacy Department at Claremont?

The COLONIAL SECRETARY: It would be purely a book entry.

Hon. J. Nicholson: It would not affect the ordinary value of the work?

The COLONIAL SECRETARY: The only point, I think, is that it is well to know where we are. It would, therefore, be wiser if we had a system of assessing the value of prisoners' labour at exactly what it was worth.

Hon. J. Nicholson: That ought to be done.

The COLONIAL SECRETARY: Yesterday I received the current report for the year 1917 of the Indeterminate Sentence Board of Victoria. Victoria is practically the Australian example that we are following, as it is only in that State that the system has been in vogue. This report is extremely interesting, and deals with points which have been raised by hon. members. I propose to read a few extracts from it, and I am sure, by the interest hon. members take in this matter, they will appreciate the information contained in the document. The report says—

Our close attention has been given during the year to the development of the afforestation camp at French Island and the prison farm at Castlemaine, and the progress made at each place has been satisfactory. We are pleased to report that both experiments are proving successful and give promise of being valuable aids to the reformation of prison inmates. They represent a considerable advance on what has hitherto been attempted here in prison reform, and the details given in this report will show that the lines on which we are working are abreast with modern humanising methods practised in America, where good results are obtained by placing prisoners largely on their honour. At the Castlemaine Reformatory—

That is chiefly for youthful offenders from 18 to 25 years of age.

In addition to farming operations, a commencement has recently been made with technical instruction to the inmates, and, in view of the improved machinery now available at this institution for the treatment of the inmates on sound reformatory lines, we repeat our firm conviction that it is more to the interests of young delinquents, say, those under 25 years of age, to commit them under indeterminate sentence to the reformatory prison than to pass only a definite sentence to be served in an ordinary prison.

So far as youthful offenders are concerned, even Sir Edward Wittenoom will agree that we ought to make an effort at reformation. I daresay that in the case of the older criminals it is a pretty hopeless task, but it

should not be a hopeless task so far as these young people are concerned.

During our experience as a board we have been struck by the low educational standard of the class of youth committed to the Castlemaine reformatory, and we have endeavoured, with the means available, to have backward boys taught to read, write, and cypher to the third or fourth class standard before they are released. On leaving the reformatory they have had the benefit of the friendly oversight and counsel of the board or of a probation officer, and have been assisted to honest employment. Such advantages would not have been their lot had they been sentenced to a term of imprisonment, on completion of which no restraint could have been put on them as to where they should go or what they should do.

It seems to be a very important feature of this indeterminate sentence system that the board do not lose touch with the man.

Of the 58 released on parole 21 were subsequently discharged on probation, and of 14 at liberty on parole at the beginning of the year 12 were granted their probation. One paroled man was arrested and returned to Pentridge by our order, two were convicted of crime and sentenced to terms of imprisonment by the courts, and in three cases our order for arrest and return to the reformatory was issued for non-observance of the conditions of parole.

So that it is not in every case the release proved satisfactory, but in the very large majority of cases it does. And this is a very important paragraph of the report—

A discharge from an ordinary prison is a daily and commonplace occurrence, but the release of an "indeterminate" prisoner from a reformatory is a much more important event. In the one case the prisoner, having completed his sentence, goes to freedom as a matter of right; in the other, parole is a concession, a testing time, the placing of a man in a position to prove whether he is capable of becoming a self-supporting and law-abiding citizen. The number granted their liberty, either temporarily or on probation, last year was greater than in any previous year since the indeterminate sentence system came into operation; but in no case was the decision to grant parole arrived at lightly. Time and trouble are involved in the consideration of every such case, and in making preparatory arrangements for giving the prisoner a start in life again under as favourable circumstances as possible for his gaining an honest livelihood. Conditions considered to be essential to his well doing and for the protection of the public are laid down for observance; his friends are communicated with, and, if found worthy, are invited to co-operate with the board in helping the man to follow a right course of living; he is assisted to employment, supplied with clothing and any equipment essential to his occupation; given sufficient money out of his own prison earnings to maintain himself until

he draws his first wages; counselled as to his future conduct, and urged to keep in communication with the board as he would with a friend. Perhaps never in his career has the man found himself so favourably situated for gaining an honest livelihood. During the period the Act has been in operation till the 30th June last, 414 distinct cases had been admitted to the reformatory prison—395 males (Pentridge 206, Castlemaine 189) and 19 females. Within the same period 286 had been given their liberty, 270 being placed on parole or on probation through the instrumentality of the board, and 16 being released by the special authority of His Excellency the Governor. In addition, there were three deaths, three escapes, three transfers to asylums for the insane, and two transfers to benevolent asylums, making a grand total of 297. Of 276 discharged, then, through the instrumentality of the board, 98 had satisfactorily completed their probation of two years prior to the 30th June, 84 had again become delinquent, 60 were in various stages of their probation, and 34 were still in the parole stage. Of the latter two classes, 78 per cent. are considered so far to have conducted themselves satisfactorily, and are maintaining themselves honestly since release for periods from three months to 21 months.

It is not pretended that all people released on parole turn out satisfactorily; but the majority do.

It is satisfactory to note that many who received their parole enlisted for military service and are now at the Front. Two have been awarded the Military Medal for bravery. While the percentages of results given cannot be taken as final, seeing that a large proportion of those who have been given their liberty are still in the probationary stage and that a number have been lost sight of, still the results may be regarded as encouraging; and, considering the material handled—habitual criminals, and youths who for the most part had graduated through other institutions and proved failures—we think they are well worth the time, trouble, and money expended, and a sufficient defence to the adverse criticism sometimes levelled at the board when a "failure" appears before the courts.

Another feature of the report deals particularly with the work done by the reformatory prisoners in afforestation camps and on the farm.

Hon. J. Duffell: Are the Victorian board all males?

The COLONIAL SECRETARY: Yes; as proposed here.

Hon. J. E. Dodd: Does the time spent on parole count as part of the sentence?

The COLONIAL SECRETARY: Yes, it does.

Hon. J. E. Dodd: When they again become delinquent, I mean?

The COLONIAL SECRETARY: The time spent on parole is not counted if they offend

and are sent back to prison. Referring to the work of the prisoners in afforestation camps and on the farm, the report states—

The afforestation camp, known as the McLeod settlement, French Island, was inaugurated on the 21st July, 1916, when five men from the Indeterminate Prison at Pentridge were despatched to the island to prepare the site and erect tents. A second batch of five men were sent a fortnight later, and the strength was increased to 17 on the 18th September. The number has since been steadily added to as accommodation became available, and now stands at 35, which is to be the maximum strength until additional cubicles can be erected. Owing to the large amount of work that had to be carried out in clearing the scrub about the camp site, the tree-planting season was well advanced before any of the men could be made available to the Forests Department; but, by the end of the season, they had planted upwards of 100,000 trees, and, during the summer months, cut 14 miles of fire breaks, and carried out preparatory work over a large area for planting in the following season. In the planting season just closed, more men were placed at the disposal of the Forests Department, and the number of trees planted to the 30th June last was increased to 300,000. Other work carried out included the erection of buildings containing 20 cubicles, dining-room, kitchen, storeroom, office and officers' quarters, road-making, construction of a dock, vegetable cultivation, burning off scrub, the erection of a telephine line between the settlement and the Forest officer's lodge (the poles being cut on the island), the erection of a stable and a piggery, as well as the cutting of fire breaks and other work already alluded to. The open air life and the healthful occupation have had a beneficial effect upon the health and physical condition of the men, and a change for the better in their conduct and discipline on transfer to the settlement has been noticeable; while their degree of industry and cheerful demeanour have been in marked contrast with the listless way many of them worked when within the walls of Pentridge, and have won for them the commendation of the officers of the Forests Department. The end in view is to make the settlement as far as possible self-supporting by growing supplies of vegetables and potatoes for home consumption, and fodder for stock, pigs, and poultry. The cost of maintenance per head at the settlement is greater than is the case at Pentridge. This is due to a more liberal ration scale allowed the men, extra outfit of clothing, and the cost of transport of provisions. Moreover, the men are credited with pay at an increase of 1s. per diem on what they would receive in Pentridge. The total additional cost to the department for, say, a daily average of 30 prisoners at the settlement for 12 months would be about £800, and, including the cost of supervision by the appointment of two warders and one senior warder, would total £1,350. Against this additional cost, however, has to be reckoned

the amount allowed by the Forests Department for the prisoners' labour. The chief benefit looked for, however, from the experiment is the effect it will have in reforming the prisoners and restoring them to honest citizenship. The prison aspect has been left out of the settlement in every way compatible with safety, and the prisoners by their conduct and industry have shown appreciation of the privileges and freedom granted to them. Good progress has been made on the farm at Castlemaine, which gives promise of proving a sound investment, both from an economic and a reformatory standpoint. Here, as at the afforestation camp, the open-air life has had a good effect on the health and physical condition of the inmates, who show a mental alertness and cheerful demeanour which was wanting when confined within the prison walls all day.

The extra cost there is stated at £40 per annum, but, as in the case of the afforestation camp, there seems very little doubt that the work on which the men are employed will show a considerable return; so that the net cost of keeping them will be less than that of keeping them in prison. With regard to technical education the report states—

Equipment for imparting technical instruction to the inmates of the Castlemaine Reformatory has been purchased, and a commencement has recently been made in the practical work under the direction of Mr. F. A. Morton, of the local technical school. All the inmates are given an opportunity in turn of attending the instructional class, and they evince much interest in their work. These are junior offenders, under the age of 25.

They are being instructed in the use of tools and in framing and joining. It is intended later that they shall erect some buildings at the farm. This technical training, added to the farm experience, should be of great assistance to them on release in obtaining work.

There are many other features of this report which are highly interesting; and I think the Government will be on safe lines if they follow as closely as possible the experience of Victoria, which is evidently proving very successful. Mr. Duffell, I consider takes a somewhat pessimistic view of things when he suggests that all these centuries of Christianity have not advanced the world at all. Notwithstanding the war and all these things, I am inclined to think that

... through the ages one increasing purpose runs,

And the thoughts of men are widened with the process of the suns.

I think it is due from us, if we cannot lead other countries in reforms of this kind, at all events to keep our eyes open for the reformatory methods that are practised in other parts of the world; and, if we see that they are proving successful, to try to copy them and bring about equally good results in our own State.

Question put and passed.

Bill read a second time.

House adjourned at 5.57 p.m.

Legislative Assembly,

Thursday, 24th October, 1918.

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

[For "Questions on Notice" and "Papers Presented" see "Votes and Proceedings."]

ANNUAL ESTIMATES, 1918-19.

In Committee of Supply.

Resumed from the 15th October; Mr. Stubbs in the Chair.

Lands and Surveys Department, Hon. H. B. Lefroy Minister—Hon. F. E. S. Willmott (Honorary Minister) in charge of the votes.

Vote—Lands and Surveys, £43,489:

Hon. W. C. ANGWIN: May I ask before the general discussion is resumed on this vote whether it will be possible afterwards to enter on a general discussion on the vote "Agriculture Generally."

The PREMIER: Certainly. The Lands Department and the Agricultural Department are separate and distinct.

Hon. P. Collier: How does that fit in with our Standing Orders?

Hon. W. C. Angwin: I wanted to make sure on this point before going on with the Estimates.

The CHAIRMAN: I have already ruled in the direction that a general discussion may take place on each of the departments, and if my memory serves me correctly the member for Kanowna moved to disagree with my ruling.

Hon. T. Walker: No.

Hon. W. C. Angwin: But the Standing Orders were altered the other day.

The CHAIRMAN: Any way, I rule now that when the Committee reaches the vote "Minister for Agriculture" there may be a general discussion.

Hon. P. COLLIER (Boulder) [4.43]: Although the Estimates of the Lands Department may be satisfactory from the point of view of hon. members who may be expected to be interested in the work of that department, I would like to have cleared up a misunderstanding, or rather a doubt, which exists in the minds of a considerable section of the public with regard to the amendment made in our Land Act of last year concerning the pastoral leases. I would like the Minister in charge to give the Committee some information as to what has been done with regard to reappraisal, as to when the board, whose duty it will be to deal with the matter, is likely to be appointed. The point I wish some information on is as to whether the Minister has taken any steps to obtain the necessary declarations provided for in the Land Act and in Section 30 of the amending Act of last year. I mean a declaration from those concerned that they are not beneficially interested in any area greater than one million acres in any one