

Legislative Assembly

Wednesday, 18th September, 1957.

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QUESTIONS.

LEGAL REPRESENTATION.

Availability to Poor People.

Mr. HALL asked the Minister for Justice:

(1) Can poor people receive legal representation free of legal expenses?

(2) If the answer is "Yes," what channels are available to poor people to seek such advice?

(3) In the case of a poor person being the plaintiff and the decision going against the plaintiff with costs, does the poor person have to pay the defendant's costs?

(4) If the answer to No. (3) is "Yes," does he realise that the defendant could engage the best of legal advice knowing full well that there would be every chance of winning the case with the costs against the poor person, and if such a person be a pensioner, cause his or her property to be sold to meet the defendant's legal expenses?

(5) Will he have steps taken to investigate such practices?

The MINISTER replied:

(1) Yes. Under the provisions of the Poor Persons Legal Assistance Act, 1928-1931.

(2) An officer of the Crown Law Department is available to assist such people, but any legal representation in court is by a solicitor assigned for that purpose by the Law Society.

(3) Yes, if so ordered by the court.

(4) A successful defendant could cause the property of an unsuccessful plaintiff (be he a pensioner or otherwise) to be sold to meet the costs allowed him by the court.

(5) No case is known where the property of an unsuccessful applicant for assistance under the Act has been sold to meet such costs.

COAL.

(a) Amounts Owning by Collieries Companies.

Hon. D. BRAND asked the Treasurer: What was the total sum owed to the Government by each of the coal companies at the 30th June, 1953, and the 30th June, 1955?

The TREASURER replied:

	30th June, 1953.	30th June, 1955.
	£	£
Griffin Coal Mining Co. Ltd.	Nil	Nil
Western Collieries Ltd.	Nil	Nil
Amalgamated Collieries of W.A. Ltd.	448,653	341,273

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

The Government had also guaranteed certain bank overdrafts in respect of which it had the following contingent liabilities:—

	30th June, 1953. £	30th, June, 1955. £
Griffin Coal Mining Co. Ltd.	430,000	380,000
Western Collieries Ltd.	504,446	484,481
Amalgamated Collieries of W.A. Ltd.	26,000	Nil

(b) *Tonnage Used in 1956-57 and Estimate for 1957-58.*

Hon. D. BRAND asked the Premier:

(1) What was the total tonnage of coal used in 1956-57, and what is the estimated tonnage to be used in 1957-58 by:—

- (a) the State Electricity Commission?
- (b) the Western Australian Government Railways?

(2) What amount of coal, and at what price, will the Government buy from each coal company in 1957-58?

The PREMIER replied:

(1) Total tonnage coal used in 1956-57 was—

- (a) State Electricity Commission—

	Tons
Collie Coal	443,504
Newcastle Coal	27,033

- (b) Western Australian Government Railways—

	Tons
Collie Coal	299,219
Newcastle Coal	14,426

Estimated tonnage to be used in 1957-58 is—

- (a) State Electricity Commission—

	Tons
Collie Coal	470,000
Newcastle Coal	27,000

- (b) Western Australian Government Railways—

	Tons
Collie Coal	287,000
Newcastle Coal	11,000

(2) The Government will purchase coal from the 16th September, 1957, as follows:

Based on 24 fortnights per annum—

- (a) Amalgamated Collieries of W.A. Ltd.—25,000 tons per fortnight at 53s. per ton.
- (b) Western Collieries Ltd.—6,000 tons per fortnight at 52s. 6d. per ton.
- (c) Griffin Coal Mining Co. Ltd.—1,000 tons of smalls fortnightly for three months commencing the 16th September, 1957 at 45s. per ton.

(c) *Griffin Co., Details, Government Negotiations.*

Mr. WILD asked the Premier:

(1) Was an approach made to the Griffin Coal Mining Co. to supply a greater quantity than 1,000 tons per week?

(2) Did the Griffin Co. quote for any greater quantity than this amount; and if so what quantity, and at what price?

(3) Was Mr. Fernie, the managing director of the Griffin Coal Mining Co., correctly quoted in the Press when it was stated that the Griffin Co. would supply for 30s. 6d. per ton?

(4) What would have been the saving to the State had this company's offer been accepted?

The PREMIER replied:

(1) All coalmining companies were asked to quote for larger quantities than 1,000 tons per week.

(2) Yes. The quantity and price are probably regarded by the company as information of a confidential nature. Should the company have no objection to the information being made available publicly, the Government would be prepared to supply the information.

(3) No offer to supply at 30s. 6d. a ton can be traced at the present time. Offers made by the company to supply at less than £2 per ton were related to the question of supplying excessive quantities of open-cut coal.

(4) The acceptance of any such offer would have caused a reduction in orders to one or both of the other companies, and the price the Government would then have had to pay to the other companies would have been very much higher. Also see answer to No. (3).

(d) *New Contracts and Loss of Employment.*

Hon. D. BRAND asked the Premier:

How many Collie mine employees will lose their position as a result of the new coal contracts recently approved by the Government?

The PREMIER replied:

Approximately 70 miners and some off-hand labour, but the taking of accrued long service leave and other factors could reduce this figure.

COLLIE POWER STATION.

Water Supplies.

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

(1) What progress has been made with test boring for cooling water for the proposed new power station at Collie?

(2) If a sufficient water supply is proved, when does he anticipate the first unit will be completed?

The MINISTER replied:

(1) A boring contract has been let and work is commencing this week.

(2) If all investigations prove satisfactory, by 1965.

EDUCATION.

(a) *Frankland River School, Additional Room.*

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

(1) Have tenders been called for the erection of an additional room at the Frankland River school?

(2) If so, has a tender been accepted?

(3) If not, when are tenders to be called in order that the anticipations of the department that this work will be completed in time for the reopening of schools in 1958, may be carried out?

The MINISTER replied:

(1) No.

(2) Answered by No. (1).

(3) This will depend on sufficient funds being available for this work to be carried out.

(b) *Extension of Braille System.*

Mr. ROSS HUTCHINSON asked the Minister for Education:

(1) In the interests of those people—particularly children—who have seriously defective eyesight, or who are expected to become blind, will he give favourable consideration to so modifying the present educational system as to include education in braille?

(2) If not, will he give reasons for the refusal?

The MINISTER replied:

(1) No.

(2) The advice of the consultant eye specialist to the Department of Health is that braille should not be taught to children who have any residual eyesight, but that such residual eyesight should be assisted by means of special reading aids. The advice is that braille should not be taught until the child cannot be assisted by such supplementary teaching aids.

RAILWAYS.

(a) *Concession Rates on Movie Films, Wooroloo.*

Mr. ROSS HUTCHINSON asked the Minister representing the Minister for Railways:

(1) Is he aware that the recent withdrawal of concession rail freight rates on movie films returned by the Progress and Pastimes Club, which is conducted by and for the patients at the Sanatorium, Wooroloo, is occasioning considerable concern at that institution?

(2) In view of the club's difficult financial circumstances and in view of the excellent welfare work done by the club, and in the general interests of the patients, will he give favourable consideration to the reinstatement of the concessions?

(3) If the answer to No. (2) is in the negative, will he give reasons for the refusal?

The PREMIER replied:

(1) Yes.

(2) The matter is under active consideration.

(3) Answered by No. (2).

(b) *Week-end Shunting on Wharves.*

Mr. HEARMAN asked the Minister representing the Minister for Railways:

In answer to a question earlier this session about shunting charges on wharves on Sundays, it was indicated that these charges were under review. What action has been taken in this matter?

The PREMIER replied:

No action.

POLICE.

Licensing Facilities, Scarborough Station.

Mr. MARSHALL asked the Minister for Police:

Owing to the enormous increase of population in the western suburbs of Perth, will he give urgent consideration to the need for facilities to be established at the Scarborough police station for persons desiring to renew drivers' and vehicle licences, and thus obviate the inconvenience of travelling to Perth for this purpose?

The MINISTER replied:

As facilities are available at all police stations for the renewal of motor drivers' licences, and as motor-vehicle licences may be renewed by post, it is not intended to establish a branch of the Traffic Office at Scarborough.

RELIABILITY TRIAL.

Performance of Chamberlain "Champion" Tractor.

Mr. MARSHALL asked the Premier:

(1) During the recent round-Australia reliability trial just concluded, reports indicate that a tractor accompanied the competitors. Does he know the make of this tractor?

(2) Has he any information as to the performance of this vehicle during its round-Australia trip?

The PREMIER replied:

(1) A Western Australian-made Chamberlain "Champion."

(2) The performance was very successful, even though a wet slippery road encountered towards the end of the trial caused the machine to run off the road and overturn.

HEALTH.

School Children's Medical Cards.

Mr. EVANS asked the Minister for Health:

(1) Has any further survey been conducted of school children's medical cards, for the purpose of studying heights and weights of children, since the limited survey which was made in 1955?

(2) If not, is it intended that such a survey will be made this year or next year?

The MINISTER replied:

(1) No.

(2) Further figures on weights and heights will be collected in the near future but no definite time has been fixed.

GOLDMINING.

(a) Assistance to Prospectors, etc.

Mr. EVANS asked the Minister for Mines:

(1) How many prospectors were approved for assistance during 1956?

(2) How many of such prospectors are in the Eastern Goldfields district?

(3) What was the tonnage reported as being crushed by assisted prospectors during 1956?

(4) What was the estimated return (in ounces) from such crushings?

(5) What amount was expended by the department in assisting prospectors during 1956?

The MINISTER replied:

(1) A total of 91 prospectors was approved for assistance in 1956.

(2) Of the above, 61 were in the Eastern Goldfields District.

(3) Assisted prospectors reported as having crushed 2,969½ tons of ore.

(4) The estimated return from such crushings was 737½ ozs.

(5) The total amount expended during the year 1956 was £11,197 12s. 6d.

(b) Departmental Drilling, Kanowna.

Mr. EVANS asked the Minister for Mines:

Has any worth-while report been received from the department's drilling project at Kanowna?

The MINISTER replied:

Two holes were drilled each of which intersected the two main ore-bodies in the Kanowna White Feather line of lode. The

four intersections were in the most favourable geological positions and revealed only narrow ore-widths of extremely low values in the expected positions.

TRAFFIC.

(a) Overhead Car Park, Perth.

Mr. HALL asked the Minister for Transport:

As the matter of car parking in the City of Perth is causing great concern, will he investigate the possibilities of an overhead car park, running west from Beaufort-st. bridge, and running west from Horseshoe bridge, as both bridges would provide access for traffic from both directions?

The PREMIER (for the Minister for Transport) replied:

It would be undesirable to discharge traffic from a car park on to important arterial streets or structures of limited capacity, such as these two bridges. The proposal is considered impracticable at present.

(b) Multi-storied Car Park, Corner Hay-st. and Victoria Avenue.

Mr. COURT asked the Minister for Transport:

(1) Is he acquainted with the details of the multi-storied car park project for the corner of Hay-st. and Victoria Avenue, which the Perth City Council has restricted to 400 cars?

(2) If so, does he agree with the restriction?

(3) If not acquainted with details, will he examine the project and advise whether he agrees with the restriction?

The PREMIER (for the Minister for Transport) replied:

(1) No.

(2) and (3) The applicant has the right of appeal to the Minister under the City of Perth Parking Facilities Act.

(c) Parking Areas, Causeway and Mill-st., etc.

Mr. COURT asked the Minister for Transport:

(1) Is permission to be given to the Perth City Council to proceed immediately on all-day parking areas at the western end of the Causeway and near the foot of Mill-st.?

(2) Why does the Government want the Mill-st. area delayed to provide use simultaneously with the opening of the Narrows bridge in 1959?

(3) Will not the delay with the Mill-st. area cause excessive congestion at Barrack-st. if cars from the west of the city

have to proceed to the all-day parking area at the rear of Christian Brothers' College if the existing Mill-st. area is only half-day parking?

(4) What is the projected date for the initial introduction of parking meters, and in what localities?

The PREMIER (for the Minister for Transport) replied:

(1), (2) and (3) This matter will be considered when the application and plans are submitted by the Perth City Council.

(4) This is a matter for the council's consideration.

FREMANTLE HARBOUR.

Dredging of Berths and Silt.

Hon. J. B. SLEEMAN asked the Minister for Works:

(1) Has the Fremantle harbour been dredged to 36 feet since November, 1955, when he gave this House the depths of the berths at Victoria Quay and North Wharf?

(2) If so, what are the berths that have been dredged, and to what depth?

(3) If not, is it proposed to dredge the berths to 36 feet?

(4) If so, when; and if not, why not?

(5) Can he tell the House what the silt consists of, and is there any knowledge where it comes from?

The MINISTER replied:

(1) (a) Inner Harbour.—Portions of the inner harbour have had maintenance dredging carried out to 36ft. below low water. The new No. 10 berth is in process of being dredged to 36ft.

(b) Outer Harbour.—Parnell and Success Channels in the outer harbour have been dredged to 36ft. below low water.

(2) All usable berths in the inner harbour are dredged to 34 and 36ft. below low water—i.e. berths A to H, Victoria Quay, and berths 1 to 9, North Wharf.

(3) All berths within the inner harbour will be maintained to 36ft. below low water. It is not yet necessary to carry out maintenance dredging to the outer harbour berths.

(4) Maintenance dredging within the inner harbour is being carried out according to a prearranged programme which is in process.

(5) Generally, silt dredged from the inner harbour consists of detritus from ships, such as phosphatic rock, coal, coke and organic dust, and sand and colloidal silt from the Upper Swan River. No silt has yet been recorded in the outer harbour.

STATE HOUSING COMMISSION.

Erection of Homes, Mt. Pleasant-Brentwood Area.

Mr. GAFFY asked the Minister for Housing:

(1) Is it his intention to erect any houses in the Mt. Pleasant-Brentwood area this financial year?

(2) If so, how many, and where situated?

The PREMIER (for the Minister for Housing) replied:

(1) Yes.

(2) 30 homes. Coomoora-rd., Kemp-rd., Elackman-rd., Rogerson-rd. and Darnell Avenue.

Further homes may be erected for war service applicants depending on road development and availability of titles.

FREMANTLE PARK.

Excision by Fremantle City Council.

Mr. LAWRENCE asked the Minister for Lands:

(1) Is the Fremantle Park a Class "A" reserve?

(2) Is he aware that the Fremantle City Council is excising 216 feet from this park for the purpose of extending the ground of the Fremantle bowling and tennis clubs?

(3) Is he aware that this same excision will seriously interfere with the sport of children attending schools in that area, and also interfere with amateur football and Y.M.C.A. activities?

(4) If he has the power, will he make a full inquiry into the matter, with a view to protecting the aforementioned bodies and others?

The MINISTER replied:

(1) No.

(2), (3) and (4) Fremantle Park comprises Fremantle Lots 1817 and 1826 containing an area of 20 acres 3 roods 36 perches. Sections 10 and 11 of Act No. 56 of 1952 authorised the reservation of this land for the purposes of park, recreation, and community centre, to be granted in fee simple to the City of Fremantle in trust for those purposes.

The actual use, consistent with the purposes mentioned, is a matter for decision by the City of Fremantle.

TECHNICAL EDUCATION.

Committee and Report.

Mr. ROSS HUTCHINSON asked the Minister for Education:

(1) Has a committee been appointed to inquire into certain aspects of technical education in Western Australia?

(2) If so, who composes the committee?

(3) Can he say when a report will be made?

The MINISTER replied:

(1) No.

(2) and (3) Answered by No. (1).

FORESTS DEPARTMENT.

Dismissals and Employment of ex Coalminers.

Mr. WILD asked the Minister for Forests:

(1) Have any men recently lost their jobs with the Forests Department?

(2) What was the reason for their dismissal?

(3) How many men recently employed in the Collie mines are to be employed by the Forests Department, and in what capacity?

(4) Will they be employed in a permanent capacity?

The PREMIER (for the Minister for Forests) replied:

(1) Twelve during the past eight weeks.

(2) The services of eleven seasonal workers associated with pine planting were dispensed with at the end of the pine-planting season.

One member of a gang refused to camp out when controlled burning operations were necessary at a distance from headquarters.

(3) Eighty-six men have already been employed and a few more are expected. They are mainly engaged in clearing for pine planting, but some tradesmen are being employed at their own trades.

(4) Work will be found for these men as long as it is considered necessary.

METROPOLITAN BEACHES.

Legislation to Control and Develop.

Mr. ROSS HUTCHINSON (without notice) asked the Premier:

(1) Has he seen an article on the front page of today's issue of the "Daily News" entitled "Scandal of Our Beaches," by Gavin Casey?

(2) Is it the intention of the Government to introduce legislation to create a beaches trust for the purpose of better controlling and providing amenities on our beaches, either this session or in the next session of Parliament?

The PREMIER replied:

(1) I saw the heading on the front page of the "Daily News" this afternoon but have not read the article.

(2) The Government has not made any decision to take action along the lines mentioned by the hon. member.

BILLS (3)—FIRST READING.

1, University of Western Australia Act Amendment.

Introduced by the Premier.

2, Church of England School Lands Act Amendment.

Introduced by the Minister for Lands.

3, Pig Industry Compensation Act Amendment.

Introduced by the Minister for Agriculture.

BILL—INTERPRETATION ACT AMENDMENT (No. 2).

Second Reading.

Debate resumed from the 11th September.

HON. D. BRAND (Greenough) [4.50]: I join with those who suggest that the member for Mt. Lawley has raised a very important question in introducing in the form of a Bill a provision giving the House power to amend regulations generally. I am sure that all of us have recognised over recent years at least that a number of regulations that come to the House are such that it is not possible for members to peruse all of them, and that sooner or later some way must be found to ensure that undesirable regulations are not put through this House and ultimately given the force of law.

In his Bill the member for Mt. Lawley aims primarily to allow for amendments to be made to regulations. It does not seem a very practical proposition that in order to amend a group of regulations, or a long regulation, the whole lot should be disallowed. To that extent, I support the principle of the Bill introduced by the hon. member. I think it is fair to say that this must have exercised the minds of most responsible party leaders; I am sure they have felt that some way should be found to ensure that regulations do not go through this House without reasonable investigation.

The scheme that exists in South Australia of a committee representing all parties of the House being set up to peruse and investigate regulations put forward by the departments before they reach Parliament, is quite a desirable one. I should imagine it would have the effect of restraining over-enthusiastic officers in putting forward regulations that might not be acceptable to members of Parliament. Our own party has given thought to this matter and has arrived at the point where we feel that the solution to this difficulty may be that a second opportunity be given to Parliament to disallow all regulations—that is, that after the first 14 days had elapsed and the regulation became law, at the next sitting of Parliament a further

opportunity should be given for its disallowance if, in the meantime, it was discovered that that regulation was unacceptable, or did not work out as planned.

However, the Leader of the Country Party has indicated on the notice paper that he intends to amend the Bill substantially. As I understand the amendments of the member for Stirling, it is intended to eliminate the provision whereby either House could disallow or amend a regulation, the proposal being that it must have the approval of both Houses of Parliament. It is very obvious that one House of this Parliament should not be given the authority to amend regulations, because I should imagine the task of Government would be well nigh impossible and, indeed, it would be bogged down at times. Accordingly, I am prepared to support the second reading of the Bill in order to give the Leader of the Country Party the opportunity to explain his amendments to the House. I am sure they will meet the requirements of most members in this Chamber. It certainly can be an experiment and I should think would relieve some of the anxiety a number of us have had concerning the difficulty of perusing regulations brought down each session.

I do not feel there is anything more to add. Since the member for Stirling proposes to eliminate the major part of the Bill—its most important amendments—with a view to replacing them with other provisions, I think the measure could well become one to be discussed and dealt with at the Committee stage. In the meantime I support the second reading.

MR. BOVELL (Vasse) [4.56]: As one member in his House who has ventilated an opposition to government by regulations, I feel I should make some comment on the Bill introduced by the member for Mt. Lawley. We all know that it is necessary for Governments to make regulations, but the system of government by regulation means that after 14 sitting days have elapsed, the regulation concerned cannot be amended or deleted by a majority decision of this House because there is nothing in our Constitution to permit that course being adopted. Whilst I am not quite sure whether the Bill now under discussion will enable Parliament to deal adequately with a system of permitting certain regulations to be made by the Government, I am prepared to support the second reading.

The amendments on the notice paper foreshadowed by the Leader of the Country Party may make the position more equitable in regard to allowing certain regulations. But in recent years it seems that almost every Bill that has been introduced into Parliament has had a provision in it

which allows the Government to make regulations. The Table before us gets piled up with proposed regulations and it is quite impossible for members to keep a careful watch and prevent the application of all regulations they may consider not in the best interests of the community as a whole, or of one section of the community.

The Minister for Justice: If they were incorporated in the Acts, the volumes would be huge.

Mr. BOVELL: I appreciate the position that would arise, but the tendency today is for executive control by Government, and each Bill that is introduced seems to include a clause which enables the Government to promulgate regulations. That might be necessary, but it is not necessary for the Government to go on making regulations ad infinitum, particularly if it is considered that the regulations may not be in the best interests of the community. We all know that conditions may change and we would then have no power in the Constitution to amend or disallow the regulations.

On the other hand, Parliament has power to amend an Act, and this can be done where necessary. Some regulations may be beneficial and it could be considered that only one or two of them need to be erased. Another bad feature of regulations is that this House is in recess for approximately seven months of the year and if we go into recess shortly before Christmas—and I hope on this occasion that we go into recess some time before Christmas—the Minister could invoke a regulation and it could be in operation for seven months before Parliament again sits and has an opportunity to consider the position. It might then be disallowed, but the damage would have been done in that period of time.

The Minister for Justice: Surely you would not say that Ministers are irresponsible!

Mr. BOVELL: I am not even suggesting that Ministers are irresponsible and least of all the Minister for Justice, but I do say that the position of regulations should be carefully considered. I commend the member for Mt. Lawley for introducing this measure. I will support the second reading and follow with interest the discussions in Committee.

MR. EVANS (Kalgoorlie) [5.1]: I would like, briefly, to say a few words on this Bill and mention that I support the second reading with the following reservation. I consider that regulations are a necessary part of any form of executive government and that regulations are a means of expediting the machinery of government. However, it is quite obvious that regulations or government by regulation could quite easily become government by strangulation. Therefore, whilst

not denying the need for regulations under our various forms of statutes, I claim that regulations should be regulated and some form of control should be introduced.

The Minister for Justice: You have that control now in Parliament.

Mr. EVANS: I will say a few words in connection with that form of control. With due apology to Lord Halsbury, a legal eagle of foregone years, I would like to alter a well-known cliché of his and present it in the following form, that, in my opinion, the liberty of private members and the convenience of Government Departments should never be weighed in the scales against one another. The Minister has mentioned that the private members of Parliament already have a means at their disposal to alter regulations.

As I understand the situation, when regulations are laid upon the Table of this Chamber, each member has the right to challenge such regulations within 14 sitting days of the House, but some regulation may be of interest to one member and not of particular interest to the other members of the Chamber. If such a regulation was introduced on a certain sitting day and that member was away—members being busy as they are, they never have time to peruse all these regulations which are laid on the Table of the House—the regulation could skip through. After 14 days, I fail to see how a private member could do much at all, if certain Government departments—those responsible for the regulations—were ill-disposed to any alterations.

I would like to mention one particular regulation in passing, which was made under the Legal Practitioners' Act. It might surprise members to know that a few years ago a regulation was gazetted whereby articulated clerks were bound to attend the University of Western Australia. The letter of the regulation says that all articulated clerks must attend the university and it would seem that country practitioners would be ineligible to engage articulated clerks. I secured an interpretation of this provision, and even though the Solicitor General says that is not the case, the position is that the regulation makes it absurd and difficult for a country practitioner to take on an articulated clerk as the regulation does, in fact, compel country people who wish to take up law to attend the University of Western Australia. Therefore, I say that regulation is wrong, and is one which skipped through the House.

The DEPUTY SPEAKER: Order! The hon. member is on another Bill.

Mr. EVANS: I am giving an example of a regulation, but bow to your ruling and will get back to the Bill. It is quite easy to see the degree to which regulations can be elevated. There are certain

questions which cry out aloud for answers and I shall give an example of two. The first is, when will something be done about this? The second is, what can be done? Therefore, I am hoping that when this Bill is in the Committee stage, the answers to these questions will be resolved. With those reservations, I support the second reading of the Bill.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Norton in the Chair; Mr. Oldfield in charge of the Bill.

Clause 1—agreed to.

Clause 2—Section 36 amended:

Hon. A. F. WATTS: I have certain amendments which I propose to move but, before doing so, I would like to make an explanation. When this Bill was discussed at the second reading stage, the Minister indicated—I supported him in that particular respect—that the idea of leaving disallowance as we know it at the present time and also a right of amending or substituting regulations, to the vote of one House of Parliament was not a satisfactory proposal. For very many years we have had the right of one House of Parliament to disallow any regulation, and with that right I have no desire to interfere. It is true that this Bill, which can give one House the power to do all the things that I have referred to, also retains the provision that one House can disallow regulations.

It seems to me there is no reason whatever why the existing provision in regard to the disallowance of regulations as we know it now, and have known it for the last 40 years, should be altered. Therefore, Subsection (2) of Section 36 of the Interpretation Act should stand exactly as it is, and the amendments are directed to that end. My idea, to endeavour to make the general principle of these amendments clear to the Committee, is that disallowance, as we have known it for 40 years, by either House of Parliament, should remain exactly as during that period.

When it comes to the question of amendments to a regulation by Parliament, then I have no doubt whatever that it should be a job for both Houses of Parliament. The resolution would have to be carried to be satisfactory, in my opinion, by both Houses. It could originate in either House and be sent on for concurrence in following out the usual practice in matters of that kind.

I would suggest that that removes from the original proposition in the Bill, the very serious detriment that the Government of the day might virtually—the Minister anyway—have no opportunity of defending the regulation in the House of which he was a member, because it might

never appear there. That would be a bad characteristic when it is not a question of disallowing a regulation. It would allow the Government to re-gazette another, to amend a regulation, giving that regulation force of law.

The idea I had was that the amendments or substitutions in regulations made by the Government should be passed by both Houses of Parliament. The Minister then raised the question, which was an obvious one, that ordinary regulations and their disallowance by either House of Parliament under the existing system had to be advertised in the "Government Gazette" but there was no provision to advertise the substituted regulation in any way at all. Therefore, there would not be the extent of publicity which the "Government Gazette" gives to the desire of Parliament, unless the Press had chosen to publicise the matter. Therefore, the amendments I have in mind are designed to cover these points.

Questions have also been raised as to whether a regulation amended by both Houses of Parliament could have the effect of appropriating revenue or moneys, and I have not looked at it to see if there was any risk of that taking place. If both Houses of Parliament carry an amendment to increase the amount payable for something from £10 to £20, that is the amendment. If that were not ultra vires in the House in question, obviously the Treasury would be committed, but it would be ruled out of order by the President or the Speaker, because Section 46 of the Constitution Act Amendment Act, 1899, is quite plain on the subject.

It does not only say that a Bill shall not be passed but it says vote, resolution or Bill. Therefore, a resolution passed amending the regulation if it offended against the Constitution Act, would obviously be ruled out of order in the same way as a Bill in similar circumstances. Therefore, after going into this matter carefully I come to the conclusion there is nothing to fear because of Section 46. I move an amendment—

That the words "by substituting for Subsection (5) the following subsection" in lines 4 and 5, page 2, be struck out with a view to inserting other words.

Section 36 (2) of the principal Act enables a regulation to be disallowed by either House if the motion for disallowance is given within 14 sitting days after the regulation has been laid upon the Table.

Mr. OLDFIELD: When I introduced the measure, it was a case of whether we would retain the principle that had been in existence for many years—that either House can disallow—or depart from that principle and make it necessary for the disallowance to be by a resolution of both Houses. The Leader of the Country Party

has retained in his amendment the principle that we have known, namely, that each House will have the right to disallow a regulation in its entirety, but he has gone a step further. Therefore I have no quarrel with the amendment; in fact, I favour it and think it preferable to the provision in the Bill.

The MINISTER FOR JUSTICE: The amendment is all right because it retains the old provision by which either House can disallow a resolution in toto. But I want to know what the effect will be if we disagree with the second amendment. I do not like the retrospective part of it.

Hon. A. F. Watts: There is nothing retrospective about it.

The MINISTER FOR JUSTICE: It refers to 1939; so we can go back to 1939.

Hon. A. F. WATTS: It is not retrospective. Whatever action is taken will have effect only from the time it occurs. It will not take effect from 1939 because we are putting in a new subsection and not altering an old one.

Mr. BOVELL: This will mean that the existing system will stand, but Parliament will have the opportunity to amend or otherwise reject a regulation that may have become obsolete or not be in the best interests of the community. It does not go quite far enough because if a regulation is imposed the day after Parliament rises, it is in operation until Parliament meets again. I do not know how that position can be overcome.

Amendment (to strike out words) put and passed.

Hon. A. F. WATTS: I move an amendment—

That the following be inserted in lieu of the words struck out:—

by inserting a new subsection after Subsection (2) to stand as Subsection (3), as follows:—

(3) Notwithstanding any provision in any Act to the contrary, if

(a) both Houses of Parliament at any time pass a resolution originating in either House amending or varying any such regulation or substituting another regulation or part of a regulation for that which has been disallowed by either House under subsection (2) of this section, then on the passing of any such resolution—

(i) amending or varying a regulation or part of a regulation the regulation or part of a regulation so amended

or varied shall, after the expiration of seven days from the publication in the "Gazette" of the notice provided for in the next subsection of this section, take effect as so amended or varied;

- (ii) substituting a regulation or part of a regulation in place of a regulation disallowed the regulation or part of a regulation so substituted shall, after the expiration of seven days from the publication in the "Gazette" of the notice provided for in the next subsection of this section, take effect in place of that for which it is so substituted.

Both Houses will have the right to amend a regulation or substitute another one, and when they decide on what they will do, it has to be notified in the "Government Gazette" for at least seven days before it is to be effective. Unless the action has been taken by both Houses, it will have no effect whatever and the existing regulation will stand. The whole principle being that as both Houses have power to amend, reject or repeal the Act which gives force to the regulations, they should have the same right to amend the regulations themselves.

Amendment (to insert words) put and passed.

Hon. A. F. WATTS: I move an amendment—

That proposed new Subsection (2) in pages 2 and 3 be struck out.

Amendment put and passed: the clause, as amended, agreed to.

New clause:

Hon. A. F. WATTS: I move—

That the following be added to stand as Clause 3:—

Section 36 of the principal Act is further amended by amending Subsection (3) thereof as follows:—

- (a) By deleting the figures and brackets "(2)" in the second line of the subsection and inserting the figures and brackets "(3)" in lieu thereof.

- (b) By adding at the end of the subsection the words "within twenty-one days of the passing of the resolution. Provided that no regulation published in the "Gazette" prior to the first day of January, one thousand nine hundred and thirty-nine, shall be amended or varied or another regulation substituted for it pursuant to the provisions of paragraph (a) of Subsection (3) of this section."

I think I should read the existing provision in the Interpretation Act to which we are going to add these words. It states—

When a resolution has been passed as mentioned in Subsection (2) hereof notice of such resolution shall be published in the "Gazette."

I want to add the words "within 21 days of the passing of the resolution." There are two reasons for this. First of all, the existing Act makes no provision as to what length of time shall elapse before the fact that the regulation has been disallowed has been advertised; although it is true that the general practice has been to do it almost immediately. If it were not done immediately, no exception could be taken to it and so the public notification could be lagging for a long time and presumably the disallowance of the regulation, if it were brought before the court, would not be effective. That is one reason why I think the period of twenty-one days should be agreed to.

The other reason was that it seemed to me that it was even more important, when a regulation was amended, that it should be published in the "Government Gazette" because those who read the gazette would have seen the existing regulation and if they were not given quick notice of the amendment, they would have no knowledge of what effect the amendment was likely to have on them. So I think a period of 21 days should be the maximum. I would be happy to have a shorter time, but I realised that there would be some procedure to be followed in the way of checking over the regulations, getting them reprinted and so forth, and as the "Government Gazette" comes out only once a week, one might find that a fortnight had past by before that could be done. That was my reason for deciding on 21 days.

The Bill originally was to enable Parliament to amend or vary a regulation which had been passed at any time since regulations were made under a Government. I do not know exactly when it is; it certainly is since responsible government, and we have had that for 67 years. In all probability regulations were made under the statutes and ordinances of the Legislative Council prior to that time. So conceivably we could have been disallowing

regulations which went back a hundred years. As far as I could see, that would not affect or make invalid anything that had taken place in the intervening 100 years because that was done under the regulation as it existed. All that would happen would be that after the disallowance, the regulation would no longer be in force.

But if we are going to say that the power of Parliament to amend or vary a regulation is to apply only to regulations that are made after the passing of this Bill, I think we will destroy the intention we set out to gain. I think members wanted to have power to amend regulations that had been passed prior to the introduction of this Bill and so I decided to make the date the 1st January, 1939. It certainly has to be some date prior to the passing of this measure, otherwise we would have no control over any regulations made before the date of the passing of this Bill.

It will not be retrospective in its effect because a regulation under the Interpretation Act is valid until it is tinkered with by Parliament and I cannot regard that as retrospective. The only thing is that it gives Parliament power to go back, but it does not make the effect of Parliament's amendment retrospective because if it did, chaos would result. People have done things in good faith and lawfully and it would cause chaos if they were suddenly to find that those actions were unlawful. That would be ridiculous and, in any case, I would refer members to Section 36 of the Interpretation Act.

Mr. Rodoreda: Why did you pick on 1939?

Hon. A. F. WATTS: For no particular reason.

Mr. Court: I think it has another significance, wittingly or unwittingly, because it is prior to the war.

Hon. A. F. WATTS: That was in my mind; I had forgotten that. I used that date particularly because it was prior to the last war.

Mr. Potter: What is the necessity for going back so far?

Hon. A. F. WATTS: It is not a question of necessity, but is a question of Parliament making up its mind on the point. I think I have given members sufficient reasons for that.

The MINISTER FOR JUSTICE: I agree with the amendment in the main, but I feel it will be dangerous if we go back as far as 1939. Why not make the date sometime after the war? There are many regulations such as those made under the Mining Act and the Workers' Compensation Act that have been in existence for many years.

Mr. Oldfield: But this still requires a resolution of both Houses of Parliament.

The MINISTER FOR JUSTICE: Yes, but we do not want to be tinkering with regulations that far back. The hon. member said he did not want to go back 100 years or 50 years. I do not want to go back for even 18 years. I realise that its effect is not retrospective but it is retrospective in so far as we will be able to go back and alter these regulations. I realise, of course, that they will be effective in their altered form only from the time they are altered.

Hon. A. F. WATTS: Would you like to amend my amendment to make it the 1st January, 1946, which is the year after the war? I will agree to that.

The MINISTER FOR JUSTICE: I would like to hear other members speak on it first.

Mr. OLDFIELD: I do not know why we want to argue about how far we are going back and I cannot see any reason why we cannot go back and amend regulations 100 years old. Ministers in charge of departments frequently amend regulations. Some of the mining regulations have been in existence for 100 years, or thereabouts.

The Minister for Justice: I cannot remember any of these cases you talk about.

Mr. OLDFIELD: Ministers frequently come along and table amended regulations. As a Parliament we have a right to amend any legislation which has been on the statute book for many years. The House of Commons and other Parliaments amend Acts which have been in existence for 100 years or more, and I cannot see why there should be any argument about going back in this instance. Under the amendment which has already been agreed to, a resolution of both House of Parliament will be required to amend a regulation, so I cannot see any objection to this. Any regulations made in the future will be able to be dealt with by Parliament, but according to the Minister's argument, we should not touch anything that has been agreed to in the past. I think we are only splitting straws in regard to this and if we do not agree to it, it will be only a short time before we will have to remove any restriction at all.

Mr. BOVELL: I agree with the member for Mt. Lawley. Parliament already has power to amend, reject or do what it likes with any Act that has been in operation since and prior to responsible Government. Why the difference? In my opinion, a matter of principle is involved and if Parliament can amend an Act which has been in force for so long, it should have the same right to amend a regulation which has been in force for the same time. In view of that principle, I do not think any date should be stipulated. But in the interests of co-operation, I would be prepared to agree to a certain date being inserted in the amendment.

Mr. MOIR: I am somewhat perturbed about this amendment because, like the Minister, I cannot see why the year 1939 was selected. Why not 1949, or 1952?

Mr. Bovell: Different conditions applied during the war.

Mr. MOIR: I agree, and so far as the preceding amendments were concerned that was very desirable. Caution has to be exercised when amending regulations which have stood the test of time. The regulations with which I am greatly concerned were promulgated under the Mines Regulations Act. They were introduced to safeguard conditions in the goldmines. They laid down a number of conditions which over the years have proved to be very beneficial to the goldmining industry. The Act itself consists of 29 pages of large type, but the regulations made thereunder consist of 51 pages of small type, so it will be seen that the contents of the regulations are far more extensive than the contents of the Act.

Mr. Bovell: That proves that the trend is towards government by regulation and not by Parliament.

Mr. MOIR: This Act contains a unique provision in Section 61 which says that before any regulation, by-law or amendment of any regulation or by-law is made under, or by virtue of that Act, a copy of the regulation, by-law, or amendment shall, where practicable, first be submitted to the Chamber of Mines and to the mining branch of the Australian Mine Workers' Union.

Mr. Bovell: That is a very wise provision.

Mr. MOIR: It is, and it has worked very well over the years because it produces conferences between the union and the Chamber of Mines. Generally they agree on the regulations, although not in the form in which they might have been first submitted. Usually they reach agreement to suit the circumstances. There were occasions when they could not come to agreement and Parliament had to decide the matter. I am very concerned now that officials are to be permitted to tinker with regulations which have been made since 1939.

Hon. A. F. Watts: Both Houses of Parliament have to decide the matter, and an individual member can only move a resolution. He cannot carry it himself.

Mr. MOIR: I am aware of that. In my short term in Parliament, I have seen many amendments moved in this House on the spur of the moment. When amending legislation is being drafted, much consideration is given to the contents before the Bill is introduced in Parliament. When it is being discussed here, a member looking through a particular amending clause

may desire to delete a word here or add a word there, without reference to the parliamentary draftsman or to legal opinion. Thus he would not be fully aware of the effect of such an amendment.

Parliament has in the past agreed to amendments made on the spur of the moment. Sometimes the Bills deal with matters with which only one or two members are fully acquainted. When amendments are made on the spur of the moment, it is often discovered afterwards that they mean something entirely different from what Parliament intended. We have irrefutable evidence of that in many Acts of Parliament. Members can readily understand my misgivings over the amendment now before us which seeks to permit of alterations being made to regulations that have stood the test of time. I would like it to be understood that I am in accord with the proposal that Parliament should have the right to amend or disallow regulations, and to exercise the powers referred to in the Bill, but I cannot understand why the time has been taken back to the year 1939.

Hon. J. B. Sleeman: When were those mining regulations gazetted?

Mr. MOIR: Many before 1939 and some after 1939. In addition, there are also many regulations made under the Workers' Compensation Act which have stood the test of time. If some member decides to bring forward an amendment to them, in the course of debate in Parliament, the amendment could be altered on the spur of the moment with disastrous effect.

Mr. POTTER: I am in agreement with the retrospective effect of the regulations. The argument which has been advanced regarding the date of promulgation can also be advanced in the case of regulations that have been promulgated since 1939. Since that year a spate of legislation has been passed, and, as a result, a large number of regulations has been promulgated. I agree with what has been moved, but I do not see any reason for going back to the year 1939. In this respect there may be some regulations passed since that day which require alteration or amendment. Quite a lot of the legislation in this State is administered by regulation and that is more or less the method of government nowadays. Were that not the case, the administration of government would be strangled. I consider this is a good amendment but at the same time I am very uneasy about the year 1939.

Mr. COURT: I was very interested in the point brought forward by the member for Boulder. I think he has really hit the nail on the head. I would hazard a guess that if all regulations were subjected to the same treatment as to the regulations to which he referred, we

would not be considering this Bill tonight. It is a pity that the whole of our regulation system is not subject to sifting and consultation before regulations become law. Most of the arguments, disagreements and dissatisfaction that occur would be avoided.

There is one State with a parliamentary committee which sifts all the regulations before they are actually gazetted, and I am sure that system makes for smooth government and removes a lot of dissatisfaction. I am also told that because of this process of sifting out before the regulations are gazetted, the number of regulations is drastically reduced. It stands to reason that if, firstly, a departmental head has to run the gauntlet of the Minister, and the Minister has in turn to run the gauntlet of the parliamentary committee to justify the regulations, a great deal of caution would be used before the regulations see the light of day.

The danger which the member for Boulder sees in this amendment is, I feel, not present. After all, a member might have a brainwave or some personal interest in a subject and might desire to bring down a motion calling for the amendment of the regulations in question. He would have a pretty tough job ahead of him to succeed. I venture to suggest that if I tried to amend the regulations dealing with the particular industry in which the member for Boulder is interested, I would be battling, unless it was a good amendment.

It follows that, because of our electoral system in this State, this particular industry is strongly represented, and in the main by people who represent the workers in that industry. Therefore, I suggest no danger exists at all because any move to amend the regulations has to run the gauntlet of some fairly vigorous opposition, if the amendment is not a good one. Thus the danger is not as real as the member for Boulder might think. Personally, I would feel happier if the whole regulation system was based somewhat along the lines of the regulations to which he referred, but we have not such a system.

The Minister for Justice: That system is adopted in many instances. The Minister for Labour has adopted that in a number of instances.

Mr. COURT: I would say in the minority of cases, that system is adopted. Where there is prior consultation, I think it is safe to say that very rarely is there disagreement. It stands to reason that the industry concerned or the people affected are in agreement with the proposition before it comes to Parliament. On the question of the date selected by the member for Stirling, I feel it is comparatively unimportant. If we decide that we are not going to open the door completely

from the days of responsible Government, and possibly before, it really does not matter because this is 1957. If, for instance, we selected 1957 as the starting date, with the passage of time members of this House in 30 to 50 years' time, when looking back, will consider that 1957 was a long time ago. With the passage of time, a date inserted in the Bill today loses its significance, because if we take the year 1997, the members of Parliament in this State could then be disallowing regulations of 40 years past. So, whether we select one date or another is not very important.

I think there is some justification for selecting 1939. That is broadly the commencement of the second World War, during which period a spate of regulations was passed throughout the Commonwealth, the like of which we had not seen before. Therefore, that is not a bad year to go back to, when giving both Houses of Parliament the opportunity to review the regulations, if they so desire. I support the amendment.

The MINISTER FOR JUSTICE: I agree with the principle in the Bill, especially since it has been amended. I therefore move an amendment—

That the word "thirty-nine" in paragraph (b) be struck out and the word "forty-nine" be inserted in lieu.

It would be reasonable to go back eight years previously.

Hon. A. F. WATTS: I would point out that the proposed new clause fixing a year was placed on the notice paper with very good intentions—far better intentions than I have been credited with by the member for Subiaco. I would point out to him that if there had not been such an amendment in the Bill, this House could have amended regulations passed since 1829. So the proposal to make the year 1939 was a considerable concession to the point of view expressed by the Minister in the second reading debate to the effect that we did not want to go back indefinitely because—as I understood him—we would create big problems for ourselves. I do not think this is the sort of thing we should argue interminably about. Many of us have been interested in the principle which the Bill supports, and I am not going to argue with the Minister whether the year should be 1939 or 1949. If the Committee agrees to 1949, I shall be satisfied.

Amendment put and passed.

Hon. A. F. WATTS: You may have noticed, Mr. Chairman, that I have on the notice paper an amendment to renumber Subsections (3), (4) and (5) as Subsections (4), (5) and (6). That is a renumbering of the principal Act, and I would like your ruling whether it is necessary to move an amendment to ensure that those subsections will be renumbered.

The CHAIRMAN: The numbering of these subsections would be part of the new Clause 3 and the necessary alterations to the principal Act would thus be made.

New clause, as amended, put and passed.

Title—agreed to.

Bill reported with amendments.

BILL—CHIROPODISTS.

Second Reading.

Debate resumed from the 11th September.

MR. ROSS HUTCHINSON (Cottesloe) [6.5]: This Bill relates to the training, qualification and registration of chiropodists and matters relating to chiropody and incidental thereto. The purpose is apparently to protect the public from people who have no real knowledge of chiropody and to place the practice on a plane which will elevate it to that of a profession. The Bill is designed to ensure that those who practise in this profession are properly trained and qualified by virtue of certain provisions that will be laid down by a board created under the terms of the measure.

In introducing the Bill, the member for Canning cited the case of a woman who went to a chiropodist and came out after having had facial treatment. He pointed out that this might have improved her looks but certainly not her hammer-toes. With that I agree. As a matter of fact, if such people are allowed to practise, one cannot help having a good deal of food for thought as to the treatment that folk would allow themselves to be subjected to. I suppose another person could have a tooth drawn or receive a shampoo. There is no end to the possibilities if this state of affairs were allowed to continue.

In more serious vein, I might point out that chiropody was recognised by the British Medical Association in the year 1938 as being a profession ancillary to the medical profession or an auxiliary of it, and one which could be given a status, because the public ought to be protected from the machinations of quacks. I am not wildly enthusiastic about the Bill; neither am I bitterly hostile to it.

Hon. D. Brand: It is unfortunate that we are to have another board.

MR. ROSS HUTCHINSON: However, I feel that much good could come from it, and there could be no harm in creating a board for the purpose of registering people in this profession. I support the measure.

MR. GAFFY (Canning—in reply) [6.9]: I thank members for the way in which they have received the measure, and particularly the Minister for his gentle handling of what could be a ticklish subject. The fact is that while this is not a Bill of great magnitude, I still believe it is one of importance. Anything which affects the health of the people is important, as

is any protection that can be given to people in their search for health. That is what this Bill aims to do.

It will be observed that on the notice paper there are a few amendments standing in my name which are designed to streamline the Bill and make its operation easier. Referring to the effect that this Bill could have, I would like to quote from "The Chiropodist," the journal of the Society of Chiropodists. In this journal there is reference to a textbook by Daniel Turner of the College of Physicians. The textbook was entitled "De Morbis Cutaneis: a Treatise of Diseases incident to the Skin." The fourth edition, revised and very much enlarged, had been published in 1731 in London. A French translation of that edition appeared in 1743 in Paris.

In that textbook, according to an article in "The Chiropodist," appeared the following:—

Another disorder incident to the Skin of the Hands and feet, which is that arising from Warts and Corns: Whoever has been soundly plagu'd therewith (& who almost is not one Time or other?) will not think it trifling that we spend some Time in describing them, much less than we propose Remedies conducive to ease the Pain, or entirely remove them: For surely it was a noble thought of the well deserving Sydenham, that if one Man was to spend his Life-time in finding out a certain Cure for Corns, he would deserve well of Posterity, and might be said sufficiently to have served his Generation.

I do not know whether by the passage of this Bill we will be noted by posterity, but I hope that people will be made happy as a result of it.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Norton in the Chair; Mr. Gaffy in charge of the Bill.

Clauses 1 and 2—agreed to.

Clause 3—Interpretation:

MR. GAFFY: I move an amendment—

That after the word "knee" in line 13, page 2, the following words be inserted:—

as come within the accepted province of the chiropodist and are included in the curriculum laid down in the rules made under this Act.

This is to preclude chiropodists from verging on the privileges or preserves of medical practitioners.

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

Clauses 4 and 5—agreed to.

Sitting suspended from 6.15 to 7.30 p.m.

Clause 6—The Board:

Mr. GAFFY: I move an amendment—

That after the words "the Commissioner of Public Health" in line 9, page 3, the words "or a medical practitioner nominated by him" be added.

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

Clause 7—agreed to.

Clause 8—Rules:

Mr. GAFFY: I move an amendment—

That the words "and record of students" in lines 31 and 32, page 4, be struck out.

The object of the amendment is that it is felt that the record of students should not be kept by the board but by the school concerned.

Mr. ROSS HUTCHINSON: I was not able to ascertain from the hon. member the reason for the deletion of these words. Why was he requested to delete them?

Mr. GAFFY: It is felt that the board should not have to keep a record of the students and that the records should be kept by any school teaching the students.

Amendment put and passed.

Mr. GAFFY: I move an amendment—

That the words "or student" in line 2, page 5, be struck out.

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

Clause 9—Register and record:

Mr. GAFFY: I move an amendment—

That the designation "(a)" in line 33, page 5, be struck out.

Amendment put and passed.

Mr. GAFFY: I move an amendment—

That paragraph (b), page 5, be struck out.

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

Clauses 10 to 16, Title—agreed to.

Bill reported with amendments.

BILL—NEWSPAPER LIBEL AND REGISTRATION ACT AMENDMENT.

Received from the Council and, on motion by Hon. A. F. Watts, read a first time.

PAPERS—CANNING DESERT BASIN NATIVES.

Tabling File re Reported Starvation.

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

That the departmental file relating to the natives reported to be starving in the Canning Desert Basin be laid upon the Table of the House.

THE MINISTER FOR NATIVE WELFARE (Hon. J. J. Brady—Guildford-Midland) [7.40]: I oppose this motion for the placing of the papers in relation to this case on the Table of the House, because I think members should know what is going on and be able to judge the situation impartially with regard to what took place at Well 40. I think members should also be able to judge the Native Welfare Department, as such, and its general activities in regard to natives. I feel that the endeavour to have the file tabled after the member concerned had every access to it, is tantamount to trying to carry a vote of no confidence in the department and particularly the Commissioner of Native Welfare himself.

As Minister in charge of the Department of Native Welfare, I feel that the commissioner has a difficult job to do in view of the problems of controlling about 25,000 natives, from Wyndham in the north to Esperance in the south, and I think he is doing a fairly good job. Probably the commissioner is no more perfect than is any member here. He has his limitations but does his best, and like all other administrators he is to a large extent in the hands of his subordinates and the junior officers upon whom he has to rely from time to time for information.

I am afraid that all this propaganda about starving natives is doing a tremendous amount of harm to Australia and Western Australia in particular, and I feel that the use of the term "starving natives" is a deliberate attempt by journalists—in the Eastern States in the main—to indulge in sensationalism with a view to increasing the sales of their papers. I understand that certain journalists in the Eastern States are paid according to the quantity of material they provide and this sort of thing probably helps them to earn substantial salaries.

In February last, I had some experience of them when I was amazed at the tactics they adopted to obtain news. Even the television stations are not above seeking sensationalism. On one occasion I was met by a responsible television executive and asked to come around and be televised with regard to the difficulties of the natives at the Warburton Ranges. I sat in a chair ready to be televised but the first question I was asked was, "Why are the natives starving in Western Australia?" I said, "If that is the kind of question you are going to ask, the interview is off," and I left. If one does not want to discuss matters of that kind these people are just not interested.

Members can imagine the position of the Commissioner of Native Welfare when he was advised that there was allegedly a party of 40 natives starving at Well 40. Mr. Middleton has not only had local experience here for five or six years but he has also had long experience in New

Guinea. He immediately—and, to my mind, very wisely as the story will show as it unfolds—adopted a “no panic” policy in regard to the matter. He had from time to time met up with cases where people without any experience of natives had reported them as starving and suffering from malnutrition and similar ailments. He had no intention of panicking or spending thousands of pounds on an investigation which, when considered in its proper perspective, would probably be little above the normal.

It might be as well at this stage to point out that for many years there has been a policy in all States of non-interference with nomadic natives. Anyone who analyses the position concerning nomadic natives will feel that that is a reasonable approach to the problem. If we continually interfere with these natives and take away their freedom to some extent, and so forth, our Department of Native Welfare would soon be accused of interfering with the freedom of the individual, and it would not be long before we were paraded before the United Nations for having interfered with these unfortunate people.

Accordingly, along the Canning stock route we have a party of natives found by the Bureau of Mineral Research. This bureau was alleged to have reported that those natives were all starving. I will read correspondence which will show that that was denied by Mr. Holyman, who was alleged to have made the statement. I think the House will agree that once an officer has had brought to his notice that there is alleged starvation among natives, the first thing he would try to do would be to try to get food to them, and that is what this officer did. He was advised of their condition and he arranged to get food to them after which he contacted his chief in Perth and asked what further action he could take. It was then arranged for the food to be sent out by helicopter, and the food was landed at Well 40.

I understand that when they arrived at Well 40, instead of finding 40 or 50 natives they were only able to find six. It would appear that the balance had gone on their way. As we know, two of them were brought in to Balgo and subsequently to Hall's Creek and then right into Derby where the district officer was stationed. The district officer was able to interview these natives by means of an interpreter and he learned at first hand from the very party that was brought in from Well 40 as to what the position was. Accordingly, he was able to judge the position. In the meantime the Commissioner of Native Welfare had given this officer sole responsibility to make on-the-spot decisions in relation to this matter. After he had arranged for food to be supplied to those natives, he looked around to see whether he could get some means of transport to this particular area.

Anybody who knows the North-West will appreciate that one does not rush out there at five minutes' notices with a broken-down jeep or such inferior transport. One must go very carefully into these matters of transport, food supplies, water supplies, communications and so on, and we must realise that this man probably had to do 500 or 600 miles, which meant that it was necessary for him to take every precaution to ensure that a second party did not have to go out looking for him. After having looked around, he got his jeep and some stores together after which he was able to secure a portable wireless and then decided to go in search of these people.

In the meantime, the food had been supplied to the natives and, as I will show as the story unfolds, within a few days of these natives being at the well a party of stockmen came through returning from Wiluna. They did not find any starving natives; in fact, one of the stockmen who was a member of the party belonged to that particular area and the natives there were his countrymen—those natives who were alleged to be starving. According to the interview our district officer had with him, it would appear that they were experiencing very reasonable conditions in that area. Members will see as the story progresses that the position is not nearly as serious as we are led to believe.

I think the Commissioner of Native Welfare and his officers must be given full credit for taking matters quietly, for not panicking and for doing the right thing in regard to these natives.

Mr. O'Brien: Hear, hear!

THE MINISTER FOR NATIVE WELFARE: As the Minister controlling the department, I would very much like to have an overall picture of what is going on in this State in relation to the natives in this particular area. It would take at least 12 to 18 months to obtain the exact details in a survey of a quarter of a million square miles and this would mean intense investigation. In reference to this matter of intense investigation, I would point out that on three occasions in the course of a week in the central reserve last February, when the party was looking for the natives, we could not find them, even though they were right under our noses. We could not find them because the natives did not feel disposed to let us know they were there. However, when they were ready, they eventually brought themselves to our notice. At the time the Commonwealth Government decided to take over the meteorological site, an expert in the Giles area reported—

It is rather strange. We hear there are natives in this area and yet we have not seen a native in three days. If the party will retire, I will remain here and see what happens.

The party retired some 50 or 60 miles, and the natives came out reported to the expert that they had followed them for three days without being seen. Members will realise the difficulties that an ordinary layman would experience in trying to find these nomadic natives; he would not only experience difficulty but the finding of them would entail enormous expenditure.

As Minister for the department, I am ever-mindful of trying to find out exactly what the position is. With this end in view, I asked one of my officers to take out figures for one area in which these natives were found. He estimated that the cost would be £20,000 if a search were conducted in one portion of the north-western and north-eastern areas in the vicinity where these natives were found. Out of that £20,000, a small amount of £200 was allowed for rations for the natives themselves. As the responsible Minister it would be difficult for me lightly to incur such an enormous expenditure, if it meant possibly finding only a very small number of natives.

Experts such as anthropologists have reported to me that it is considered that there are very few natives in this area, and I would ask members whether they consider that I should authorise the expenditure of £20,000 in one area for the purpose of finding a nominal number of natives. It must also be mentioned that along the Canning stock route there are no less than 52 wells. It has been put to this House on occasions that if we supply water to the natives, two-thirds of their problems—if not all of them—would be solved. Yet here we find 52 wells along the Canning stock route and we are led to believe that there are hundreds of natives in this area who are starving and on the verge of dying of thirst.

The natives there have been in that area for centuries. I could quote authorities to show that on more than one occasion parties have been caught in that area without water, and the natives have been able to show them where the water lies. I think that, in the book from which the member for South Perth quoted concerning Drover Dowling, we find Dowling himself relating a case of a droving party reaching the stage where they had no water and they did not know what they were going to do. They were absolutely shocked. They then happened to come on a party of natives who were able to show them where they were able to get sufficient water to keep them going for weeks and even months at a time.

Yet these are the people who we are told from time to time are starving and dying of thirst! Not only are members in this House told that story but it is also repeated to the general public. I would like to point out that all these

atrocious things are certainly not happening to them. The fact remains, however, that they know more about that country than any white man in existence. They are able to move around 40 or 50 miles a day in those areas because they know them so very well.

I can understand a person not being aware of that fact and coming on a party of such natives, immediately feeling that they were suffering from starvation. In their natural state the natives are a very wiry and lean people. The type of existence they lead necessitates that they should be so. This provides them with an advantage when stocking-up food supplies because they have to move around the bush very carefully and at times they have to stand stock-still for long periods to enable them to spear their quarry.

It will be realised that I prefaced my remarks in regard to the member for South Perth's reference to the Commissioner of Native Welfare and the department by trying to get members to realise that the commissioner was acting in what he considered the best interests of the natives. In the limited time I have been in charge of the department, I have tried to give a lot of attention to this matter. I have travelled from one end of the State to the other—I have travelled north, south, east and west and have studied the problems facing these people very intensely.

Before I was appointed a Minister, I travelled some thousands of miles in the North-West and took photographs of them in other parts. I travelled from Darwin to Alice Springs and discussed their problems and tried to visualise them. They are most unpredictable people. One does what one considers is the most charitable and best thing for them, but they do not appreciate it. It is on record that time and again these unfortunate people have been placed in hospitals to try to save them and to clear them from any disease they might have. After a day or two, they walk out and sometimes they can never be found though on other occasions they do come back. So it is difficult to know what to do for the best.

I know of an instance at Wooroloo where natives have been treated and given the best of attention—the doctors gave them special attention because of their unfortunate position—yet after a week or two they walked out and went bush for many months. They are most unpredictable. One tries to help them, but very often it is not possible to do so. I remember when I was in Wiluna last July, Matron O'Brien, who was there, said to me, "A native woman has been brought in here tonight allegedly starving. This is the third time she has been in this hospital. The chances are she will only be here a week and then she will be gone again."

The Commissioner of Native Welfare, in my opinion, was very wise in his appreciation of the position. He looked at the wire that was supposed to have been sent in regard to these natives at Well 40 and the disabilities they were suffering. The papers received contain the following information:—

Increasing number of natives 30 to 40 in one mob. All unclad and most starving especially the very young and the very old. One woman with spear wound and boy suffering advanced stages of malnutrition. Taken from Well 40 to 48 then to Balgo—both would have perished in a short while. Effort now being made to reach Well 40 to succour tribe.

If anybody sat down quietly and analysed that telegram for a few minutes, he would realise there was a sensational aspect and approach to that particular problem at Well 40. Anybody who knows natives would know that those they care for more than anybody else are the very young and the very old. Yet in this telegram they are supposed to be the people who are neglected.

Here is the highlight of the telegram; it started off by saying, "Increasing number of natives 30 and 40 in one mob all unclad." Surely no one would expect to find natives at Well 40 dressed in suits. In their nomadic state, it is the most logical thing for them to go around in the nude. I have been on mission after mission where they can dress in civilian clothes as much as they like, but, on the reserves, they go around in the nude, except for a loin cloth. In the North-West, not so many hundreds of miles from where these people were found, anybody unaccustomed to natives and not knowing their ways of life, could easily get the impression that they were starving because of the wiry nature of their stature.

With regard to the two particular people who were brought into Balgo and subsequently into the Derby hospital, the officer of the Native Welfare Department was able to interview them. The woman appeared to be about 30 years of age, and I understand the lad to be about 10 years of age, and weighed 42 lb. I understand the member for South Perth said his 18 months old baby weighed somewhere about 42 lb. and I want to congratulate him on his excellent upbringing of children. Normally they weigh about 30 lb., so the member for South Perth has something which I have not had in regard to children.

These two people were taken in a helicopter to this area. Admittedly, one would be absolutely stupid to deny that the lad was not suffering from some disability and the chances are that it could be a serious illness. Therefore, it was humane of natives in the area of Well 40 to take him around with them to try to make him right,

but they had enough sense to get the helicopter to take him to hospital with his mother. She was suffering from a spear wound and, according to the photograph I have here, she is a normal and natural type of native, such as one would expect to find in the inland of Australia. I would say she is in the pink of health, except for the spear wound.

Here is another strange thing: Spear wounds to a native are like boils to the average person. I remember coming on natives in the Blackston area last February. They had been in a tribal fight for a fortnight before and I saw a woman about 35 years of age who had a spear wound in her thigh. I also saw a girl of 14 years of age whose skull was cracked as a consequence of that conflict. The two other natives went to the Alice Spring hospital and one had his leg amputated as a result of a spear wound. In this case, apparently some young bucks came to pick up their future wives and the other bucks would have none of it, so the fight took place. That is the type of native I saw in the centre of Australia, and it is the type I imagine I would see if I met the party in the centre of the North-West at the present moment.

The Native Welfare Department has regard for these matters, and its long experience teaches its officers not to panic, but to do their best in the circumstances. As I have related, they arranged for food to go to the 40 natives but instead of finding 40, they found six. The officer of the department did the best he could to get as near to them as possible. I think I can save a lot of time by reading the report of the Native Welfare Department's officer who got near these natives. He reported to the department on the 8th September, although he had previously submitted a minor report on the 30th August. He had this to say—

Further to interim report forwarded from Billiluna station on the 30th ultimo, I now submit a more detailed account of my recent patrol to the Canning stock route area, which was made in accordance with your telegraphic communication of 20th August, 1957.

Travelling by motor-vehicle—

This is important, because I will have something to say in regard to that later on—

I was able to contract natives from the Canning stock route area at Billiluna station and Pallottine mission, Balgo, prior to proceeding to Well 48 (Godfrey's Tank) to interview members of the Bureau of Mineral Resources party based at that site, also, it was possible for me to make contact with Mr. M. Brown, drover, and his party of natives, who were returning from Wiluna along the Canning stock route, and they had been at Well 40 only six days previous to this meeting.

At Well 48, I met all the members of the B.M.R. party, under the leadership of Dr. Veivers, geologist. It was learned from Mr. Holyman, A.N.A., pilot, that there had been no intention to infer that the natives on the Canning Stock Route were starving, and neither he nor any other member of the party could understand why this aspect had been given undue publicity in various newspapers throughout the Commonwealth. Mr. Holyman's only action in connection with the evacuation of the woman and lad from Well 40 to hospital was in giving his permission for the use of the helicopter to carry out this mercy flight on receipt of a message from the pilot, Mr. J. Ferguson, and Mr. E. Caspers, surveyor, that these two were in need of medical attention, and other natives present indicated their wish that they be evacuated.

Mr. Holyman advised me that the B.M.R. have stated they will defray all costs connected with this matter, and if they had not done so, he was sure that A.N.A. would not have made any charge against this Department. Mr. Holyman's only anxiety at the time of the evacuation was whether he should interfere in the matter, and if this department would hold A.N.A. liable in the event of an accident during the course of flight. These aspects were referred to me through the Flying Doctor Service, and my assurance was given that the department appreciated their co-operation and assistance in getting sick natives to a point where they could receive medical treatment, and that the company would not be liable in the case of an accident.

I would like to interpolate here in regard to this matter. It will be recollected that the district officer at Derby was apprised of the serious position of this unfortunate native at Well 40 and on the same day he was in contact over the pedal wireless with this party. This is the important part of this report—

Mr. Brown, his assistant drover, a half-caste named Jerry Pedro, and natives of the party, all assured me that this year the Canning Stock Route natives were enjoying a very good season. They had met, and spoken with several natives en route, and none had stated they were starving for food, and, in fact, one man followed the party for a whole day with a rabbit over his shoulder. All the natives seen were in good condition, and this feature was borne out by the statements of the B.M.R. party, who advised me that the young adult natives seen at various times were of fine physique.

I now want to quote two matters relative to the state of the natives in the interior.

Mr. Ackland: If you have such a cast-iron case, and there is no truth in the allegations made, what is the objection to tabling the file?

The MINISTER FOR NATIVE WELFARE: The member for South Perth has virtually given all the evidence to this House which is contained on the file, and I am endeavouring to give the balance. Therefore, there is no need for it to go on the Table of the House. I am beginning to get sick and tired—as Minister—of having the officers of the Native Welfare Department continually publicised as inept and inefficient and, having regard to my earlier statement, I feel it is most unfair. Those officers have to look after 25,000 natives throughout 100,000 squares miles of this State, and they have a big job in front of them to do it. This sort of thing makes the job so much harder and it is not helping the natives, the Australian Government or the Western Australian Government; and it puts us in bad odour with people of other nations throughout the world.

Mr. Bovell: So they should be if they do not face up to their responsibilities.

The MINISTER FOR NATIVE WELFARE: One of the things the member for Vasse knows in regard to native activities is what he saw at the Warburton Ranges.

The Minister for Education: He is generally vacillating.

The MINISTER FOR NATIVE WELFARE: I have been very perturbed about what has been publicised throughout Australia and about the movie pictures of what happened in the Warburton area.

Mr. Ackland: Don't you think you would stop the criticism if members of the House could see the file, quite apart from the member for South Perth.

The MINISTER FOR NATIVE WELFARE: No, I do not think the criticism will stop as it has got out of hand and will continue for many years to come. I think it is a most regrettable thing, having regard to what this Government is trying to do, and with due regard to past Governments.

Mr. Ackland: We all think it is regrettable, but we would like an assurance that what you have said is correct.

The MINISTER FOR NATIVE WELFARE: I tell the member for Moore that the member for South Perth has unfolded to this House all that is on the file, and I am trying to give the balance of what is contained in reports that have come in week after week since this started. If the hon. member feels in his judgment that the department is falling down on its job, it is his place to give his opinion and, as member for Moore, say what this Government should have done better in order to succour these people, having regard to

all the circumstances. The onus is on the hon. member to do it if he is capable of doing so. My conscience, as Minister, is clear. I have gone into the cost and I cannot justify £20,000 being spent on a doubtful expedition to find, possibly, 20 or 30 natives suffering from malnutrition. There might be none.

I will show how other people have some regard to their responsibilities. Everything that can possibly be done for these people is being done not only by the department but by the Commonwealth Government and private people. I have tried to point out that the natives are most difficult to deal with, particularly as a nomadic people.

We have our difficulties with them in the metropolitan area and the country districts where they are civilised, but when we get the nomadic natives who do not understand our language or have any regard for our customs, the Christian way of life, hygiene, sanitation or high ideals, it is most difficult to do anything for them. Time and time again I have told the House that natives have been taken into hospital in an alleged serious state of health, but within a day they have broken out and gone bush.

Mr. Ackland: What I said was not in criticism, but to help.

The MINISTER FOR NATIVE WELFARE: I do not think it is helping. I have nothing to hide and neither has the department.

Mr. Ackland: Why hide it?

The MINISTER FOR NATIVE WELFARE: Because I am taking this as more or less a vote of censure on the commissioner and his staff. We cannot view it in any other way having regard to the fact that the hon. member mostly concerned has been given the file to look through in the office.

In addition to what my departmental officers are doing and what the department, generally, is doing, and getting quotes for taking a survey of the position, I wrote to Hon. Paul Hasluck, Minister for Territories, and asked if he would co-operate in an effort to cut down the expense. The Commonwealth Government has already apparently arranged for a survey of the natives to be taken in the south end of the desert later this year or early next year. The possibility is that there will be a departmental officer, an anthropologist and a doctor in the party.

The Minister was good enough to reply along these lines—and his letter will convey to the House that, as well as people around and in the Well 40 area, there are others making investigations in the desert—

I read with interest your letter of 6th September, 1957, in which you referred to a proposal to make a survey

of the area south of Lake MacDonald and your inquiry whether or not the Northern Territory Administration could participate in a joint survey of an area along the border between Western Australia and the Territory.

I am referring your letter to His Honour the Administrator of the Northern Territory with a request for his comments and as soon as I hear from him I shall write to you again.

In the meantime you may be interested to know that in June of this year a patrol of the Northern Territory Welfare Branch travelled westward from Mt. Doreen to the Western Australian border and examined the area between Lake Mackay and Lake Hazlett. In the course of their patrol they penetrated into Western Australia in the neighbourhood of the Alec Ross Range and the eastern side of Lake Hazlett. The findings of the patrol were as follows:—

- (1) A group of people numbering between 150 and 200 live in the area adjacent to the N.T./W.A. border and between Lakes Mackay and Hazlett.
- (2) Their health was good at the time of the visit, there being no evidence of malnutrition or other serious complaints.
- (3) The food available to them is adequate to maintain and sustain them in a vigorous and fertile state of health.
- (4) Water supplies are meagre and few and far between. It is thought that the areas inhabited at the time of the visit would have soon had to be abandoned by the people had not the rain fallen during the patrol.
- (5) Groundwater would be available in the limestone and sandstone areas and may also be found in the alluvium.
- (6) The pastoral potential of the country seen by the patrol is almost negligible.
- (7) There was no evidence that mineral deposits of any value exist in the area.

It has now been recommended to the Administrator that in October or November of this year another patrol should travel westward from Haasts Bluff to the Kintore Range which is a little to the east of Lake MacDonald.

I will not read further. In addition, we know there is a Dr. Thomson who is conducting an expedition into the area of Lake Mackay. The report that was received from Well 40 referred to the very young and the very old in bad condition

If any members have a copy of the "Australian Women's Weekly" of the 11th September they will see a picture of one of the bonniest babies that any man in Western Australia could wish to see. This baby comes from the desert where there are supposed to be 40 or 50 people starving. This is a baby who is about 10 or 12 months old, and this is the heading—

Chubby Bindaboo baby girl quickly made friends with Dr. Thomson, who says that in spite of living in an environment where a white man—even a trained botanist—would quickly starve, all these children are fat and happy.

Where this picture was taken is not many miles from Well 40.

Mr. Grayden: A few hundred miles.

The MINISTER FOR NATIVE WELFARE: That is not like a few hundred miles to the average white citizen in Perth. The natives travel 40 to 50 miles a day. The hon. member knows that when we were at Mitiga, 60 miles north-east of Warburton in February last, parties of natives who were there walked into Warburton within four days; and they had their children with them. They walked in 60 miles; and they were supposed to be in a very serious state of starvation!

Mr. Grayden: And when they got there, they could not stand up because they were too weak.

The MINISTER FOR NATIVE WELFARE: That is an ex-parte statement. I do not doubt that the hon. member is sincere, and I hope he will continue that way. These people have a very hard life and I want to see everyone do everything possible for them, but what I do not want to see is an ill-balance in regard to the matter. Everything has to be placed in the right perspective, and that is where I think a lot of damage is being done at the moment.

I have read correspondence and drawn attention to illustrations to show that in addition to this Bureau of Mineral Resources party being in the vicinity of Well 40, there are drovers going up and down the stock route twice a year and there are missions at intervals varying between 150 and 200 miles. Also there are other parties from the Commonwealth Government and people like Dr. Thomson and possibly others that we do not know about who are in the area.

The viewpoint of anthropologists is that there are very few people in the centre of the desert. One anthropologist said that these people are very wise in regard to these matters and very sophisticated when it comes to knowing where water and food supplies are, and they do not take unnecessary risks. I am quite prepared to believe that. I cannot imagine that these natives were in a starving condition, generally,

when the Bureau of Mineral Resources party was in the area of Well 40 earlier this year.

The Native Welfare Department is doing all it can for the natives generally throughout the State, and where attention is drawn to any difficulties, the department tries to help the natives concerned. The member for South Perth mentioned a drover named Dowling. It is unfortunate for the hon. member that he did not quote more extensively from Mr. Dowling's views of the natives on the Canning stock route area. Had he done so, I think the House would have appreciated the difficulties associated with the desert area. Mr. Dowling is alleged, in this article, to have said that no motor-vehicle has ever been able to traverse this route.

We can get some idea of the difficulties associated with the area because when Mr. Beharell, the district officer, met up with the party and the drover, named Brown, at Well 48 at the end of August, he asked Mr. Brown whether he could hire his camels and horses to go further afield after the natives, and Mr. Brown told him that the camels and horses had been on the track for 4½ months and were not in a fit state to return. I merely mention this to show the precautions the Native Welfare Department would have to take in order to make the survey which some people evidently feel should be carried out there.

A sum of £20,000 is the amount required, and as I said before, it is simply a question of whether it is justified having regard to the result. As Mr. Wally Dowling mentioned, no motor-vehicle has penetrated the area, and I think I should mention this to the House.

There is another report here in regard to water. This deals with an occasion, apparently, when stock was being overlanded to the property of the late Sir Sidney Kidman—

On the way they ran into drought conditions and the mob faced death from starvation and thirst. They were saved when some wild natives told Dowling's stockmen of a big soak where there was plenty of bush feed.

Desperate, Dowling took their word and made the detour. He held the cattle at the soak for 12 months until the drought broke. Then he started on the track for Alcoota again.

I mention this to bear out what I said earlier that these natives know more about the central desert than the white people do. The chances are that they would get through in difficult conditions when the whites would not. It would be most unusual, however, if at some time or other there were not some sick or distressed natives. Having regard to the native population there, it would seem that they are in much better health than are the white people in this part of the State

where we have white bread and regular food supplies, because we seldom see a sick native.

But on occasions there must be sick natives in parties. There could be half-a-dozen reasons why they would be sick. I can quite understand a person not conversant with the ways of the tribes in the centre imagining that the natives were starving because they look wiry and thin. I can also well imagine anybody in that area coming across a sick native, just the same as he would be likely to find a sick person anywhere else. If one likes to go about highlighting the sick cases we can do the same thing with our own white community.

One can go down to the Royal Perth Hospital on some mornings and see the most distressing cases going into the institution. One could highlight those cases in the paper and in magazines as being the average standard of the health of the citizens of Perth. That would be a most detestable thing to do and it is what worries me about some of the propaganda we have seen regarding the alleged starving natives. I have seen papers and illustrations showing native women and children less than 100 yards away from the mission hospital at Warburton, where there is a trained nurse available, and they have been highlighted as the standard of natives in that area. Yet they have been right alongside the front door of the Warburton hospital!

Would it be fair for me to take a camera down to the Royal Perth Hospital tomorrow morning and take photographs of some of the worst cases we saw going in and out of the hospital and highlight them as being the normal type of case that one sees in the metropolitan area? It would be a dastardly thing to do and no one would think of doing it. So I believe, as far as the general public is concerned, this matter has got out of all perspective and that I should oppose the tabling of the papers. The Native Welfare Department has regard for its responsibilities; it has regard for the natives at Well 40 and the Government has regard for them, too.

We are doing everything we can to do the right thing by the natives at Well 40 and all the other natives for whom we are responsible. But we have to get the question into its proper perspective and ask ourselves, "Can we afford to spend £30,000 or £40,000 on the natives in one area?" Then the question is, when we get to the area, whether we can find the natives. I think, as Minister, I have every justification for opposing the tabling of the file and I hope members will support me. To continue this barrage against the department is tantamount to a vote of no confidence in it; and I do not think that is justified. The member for South Perth, in the main, quoted from the file and I have quoted from letters that have been received recently in regard to the findings of the officer who visited Well 48.

There is one point to which I would like to draw members' attention and that is the cost that would be involved in using this helicopter about which we heard so much when the scare was on. I believe that it would cost £70 an hour to charter this helicopter; and I would ask members to think about that. Would Mr. Middleton, the Commissioner of Native Welfare, be justified in authorising his officer to go out hour after hour in a helicopter which was costing the department £70 an hour, to look for doubtfully starving natives, because the tenor of the wire received would hardly justify the commissioner's making a firm decision along those lines?

Having regard for all the circumstances, and all the costs involved, and what has come out since—and that is rather important as regards the Commonwealth party making investigations in regard to these troubles East of the Canning stock route—I do not think, in fairness to the Commissioner of Native Welfare and his departmental officers, I should table the file.

MR. OLDFIELD (Mount Lawley) [8.35]: The Minister has put up a very good case in defence of his department, and especially the Commissioner of Native Welfare. However, he has not given us any reason why the papers which have been asked for by the member for South Perth should not be tabled. We are not worrying about what is in the papers. I do not think members will be concerned about whether the department has acted in good faith or not, or whether it is guilty of any omission; but what we are concerned about is that a member of this Parliament has asked for papers to be tabled and the Minister, no doubt acting on the advice of his departmental chief, has refused to table them and is opposing the motion now before the House.

If the department concerned is so anxious to oppose the motion to table the papers—and is most reluctant to have them tabled—there must be something in them which reflects little credit upon the department concerned.

Mr. Marshall: The Minister has read all the papers on the file.

MR. OLDFIELD: He has not. In any case, if he has read them all, why cannot they be laid on the Table of the House? If the member for Wembley Beaches had had anything to do with the Commissioner of Native Welfare, he might be a little more alert and not so anxious to take that person's word, for what it may mean. We all know that the Native Welfare Department has been in a rather bad state of affairs for quite a long time. In fact, the unfortunate part about it is that the present commissioner offered his resignation to a previous Minister and it was refused.

Mr. Heal: How long ago was that?

Mr. OLDFIELD: It was when Hon. Victor Doney was Minister for Native Welfare.

Mr. Heal: You cannot blame the present Minister for that.

Mr. OLDFIELD: I am not blaming him; that was a mistake made in the past and unfortunately the present Minister has to put up with that mistake. Most members who have made a study of this matter realise that the department is not being administered for the welfare of the natives so much as it is for the welfare of the employees in the department—and I refer there to the white staff. Out of almost £500,000 per annum which is made available to the department all except about £50,000 or £60,000 is spent on the staff administering the department. Very little of the money granted goes towards the welfare of the natives, for whom the money was made available in the first instance.

The Minister spoke at great length to try to point out that the commissioner had done the right thing in not ordering a helicopter to go into the area in question and he said that he was correct when he did not take notice of any little report that was received by the department, no matter from whom it emanated. That may well be; but I feel that there is a vital principle at stake. If a member of this House asks for papers to be tabled no harm can accrue from their being tabled; only good can come of it, because if there is any reluctance on the part of the department about the tabling of those papers we can only conclude that the departmental chief does not want them tabled because of what they contain, or because of what they do not contain. As this is a vital matter of principle, and because of my own knowledge of the department and the person administering it—the present commissioner—I have no hesitation in supporting the motion.

MR. ACKLAND (Moore) [8.40]: The motion that we are debating is that the departmental file relating to the natives reported to be starving in the Canning Desert Basin be laid upon the Table of the House. During his speech, the Minister did not talk very much about the motion but he told us a good deal about the proposed expenditure of £30,000 or £40,000 and how much it would cost to charter a helicopter to fly over certain parts of the State. I interjected when he was speaking and I would like to inform him that I was not by any means trying to be critical or antagonistic. But he immediately jumped to the defence of the department.

If the position is so good, and if there is nothing to hide, and as he says he has read very fully from the departmental files, why is he allowing this Press controversy to continue? Why is he allowing the papers in the Eastern States to

continue talking about the condition of the natives in this State? He claims that everything that can be done is being done, and he also claims that the reports published are false. That being so, why not table the file and once and for all stifle the criticism which is being levelled against the department?

The Minister for Native Welfare: You do not really think that would stop the criticism, do you?

Mr. ACKLAND: I most certainly do. It would not stop the criticism if the file contained something which the Minister is trying to hide and by the refusal to table the file the Minister is placing in the minds, not only of members of this Chamber but also of people outside, a doubt as to whether or not the conditions are as he stated. I am not antagonistic to the Minister in this case. I know he has a very difficult problem facing him; but if he adopts the attitude that he will not lay the file on the Table under any circumstances, one must have some suspicion as to what it contains. For that reason I intend to vote for the motion which has been introduced by the member for South Perth.

MR. BOVELL (Vasse) [8.43]: I want to say at the outset that I do not in any way challenge the Minister's sincerity of purpose. I know he is a man of Christian beliefs and considers everything possible should be done for the benefit of the human race. But his attitude in this regard is one of springing to the defence of his department and I suppose that a Minister can be excused for that action. However, the motion is one which asks for the tabling of all papers concerning the natives reported to be starving in the Canning Desert basin. Like the member for Moore I listened very attentively to the Minister's reply to the member for South Perth and I could not detect in it one single reason why the papers should not be tabled. As a member of the select committee which visited the Warburton Ranges, I was horrified by what I saw. Whether it was an act of providence, or whether it was a coincidence I do not know, but when we arrived at the mission we saw approximately 40 starving and emaciated natives who were assisted to some degree by the mission.

Due to the development of the interior of Australia, there is no doubt that the normal habits and food supply of the natives are being disturbed. It is not only the responsibility of the Government in this State, but also of the Governments of the Commonwealth, Victoria, New South Wales, Queensland, South Australia and Tasmania, to assist the efforts of Western Australia to do something for these aborigines.

Because the States of New South Wales and Victoria have killed off their natives, is no reason why they should be critical of

the efforts of this State in doing something for the welfare of the natives within the limited resources available. The difficulty is that this State, with very limited financial resources, has to provide for the needs of its natives over a large area.

I ask the Minister what approaches have been made by the Premier or himself, such as during a Premiers' Conference, to obtain funds from the Commonwealth Government for the purpose of uplifting the aborigines in this State. Is it because the Northern Territory is under the jurisdiction of the Commonwealth Government that the natives in that district are better provided for than those in this State? That should not be the position. Every aborigine in Australia should be given the same opportunity. I believe it is not only the responsibility of the Government of this State and the other Governments of Australia to look after the native, but it is the responsibility of all the people of Australia. It does not become the Press in this country to make capital out of the sincere efforts of persons like the member for Mt. Lawley, to uplift the native population.

There is the Colombo Plan to which Australia is a party. Recently when I was overseas I learnt of the great regard held by the Asian peoples for the assistance rendered by Australia under the Colombo Plan. In my view that plan is a great gesture to the peoples of the Asian countries. But we have our own responsibility, and without condemning the Minister—

The Minister for Justice: I think the Minister is conscientiously doing everything he can.

Mr. BOVELL: I think he is. I said at the outset that I did not doubt his sincerity of purpose one bit, but we would be better informed if we knew what action the Government intends taking to alleviate the position of the natives, such as requesting the Commonwealth and the other State Governments to provide funds to assist in the welfare of the natives. I ask the Minister to reconsider his decision and produce the papers, because if they are withheld, suspicion will be created in the mind of the public. If there is something amiss, in the best interests of all concerned we should let the people know.

The Minister for Native Welfare: There is nothing to hide. It is not contended by the department that the papers should be laid on the Table of the House.

Mr. BOVELL: I do not agree. If there is nothing to hide, and the Minister has said so, he should table the papers. He should not become pig-headed on a matter such as this. Let the papers be tabled so that the people of Western Australia will be given the opportunity to see that the department is doing everything within its power to alleviate the difficulties confronting these unfortunate people. If there is nothing to hide, everything will be

in order in tabling the papers. In supporting the motion, I would ask for some evidence to be produced to show that the Government is prepared to seek financial assistance from the other Governments of Australia for the welfare of the aborigines in this State.

MR. LAPHAM (North Perth) [8.52]: At the outset I say that I do not hold myself up as an authority on natives, but as a member of the select committee which visited the Warburton Ranges I, like the member for Vasse, was shocked at what I saw. I do not have to be an authority on natives to know when a native is ill and when he is well, when a native needs food, or when a native needs medical attention. What I saw in the Warburton Ranges indicated to me that the natives needed food and they needed medical attention.

Mr. Marshall: A lot of people around Royal Perth Hospital want the same things.

Mr. LAPHAM: I think that some members here also want those things. As a result of seeing what existed at the Warburton Ranges, in company with the other members of the select committee I was responsible for the presentation of a report. I appended my signature thereto and I was quite prepared to back up the report in any way. The peculiar part of this matter is that immediately the report became public, it was criticised by those who had never been to that area. As a matter of fact, the Commissioner of Native Welfare was a critic of the select committee's report, yet he had never been into that locality, and he was not aware of the conditions there.

I would like to tie that aspect up with what happened in this instance. In the first place, we heard of the report of starving natives in the Canning basin area. Then we received a report from the Commissioner of Native Welfare, which was published in the newspapers, indicating that the report of starving natives in the Canning basin area was entirely false. I do not know whether or not I was the original babe in the wood, but I am faced with extreme difficulty in trying to understand how the Commissioner of Native Welfare got his information so quickly when he had never visited the area, and when there was no one else on the spot to find out how the natives were faring.

Yet we find that he was quite prepared to deny that the natives were starving in that area, immediately he got the report relating to starving natives! That is the point over which I am perturbed. Immediately, when a person, in good faith, reports that there is something wrong with the natives in Western Australia, the Commissioner flies to the defence of his department, and I would say in the defence

of the Commonwealth Government also, because, to my mind, this is a Commonwealth responsibility.

On many occasions the State Government has indicated that it has not the finance available to meet the cost of native administration in this State. It has spent £500,000, and that is all the Government can afford. Half a million pounds between 25,000 natives works out at £20 a head per year. That is nowhere near sufficient to meet the needs. The position is that the commissioner is defending the very people who are not prepared to render any assistance for the welfare of our natives, and is thus acting to the detriment of the natives whom he is supposed to represent.

It is immaterial whether or not the member for South Perth has related all the facts in the film, when he attempted to find out what information was available to the commissioner at the time he made the statement that there were no starving natives in the Canning basin area. If there is no information on the files to support his statement, then I would like to know the source of the commissioner's information, and why he made that statement without knowledge of what actually existed in the area.

As a member of the select committee which visited the Warburton mission, I saw cases of disease in a particularly bad form. I saw a woman with an arm rotting away completely through the inroads of yaws. The tragedy was that one or two injections of penicillin in the initial stages could have cured the yaw condition. Of course, it has been the policy of successive Governments to disregard the nomadic natives in this State. It is a convenient policy to adopt, and is one dictated by finance.

That seems to be the problem. As long as we refuse to face up to our responsibility by saying that they are nomadic natives, the criticism that arises periodically over our treatment of the natives must continue. Whether or not there are red faces in the Commonwealth Government should have no bearing on the fact that the people concerned are definitely speaking the truth when they speak of starving natives in Western Australia.

As a matter of fact, that is quite elementary. We know that a native relies on nature. As a consequence of that, the native must fluctuate with nature. We have seen cattle stations in the north where in good years the cattle is in good shape, but in bad years the carcasses of cattle can be seen lying on the ground. The same applies to the natives. In good years they do all right, but in bad years they do not fare so well. There is the stark fact that in such areas the natives have to rely on nature, and as a consequence they must fluctuate with nature.

It has been said that there are nomadic natives in the inland of Australia. There has been a mission at Warburton Range for 20 years. During that time native children have been left at that mission to undergo the education provided. The children are left there at six years of age, and they remain there until they are 14. They go through the process of sleeping in a normal bed with a mattress and blankets, and they are tucked into bed at night. In the morning, they have breakfast. They then go to school—and, believe me, they are not too bad at school! Then they have the midday meal, after which they return to school. After school they change from their school clothes into their old clothes and play around the compound. Then, into the shower, to tea and, finally, to bed. That process continues from six to 14 years of age.

During that time, what have we been doing? We have been teaching them to read and write, to handle a pencil, and to speak our language, when they could have been far better employed learning to spear a kangaroo. The position is that we white people have interfered with them by allowing missions to go into their areas. I am not decrying missions; I think they are doing a splendid service. But the fact remains that we have interfered. We have taken these children from six to 14 years of age—the formative years of their life—from their natural surroundings.

THE DEPUTY SPEAKER: I must draw the attention of the hon. member to the wording of the motion and ask him to speak on the lines of that motion.

MR. LAPHAM: I will tie up my remarks; I can do it quite easily. I am trying to indicate that in regards to this question of the natives—and particularly starving natives—we have interfered with them to the extent that we have made them less fitted to carry on their normal activities. As a matter of fact, at the Blackstone Range there is a mining camp. The Government has given the mining people the lease of a considerable number of acres to enable them to prospect for nickel. Natives from the Warburton Range, who have been through the mission, walk 100 miles to that mining camp.

These natives go to the camp to seek work—not looking for a 40-hour week, or an eight-hour day, or a margin over the basic wage, or even the basic wage. They go seeking the ration—the white man's food on which we taught them to live between the ages of six and 14. Some missions have accepted the fact that the situation presents difficulties for the native children, and have felt that those children are not as fitted as they were before to fend for themselves in the area. Consequently, at the Ernabella missions in South Australia it was decided that mission-trained natives should be able to

purchase a .22 rifle and ammunition. The cost of such a rifle is £20, which was a little beyond the capacity of the natives. But collectively they put in 20 dog scalps, and were able to obtain the rifle and ammunition and felt secure thereby, because they were aware that they could obtain some food for themselves.

Then they crossed the border into Western Australia. And what did we do? We sent up a police officer to confiscate their rifle because it was not licensed. As a matter of fact, the police officer who had the job of confiscating such rifles was the one who travelled with the select committee into the Warburton Range area—Sgt. Anderson. I am quite perturbed over this issue. I feel that the whole debate has got out of hand.

Mr. Potter: I think it has, too. The motion is about the Canning Desert Basin natives.

Mr. LAPHAM: What I have said has indicated what happens to starving natives. I am trying to point out what has occurred as a result of interference by white people with the way of life of the natives and with the native reserves. As a matter of fact, the Commonwealth Government has also interfered.

Mr. Marshall: You haven't proved that there are any starving natives there.

Mr. LAPHAM: I have not been there; and I suggest that the Commissioner of Native Affairs has not been there, either.

Mr. Marshall: That is what is dealt with in the motion.

Mr. LAPHAM: The motion is for the tabling of papers; and I suggest that they should be tabled, for the simple reason that we could then ascertain for ourselves whether the Commissioner of Native Welfare had evidence before him on a file which has never been made public. If he did not have that evidence, how could he possibly have made his Press statement that there were no starving natives in that area?

Mr. O'Brien: The commissioner has a big job.

Mr. LAPHAM: Admittedly; and so has the Native Welfare Department. But the fact remains that there is a peculiar attitude in that department. If anybody mentions difficult conditions facing the natives, there is an immediate statement from the department to the effect that the person making the statement does not understand the conditions of the natives at all; and that he is not in a position to make such a statement; and that natives are not starving. One would assume from the reports from the commissioner that no natives in Western Australia are starving. I know that to be entirely wrong. When the Commissioner of Native Welfare makes such a statement, he is being absolutely ridiculous, because anybody would realise that as natives live with nature, they must fluctuate with nature. I support the motion.

MR. RODOREDA (Pilbara) [9.7]: I would like to make a few comments on this motion. First of all I recommend to the Minister that he reconsider his decision not to table these papers. I think that as members of Parliament we are entitled to know exactly what is going on in the various departments. That is a privilege we enjoy; and it should not be denied us unless there are some very cogent reasons for such a denial.

Very rarely indeed does a Minister refuse to table papers. So far as I can remember, it is done only in the case of some confidential information being required or something which, in the interests of all parties concerned, should not be tabled. However, the Minister assures us that in this regard there is nothing to hide; and I think he has taken the wrong attitude towards this motion in regarding it as a vote of censure on the commissioner.

The Minister for Native Welfare: You cannot take it otherwise.

Mr. RODOREDA: It must be evident to the Minister that there is intense dissatisfaction in this Assembly regarding the conduct and organisation of the department.

The Minister for Native Welfare: On the part of two or three members.

Mr. RODOREDA: No; not with two or three members only. I have been intensely critical—though not so much in public—of the Commissioner of Native Welfare.

The Minister for Native Welfare: He has served under seven Ministers and has not done too bad.

Mr. RODOREDA: Well, it is generally the case that when a Minister gets control of a department he defends it to the limit, irrespective of whether the department is efficient, and whether the job is being done properly. But I do not know of any public servant in the upper bracket who is more intensely hostile to criticism than this same Commissioner of Native Welfare. Surely the Minister knows that by now.

The Minister for Native Welfare: You have to be fair in these things.

Mr. RODOREDA: I am being as fair as I possibly can be. I have told the Minister personally of some terrific blunders the commissioner has made in my own area. While I do not claim to be an authority on natives, I have lived in the country where they live; I have had them working for me; I have been more or less closely associated with them in their work on station properties, in transport, and in every other activity in which they take part in the North-West; and I say that the Native Welfare Department has never been worse run in my recollection than since the present commissioner was appointed. The Minister has only to look back through history to find the intense dissatisfaction which has existed in areas over which the commissioner has control; and the general

cry in the North-West is that the bulk of the money that is allocated to this department, after the missions get their cut, is spent on the department and not on the natives.

While I do not want to wander too far from the subject matter of the motion—there will be a further opportunity to discuss the subject on the Estimates—I must say again that I hope the Minister will reconsider his decision and table these papers so that all of us, whether we are keenly interested in this or not, can get the truth of what has happened in connection with the matter under review.

HON. A. F. WATTS (Stirling) [9.10]: I also hope the Minister will reconsider the decision he apparently made when he spoke earlier this evening. If there is one thing which has struck me more than another during the controversy that has taken place on this subject over the past few months, it has been the unanimity existing amongst members of the select committee—people of different political beliefs and characteristics, and different in almost every way; but all of them unquestionably straightforward and honourable men.

That aspect has raised some doubts in my mind. I am in no position to criticise the department in this matter, because I am not aware of the actions it has taken or failed to take in regard to the points that have been brought up in this debate and in earlier debates on similar subjects.

The Minister for Native Welfare: Would you say they are inefficient in your area?

Hon. A. F. WATTS: I must say that there have been such complaints.

The Minister for Native Welfare: Would you say in your capacity as a member of Parliament that there has been inefficiency?

Hon. A. F. WATTS: On more than one occasion I have felt that things could have been better handled. To use the word "inefficiency" is rather a different matter. Very often it is a question of opinion as to how a thing should be done. One man's opinion is that it should be done one way; and another man's opinion is that it should be done in another way. I might violently disagree with another man's opinion, but I do not know that it could be safely said that it was a question of inefficiency. Instead of being inefficiency, it might merely be misplaced zeal. So I do not want to trespass on that area this evening, because I would be going clean outside this motion if I did.

But I want to say that I agree with the member for Pilbara that, on the information given us by the Minister tonight, there is no usual justification for refusing to table these papers. As I understand the

situation, the tabling of papers should be refused on only three or four grounds at the most. One ground is that the matter—or part of it—is sub judice—that is to say, it is before the court in some important aspect. The second is that the papers—or a great part of them—concern only the affairs of individuals, and therefore may be regarded as of a confidential nature. Reference has been made to that on more than one occasion during this session by the Premier as a reason for not supplying information. It is a sound reason where it applies; but it does not apply in this case. The third reason is that information which is sought may involve Government policy and should not therefore be revealed to Parliament. And that is usually because of the risk that would be taken and the public risk that might eventuate. In any case questions such as those or the defence of the realm do not arise in this instance. As I see it, all the Minister is doing in refusing these papers is to add to the impression that there is something to hide. When I came here this evening, I knew the motion would be debated and I felt the Minister had nothing to hide—

The Minister for Native Welfare: That is right.

Hon. A. F. WATTS: Yes, but by refusing to let the House see the papers, the Minister has unfortunately created the impression that—I will not say he—the department or he has something to hide, and if it had not been for that fact, I would not now have been appealing to the Minister to change the view he has adopted. I think it would do far more to clear up the situation and would prevent—as the member for North Perth also seemed to think—a great deal more discussion on this subject, if the Minister took steps to make the papers available to members of this House. While I hope the Minister will change his mind and arrive at a method by which the papers can be made available to us, until he does that I can only support the motion.

MR. GRAYDEN (South Perth—in reply) [9.16]: I am surprised and disappointed that the Minister is not prepared to table the papers for which I have asked, and I believe there is only one good reason why he will not do so. Tonight he spent about 30 minutes telling the House that there is nothing wrong with the natives at Well 40 on the Canning stock route. That was the tenor of his entire speech. If he tables the papers, members will see that no officer from the Native Welfare Department has been anywhere near well 40. They have been to Well 48 where the Bureau of Mineral Resources party was camped but did not go south of that point.

In other words, the department now has a report from an officer stationed at Derby who went to Balgo mission and Well 48

and that is accepted implicitly, although the officer concerned has not been in the area in question, nor has anyone else, except the helicopter pilot. The Minister made the surprising statement that the helicopter pilot denied he had attempted to convey the impression that the natives at Well 40 were starving.

The Minister for Native Welfare: I did not say that, I said it was Mr. Holyman. I think Mr. Ferguson was the pilot.

Mr. GRAYDEN: It was Holyman who sent this wire to A.N.A. headquarters, from which I got it in Melbourne, and he was one of the pilots. It reads—

Increasing number of desert natives encountered during operation Well 40 area. Thirty to 40 in one mob. All unclad and most starving. Especially very young and very old. One woman suffering badly infected spear wound in thigh and one young boy suffering advanced stages malnutrition brought in on routine flight Well 40 Well 48. Attended at Well 48 and taken special flight to Balgo mission east of Well 48. Both would have perished. Effort now being made to reach Well 40 by Native Welfare officer in landrover. Signed, Capt. Max Holyman.

He was the pilot who went out there and who said an increasing number of desert natives had been encountered in the area, 30 or 40 in one mob; all unclad and most starving. The Minister said the fact that the pilot said they were unclad indicated that he knew nothing about tribal natives.

Mr. Nalder: What is the distance between Wells 40 and 48?

Mr. GRAYDEN: About 114 miles, but it is practically impassable. The pilot said most of these natives were starving and that he had to fly two of them out. "The Sunday Times" published a photograph of those two in the first country edition a fortnight ago, but, for some unknown reason, it was removed from the next issue and was replaced with another photograph. I have here the photograph to which the Minister refers. It is of a woman and her son. The son is 10 years of age and is now in Derby hospital. He weighs three stone. I will pin that photograph up on the board later on so that members can see for themselves the condition of the boy. His legs are simply skin and bone.

The pilot who went to this area observed the condition of the natives and brought out the evidence, and on that very day the Commissioner of Native Welfare flatly denied that any of them were starving. No officer of the department has been there since. The following day the helicopter pilot went back and gave rations to six natives who were there. He could not spend time looking for the others and no one has been back there since then, but the department still denies the facts.

A few days ago the Commissioner for Native Welfare said that Capt. Holyman was an innocent abroad and that he had obviously been misled by the physical appearance of the natives. However, this pilot had no axe to grind and he sent back a report to his headquarters where it was made available to the Press. He was immediately attacked by the Commissioner of Native Welfare in this State who inferred that he was a babe in the woods who knew nothing about natives, notwithstanding the fact that he has actually flown them out in a starving condition.

The Minister then ridiculed the reports of starving natives in Central Australia. I cannot understand his attitude. He was at the Warburton reserve and may have visited Ernabella mission, which at all events is not far from the Warburton mission, and is on the same great central reserve. Shortly after that visit by the Minister, 20 babies at the Ernabella mission died, and Dr. Duguid, who flew from Adelaide to the mission, said their deaths had been caused by disease brought on by malnutrition.

We have had many other instances of that. Just prior to last Christmas, when a select committee was out there, 43 starving natives reached the Warburton mission, and three died shortly afterwards. Then we had this report from the pilot the other day. There has been instance after instance, and still the Minister and the Commissioner of Native Welfare deny the facts of which we have such abundant proof. The Minister says we must practice a policy of non-interference with our bush natives and suggests that we continue to do so. I agree up to a point. By all means set these areas aside for the natives and give them a certain amount of assured surface water which will attract game to those areas.

We must also give them a minimum of medical attention and we can then leave them for the time being, but let us not ignore them altogether because, as the Minister knows, at the Warburton reserve alone 75 per cent. are suffering from trachoma which, in its secondary stages, leads to blindness, while 25 per cent. of those on the Warburton reserve are suffering from yaws, the symptoms of which are so akin to syphilis that the matron there cannot tell the difference.

We sent out a medical party to see the Warburton reserve and it reported that 75 per cent. of the natives had trachoma and the other 25 per cent. yaws. That party reported that nothing could be done because if they were cured, they would only become reinfected. The tragedy of it is that secondary trachoma leads to blindness although it can be cured in the earlier stages by a two-week oral course of tablets. However, the mission has no rations to give the natives, and so they cannot wait about for two weeks at the mission in order to be cured.

Let the Government provide the mission with two weeks rations for all the natives and the necessary tablets and then trachoma could be wiped out on the reserve, as has been done in New South Wales. I repeat, that yaws, in the early stages, can be cured by a couple of injections of penicillin. In the later stages of yaws, the flesh rots away from the nose and eventually the unfortunates die.

In saying that we must continue a policy of non-interference, the Minister must remember the conditions on the Warburton reserve and to the north of there in the desert. I refer to the country stretching to the southern fringe of the Kimberleys. The position there is worse because there is no treatment of any kind available to the natives. The Minister knows perfectly well that just before Christmas an officer of the Lands Department went to Well 22 on the Canning stock route and there encountered a large party of natives. The official report of that officer told how at Well 22 there was a woman suffering from yaws with the flesh rotted away from her nose and her knee. If she is still alive, that woman is out there now, in that condition, and possibly fending for young children; yet the department is not prepared to send a vehicle 200 miles to do anything for her.

In spite of that, the Commonwealth could send a cruiser from Sydney to Heard Island, at a cost of £40,000, to pick up a new Australian physician suspected, a few years ago, of having appendicitis. Only a few months ago, a Commonwealth welfare officer went from the Maralinga testing ground to Cundalee mission and then north, and he encountered two aged blind women at a small water hole, in an area where the evaporation rate is 96 inches per year and the rainfall 5 or 6 inches.

He reported that they were surviving by crawling around on hands and knees for two days, at the end of which they had gathered sufficient grass seed to make one scone, following which they would spend the next two days in a similar manner. Has anyone ever gone out to pick up those women? Of course not. The Commissioner of Native Welfare has written to the Cundalee mission telling them under no circumstances must they contact these desert natives, and so I say that by a policy of non-interference, we are condemning those people to die.

We have only to give them some little medical attention and assure them permanent surface water, but the Minister says they have wells every 22 miles on the Canning stock route. I agree that on the stock route they have nothing to worry about as regards drinking water. But it is not surface water, game cannot drink from it. We know that in this entire area there is no known permanent surface water and without it, it is not possible to have game. So when the Minister says they have plenty of water, he is no quite correct.

The Minister also made a number of other statements, and I want to reply to them all because they have been recorded in Hansard. He said that the Native Welfare Department officer stationed at Derby went into the hospital there and interviewed two natives flown out by the helicopter pilot. As a result of what he learned from them, he was able to assure us that nothing was wrong. In fact, however, the position was just the reverse, and that is indicated on the file. After the native welfare officer had talked to these two natives he was able to say to the commissioner, "We must go down and find out what is happening."

Again we have the statement of the native welfare officer stationed there that he met some drovers who were stationed there a few days before. They would not have been able to cover the distance between Well 40 and Well 48 in a few days; that would not be possible.

The Minister for Native Welfare: In one week.

Mr. GRAYDEN: In any case, those stockmen saw only a few natives. They did not encounter the ones that Captain Holyman saw. The Minister also said that it would take 12 months to carry out an intensive survey of that region. I disagree with that entirely. One party could go from the Warburton mission, one from the Northern Territory, one from Balgo and one from Jigalong. It could be done in two weeks or less. The Minister said that the cost would be in the region of £20,000, but I assure him that it would not cost more than £2,000, particularly if the Government is prepared to supply that amount, or even £1,000, because there are quite a number of people in this State who would go out immediately and patrol the areas I have nominated.

The Minister for Native Welfare: But £1,000 would not buy you a jeep.

Mr. GRAYDEN: These people have their own vehicles and if the Minister would supply the petrol, they would take out their own vehicles. They would visit each area thoroughly and bring back films which I think would convince even the Minister of the truth of what I have said. The Minister also mentioned that anthropologists had estimated that there were only a few natives in this area. I would like to know to which anthropologist the Minister was referring.

The Minister for Native Welfare: I was referring to Dr. Berndt.

Mr. GRAYDEN: He had been in the State only a few weeks. He went out to the Warburton mission while conducting a survey on the Eastern Goldfields. At the time the mission was in recess, and Dr. Berndt expressed disappointment and left. Later, however, he submitted a report which purports to be the result of a thorough investigation of the conditions

that exist on the Warburton reserve. The mission is 30 miles within the boundary of the reserve and is situated in the south-west corner. There are many thousands of square miles in the reserve. He possibly went 20 miles from the mission and saw few natives because, as I have said, the mission was in recess. He did not get on with the missionaries and things reached such a pass that the missionaries charged him 12s. 6d. a dozen for eggs and also made him pay for his firewood.

Yet these anthropologists were able to come back and put forward a report which purports to have been made after a thorough investigation of the reserve. The anthropologists have never been anywhere else in the central region of Western Australia. How, then, can they say there are only a few natives in that central region? We know there are several hundreds at the Warburton mission and that there are many in the area of Well 40 and Well 48. There are many hundred natives in the central area. No party has touched more than the fringes of this area in the last 30 or 40 or more years. The last people to go through longitudinally were Warburton and Carnegie, the others have only gone on the fringes of the area.

The Minister said there were a number of patrols there at the moment but they have not even attempted to penetrate the area. Dr. Thomson has gone to Lake Mackay, which is on the northern boundary of the Western Australian border, and the officers of the Native Welfare Department also went there. Recently the native welfare officer stationed at Derby went to Well 48 where the Bureau of Mineral Resources party was operating. None of these people have gone to the area to which I am referring. Why then do we read from day to day statements by the Commissioner of Native Welfare and others conveying the impression to the public that these people are having a good look at what is going on, when they have not been within 100 miles of the area?

Furthermore, the Minister said that the natives around Lake Mackay on the Northern Territory border were in good condition. But the natives at Well 40 were several hundred miles from that area. When that was pointed out to him, he said 40 or 50 miles a day is nothing to these people. The Minister must know that the natives in the Lake Mackay area are a completely different tribe. Tribal natives will not cross their tribal boundaries because if they do they are killed by the neighbouring tribes.

The Minister for Native Welfare: The anthropologists will not agree with you there.

Mr. GRAYDEN: The anthropologists do, and I have evidence to prove it. Only on ceremonial occasions will these natives go outside their tribal boundaries. Then they take a message stick. If they did not do

this, it would mean death for them. The Minister said that these people are very wiry and with that I completely agree. I think that members of the select committee and members of this House have had some experience of the natives, and they accept the fact that they are naturally wiry, but surely the Minister would give us credit for being able to see when a native was naturally wiry and in good condition and when he was starving!

When natives die as a result of their poor condition, and when they are so emaciated that they cannot stand, we are entitled to think that they are starving. The 43 of them that came to the Warburton mission were so emaciated that they could not stand, and so dehydrated when they reached the mission that they could not pass urine, and when they did, the result was quite black. They all suffered from kidney trouble. When 30 babies died at the Ernabella mission, the doctor said they died from diseases brought on by malnutrition. Surely this would lead us to believe that they were suffering from starvation!

When these reports came forward, the Minister said that the Native Welfare Department acted immediately; that they sent food down. I wonder! Did they act immediately? Because about three weeks later, I asked the Minister some questions in this House as to when the food went out to these natives; I also asked what natives were encountered by the pilot. The Minister replied that the commissioner had no information at all and that that was a matter for the officer at Derby. When the Department of Native Welfare gets reports of starving natives and three weeks later knows nothing about them, and when the commissioner has not bothered to write his officer at Derby, all is not well.

The Minister for Native Welfare: The officer sent out food the next day.

Mr. GRAYDEN: I agree. It went out on the 7th and the report came here on the 6th. The pilot went out and encountered a party of six natives. Did the pilot go out on an ordinary routine visit and happen to see these natives and give them the food? What food were they given and how much of it?

The Minister for Native Welfare: They were given the food and that is all that matters, surely!

Mr. GRAYDEN: I want to know what food they were given, and what has happened to the natives now. Did the pilot go out to look for the natives or did he happen to see six of them at the well? That is the information I want, and that is the information I cannot get. The Minister also indicated that the officers of the Bureau of Mineral Resources said there was nothing to worry about. That is why I asked the questions. I asked had anyone from that party gone south of Well

40, and the answer I received was "No." These members of the Bureau of Mineral Resources are not in a position to pass an opinion on what is happening at Well 40. They have never been there.

Why did they convey the impression that all is well? The Minister said that the information from the welfare officer at Derby indicated that the health of the natives was good and that there was no evidence of malnutrition. That is an incredible statement, because we know of the incidence of trachoma among these natives. There is, of course, also the incidence of yaws. I hear that 75 per cent. of the natives going from Jigalong suffer from yaws. I do not know whether that is right or not, but it is quite untrue for the officer of the department to say that the health of the natives was good and there is no evidence of malnutrition. The Minister produced illustrations from the "Women's Weekly" which contain photographs of what he described as bonnie native babies taken at Lake Mackay.

Mr. Nalder: Is that in Western Australia?

Mr. GRAYDEN: It is on the border of Western Australia. I want to emphasise that what is happening in one particular area has no relation to what happens in another. The member for North Perth pointed out that these people starve and die of thirst just as our cattle do, and while they might be having a good season at Lake Mackay, they might be having a bad season at Well 40. The Minister said that unfortunately I did not quote sufficiently extensively from the article by Wally Dowling. I think I quoted all that was necessary, because Mr. Dowling made his attitude extremely clear in the article. I will just quote the extracts again. Mr. Dowling had this to say in "People" under date the 3rd April—

Since 1931, Dowling has made "about 20" trips down the Canning—more than any other man. He says the trek gets harder every year, with the wells caving in and water, consequently, harder to get up. "The jackies are getting fewer and fewer—I'll just about see those b—s out myself," he says.

In poor seasons, the blacks hardly ever see a kangaroo, and they live on lizards and the flower of the cork tree. On the last trip down Dowling recalls the pathetic sight of a native soaking a piece of greenhide from a bullock, which had been killed three years earlier, to eat it. "A lot of them are doing a perish," he says.

The Minister for Native Welfare: Do you believe the bit about the greenhide?

Mr. GRAYDEN: Of course, I believe it. A starving native would devour it.

The Minister for Native Welfare: I doubt it.

Mr. GRAYDEN: It continues—

His droving plant—15 camels and 55 horses—carries ample provisions for the long drive, but there is little to spare for starving natives. When Dowling kills a bullock and stocks up his beef bags, he leaves the rest to the natives skulking in the sandhills around the well. "Within five minutes of leaving the carcass, you can't see where you've killed it," he says. "They even scoff up the blood and make off with the bones."

Every trip down or back, Dowling's mob comes across dead natives. His native stockmen shudder when they see one and won't stay at a well where one has been found. For this reason, Dowling usually rides ahead to the well to make sure there are no bodies around by the time the stockmen arrive with the herd."

I do not think there is any point in quoting further from that particular article. It is the most damning evidence we could get.

The Minister for Native Welfare: Why not quote about water supplies and food?

Mr. GRAYDEN: The Minister mentioned where stockmen would have perished through lack of water and the natives took them and their stock to where they could get water.

The Minister for Native Welfare: Why not quote that?

Mr. GRAYDEN: This is an area of hundreds of square miles and that does not mean anything.

The Minister for Native Welfare: It kept 500 stock for 12 months.

Mr. GRAYDEN: That does not mean anything. We do not know how deep the soak was. It might have been 20ft. or more.

The Minister for Native Welfare: It must have been a long way.

Mr. GRAYDEN: The natives are able to get a drink. There is a well every 22 miles on the Canning stock route, but it does not provide water for game to provide food, and when the Minister refers to a soak which will carry cattle for a year, I think it would be obvious that it is an underground soak and animals would not have access to it. Evaporation is 96 inches per year, so I think it unlikely that it would be surface water.

The Minister said that I and others have gone around highlighting those people who are sick, and he suggested that one could stand outside the Royal Perth Hospital and take photographs of sick people going in for treatment. One could not do that in regard to these natives, because they do not get any treatment, so there is no parallel. I and others highlight the conditions of these natives, because we want

to get something done for them. We want to present the strongest arguments possible. We know that there are many hundreds of natives in these areas; we know the incidence of disease is extremely high; and we know that from time to time bad seasons occur and they perish through lack of food. It is indisputable. Surely we can produce salient facts and say that 25 per cent. suffer from eye disease, and so many from other diseases. I think we are perfectly justified in doing that and we will continue doing it. It is a fantastic position.

Australia has now spent over £60,000,000 under the Colombo Plan. Last year £15,000,000 was sent outside this country to assist people in other lands who are infinitely better off than the natives in our country. I am in favour of the plan, but observer after observer coming back from those countries has spoken of piles of machinery rusting on the wharves. The other day we read where prize boars were sent and used at v.i.p.'s banquets, yet we cannot get £100,000 for these natives; and that would be adequate. With £100,000, waterholes could be provided in a chain across the entire area. With a bulldozer, wells 40 by 30 yards and down into the watertable could be provided to enable the natives to obtain water and provide surface water to attract game. Let us put down a chain of waterholes across the area, provide a measure of medical attention and, from time to time, patrol the area.

The Minister for Native Welfare: What about 96 inches of evaporation?

Mr. GRAYDEN: It would not matter in the slightest because these would be wells. The evaporation would matter if it were a dam, but this is just a small well and the water would soak in from possibly a mile distant. As water evaporates from a 40 by 60 dam, more water from half a mile away in each direction is flowing into it, so we overcome the problem of evaporation. It is workable. It was done at a mine which was able to obtain 80,000 gallons a day from the dam, and has done that for years. The natives would not require that much water and only a small quantity would be required by the game.

The Minister also stated that the department was doing everything possible to do the right thing by the natives in this area. I want to say to the Minister that he is misleading the House on that point because the actual fact is that absolutely nothing is being done. We have not gone into the area; there is no medical attention and there is no assistance given in bad times. Therefore, how can the Minister say that everything possible is being done? The Minister said tonight that there were 21,000 natives in the settled areas and a policy of non-interference was being practised in respect of those in the desert. Let us continue to practise

the policy of leaving them alone, but let us give them at least medical attention and ensure in these days that they do not have to die from thirst or starvation.

I have moved this motion because I am not satisfied with what is on the file. I have seen the file and I want all members of the House to see it because it indicates that the Commissioner of Native Welfare is interested in creating the impression that there is nothing wrong in the central desert area. He has been doing that for years. When the select committee submitted its report—a report which this House passed unanimously—the first thing the Commissioner of Native Welfare said was that it was grossly exaggerated. That is an extraordinary statement to come from the Commissioner of Native Welfare in regard to a report by a select committee which had been submitted to and had been accepted by Parliament.

We found that he had been to the Warburton reserve once—three years before. He landed at the mission during a blinding dust-storm; stayed at the mission next day, and then on the following day left. We also found that his officers had been there only twice in seven years and they never went away from the Warburton mission to other parts of the reserve. Yet that man said that the report of the select committee was grossly exaggerated. Similarly, when Captain Holyman's report was broadcast over the A.B.C., that night we had the commissioner's denial.

I am reluctantly forced to the conclusion that it is not possible to believe anything which emanates from the Native Welfare Department. I would say that there are many letters written from that department on official notepaper, of which no record is kept on the departmental files. I would say that there are a lot of papers removed from the files and furthermore the files are doctored to present the department's point of view. These are serious statements. Recently the papers in regard to the Warburton mission were tabled in another place and, being a matter of great interest, I looked for specific reports such as that submitted by Mr. Lapham.

When he came back from Warburton, he submitted a report to the Commissioner of Native Welfare in which he detailed nine specific cases of suffering. Two weeks later he received an acknowledgment of about two lines, "I acknowledge receipt of your report, the contents of which are noted." I looked for the report on the file, but it was not there. Similarly, other evidence which should have been on the files, has been removed, because the files are manipulated by the department to present the best possible case from its own point of view.

I had an experience myself the other day when I asked a question in this House. I asked if the Minister would table certain papers relating to a certain matter. He

said, "No," but that I could go to the Native Welfare Department and look at the papers. A few days later I did see the papers, and I was interested to observe that there were several notations on the file by the commissioner to the effect that he tried to contact me in regard to the papers. There was notation after notation to give the impression that I was not sufficiently interested to follow up the Minister's kind offer and look at the papers. He made no mention of the fact that I went the following day and he could not present the papers to me.

Accordingly I went down a few days later and looked at the file, which was produced, and found the statements which I have just mentioned that were directed against me. However, there was no reference to the fact that I went the following day. I have seen letters written by the Commissioner of Native Welfare containing fantastic statements about myself. I am not going to repeat them at this moment, but I can, if necessary.

I think the Minister for Native Welfare would probably take exception if the head of a Government department wrote to somebody and said that the Minister was probably taking a certain course of action because he was going on a television trip overseas and wanted the publicity. The Minister might take exception to that if there was not a vestige of truth in it. Yet that is the sort of statement that appears from time to time in these letters about me. There is no record of this in the departmental files.

Mr. Oldfield: He writes letters to the Press and gets other people to sign them.

Mr. GRAYDEN: We have instances of letters appearing in the Press written in a language that could emanate from only one person. I cannot now accept anything that comes from the Native Welfare Department. If I go there to look at a file, I do not know that all the documents are on it. I have asked that the papers be tabled so that members and the public can see what is on the file. If documents have been removed from it, or there are any discrepancies, we draw attention to the position. That is why I have asked that the papers be tabled.

I regret that the Minister cannot see his way clear to making them available. I do not for one moment question the Minister's sincerity, but I do submit that far from people like Captain Holyman and the pilot of the helicopter being misled, it is the Minister himself who is being misled in regard to the natives in our central areas.

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

Ayes	20
Noes	17
Majority for	3

Ayes.

Mr. Ackland	Mr. W. Manning
Mr. Boveil	Mr. Nalder
Mr. Brand	Mr. Oldfield
Mr. Cornell	Mr. Owen
Mr. Court	Mr. Perkins
Mr. Grayden	Mr. Roberts
Mr. Hutchinson	Mr. Rodoreda
Mr. Johnson	Mr. Watts
Mr. Lapham	Mr. Wild
Mr. Lawrence	Mr. Crommellin

(Teller.)

Noes.

Mr. Brady	Mr. Marshall
Mr. Evans	Mr. Norton
Mr. Gaffy	Mr. Nulsen
Mr. Hall	Mr. O'Brien
Mr. Heal	Mr. Potter
Mr. W. Hegney	Mr. Sewell
Mr. Hoar	Mr. Toms
Mr. Jamieson	Mr. May
Mr. Kelly	

(Teller.)

Question thus passed.

[Mr. Heal took the Chair.]

PAPERS—GOVERNMENT COAL CONTRACTS.

Details Regarding Negotiations.

Debate resumed from the 11th September on the following motion by Mr. Court:—

That in the opinion of this House, and in view of the information apparently already made available to the Collie Miners' Union, all papers in connection with the negotiations over Government coal contracts be tabled.

MR. MAY (Collie) [10.50]: It is either the innocence of the member for Nedlands or some blunder that has convinced him that this motion should be moved. The object of the motion, of course, is to bring into the open the background of the negotiations in regard to the finalisation of the coal contracts. The member for Nedlands has suggested political mistrust and political propaganda in regard to the matter, but I feel sure he will admit it could not have been exposed to the public at the time he moved his motion. He knows very well—no one better—the delicate nature of the negotiations that took place.

Mr. Court: It took them a long time to come to that stage.

Mr. MAY: I shall come to that in a minute. The hon. member was impatient in regard to the motion, and he still is.

Hon. D. Brand: The Premier and his party did not consider the delicate situation in which we found ourselves on many occasions over this coal.

Mr. MAY: The member for Nedlands was doing very well without the Leader of the Opposition, but evidently the Leader of the Opposition does not think so, so he chimes in to support him.

Hon. D. Brand: My word, he is supporting him.

Mr. MAY: This question could have raised a terrific upheaval in the State had it not been dealt with in a businesslike manner; and I am sure that the mover of the motion will agree, apart from his political thinking, that it is just and right that it should have been dealt with as it was eventually by the Government.

Hon. D. Brand: Eventually—on a Kathleen Mavourneen basis.

Mr. MAY: Because of all the ramifications of the problem, it was not possible for the Government to make any statement until the matter was finalised. The member for Nedlands said his motion was not intended to start a full scale debate on the subject. I want to say that the Government would welcome a full scale debate on the coal question.

Mr. Court: It will probably get its opportunity very soon.

Mr. Lawrence: I call your attention, Mr. Acting Speaker, to the state of the House.

Hon. D. Brand: To the fact that the Government has not got its members here.

The ACTING SPEAKER: There are 17 members in the House. The member for Collie may proceed.

Mr. MAY: I repeat that the Government would welcome a full scale debate on the coal question over the last few years.

Mr. Court: It does not welcome it this evening. Look at the Government benches.

Mr. MAY: I hope the opportunity will be created so that the coal business, over the last six to eight years, may be fully uncovered in order that the public of the State will know what has been taking place. The member for Nedlands says that in regard to it, there is an air of uncertainty, of delay, of procrastination and of mystery surrounding it.

Hon. D. Brand: That is the crux of his statement.

Mr. MAY: It is nothing of the kind inasmuch as we on this side would welcome, as I said before, a full dress debate on the subject of the coal industry since 1947.

Hon. D. Brand: You won't be disappointed.

The Minister for Lands: You will be sorry.

Mr. MAY: I guarantee the public will not be disappointed either, when they know what took place. The member for Nedlands spoke of not having access to the files. How could he have access to them when all the discussion on the ramifications of the problem—one of the biggest problems that any Government has had to deal with—was taking place and the files were in use? These files concerned a delicate situation and they were in use until finality was eventually reached.

Mr. Court: Don't you think we were entitled to get impatient over the delay?

Mr. MAY: The hon. member was not a member of the House at the time, but if he consults his Leader and the ex-Premier, and they are truthful and tell the real story, he will know exactly why the papers were not laid on the Table.

Hon. D. Brand: There was no binding agreement. It was finished. You had an open go, and it took you four years to do anything about it.

Mr. MAY: That is so. It was in such a hell of a mess in 1953, when the McLarty-Watts Government was emptied out of office, that it has taken all this time to clean it up.

Hon. D. Brand: The company which you criticised—Amalgamated Collieries—you have now given the plums to in relation to the agreement.

Mr. MAY: Mr. Acting Speaker, I think you will agree that I am making the speech and not the Leader of the Opposition. I realise he is entitled to make interjections, but he is not entitled to make a speech while I am endeavouring to do so.

The ACTING SPEAKER: The hon. member should address the Chair.

Mr. MAY: That is what I am doing. Did the Liberal-Country Party Government, of which the member for Nedlands is now a member and a supporter—

Mr. Court: And always was.

Mr. MAY: —disclose that it had ordered 47 diesel engines from England? Of course it did not. The ordering of the 47 diesels was done under great secrecy.

Hon. D. Brand: Rubbish!

Mr. MAY: It is not rubbish.

Hon. D. Brand: It was in the Estimates.

Mr. MAY: The Government was afraid of the reaction had it been known that an order for 47 diesel engines had been placed in England. Quite by accident I learned of this matter, and it was not until I asked questions in the House in regard to it, that what I suspected was revealed as being perfectly true, namely, that an order had been placed for them. The excuse made at the time by the then Minister for Railways was that these engines were going to be used in the north-west part of the State where there was no water. We do not have to go to the north-west part of the State to see those diesels working. I challenge the Leader of the Opposition to say that when those diesel engines were ordered, the announcement of the order was made public. He knows very well that it was not.

Hon. D. Brand: There was no secret about it.

Mr. MAY: Not much! It was not until I asked a question in this House that the fact was made public that an order for 47 diesels had been placed in England.

Hon. D. Brand: There was no secret about it. It was a lack of knowledge by the Opposition as regards what was going on.

Mr. MAY: There was no more secrecy about the arrangements for tenders in regard to coal than there was about the orders for the 47 diesel engines. The member for Nedlands can accept my assurance that the rumours he heard—as he said in his speech he had heard regarding information known to the Collie Miners' Union—were completely false.

Hon. D. Brand: They had a jolly good guess because they were right on the ball when the price was announced.

Mr. MAY: It shows how wrong one can be when one listens to rumours circulating about the place.

Hon. D. Brand: Mr. Latter was so delighted about his achievements that he could not keep his mouth closed.

Mr. MAY: I can assure the hon. member that there was no bargaining—

Hon. D. Brand: Not much!

Mr. MAY: —between the union and the Government.

Hon. D. Brand: Then what was so difficult about coming to an agreement?

Mr. MAY: The unions had too much faith in the Government to have to stoop to any bargaining.

Hon. D. Brand: Like most of us!

Mr. MAY: The negotiations in regard to coal contracts have been one of the most sticky problems confronting any Government for a long time.

Mr. Court: Do you deny that there were negotiations?

Mr. MAY: Patience and tolerance of the highest degree has brought about a successful conclusion to this problem.

Mr. Court: Do you deny that there were negotiations?

Mr. MAY: So many people were involved—the workers of Collie, the business people of Collie, the coal companies themselves and not forgetting those who have subscribed to, and who are shareholders in, these companies. It was for the purpose of tying up all these loose ends that the deal of which the member for Nedlands speaks took place. The Government of the day could have accepted the tenders quite quickly if it did not have any regard for the people connected with the industry in any shape or form, from the company shareholders down to the workers in the

industry. All those people had to be considered. Now that contracts have been successfully negotiated I should at least pay generous 'compliment' to all those who were connected with the negotiations.

Hon. D. Brand: What was the idea of giving Griffin only a three months' agreement?

Mr. MAY: I do not know. I was not on the inside running; but when the papers are laid on the Table of the House, both the Leader of the Opposition and I will be able to satisfy ourselves with regard to what took place. The member for Nedlands has suggested that the unions are aware of what took place in connection with the negotiations. I was present on every occasion with the unions because I introduced the deputations and I do not know of any points, in connection with the negotiations, other than the efforts to try to impress upon the Government the situation that would be created in Collie in the event of a terrific upset in the industry. I believe we were justified in doing that.

But that had no relation whatever to the actual terms, conditions and contracts that were involved in the negotiations taking place between the Government and the companies. We were interested only in the welfare of Collie, the welfare of the people who reside in Collie and in the interests of the State. At one stage it looked as though 300 or 400 men might be put out of employment. These men had their families living in Collie and they were buying their homes on time-payment. Can any member tell me that the member for Nedlands would be a party to deciding on the contracts while that possibility was there?

Mr. Marshall: Of course he would not.

Mr. MAY: I feel rather sorry for the member for Nedlands and I feel that he was led into a tragedy by asking for the papers at a time when they were being used by the companies and the Government.

Mr. Court: It was no tragedy. I think it spurred the Government into getting a decision.

Mr. MAY: I think it was a tragedy for the hon. member.

Hon. D. Brand: It took three or four years.

Mr. MAY: I think the hon. member was led into this tragedy.

Mr. Court: No fear!

Mr. MAY: When he has been in the House as long as I have been, he will always look before he leaps, especially regarding matters such as this.

Hon. D. Brand: It was a worth-while achievement.

Mr. MAY: I would suggest to the hon. member that in future he should not be led into it as he was on this occasion. Why did not the Leader of the Opposition move this motion?

Hon. D. Brand: For the same reason that the Minister for Mines did not reply to this debate.

Mr. MAY: Why did not the Leader of the Opposition move the motion? It was left for the poor old member for Nedlands to do it; he fell for it.

Mr. Court: Fair go! You are romancing now.

Mr. MAY: I am sorry I am making the hon. member blush.

Hon. D. Brand: We rather thought the Minister for Mines would reply to the debate.

Mr. MAY: In conclusion, I hope that the member for Nedlands will not in future be led into such a tragedy as he has been on this occasion. I oppose the motion.

MR. COURT (Nedlands—in reply) [10.22]: The motion has revealed some most extraordinary facts; but, firstly, let me say that I was extremely disappointed that the Minister for Mines did not enter this debate because I would have thought that, in the first place, he would have been the person to reply to it. Even if it was more convenient for the Premier to reply initially, I thought the appropriate Minister, the Minister for Mines, would have spoken to it later.

The Minister for Mines: The Premier assured you that when these contracts were finalised, the papers would be laid on the Table of the House. That is in accordance with the wording of your motion.

The Minister for Lands: He is only beating the air.

Mr. COURT: I would have thought that the reason for the Premier's speaking first was to delay the matter until the contracts could be finalised and that then the Minister for Mines would have followed it up and given us some more information on the point.

The Minister for Mines: You will get all the information that you want from the files.

Mr. COURT: I am entitled to reply to some of the comments made during the debate. My main concern when moving the motion—I made the point quite clear and the member for Collie reiterated it to-night—was to get the papers tabled—

The Minister for Mines: They will be tabled in due course.

Mr. COURT: —because after nearly two years of procrastination, the Government has at last struggled to a close with its negotiations in respect to coal supplies.

Hon. D. Brand: We have always been interested in the speeches of the Minister for Mines and we would like to have his personal explanation about these things.

The Minister for Labour: You will hear him on the King's Park Bill soon.

Mr. COURT: I presume that the Minister for Mines would have taken a leading part in these negotiations and for that reason I thought he would have made some explanation as to why there had been this terrific delay. I can quite understand the Premier's reference to the fact that negotiations with the union were necessary. As a matter of commonsense one should negotiate with the interested parties and no one on this side of the House would be so foolish as to say that these negotiations should not have taken place. However, there are other people to be considered in this matter, and unless the negotiations are brought to a close quickly, some information at least must be given to the public, and to Parliament.

The Minister for Mines: Negotiations have been brought to a close.

Mr. COURT: They have now.

The Minister for Mines: You spoke as though they had not been.

Mr. COURT: After a terrific delay. No explanations were given; questions were asked and the only answer given was, in the main, that negotiations were proceeding and that a decision would be reached soon. We are very pleased to know that a decision has been reached.

The Minister for Mines: You will be able to delve into the files in due course and you will be able to get all the information you want.

The Minister for Lands: You are only stonewalling your own motion.

Mr. Roberts drew attention to the state of the House.

Bells rung and a quorum formed.

Mr. COURT: I appreciate the fact that the Premier did promise that when the negotiations were completed, the files would be tabled, and we can look forward with some pleasant anticipation to reading through the files which, presumably, will also contain the contracts themselves because there must be a terrific amount of information to be gained in view of the delay that has taken place. How soon he will table the papers I do not know. I was hoping the Minister for Mines might have given us that information.

The Minister for Mines: The Premier gave you the information. He said that when the contracts were completed the files would be laid on the Table of the House.

Mr. COURT: In other words, they will be tabled straight away.

The Minister for Mines: That is what he said.

Mr. COURT: I do not know his exact words, but they were to this effect—"As far as I am concerned I would have no objection to the papers being tabled and I do not think my colleagues would either." We now have the promise that they will be tabled.

Hon. D. Brand: Do they include the contract papers themselves?

Mr. COURT: From what the Minister for Mines has said this evening, those papers will be tabled immediately now that the contracts have been signed. I did say that there was no intention of making this debate a full-scale debate into coal because at the time we did not have the information.

The Minister for Mines: You will get your chance.

Mr. COURT: We will now. It is interesting to note that on the eve of presenting the Budget, the Premier was not in the position to make any allowance, in the figures, for the projected saving from these contracts. In answer to an interjection during the presentation of the Budget, he said that he had not allowed for any saving in the Budget, which is further proof of the great delay and uncertainty that has existed in such a vital matter. Why could not the negotiations have been completed at least 12 months earlier, thereby saving at least a further £500,000 for the State, which we are led to believe will be saved to the Government, at a time when it is in dire need of finance?

Hon. D. Brand: Broke to the wide world!

Mr. COURT: It is not possible to comment on the contracts which have been referred to in the Press, because we do not know what they contain; but no doubt a copy of the contracts, if not the contracts themselves, will be on the files. But it is interesting to note that there has been a complete about-face by the Government in regard to this matter.

The Minister for Mines: I do not think there has been.

Mr. COURT: We find from the announcements that the two principal contractors are the Amalgamated Collieries and Western Collieries and the minor contractor is the Griffin Co., Amalgamated Collieries having 25,000 tons per fortnight and the Western Collieries 6,000 tons per fortnight. The important point to note is that Western Collieries, the second largest contractor, is the very company which not so long ago the Premier was criticising up hill and down dale, when he criticised the previous Government for encouraging this company to come into being.

Mr. May: You are coming to the nigger in the woodpile in respect of your motion.

Mr. COURT: I am conscious of what I am saying and of the point at issue. It is interesting to note that one of these companies has only a short-term contract

of three months; whereas the other two companies have fairly long-term contracts for a period of three years. We are very anxious to see the papers so as to discover the reasons for the preferment in contracts and the difference in their tenure, as two are for three years and the other for three months.

Obviously the three-months contract for a very small quantity of coal would not be the basis for planning the future programme of that company. I would be interested to learn what pressure has been brought to bear on that company in respect of the remainder of its production—that is, the production to meet private orders—and whether the union will dictate to the Government that this company is not to produce its 3,000 tons of coal for private orders from open-cut mining.

The Minister for Mines: The Government has nothing to do with private orders.

Mr. COURT: The Government may not have much to do with that directly, but it is very interesting to hear Mr. Latter's comments in connection with this contract. He said—

For the past three years we have struggled against open-cuts. We are now in a position to control open-cut production to the best degree possible.

The Minister for Mines: He is not speaking on behalf of the Government.

Mr. COURT: I agree, but he is a very powerful person when it comes to coal production in this State, and he will speak to the Government in no uncertain terms when it suits him.

The Minister for Mines: You are surmising.

Mr. COURT: That has been his attitude in the past. I have no doubt that he will adopt the same tactics in the future, as he has done in the past. No matter how satisfactory these contracts are from a money saving point of view, they indicate a complete capitulation by the Government to union pressure.

The Minister for Mines: Did Mr. Latter dictate to the Government in respect of the cost-plus system under which the Watts-McLarty Government worked? Apparently he did.

Mr. COURT: I cannot imagine that he did. His reception would not have been as friendly as the reception he got from the present Government.

Mr. Lawrence: I think you should stick to hire-purchase agreements.

Mr. COURT: It is interesting to note that in the announced conditions of these particular contracts, it calls for an increase in the production per man from 27 tons to 36.6 tons a fortnight if the contractors are to be successful in their undertaking. I notice that these figures have not been challenged by the union or by the Government, so one is entitled to assume that

they are in fact reasonably accurate. I am wondering how the member for Collie feels about that particular announcement.

The Minister for Mines: Who made that statement?

Mr. COURT: It was a Press statement.

The Minister for Mines: Made under what authority?

Mr. COURT: Had it not been correct, the present Government would have stepped in and said that it was wrong, and in what particular. If one were to make some quick mental calculation from the answers given by the Premier today in connection with coal matters, it would become apparent that such a state of affairs has to be achieved if the coal contracts are to be successfully undertaken. It is a complete change of heart in connection with coal production.

The Minister for Mines: Production is often stepped up. There are periods when production is much easier to come by than at others.

Mr. COURT: We are all for it. I am not criticising the Government. I am interested in the course it took. I would like to hear from the Minister for Mines whether this production would, in fact, be achieved and how; or whether this is just a pious hope, because if it is a pious hope it will only be a short time before the plan breaks down and the Government will have the problem placed into its lap again? I am rather intrigued about the whole matter. One reason I am anxious to see the papers is because the utterances of the Premier and his Government in recent times have been so much at variance with his utterances when he was in Opposition in 1948.

Mr. May: The position was very different then.

Mr. COURT: At that time the Premier was castigating the Government in office. On the 8th September, 1948, he criticised the Government for not indulging in increased open cut production. This quotation from his speech will be very embarrassing to the member for Collie. On page 937 of Hansard for that year, the Premier when in Opposition said—

I mentioned earlier that roughly 120,000 tons of coal per annum are likely to be produced from this open-cut which has been developed on the Black Diamond leases. I am quite positive that if the State Electricity Commission had been given the right by the Government to make a contract with Bell Bros. to produce coal from that open-cut, for direct sale to the Commission, it would have obtained the coal for at least 5s. a ton less than it will now have to pay because of the fact that it will have to hand over to Amalgamated Collieries Ltd. a double or second profit.

If the saving were to be only 5s. a ton, it would, on the basis of 120,000 tons of coal a year, mean approximately £30,000 per annum to the Commission.

The whole of his utterances during that speech was along those lines, advocating, of course, an open-cut for the State Electricity Commission to provide its coal through a contractor, which he then named as Bell Bros. It makes rather strange reading when we see the outcome of these negotiations, the pressure that has been brought on the Government to get away from open-cut mining, and the utterances that were made by the Premier when he was in Opposition in 1948.

The Minister for Mines: Do you not think that the Government had to bring a lot of pressure to bear in order to achieve a saving of £500,000?

Mr. COURT: I have no doubt about that.

The Minister for Mines: Don't you think much more pressure was brought to bear in this case?

Mr. COURT: I have no doubt that the Government brought pressure to bear, hence the protracted negotiations.

Mr. May: We know where the pressure came from, and it was not from the unions either.

Mr. COURT: I shall be interested if the hon. member would make a guess.

Mr. May: I am not guessing.

Mr. COURT: The fact is that the Government hopes to save £500,000 per year. We want to see the file to get the information as to how the Government will save that money.

The Minister for Lands: We cannot have the files placed on the Table until you sit down.

Mr. COURT: I anticipated that remark from the Minister. It is interesting to note that if the previous Government had not encouraged the third company to come into operation at a time when the coal supply of the State was extremely short and the position was extremely difficult, the present Government would not have had the bargaining weapon which it has used in the last few months in connection with the coal contracts.

Mr. May: It would not have to worry about handing over the Black Diamond leases.

Mr. COURT: That is a hardy annual from the member for Collie. He always trots out the Black Diamond leases. If one were to study the history of those leases one would find that they are completely irrelevant to this particular argument and to the coal situation in general at the present time. The fact remains that through having a third company in the field, the Government of the day has had a bargaining weapon which it would not otherwise

have had. I venture to say that if the previous Government had not taken the steps which it took in the face of severe criticism, even from its own supporters—

The Minister for Mines: Pretty costly steps.

Mr. COURT: That Government got the coal and kept industry going at a stage when the coal supply was very critical.

The Minister for Mines: It left a heritage to the incoming Government of having to pay thousands of pounds.

Mr. COURT: The Government was left a wonderful asset. This was the only State with no coal shortage, and the Government had the coal available to keep the vital economy of the State going. All these things have to be weighed up in considering the coal situation. In spite of the remarks of the Minister to the contrary, the greatest bargaining weapon available to the Government in the last few months was the presence of the third company.

The Minister for Mines: It is a figment of your imagination.

Mr. COURT: It was the greatest weapon available to the Government and it should not be lost sight of. I thank the Premier for undertaking to table the papers. We look forward to seeing the papers with great interest.

Question put and a division called for.

The ACTING SPEAKER: As there is no member voting with the noes, under Standing Order 205, I call off the division and declare the question passed.

Question thus passed.

House adjourned at 10.45 p.m.

Legislative Council

Thursday, 19th September, 1957.

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The PRESIDENT took the Chair at 2.15 p.m., and read prayers.

QUESTIONS.

METROPOLITAN PRIMARY SCHOOLS.

Light and Power Points.

Hon. L. A. LOGAN (for Hon. N. E. Baxter) asked the Minister for Railways:

(1) How many primary schools in the metropolitan area are without an electric light point in each classroom, and the necessary power points for visual education?

(2) If any are without these installations, would he advise the names of the schools?

(3) What would be the approximate cost of wiring and installing light points, and necessary power points for visual education in a five-classroom school?

The MINISTER replied:

(1) This information is not available.

(2) Answered by No. (1).

(3) This depends on the circumstances of any particular case.

OMNIBUSES.

Chassis Design.

Hon. A. F. GRIFFITH asked the Minister for Railways:

(1) Further to my questions regarding high entrance steps on the new under-floor-motor Daimler buses, is it not a fact that before the bus chassis arrived in Western Australia sketch plans were prepared by, or were in the possession of, the department, which plans provided for three steps?

(2) Will he lay such sketch plans upon the Table of the House?

(3) How high are the steps which are at present fitted?

(4) Will he also lay upon the Table of the House the chassis plans of the buses?

(5) Is it not a fact that, in England, buses of the same type are fitted with a hydraulically-operated door and step, which operation provides three steps?

The MINISTER replied:

(1) Yes, it is not a fact.

(2) Answered by No. (1).

(3) Ground to 1st step—15½ inches.
1st to 2nd step—13½ inches.
2nd step to floor—13½ inches.

(4) Yes.

(5) No knowledge.

COOLGARDIE-ESPERANCE RAILWAY.

Alteration of Time-table.

Hon. G. BENNETTS asked the Minister for Railways:

Is it the intention of the Railway Department to alter the time-tables on the Coolgardie-Esperance line in the near future?