Mr. Chesson: But the board would not step in if he were cropping his land.

Mr. THOMSON: No, but he may be about to crop it when he gets the notice. At present I do not see how the difficulty could be overcome.

The MINISTER FOR LANDS: The point raised by the member for West Perth will be inquired into. It is reasonable to assume that if the owner has exercised his right to subdivide the land, accepting the conditions imposed upon him by the board, the board if necessary will have to take it over.

Hon. G. Taylor: Well, why not direct the board in this, as in so many other things?

The MINISTER FOR LANDS: I do not think it necessary. However, I will make a note of the point raised by the member for West Perth and go into it with the officials to-morrow.

Clause put and passed.

Clauses 9 to 16—agreed to.

New clause:

Mr. THOMSON: I move—

That the following be added to stand as Clause 11:—"Owner may retain portion of land intended to be acquired: Notwithstanding anything in this Act to the contrary, any owner who, before a declaration is published under section seven that land has been taken under this Act, may notify the board of his desire to retain a portion of the land intended to be taken sufficient for the sustenance of himself and his family, and in such case he shall have the right to retain such portion of the land as may be agreed upon between such owner and the board."

I hope the Minister will accept this. It has to be agreed upon by the owner and the board. The owner should have the right to retain his homestead. He may have been born and bred on the homestead, in which event it would have for him a strong sentimental appeal.

The MINISTER FOR LANDS: I suppose by "family" is meant those dependent upon the owner. Of course some owners would want to retain enough for half a dozen families. It is quite reasonable that any man owning a property should be entitled to retain a portion for the sustenance of himself and his family.

Hon. Sir James Mitchell: It would be the improved part.

The MINISTER FOR LANDS: Yes, and there might be a sentimental reason attaching to it. I see no objection to the proposal.

New clause put and passed.

Title—agreed to.

Bill reported with amendments.

House adjourned at 10.23 p.m.

Legislative Council,

Wednesday, 14th September, 1927.

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

BILL—MENTAL TREATMENT.

Second Reading.

THE CHIEF SECRETARY (Hon. J. M. Drew—Central) [4.33] in moving the second reading said: As members know, there is not at the present time what may be termed a half-way house between the ordinary medical hospital, and the Hospital for the Insane. Some unfortunate person may suffer from what there is every reason to believe is a temporary attack of some nervous trouble, which upsets his mental balance for the time being. There is no ample provision in our public or private hospitals for effectively dealing with such cases, and there is no alternative but to send the patient to the Claremont Hospital for the Insane. He may be there, and sometimes is there, only a matter of a few months, but a form of stigma attaches to him for the remainder of his life. People say, "That man or that woman has been in Claremont," and forever

after every action of the victim is watched frequently with the greatest of suspicion. The Bill supplies a long-felt want in this direction, and the decision to introduce it will be supported by authorities beyond question. On the 25th July, 1924, the British Government appointed a Royal Commission on Lunacy and Mental Disorder. It consisted of 10 persons, including two eminent medical men, Sir Humphrey Rolleston, Bart., K.C.B., M.D., D.C.L., and Sir David Drummond, C.B.E., M.D. D.C.L., as well as three K.Cs., one of whom, the Right Hon. H. P. MacMillan, LL.D. was chairman. In the report of the Commission under the heading of "Conclusion and recommendations as to certification and treatment without certification," we find the following:—

> We have come to the conclusion that the evidence before us does not support the suggestion that the present safeguards against wrongful certification if properly observed are inadequate. It does, however, point to the need for some provision whereby certain classes of case may be placed under care and treatment without the necessity for full certification. The present facilities for treatment without certification are on a very limited scale, and need extensive development. We, therefore, recommend that the lunacy code should be recast with a view to securing that the treatment of mental disorder should approximate as nearly to the treatment of physical ailments as is consistent with the special safeguards which are indispensable when the liberty of the subject is infringed; that certification should be the last resort and not a necessary preliminary to treatment, and that the procedure for certification should be simplified.

The step taken by the Government in introducing this measure is in keeping with the recommendation of that Royal Commission, The main objects of the Bill are twofold—firstly, to enable patients to be admitted into a reception house without being declared "insane"; and, secondly, to encourage people suffering from mental or nervous disorder to seek treatment at the earliest possible moment. At the present time, as I have already indicated, there is no reception house in this State, and patients suffering from mental or nervous disorder have to be sent to the mental ward of the Perth Hospital for treatment. The principal outlook from that ward is a mortuary. There are no proper grounds in which the patients can take necessary exercise, and the position is such that no occupation can be prescribed for the patients. To remedy these difficulties it has been decided by the Government to establish a reception house. This is at present under construction, and is situated at Point Heathcote. That is a site which, for the purpose for which it is to be used, cannot in the opinion of the Inspector General be equalled in the State. It has a beautiful outlook upon the river on two sides, and is built on high ground which enlarges the view. A survey of the early history of the treatment of mental or nervous disorder discloses, as might be expected, a predominance of the idea of detention. The primitive and crude methods of dealing with the problem that formerly obtained were fostered by inherited superstitions, and the mentally afflicted were often regarded as the victims of a mysterious visitation of Providence. With the advance of medical science and the growth of more enlightened views, mental deficiency is coming to be regarded from an entirely different standpoint. It is now perceived that mental or nervous disorder is, after all, only a disease like other diseases, though with distinctive symptoms of its own, and that a mind diseased can be ministered to no less effectively than a body diseased. But the old conception of mental or nervous disorder dies hard, and traces of it are still persistent. The modern conception calls for the eradication of old established prejudices, and a complete revision of the attitude of society in the matter of its duty to the mentally afflicted. The keynote of the past has been detention; the keynote of the future should be prevention and treatment. Owing to the special nature of the symptoms of mental illness, treatment must in many instances involve compulsion. This is the element which differentiates the treatment of mental or nervous disorder from the treatment of other illnesses. The patient suffering from an ordinary ailment is generally an intelligent co-operator in his own treatment and cure; he is able to appreciate what is being done in this regard, and consequently can co-operate in the treatment. In many cases of nervous mental disorder this is not so. The illness has affected the patient's intelligence, and also affected his ability greatly to appreciate his position. In such cases where there can be no voluntary submission to the treatment, it must needs become compulsory. But compulsory detention, in addition to necesary protection of the community, should have another great object in view, namely, the protection, treatment, and, if possible, the cure of the patient. From the considerations to which I have referred, a practical con-

clusion follows, namely that every facility and encouragement should be afforded to mental patients voluntarily submitting themselves to treatment. A clause is provided in the Bill to make this as easy as possible, the aim being to get into touch with the patient at the earliest possible stage of the attack, and by care and treatment endeavour as far as possible to mitigate its effects.

Hon. Sir Edward Wittenoom: What causes all these mental troubles?

The CHIEF SECRETARY: Certification and admission to a hospital for the insane should be the last resort in treatment, and that is the keynote of this Bill. Compulsory detention will always be necessary in a number of cases, but it should not be regarded as an object in itself, only as incidental to the treatment of the case. The true conception of a mental patient is that he is suffering from an illness. It is inconceivably distressing in any household to find that a member of the family has been peculiar in his behaviour for some time, and the patient himself may be manifestly ill, distraught, depressed, or even violent. In such a domestic crisis the first and natural concern of doctors and relatives alike is to obtain for the patient, with the least possible delay and publicity, his necessary removal to a place of safety where he may receive proper treatment. I have indicated the two main principles of the Bill. Let me now refer briefly to the provision which the Government are making for the accommodation of patients. The reception house, which is being built at present, consists of two main blocks of buildings for each sex—an acute block, and a convalescent block. The acute block is being built to accommodate 36 patients and each block provides for a further triple classification. When completed, the reception house will accommodate 132 patients, 66 of each sex. The portion which is at present under construction will accommodate 36 of each sex, or 72 in all.

Hon. Sir Edward Wittenoom: If they are mental, what is the good of them?

The CHIEF SECRETARY: If they are suffering from mental illness, the effort of the Government will be to cure those unfortunate people. Surely that is an object and aim that should meet with the appreciation and support of every individual in a Christian community.

Hon. Sir Edward Wittenoom: Is there any hope of doing that?

The CHIEF SECRETARY: I do not know if the hon. member is opposed to the treatment of these people! It is estimated that the present buildings will be completed and ready for occupation by the 1st July, 1928. The estimated cost of the completed building is £98,688, and the estimated cost of the buildings at present being constructed to provide accommodation for 72 patients is £58,318. Now let me give a general review of the Bill. Two classes of patients are provided for in the measure. The first deals with those who are prepared to submit themselves voluntarily for treatment, and the other relates to those whose mental or nervous disorder is such that their insight is so impaired that it needs some compulsory means to bring them under treatment and to have them cared for.

Hon. A. J. H. Saw: Will those two classes of patients be confined in the same buildings?

The CHIEF SECRETARY: There is provision for triple classification in each case. I will now deal with the clauses in the Bill. As to Clause 1, the title of the measure, "The Mental Treatment Act," indicates the chief purpose of the Bill, which is to endeavour to bring patients under treatment at the earliest possible moment. There is already a Mental Treatment Act, 1917, on the statute-book, but the Solicitor General does not consider that there is likely to be any confusion, as the 1917 Act was passed with a view to facilitating the early treatment of soldiers who were returning from the war. Although this Act is still in operation, and patients are being admitted to Lemnos under the provisions of this Act, I do not think there is likelihood of confusion arising. Clause 2, paragraph (a), gives power to the Governor to establish hospitals for the reception and treatment of persons suffering from mental or nervous disorder, who are not certified as insane. This does away with the stigma which is popularly attached to insanity. Under paragraph (b) the Governor has authority to constitute wards in public hospitals as reception houses for such persons as are mentioned in the last paragraph. Clause 3, Subclause 1, gives the right to any patient to apply as a voluntary patient to be admitted to a reception

house. In the case of a person who is under 21 years of age, application may be made by his or her parent or guardian. Subclause 2 provides that every application must be in writing and in a prescribed form, which must be signed by the applicant or his or her parent or guardian, and the signature must be witnessed by a justice of the peace. This is necessary as a protection to the patient, and as a protection also to the officers of the institution. Under Subclause 3 the period for which a person is to be retained in a reception house must not exceed one year unless a shorter period is stated in the application, but the application of the voluntary boarder may be renewed. The period of one year is included so that persons who are not recoverable may be discharged, in order to make room for others who are likely to recover. Paragraph (a) of Subclause 3 gives power to the Superintendent, the Inspector General, or the Board, to discharge the patient should any of those authorities deem his discharge desirable. Under paragraph (b) of this subclause, upon giving notice in writing to the Superintendent, a voluntary patient may leave the hospital within 10 days. This time is inserted in the Bill so that if the superintendent deems it desirable, he can get in touch with the relatives or friends of the voluntary boarder in cases where it appears to the Superintendent that the voluntary boarder is not safe, in his own interests or in the interests of the public, to be at large. Clause 4 deals with persons who have lost insight into their condition and who would not voluntarily make application for admission to a reception house. On the application of any person to a justice that a person is suffering from mental or nervous disorder, provided that this person has not been found, declared or certified to be insane, and that it is in the interests of such person, or of the public, that he should be received into a hospital or reception house for treatment under this Act, the justice may then, in the prescribed form, order that the person be taken charge of, and received into a hospital or a reception house for a period not exceeding one year. Under Sub-clause 2 of Clause 4 the justice may accept as proof that a person is suffering from mental or nervous disorder, a certificate in the form of the schedule signed by a medical practitioner within seven days prior to the date of the order, and may interview the person at any place the justice may think fit; but unless a certificate is produced, the evidence of a medical practitioner is essential. The subclause provides that before a person who is not himself desirous of entering a reception house is committed thereto, medical evidence must be forthcoming in the form of a medical certificate. It also allows the justices to interview the person at his own home or any other place. The last portion of the clause provides that, where there is no certificate, a doctor may give evidence that a person is suffering from mental or nervous disorder and is in need of treatment. As to Subclause 6, if at the expiration of the period of one year the patient is still not sufficiently recovered to be at large, the Inspector General may then make application to a justice for an extension of the period, and the Inspector General has to furnish a certificate and state in it his reasons for the application. Before granting the extension, the justice, should he think fit, may require the application of the Inspector General to be supported by the certificate of an outside medical practitioner. Under Subclause 7 the Superintendent, the Inspector General or the Board may discharge a patient at any time they deem fit. The first portion of Clause 5 alludes to Part IX. of the principal Act and to such alterations as may be necessary. For the information of hon. members I would point out that Part IX. of the principal Act refers to the inspection, transfer and discharge of patients. The Board of Visitors in the principal Act consists of five members and each institution has to be visited at least at monthly intervals. There is no necessity under the Bill to have such a large board. The number has been reduced to three in place of five, and instead of visiting at monthly intervals, the Bill provides that visitations shall be at least once in every three months. Should any special circumstances arise, or should the board deem it necessary to visit at any other time, there is provision for this in the principal Act. Clause 6 is inserted so that should a patient be admitted who is possessed of property that is not being properly supervised, the Inspector General shall issue a certificate that the patient is incapable of managing his affairs, and the Official Trustee shall then take charge of the estate in the same manner as is laid down in Parts X. and XI. of the principal Act, and in accordance with the Trustee Act of 1921. Section 19 of the principal Act referred to in Clause 7

gives power to hold patients, and in the case of escape it gives power to recapture the patient and return him to the reception house. Sections 167, and 170 to 175 inclusive, also referred to, are those sections of the principal Act that make provision for the charging and recovery of maintenance fees. As to Clause 8, the deletion of the words "reception house" from the fifth line in the definition of an "insane patient" is necessary, as under the clauses of this Bill any person certified, declared or found to be insane is not a proper person to be admitted to a reception house. As to Clause 9, when a person who is suspected of suffering from mental or nervous disorder comes before the justices, and it is not possible to secure a certificate immediately under this measure, this clause gives power to the justices to send a person to a reception house for observation for a period not exceeding one month. If this clause were not provided in the Bill, the only place to which a person could be sent would be a lock-up, and as a lock-up is not a suitable place for such persons, the clause gives power to the justices to send them for observation to a reception house.

Hon. Sir Edward Wittenoom: What causes these mental disorders?

The CHIEF SECRETARY: If the hon. member will make a speech on the subject, I will be able to reply to him. Clause 10 deals with the regulations. I move—

That the Bill be now read a second time.

HON. J. CORNELL (South) [4.58]: I support the principle contained in the Bill, but it also represents an innovation, inasmuch as it provides for the admission of voluntary and involuntary patients to a reception house, and not to a properly constituted hospital for the insane.

Hon. Sir Edward Wittenoom: What is a mental disorder? I have some myself.

Hon. J. CORNELL: I have no comment to make so far as the voluntary patients are concerned but I desire to have something to say regarding the involuntary patients. I am of the opinion that there should not be a departure from the parent Act under which it is necessary that information shall be given on oath, information furnished before two justices before there can be a committal in respect of a person reported to be insane. That is the objection I have regarding the involuntary patient—he should be dealt with in the same manner as the person who, under the parent Act, is declared to be insane. The Bill is essentially one for Committee but I could not refrain from expressing my view regarding involuntary patients and drawing attention to the departure from the provisions contained in the principal Act, which provisions have met with general approval. Surely it is not too much to ask that the provisions now applied to a person whose committal to a hospital for the insane is sought, should also be applied to the case of a patient about to be committed to a reception home. Information should be given on oath, if it is information other than that of a police constable. I will admit there is a difference between committing an involuntary patient to the proposed reception home and committing an involuntary patient to the Claremont Hospital for the Insane. Under the Bill an involuntary patient is committed for one year, whereas in the other case the patient may be committed for the remainder of his life. A year, in the case of a sufferer being committed to the reception home, is a very long period. I repeat, we should provide machinery similar to that at present in existence in connection with committals to the asylum for the insane. With these few remarks I intend to support the second reading of the Bill.

HON. SIR EDWARD WITTENOOM (North) [5.4]: I intend to oppose the second reading of the Bill. I cannot understand why there should be so much solicitude shown for people who are mental or insane. I noticed in a newspaper the other day that the Government intend to establish a home in the country to which they can send the insane. What I want to know is why so many people are of unsound mind. Let the Government get to the bottom of that. What are we going to do with them after they have been cured? Are they any good afterwards?

Hon. W. J. Mann: Yes, if they are cured.

Hon. Sir EDWARD WITTENOOM: I meant to say after they are released from the asylum. Has the hon. member ever met one that was cured?

Hon. E. H. Gray: Yes; any number of them.

Hon. Sir EDWARD WITTENOOM: Too much money is being spent on the insane. Half the time the insane do not know where they are or who they are, and it is absurd

to spend so much money on them. I notice that Clause 3 refers to any person suffering from mental or nervous disorder. I have often suffered from nervous disorders myself. A man may take too much to drink—

Hon. W. J. Mann: And then he goes involuntarily.

Hon. Sir EDWARD WITTENOOM: That may be all right, but the Bill goes a little too far. Let me put the other side of the question. There are hundreds of women in this country who are rearing families, and who get no help at all; yet we put people into the lunatic asylums and we give them all the luxuries of existence.

Hon. J. Cornell: Where would you put them; in here?

Hon. Sir EDWARD WITTENOOM: Many women work for all they are worth to keep their families and no one helps them.

Hon. W. J. Mann: What would you do with mental patients?

Hon. Sir EDWARD WITTENOOM: The whole thing is an absurdity.

Hon. E. Rose: Would you shoot them?

Hon. Sir EDWARD WITTENOOM: I remember, when I was a member of the Forrest Government—and what I am going to relate is quite in accordance with the Bill we are discussing—six Chinese were committed to the asylum. Sir John Forrest very wisely wrote to the Chinese Government and pointed out that we had these patients and that we were not going to keep them here, that we were going to send them back to China. The reply that came from China was, "We thank you for having kept the six Chinese in the asylum for so long and we shall be pleased if you will send them back to join the other lunatics in China." That settled the question. What I want to know is what is to be done with these people when they are released from the reception home. Will they be able to keep themselves?

Hon. A. J. H. Saw: What are you going to do if you don't put them in the reception home?

Hon. A. Lovekin: That is the point.

Hon. Sir EDWARD WITTENOOM: Another matter that occurs to my mind is whether these people will be permitted to vote when they are in the home.

Hon. E. H. Gray: Are they permitted to vote now?

Hon. Sir EDWARD WITTENOOM: I do not know. I am asking the question of the Minister, not you. You may be a reflection of the Minister, and perhaps an intelligent reflection. I want the Leader of the House to tell me what are the causes of mental and nervous disorders. The House should get to the bottom of these troubles and stop them.

Hon. A. Lovekin: Had you not better put that question to Dr. Saw?

Hon. Sir EDWARD WITTENOOM: Here in a healthy country, as Western Australia is, we have an enormous number of insane and we are now asked to extend the department that controls those people. I cannot understand why we should have so many insane in what I may describe as one of the healthiest countries in the world, possessing as it does healthy parents, everything that is required to eat and drink, and where good wages are paid. In spite of all this we are told there are so many people insane. Why do not the Government get to the bottom of the causes of so much insanity instead of asking us to vote so much money to maintain these people? Those are my views and I intend to vote against the second reading of the Bill.

HON. J. NICHOLSON (Metropolitan) [5.12]: In coming to the conclusion that he must vote against the Bill, Sir Edward Wittenoom must have ben moved by a desire for abundant caution, and perhaps without taking into account the responsibility devolving upon every one of us and upon the State, of course, to care for enfeebled citizens.

Hon. Sir Edward Wittenoom: But now do they become in that condition?

Hon. J. NICHOLSON: I would reply by asking the hon. member, how does a man meet with an accident?

Hon. Sir Edward Wittenoom: That is not the same.

Hon. J. NICHOLSON: A man meets with an accident from causes that are sometimes impossible to explain. So far as mental patients are concerned no one, I am sure, knows better than the hon. member that often the cause of mental disorder is due to some hereditary taint. I venture to suggest that it is probably very much better to keep those who are unfortunately afflicted in that way within some proper institution—although the institution to be provided under the Bill will not permanently confine the sufferers there—but I ask the question whether it is not much better that such persons should be confined in a home rather than that they

should go abroad to propagate their species. The Bill is of a beneficial character, but I rather question whether it goes far enough. I shall be interested to hear what Dr. Saw, with his medical skill, will say regarding the measure; but as a layman I believe everyone agrees that there is need for us to build up not only a physically strong community but also a mentally strong community.

Hon. Sir Edward Wittenoom: What, with lunatics?

Hon. J. NICHOLSON: I suggest to Sir Edward Wittenoom that my arguments trend in quite the opposite direction to that which he indicates. My contention is that there is incumbent upon us a duty to build up in this land a people strong both physically and mentally, and that the more we can do towards that end the better will it be for us in the event of difficulties having to be faced in the future.

Hon. Sir Edward Wittenoom: Do you want to build up lunatics?

Hon. J. NICHOLSON: Not at all.

Hon. Sir Edward Wittenoom: That is the purpose of the Bill.

Hon. J. NICHOLSON: No. I fully admit that these experiments have to be made by stages. Probably it would not be possible to bring about an enactment of far-reaching effect without moving along by stages. As we see how the method suggested by this Bill operates, we shall be able to determine whether or not something further should be done in the interests of the community as a whole. Let me call the attention of hon. members to a fact brought out by the Chief Secretary when introducing the Bill—that the measure is divided into practically two departments. One deals with the voluntary patient who chooses to enter the suggested institution of his own accord. The other deals with the involuntary patient who may be placed within the portals of the suggested institution. Certain sections of the Lunacy Act are, as I say, incorporated in the Bill; I would point out that Clause 6 of the Bill embraces Parts X. and XI. of the Lunacy Act. These are essential provisions, enabling the court to deal with the estates of persons deemed to be incapable of managing their own affairs. The appointment would be made under the powers contained in one or other of the sections of the principal Act, and this would allow of something being done to protect the property of a man who is not in the enjoyment of his full mental faculties.

Hon. Sir Edward Wittenoom: Can you interpret the term "nervous disorder"?

Hon. J. NICHOLSON: I would not venture to interpret "nervous disorder," but from contact with various persons who have suffered extreme agony from nervous disorders, I am aware that such disorders may arise from various causes, among them worry and adversity in business. I do not claim to have the experience essential for dealing with that aspect of the matter, and I, therefore, leave it to be discussed by those who possess medical skill. There is a duty upon us to provide suitable accommodation and protection for such sufferers, because oft-times the necessary protection cannot be afforded within the bounds of a private home. Sometimes certain influences, due to environment, serve only to irritate the unfortunate subject of the trouble. Certain people who should be most highly esteemed and held in the deepest regard by the unfortunate afflicted person, are regarded from directly the opposite aspect.

Hon. Sir Edward Wittenoom: In the case of nervous disorder?

Hon. J. NICHOLSON: It may be nervous disorder, or it may be something more aggravated; but I cannot for the life of me tell what produces those symptoms, or why the unfortunate person is so afflicted.

Hon. A. Lovekin: "The sins of the fathers."

Hon. J. NICHOLSON: It may be, as Mr. Lovekin suggests, due to the sins of the fathers even unto the third and fourth generation. But the fact is there, and a responsibility devolves upon us. One of the first duties of the State should be to see that the weak are protected and at least given the opportunity to become restored to a state of sound health. I was referring to the practical importation of certain sections of the Lunacy Act into the Bill. I allude to that because I notice that the clauses dealing with the voluntary patient provide that a voluntary patient may be allowed to enter the institution on his own application, unsupported by any medical certificate.

Hon. Sir Edward Wittenoom: A home from home. That is right.

Hon. J. R. Brown: Any member of this Chamber would be free to make application, I suppose.

Hon. J. NICHOLSON: The hon. member interjecting would be quite at liberty, under the Bill as it is framed, to make his application; but he would, of course, need to make his application in writing and in the prescribed form. Clause 7 of the Bill provides that Sections 19, 167, and 170 to 175 inclusive of the principal Act shall, subject to the Bill, apply to any person received into any hospital or reception house, and that such person shall be deemed a patient within the meaning of those sections. Upon referring to Section 170 of the principal Act we find a provision that—

> If it appears to two justices, on application by or on behalf of the Inspector General, that any patient has not an estate or any sufficient estate applicable to the maintenance of such patient, and that any person related to such patient in the manner hereinafter referred to is of ability to maintain or contribute to the maintenance of such patient, such justices may make application in writing to the father, mother, husband, wife, child or children being of the age of 21 years or upwards of such patient, or any of them, for the payment to the Inspector General of a reasonable sum weekly or monthly or otherwise in such manner as such justices shall direct, for or towards the maintenance, clothing, and treatment of such patient.

The Inspector General may even issue a complaint before justices and summon some one or other of those members of the family for the support of the patient. I call attention to this phase because a man or a woman seeking, for some cause or other, to be admitted, would be eligible for admission without the certificate of a professional medical man. I venture to suggest there should be a qualification that no person, whether a voluntary or an involuntary patient, should be admitted without certification—in the case of a voluntary patient by at least one medical man, and in the case of an involuntary patient by at least two medical men.

Hon. W. T. Glasheen: But a patient would not be admitted at all unless he was mentally defective.

Hon. J. NICHOLSON: The reason I have referred to the matter is that the provisions of the principal Act relating to the individual's estate would apply in such a case; that is to say, once the Inspector General is satisfied that the individual is incapable of managing his affairs. I consider that whatever takes place then, should have its foundation on, and be supported by, some medical certificate.

Hon. J. Ewing: That is so, is it not?

Hon. J. NICHOLSON: I do not like leaving the door open, to begin with, for applications of this sort being permitted until there has been some examination of the individual concerned.

Hon. J. Ewing: That is provided for in Clause 6, Subclause 2.

Hon. J. NICHOLSON: No. Clause 4, Subclause 2, deals with involuntary patients. On referring to the marginal note Mr. Ewing will see the words "Involuntary patient." In the case of an involuntary patient one medical certificate would be required. When a man's liberty is to be restrained, two medical certificates should be forthcoming. It is not sufficient that a man's liberty should be taken away merely on one medical certificate coupled with the other provisions set out in the Bill.

Hon. H. Stewart: Don't you think that for all practical purposes one would be as good as two?

Hon. J. NICHOLSON: No, I think not. One medical man in a remote part of the State may have had very little experience of mental cases. In our bigger centres greater opportunity is afforded to medical men to get a wider range of experience. That branch of medical science has furnished a great amount of literature and has become almost a science in itself. However, a medical man engaged in ordinary medical affairs, apart from mental disorders, might have but little experience of those disorders were he not aided by the expert advice of others working in a wider sphere of action. For that reason I contend that before any man's liberty is interfered with there should be at least two medical certificates. Whilst the Bill deals with voluntary and involuntary patients, in the Lunacy Act there is provision in Section 20 for voluntary patients. That section provides that the superintendent of the Hospital for the Insane or the proprietor of a licensed house, with the written consent of two justices, may receive and lodge as boarder for the time specified in the consent, any person who is desirous of voluntarily submitting to treatment. But after such time, unless extended by further consent, such boarder must be discharged. The intending boarder must himself apply to the justices for their consent. It is further provided that a boarder may leave the hopsital or the licensed house by giving 24 hours' notice of his intention to do so. The

other provisions I have referred to perhaps would not apply to the voluntary boarder under that section; but in the Bill certain clauses are made applicable in certain circumstances. I think I am justified in urging that there should be the certificate of one medical man for a voluntary patient, and the certificates of two medical men for involuntary patients. There are certain other provisions that might be urged in respect of involuntary patients. For example, Clause 4 states that if on an application made by any person in the prescribed manner to a justice of the peace it is proved to the satisfaction of such justice that the person is suffering from mental or nervous disorder, he may avail himself of the provisions of the Act. But where an application is made under the principal Act it has to be sworn to. In this case it has not to be sworn. Presumably the application would be made in writing. It is questionable whether there should not be provision here for its being sworn to. Having regard to the fact that the Bill is intended to provide something that is needed in the life of our community, I intend to support the second reading.

HON. A. LOVEKIN (Metropolitan) [5.37]: I propose to support the Bill. I am inclined to agree with Mr. Nicholson that perhaps it does not go so far as some of us could wish. Sir Edward Wittenoom has asked for the causes of these mental disorders. I do not profess to be an expert, but I think some of the causes are generally known. At the Children's Hospital I have seen dozens of children who were born into this world without a chance of succeeding in life. The cause of the trouble was the sins of their parents, either in the direct generation or in preceding generations. And there were also the children of parents whom we knew had been for years and years saturating themselves with drink. One could not expect healthy stock from such seed. At the Children's Court, too, are to be seen numbers of children who appeal to one as being mentally unfit. What the cause may be, seems to me immaterial. There they are, these mentally inefficient children, growing up into mentally inefficient men and women. It is the duty of the State to do something for them. As for some of the children at the Children's Hospital, I believe the very kindest thing that could be done would be to allow the doctors to let them pass out as soon as possible. It may sound brutal, but it would be the greatest kindness. In the same way the State at present allows marriages to be contracted between all sorts of people though they may be hopelessly diseased or otherwise unfit. The State allows women of the streets to go about practically without control. There, again, is one of the causes of the mental disorders the Bill is trying to provide for. It is the State's fault, the State's responsibility, and I am glad the Government are trying to do something to ameliorate the conditions. I do not know that much can be done for mental deficients or for those suffering from serious nervous disorders. Still, it is humane and proper to attempt to do something. That is what the Bill contemplates. I should like to see it go a little further. Only a fortnight ago in the Children's Court I had before me a boy whose mother was a prostitute and whose father was unknown. From his birth that boy, more or less, had been upon the State. He had never had any proper training nor any decent chance in life. He had been in and out of institutions until he had arrived at the stage where he could not longer be kept in an institution. He now forms one of a gang of burglars and thieves. Instead of punishing that boy, some attempt should be made to treat him. I took the responsibility of referring him to the Lunacy Department for examination. His is one of many cases where something apart from punishment ought to be done, cases requiring medical attention rather than penalty. With the experience I have had, I heartily support the Bill. I should like to hear what Dr. Saw might have to say as to the causes of mental disorders and as to what further might be done. In the meantime I congratulate the Government on having brought down the Bill.

HON. C. F. BAXTER (East) [5.46]: The Government are to be congratulated on having introduced a measure of this kind. The wonder is that such a Bill was not brought in many years ago. There is no middle course to-day for people temporarily deranged or suffering from some curable disorder. Such a person has to be taken to Claremont; and to take a temporarily deranged person to Claremont frequently has the effect of making the dis-

order permanent, whereas if we had some place such as that contemplated in the Bill, a bright comfortable place, there would be every reason to expect a recovery.

Hon. Sir Edward Wittenoom: Would you employ one of them?

Hon. C. F. BAXTER: I know a few who have been in Claremont, quite good citizens. But when a permanent case is taken to Claremont, it is quite hopeless to expect a recovery, while even in temporary cases the effect of being in such a place is very bad indeed. Many of these temporary cases would be recoverable if we had a bright place to send them to.

Hon. Sir Edward Wittenoom: What are the causes of all this insanity?

Hon. C. F. BAXTER: There are many causes, besides those touched upon by Mr. Lovekin. These temporary cases would be far better in a home than left at large or sent down to Claremont. As for what Mr. Lovekin said about the children, if the trouble is of a permanent nature, Claremont is the proper institution for them.

Hon. A. Lovekin: But when young they are curable.

Hon. C. F. BAXTER: If, as the hon. member said, they were born defective, I very much doubt if they could be cured.

Hon. Sir Edward Wittenoom: Why should we have so many insane persons in Western Australia?

Hon. C. F. BAXTER: I think the percentage in Western Australia is no higher than that in any other country.

Hon. Sir Edward Wittenoom: That is no argument.

Hon. C. F. BAXTER: We must expect cases of this kind. People suffer from all sorts of maladies due to various troubles and we shall always have insanity in our midst.

Hon. J. Nicholson: Like the poor they will always be with us.

Hon. C. F. BAXTER: We should feel overjoyed that something is being done for people who are less fortunate than ourselves. The Government should be commended on their action and the Bill will have my support.

On motion by Hon. A. J. H. Saw, debate adjourned.

BILL—BREAD ACT AMENDMENT.

Received from the Assembly and, on motion by Hon. E. H. Gray, read a first time.

BILL—JUDGES' SALARIES ACT AMENDMENT.

Second Reading.

THE CHIEF SECRETARY (Hon. J. M. Drew—Central) [5.48] in moving the second reading said: The salaries of our judges have not been increased since 1902. During the intervening 25 years there has been a big increase in the cost of living and, in addition to that, the imposition of income tax by both Federal and State Governments—a taxation from which our judges are no more exempt than are other sections of the community. Little need be said in justification of this measure. All will admit that those who occupy such responsible positions as do our judges and were appointed to those offices by reason of their ability and integrity, should receive fair remuneration for their services. It cannot be said that they are receiving fair remuneration to-day. The Government have decided, per medium of this Bill, to ask Parliament to grant an increase, an all-round increase of £300 a year. That will bring the salary of the Chief Justice up to £2,300 and the salaries of the other judges up to £2,000.

Hon. W. J. Mann: How many salaries will be affected?

The CHIEF SECRETARY: The salaries of the four judges.

Hon. A. Lovekin: The President of the Arbitration Court, too?

The CHIEF SECRETARY: No, he is not a judge. In South Australia the Chief Justice receives £2,500 a year and the other judges £2,000. In Queensland the figures are £2.250 and £2,000, in Tasmania £1,800 and £1,500, and in Victoria £3,000 and £2,000. I move—

That the Bill be now read a second time.

On motion by Hon. E. H. Harris, debate adjourned.

BILL—NORTHAM MUNICIPAL ICE WORKS ACT AMENDMENT.

Second Reading.

THE CHIEF SECRETARY (Hon. J. M. Drew—Central) [5.51] in moving the second reading said: In 1921 Parliament passed a Bill enabling the municipality of Northam

to establish and operate an ice-making and cool storage plant. As the powers of borrowing money under the Municipal Corporations Act, 1906, were insufficient to permit of the undertaking being carried out, Parliament granted the municipality the authority it desired to borrow a total sum not exceeding £5,000 for the purpose. That amount seemed to be adequate, and was adequate at the time, but the district has made rapid progress since then, there have been largely increased demands for ice and cool storage, and the necessity has arisen not merely to extend but to duplicate the works. It is of urgent importance that the duplication should be ready for the coming summer. An authority to borrow a further £4,000 is desired, which will make the aggregate authority cover £9,000. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

In Committee.

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

BILL—AGRICULTURAL LANDS PURCHASE ACT AMENDMENT.

Second Reading.

THE CHIEF SECRETARY (Hon. J. M. Drew—Central) [5.54] in moving the second reading said: Under the Agricultural Lands Purchase Act money for the purchase of estates under the Act for subdivision and resale may be borrowed from the State Savings Bank. That Act was passed 18 years ago, when money was cheap, and was costing from 3 to 3½ per cent. Hence the Act limited the payment of interest on money so borrowed to a rate not exceeding 4 per cent. Members will agree that that rate is now ridiculous, in view of the fact that the State Savings Bank is paying from 3½ to 4½ per cent. on its deposits, some of which are unavoidably not earning interest, as a large sum has to be kept at call. The Government desire to place the Savings Bank in the position of earning the current rate of interest paid under the General Loan and Inscribed Stock Act.

Hon. A. Lovekin: That is 6½ per cent., is it not?

The CHIEF SECRETARY: It varies. At present it would be about 5¼ per cent., though it has been as high as 6 per cent. During the present year the Government completed the purchase of the estate known as Wongundy in the Geraldton district, consisting of 42,260 acres, for the sum of £42,260, or £1 per acre. The purchase money has been provided by the State Savings Bank, and it is desired to pay that institution the current price paid under the General Loan and Inscribed Stock Act. Hence the dating of the amendment from the 1st July, 1927. I move—

That the Bill be now read a second time.

HON. H. STEWART (South-East) [5.57]: I should like to draw the attention of the Leader of the House to the fact that this Bill seeks to amend the Act by deleting certain words which, by a previous amendment, have already been removed from the Act. Section 4 of the Act has been amended by deleting the words mentioned in Clause 2 of this Bill, "at a rate of interest not exceeding 4 per cent. per annum," and in their stead have been inserted the words "the rate fixed under the General Loan and Inscribed Stock Act." That is the rate of interest which the Leader of the House now asks to be made available. The Government seem to have lost sight of the amendment previously made. I should like the Minister to investigate the matter and satisfy himself that he is not asking for something that cannot be done. I think the amendment was passed in 1919, when it was prescribed that the rate should be that provided in the General Loan and Inscribed Stock Act. I asked the messenger to get me the Agricultural Lands Purchase Act, but the copy that he brought me had not been amended up to date. From the series of statutes on the Table it has been impossible for me to find in the time available the particular Act I wished to refer to.

On motion by Hon. A. Lovekin, debate adjourned.

BILL—PERMANENT RESERVE.

Second Reading.

THE CHIEF SECRETARY (Hon. J. M. Drew—Central) [6.1] in moving the second reading said: This is a Bill to enable the Government to utilise a Class A reserve in

a good position in the city for the purpose of erecting savings bank buildings thereon. Last year under an amendment of the State Savings Bank Act power was given to purchase land, and erect buildings for use in connection with the conduct of the operations of the bank. That amendment, however, gave no power to take a Class A reserve for the purpose. It will be freely admitted that the present headquarters of the bank are only a makeshift and, if they are not the eyesore that some people say they are, they are certainly not a credit to the important institution they are intended to serve. Apart from that they are too small to meet the necessities of the large increase of business recorded by the bank in recent years. As a matter of fact, they do not now provide suitable accommodation either for the public or the staff. Owing to the inadequate floor space it is often found difficult to cater for the clients of the bank This will be recognised when I say that the daily average of customers at the bank represents something like 1,100 persons. Some time ago a systematic advertising campaign was commenced, and it has resulted in wonderfully increased business. After the Government had determined to erect a new building, the next question to be considered was a suitable site for it. It was necessary that it should be in a central position, provide enough frontage for an imposing building, and be of sufficient area. It is thought that the site covered by this Bill will meet the situation. The site selected is that known as the old police court, situated in Barrack-street between Hay-street and St. George's-terrace, and lying between the present Town Hall and the Government offices. The land has a frontage of 154 links to Barrack-street by a depth of 152.5 links next to the Government offices, and 206 links next to the Town Hall. The area is 1 rood 6 perches. The frontage of the building will extend from the Town Hall to the public offices. The maximum depth will be 8 links longer than the Town Hall buildings. The existing buildings will, of course, have to be demolished. At present there are housed therein: the Electoral Department, the Immigration Department, The Tourist Department, the Council of Industrial Development, and the Exhibition Hall. Accommodation will have to be provided for these departments during the building operations. It is proposed to erect a substantial structure of five storeys which, in addition to meeting the requirements of the bank, will provide much-needed accommodation for Government departments at present badly housed, and, as members know, scattered over the city. Rents will be paid to the savings bank for any floor space occupied by Government offices. I will now briefly explain the clauses of the Bill. Clause 2 refers to the land proposed to be sold, this being fully described in the Schedule It also exempts the sale from the ordinary provisions of the Land Act, which provide for sale by public auction. It is intended in the issue of a title to provide for a permanent right of way giving access to the rear of the existing Government offices, but the building will project over this right of way. The bank must have a title before it can invest its money in a building such as is proposed. Clause 3 fixes the price that it is proposed the bank should pay for the site, namely, £40,000. There is approximately 100 ft. frontage, which means £400 per foot. The valuation was made by the land resumption officer of the Public Works Department. To be precise, his valuation was £39,150. The clause also definitely provides that the amount should be paid to the revenue of the Lands Department so as to avoid any argument at a later date. Clause 4 appoints the Treasurer for the time being, by the name of the State Savings Bank of Western Australia, a body corporaate.

Hon. J. Nicholson: Will the money go in as revenue?

The CHIEF SECRETARY: I will come to that later. The main Act enables the bank to buy land and erect buildings, but the clause creating a body corporate was not in existence and the office has always been assumed by the Treasurer. The proposed amendment definitely fixes the position in that regard. The £40,000 referred to will be transferred from the Lands Department to a trust fund for appropriation to some suitable purpose. I move—

That the Bill be now read a second time.

On motion by Hon. Sir Edward Wittenoom, debate adjourned.

BILL—LAND TAX AND INCOME TAX.

Second Reading.

THE CHIEF SECRETARY (Hon. J. M. Drew—Central) [6.10] in moving the second reading said: This Bill, with the exception of the alteration in the years, is identical with that passed last year. The return from income taxation for the year 1925-26 was £566,344, and on this was based the estimate for 1926-27. Over a period of five years the income tax receipts were—

	£
1921-22	320,874
1922-23	390,003
1923-24	502,265
1924-25	478,642
1925-26	566,344

The increase in four years was £245,470, an average of £61,347 per annum, inclusive of a reduction of 7½ per cent. in supertax in the period. There must always be a carry-over both of tax actually due and of returns not yet assessed. This carry-over is approximately the same every year. For 1925-26 the increased receipts over those for 1924-25 were £87,704, and the Treasurer was justified in concluding that he would receive a corresponding increase in 1926-27. This would have given him an estimated income tax of £655,048, but as he had already agreed to abolish the existing supertax of 7½ per cent. the figure had to be reduced by £49,000, or a net figure of £605,000. The estimate, instead of being fixed at that figure was fixed at £600,000, and with this figure the Commissioner of Taxation concurred. He was consulted in reference to the matter, and agreed that £600,000 was a fair estimate. When it was decided to legislate on the basis of 33⅓ per cent. rebate, the deduction was made from that sum, namely £600,000. That the estimate was based on what was regarded as sound lines was confirmed by the Commissioner of Taxation in December last, for, when replying to a query of the Treasurer as to the taxation position, he stated that the estimated collections under income tax would be received. The Treasurer's estimate, as I have stated, was made on the information supplied to him by one who should know, the Commisioner of Taxation. The reduction appeared to be one which would operate with perfect fairness to the great body of the taxpayers. I want to emphasise this point: It would have been equally simple for the Government to have introduced an amendment in the basis of taxation, whereby the bulk of the reduction could have fallen on those largely represented by the Labour Party, and left the taxation only slightly reduced on taxpayers earning large incomes. This could have been achieved by an increase in the amount of the exemption. If that had been done, it would have tremendously curtailed work in the department, and even on that ground a justification could have been based; but the Government aimed at adjusting the burden equally fairly, and decided that this could best be achieved by the 33⅓rd per cent. reduction as enacted. It was imperative that if the Treasurer was to avoid a loss of revenue, he should receive an amount at least equal to that which he had received during the previous year. But, as I pointed out in my reply to some of the speeches made on the Address-in-reply, he was not so fortunate. The facts are now well known. The income tax he received from 1926-27 was £345,000. To this can be added the portion of the disabilities grant, as per the Estimates, £200,000, making a total of £545,000, or an amount of £55,000 less than Mr. Collier anticipated. This result shows clearly that the reduction of income was greater than the actual results justified, and that the State did lose revenue in consequence, but it can be claimed that the taxpayers have benefited to the full by the concessions which have been made. The present Government have accomplished the following taxation reductions: 1, Reduced the supertax by 7½ per cent., 2. Abolished the remaining supertax of 7½ per cent., and 3, Further reduced taxation by 33⅓ per cent., a total reduction of 48⅓ per cent. This to all intents and purposes, is equal to a 50 per cent. reduction. I move—

That the Bill be now read a second time.

On motion by Hon. A. Lovekin, debate adjourned.

House adjourned at 6.16 p.m.