The MINISTER FOR POLICE: To be quite frank, I did not know there was one there. I have not any particular interest in betting shops as such; but as Minister, I do my best to do what is desired by Parliament. The remark of the hon. member reminds me that he referred to several matters in regard to premises changing hands. I assure him I will have a look at that matter, and it may be necessary to introduce amendments later on.

I assure the member for Beeloo that I will have a look at the matters he raised in regard to regulations. I know that the board is desirous of tightening up on some aspects of general control, and it is possible that it will be necessary to introduce further amendments. In the meantime I do not think the House would do any harm in making this a permanent measure, and it would be in the hands of Parliament to propose any other amendments that would improve the Bill, keeping in mind the idea of control, which was originally intended.

Question put and passed.

Bill read a second time.

House adjourned at 11 p.m.

Legislative Council

Wednesday, 25th September, 1957.

CONTENTS.

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

QUESTIONS.

DIVISION ON PUBLIC SERVICE BILL.

Correction of Report in "The West Australian."

Hon. Sir CHARLES LATHAM (without notice) asked the President:

(1) Has he seen the article appearing in "The West Australian" of today's date (the 25th September, 1957), on page 17, headed "Vote by President saves Bill in Council," reading as follows:—

> Minutes earlier, he had barred F. D. Willmott (Lib.) from voting on the grounds that he was technically not in the Chamber when the order was given to lock the doors for a division.
>
> Willmott was at that moment stepping from behind a panelled screen at the rear of the President's Chair?

(2) In view of the statement he subsequently made to the House will he request the editor of "The West Australian" to make the necessary correction?

The PRESIDENT replied:

(1) Yes.

(2) Yes.

GOVERNMENT OFFICES.

Manning at Lunch Hours.

Hon. A. R. JONES asked the Minister for Railways:

Following answers to questions I asked on the 15th August, I have been informed that the request I made has gone unheeded, and I therefore ask the Minister to inform the House on the following:—

(1) Are the counters of Government offices of—

(a) The Electricity & Gas Department;

(b) The Water Supply Department;

(c) Titles Office;

(d) Treasury Stamp Office;

(e) Railway Booking Office,

manned fully and sufficiently to cater for public needs between the hours of 12 noon and 2 p.m. on each day that the offices are open for business?

The MINISTER replied:

Inquiries at each of the departments concerned have revealed that the counters are adequately manned to deal with those members of the public who can transact their business only between 12 noon and 2 p.m. The Treasury Stamp Office does not open between 1 p.m. and 2 p.m and there has been no public demand for it to do so.

TAXIS.

Number of Ranks, etc.

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

(1) How many taxi ranks are there in the metropolitan area?

(2) How many taxis are able to stand at the one time on those ranks?

The MINISTER replied:

(1) Approximately 40.

(2) Approximately 105.

RAILWAYS.

Passengers and Freight, Kalgoorlie-Leonora Service.

Hon. W. R. HALL asked the Minister for Railways:

(1) Is it a fact that double-headed engines or diesels are now necessary to pull goods trains carrying passengers and freight from Kalgoorlie to Leonora?

(2) Has there been any increase in freight consigned to Laverton and carried on these trains since the curtailment of the Malcolm-Laverton service?

The MINISTER replied:

(1) Yes; but less than 50 per cent. of the trains run since the suspension of services on the Laverton line have had coupled locomotives and then only as far as Menzies.

(2) No. There were two goods trains per week from Kalgoorlie prior to the suspension. The whole of the traffic is now handled by one train per week.

UPPER KING RIVER BRIDGE.

Widening, Straightening Approach, Etc.

Hon. J. McI. THOMSON asked the Minister for Railways:

In view of the anticipated heavier motor vehicular traffic over the Upper King River bridge, and the dangerous approach from the Albany end to same—

(1) Has the Public Works Department any plans—
  (a) for straightening the approach;
  (b) for widening the bridge?

(2) If the reply to No. (1) is "yes"—
  (a) what is the estimated cost;
  (b) is it intended to effect any work of this nature, either this financial year, or in the near future?

(3) If no consideration has been given to this matter, will the Government have an investigation made immediately for the widening of the bridge, and making safer the approaches to same?

The MINISTER replied:

(1) No.

(2) Answered by No. (1).

(3) The matter of this bridge and approaches is being kept under observation.

BILL—OPTOMETRISTS ACT AMENDMENT.

Introduced by Hon. Sir Charles Latham and read a first time.

BILL—LEGAL PRACTITIONERS ACT AMENDMENT (No. 2).

Report of Committee adopted.

MOTION—EDUCATION ACT.

To Disallow Transport Grant Regulations.

Debate resumed from the previous day on the following motion by Hon. J. McI. Thomson:—

> That new Regulation No. 160 made under the Education Act, 1928-1956, as published in the "Government Gazette" on the 22nd February, 1957, and laid on the Table of the House on the 9th July, 1957, be and is hereby disallowed.

HON. J. McI. THOMSON (South—in reply) [4.38]: The disallowance of this regulation does not mean that the old regulation must apply, but the Government will be able to make a new regulation more consistent with the intention of this House in disallowing this regulation. There will be no need for the Government to cancel that part of the regulation which the Minister contends is beneficial to those using public transport, particularly in the metropolitan area.

Hon. H. K. Watson: If we cancel the regulation we cancel all of it.

Hon. J. McI. THOMSON: That is the very point I was about to make. The Minister knows as well as I do that the only way we can register our disapproval, under the present legislation, of any part of the regulation is to move for the disallowance of the entire regulation. We cannot amend regulations; if we were able to do so there would not be this necessity to move for their disallowance.

It is sheer nonsense to say that the words "approved by the Minister" mean that the allowance applies to all efficient Government or private and secondary schools. The private schools, have to be similarly approved, but there is no reference in the regulation to Ministerial approval for primary schools.

The regulation refers to a primary school nearest the place of residence of the child, or to a secondary school approved by the Minister. If a denominational primary school was nearest the child's home, and the State school was half a mile or so further on, the allowance

would be paid to the child only if it attended the primary school nearest its residence. Accordingly the controlling factor for the primary school is that it must be the one nearest to the child's residence.

The Minister for Railways: Or an approved secondary school. It means the standard of the school.

Hon. J. McI. THOMSON: It does not say so.

The Minister for Railways: It means that. It would not refer to a two-up school.

Hon. J. McI. THOMSON: That may be what the Minister intends to imply, and it may also be the intention of the regulation; but it is not laid down specifically. If it were so worded, then there would be no necessity for me to move for the disallowance of the regulation.

The Minister for Railways: The Minister for Education told you what the policy is, and what does apply.

Hon. J. McI. THOMSON: The attitude or policy adopted will be that retained in this regulation.

The Minister for Railways: Can you quote a case?

Hon. J. McI. THOMSON: I cannot say that I can. But the fact remains that it is in the regulation, and therefore it can be applied. Accordingly I ask the House to disallow the regulation so that this matter can be clarified. I do not suggest for one moment that we should revert to conditions under the old regulation; that is not my intention at all. I merely want to see that the intention of the regulation is clearly defined. If it means what the Minister says it means, then everything will be all right; but as I read it—and as I think many other members would read it—it is necessary for me to take this step to move for its disallowance.

Hon. J. G. Hislop: Surely your views and the Minister's are the same.

Hon. J. McI. THOMSON: They may be up to a point. The only difference between my views and those of the Minister, is that he wants the regulation retained and I want it disallowed. My concern in this matter is for the children in the country areas. The Minister has very adroitly skipped over the fact that the new regulation does reduce the allowance from 2s. 6d. to 1s. 6d.; and this I think is consistent with the cheese-paring attitude of the Government in regard to the supplying of educational facilities to the country areas.

The Minister for Railways: We are spending £1,000,000 on transport; that is not cheese-paring.

Hon. J. McI. THOMSON: Of course the Government is; but the population and the conditions are such that it is necessary that this should be done. If it were not done, it would mean having to revert to single-teacher schools. I hope the House will support the motion, because I honestly feel that it needs a closer scrutiny to reveal its full intention and purport.

Hon. A. R. Jones: What would be the effect if we disallowed the regulation?

Hon. J. McI. THOMSON: I presume it would give us the opportunity to make the regulation conform more to the views of this House.

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

Ayes	15
Noes	10
Majority for	5

Ayes.

Hon. N. E. Baxter	Hon. R. C. Mattiske
Hon. J. Cunningham	Hon. J. Murray
Hon. L. C. Diver	Hon. C. H. Simpson
Hon. A. F. Griffith	Hon. J. M. Thomson
Hon. J. G. Hislop	Hon. H. K. Watson
Hon. A. R. Jones	Hon. F. D. Willmott
Hon. Sir Chas. Latham	Hon. L. A. Logan
Hon. G. MacKinnon	*(Teller.)*

Noes.

Hon. G. Bennetts	Hon. F. R. H. Lavery
Hon. W. R. Hall	Hon. H. C. Strickland
Hon. E. M. Heenan	Hon. J. D. Teahan
Hon. R. F. Hutchison	Hon. F. J. S. Wise
Hon. G. E. Jeffery	Hon. E. M. Davies
	(Teller.)

Pair.

Aye.	No.
Hon. H. L. Roche	Hon. G. Fraser

Question thus passed.

MOTION—CHARCOAL IRON WORKS IN SOUTH-WEST.

Export of Tallering Peak Iron Ore.

Debate resumed from the previous day on the following motion moved by the Minister for Railways:—

> That this House supports the proposal to establish a large scale charcoal iron works in the South-West and also the associated proposal to export overseas 1,000,000 tons of iron ore from Tallering Peak for the purpose of financing the project,

which, on motion by Hon. J. Murray, had been amended by striking out the word "supports" and inserting in lieu the words "is interested in and requests further information regarding."

HON. L. C. DIVER (Central) [4.51]: I am only going to make a few comments on this motion. Firstly I join with those —I think it must have the substantial support of this House—who desire to export 1,000,000 tons of iron ore from Western Australia.

I feel that the income from the export of 1,000,000 tons of iron ore, within the next few years, can ultimately have far-reaching effects upon Western Australia in the years to come. While I always prefer such undertakings to be carried out by

private enterprise, rather than miss that income, I would be agreeable, within reason, to the Government carrying out this work.

The wealth that would be created at the end of a 50-year period, and the benefits that could accrue from the export of 1,000,000 tons of iron ore which is lying unused in this vast land of ours, are simply incalculable, even though only 50 per cent. of the wealth might remain in this State. The using of this asset, instead of leaving it in its natural state as a deposit, would not only create some employment in the near future, but investment and reinvestment which, at the end of 50 years, could be terrific.

Therefore, I feel that, provided that on further investigation we find it is practicable, we should give the Government the all-clear to go ahead. We should join forces with the Government in appealing to the Federal authorities to give permission to export this iron ore.

I wish to take this opportunity of defending a man whose name was used here yesterday by some of my colleagues. I refer to Mr. Fernie who, unfortunately, cannot be present to defend himself. While Mr. Fernie may have made some errors, I would ask my colleagues and his critics to ask themselves whether they have not made mistakes.

Surely we can acknowledge the good things Mr. Fernie has done in this State, because there is no individual concerned with the development of our country water supplies who has done more than Mr. Fernie by his invention, as an engineer, of a continuous welding method that was adopted in Western Australia.

In his capacity as an engineer of the Goldfields Water Supply, many years ago, he created engineering history by continuously laying lengths of pipe, which has never been done successfully anywhere else in the world. He saved this country many thousands of pounds; but exactly how much we do not know. He also saved money in other directions.

I remember that when sewerage was installed at Kalgoorlie and Northam, on both occasions, he did the work for many thousands of pounds less than the estimated cost. That was when our economy was even and not fluctuating as it has been in recent years. Yet simply because that gentleman, in his capacity as consultant to the Government, made certain recommendations under economic circumstances that are not favourable to the making of estimates, he has been decried. For that reason, I feel—knowing what I know—that I should speak these words in his defence. I support the motion.

HON. A. R. JONES (Midland) [4.55]: I oppose the motion because I feel it is not what we require. The motion moved originally by Mr. Baxter was for a select committee to inquire into the sale of iron ore from Koolyanobbing. To this motion, an amendment was subsequently moved by Mr. Roche to strike out the word "Koolyanobbing." I think it can be reasonably said that every member in this House agrees wholeheartedly with the idea of selling iron ore to Japan, or anybody else, provided it comes from one of the smaller deposits which we feel will never be worked on a large-scale programme.

It has been pointed out that this ore has a rich content and its sale would be beneficial to the State's finances. However, the reason for asking this House to agree to the appointment of a select committee, was for an inquiry into all aspects of the cost of the ore to be sold and the profit which might accrue from that sale.

Whilst I would welcome the development of an integrated charcoal iron industry in the South-West, or in any other place where is was felt it could be economically situated and worked, I do not like the idea of putting money to that purpose, or the industry being owned by the Government, unless we have reached the stage in Western Australia when money cannot be used to better advantage. I say that advisedly; because if we could raise sufficient money for all the other projects that the Government has in mind and which we as members of the Legislature desire, I would agree to the Government spending money to develop a charcoal iron industry.

We know that in the main the future of the State depends upon the development of primary industries. If we concentrate on them the secondary industries will grow apace. But when we have millions of acres of country to develop for primary production, why do we want to spend money which may be available through the sale of iron ore for the setting up of a charcoal iron industry which, at the most, could possibly provide work for 1,000 men?

I suggest the same amount of money spent on development in other ways could mean the provision of more work—I refer to such development as the establishing of farms. The produce coming from farms could be processed and handled in one way and another, so that in my opinion the money could be spent more wisely in that direction. And once we have spent money on agriculture the development is there for all time; whereas a secondary industry might go, and so might the demand for charcoal iron.

I do not want the Government to think I would throw cold water on the project. I would lend every support possible to the Government in its endeavour to obtain from the Commonwealth Government a permit to sell; because I think it is a reasonable proposition, particularly when the Federal Government will not make money available to Western Australia for the purpose of the development that we desire. But I do hope the House will take serious cognisance of the motion as moved

and not as amended by Mr. Roche, so that we can determine, by going thoroughly into the matter, whether we can make a profit, and in what way the profit shall be made if we do get a permit to sell.

With these few remarks I shall certainly vote against the amendment because it will not give us what we need. I ask the House to support the previous motion.

HON. G. C. MacKINNON (South-West) [5.3]: I support the motion as it appears on the notice paper. I come from a town where there has been a good deal of talk about this matter, and I feel that information on the subject is sadly lacking. For quite a time we heard talk of a charcoal iron industry in the South-West when it was apparent, once Mr. Griffith read a certain letter, that there was extremely little doubt, even from the inception of the scheme, about the site. Yet it was stated, to people who were interested, that no site had been mentioned. I say this to give some indication of the misleading nature of much of the information that has been supplied to us.

The Minister for Railways: How could you be misled if you were told nothing?

Hon. G. C. MacKINNON: We were told no site had been decided on; that it might be here, there or somewhere else; yet all the time it had been definitely stated in which town it was to be. Once the letter was published, there was no doubt that Bunbury had been specifically mentioned. The necessity for much more specific information on this matter is definite.

It has been stated that it might be possible to cart the charcoal. Well, from the information I have received from men who should know, it is virtually an impossibility to cart retorted charcoal. Admittedly it is light; but even when carted over only reasonably rough roads, or the black-surface roads which exist today, the bottom layer can be expected to be utterly useless for the purpose of making charcoal iron after having travelled only a short distance.

So it would seem that the economy involved would demand that the site be close to where the charcoal is burnt; for I understand, from the mining men to whom I have spoken, that it is axiomatic in all smelting processes that the heavy material must be carted to the light. This principle applies far more to charcoal than to coal or any other material that might be used.

Some query was raised the other night by Mr. Cunningham as to the payments. In view of the hue and cry in other parliamentary spheres in Australia, with regard to trade with Japan, it is little short of amazing to find a proposal of this nature being put forward by the Government of Western Australia. It is obvious that our problem, with respect to Japan, is to keep our exports within bounds whilst at the same time increasing our imports. The Japanese, for a limited period, have purchased in excess of £400,000,000 worth of goods from us, whilst we have taken slightly in excess of £60,000,000 worth from them. No country can continue to do that for long—particularly a country which relies entirely on its exports to balance its trade.

So the question could arise from a national point of view—and on this also we must have some information—as to which is the more important: to sell to Japan our wool, wheat and barley, or to sell our charcoal iron and iron ore to that country.

We can see at the present time the trouble being experienced by the Prime Minister of Australia, because he has made public a trade agreement with Japan. He is being attacked by unions and other interested people because he helped Japan to meet its balance of payments; and it is envisaged that we will take an increased supply of Japanese goods. If the position is as ticklish as that, surely any further increase of sales to Japan must aggravate matters. Admittedly a sum of one, two or three millions could be said to be of little account in the overall figure; but when the disparity is as great as 400 is to 60, then small amounts do have a marked effect.

I am sure there are few members here who will not agree that despite the rapid strides we may have made in secondary industry, we are still financed by our primary products and to a very marked extent by wool—of which Japan takes considerable amounts—and wheat.

So, the more we consider the matter, the more apparent does it become that we are short of information. Repeatedly Mr. Cunningham asked the Minister for Railways how the iron ore was to be paid for, and to that question the Minister replied: in cash. It was to be paid for in that way.

The Minister for Railways: In the same way as they pay for wool, wheat and barley.

Hon. G. C. MacKINNON: The trouble is that they are desperate; almost to the point that they are unable to pay for our wool.

The Minister for Railways: So you say.

Hon. G. C. MacKINNON: So, if the Japanese are to pay for the iron ore in the same way as they pay for wool, I assume they will be in a desperate plight; and they will be unable virtually to pay for it unless we are prepared to contract a further trade agreement with them to allow a greatly increased amount of Japanese goods to enter this country.

We can see how we are endeavouring to assist them to pay for wool—namely, by suggesting an increase in the intake of Japanese goods into this country; and this proposition is exciting, in the Federal sphere, considerable opposition from Dr. Evatt as well as from trade unions and

many employers or employer-organisations. Yet at this late stage we are told that the iron ore is to be paid for in the same way as wool is to be paid for. It is because of the difficulty in regard to the paying for our wool that the Commonwealth authorities have had to go to Japan and make an agreement to increase the intake of their goods.

The Minister for Railways: I don't think that is strictly correct.

Hon. G. C. MacKINNON: In theory, at least, the Minister envisages much the same happening here. The long and the short of this is that we are lacking information. I have here some comment with regard to the policy in connection with charcoal iron. For at least the past 20 years, the policy of Liberal Party Governments and also of Labour Governments throughout the length and breadth of Australia, has been that the natural resources of this country should not be sold. Of course I know that exceptions have been made. Odd minerals have been mentioned, and I know it is possible we might have commitments for defence or research.

Hon. F. R. H. Lavery: What will you do when all the manganese cuts out? And that won't be long.

The Minister for Railways: What about the uranium ore?

Hon. G. C. MacKINNON: That comes into defence and research. We cannot manage nuclear and fission research on our own; but we are participating in research of this nature and we may enjoy the benefits attaching to it. But the fact remains that, to my knowledge, it has always been adamant in Labour policy as well as Liberal/Country Party policy, that the natural resources of this country should not be sold.

The Minister for Railways: That is incorrect.

Hon. G. C. MacKINNON: It has been changed only recently.

The Minister for Railways: Rubbish! You don't know your history.

Hon. G. C. MacKINNON: I am sure that the suggestions that have been made recently in the State would make many a good Labour man of bygone days turn in his grave, because they have in the past been so outspoken on this matter. So I feel the need exists for more information. I do not think anyone living in a particular district would be averse to seeing a large-scale enterprise established in that district. We all have a vested interest in the areas in which we live; and no matter how small or large that vested interest may be—it may be only a quarter-acre block with a cottage on it—if the town improves and the district increases in its activity and population, everyone there reaps some benefit. Communities reap the benefit because there are better jobs, and more of them; there is more activity, trade and commerce, and there are more opportunities for increased activity. Nobody but a fool would try to stop any activity of that type.

The Minister for Railways: Then what is the obstruction here?

Hon. G. C. MacKINNON: Where the industry is to be established is a subject that could be debated at considerable length. Collie has been mentioned; and it offers some definite advantages such as trucks going down full and coming back empty. The haulage up the Roelands hill would be a disadvantage, but that could be overcome by coming in from the back way.

However, so long as the industry is established in the South-West, it does not matter where it is established, because in these days of modern transport, distances do not matter as much as they did; and so the benefits from the establishment of the industry would spread throughout a large area. Because of the marked need for added information, I support the motion.

HON. G. BENNETTS (South-East) [5.16]: Mr. MacKinnon has just discussed the question of our trading with Japan. My opinion is that we must take a broad view of this matter; and perhaps it may be necessary, sooner or later, to try to trade with some of the countries adjoining Japan, as well as with Japan herself. Within a short distance of this country there are approximately 1,000 million people; and, perhaps with the exception of Japan, with her 99,000,000 people, these countries are turning towards Russia.

So we, because of the vital materials which we have, particularly in our North-West, which is so under-populated, should be pleased to have Japan in our corner. If we are not prepared to trade with her, the time may soon come when she will be influenced by assistance from some other country, and she will be prepared to trade and lend her support to that country. That may not be to our benefit.

Some members have mentioned that this country will soon be in difficulties because of the quantity of goods we are importing from Japan. I admit that this trading will affect us to a certain extent; but if we do not do something about trading with Japan, we may be in trouble because of the other Asiatic people who are to the north of us.

The selling of this iron ore to Japan will not affect our local supply to any great extent. There is another huge field which is thought to be equal to Koolyanobbing. It has been discovered only within the last few months, and geologists from B.H.P. have submitted a report to the Mines Department. That field is in addition to the ones which have been mentioned in this House previously.

Hon. C. H. Simpson: Whereabouts is it?

Hon. G. BENNETTS: It is a few miles north of Koolyanobbing. The field is a very large one and the Mines Department is making investigations into it. It was discovered by goldfields prospectors within the last few months; and Mr. Jock Walls, one of our leading prospectors, discussed the matter with me while I was in Kalgoorlie.

If the iron ore is sold and the charcoal iron industry is not established in the South-West, the money derived from the sale of the iron ore could be used to assist the mining industry, particularly the prospectors. Also, it could be used for opening up some of the railway lines which have been closed and about which we have heard so much over the last few nights in this House.

Hon. Sir Charles Latham: You did not help us much last night.

Hon. G. BENNETTS: I do not think your people tried to help the Government very much. I do not wish to place any burden upon farmers; but we do want them to help to run the railways. I represent a goldmining and a farming area, and during a recent visit to one part of my province, two prominent farmers told me that they had at last wakened up to what they have been doing. They were frightened that their railway service would be discontinued; and they said that they would, in the future, have their petrol carted by rail, whereas before they had been saving 37s. 6d. a drum on it.

If this charcoal iron industry were established in the South-West, many people who are at present unemployed could be engaged. While I mention the South-West, I should really support the establishment of the industry at Southern Cross, or somewhere in that area. But as we are not permitted to export Koolyanobbing ore, the only place that the industry can be established is somewhere in the South-West because of the huge amount of timber that would be required for it. There would certainly not be sufficient in our area, even if we could use Koolyanobbing ore.

In addition, the transport of charcoal to the district from, say, the South-West, would be a costly proposition and out of all proportion to the benefits likely to be obtained. The Government would need to use two or three trains a day to keep up the necessary supplies because a truck of charcoal would weigh only about one-fifth as much as a truck loaded with any other material; yet it would cost the same sum of money to run the train. Because of all the cartage involved in such a proposition, there would be no profits from it.

So we must establish the industry in an area where plenty of timber is available. I do not know just how long our timber in the South-West will last, because this industry uses a good deal. However, in my opinion, the South-West would be an ideal spot for it; and I think this House should support any move for the sale of the iron ore and the establishment of the industry in that part of the State.

HON. F. J. S. WISE (North) [5.25]: The motion, prior to the amendment and as amended, had and has my support. I think it is necessary to approach a question of this kind armed with information which is available, which information is not necessarily obtainable only from Government statements.

In speaking in opposition to such a motion it is not sufficient flippantly to condemn and to rely upon prejudices in order to build a case. For example, Mr. Baxter's speech last evening was notable for its exhibition of spleen against State enterprises, and for his obvious disregard of figures which were available to him had he desired to obtain them, as well as his obvious criticism of figures which were verified, certified and made available over the Premier's signature. He discarded them and discounted their value. That is not good enough.

To those whose policy, instinct and beliefs ensure their opposition to State enterprises generally, I would say that it is well to contemplate what opportunity the Opposition when in Government had to remedy such a situation; for in six years it did nothing whatever to dispose of any State enterprise. It did not sell any State hotel, irrespective of the bad financial record of some of them; it did not sell any State ships, despite their heavy burden on the community in serving people in distant parts of the State.

Hon. N. E. Baxter: State ships are a part of the public utility service.

Hon. F. J. S. WISE: The Opposition, when in Government, did nothing about the State Saw Mills; it did nothing about selling any of the State brickyards—in fact, it added to them.

Hon. J. M. A. Cunningham: That Government sold Chandler.

Hon. F. J. S. WISE: Yes, quite accidentally.

Hon. J. M. A. Cunningham: Or luckily.

Hon. F. J. S. WISE: The Opposition did not sell any State meatworks—made no attempt to sell them. That Government did not attempt to do anything prejudicial to the Rural & Industries Bank, or to the State Government Insurance Office, despite the vocal demonstrations made, for political reasons, in this Chamber against State enterprise.

Hon. J. M. A. Cunningham: It is a difficult thing to unscramble eggs.

Hon. F. J. S. WISE: Yes, it is impossible; and it is impossible to understand the scrambled attitude of mind of some members when they vehemently protest against all State enterprises but readily condone and support and add to their strength when they have the opportunity in Government. So it is a mere pretence to suggest—

Hon. E. M. Davies: They could have taken over the Midland Railway Company, too.

Hon. F. J. S. WISE: Yes; the Midland Railway Company has made approaches to the Government of the day to be taken over. But many State enterprises make a tremendous contribution to public well-being; that cannot be denied despite all the prejudices, hostile attitude and feeling that may be engendered against them.

I was a Minister on one occasion, and I was approached to take over a private enterprise which appeared to be doomed to failure; I was asked by folk and prominent citizens of this State—good citizens of this State—who had been unable to carry on the very important enterprise. The facts as presented to the Government convinced the Government that it should take over. That undertaking has not only grown vigorously under State management, but also, instead of being valued at about £100,000 as at the time of its taking over, today it is worth more than £1,500,000, and has rendered a very great service to this community.

So throughout the years approaches have been made by private undertakings for the Governments to take over what private enterprise thought were sinking ships under their management. Those sinking ships have not only been restored to even keels, but have gone along progressively from that time. One of the very strong points—I admit it is a strong point—raised by the Opposition to this motion and those in support of the one referring to the appointment of a select committee, is the lack of information given to this House. But there is a tremendous lot of information available, if one has a desire to obtain it.

I recall the position clearly when the initiation of the Wundowie project was made in this State. I was a member of the Government, and perhaps a somewhat sceptical member, in connection with this project. After an absence from the State, in an endeavour to bring myself up to date on this and other matters, I took the trouble to study the reports of auditor generals; to look at public statements made in connection with the project; and to look at published statements made of evidence given the Grants Commission. In fact, in addition to the balance sheet, I studied all the information that was available and associated with the Wundowie charcoal iron and steel industry.

I have interviewed officers of the management at Wundowie; I have had conversation with Treasury officers to verify the point of view that I presented; I sought, too, and discovered a copy of a report made by Mr. Alexander Gibson, a very highly qualified engineer, who in 1947 was specifically employed to write "finish" to the Wundowie project, if his report favoured such a course.

There is no doubt that the purpose of the appointment of Mr. Gibson in June, 1947, was to end the Wundowie project. The Government anticipated there could be no other answer than one of condemnation and abandonment. The inquiry by this approved and acknowledged authority was heralded as if it were a giant rocket. But it came down a squib, because the report of Mr. Gibson, of which I have a copy, shows clearly from the terms of reference that by results the proposals were justified. The Government of the day quite properly, according to its rights, instituted that inquiry in opposition to the project.

The terms of reference from which I intend to quote,—and I also intend to quote from other parts of the report, perhaps somewhat voluminously—clearly indicate what was in the mind of the Government; and clearly show, too, what Mr. Alexander Gibson thought of the project. The first term of reference submitted to him was—

> Whether it is in the best interests of the State that the industry commenced by the Government at Wundowie under the provisions of the Wood Distillation and Charcoal Iron and Steel Industry Act, 1943, should be proceeded with, and if so, how best it may be established, improved and carried out.

The text of his reply, quite apart from the general comments, to which I shall refer later, was—

> In view of the present position of the development of the project and the review that has been made of the costs involved, I consider that it is in the best interests of the State that the industry commenced by the Government at Wundowie should be continued, and that it should be continued on the basis of the organisation and extent set out in the costs sheets attached to my report.

He was asked to examine the works which had been done at Wundowie, the plans for the future, and the factors involved, and to make recommendations for the improvement of such plans. His comment on that item is very lengthy. I shall read some of it. He said—

> I have examined the work which has been carried on at Wundowie and consider that the planning and execution of the work have been satisfactorily carried out in view of the unavoidable difficulties encountered owing to the war and the delays occasioned by the

shortage of materials during the latter part of the war and since its end.

It may be possible to assess the actual future of the industry at Wundowie with more certainty at the end of the first ten years of its operation, but it is to be noted that while it may be possible to extend the capacity of the timber section of the industry and also the blast furnace end of the plant by the erection of another unit, some difficutly will be met in providing for the extension of the refinery section to meet the requirements of a further blast furnace unit. Such an extension is not impossible but will involve some separation possibly of the refining activities.

Whether extension will become an economic possibility depends upon the markets that will be available for the various by-products in the future, and this in turn may depend very largely on the research and investigations that will be necessary with regard to the utilisation of wastes from the timber section of the industry and their possible combination with products from the refinery. Only continuous research will enable this to be ascertained.

The third term of reference was—

Whether, and/or to what extent the works, plant and undertakings as defined in the Act now, or prosoed to be established at Wundowie are adequate and suitable for the work and production in contemplation.

If not, what further works, plant and undertakings would be necessary and desirable.

Mr. Gibson said in this regard—

In this connection I consider that the works as established at Wundowie are adequate and suitable for the proposed production of 10,000 tons of pig iron per annum. Further works, plant and undertakings at this stage would not be considered either necessary or desirable.

Mr. Gibson was also asked—

Whether the resources available of iron ore and timber warrant the establishment and maintenance of the said industry at Wundowie, and if not, what action if any can be economically taken to develop or increase resources or supplies.

He said in connection with this question—

The resources available (a) of iron ore and (b) of timber are such as to warrant the establishment and maintenance of the industry at Wundowie. It should be understood that further prospecting with regard to ore should be undertaken as a matter of course. As the estimated timber supplies appear to be more than would suffice for the 25 years' life of the plant which has been assumed, if further considerable ore bodies are found this would ensure extension of the life of the industry at Wundowie, should such be found desirable.

Hon. L. A. Logan: What was the ore that was being dealt with?

Hon. F. J. S. WISE: I do not wish to read the 168 pages of the report. The ore being dealt with was the deposit at Clackline. The point was raised at that stage and mentioned in his report that it was extremely doubtful whether there could be a continuation of operations unless other small ore bodies elsewhere were available to continue the project. That was a very reasonable approach.

The schedules and appendices to this report clearly show very considerable investigations have been made. We did not know as much then as we do today about the extent of the greater and lesser iron ore deposits in the State, because there has been an intense survey made. If I might interpolate, in reply to some remark made by Mr. MacKinnon, that there is not any doubt of the known quantities and number of deposits of iron ore in Western Australia or in any other Australian State at this stage.

Hon. G. C. MacKinnon: I did not say that.

Hon. F. J. S. WISE: I understood the hon. member to say there was not sufficient information of the resources in iron ore. Some member made that comment. I shall refer to my notes to find out. Mr. Gibson was also asked—

Whether it was likely (a) that production for Western Australian consumption, (b) that production for export could be made at competitive prices, and if so, by what methods. If not, what loss would ensue and where there are any, and if so, what collateral advantages to the State in continuing production at a loss.

Mr. Gibson in a very lengthy reply on this point said—

The analysis shows that at the present time a slight profit amounting to a little over £5,000 per annum should be obtained, provided the by-products are sold at the accepted prices. At the same time, the industry receives certain concessions from other Government instrumentalities which amount to a little over £7,000, so that on a strict adjustment of the matter, the industry might be considered to be operating at a small loss. In this consideration nothing has been allowed for the loss on the township which is a matter which would be borne by the Commonwealth Housing Commission.

> This loss amounts to about £1,200 per annum and in considering the economics as a whole as affecting the charges to the taxpayer, should be kept in mind.
>
> I consider, however, that in spite of this slight indefiniteness in regard to profit and loss, there is a distinct value to the State in having the industry established, and in its use as a pilot plant and experimental station for the purposes of ascertaining the possibilities of future extension and development of the various sections of the industry.

So those remarks show clearly, as a set of questions asked, that on every occasion on those points and on others upon which he commented, Mr. Gibson could find no reason whatever to condemn, or indeed to criticise, the initial establishment and the prospect for the future after the pilot plant stage had been passed.

In one review, in an appendix to this report, are shown the resources in timber should there be an expansion of Wundowie's activities to the South-West at a later stage; and in regard to a review on the location of a complete plant at Bunbury the figures are submitted from a plan prepared and held by the Forests Department showing the areas of State forest and alienated land within a 35-mile radius of Bunbury; and the total area of these potential resources exceeded 1,400,000 acres.

It is very interesting to observe that a recent review of that area produced figures which almost coincide—though they were prepared by different people altogether—with the contentions held 10 years ago, and with the stress placed upon the fact that very little growing timber would be used or be anticipated to be used except as desirable thinnings very many years from now; and that the waste from the trees felled—those portions of the trees now located in the forest—and the waste burnt at the sawmills would give to this industry a very long life as regards the one commodity—charcoal—required in the smelting of charcoal-iron ore.

In Mr. Gibson's general comments, he makes use of such terms as these:—

> I have inspected the plant up to its present state of construction and have studied the various reports that have been submitted by expert persons in connection with the distillation of wood and production of pig iron, and the plant so far as its technical details are concerned, its general arrangement and its fitness for the proposed production is, in my opinion, satisfactory. As the history of the project shows, the conception of the final plant has grown from small beginnings to a rather more ambitious undertaking as the limit of size of successful operation became apparent. The scale of production (10,000 tons of pig iron per annum) is sufficient to ensure that the plant is of such a size, on the milling distillation, carbonisation and smelting sections as to provide a sound basis on which costs connected with the utilisation of charcoal as a fuel and its practicability for production on a larger scale can be assessed.

Further in his general comments he said—

> So far, however, as the industry at Wundowie is concerned, the production of 10,000 tons of pig iron, even under the rather indefinite prospects indicated, should not prove an undue embarrassment to the State and indeed can bring very considerable benefits.

Referring to timber in connection only with the Wundowie project itself he had this to say—

> The investigation of available supplies of timber within a 15 mile radius of Wundowie has been thoroughly done and there is little doubt that sufficient timber is available for the assumed life of 25 years or even considerably longer. The reports and estimates of the mill manager are very complete and the figures provided as to the costs of labour, maintenance, etc. can be accepted . . . . . There is more than ample to cover the assumed life of the plant and if production is likely to be increased at any time in the future, there are still areas other than Crown land available for private negotiation.

Mr. Alexander Gibson—a member of the firm of Julius, Poole & Gibson, Consulting Engineers of Castlereagh-st., Sydney—was selected by the McLarty-Watts Government to report on all the aspects in association with a pilot plant, and all the prospects of a continuity of its operations and later, of its expanding to a more highly efficient and organised works in some part of the South-West; and, in particular, Bunbury and Collie were mentioned in his report.

I think it is necessary to trace a little more of the history of Wundowie than that to which Mr. Gibson referred, because he was replying to specific questions. Its history is that in 1941 the Government set up a panel of technical men to consider the desirability of establishing a charcoal iron and steel industry in this State, and to investigate the iron ore and the limestone deposits and the prospect of producing charcoal iron by using waste forest products.

As a result of the deliberations of this panel and its recommendations to the Government, it was recommended that the time was not opportune—it was during the war period—for the establishment of a large-scale iron and steel industry, but it would be very desirable to proceed with a small-scale pilot plant capable of producing 10,000 tons of charcoal iron a year.

The next step the Government took in that connection was the introduction of a Bill, which was assented to in October, 1943, for the establishment of the industry. The Government realised that it would at that time be very difficult to proceed; but it also decided that the potential value of the new industry to the State was such that a commencement during the war years was justified. Owing, however, to the circumstances of war and the delay in delivery of the requisite materials for building constructions and the establishment of retorts, and so on, production was delayed till 1947.

But the story of the production is very interesting. In 1947-48, 771 tons of pig iron was produced; in 1948-49, the figure was 5,669 tons; in 1949-50, it was 6,691 tons; and in 1951-52 the quantity had risen to 10,800 tons. In 1956-57—the financial year just completed—14,083 tons was processed at Wundowie.

In the early years the only market available, apart from the small quantity used in this State, was the Eastern States of Australia. But with the increase in output and many requests from overseas being made, the Government sent the general manager, Mr. Constantine, overseas to probe the markets and inquire in several countries as to the prospects of an outlet for limited or unlimited quantities of this product. As a result of his visit and discussions with important people on the Continent and elsewhere, there has been an increasing interest, even to the extent of requests from more than two Continental countries to enter into an agreement with the State Government for continuing quantities, unlimited in regard to any one year. So it is idle to say that there is at this stage, or that there will be in the near future, a shrinkage of demand for this product or an unlikely market for it.

At a later stage I will relate to the House the result of an inquiry I have made in the last two days as to which countries are interested and what is to be the agreement with them in regard to sale price. At this stage it may be said with confidence that there are ever-present demands for larger quantities to be sent to Europe, America and Southern Asia; and sales overseas of the 14,083 tons produced last year, it is interesting to observe, exceeded 10,600 tons.

The overseas demand during the last three years has increased considerably, much beyond the capacity of the present plant to meet. In fact the demand has been so pressing that plans for the extension of the Wundowie plant have been investigated and approved. There is no secret about that, because it has already been stated in communications to the Commonwealth Government.

The new retort will be in full production by the middle of 1958; and it is expected that when the construction of the No. 2 blast furnace is completed, and the No. 1 furnace has been closed down for overhaul, the value of the production, with the expanded plant, based on the figures of last year and on the prices now available for contracting, will rise to £1,500,000.

So, since it has turned the corner; since it showed a small profit last year—after all the charges had been raised against it for interest and sinking fund—Wundowie, even in the experimental stage has shown a capacity for an out-turn of £1,500,000 within 18 months from now.

It is true that the profit last year was not more than £11,000, after taking into account all the costs I have mentioned, including depreciation and interest payments to the Treasury. But never before this last production year has Wundowie had a clear run with an assured market for all its pig iron at anything approaching the price which in world production is being offered by several countries.

Indeed, it is expected that a greater amount will be available; because, on the figures that have been verified by Treasury officers, it would seem that an additional profit of £4 5s. per ton will be possible when both furnaces are working. These figures are available on inquiry and have been verified by people of considerable stature—not anyone who would estimate something to please a Government, but men of the type of the Under Treasurer; and very little gets past him, especially if it is likely to show a loss or raise a cost to the Government.

These figures have been investigated also by men such as the ex-Under Treasurer, Mr. Alex Reid, now a member of the Grants Commission: a man of undoubted capacity for such an analysis, and one who was associated—as most of us who recall the secession move will remember—with the late John Curtin on the financial side of the case for secession; a man of such background and probity that no one could raise any question or cavil at any decision that he has reached based on figures submitted to him.

Therefore, Wundowie, which has been the subject of so much criticism—much of it ill-informed and quite unjustified—is now in the position of having produced from its pilot plant the requisite answers to justify expansion, showing us that without any doubt, as supported by Mr. Gibson, its initial establishment was completely justified; and that after the term mentioned by him—he said 10 years might be required sufficiently to prove the project as a business proposition—and proving that that point has been reached.

As one who was a member of the Government at the time when the project was commenced, and one who had doubts at

that time and who without any prejudices based fairly or unfairly, supported its establishment. I desire to say that anyone who will approach this question with the desire to obtain the facts from available sources must realise that the Government not only made a valid approach to the Commonwealth in a conjoint proposal associated with the selling of ore, the proceeds from which were to assist in the financing of the extended project, but also acted in good faith and on sound argument.

It is interesting to have recorded again the statement that I am about to read and which has been published in the last fortnight. It is as follows:—

> Japan is currently buying about 10,000,000 tons annually of high grade ores from other countries including the Philippines, Malaya, India, U.S.A., and Canada and is paying £12 per ton landed in Japan on the average for ore equivalent to Koolyanobbing, as compared with the B.H.P. cost for Yampi ore landed in New South Wales of about £3 10s. per ton.

It can therefore be said that when the Government presented its case to the Commonwealth it had an assurance of a market in Japan and a valid case for the extension of the industry of which it was the founder. Would it not be fair for those who are opposed to the extension of Wundowie to see that it is for the betterment of this State to have the proceeds of the sale of any natural resource for which there is a market assuredly spent in this State in furtherance and extension of a project which has at this stage such opportunities? It is right and proper to say that the markets in relation to which contracts can be made today may, or may not, last forever; but they have an assured opportunity to last for several years at firm prices.

Although I was not entitled to have the figures and therefore did not seek them or press for them, I understand that contracts are to be signed in this State, during this month, for the sale by contract to two European countries of Wundowie iron at very satisfactory prices.

Hon. A. R. Jones: That is the pig iron?

Hon. F. J. S. WISE: Yes. As I will mention later, I think there are more valid ways of getting the necessary information than by a select committee, which will be the subject of discussion later; and I would express to the House my thoughts on that point. But for the time being I emphasise that it is not desirable for the Government to disclose the figures or components which give the Government the assurance of £1 or more per ton profit, if it is paid what Japan has offered for the iron ore—between £6 and £7 per ton f.o.b.

The reason for this is obvious, and I can say that I have the assurance of the secretary of Wundowie that the figures mentioned by the Premier in his communication are based on contracts offered to the Government by more than one contractor for the mining and transport to rail of the ore, allowing also for the full current rail freight rates and for the loading on to the ship.

It would not be fair, since those are competitive figures for contracts, and the figures submitted and upon which the Government could negotiate, either to the successful contractor, the purchaser and particularly the seller in this instance, to disclose those components.

I have an assurance from the Fremantle Harbour Trust that in its analysis of this question it has been satisfied with the price factor affecting it, and that it would be prepared to erect gantries especially to handle the ore and make a profit from their services.

In contemplation, therefore, of what may be the net profit to the Government from the sale of 1,000,000 tons of ore over 2½ years, I am assured by those who have investigated the figures that there is no doubt as to their validity. I am assured also that the copy of an agreement signed by a Japanese businessman earlier this year, which was submitted to the Prime Minister and which is tersely and briefly referred to in his letter, gives all the information and, indeed, an exact copy of such proposed agreement.

There is therefore no guesswork in regard to the figures that I mentioned in speaking to another motion. There is no guesswork on the part of the Government as to what it may expect as a gross return and what it may expect as a net return from the sale of straight-out iron ore. There is no guesswork, either, as to the amount which Japan is prepared to pay for processed pig iron in quantities for years after the proceeds of the sales of iron ore will have cancelled out the cost of the proposed new works at Bunbury, without any charge whatever for a 53-year term, if it were borrowed money; and without any charge on the taxpayers, but from the proceeds of sales of our own resources—a processing works that would employ 1,000 men in a decentralised area, using resources some of which are solely waste products at the moment.

I have a lot more information; but I do not wish to delay the House as the information is available from public sources. But my firm view with regard to all the added information required by this House—and, as I said initially, validly sought by it—is this: That since it is obvious that there could be repercussions from the appointment of a select committee, as it would make available to the public information which should be confidential between the Government and the persons to whom it proposes to sell the product, or between the State Government

and the Commonwealth Government; and because that information and figures should be kept within the knowledge of the Government and not publicly broadcast, I think the Premier should—and I believe definitely would—make available to responsible members of this Parliament such as the Leader of the Opposition, Hon. D. Brand, the Leader of the Country Party, Hon. A. F. Watts, Hon. C. H. Simpson and Hon. Sir Charles Latham all the necessary information.

I am confident that the Premier would do that and would show them the papers to which I have referred as being in existence, but which I cannot see, so that they could decide whether there is not only validity in the claims of the Government but also the responsibility for the betterment and well-being of this State, and a need to defeat the other motion. I support this motion.

Sitting suspended from 6.15 to 7.30 p.m.

THE MINISTER FOR RAILWAYS (Hon. H. C. Strickland—North—in reply) [7.30]: The motion as it now stands is entirely different from that moved by me originally. Although I do not intend to oppose the motion in its present form, I must express deep disappointment at the decision of this House to withdraw support for an industry of this nature, after a division had been called in regard to it. The deletion of the word "support" from the original motion has rendered it almost nebulous, as pointed out by a previous speaker.

Hon. N. E. Baxter: What do you mean by "withdraw support"? Support was never given.

The MINISTER FOR RAILWAYS: I moved that this House support the export of iron ore with a view to establishing a very valuable industry in this State. In it wisdom the House decided to withdraw "support" from the motion; which meant, of course, that it would in effect, withdraw support from the industry. So it is very disappointing to me that in these days, when the Government is being criticised for not establishing developmental works in the State, it should on the other hand be obstructed from doing so by its critics, when attempts are made to establish those works.

One speaker said that his opposition to the motion, even as it stands now, or to the establishment of a charcoal iron industry in the South-West, was based on the fact that he believed that primary industries should be established first; that if there is money to be spent by the State it should be spent on primary industries.

Hon. Sir Charles Latham: What is the benefit of this motion?

The MINISTER FOR RAILWAYS: The benefit would be that it would have the same effect as the motion that was unanimously supported here some two years ago when Parliament decided that the Commonwealth Government should assist us financially to develop works in the North-West. It is an expression of opinion.

Hon. Sir Charles Latham: Did it do so?

The MINISTER FOR RAILWAYS: No. It has done nothing. But what is the good of having a Parliament if we do not express our opinion? If we sit dumb, those who hold the purse strings will certainly not go out looking for us.

Hon. Sir Charles Latham: This is referred to as pious legislation over there.

The MINISTER FOR RAILWAYS: This is not asking for cash, but merely for permission to sell 1,000,000 tons of iron ore; that is all. To return to the objection based on the establishment of primary industries first. One would think that that was all the country was made for; for those who can grow wheat or some other produce such as wool. But this produce still has to be sold; and it cannot be sold unless there is the money to buy it. The people cannot buy it unless they are employed; and we all know that primary industry cannot employ all these people.

It is seasonal employment in any case; and apart from direct and indirect employment which private industries provide, the vast majority of the community, because of the economics of the State, are not able to be employed directly or indirectly through primary industry. We would be in a fine mess if all types of mining closed up, and if the secondary industries were close in this State. I venture to say that meat would not command the price it does today. We would see again many thousands of sheep being slaughtered, and money being paid for them to be slaughtered, in order to conserve the feed for younger sheep.

Hon. L. C. Diver: What about the Singapore market?

The MINISTER FOR RAILWAYS: The Singapore market is a very close preserve, and it is also very limited. That market was more accessible during the depression years and prior to that period. During the 1920's there were at least four Blue Funnel ships trading between Singapore and every port north and south. State ships were also carrying stock to Singapore.

I well remember the days when sheep were driven over the cliffs into the ocean —both ewes and wethers. They were drowned in their thousands because a market could not be found for them. In fact, I know of a shearers' cook who paid 6d. each for sheep. So in spite of the Singapore market and other markets of

the world, and in spite of the fact that shipping was available, they could not sell their sheep. I know that Kimberley bullocks were fetching £2 each.

What has made the difference now? Everybody in Australia—except those unfortunate few who are unemployed—has some money in his pocket with which to buy these commodities. But there were days when such people had no money at all; they were receiving 5s. a week dole and could not buy anything. Chops were selling at 3d. lb.

Hon. L. C. Diver: We do not want to return to that position.

The MINISTER FOR RAILWAYS: If we do not expand some of the secondary industries in this State, where are the people going to be employed? There will be nothing for them; there will be no money in their pockets to buy the goods produced by the primary producers. If we look further afield, we know that wheat has been over-produced, and there has been difficulty in selling this commodity.

Hon. N. E. Baxter: Has not secondary industry always followed primary industry in this State?

The MINISTER FOR RAILWAYS: That has been so to a certain extent; but on the other hand the primary industries, in many cases, followed mining.

Hon. N. E. Baxter: Mining is more a secondary industry.

The MINISTER FOR RAILWAYS: Not at all. I am talking about goldmining. The opinion expressed by members opposed to the motion is that it is all right to sell the iron ore, but the money should be used in expanding primary industries. I would draw the attention of those who object to this motion, and those who support that theory, that it would be impossible for them to flourish as they do, if it were not for the spending power of the community.

Hon. N. E. Baxter: We all recognise that.

The MINISTER FOR RAILWAYS: The hon. member will agree that primary industries cannot absorb all the available labour in the State.

Hon. N. E. Baxter: I never disagreed with that.

The MINISTER FOR RAILWAYS: They over-produce and find themselves unable to sell their products; we know that. There has been experience of that not only in this State but also in every other country of the world at some time or another. It is necessary to have primary industries, of course, but it is also necessary to have secondary industries. We must have them in order to absorb the unemployed in the community.

I was rather surprised when Mr. Simpson said that the motion was all right to the extent of the export of 1,000,000 tons of iron ore. His objection was to the establishment of an industry. It did not purport to establish any industry.

Hon. C. H. Simpson: They are two different things.

The MINISTER FOR RAILWAYS: The purpose was to expand an industry already established.

Hon. Sir Charles Latham: You used the word "established" in it.

The MINISTER FOR RAILWAYS: Yes; and the objection the hon. member raised was that the money would be utilised to establish an industry. But he did not attempt to amend the motion to conform with his ideas; he simply said he was opposed to it. We had the same thing from the hon. member who successfully moved the amendment to the motion. He said that he objected to the establishment of a charcoal iron industry anywhere in the South-West.

I do not know what our country is coming to. We merely express an opinion that industry should be developed in this State, and objections are at once raised—simply because the State endeavours to expand an industry already in existence. That point was covered thoroughly by Mr. Wise when he told the House the exact history of Parliament in regard to State-owned industries of various Governments. There is no need for me to further develop that theme. Members who have spoken to this nebulous motion—and I agree that it is now nebulous because it has very little left to it—have raised the question as to how Japan is going to pay for the iron ore. It is amazing to me that members should ask that question when they know that Japan has not defaulted on payment for any produce purchased from Australia. Quite recently Japan was ranked as the second highest purchaser of our wool; second to Great Britain.

Hon. Sir Charles Latham: She must establish credits.

The MINISTER FOR RAILWAYS: Australia has to establish credits also to buy overseas. We know that there have been restrictions.

Hon. Sir Charles Latham: By sending wheat and wool away.

The MINISTER FOR RAILWAYS: While it was being sent away, the Federal Treasurer told the nation that he had to impose restrictions on imports to conserve overseas credits; and only quite recently have they been relaxed. However, it is beside the point as to how Japan can pay. We know very well that, if need be, she would be financed in exactly the same way as Australia is financed to purchase overseas—through the International Bank.

Hon. H. K. Watson: She is putting up credits for £10,000,000 for goods she buys elsewhere.

The MINISTER FOR RAILWAYS: Yes; and there is no question as to how the nation could pay. It would not be looking to make contracts in order to purchase almost unlimited quantities of iron ore without the cash behind it. As stated by Mr. Wise, that sort of detailed information is available to accredited members of Parliament—leaders of the parties, and so on; but it could not be made available to the public in any speech which I might make, or Mr. Wise might make, or by the Premier. After all is said and done, business is business.

Hon. H. K. Watson: It is a pity the Unfair Trading Commissioner did not think the same.

The MINISTER FOR RAILWAYS: He might even inquire into that aspect; one never knows.

Hon. A. F. Griffith: That would be this week's funny story.

The MINISTER FOR RAILWAYS: There is no unfair trading with the Government and it seems rather likely that this House would not agree to trading of any kind except perhaps something like transport.

Hon. J. M. A. Cunningham: Our exports of charcoal iron are sold at a loss, aren't they?

The MINISTER FOR RAILWAYS: I express amazement at some of the opposition which has been submitted on this question during the time it has been so broadly, widely and comprehensively debated in this House. Not one sound argument has been raised. It has been said: "Why can't private enterprise do it? If it were any good, private enterprise would have taken it on."

The Premier has stated in the Press that he is always open to talk business with private enterprise; and it is well known that we have made overtures for other industries to be established here. There is no doubt that this Government has been responsible for keeping some industries established, notably the blue asbestos industry at Wittenoom Gorge.

Hon. A. F. Griffith: How many new ones in the last three years?

The MINISTER FOR RAILWAYS: Numerous little ones have been established. One has only to look at the factory area at Fremantle, Scarborough, Belmont and South Belmont. Great faith in this Government is held by the industrialists. That is evidenced by the expansion which has taken place.

One of the arguments advanced is that Japan might not be able to pay. It is an amazing thing that Sir Arthur Fadden did not raise that question in his reply. There was not one mention of it in the five, six or 10 page letter which Mr. Griffith read to the House. His objection was based solely on the ban which was applied in 1933 which, for the benefit of Mr. MacKinnon, debarred a Labour Government then from exporting iron ore in order to absorb unemployment in this State.

Hon. G. C. MacKinnon: How much a ton?

The MINISTER FOR RAILWAYS: Mr. MacKinnon said it was Labour policy not to export, yet it now wants to do so. That was the basis of his argument. However, it was a Western Australian Labour Government which was prevented by the Federal Government from exporting iron ore.

Hon. J. M. A. Cunningham: What was the price then?

The MINISTER FOR RAILWAYS: I could not tell the hon. member.

Hon. J. M. A. Cunningham: It was 6d. a ton.

The MINISTER FOR RAILWAYS: It was only a few years ago that the B.H.P. agreement Bill was introduced to Parliament, and Liberal Party members in another place reminded the Labour members in opposition of their attempts to sell iron ore to Japan, and how the Federal Government banned them.

Hon. Sir Charles Latham: It was 6d. a ton.

The MINISTER FOR RAILWAYS: It was sold to B.H.P. for 6d. a ton; and on their own volition, they increased it to 1s. 6d.

Hon. Sir Charles Latham: The value of 6d. in those days, by comparison, is still above that of 1s. 6d. today.

The MINISTER FOR RAILWAYS: It was giving it away. Mr. Simpson introduced the Bill in this House to dispose of 110,000,000 tons of iron ore from Yampi at 6d. per ton. Here we have a market which is prepared to pay many sixpences per ton; and on proved figures it would show a return to the State of at least £1 per ton. Yet it is opposed. Mr. Simpson opposes it because it is going to establish an industry.

Hon. N. E. Baxter: He didn't oppose that section.

The MINISTER FOR RAILWAYS: The Premier has stated in the Press that he is prepared to talk business with private enterprise if it is interested.

Hon. J. M. A. Cunningham: Is it not significant that it is not interested?

The MINISTER FOR RAILWAYS: Apparently it is not interested. I would not say it is not.

Hon. J. M. A. Cunningham: Why?

The MINISTER FOR RAILWAYS: There is overseas capital available.

Hon. J. M. A. Cunningham: There cannot be much in it.

The MINISTER FOR RAILWAYS: Not much if one does not see it or does not look for it. It appears to me a very poor outlook for Western Australia if we are not prepared to support a motion to say we believe that an export licence should be granted for 1,000,000 tons of iron ore in order to establish an industry which would continue for an indefinite time.

I cannot see that any more particulars or any more information can be provided in respect of this motion; but I feel sure that the Premier would make certain details available to the various leaders of the parties. I cannot see how the motion as it stands can achieve anything. Mr. Wise has given a very enlightening and detailed speech in connection with Wundowie and it financial aspect, and—on a previous occasion—on the qualities of iron ore in this State. Mr. Baxter's main objection was the cost of establishing Wundowie. He did mention a figure of something like £3,000,000.

Hon. N. E. Baxter: It was in connection with the new project, not Wundowie.

The MINISTER FOR RAILWAYS: I understood the hon. member to say Wundowie cost something like £3,000,000.

Hon. N. E. Baxter: No, the new project in the South-West.

The MINISTER FOR RAILWAYS: According to the last balance sheet, the liability of Wundowie to the Treasury is £1,700,000; and that has been incurred over a period since 1943. It is now in a sound financial position and has reached the stage which Mr. Alexander Gibson predicted it would reach in 10 years. We heard Mr. Wise read from that report that nothing could be expected inside something like 10 years.

Ten years have passed, and there is not the slightest doubt that the charcoal iron industry at Wundowie is now in a sound financial position and will not cost the State any more money, except to expand and increase its output. It will also increase its profits.

To those who are biased and opposed to the State establishing something I would say that private enterprise has not made any attempt to take over, buy or establish an industry of this nature. It is a venture which I believe came from the prompting of Mr. Fernie, the man who was criticised very severely in this House last night. I say that much credit was due to whoever was responsible for the establishment of the Wundowie works.

It was an experiment, and it was known that it would take a considerable number of years to establish it and put it on a firm financial footing. I say again that it is a credit to those who were responsible for it and to those who have built it up to what it is now. It is sound; it is profitable; and it has all the resources for a long life behind it. Its markets are unlimited.

Hon. N. E. Baxter: I do not know for how long.

The MINISTER FOR RAILWAYS: The tonnage of Koolyanobbing iron ore is ample to keep it going for 50 years.

Hon. N. E. Baxter: The timber is not available.

The MINISTER FOR RAILWAYS: The timber burned in forest fires and as waste in mills would be enormously greater than the amount used at Wundowie. The Conservator of Forests has surveyed that position and is not perturbed.

Hon. J. M. A. Cunningham: It is being sold overseas at a loss.

The MINISTER FOR RAILWAYS: No; that is incorrect. How could the industry show a profit of £11,000 if it were being sold at a loss? The prices are highly profitable.

Hon. Sir Charles Latham: Would you lay on the table the papers relating to all this?

The MINISTER FOR RAILWAYS: The prices are contained in the balance sheet which has been tabled here for some time.

Hon. Sir Charles Latham: I mean the contracts that are practically available to you.

The MINISTER FOR RAILWAYS: That point has been explained by Mr. Wise and I concur in what he said. If the hon. member wishes to see them I am sure the Premier will make them available to him at his office. They will not be tabled.

Hon. Sir Charles Latham: I do not want them tabled; but would they be available?

The MINISTER FOR RAILWAYS: Yes, I am pretty certain they would be. I will ask the Premier, and I think I can say that they will be available.

I can only conclude by saying that I regret that the House was not prepared to express an opinion which would support the establishment of this industry and the proposal to export only 1,000,000 tons of iron ore, but has turned the motion into a nebulous one although it could perhaps have some effect upon the Federal Government's consideration of a request placed before it to do this very thing.

Hon. A. R. Jones: You started to kick the football yourself.

The MINISTER FOR RAILWAYS: We can either kick the ball along or out of bounds; we can play the game or be a nuisance in the game. I want to be a trier and see if we can put Western Australia in front a little and not attempt to retard or obstruct it in any manner whatever, because at this particular time it is obvious that industries are sadly required here to absorb the unemployment we have

and also to keep the purchasing power in the pockets of those who buy the goods that are produced in this State.

Hon. N. E. Baxter: We can agree with that.

The MINISTER FOR RAILWAYS: A country is never so prosperous as when everyone is at work. Whether they work physically or whether their money is put to work makes no difference, but no country will enjoy great prosperity until everyone works or applies his potential to productive work of some kind or other. I for one, no matter how distasteful it may be to my principles, will never obstruct in any way the development of an industry in this State.

Personal Explanation.

Hon. C. H. Simpson: With your permission, Mr. President, I desire to make an explanation. The Minister said I took the view that I would oppose the motion because it covered approval of commencing a charcoal iron industry in the South-West. I want to make it clear that what I actually said was that I thought the motion should be divided into two parts—one to ask the opinion of the House in regard to the export of 1,000,000 tons of iron ore, and accepting the attractive offer that the Government had received; and the other, to ask the approval of members for a project the Government desired to undertake.

An amendment was moved by Mr. Murray which has put the matter in a different light. While I was not prepared to vote for the original motion I am prepared to vote for the motion as it stands.

Debate Resumed.

Question put and passed.

BILL—BEE INDUSTRY COMPENSATION ACT AMENDMENT.

Received from the Assembly and read a first time.

BILL—INTERPRETATION ACT AMENDMENT (No. 2).

Second Reading.

HON. L. A. LOGAN (Midland) [8.5] in moving the second reading said: The Bill contains only a small amendment to the Act, but it does introduce something new It seeks to give Parliament the right to alter, amend or vary regulations which have been laid on the Table of the House for 14 days, and have not been objected to, but have become law.

Today each House has the right, individually, to disallow regulations. It is unfortunate that under the existing interpretation, it is not possible, in regard to by-laws such as the building by-laws—motions for the disallowance of these by-laws are before both Houses at the moment —to move for the deletion of the offending ones. We cannot vary or amend them. So, in order to disallow them we have to move to disallow the lot. This procedure has, I believe, disadvantages.

Under the amendment proposed by the Bill, Parliament will have the right to vary or amend regulations which Parliament believes should be varied or amended; or it can substitute other regulations for them. Today either House can disallow regulations but may not amend them. Under the Bill any motion to amend, vary or substitute regulations has to be agreed to by both Houses, I believe that is as it should be. We do not want to take from the Government the right to make regulations, but I believe Parliament should be supreme.

Most regulations are framed in the offices of the Ministers by their departmental advisers. If the regulations lie on the table for 14 days and no one questions them, no one then outside the Minister, has the right to alter or vary them. But it is obvious that because of the number of regulations placed on the tables of the Houses during the first part of the session, in particular, it is quite easy for some of them to pass through without members realising their implications. But after they have operated for some time, members do appreciate the implications; and for this reason I believe they should have the right to come before Parliament and ask that such regulations be varied or others substituted for them. This, in effect, is what the Bill aims to do.

In order that this right may not go back too far, provision is made that no regulation published in the "Government Gazette" prior to the 1st January, 1949, should be amended or varied, or any regulation substituted for it.

Hon. H. K. Watson: Does this contemplate we can amend any regulation, or only a regulation tabled in the House?

Hon. L. A. LOGAN: Regulations that are laid on the table of the House are dealt with in the ordinary way at the moment; but under the Bill, if the House were to disagree with Regulation No. 454 of the Traffic Act, for instance, the House would have the right to move for a substitution or variation of it. At the moment we have not that right.

Hon. H. K. Watson: How does this reference to 1949 come into it?

Hon. L. A. LOGAN: Regulations that have been in force since the 1st January, 1949, may be varied by both Houses of Parliament. Members have the right to move for amendments to be made to a statute other than a money one.

Hon. H. K. Watson: That is a different thing.

Hon. L. A. LOGAN: Yes, to a certain extent, but we cannot make a regulation unless we have an Act. Parliament can

amend an Act but not a regulation. It is only right that Parliament should be supreme and have this power.

Hon. Sir Charles Latham: Why delegate the power to someone else if you want to retain it?

Hon. L. A. LOGAN: I understood that Parliament always retained the final power.

Hon. Sir Charles Latham: With the right of disapproval if we do not like the regulations.

Hon. L. A. LOGAN: That applies now, but only to the extent that we can, within 14 days, move to disallow. After that time, apparently, everyone is supposed to be satisfied irrespective of what subsequently occurs. Surely it cannot be said that we are all so competent that we know by glancing at a regulation the effect it will have within a certain period.

It would be well for members to realise that the Bill has been amended. It was introduced in another place in a different form altogether from that in which it appears here. It seems that practically the whole of the contents of the measure were taken out. The title remained but the amendments in the Bill have been framed entirely differently from the way in which they first appeared.

The principle contained in the Bill is a simple one—namely, that we should have the right to amend or substitute regulations; and if we know of any regulations that have been brought in since 1949 that are not in keeping with what was intended in the first place, we will have the right to bring them before Parliament so that members may say yea or nay to them. Both Houses must agree if we want to make an alteration to them. I move—

That the Bill be now read a second time.

On motion by the Minister for Railways, debate adjourned.

BILL—CHIROPODISTS.

Second Reading.

HON. G. E. JEFFERY (Suburban) [8.15] in moving the second reading said: The object of this Bill is to provide for the training, qualification and registration of chiropodists in this State. Chiropody is defined as the diagnosis and treatment of such ailments or abnormal conditions of the parts of the human body below the level of the knee as come within the accepted province of the chiropodist.

It is the intent of this Bill to protect both the individual who needs the services of a chiropodist, as well as the good name and reputation of those who are engaged in the profession. Chiropody has been with us probably from the advent of civilised man, and it is reasonable to assume that the early cave man returning from the hunt, foot sore and weary, practised and appreciated some elementary form of it. The first record of it in the English language is to be found in a treatise written by Daniel Turner who was a member of the College of Physicians. This treatise appeared in London in 1731 and it is a particularly interesting and humourous treatise by modern standards.

The emergence of chiropody as a science and profession has been a slow but steady process, encouraged and strengthened by the medical profession, which recognises it as an essential auxiliary service not otherwise provided for. In the past it has been no simple matter for the physician or surgeon to find a chiropodist to whom he could refer patients with confidence. It is true that there is a number of people practising chiropody in this State; some by examination and others by experience.

The history of chiropody as we know it can be traced back to the opening of the first foot clinic in Europe, which was opened in London in 1913 for the treatment of the necessitous poor. The chiropodists who started this clinic did so in a voluntary capacity and much valuable assistance was given by a number of eminent surgeons and physicians. In association with the clinic, a school of chiropody was opened shortly afterwards. The first world war clearly outlined the pressing need for this branch of medicine, and gave an impetus to the setting up of clinics and training schools in London, Manchester, Edinburgh, Liverpool, Salford, Glasgow, Aberdeen and Birmingham.

Over the years, great difficulty was experienced by the medical profession and the public in distinguishing between the various groups of chiropodists. Various letters after the chiropodist's name conveyed little to the public who could not be expected to understand or assess their various merits. To protect the public from the danger of unskilled treatment of the feet, the British Medical Association in 1938 recognised chiropody as a profession ancillary to medicine, and certain bodies were admitted to the Register of Auxiliary Services on terms and conditions prescribed by the Board of Registration of Medical Auxiliaries.

In 1945 the amalgamation of the bodies who were thus recognised took place and from this emerged the Society of Chiropodists. This amalgamation was brought about by a desire, not only to raise the standard of training still higher but also to uphold the ethical standards indispensible to the profession. This development received the blessing of the councils of the Royal College of Physicians and the Royal College of Surgeons. A register of all members' names geographically set out is available to all medical practitioners who can see at a glance those who are available in each district. The three categories are Fellow, Member or Associate of the Society of Chiropodists.

The early practice of the profession was limited to the treatment of superficial ailments of the feet. Today the chiropodist is trained to understand fully the structure and functions of the foot, its relationship to the body, and its various disorders; and as a result, these people are of much more assistance to the medical profession. The comprehensive training now given to chiropodists enables them to detect ailments and advise patients who are not under medical attention to consult their medical practitioner, when this is necessary, rather than proceed with treatment which in many cases could result only in irreparable and permanent damage. Further recognition of the value of the chiropodist to the community is found in the ever-increasing tendency towards longevity, which brings with it the common disorders of the feet, which are aggravated by the effects of general diseases.

In the majority of English teaching hospitals the chiropodist is now regarded as a valuable member of the team in the orthopaedic department, and the number of hospitals where chiropody is provided is increasing. A recognition in South Australia of the wisdom of the English course of action resulted in a Bill for the control of training, qualification and registration of chiropodists being introduced and agreed to in 1950. This measure is patterned on the South Australian Bill and I move—

That the Bill be now read a second time.

On motion by Hon. J. G. Hislop, debate adjourned.

BILL—JURIES.

In Committee.

Hon. W. R. Hall in the Chair; Hon. E. M. Heenan in charge of the Bill.

Clauses 1 and 2—agreed to.

Clause 3—Interpretation:

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

That the words, "as to profession, occupation, office, rank, degree, and station" in lines 39 and 40, page 3, be struck out.

These words are completely unnecessary.

Hon. E. M. HEENAN: I think it would be better to leave the clause as it stands. If a man is described as James Howard Smith, farmer, Bachelor of Arts, it would help to identify him. I shall not oppose the amendment very stoutly because it does not amount to very much; but the words have been used advisedly.

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

Clause 4—Qualification of jurors:

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

That the words, "Except where this Act provides otherwise", in line 26, page 5, be struck out.

These words are a repetition of the second last line on the page and members will see that I have a further amendment on the notice paper in regard to line 27. These words, too, are unnecessary because the legislation applies to "persons" and there is no distinction between a man or a woman.

Hon. E. M. HEENAN: This amendment deals solely with the matter of drafting. The Bill has been drawn up with some care; and if we play around with the drafting, just for the sake of pulling out words here, and putting others in there, without any purposes other than to set ourselves up as better draftsmen than the Crown law authorities, we might find ourselves in trouble. I do not think Mr. Griffith is wise to proceed with this amendment.

Hon. J. H. TEAHAN: I prefer to use the word "person," because throughout the debates on this Bill, and the evidence of the select committee, stress has been laid on the fact that there should be no distinction between a man and a woman. They are all equal. Of the 30 women who gave evidence before the select committee, 29 said they wished to be treated as equals. When women render jury service they expect to be treated as equals. I would prefer to see the term "person" used throughout the Bill rather than the term "man" or "woman."

Hon. A. F. GRIFFITH: I have spoken to many members of the legal fraternity in regard to this Bill, and I have spent quite a lot of time in discussing the matter with representatives of the Barristers' Board. I do not set myself up as a competent parliamentary draftsman, but I can inform this Chamber that many of those people considered that some portions of the Bill have been poorly drafted. The first claim of the women who gave evidence before the select committee was equality with men in respect of jury service.

Hon. R. F. HUTCHISON: I would agree to the use of the term "person" throughout the Bill, but I cannot understand the reason for deleting the phrase "Except where this Act provides otherwise." I would like the hon. member to explain the reason.

Hon. A. F. GRIFFITH: The reason is that there is already a qualifying phrase "subject to the provisions of this Act" in the latter portion of this sentence and the phrase "Except where this Act provides otherwise" appears to be redundant.

Hon. Sir CHARLES LATHAM: It seems to be the practice to draft Bills in a complicated manner and to use extraneous phrases. The wording should be as simple as possible so that all persons could readily understand the provisions. This clause really conveys the fact that it is desired that persons between 21 and 65 years of age shall serve on juries, and that is all that is needed. We should try to make the wording of this Bill as simple as possible, and in that respect I agree with Mr. Griffith and Mrs. Hutchison.

Hon. E. M. HEENAN: I do not claim to have any ability in draftsmanship, but I would say that it would be easy for people to go through this Bill or any other Bill and find minor faults in the wording. Even the best draftsmen make mistakes, but in this particular case the terms now under discussion would not make any difference to the clause. The fact is that there is a difference in the wording of the phrase "Except where this Act provides" appearing at the beginning and the phrase "subject to the provisions of this Act" appearing towards the end of the paragraph, and I do not think that we should play around with something with which we are not as familiar as the parliamentary draftsman. It is not the duty of members to set themselves up as a committee to improve the draftsmanship.

Amendment put and passed.

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

> That the words "whether a man or a woman" in line 27, page 5, be struck out.

Amendment put and passed.

Hon. L. A. LOGAN: I move an amendment—

> That the word "one" in line 28, page 5, be struck out and the word "five" be inserted in lieu.

During the second reading debate I gave the estimated number of persons liable to be called up for jury service if the Bill is passed. I do not consider that all persons over 21 years of age are fit to serve on juries, and I have come to the conclusion that it would be much preferable to increase the age to 25 years. If, after further consideration, it is desired to increase the age still further to 30 years I will be agreeable.

Many irresponsible persons are included in the age group of 21 years to 25 years, but at the present time a policeman can request the Clerk of Courts to omit a name from the jury list if that person is considered not suitable. Under this Bill the policeman will not have that right. If a person is on the Legislative Assembly roll he will be included in the ballot for jury service and there will be nothing to exclude him.

I gave the estimate that 175,000 people between 21 and 65 years of age will be available for jury service. That works out at less than one person in every 1,000 per year. By increasing the age for jury service from 21 to 30 years, there will still be a great number of people from whom jurors can be selected. I might point out that the age group of 21 years to 25 years includes bodgies, widgies, leatheries, progressive dressers and such types. I do not say that they are all undesirable for jury service, but there is an unsuitable element among them.

Jury service carries a responsibility, and the only way to make sure that irresponsible elements are eliminated from the jury list is by increasing the age from 21 to 25 years. I must agree that some people over 30 years of age are not suitable for jury service, but the number is considerably smaller than in the younger age group.

Hon. C. H. SIMPSON: I support entirely everything that Mr. Logan has said, and would adopt his suggestion that the age be made 30. A Bill somewhat similar to this has been under discussion in this place for the past three years, and the principle of women being on juries was accepted under certain conditions. One was—and it was reaffirmed three times—that the age should be from 30 to 60. The Bill widens the scope considerably. It evens up many of the anomalies that exist, and I can quite understand why the select committee framed its recommendations in the way it did.

If we examine the matter closely, we will see that the irresponsible element in everyone's nature is very evident in youth, and it is the considered opinion of many capable judges that it is an advantage to have jurors of a greater age than 21. Everyone will admit that he was more capable of mature judgment when he attained the age of 30 than when he was 21. That would apply particularly to the female sex.

A letter which was written to my colleague who handled this matter in another place, and which came from the secretary of the State women's council of the organisation to which I belong, makes it clear that the volume of opinion of that council is in favour of the age being from 30 to 65. The crowning argument, I think, is one of the paragraphs in the select committee's report which reads as follows:—

> In respect to age it is observed on the Crown Law Department's files under date the 4th May, 1945, the judges of the Supreme Court express the view that jurors empanelled during the war were of a more mature age than was the case previously, and the results on the whole had been more satisfactory. The judges suggested in view of their experience that the age be altered to provide for service of jurors from 30 to 65 years.

In view of all those circumstances, I support the amendment, and would be happy if Mr. Logan would alter it to make the age 30 instead of 25.

Hon. R. F. HUTCHISON: It is amazing that it has taken such a long time to find out that people of 21 are as irresponsible as members have indicated. The fact is that this amendment has the object of killing the Bill quietly and unobtrusively.

Point of Order.

Mr. Logan: Mr. Chairman, I object to that remark. I have had enough of that sort of thing in this place! I ask for the remark to be withdrawn.

The Chairman: Will the hon. member withdraw the remark objected to?

Hon. R. F. Hutchison: That this is a quiet way of killing the Bill: is that what I have to withdraw?

The Chairman: Order! Will the hon. member please resume her seat? To what words does Mr. Logan object?

Hon. L. A. Logan: The hon. member accused me of moving this amendment to kill the Bill. I object to the imputation.

The Chairman: Did the hon. member make the remark to which Mr. Logan objects?

Hon. R. F. Hutchison: If the hon. member feels that I have wronged him, I withdraw the remark for the present.

Debate Resumed.

Hon. R. F. HUTCHISON: If this amendment is agreed to it certainly will kill the Bill because it is opposed to the policy of the party to which I belong, and the hon. member is aware of that. The age for jury service has always been from 21. That age has been accepted in law and in the defence of the country, and has been accepted everywhere. As a matter of fact, the Legislative Council of this State is one of the few places in respect of which a person must be 30 years of age before being a candidate.

Hon. G. C. MacKinnon: That is why it is so good.

Hon. R. F. HUTCHISON: That is open to question. So far as I can see, there has been no abuse and no irresponsibility as a result of the minimum age for jury service having been 21. Yet now an objection is being raised to that age. I know there have been moves to raise the age, and it has all been done with the same object. Members are aware that it will not be accepted by my party because we have a principle we are fighting for, and we will continue to do so even though we go down in the process.

The report of the select committee—the appointment of which members opposite asked for—supported the arguments put forward from this side in the past that this is a social reform being sought in all sincerity in this State. I see no objection to the age being 21. I think that members opposite would not object to the age of 65 as the maximum age. That should please them, because people would surely be more mature at that age.

Hon. Sir Charles Latham: Do you approve of the age being 65?

Hon. R. F. HUTCHISON: The argument about 175,000 people being eligible for selection makes no difference at all. Only a certain number will be required, the same as now, and it does not matter whether they are chosen from 175,000 people or 70 people. The only difference is that there would be a wider choice with 175,000, and that should please members opposite. Regarding the remarks of the judges that juries were better during the war, that is merely an expression of opinion and nothing more.

Hon. G. C. MacKinnon: What are you doing but expressing an opinion?

Hon. R. F. HUTCHISON: I think Mr. Simpson must have made a slip of the tongue when he said that irresponsibility at 21 pertained specially to the female sex. That was a dangerous statement to make with me here to refute it. If he had a select committee on that subject he would soon find his contention refuted by overwhelming numbers. As I have pointed out in this place previously, intelligence is a gift bestowed irrespective of age, sex, colour or class. It is conferred upon us and crops up where least expected. I strenuously oppose the amendment.

Hon. J. D. TEAHAN: The age of 21 is in the Act at present, and apparently it has led to no abuses. The younger age group would be looked after by way of exemptions, and especially in regard to the women to whom Mr. Simpson referred. There are certain female obligations which would be provided for.

The compiling of a jury list has presented difficulties because it has not been properly done, as persons could not be found who had the time to do it properly. In the past it has been the task of the police officer who would take months to compile the list required. So it has been accepted in this Bill that the Assembly rolls should be the guide. In that connection the age is from 21 to 65. If the age of 25 or 30 were substituted the compiling of the list would present difficulties.

Hon. A. F. Griffith: The Assembly roll does not provide from 21 to 65.

Hon. J. D. TEAHAN: What does it provide? This would be an easier way than having to search out the birthdays of people.

Hon. A. F. Griffith: The requirements in regard to the Assembly roll do not stipulate that one goes off the roll at 65.

Hon. J. D. TEAHAN: But it provides a minimum age of 21. What greater responsibility could a person embrace than to enter marriage? Many do that at 18 years of age and many more at 21. I think that people of 21 onwards to 28 would accept the responsibility of jury service if called upon to do so and would set aside frivolity and give sound judgment.

Hon. A. R. JONES: I do not think Mr. Logan had any idea of killing this Bill. I suggest that if the Bill were killed its death could be laid at the door of another person.

Hon. F. R. H. Lavery: Oh go on!

Hon. Sir Charles Latham: He could have meant me.

Hon. A. R. JONES: I support the hon. member's contention for reasons given by him and by Mr. Simpson. Mrs. Hutchison mentioned intelligence. I do not think it it a matter of intelligence so much. There are many people who attended school and did not appear intelligent at first but whose intelligence was revealed at a later age. There are some people of 18 who would probably be very much more intelligent than many in this Chamber.

Hon. G. Bennetts: What about the quiz kids who are only 10?

Hon. A. R. JONES: Much depends upon a person's experience of life. A person without very much education can do very well in life because he is a capable and balanced individual; and that is the type we want on the juries. For the reasons given by others in support of the amendment, plus the fact that many young folk are tied to their employment as apprentices, or are engaged in raising young families—at least till they are 30 years of age, which is a more suitable time for jury service—I suggest that the Committee should examine the amendment further. Mr. Simpson expressed the view that it might be desirable to fix an age of 30 years.

Hon. E. M. HEENAN: I hope the Committee will give this proposition careful consideration. The present Act is No. 10 of 1898; and for the intervening 60 years the age for jurors in this State has been from 21 to 60 years, with certain limitations, inasmuch as a person had to have real estate to the value of £50 sterling or personal estate to the value of £150 sterling.

The dominant point, however, is the age from 21 to 60 years; but in defiance of the recommendation of the select committee it is now proposed to tamper with that provision in radical fashion and to restrict the age instead of liberalising it. "The Australian Law Journal" Vol. 10, 1936-37, referring to the jury system, states—

> The jury system has found great support among those well qualified to speak of it. Lord Chief Justice Coleridge said that it might be conceded that a better result could be reached by the single judgment of a judge than by the united judgment of a judge and jury but such an advantage would be ill purchased by the separation of "the popular element" i.e., the people, from any share in the administration of the Courts of justice.

Further, of the jury system, we read—

> It clothes every citizen with a kind of magisterial office. It makes all feel that they have duties to fulfil towards society and that they take a part in its government. It forces men to occupy themselves with something else than their own affairs and thus combats that individual selfishness which is, as it were, the rust of the community.

An old book which I have says, "Men are all human."

Hon. Sir Charles Latham: So are women.

Hon. E. M. HEENAN: "Men" is used in the sense of including women. To continue—

> Men are all human. They carry their prejudices to church, to mill, and to court, as much as they carry their arms and hands with them. Some are hardened by unbelief in human nature; some are crippled, disordered, and impatient; some are lifeless and with all the milk of human kindness lacking in their nature. Some are noble, generous, humane and open-hearted; some with reason, others are set and determined. Lawyers should prefer reasonable, merciful, enjoyable, liberal, intelligent jurymen, absolutely free from bias or distrust.

Do not let use depart from the provision that has persisted for so many years. Is a man or woman of 21 years of age less honest than a person of 50 or 60 years?

Hon. C. H. Simpson: Some are more experienced.

Hon. E. M. HEENAN: That is debatable. Many acquire experience but do not seem to put it to advantage. If we exclude people under 25 or 30 years of age we will derogate from the essential elements of the system that have always gained the confidence and respect of the community. I urge the Committee not to depart from what has been accepted for 60 years.

Hon. Sir Charles Latham: When advocating a case you have asked the court to stand down young men.

Hon. E. M. HEENAN: No.

Hon. Sir Charles Latham: I remember one case.

Hon. E. M. HEENAN: The hon. member has no grounds for saying that. The select committee has recommended this amendment and all experienced writers on the subject agree that a jury should be representative of the community generally.

Hon. F. R. H. LAVERY: Mr. Heenan said that from 21 to 60 years had been the standard for a long period. But does not the legislation provide for people on the Assembly roll to be available as jurors?

Hon. A. F. Griffith: That is in the Bill.

Hon. F. R. H. LAVERY: Very well. Often when debating measures we are asked not to create more work for various departments. When the roll is placed before the sheriff he will not know the ages of the people concerned. How is he to know they are over 60 years of age? The roll does not show it. The roll shows people who are 21 years of age and over. In other words the electoral department ensures that no one under the age of 21 is on the roll. The sheriff could select from that roll his panel of jurors. Why should he have to ascertain the age of the individual? This will involve a tremendous amount of work and cost. I see no reason why a person whose name is on the roll should not be eligible for jury service subject to right of challenge. It should not be necessary to look at the birth certificate of each and every person.

Hon. G. C. MacKINNON: I support Mr. Lavery and Mr. Heenan. The idea of a jury is that a man should be tried by his equals, and we are endeavouring to amend the Act to ensure a more representative cross-section from whom juries can be selected. It is possible that the defence and prosecution might desire a jury young in years. They might challenge it to the point of keeping the age down. It is possible that a lower age group could suit the defence and a higher age group the prosecution. One's views as to what constitutes bad behaviour are different at 31 or 32 to what they might have been at 22 or 23. I know it was so in my case. I would be happy to see anybody on the Assembly roll eligible for jury service. Why should it be necessary to find out whether the people are over 30 years of age or under 65 years of age?

Hon. Sir Charles Latham: The electoral roll shows that.

Hon. G. C. MacKINNON: No, it does not.

Hon. Sir Charles Latham: The claim cards do.

Hon. G. C. MacKINNON: Let us keep this matter simple. We are not here to do the lawyers' job for them. If the Crown cannot select a good attorney—it is bad luck. The defence will ensure that it has a good one. If people are on the Assembly roll they should be eligible for jury service.

Hon. R. C. MATTISKE: I cannot subscribe to Mr. MacKinnon's views. The work juries are called upon to do is very serious indeed and we should be certain that the persons best fitted for the job are selected. Under existing arrangements the minimum age is 21 and there are certain provisions which provide exemptions. That in itself means a certain amount of weeding out; but under this Bill that weeding out provision will be eliminated. Let us select people who are more mature, because juries could be called upon to consider sordid cases in which certain aspects might have an undesirable effect on young people if they were selected. That could be a bad thing.

Hon. R. F. Hutchison: Why not now?

Hon. R. C. MATTISKE: Because there is the opportunity for weeding out. We will have a larger field to choose from, and we should select the more mature section. The cost aspect referred to by Mr. Lavery is unimportant because the information regarding ages must be obtained and the jurors' names gone through to see who is over 65. We should increase the age and make the minimum 30 years.

Hon. A. F. GRIFFITH: I would like to take members back 12 months ago, when I moved for the appointment of a select committee to inquire into the Juries Act. This was appointed not without great opposition from the Government. I was told I was moving for the appointment of a select committee for political reasons.

The Minister for Railways: Not by me.

Hon. A. F. GRIFFITH: No. Fortunately the Minister for Railways does not lend himself to that sort of thing. I am certain that Sir Charles Latham, Mr. Teahan and I approached this matter without any political idea at all—despite the mutterings from the lady across the Chamber.

The cost factor has nothing to do with it. The principle of trial by jury is that a man is tried by his equals. The most important aspect is whether a man is going to be hanged for his crime or acquitted or imprisoned; and costs should not enter into it at all.

Mr. Heenan says that the age of 21 has been the practice for 60 years. So it has. It has also been the practice, according to the Act, that any person within the age of 21 years and 60 years of age is eligible. But as long as it wants to abide by the recommendations of the select committee the Government is satisfied to accept them. If it does not want to accept them it changes its ideas, as it has done in this Bill by making the age 65. Why?

The view of the select committee was that people between the ages of 21 and 60 years should serve. There was no

mention that a person became incapable of serving on attaining 60 years of age. The committee did mention the views of the judiciary in respect of this matter. The judges said that during the war their experience was that juries were more mature because the young men were overseas on service, and they recommended on the Crown Law file that the age should be 30 to 65 years. However, that is an expression of opinion.

Hon. R. F. Hutchison: All the witnesses wanted 21 years.

Hon. A. F. GRIFFITH: One witness wanted 21 to 60 years and the recommendation of the select committee was for those ages. If I understood Mr. Heenan correctly, he said he was prepared to accept the recommendations of the select committee, and I think we ought to put him to the test to see if he is prepared to do so. I do not propose to support the amendment; because I think that when a person reaches 21, that person assumes the responsibility of citizenship, which formerly he did not have.

Hon. E. M. Heenan: I think you are trying to kill the Bill.

Hon. A. F. GRIFFITH: I know the difference between a well-quoted humourous remark and one of acute sarcasm, and I thank the hon. member for his interjection. I think the age of 21 is perfectly all right. As Mr. Heenan says, it has operated for the last 60 years. I speak with some feeling of caution, because we are now going to put young women in the position of serving on juries. However, the right of the Crown or the lawyer to challenge will sort out differences of opinion, and juries will be chosen as they have been in the last 60 years.

Hon. R. F. HUTCHISON: I do not know why the amendment should be supported by any member of the House. As Mr. Heenan pointed out, it has been an accepted procedure ever since we have had responsible Government; and I think that now we are putting young women on the juries, it will improve matters considerably.

Hon. G. C. MacKinnon: You are biased.

Hon. R. F. HUTCHISON: In the British Isles women had a compliment paid to them by the Chief Justice in Britain. Although he had opposed women serving on juries in the first place, after three years he admitted they considerably helped him in his judiciary. I would forgive members if they would say they were wrong in thinking that women were not serious about this question, particularly as the men did not get anyone to back them up before the select committee. We are very backward in this State, as instanced by the franchise of this House. There are very few countries in the world where we have a property franchise.

Hon. R. C. Mattiske: Mr. Chairman, is this relevant to the amendment?

The CHAIRMAN: No.

Hon. R. F. HUTCHISON: I was talking about the right of women at 21 years of age to serve on juries. I think it is all relevant. I am trying to get women on the juries and I think it is time we faced up to the situation, particularly when it has been shown so plainly in the report of the select committee, which we accept, that the ages should be between 21 and 60 years. There is no justification to say that women are less intelligent than men.

Hon. G. C. MacKinnon: I have heard nobody say that women are less intelligent than men. Would you, Sir, ask the hon. member to quote who said it?

The CHAIRMAN: The hon. member did not name any other member.

Hon. R. F. HUTCHISON: I was referring to an implication which was made by Mr. Simpson. He said that he was frightened now that young women of 21 might serve on juries. However, I am not worried about that, and I oppose the amendment.

Hon. Sir CHARLES LATHAM: I am going to confine myself to the amendment. The Bill before the House makes provision for a terrific number of people to be placed on the jury list, as the exemptions have almost been taken away and our population has grown considerably.

Last year in evidence before the select committee it was stated that only 750 people were summoned for the jury—not jurymen. In one of Mark Twain's books he says that when he was 18 to 22 years of age, he thought his father was a silly old man and had no sense at all; but at 35 years of age he suddenly found that his father had acquired a terrific amount of knowledge. I have listened to the speeches tonight, and I am convinced that while age does bring wisdom, it is a serious matter to have a person tried—perhaps for his life—by inexperienced people of 21 years. The person could be let off because of the feelings of these people. In the past, most young people have been challenged; so I am not fearful about it, although I would like to see the age increased to 30 years. The right of challenge will eliminate those who are unsuitable.

It is my desire to protect the women, and that is why I object to their serving on juries. I think they will be horrified when they have to sit two or three days and listen to unpalatable evidence. I am going to vote for the ages between 30 and 65 years, which I think are satisfactory ages.

Hon. H. K. WATSON: I am going to support the proposal of 30 to 65 years. Both Mr. Simpson and Mr. Logan have given good reasons why the proposal should be supported. There seem to be three objections against it. One is that 21

has been the age for the last 60 years and that we should use the last 60 years as a guide for the future. If that is the case, I can see no reason why the Act should be altered at all.

Another reason was the cost of sorting out the names. There is ample cost contemplated by the Bill through the process of women being enrolled and having the right to take their names off the roll. Mr. MacKinnon said that the ages of 21 to 65 years was simple. Simplicity does not come into the matter. Trial by ordeal is simpler than trial by jury, but that is not a recommendation. I think the ages of 30 to 65 years are desirable, but I would like to know how we substitute "30" for "21."

The CHAIRMAN: I suggest the amendment be withdrawn.

Hon. L. A. LOGAN: Mr. Heenan made a plea to the Committee that because the age of 21 has been in the Act for 60 years there is no need to alter it. I am quite prepared to leave the statute as it is, if he is prepared to accept the age of 21. It has fulfilled the test of time for 60 years; so why alter it? This is a new Bill; so where is Mr. Heenan's excuse now?

Hon. A. F. Griffith: The principle is no different.

Hon. L. A. LOGAN: It is entirely different.

Hon. A. F. Griffith: No it isn't.

Hon. L. A. LOGAN: Mr. Lavery mentioned that if the age is 65 years, the Chief Electoral Officer has to go through every card. While doing that he could find out those who are at the age of 30, and no extra work would be involved.

It has already been admitted by Sir Charles Latham that according to the evidence only 700 people were called to act as jurors in the metropolitan area. On the jury list in the metropolitan area there are only 6,000 names out of a total number on the electoral roll of 217,000. Very few of the 6,000 would be 21 years of age. Members say they do not want to alter what has been in existence for 60 years; but they are altering it because instead of having a percentage of about .0001 under 21 years of age, they are increasing it to something like .05.

Surely we are entitled to take some notice of a judge's experience; and the experience of one of the judges was that maturity counted for something in serving on a jury. There will be at least 125,000 to draw from if this is altered.

Today Tasmania is proposing to alter the age to 25. It might be well for members to have a look at some of these things. The judges' talk of 30 years of age and Tasmania is thinking of altering it to 25. Perhaps it is the experience of women on juries in that State that causes the authorities there to consider making the age 25.

Under the Bill we empanel not fewer than 20 nor more than 40 jurors. If 40 are empanelled and 30 are challenged there will be a jury of 10.

Hon. A. F. Griffith: Of course not. You have not read the Bill.

Hon. L. A. LOGAN: Yes, I have. After mature consideration and believing that service on a jury is not to be taken lightly, I believe that people 30 years of age and over would be the most suitable. We would still have a cross-section of the community and people would still be tried by their fellow men.

Hon. C. H. SIMPSON: Some practical considerations were put forward when the previous Bill was before this Chamber and one was the assertion that people of 21 years of age—teachers and nurses were mentioned—were entrusted with great responsibility on attaining the age of 21. Those people chose their occupation voluntarily and were specially trained and they were not entrusted with the responsibility until those who supervised them were satisfied that they could exercise their functions efficiently.

This is compellable service. A woman of 21 years of age may be just emerging from a qualifying period if she has taken up a professional course, and does not realise that she may be empanelled for jury duty. If she suddenly gets a summons she cannot contract out. I believe that in the ordinary way a woman can contract out by giving notice but a man can not. He has to be excused.

Another factor is that young people are impressionable and apt to be dominated by older people on the jury. This is particularly true of young people under the age of, say, 30. But by the time they reach that age, whether they are male or female, they would be far less likely to be dominated. We have the expression of opinion from judges who have made a lifelong study of the question. I do not think we can possibly get a better recommendation than that contained in the report of the select committee which refers to the statement of the judges on the 16th May, 1945.

Hon. G. E. JEFFERY: I think the age period of 21 to 65 is quite all right. Whether we have 100,000 or 200,000 people eligible for jury service, someone will have a big job. In the eyes of the law a boy of 18 is an adult and can feel the full impact of penal servitude; or he may be hanged. Defending counsel has the right of challenge. I think women of 21 years of age are equally as strong in the stomach as are men. On the point of older people dominating the younger, I think the trend today is the other way. The years between 21 and 65 are the adult years.

Hon. E. M. HEENAN: Do not let us restrict the age group simply because by so doing we will make it easier for the jury panel to be selected. Do not let us chop the number from 20,000 to 10,000 just because it will mean a saving of some expense.

Hon. L. A. Logan: No one mentioned expense.

Hon. E. M. HEENAN: The jury is an integral part of our constitution and a fundamental part of the British way of life. The verdict of a jury is rarely if ever questioned or doubted. I am sure that no British person will ever question the fact that Dr. Adams, who was recently tried in England, is entirely innocent because the jury acquitted him. The people implicitly believe in the jury system; and in England the ages are from 21 to 65. Of course, we do not want a jury composed of people of 21 or of people of 60. The virtue of the jury system is that a jury is representative of all ages, outlooks and sections of the community. The age of 21 years has operated all right in England, apparently, and it has operated all right here.

Many medical men qualify before they are 30 and undertake duties involving life and death. We cannot say people of 21 are immature, because sometimes they are mature beyond their years. My experience is that some people at the age of 21 are harsh and biased, and their illusions have been shattered. Some have high ideals. I think that accused persons tried for some types of offences would get harsh treatment from some people of the age of 21.

Hon. Sir Charles Latham: We do not want harsh treatment but fair treatment.

Hon. E. M. HEENAN: I am pointing out that because a person is 21 years of age or 60 years of age that is not to say that he is harsh or generous. The age has not much to do with it. It can be said that we should all be more experienced and more mature the older we get. In this morning's paper there was a report of an unfortunate man. I knew him as a young boy and he was a decent brilliant type of chap. But that sort of thing often happens. I applauded Mr. Griffith's outlook regarding the question of the 65 years of age; but let us retain the age of 21 years.

Hon. L. A. LOGAN: I ask leave to withdraw my amendment.

Question put.

The CHAIRMAN: There being a dissentient voice, permission to withdraw the amendment cannot be granted.

Hon. L. A. LOGAN: My intention in withdrawing the amendment was to help the clerks because another amendment was to be moved. I was trying to be helpful.

The CHAIRMAN: I realise that, but the dissentient voice was quite audible.

Hon. L. A. LOGAN: Now that I have spoken since the question was put, can I ask once more for leave to withdraw the amendment?

The CHAIRMAN: The hon. member cannot put the same question within a certain period of time.

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

Ayes	11
Noes	12
Majority against	1

Ayes.

Hon. N. E. Baxter	Hon. C. H. Simpson
Hon. J. Cunningham	Hon. J. M. Thomson
Hon. Sir Chas. Latham	Hon. H. K. Watson
Hon. L. A. Logan	Hon. F. D. Willmott
Hon. R. C. Mattiske	Hon. A. R. Jones
Hon. J. Murray	*(Teller.)*

Noes.

Hon. G. Bennetts	Hon. F. R. H. Lavery
Hon. A. F. Griffith	Hon. G. MacKinnon
Hon. E. M. Heenan	Hon. H. C. Strickland
Hon. J. G. Hislop	Hon. W. F. Willesee
Hon. R. F. Hutchison	Hon. F. J. S. Wise
Hon. G. E. Jeffery	Hon. J. D. Teahan
	(Teller.)

Pairs.

Ayes.	Noes.
Hon. H. L. Roche	Hon. G. Fraser
Hon. L. C. Diver	Hon. E. M. Davies

Amendment thus negatived.

Hon. G. C. MacKINNON: I would like to move an amendment to delete the words "and who has not attained the age of 65 years" in lines 28 and 29 on page 5.

Point of Order.

Hon. A. F. Griffith: On a point of order, Mr. Chairman, I propose to move an amendment to strike out the word "five" and this will have the effect of making it 60 years. Should my amendment come first?

The Chairman: I think I will take Mr. MacKinnon's amendment first.

Hon. A. F. Griffith: If you take Mr. MacKinnon's amendment first and the Committee does not agree to it, will I be able to move my amendment?

The Chairman: I think that will be quite in order. I am trying to be helpful.

Hon. A. F. Griffith: I realise that, but I take it you will not allow me to move my amendment.

The Chairman: I will take Mr MacKinnon's amendment first, even though he has not yet moved it.

Committee Resumed.

Hon. G. C. MacKINNON: In the consideration of the amendment I intend to move I do not think we should be impressed by the arguments as regards the saving of money or the saving of trouble, although both those arguments could be

used and should be given some consideration because a considerable amount of the trouble experienced with jury lists in recent years has been due to the compiling of the rolls. So the simpler we can make it the better it will be. I realise that in England the age is 21 to 65 years, but I still think simplicity should, where possible, be the keynote; and if my amendment is agreed to it will make the position much more simple. If members feel that there is a possibility of having a jury of all immature people or all senile people, that can be overcome by giving the defence 12 challenges.

If the amendment is agreed to, it will mean that the jury roll will be compiled from the Legislative Assembly rolls and the people exempted can then be removed. This will save all the trouble of having to remove the names of people as they reach the age of 65 years, or 60 years, as it would be if Mr. Griffith's amendment were agreed to. We have a couple of members here this evening who would be quite capable of returning a well-balanced decision, and yet who would be exempted under this provision.

Hon. Sir Charles Latham: Are you referring to the doctor?

Hon. G. C. MacKINNON: I am not referring to the baldheaded members because I might be included in that category. The only argument that I can see in favour of the 60 or 65 years limit is that a person, after being liable for jury service for 39 or 44 years, as the case may be, may feel like having a rest from it. But because of the very large number of jurors who will be available it is unlikely that a person will have served more than three or four times during that period, and perhaps at the age of 65 years he might welcome the opportunity to do jury service. The challenge system provides a safeguard. I move an amendment—

> That the words "and who has not attained the age of sixty-five years" in lines 28 and 29, page 5, be struck out.

Hon. R. F. HUTCHISON: In England the age is from 21 to 65 years. I think it is desirable to prescribe the maximum age. Mr. MacKinnon might have overlooked the fact that the Legislative Assembly roll includes people who are very advanced in years; in fact, my mother, who is over 90 years of age, is still on that roll. It would penalise such people if they were liable for jury service. As 65 years has been fixed as the retiring age that would be a suitable limit. I oppose the amendment because it will inflict a penalty on very old people, and if they are selected for service they can do very little about the matter.

Hon. A. F. GRIFFITH: I oppose the amendment and would point out that the select committee gave consideration to the fact that ever since 1898 male persons between the ages of 21 and 60 years have been liable for jury service. The select committee considered that any person, after having been liable for jury service for 29 years was entitled to some relief. I would ask Mrs. Hutchison to be consistent in her views. She is now favouring the age limit of 65 years; but in her evidence before the select committee, which she gave voluntarily, she considered that men and women should serve on an equal basis, and that those between 21 and 60 years of age should be liable. I would like to know why she has changed her mind in that regard. I foreshadow the moving of another amendment, if the one before us is negatived, to prescribe the maximum age at 60 years of age instead of 65.

Hon. R. F. HUTCHISON: I am not adamant about the 65-year limit. In evidence before the select committee I did say that I was agreeable to the period from 21 to 60 years of age because that was the subject matter under discussion. I was asked whether I agreed and I said yes. I am, however, consistent in insisting that the minimum age be fixed at 21 years. I object to people over 65 years of age being called upon for jury service.

Hon. E. M. HEENAN: This amendment is not without merit; but in one respect it might be impracticable. If it were agreed to the jury list would include all persons appearing on the Legislative Assembly roll, and many of them would be invalids and senile. As Mr. MacKinnon suggested, they could contract out of jury service. On the other hand, an age limit has always been fixed in the legislation of this State and of the other Australian States, and of England. The jury is selected from the age group who take an active part in the life of the community.

The working life of the average person can be stated broadly to be between 21 and 60 to 65 years. That does not mean that people over 65 years of age are not physically and mentally fit to render jury service; but a line must be drawn somewhere. If the age is fixed at between 21 and 65 years some difficulty might be experienced in ascertaining the maximum age limit of those who are on the Legislative Assembly roll.

Hon. G. C. MacKINNON: I am not impressed by the arguments that have been put forward against this amendment, with the exception of one: that is, that people who have been liable for jury service from 21 to 65 years of age should be relieved. Provided that a person is active, even at 90 years of age, he would be at no greater disadvantage than a woman between 21 and 65 years of age who is the mother of a child of, say, two years of age and who is pregnant. But in both cases they can virtually contract out of jury service.

A person on reaching the age of, say, 70 can apply to be relieved of jury service if he feels that he has had enough. All

he has to do is to make application. If Mr. Heenan carried his argument in regard to the health of jurors to its logical conclusion, then he should have accepted the amendment which sought to raise the age from 21 to 30 years, because in that period most women would have completed their child-bearing plans.

Amendment put and negatived.

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

> That the word "five" in line 29, page 5, be struck out.

If this is agreed to, the provision will remain as it has existed in the Act for the last 60 years. It would be consistent with much of the evidence given before the select committee.

Hon. E. M. HEENAN: I oppose the amendment. The basic reason for extending the age to 65 years is that in the last 60 years the expectancy of life has been increased considerably. Today men of 65 years of age are quite capable of rendering jury service. In America the age limit is set at 65 years. In England it is also 65 years. It was increased from 60 to 65 years during the war period, and a proposal to bring it back to 60 years has not been adopted because it has been found that 65 years is eminently suitable. Sir Patrick Devlin, the man who presided over the Adams trial, and who is likely to be the next Lord Chief Justice, has said that the maximum age of 60 came into operation when the average age of the population was much lower than it is today, and that this limit excluded many men and women of vigorous intelligence. Members will know whether there is any basis for that contention. I think there is. It is the Government's view that the age should be extended to 65 so as to effect an improvement on the present provision of 60. I admit the select committee recommended 60 years, but the reasons I have enunciated seem to outweigh the view of the select committee.

I ask members to bear in mind the basic principle that a jury should be representative of the community in general, and the community in a general way can be confined within the ages of 21 and 65. Beyond 65 people are getting old and under 21 they are too young.

Hon. Sir Charles Latham: You get a lot of Scotch people—all Macks.

Hon. A. F. GRIFFITH: This argument is consistent with the argument the Minister for Justice is reported to have used, namely, that where it suited the Government the select committee's recommendations have been adopted.

Amendment put and negatived.

Clause put and passed.

Clause 5—Disqualifications:

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

> That all the words after the word "pardon" where first appearing in line 19, page 6, down to and including the word "misdemeanour" in line 21, be struck out.

I would like Mr. Heenan to explain the meaning of those words.

Hon. E. M. HEENAN: They were inserted to deal with the possible effect of the Civil Rights of Convicts Act, 1828.

Hon. Sir Charles Latham: They are all dead.

Hon. E. M. HEENAN: This is an imperial Act; and, having been passed before 1829, would presumably apply to this day. Section 3 of the Act provides that every punishment for felony, once endured, should have the effect of a pardon under the Great Seal. The purpose of the Act was to prevent persons who had been found guilty of an offence and served their term of imprisonment, from suffering certain substantial loss of civil rights.

There is a possibility that this Act could be construed as amounting to a free pardon, within the meaning of the phrase in Clause 5 (1) (b) of the Bill, for any person who has served imprisonment for a crime or misdemeanour. This would mean that a person with a long record of crimes or misdemeanours, for which he had endured imprisonment, might be held, under the Imperial Act, to be a person who had received a free pardon and was therefore qualified to serve as a juror.

The words proposed to be deleted were inserted for the purpose of removing any doubt and to ensure that persons convicted of crimes or misdemeanours, who had not received an actual free pardon, could not be considered to have received a free pardon under the Imperial Act.

Hon. A. F. GRIFFITH: That is as clear as mud. A little while ago we heard about progress, but here we have to take notice of an Act dated 1828. This could operate in reverse. What about a man who is serving a term of imprisonment and who becomes incurably sick, and, as result, receives a pardon? He would be qualified for jury service, yet I submit he would be completely unfit to serve. If we agreed to the deletion of these words the clause will simply mean that a person is not qualified to serve as a juror if he has been convicted of a crime or misdemeanour unless he has received a free pardon. Who would find better wording than that?

Amendment put and passed.

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

> That the word "write" in line 23, page 6, be struck out and the word "understand" inserted in lieu.

I believe the word "understand" would be better than the word "write," as a person, possibly a migrant who is naturalised and would be eligible for jury service, might be able to read and understand English but not write it.

Hon. E. M. Heenan: As it is only a matter of choice between the two words I will not oppose the amendment.

Amendment put and passed.

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

> That subclauses (2) and (3), in lines 24 to 37 on page 6, and Subclauses (4), (5) and (6) in lines 1 to 26 on page 7, be struck out.

This amendment is important as it contains the basis of the consideration and the findings of the select committee. In these subclauses the Government seeks to write into the Bill something entirely contrary to the intentions of the select committee which, in its report, in regard to the service of women on juries said—

> With little exception the evidence heard by the committee gave strength to the opinion that whilst jury service was an obligation which all citizens should accept the home and its responsibilities were an integral part of our way of life and that the women of our State had a major responsibility in this regard.
>
> Your committee recommends therefor that any amending legislation should provide that any woman should be excused from attendance upon being summoned as a juror if she has a child under the age of 14 years and desires to be excused for that reason or for any other valid reason whatsoever which she might advance to the summoning officer, court or judge, such reason being in the opinion of the summoning officer, court or judge a reasonable one for applying to be excused.

The Bill gives the right to any woman to contract out of jury service by intimating her desire to do so, which I contend—I think members of the select committee will agree—would mean that the system would break down because it would not give equal proportions of men and women the same qualifications. While taking into consideration all the evidence given with the exception of that of one man and one woman who said that if called upon for jury service they would be prepared to leave a week old baby at home—we are not legislating for people of that sort—

The Minister for Railways: Many people go to pictures or dances and leave young children with baby sitters.

Hon. A. F. GRIFFITH: They should be dealt with under the Criminal Code.

The Minister for Railways: But they have baby sitters.

Hon. A. F. GRIFFITH: I am sorry I misunderstood the Minister. A mother should not be obliged to leave an infant at home and provide a baby sitter while she performs jury service. She might be locked up in a hotel room for a number of nights with other jurors—

Hon. Sir Charles Latham: And you talk of putting women on juries!

Hon. A. F. GRIFFITH: I am sorry that the minds of some members of this Chamber place a misinterpretation on my words. How many members here have seen the jury room? Mr. Heenan has not.

Hon. G. E. Jeffery: I have.

Hon. A. F. GRIFFITH: It is most unsatisfactory; and before women can serve on juries a lot of money will have to be spent on structural alterations in the Criminal Court. I am surprised Mrs. Hutchison has not seen that accommodation.

Hon. R. F. Hutchison: How do you know I haven't?

Hon. A. F. GRIFFITH: The hon. member would have piped up very quickly.

Hon. G. Bennetts: Putting women on juries would brighten the place up.

Hon. A. F. GRIFFITH: They would have to brighten up the jury room.

Hon. R. F. Hutchison: Why, there is no proper accommodation in this building for a woman member!

Hon. A. F. GRIFFITH: In the jury room there is a table and 12 chairs and, in the corner, a single toilet.

Hon. G. E. Jeffery: And the gas from it would asphyxiate one.

Hon. A. F. GRIFFITH: When there are two trials concurrently at the Supreme Court they use another improvised room which is even more inadequate than the jury room.

Hon. C. H. Simpson: So far they have had to provide only for male jurors.

Hon. A. F. GRIFFITH: That is so. If the Committee does not agree to my amendment it will depart absolutely from the recommendations and the report of the select committee. I must ask members to examine Sections 27 and 32 of the Act. When we reach Clause 27 I propose to move a further amendment which will have the effect of bringing into operation the intentions of the select committee. In the appropriate place in that clause I shall move to insert these words—

> or on the ground that she has in her care a child under the age of 14 years and desires to be excused for that reason or for any other reason which appears to the court or judge a proper ground for her so being excused.

Thus for jury service we will have all men and women, under the title of "persons," between the ages of 21 and 65 years

with the exemptions that appear in the schedule to the Bill plus, if my amendment is agreed to, the exemption I have mentioned above. Once the child has reached the age of 14 years the woman is not eligible to be excused on that ground. I am perfectly satisfied that for every 100 women in Western Australia there are 95 who do not want to serve on juries.

Hon. L. A. Logan: Then why make them serve?

Hon. A. F. GRIFFITH: Because we regard it as an obligation. At the same time I hope members will have a sensible approach to this question; and if, as Mr. Heenan says, the Bill was introduced as a result of the recommendations of the select committee, in the main, I suggest he accept this amendment.

Hon. R. F. HUTCHISON: I oppose the amendment. What about members letting the women decide for themselves what they want? There are many reasons why women may not want, or may not be able to serve on the jury; and I cannot see why they should not be permitted to contract out in those cases. A lot of irrelevancies have been introduced into the debate, including the remarks about buildings.

I know that it would not be possible to have a mixed jury unless the accommodation was suitable. But I remember when the first woman put up for election to the City Council. Two councillors asked me to prevail on her not to stand because if she were elected they would have to build an extra toilet. I told them I could see nothing wrong with their having to do that, because that was only an excuse. There is no accommodation in this building for a woman member of Parliament; but nobody runs around trying to get it for me.

The CHAIRMAN: I want the hon. member to discuss the amendment before the Chair.

Hon. R. F. HUTCHISON: I am discussing it, and pointing out how illogical members are when they put up these smoke-screens. There are many reasons why a woman may want to contract out, in addition to the one suggested by Mr. Griffith. A woman with a child under 14 years of age might want to serve.

Hon. A. F. Griffith: She does not have to contract out.

Hon. R. F. HUTCHISON: Women will contract out if they want to do so; but there will not be too many of them. This is a public duty and women are asking for the right to carry out their duties. They are competent to do jury service, and I cannot see why there is any objection to the wording in the Bill. Mr. Griffith was hard put to it to find a logical reason for voting against the proposal in the measure. One of the reasons why a woman may have to contract out is a perfectly natural one; a woman bearing a child would have a legitimate excuse.

Hon. A. F. Griffith: She is covered.

Hon. R. F. HUTCHISON: I have had business men coming to me for papers to be signed to excuse them from jury service. So for the reasons I have given I oppose the amendment.

Hon. G. C. MacKINNON: The emancipation of women brings with it duties as well as benefits—if it does bring any benefits. In the Sex Disqualification Removal Act in England there is a section which states that a person shall not be disqualified by sex or marriage in the exercise of any public function or from being appointed to or holding any civil or judicial office or post, or the liability to serve as a juror.

Hon. R. F. Hutchison: That is quite right.

Hon. G. C. MacKINNON: We have been told how well the English Act works. Let us say, "This Act will no longer apply to men only, but to women and men as people.' A woman is excused jury service for the same reason as a man; and that is what should happen if women wish to take their place in the community, and serve it as Mrs. Hutchison claims. I am not prepared to go as far as Mr. Griffith, but I see no reason why women should have elaborate provisions made for them alone. The provisions should apply overall, and men and women should be treated jointly as people. If the English Act works so well, and all it says is that marriage and sex will not disqualify, let us accept it.

Hon. R. F. Hutchison: They are being excused on physical grounds.

Hon. G. C. MacKINNON: Then let us exempt them on physical grounds.

The CHAIRMAN: The hon. member will address the Chair.

Hon. G. C. MacKINNON: If they are going to accept these responsibilities let us cut out all other provisions and excuse them on physical grounds.

Hon. A. F. GRIFFITH: A whole basketful of red herrings is being drawn across the trail. The trouble is that Mrs. Hutchison does not read the proposal; and if she does, she does not understand it.

Hon. R. F. Hutchison: What about letting me say what I understand?

Hon. A. F. GRIFFITH: The hon. member should not be averse to advice; she might learn something. Let us see what the women said they wanted. Miss J. M. Robertson, president of the National Council of Women, said that she represented 5,000 women. When Mr. Teahan asked her—

> Reducing your question to one point: you are in favour of exactly the same qualifications for men and women.

She replied—

> We want equality; equality of responsibility and equality of service.

When we want to give them what they are asking for, we find the hon. member objecting.

Hon. R. F. Hutchison: You get no objections from me on that ground.

Hon. A. F. GRIFFITH: The women who gave evidence had one object in mind—namely, to serve on juries. They persisted in saying that all they wanted was equality.

Hon. R. F. Hutchison: What is equality?

Hon. A. F. GRIFFITH: It reminded me of that famous woman member of Parliament in England. We tried to give them this equality and they object to it.

Hon. R. F. Hutchison: You are not giving equality.

Hon. A. F. GRIFFITH: My amendment would provide equality.

Hon. R. F. Hutchison: It will not.

Hon. A. F. GRIFFITH: It will so. It says that a woman shall serve on the same qualifications as men and be excused, if she wants to be excused, because she has a child under the age of 14. She can have 50 children under the age of 14, and still serve on a jury if she wants. But she can be exempted for that reason if she desires. Surely that is plain! I am sure Mr. Teahan will agree with me, because it was his question that brought forward the fact that women wanted equality.

If a woman is going to have a child that is, of course, a proper reason. If she has some disability and the court thinks it fit and proper, then the same condition will apply as does for a man. I am quite sincere about this amendment because it is the whole basis of the Bill. If the Committee does not accept it, it will go completely in reverse to the recommendations of the select committee. If the Government reverses its decision on one recommendation of the select committee and accepts others we will know where we stand.

Hon. E. M. HEENAN: I am afraid Mr. Griffith is over-emphasising his case. The select committee recommended that any amending legislation should provide that any woman should be excused from attendance upon being summoned as a juror if she has a child under the age of 14 years and desires to be excused for that reason, or for any other valid reason whatsoever which she might advance to the summoning officer, the court or judge, such reason being in the opinion of the summoning officer, court or judge a reasonable one for applying for exclusion. The idea behind that is good. The select committee further recommended that—

> With little exception the evidence heard by the committee gave strength to the opinion that whilst jury service is an obligation all citizens should accept, the home and its responsibilities were an integral part of our way of life and that the women of our State had major responsibilities in this regard.

There is some inconsistency in these two propositions.

This is what the Chief Justice said in May of this year in regard to the matter—

> If, for instance, a woman is to be excused because she has children to look after, she should be entitled to be discharged from the list if she desires, instead of making objections which require attendance before some officer of the court only when drawn on the panel for service. It will not be an easy matter for a satisfactory jurors' book to be compiled every year and it may be found necessary to deal differently with the numerical suggestion.

He appreciates that ways and means should be found to avoid bringing women into court and applying there. There is difficulty in implementing the new proposition to include women on juries, but at the same time the woman's part in the home, has to be recognised.

The Bill has been drawn up in a sensible manner. The average man does not desire to serve on juries, any more than the average woman. It was affirmed by Mr. MacKinnon that women are not equal to men in all ways and no one will deny that. No one has argued that they are equal in all respects. The woman who has to carry out her household duties may be equal to her husband in mental attainment but their respective obligations for jury service cannot be placed on the same basis.

The amendment should be opposed and the provision should be left as it is in the Bill. It can be envisaged that a lot of women will write in immediately and it is just as well to get those women out of the way instead of having to summons them. This provision is not perfect, but it is a better proposition than the amendment put forward by Mr. Griffith although the ultimate aim is the same.

Hon. C. H. SIMPSON: I agree entirely with the remarks of Mr. Heenan. The Bill places women on the jury list at 21 years of age until 65 years of age. That is a longer period than the select committee recommended. Much has been said about the equality of women in regard to jury service, but in many respects they are different and in some ways they are superior to men. Women are to be included in the jury list, and this clause contains the provisions under which they can be exempted. Seeing that we have proceeded so far with the Bill, we should leave the right of the women to contract out of jury service and to re-enrol in the manner prescribed.

Hon. J. D. TEAHAN: After listening to the comments of the Chief Justice I can see the weakness in the amendment. If a woman in an advanced stage of pregnancy is called up for jury service she will have to go to the court and satisfy the officer concerned that she has a valid reason for exemption. Cases could arise where it would be humiliating for women to do this. The Bill provides that all women over 21 be placed on the jury list, but if they are in ill health or for other valid reasons they can apply to be withdrawn. That method would be preferable. Under the amendment if 40 jurors were called up, consisting of 20 women, and if 10 or 12 of the women applied to be exempted before they were empanelled, another jury might have to be called. That would be too cumbersome. It would be better if women were able to apply before they were selected.

Hon. J. G. HISLOP: I would like to see women given as great an opportunity as possible to contract out of jury service. I am not convinced that many of them desire to serve on juries. We should not therefore make it difficult for them to become exempted. The way should be made as easy as possible. Later I shall move an amendment in Clause 5 to make it easier still for women to apply for exemptions.

Hon. A. F. GRIFFITH: I regret to say that it is obvious Mr. Teahan does not believe in the findings of the select committee of which he was a member. That is the situation. The select committee made a recommendation on which Sir Charles Latham, Mr. Teahan and myself were unanimous. Now a Bill has been introduced, the hon. member is not prepared to support this particular phase, which I suggest is important. However, that is all right. It is obvious to me that the Government does not really want to accept what the select committee submitted, but just what suits it.

The MINISTER FOR RAILWAYS: It is not a matter of what the Government accepts. Parliament accepts. The Government proposes and Parliament decides.

Hon. A. F. Griffith: That is right.

Amendment put and negatived.

Clause, as previously amended, agreed to.

Progress reported.

ADJOURNMENT—SPECIAL.

THE MINISTER FOR RAILWAYS (Hon. H. C. Strickland—North): I move—

That the House at its rising adjourn till 2.15 p.m. tomorrow.

House adjourned at 11.23 p.m.

Legislative Assembly

Wednesday, 25th September, 1957.

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