course of preparation or what is the wrong course.

I have often wondered just what background knowledge, guidance officers have when they give advice on careers. I admit they are trained and skilled in interviewing children, and putting them at their ease and getting information from them, but I have often wondered what a guidance officer imagines is required to make a boy a lawyer. How would he know for certain that a boy might make a good engineer, or that another boy would make a good doctor, while another is suitable to be a grave digger; or why this boy is best fitted to be a town planner, a lawyer, or a scientist? How does he do these tests when he is treading a course that he has never personally trodden?

I am, as I have said before, on the receiving end of that educational assembly line. I receive into my office the final product of this education system. I receive the product after he has had seven years at primary school, five years at secondary school, and four years at tertiary level; and I have two short years in which to make him into a lawyer. I can tell members that it is awfully hard. I can assure them that at the end of it all I begin to wonder whether we do not place far too much reliance on theoretical knowledge and too little reliance on practical knowledge.

I come of an earlier era. I started my career in the law before there was a University Law School and then I attended the University for a period of some three years. Therefore I have had the best of both worlds. However, I do feel that we are inclined in the final analysis, particularly on the tertiary side, to place too much reliance on theory and too little on the clinical training which develops character and makes the complete man.

As I have said before, I have great misgivings about the ever-increasing reliance we place on Commonwealth aid for education. I feel that ultimately we will abdicate control to the Commonwealth; but that is another story I can deal with some other day when financial matters are before the Chamber.

I hope that what I have said will be of value to members; and finally I would say to the Minister for Education that if some day he can get the department to put out a white paper on the subject of education, I personally, would find it extremely interesting.

Debate adjourned, on motion by Mr. Graham (Deputy Leader of the Opposition).

House adjourned at 5.40 p.m.

Legislative Council

Tuesday, the 22nd August, 1967

The PRESIDENT (The Hon. L. C. Diver) took the Chair at 4.30 p.m., and read prayers.

SUPPLY BILL

Assent

Message from the Governor received and read notifying assent to the Bill.

QUESTIONS (7): ON NOTICE

NATIVES AT KALGOORLIE

Citizenship Rights, Pensions, Rations, and Offences

1. The Hon. J. J. GARRIGAN asked the Minister for Mines:
   (1) How many full-blood and caste natives reside within a 25-mile radius of the Kalgoorlie Post Office, and how many—
      (a) have citizenship rights;
      (b) are aged or invalid pensioners; and
      (c) are in receipt of Government assistance or rations?
   (2) How many appeared before the Kalgoorlie Police Court for various offences during 1966?
   (3) What was the total number of convictions recorded?

   The Hon. A. F. GRIFFITH replied:

   (1)

	Adults	Children	Total
Aborigines	52	66	118
Part-aborigines....	116	157	273
	168	223	391

      (a) 25 adults and 13 children; total 38.
      (b) 24 aborigines and 14 part-aborigines; total 38.
      (c) 3 families are in receipt of temporary relief from the Department of Native Welfare.

   (2) Kalgoorlie Police Court 63
   Boulder Police Court 8
   Total 71

   (3) Kalgoorlie Police Court 207
   Boulder Police Court 10
   Total 217

SPEARWOOD SCHOOL

Demountable Classroom: Supply

2. The Hon. R. THOMPSON asked the Minister for Mines:
   With reference to my question on Tuesday, the 15th August, 1967, regarding the Spearwood State School, is not the reply a contradiction of an undertaking given by the Minister for Education

(File No. 987/61) when he stated in a letter to me on the 13th June, 1967, that it was anticipated that a demountable room will be available shortly after the 1st July, and the actual date of erection would depend on the date of supply from the factory?

The Hon. A. F. GRIFFITH replied:

It was the intention to erect a demountable room at Spearwood in July, but a room could not be made available at that time. In view of the subsequent decision to erect two permanent rooms on the new site by February, 1968, the demountable classroom was no longer necessary.

COOLGARDIE-ESPERANCE ROAD

Marking of Centre Line

3. The Hon. R. H. C. STUBBS asked the Minister for Mines:

Referring to my question on Thursday, the 10th August, 1967, relating to the Coolgardie-Esperance road, will the Minister—

(a) request the Main Roads Department to explain in detail how the extremely hazardous situation existing on this road can possibly be increased by the provision of a white centre line, when regular users of the road are adamant that such a provision would materially reduce the hazard; and

(b) ascertain, as almost two years have expired since I last requested that the department reconsider this matter, why is it that the opinions of motorists who use this road are not given some consideration, and a review made of the suggestion that a centre line be provided?

The Hon. A. F. GRIFFITH replied:

(a) and (b) The Coolgardie - Esperance road has a nominal 12-foot pavement which is considered to be a single lane road.

The policy followed by State road authorities throughout Australia, including the Main Roads Department, is that centre line marking should be limited to two lane roads which are 18 feet or more in width and carrying traffic volumes exceeding an average of 300 vehicles per day. Provision of a separation centre line on a road pavement indicates to a driver that he is required to drive to the left of the line and that sufficient half width of pavement exists for him to be able to do so. Pavements less than 18 feet in width, particularly those 12 feet wide, do not allow this and could lead to hazardous situations. Were 12-foot wide single lane roads marked with a centre line, drivers would inevitably straddle the line and tend to disregard the important principle of keeping to the left, and thus develop dangerous driving habits.

TRAFFIC ACCIDENTS

Incidence in Beaufort Street

4. The Hon. W. F. WILLESEE asked the Minister for Mines:

(1) Is it a fact that Beaufort Street has the highest accident rate in the metropolitan area?

(2) Can this be attributed to the absence of pedestrian or traffic lights north east from Walcott Street, thus allowing a build-up of the speed of traffic?

The Hon. A. F. GRIFFITH replied:

(1) Yes. Beaufort Street from Newcastle Street to Coode Street has the highest number of accidents per vehicle miles.

(2) No. The cause is ribbon commercial development with kerbside parking.

PRIMARY EDUCATION

Teachers, Enrolments, and Expenditure

5. The Hon. C. E. GRIFFITHS asked the Minister for Mines:

(1) On—

(a) the 1st March, 1959; and

(b) the 1st March, 1967;

what was the total number of—

(i) primary school teachers employed by the Education Department; and

(ii) primary school students in State Government schools?

(2) For each of the years ended the 31st December, 1958 and 1967, what was the total expenditure by the department on primary education?

The Hon. A. F. GRIFFITH replied:

(1) (a) (i) 2,538.
(ii) 91,405.
(b) (i) 3,322.
(ii) 109,292.

Enrolment figures are for August and staffing figures for July. Figures for March are not available.

(2) Expenditure figures are available for financial years only.

1958-59	$6,240,914
1966-67	$15,461,283

RAILWAYS

Grass Patch: Crane and Loading Platform

6. The Hon. R. H. C. STUBBS asked the Minister for Mines:

(1) Have funds been made available to the Railways Department in

the 1967-68 capital works programme for the installation of a six-ton column type crane and loading platform at Grass Patch?

(2) If so, when will the work be done?

(3) If the reply to (1) is "No," when is it anticipated that the installation will be effected?

The Hon. A. F. GRIFFITH replied:

(1) Allowance has been made in loan programme 1967-68 for provision of a six-ton crane and loading platform at Grass Patch.

(2) The works programme has not yet been finalised. However, the installation should be completed early in 1968.

(3) Answered by (2).

PRIVATE SCHOOLS

Electricity and Water Charges

7. The Hon. H. C. STRICKLAND asked the Minister for Mines:

Has the Premier reached a decision on a request that private schools be supplied with power and water at charges comparable with State schools?

The Hon. A. F. GRIFFITH replied:

Inquiries reveal that private schools are already being supplied with power and water at charges comparable with State schools.

LEGAL PRACTITIONERS ACT AMENDMENT BILL

Second Reading

THE HON. A. F. GRIFFITH (North-Metropolitan—Minister for Justice) [4.51 p.m.]: I move—

That the Bill be now read a second time.

This Bill has two purposes. The first purpose is to increase from two to four, the number of articled law clerks the State Crown Solicitor or the Deputy Commonwealth Crown Solicitor may have at the same time.

The relevant section of the principal Act is section 10, which has already been amended on three occasions, and, in the interests of clarity, the parliamentary draftsman has preferred to recast the section into the form in which it appears in clause 2 of the Bill, which makes the amendment and also improves the wording of the section.

This amendment has been recommended by the Crown Law Department, supported by the Law School of the University of Western Australia, and accepted by the Barristers' Board. If passed, it will assist recruitment to both Commonwealth and State legal services and will assist the Law School to place its law graduates in articles of clerkship.

The Crown Law Department has, for many years, experienced difficulty in recruiting junior professional staff from outside the Public Service. Very recently, suitable juniors have applied for appointment and been engaged, but the department considers that its main source of recruitment has been, and is likely in future to be from its own articled clerks.

However, articles are for two years—occasionally plus extensions—so that, with the present restriction on numbers, the maximum rate of recruitment from its own articled clerks is one solicitor per year. In actual practice, with wastage and extensions of articles, an average of no more than one solicitor in two years is appointed from articled clerks. It is estimated that the future rate of expansion in the next few years will average at least two solicitors a year, and this could escalate, as, in numbers of lawyers employed on Crown legal work, we in this State, assessed on a population basis, are well below the average of New South Wales and Victoria.

Doctor Edwards of the Law School has expressed his support for the proposed amendment, as he has found difficulty in helping to place in articles the increasing numbers of final year law students after graduation. In some States, particularly in New South Wales, this matter of placing graduates in articles has become a real problem. It is not yet a problem in Western Australia, but the Crown Law Department wishes to play its part in easing the burden on the Law School in the matter. The Bill has been considered by the Barristers' Board, and approved by that board in its present form.

The amendment applies equally to the Deputy Commonwealth Crown Solicitor in this State, who has stated that he would be very appreciative if a proposed amendment could be extended to enable him to have four articled clerks simultaneously instead of two as at present. He has found it virtually impossible to recruit suitable staff from outside the service, and feels that the Commonwealth must look to its articled clerks to provide the main source of recruitment to its legal services.

The second purpose of the Bill is to remedy a defect in section 15 of the principal Act which relates to the admission of practitioners. Paragraph (a) of subsection 2 of the existing section refers to a person who has "taken a degree in law at a university recognised by the board for the purposes of this section."

This wording has occasioned the board some difficulty in some cases—for example, where the board has recognised the university—but either the board considers that the degree taken is not substantially equivalent to the degree in law at the University of Western Australia, or the degree taken at the other university—for example, the University of Oxford—is not called a degree in law, but a degree in Arts (Jurisprudence). The board has therefore sought the amendment which

appears as clause 3 of the Bill. In effect, it seeks to allow the board to decide whether a person's qualifications, acquired through a university degree or otherwise, are such as to be substantially equivalent to a degree in law at our own University.

A case has arisen where the board has considered adequate the academic qualification of a mature-age applicant who has an Arts degree from Sydney University, who has qualified for admission in New South Wales through the Barristers' Admission Board and, while not having sought admission in New South Wales, has had substantial experience in the practice of the law as a Crown officer in Western Australia and elsewhere. The board wants to accept his academic qualifications as equivalent to a local degree in law, so that he will have only to serve articles, to pass examination in practical subjects, and to comply with formalities before becoming qualified for admission in Western Australia. Similar cases could arise in future.

Debate adjourned, on motion by The Hon. E. M. Heenan.

CLEAN AIR ACT AMENDMENT BILL

Second Reading

THE HON. G. C. MacKINNON (Lower West—Minister for Health) [5 p.m.]: I move—

That the Bill be now read a second time.

In 1964 Parliament enacted a Clean Air Act. The legislation demanded a good deal of preparatory work before it could be fully implemented. This was completed and the legislation became fully operative on the 2nd June this year. The Act is administered by a council consisting of 14 persons, representing a number of Government and specialised agencies, together with representatives of industry.

It has already been discovered that the work of the council will involve the imposition of controls on industries which are classified as mines. For example, quarrying and crushing stone is one of these industries.

The existing legislation provides that one member of the council shall be an officer of the Mines Department, nominated by the Minister for Mines. This Bill proposes to amend the wording so that the person nominated by the Minister need not be an officer of the department but could be any suitable person with an expert knowledge of the mining industry.

An associated proposal is to strengthen the scientific advisory committee by adding an eighth member, who would be a person holding appointment as an inspector under the Mines Regulation Act. I commend the Bill to the House.

Debate adjourned, on motion by The Hon. J. Dolan.

PHYSIOTHERAPISTS ACT AMENDMENT BILL

Second Reading

THE HON. G. C. MacKINNON (Lower West—Minister for Health) [5.3 p.m.]: I move—

That the Bill be now read a second time.

This measure seeks to insert in the Physiotherapists Act a set of provisions along the same lines as those which were inserted in the Medical Act in 1965. The Bill provides that persons who do not hold qualifications which would entitle them to register and practise physiotherapy in this State may be granted registration in special circumstances.

It is proposed that overseas persons, who seek to gain postgraduate experience at the Western Australian School of Physiotherapy, may be granted registration for that purpose. Members will be aware that Western Australia has an enviable reputation, due to the advanced facilities provided for the treatment and rehabilitation of paraplegics. It is, therefore, possible for persons from other countries to learn a great deal at our local institutions.

The second category to become eligible for registration under the Bill is a group of persons who may have expert knowledge in one or more aspects of teaching as applied to physiotherapy. This would enable the local school to engage the services of persons who have developed advanced techniques in specialised aspects of physiotherapy where those persons do not hold qualifications recognised under the Physiotherapists Act. I commend the Bill to the House.

Debate adjourned, on motion by The Hon. W. F. Willesee (Leader of the Opposition).

JUSTICES ACT AMENDMENT BILL

Second Reading

THE HON. A. F. GRIFFITH (North-Metropolitan—Minister for Justice) [5.5 p.m.]: I move—

That the Bill be now read a second time.

The purposes of this Bill are threefold; namely—

(a) to provide the means whereby a person who has been summoned by postal service but does not receive the summons prior to the charge being heard, may apply to have the charge reheard;

(b) to make provision to prescribe forms under the Act; and

(c) to remedy the anomalous situation which has arisen where joint owners, such as husband and wife, and copartners are each prosecuted for the one offence for which a minimum penalty is provided.

With regard to the first, members will recall that the Justices Act was amended in 1965 to enable summonses for offences against the Traffic Act, and any other Acts which may be prescribed for the purpose, to be served by prepaid registered post. The new system has now been in operation for about 15 months and the Commissioner of Police has reported that the results have been particularly gratifying, many man-hours of police officers' time having been saved.

However, there have been some instances where summonses have been returned unclaimed after the charges have been dealt with in the absence of the offenders. When the amendment was introduced in 1965 it was visualised that section 136A of the Justices Act would enable a defendant who did not receive the summons to apply to have the decision given in default of his appearance set aside and for the case to be reheard. However, under that section application must be made within 21 days of the court's decision. It has been found in practice that in most cases the defendant does not become aware of his conviction until after the 21 days have elapsed and he is, therefore, out of time.

It is provided in clause 2 of this Bill that where a summons is posted but does not, in fact, come to the notice of the defendant prior to his being convicted he may, within 14 days after his becoming aware of the conviction or within such extension of the period as may be allowed by the justices, give notice that he requires a rehearing of the complaint. Thereupon, a day and time will be fixed and the justices will either confirm or set aside the conviction. Where the conviction is set aside, the justices will then rehear the complaint.

In explanation of the next provision, it is mentioned that courts of petty sessions have experienced difficulty in the matter of forms for the new provisions that have, from time to time, been added to the Act. As section 96, relating to forms, provides no power to prescribe them, officers have been obliged to improvise forms for the purpose, but unfortunately, they have not been uniform. The amendment to section 96 to be found in clause 3 of the Bill will enable forms to be prescribed.

The third amendment is to permit magistrates, in the case of joint offenders, to impose such penalties on joint defendants as should, in total, be not less than the minimum penalty prescribed.

Where a minimum penalty has not been prescribed it has been the practice for some magistrates to impose a single penalty on joint defendants, so that as soon as the one penalty is paid, all defendants are discharged from further liability.

Where, however, an Act prescribes a minimum penalty, magistrates have no option but to impose at least the minimum penalty on each defendant. The practice of magistrates in the case of a first offence for which a minimum penalty is provided is often to impose that minimum penalty.

Thus, where an offence relates to ownership of property and the minimum penalty is, say $10; and the same offence is committed simultaneously in respect of adjoining properties; then, if one property is owned by one proprietor and there as six joint owners of the adjoining property, the first owner is fined $10, and the other owners are fined a total of $60. Some Acts provide for very substantial minimum penalties; for example, a minimum penalty of $4,000 under the Fisheries Act. The problem outlined became apparent when there was a considerable volume of bushfire prosecutions against owners of land.

The amendment as contained in clause 4 of the Bill, while still providing for separate convictions in the case of joint offenders, will permit the magistrate to impose such penalties on joint defendants as should, in total, be not less than the minimum penalty prescribed in law. This is still a discretion left to the magistrate.

Members may well ask what is the position in such cases regarding costs allowed against the defendants. Under section 151 of the Justices Act magistrates have a discretion to order such costs as to them appear just and reasonable.

There is, therefore, no need to amend the Act to provide that costs in joint prosecutions may be apportioned between joint defendants. Once again, the decision must be left to the discretion of the magistrate. He might not make an order as to costs at all.

I am informed that, in most cases, if not all, it has been the practice for magistrates to decide what reasonable costs would have been allowed if there had been a single defendant, and then apportion the costs between the joint defendants as near as possible in equal amounts.

Debate adjourned, on motion by The Hon. W. F. Willesee (Leader of the Opposition).

House adjourned at 5.12 p.m.

Legislative Assembly

Tuesday, the 22nd August, 1967

The SPEAKER (Mr. Hearman) took the Chair at 4.30 p.m., and read prayers.

SUPPLY BILL

Assent

Message from the Governor received and read notifying assent to the Bill.

QUESTIONS (23): ON NOTICE

HYDROFOILS AND HOVERCRAFT

Use between Perth and Fremantle

1. Mr. CROMMELIN asked the Minister for Transport:
   (1) Has he given further thought to the use of the Swan River as a