

is that the people are trying to work with each other and all are fighting for their place in the sun. However, there must be certain points of contention. This is why I suggest that the power could possibly be vested in the trust. Perhaps it may be better to invest the power in the hospital component or in the university—I simply do not know.

The Perth Medical Centre site will be the greatest in Australia. A great deal of money is being spent on it. A lot of fore-thought has gone into it, but we can see where errors have been made. I believe the errors can be overcome.

If it is not possible to put a ratepayer—or a nominee of the Nedlands City Council—on the planning committees we must look for ways of achieving better co-operation. There must be better co-ordination with the ratepayers of the area so that they may know what is happening by word of mouth instead of it filtering through by rumour, and causing heart-break.

There was a great deal of heartbreak in the beginning when it was mooted that the Sir Charles Gairdner Hospital intended to buy up the area in Kingston Street. A close friend of mine was extremely worried about the matter and I am sure the anxiety caused by this, due to a misunderstanding, led to his early death. This kind of thing harasses people and we must avoid it. We are erecting a building for the purpose of saving lives. We do not want it to cause deaths in the interim period.

This is one of the reasons why I am upset about the traffic which filters through Shenton Park as if it were a sieve. If the main artery of traffic is allowed to make a right-hand turn into Railway Road on the way to Fremantle, the traffic will be able to negotiate its way down the centre by way of the main arteries. In this way Shenton Park would return to what it once was—a nice quiet area. I hope this will be done.

I wish to make one further point which relates to the diagnostic centre which is proposed and in connection with which the building has begun. The future diagnostic centre for the Perth Medical Centre will be sufficient to satisfy the needs of this State for years and years to come. I can assure members that this is the case.

I do not believe there should be a second diagnostic centre. Under no circumstances can we afford it. I impress upon the Minister that he look into this matter. He should obtain from the people concerned information as to whether we can afford two of these diagnostic centres. They are massive centres with all the back-up facilities which go with them. I can assure the House that when the proposed buildings of the diagnostic block are totally finished the cost will be something in excess of \$60,000,000 when we take into account the bed back-up facilities. We

cannot afford a second one in any other hospital in Western Australia. I do not think we should even contemplate it. I do not know where the money would come from to provide one for the Royal Perth Hospital. A massive amount of money will be required for the Perth Medical Centre diagnostic centre by the time everything which is absolutely necessary in a centre such as this is completed.

If I remember correctly the next thing to be done at the Royal Perth Hospital is to update the wards. The cost given to me was \$1,000,000 to \$2,000,000 but, by now, the cost is probably \$4,000,000 because of the way costs have escalated. I am sure I am right in my statement about the wards because the facilities leave a great deal to be desired. Some of the wards are old and in a state of disrepair. They need to be updated.

Mr. Davies: Some have been done and some are proceeding.

Dr. DADOUR: I believe this is as far as we should go until there is another appraisal of the whole position. This is my opinion and it is certainly the way I look at the situation.

I have it on the best of authority that the Perth Medical Centre diagnostic block will be sufficient for this State for a number of years to come.

In conclusion, I say that we support the measure. There is an amendment in my name on the notice paper and I intend to amend the second proposal in the measure. Personally I think it is an extremely necessary amendment and I do not think it would create a precedent. If necessary, I suppose it could be incorporated in the Town Planning Act. However, I ask the Minister to look at the amendment to see whether we can reach some compromise on this point. I support the measure.

Debate adjourned, on motion by Mr. H. D. Evans (Minister for Lands).

*House adjourned at 11.12 p.m.*

## Legislative Council

Thursday, the 25th October, 1973

The PRESIDENT (The Hon. L. C. Diver) took the Chair at 2.30 p.m. and read prayers.

### QUESTION WITHOUT NOTICE CLOSE OF SESSION: SECOND PART

#### *Target Date*

The Hon. A. F. GRIFFITH, to the Leader of the House:

I do not wish to take the Leader of the House by surprise, because the question I am about to ask is not intended to be difficult.

In view of the volume of the legislation on the notice paper in this House, and the volume of business on the notice paper of another place, is it too early for him to indicate to members whether the Government has any plans in regard to a finishing date? Normally by this time of the year the Leader of the House will appreciate that there is a lessening of business on the notice paper and light can be seen, but at the moment there is a great deal of business on the notice paper and, bearing in mind the obligations members have in their electorates, could I obtain this information from the Leader of the House? If he is not able to tell me today, would he indicate, as soon as possible, whether the Government has an approximate date in mind for the close of the session?

The Hon. J. DOLAN replied:

I will do my best to give the Leader of the Opposition an answer after the afternoon tea suspension. This will give me an opportunity to make the necessary inquiries. There are some matters that could result in our being delayed.

#### **RAILWAY (BUNBURY TO BOYANUP) DISCONTINUANCE, REVESTMENT AND CONSTRUCTION BILL**

##### *Introduction and First Reading*

Bill introduced, on motion by The Hon. J. Dolan (Leader of the House), and read a first time.

#### **JOINT PRINTING COMMITTEE**

##### *Membership*

On motion by The Hon. J. Dolan (Leader of the House) resolved—

That, in accordance with Standing Order No. 37, the Hon. L. A. Logan be elected a member of the Printing Committee for the remainder of the present Session.

#### **AERIAL SPRAYING CONTROL ACT AMENDMENT BILL**

##### *Receipt and First Reading*

Bill received from the Assembly; and, on motion by The Hon. J. Dolan (Leader of the House), read a first time.

#### **PAY-ROLL TAX ACT AMENDMENT BILL**

##### *Assembly's Message*

Message from the Assembly received and read notifying that it had declined to make the amendment requested by the Council.

#### **CONSTITUTION ACTS AMENDMENT BILL**

##### *Report*

Report of Committee adopted.

#### **AUCTION SALES BILL**

##### *Second Reading*

**THE HON. R. THOMPSON** (South Metropolitan—Minister for Police) [2.40 p.m.]: I move—

That the Bill be now read a second time.

As it has been considered necessary to make certain amendments to the Auctioneers Act, which was enacted in 1921, the opportunity has been taken to consolidate the law in relation to auctions and auctioneers in this State; to update the legislation to meet present-day requirements; and to establish a degree of uniformity between Western Australia and other States of the Commonwealth in this regard.

This Bill is therefore designed to repeal the Auctioneers Act, 1921-1972; the Sales by Auction Act, 1937, to prohibit certain practices in relation to sales purporting to be sales by way of auction; and for incidental and other purposes.

The Bill replaces the provisions of the Sales by Auction Act including the proposed amendments to the Act now set out in the amending Bill which has been before Parliament for some time.

It has been considered necessary to compel all auctioneers to maintain records; to account for money received by them in the course of their business; and to render accounts to the person on whose behalf a sale has been conducted.

Whereas the amending Bill just referred to contained a proposition whereby auctioneers conducting sales within the precincts of the Midland Junction Abattoir Board salesyards, would be exempted from keeping certain records of sales and compelled to make these records available for inspection, I emphasise that this proposed new legislation makes no such exemption.

The Police Department which is responsible for investigating the theft of stock throughout the State, considers it imperative that the Midland salesyards, which is the largest stock-clearing outlet in the State, be included in the provisions of the Bill relating to records.

A further important new provision—which supplements the Stock (Brands and Movement) Act, 1970—is that a drover or carrier delivering cattle or pigs for sale by auction is required to hand over the original copy of the waybill referred to in section 46 of that Act.

Investigation of alleged stock thefts will be less difficult if all the "records" provisions of the Bill become law.

This Bill provides a statutory authority for police to enter and remain on premises where an auction is being held; to inspect certain records in relation to the sale by auction of cattle, sheep, pigs, and goats; and for the Minister to give written approval for a particular person to conduct a full examination of all books, records of account, etc., required to be kept by a licensee under the provisions of the Act, and including an account at a bank. The Minister would also be empowered to appoint an auditor if an audit of the accounts of a licensee were considered to be necessary.

The restrictions as to hours of business—that is, sunrise to sunset—have been dispensed with, as the hours when a business may operate is a matter dealt with in the Factories and Shops Act administered by the Minister for Labour.

All States of the Commonwealth have been plagued during recent years by a practice which has come to be known as "mock auctions". Various other names have been used by the operators, including "action sale", "advertising sale", "crazy sale", "custom cleared goods sale", and others of a like nature. The police and consumer protection authorities have been disturbed at the extent and success of some unscrupulous salesmen who capitalise on the gullibility of the public by this means.

The method of operation of these persons is usually to hire a hall, a shop, or building of that nature in a country town or suburban area for a few hours, and there is also one operating in the heart of the city. The accommodation is hired for a limited period of time and, as I have said, for only a few hours in some cases. The sale is advertised by the distribution of handbills or newspaper advertisements. Extravagant claims are made in the advertisement which give the impression that goods are going to be given away or sold at ridiculously low prices. In fact, people are persuaded by subtle means to put up large sums of money for the purchase of inferior quality merchandise, in the mistaken belief that the salesman is going to give them most of their money back. The trade names of these inferior goods are almost identical to those of reputable makes obviously for the purpose of deceit.

The police in this State have kept a close watch on these persons and, wherever possible, action has been taken. However, because of the polished methods used by the salesmen concerned and the present inadequacy of current legislation, effective control is most difficult.

The provision contained in this Bill to prohibit the practice known as "mock auctions" has been designed after consideration of legislation introduced in South Australia, New South Wales, and Queensland. If accepted by the Parliament, these provisions will, I am sure, be helpful in the control of these sham operators.

Other new provisions in this Bill include more clearly defined interpretations of all areas coming within the scope of the Act, a widening of exemptions to include sales conducted by the Public Trustee and those held for the benefit of projects such as Telethon and other charitable services of that kind.

The various kinds of licenses under existing legislation comprise three basic ones—general, country, and district—as well as an occasional district license and a temporary license. It is now proposed to define the kinds of licenses as follows—

- (1) general license which is—or will be—unrestricted as before;
- (2) restricted license, which is similar to the country and district licenses, but allows the court to exercise discretion in relation to area and class of business to be conducted;
- (3) occasional license, which is less restrictive than before and also available to unlicensed persons and can be granted subject to conditions and limitation for any period not exceeding seven days;
- (4) interim license, which is similar to the temporary license;
- (5) provisional license, which is the same as the previous provisional auctioneers certificate provided for by amendment No. 62 of 1970 which has not been proclaimed.

The hearing of applications for a license has been simplified in that an applicant will not be required to attend unless directed by the court or an objection has been lodged with the court. It is also proposed that licenses will be valid for a period of 12 months instead of expiring on the 31st December.

The existing Act makes no provision for a license to be cancelled or suspended other than upon conviction for a breach of the Act. Provision is now made also to allow an application to be made for a license to be cancelled or suspended for any misconduct which would indicate that a licensee is not a fit and proper person to hold such license. A determination of that application, of course, would be made by the court.

Overall, and as initially stated, the opportunity has been taken to prepare a clear and concise Act—and, I might mention, having regard to the Sales by Auction Act, to prepare a comprehensive Act—and

at the same time include safeguards in the public interest which have not been entirely evident in the past.

In foreshadowing an amendment which I have been requested to move in Committee, I wish to inform members that a word was inserted in clause 24 when the Bill was in another place. However, the Bill was subsequently recommitted there and the word was struck out, to obviate the delay which would have occurred as a result of the necessary reprinting. We are consequently obliged to consider the amendment in Committee. I commend the Bill to the House.

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

### CENSORSHIP OF FILMS ACT AMENDMENT BILL

#### *Second Reading*

Debate resumed from the 18th October.

**THE HON. V. J. FERRY** (South-West) [2.50 p.m.]: The measure is such a small one that a member in making a contribution would be almost tempted—and perhaps pardoned—to say simply whether he supports or opposes it. However, I believe it goes a little further than that and deserves some amplification. In my case, I intend to support the measure and I believe it is proper I should give a few reasons for coming to this conclusion.

The measure proposes to reduce the age of a child who may be admitted to a film which has been given an "R" certificate classification. The existing age for admission to such a film is six years and it is proposed to reduce the age to two years.

If the measure passes and becomes the law the result will be that the only persons entitled to view "R" certificate films will be those under the age of two or over the age of 18 years. In other words, an adult may take a child under the age of two into a theatre without fear of contravening the provisions of the legislation. As we know, the existing situation is that a child under the age of six is allowed to accompany an adult to view an "R" certificate film.

When he introduced the Bill, the Chief Secretary made it known that all States, except South Australia, have a minimum age of six years. It now seems that Western Australia is joining with South Australia in the view that the age should be reduced to two years. This caused me to wonder whether, in fact, the amending legislation was justified.

Censorship is an extremely vexing subject. The measure proposes to amend section 12A of the parent Act. Perhaps it may be prudent for me to indicate that, under the parent Act, a censor may approve a film in the following categories—

- (a) for general exhibition;
- (b) not recommended for children;

- (c) for mature audiences;
- (d) for restricted exhibition.

They are the categories under which the censor, in his opinion, may place certain films.

I have studied a number of reports on social behaviour in respect of the viewing of films. There are a number of publications on this subject and a good deal of research has been undertaken in a number of countries. Although a great deal has yet to be understood as to the effect of viewing films, there is, indeed, a noticeable trend. This trend arises from research undertaken so far and it appears to suggest that young children, in particular, can be adversely affected by viewing films containing violence.

We know that each individual reacts differently. No one attitude can be applied, as a general rule, to all people. I understand that if a child is naturally inclined to be aggressive, that child can be affected and encouraged to use violence in his daily routine. Also, if a child is anxious in its nature that child can be adversely affected through viewing films containing violence. This seems to be the theme behind the research I have studied. The research refers particularly to young children as being susceptible to this situation, because apparently young children do not differentiate between fantasy and reality. Adults, of course, in later years learn to discern, through their experience and maturity, to a greater extent.

The Hon. W. R. Withers: Some do, some do not.

The Hon. V. J. FERRY: I am speaking generally but I realise there are categories of other people. Young children apparently are generally unable to relate what they are viewing to real life. In other words, they tend to become confused. This does not apply to all children; I am referring to those who are susceptible to this sort of viewing.

It has also been found by research that children under the age of six years cannot divide their attention. As adults, we tend to divide our attention between different subjects and different happenings in our presence or nearby, but a child does not have this ability, at least in the tender years.

It is also said that viewing a film in the concentrated confines of a darkened theatre is considered to have a more indelible impact than watching the same—or a similar—film on television in one's own home. In one's own home a young viewer—or any viewer for that matter—can be disturbed by the daily happenings around the home. There is competition from other activities in the way of wondering what may be happening, for example, in the preparation of meals. A child's viewing of the screen would have to compete with the activities of his brothers

and sisters, if he had any. Perhaps the family pet—a dog or a cat—would come into the room and intrude upon the viewing.

Therefore, it is suggested that the impact in a theatre, particularly if it is darkened, is more concentrated and the child is more susceptible and receptive to what he is viewing.

On the subject of films I was interested to read that research has been undertaken into the viewing of westerns. Western films generally are considered to be abstract.

The Hon. L. A. Logan: Buck Rogers.

The Hon. V. J. FERRY: Yes, this sort of film. Westerns tend to be stylized and made acceptable because the hero never hesitates to use violence. Apparently westerns do not appear to have any moral consequence because the morals never appear to be fully dealt with. It is simply a case of the hero overcoming the villain or a "baddie".

The Hon. G. C. MacKinnon: All the "goodies" wear white hats.

The Hon. V. J. FERRY: Yes, or they carry only white six-shooters.

The Hon. Clive Griffiths: The hero always does it in a nice way.

The Hon. V. J. FERRY: There is a tendency for it to be predictable as to what the outcome will be. This is what members are alluding to. The pattern of westerns tends to become abstract and, therefore, they are a little unreal. Also, in the presentation of westerns in the film world, it is well known that violence is disguised to look somewhat remote from real life. This is not true in every case, of course, because there are cases recorded by researchers where children have, in fact, endeavoured to take the same sort of action which a hero in a western film may have taken against a "baddie". I will not go into case histories but this can happen.

Of course, violence is not the only content in films which concerns the censor when he decides upon the category in order to label a film. The projection of sexual situations and questionable moral standards is also a vexing problem for a censor. Just where should he draw the line?

In these situations I suggest that the viewings must tend to break down the social code of behaviour. Humans, like animals, need to judge performance according to acceptable standards. When we talk about acceptable standards I guess we refer to any stage in our lives; whether it be the standards we were set by our parents in the home; the standards we acquire from attending schools and being guided by teachers and prefects; the standards by which we need to abide if we are to be successful in sporting activities; or the standards we need to meet certain military situations.

Accordingly there is a need to discipline oneself in all manner of things and that is what censorship is all about, as it concerns films. It is a form of censorship which we hope is for our own well-being.

I guess this is one reason we have Parliaments—to make laws which are reasonable and generally acceptable, one would hope; to make laws which are in the interests of the community. This all helps in the good order and discipline of our social existence.

When talking about films as they may or may not affect the attitude of young children, I am concerned not only at the effect films will have on such children as a result of unruly sexual behaviour portrayed on the screen, or perhaps the portrayal of undue violence, but I am also concerned about the effect cartoons are likely to have on children.

I am sure we have all seen from time to time some cartoons which are pretty rugged. We have all seen the film of Felix the Cat, for instance, being flattened by a steamroller, after which he picks himself up and runs up a tree.

Such cartoons of violence can have a shattering effect on children particularly if such children are susceptible to what they see. It is not only the "R" films that concern me; I am also concerned at the provision of other films for young people.

I have yet to hear of an "R" rating being placed against a cartoon. It is possible this has happened, but my education in this field is limited. I would assert, however, that there are many so-called children's films which need not have been made at all. But that is the way of things.

I realise the Bill before us does not refer to stage plays, but I do believe it has relevance when we consider censorship of performance on the screen as it relates to protecting a young viewer.

I well remember that some months ago I attended a stage play in Perth; it was put on at the Playhouse, which is a well-known local live theatre. The play I witnessed on that occasion rather horrified me. The title of the play was "Don's Party"; I remember it quite well.

I have made inquiries in this regard and I understand that the play, "Don's Party", was put on by a Sydney company at a time when the Playhouse did not have anything to offer in its own programme—it was in somewhat of a recession—and the Playhouse theatre was apparently made available for the staging of this production.

Let me say at once that I did admire the acting ability of the performers. I believe their portrayal of the play was of a high class and the stage presentation also was of a very high order. On those

two counts I give the play and the performers full marks. I must confess, however, that the dialogue in the play was lower than the street gutter. To my way of thinking it was diabolical.

I understand there is no censorship for this type of performance; one attends at one's own choice. The individual must make his own decision as to whether or not he should view such plays.

I take it, however, that if a child paid his admission fee and there were a seat available he could view this type of production, which to my mind was equally as bad as many of the R certificate films. I feel the dialogue in the play was completely unnecessary, and I do not think our society should be subjected to this type of portrayal.

There are many other features which could be portrayed with great skill without the attendant profanity and sexual suggestiveness that was apparent in "Don's Party"—indeed, I would say that the portrayal of the sexual behaviour was more than merely suggestive. I make those comments in connection with censorship.

This brings me to our attitude as a community towards social behaviour. I would like to stress that the effect and impact on people—not only children, but adults also—must be very great indeed when viewing such films and plays. These viewings must have an adverse effect on the people who see them.

I now refer to the health position and the projection of sexual situations which are presented in an unsavoury manner—whether it be on the stage or screen. I contend that in my view this is certainly not in the public interest. When one reads reports from time to time of medical situations one wonders whether such viewings do not in fact contribute to the increased incidence of venereal disease. I have a recent cutting from *The West Australian*, I think it is, of the 25th October, 1973, where it is reliably reported that—

A Public Health Department venereologist said in Kalgoorlie yesterday that W.A. had the highest incidence of venereal disease per 100,000 people of any State in Australia.

The Hon. R. H. C. Stubbs: That being said in Kalgoorlie would be purely coincidental.

The Hon. Clive Griffiths: You do not get it playing tennis, anyhow.

The Hon. V. J. FERRY: I wonder whether in fact the standards of health are being undermined by the showing of blue movies, or hard tops as they are called.

The Hon. L. A. Logan: Not "Blue Poles"?

The Hon. V. J. FERRY: No, "Blue Poles" are more expensive, I believe. In the film game such films are called hard tops.

I took a cursory glance through the daily papers yesterday and on this casual run-through I counted nine films with "R" certificates which are now being shown in the metropolitan area. It is possible I miscounted and there are more; but there are at least nine.

The Hon. S. J. Dellar: You would not be far wrong.

The Hon. V. J. FERRY: In addition there are a number of films not recommended for children in that category. There are other films classified "M", which are for mature audiences, and there are also a number, but not many, classified as general films.

The Hon. S. J. Dellar: There would be about half a dozen general films at the moment.

The Hon. V. J. FERRY: I did not count them, but there are very few. That led me to make further inquiries which revealed that in the motion picture industry today general exhibition films do not make the box office. The support they are given is very slight indeed.

I have been reliably informed that during school holidays when films have been shown in deference to the wishes of parents and citizens' associations and other bodies interested in providing healthy entertainment for young people, on occasions the takings on a Saturday afternoon have been in the order of only \$16. Quite obviously the film industry cannot continue in that vein.

So there is a demand for hard top films, and that is why there are so many of them around. Apparently they are popular; and this is indicative of the society in which we live. As one film exhibitor explained to me, "We don't make the films; they are made available by film distributors and we have to take our choice of what is offering. If we do not show a number of these films we either show very few films or go out of business."

I am a little concerned at the attitude of the community. I do not profess to be completely narrow minded, but I believe we must have regard for the way in which we conduct ourselves in the community. I get back to the point I made a little earlier in respect of health. I think these things tend to break down the moral code in some way or other; and although I may be thought to be old fashioned, I would say I am a firm believer in the family unit and in the influence of the atmosphere of a healthy and happy home. I know many people could take me to task and say that not all homes are happy. Indeed, they are not; and many tragedies occur in homes through no fault of the persons concerned. That is a sad situation. But generally speaking our community has been built up over the years on the basis of a good home influence.

One wonders, with the current trend towards viewing "R" certificate films and shows akin to that, whether we are not in fact tending to destroy something in the community that is good. I could go on to quote a number of articles from research papers, but I do not believe it is necessary.

I conclude by making one further point in regard to children's programmes—programmes that are specially screened by the picture industry for the benefit of children, particularly during school holidays. It has been suggested to me that the lack of attendances could be due in the main to the relatively high admission charges. My information is that the prices do not appear to be excessive. I think it would be fair to say that on Saturday afternoons the admission charge is generally in the order of 60c. It does vary; sometimes it may be 30c and at other times it may be 90c. However, a number of parents have expressed to me the opinion that the price is too high. Perhaps it is; but I would suggest that if children are to enjoy healthy entertainment then a price of 60c does not appear to be excessive on present-day values.

I would further suggest that if children participate in sport, as many of our young people and children do, the cost would indeed be a great deal more when one considers the provision of sporting equipment and apparel, etc. So I do not think the cost of admission is keeping young people away from the theatres. That must be the result of other influences. Maybe more emphasis is being placed on sport and young people tend to participate in sport more than they used to. If so I am thankful for it because it is probably healthier for children to participate in sport than it is for them to go to a theatre. However, I mentioned that matter because the question of charges was raised with me.

Getting back to the Bill before the House, in which we are considering reducing to two years the age at which children may view "R" certificate films, I can only agree that on the evidence I have been able to obtain this is a good move. I am also aware of another perhaps minor problem; that is, that some mothers with young children ranging in age from one year to six years may care to view a film during the day and to take their children with them.

Unless such a mother is able to farm out those of her children who are over the age of two years, she may be precluded from viewing a film she desires to see. This could create a problem if mothers cannot have their social outlets. However, this is a point to remember; it is not a problem of great moment. I support the Bill.

**THE HON. W. R. WITHERS** (North) [3.16 p.m.]: I rise to support the Bill. I know that some people will be opposed to this move—Mr. Ferry touched on this—that some mothers or parents will wish to go to a theatre and watch a film in the company of a six-year-old child. I consider they would be making a great mistake if they did that.

I agree with the legislation. I do not know at what age we should say a child may watch a movie or at what age we should say he should not watch a movie; but I do know there is sufficient evidence to show that a child of six or even five years of age is affected by what he observes on a picture screen.

If any person is opposed to this legislation—and I refer to parents rather than members of Parliament—I suggest that he consider the subject and read any one of the publications which I intend to give for reference. I wish the titles of these publications to be included in *Hansard* so that interested persons may read them prior to opposing the legislation in public. They are as follows—

*Television and Growing Up: The Impact of Televised Violence*, which is produced by the United States Public Health Service.

*Television and Social Behaviour*. This is a publication from the National Clearinghouse for Mental Health Information.

*The Process and Effects of Mass Communication*, by W. Schramm.

*People, Society and Mass Communications*, edited by L. A. Dexter and P. M. White.

*Attitudes to Television*—an A.B.C. publication of 1969-1970.

*The Effects of Mass Communication*, by J. T. Klapper, 1960.

*Television and The Child* by Himmelweit, Oppenheim, & Vince, 1958. This publication has virtually become the bible for this subject.

*Time is What the Young Need Most*, by John Larkin in a series printed by *The Age*, Melbourne, in January, 1973.

I intend to make a few quotes from those publications—four in all—in case anybody opposed to the legislation cannot see why the measure is important after having read the books.

The first quote is from Himmelweit, Oppenheim, & Vince under the heading of "What Frightens Children on Television" and it is as follows—

Westerns tended to frighten only the very young or insecure. It is likely that the majority of children can enjoy them without fear by the time they are 7.

That indicates that children under the age of seven years could be extremely frightened. To continue—

Guns proved least frightening but daggers and sharp instruments most disturbing.

When we analyse this we find it is quite feasible to accept that the reaction to the use of guns is rather remote, because the bullet speeds from the gun to the victim, and a child between two and seven years would not be aware of this. However, at that age they usually have had some experience with cutting implements. They have experience of these when they are cut with a knife, a pair of scissors, a sharp stone, or a piece of glass. So, through experience they realise that a cutting implement will draw blood, and therefore they are frightened of it.

In the past the western films were not generally as realistic as they are today. In the past the western films depicted some remote action by the hero, and an Indian two or three hundred yards away falling off his horse. Of course that is not practical.

However, today when we view films such as "The Godfather", which is an "R" certificate film, we see gangsters successfully "ventilated" by a submachine gun in close-up shots. That is horrifying to a child, because in the film he sees the blood spilling from the body.

I would like to quote two case histories recorded in *The Effects of Mass Communication* by Joseph T. Klapper. The first case history is as follows—

In Brooklyn, New York, a six-year-old son of a policeman asked his father for real bullets because his little sister "doesn't die for real when I shoot her like they do when Hopalong Cassidy kills 'em."

The second case history is as follows—

In Los Angeles a housemaid caught a seven-year-old boy in the act of sprinkling ground glass into the family's lamb stew. There was no malice behind the act. It was purely experimental, having been inspired by curiosity to learn whether it would really work as well as it did on television.

If any parent still objects to this legislation after hearing what I have said, then I shall present another case for the parent to investigate. Would he allow his child of four to six years of age—who is at the stage of asking questions continually as to why this or that happened, or how this or that happened—to see the film "Deep Throat"? Under past legislation it was possible to take a child to see such films. I should point out that the film "Deep Throat" has not been exhibited in Australia as yet, but it might be possible for it to be exhibited with the way things are going.

I have read about an interview with the leading actress in the film, and I have also seen stills from it. These are contained in one of the editions of the *Playboy* which is sold in Australia. I am sure that a parent who takes his child to see such a movie would not be able to stand the experience of being asked questions relating to it by the child.

My final suggestion is this: if anyone is opposed to the legislation and is not convinced by the first three examples I have outlined, then he should take into consideration the final one I gave relating to the film "Deep Throat". With those comments I support the second reading.

**THE HON. G. C. MacKINNON** (Lower West) [3.24 p.m.]: It is rather fortuitous that I should follow Mr. Withers in making a contribution to the debate. I do not want to speak for very long, but I do want to express my doubt as to the validity of the research that has been undertaken on the effect of some of these things on children.

Incidentally, I support the Bill, and I am also in favour of censorship. However, it fell to my lot to know two families who moved from the Kalgoorlie area to Perth.

**The Hon. R. H. C. Stubbs**: They must be good families.

**The Hon. G. C. MacKINNON**: That was at a time when Kalgoorlie was a fairly backward area, in that television had not been introduced. I would expect Mr. Stubbs to come in on that.

**The Hon. R. H. C. Stubbs**: I did not hear the remark.

**The Hon. G. C. MacKINNON**: The children in those two families ranged from seven to 17 years of age. The parents of those two families were observant and intelligent. They observed the children while the children were watching television. At the time television was an innovation to them, and that being so it had an impact on them. I have always had great respect for the intelligence of children, and those in the two families I am referring to were no exception.

They absorbed the fiction material, violent though much of it was, without a ruffle. They could watch the most violent fiction material, and be able to sleep soundly after that, because even at a very young age they understood it was fiction and not the real thing.

What "bugged" them were the newsreels which depicted the war in Vietnam, showing people being blown up by shells, or people with clothes aflame. They were also horrified by newsreels showing the walking skeletons in the war in Biafra. Those children were able to view such newsreels, but no-one seemed to raise any objection to their being exhibited. After viewing these newsreels the children in those two



families would have nightmares, as they realised it was the real thing and they saw what had happened to the children in the newsreels. They do not differentiate between children, and whether their skin is black, brown, or brindle makes no difference to most children. These children thought that if it was possible for those things to happen to the children in the newsreels then the same thing could happen to them.

In the case of fiction material, no matter how lurid it was it did not seem to bother these children. From what I have been able to learn from a reading of a study of the psychology of children, the children seem to be able to counter the fiction type of material.

Should anyone read the remarks which I am now making, I want to point out that I know the example I have given does not cover a wide range as it embraces only two families with seven children in all, but I believe this is a valid example. Those children were horrified by the newsreels, dealing with wars and killings, but they were able to absorb the fiction material, and like water off a duck's back, it did not affect them.

The Hon. R. H. C. Stubbs: Do you think that by the parents talking to the children and pointing things out to them it will have an effect?

The Hon. G. C. MacKINNON: That opens up another line of thought. As I indicated, it will be seen from the sample observation that newsreels of war appear to have a disastrous effect on the children viewing them. The Chief Secretary has asked whether the fact that parents talk to their children and point things out to them has any effect. This is one of the reasons I have always remained and will still remain a firm advocate of a slow and gradual movement away from censorship, because irrespective of the determination of the normal level of I.Q. of people we should recognise that 50 per cent. of the people are below the average and 50 per cent. are above the average.

When we go into the realm of assessing people who have not the required I.Q. to fit them to cope with a difficult situation, we should bear in mind that lack of censorship could be a problem to them irrespective of their age, and could inflame them to violence and sexual depravity.

Again, I have also seen that many surveys in this field have been conducted among university students who have a very high I.Q. I think that such surveys and research ought to be conducted on the other end of the intelligence scale.

There has been plenty of opportunity to observe the impact of television on family life. Those interested could have obtained much more scientific information regarding the effect of television on children. I

have found that fiction affects them to a minor degree, whereas the newsreel type of presentation affects them to a major degree. I desire to put that opinion on record.

**THE HON. G. W. BERRY** (Lower North) (3.30 p.m.): In speaking to this Bill, which I support, I will refer back to when we discussed the legislation concerning "R" certificate films in September, 1971. The debate appears in volume 2 of *Hansard* for that year and in speaking to the second reading Mr. Stubbs spoke as follows—

I do not believe the pictures under discussion will be screened at the drive-in theatres because they are usually a family affair with all the kiddies attending with mum and dad. A drive-in theatre would find very little value in screening such pictures. The film people themselves envisage only one theatre in Perth catering for an audience which will not be large. It will consist of mature people and this legislation will allow them to see the films of their choice.

Of course, that might have been the suggestion at that time.

The Hon. R. H. C. Stubbs: Those remarks were made on the information we had at the time.

The Hon. G. W. BERRY: I am not denying that. That was the information given to us by the industry. Referring to today's issue of *The West Australian*, under the advertisements of films showing, are the following: The first theatre, an "R" film; the second theatre, an "R" film; the next one, an "M" film; the next, an "L" film; the next, an "R" film; the next, an "R" film; the next, an "R" film; the next, an "R" film; and in the next theatre we have a "G" film.

The Hon. S. J. Dellar: Was the "G" film showing at the same theatre as the "R" film?

The Hon. G. W. BERRY: No, the "G" film is showing on its own at one theatre. The next theatre has an "R" film; the next, an "NRC" film; the next, a "G"; and the next, a "G".

The Hon. D. K. Dans: Are those pictures showing at drive-ins or at theatres?

The Hon. G. W. BERRY: They are showing at theatres. It was previously envisaged that only one theatre would show "R" films. However, I have listed six theatres showing "R" films in Perth today.

I will now refer to drive-in theatres. The information previously available to the Chief Secretary was that the drive-ins were to be family theatres. However, at four drive-ins the films are classified as "M", which means suitable for mature audiences. At another two drive-ins both pictures are classified "M". At another two drive-ins there is an "M" and a "G" film showing. So, there is one "G" film so

far. At another four drive-ins the entire programmes are not recommended for children, and are suitable for mature audiences only.

Finally, at one theatre we have a "G" film and an "A" film, and at another three theatres we have "R" films. So it will be seen that the estimate put forward when we previously amended the legislation was far short of what has actually happened.

**THE HON. R. J. L. WILLIAMS** (Metropolitan) [3.34 p.m.]: I will be very brief and I indicate that I support the legislation. I would like to forecast to the House that during the next six years we will amend this Bill at least three times.

**The Hon. R. H. C. Stubbs:** I hope I am the Minister in this House for the next six years to handle the amendments.

**The Hon. R. J. L. WILLIAMS:** While I appreciate the Minister's pious hopes I do not believe that will happen. Let me say that if one reads the list prepared by our library information services one will be amazed at the amount of research which has been carried out into child behaviour, and that is what the proposal now before us deals with *in toto*.

Because I believe in a certain school of psychological thinking I do not think that any experience, from the age of three years onwards, is ever really forgotten. When one induces a patient, under hypnotherapy, to reveal what he knows, it is surprising how far he can go back into his childhood. Suffice it to say that at the moment the method of classification, as was pointed out by Mr. Ferry, leaves a lot to be desired.

I appreciate very much the remarks of Mr. MacKinnon, and also the remarks of the Minister when he introduced the Bill concerning the possible effects of the legislation.

Perhaps the greatest "send-up" of all time, concerning psychological reasoning, was the series of articles written by a certain Dr. Spock. Within less than three years after publishing his articles he was forced to revise his opinions. Be that as it may; all psychological difficulties require only a common-sense interpretation by the parents. Where the parents lack common sense then legislation of this nature has to be introduced. As the public opinion and the climatic opinion changes we must be prepared also to change by amending legislation at the appropriate time. I heartily support the measure.

**THE HON. R. H. C. STUBBS** (South-East—Chief Secretary) [3.37 p.m.]: I thank Mr. Ferry, Mr. Withers, Mr. MacKinnon, Mr. Berry, and Mr. Williams for their support of the Bill and for their contributions to the debate. Mr. Ferry summed up the situation very well, as did

Mr. Withers. Obviously they both supported the advice which I received from my officers, and also the advice which Ministers had received and expounded at the conference. This Bill is the result of a meeting of Ministers held in Canberra where it was decided to try to introduce uniformity throughout Australia.

I well remember when I was a young lad that my sister, who was four years older than I, used to take me to the pictures. I used to go home with my hair standing on end—although I could not say the same thing about my hair now! Some of the "oldies" in this Chamber will remember "The Clutching Hand", and "The Face at the Window".

**The Hon. J. Heitman:** Before my time!

**The Hon. R. H. C. STUBBS:** No, I think Mr. Heitman would be a grandfather. I used to go to the pictures to watch the serials every week. They frightened me to death, and I was afraid to go home. At the time I was too young to go to school but those films affected me as a child. Pictures showing crime, violence, and horror certainly do affect children.

One cannot win with censorship. People say they want to take their children to the drive-ins but sometimes the films which are showing spoil family outings. It seems that any legislation which is introduced disadvantages someone. However, I think our concern for children must lead us to support this type of legislation.

Mr. Berry mentioned the number of "R" certificate films. I do not condemn those who show such films in Western Australia. I have a couple of friends in the film industry and they tell me they have to show certain films whether or not they like it because other films are not available. When it comes to price, they have to pay the price asked. If they are not prepared to pay it, they are given inferior films which no-one wants to see.

**The Hon. G. C. MacKinnon:** It is no good showing a film that no-one wants to see.

**The Hon. R. H. C. STUBBS:** That is right. As far as schools are concerned, my grandchildren shoot from the hip, run for cover, and all that kind of thing, and obviously they are impressed by what they see. The point Mr. Withers made was a very good one: they see the blood, they know it is part of their system, and I think they comprehend more than they do at a later stage.

I thank members for their support of the Bill and commend it to the House.

Question put and passed.

Bill read a second time.

*In Committee etc.*

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

# PERTH MEDICAL CENTRE ACT AMENDMENT BILL

## Receipt and First Reading

Bill received from the Assembly; and, on motion by The Hon. R. H. C. Stubbs (Minister for Local Government), read a first time.

## ORDERS OF THE DAY

### Postponement

**THE HON. J. DOLAN** (South-East Metropolitan—Leader of the House) [3.42 p.m.]: I move—

That Order of the Day No. 9 be taken forthwith.

**THE HON. CLIVE GRIFFITHS** (South-East Metropolitan) [3.43 p.m.]: While I do not intend to oppose the motion before the Chair, I want to take the opportunity to say how disconcerting it is for a member of the Chamber—

The **PRESIDENT**: Order! The honourable member can speak only to a point of order. What is the point of order?

The **HON. CLIVE GRIFFITHS**: Mr. President, I thought there was a motion before the Chair that an order of the day be taken out of sequence, and I want to speak to that motion.

The **PRESIDENT**: The honourable member may do so.

The **HON. CLIVE GRIFFITHS**: Mr. President, I do not intend to oppose this motion but I want to take the opportunity to say how disconcerting it is for members of the Chamber who take the adjournment of Bills and who have no opportunity to plan their day's activities other than by coming into the House early in the morning, looking at the notice paper in order to ascertain the sequence in which the Bills will be discussed during the day, and making the necessary preparations on the basis of how those items will come forward.

Members have to take into consideration their responsibilities to their constituents, but because of the necessity to be prepared to speak on the Bills as they appear on the notice paper members are being completely inconvenienced and, I think, treated very shabbily when the Government—which arranges the order of the items on the notice paper—changes the sequence without even giving members an early indication that the Bills to which they intended to speak will be bypassed. I simply pass the comment that I am rather upset about it.

**THE HON. A. F. GRIFFITH** (North Metropolitan—Leader of the Opposition) [3.46 p.m.]: Mr. President, for many years I sat in the seat now occupied by the present Leader of the House and I know that on occasions it is necessary for Ministers to change the order of the notice

paper. The Standing Orders provide that the notice paper shall be arranged by the Ministers unless the House decides otherwise. Therefore it is necessary for the Leader of the House to move a motion when it is desired that an Order of the Day be taken out of sequence.

I sympathise with the comments made by Mr. Clive Griffiths in the event that the Ministers do not make some arrangements in relation to changing the notice paper. At this moment I am not aware whether or not any of my colleagues made an arrangement with the Ministers in regard to bringing forward Order of the Day No. 9. If no arrangement was made, not only do I sympathise with Mr. Clive Griffiths but I, too, protest.

It is surely a matter of arrangement and convenience. No doubt within the next 36 hours I will approach the Leader of the House and say, "Do not bring on Order of the Day No. so-and-so because I am not ready", in which case I would totally concede the point. However, if Ministers simply jump from Order of the Day No. 3 to Order of the Day No. 9 without making any arrangements, I do not concede the point. I do not know whether on this occasion an arrangement was made.

I feel prompted to say I wish the Leader of the House would confer a little more with me, as the Leader of the Opposition, in relation to the arrangement of the notice paper. I have made this suggestion to him on at least a dozen occasions, and if he would accept it he would get more work done.

**THE HON. J. DOLAN** (South-East Metropolitan—Leader of the House) [3.49 p.m.]: I regret any inconvenience which may have been caused to Mr. Clive Griffiths and the Leader of the Opposition. When we prepare the notice paper we try to anticipate the length of time the items will be debated.

The **HON. A. F. Griffith**: You cannot.

The **HON. J. DOLAN**: I know, and we have had an example of it today.

The **HON. A. F. Griffith**: Therefore, you should not try to anticipate.

The **HON. J. DOLAN**: I cannot, for example, anticipate anything the Leader of the Opposition will say.

The **HON. A. F. Griffith**: Yes you can.

The **PRESIDENT**: Order!

The **HON. J. DOLAN**: I would not have anticipated that item No. 3 would be debated for over an hour.

I anticipated that we would quickly deal with the preceding Bills. A special officer of the department will be here to offer advice to the Minister. If we do not bring this debate forward now, we will have lost some very valuable time. When I answer a question without notice

asked earlier today by the Leader of the Opposition, he will realise the point of my request.

The Hon. Clive Griffiths: What about my valuable time?

Question put and passed.

*Sitting suspended from 3.51 to 4.10 p.m.*

### QUESTION WITHOUT NOTICE

#### CLOSE OF SESSION: SECOND PART

##### *Target Date*

The Hon. J. DOLAN (Leader of the House): I am now able to answer the question asked without notice earlier this afternoon by the Leader of the Opposition. The answer is as follows—

I am informed by the Premier that it is impossible to state with any accuracy the possible date when the House will rise at the end of the session.

The Government will make every effort to end the session as soon as possible, but this may depend on how certain legislation is treated in this House, and I instance the proposal to submit the Workers' Compensation Act Amendment Bill (2) to a Select Committee. Should this eventuate, the House may sit until the committee's report is dealt with by the Parliament.

### QUESTIONS (18): ON NOTICE

1.

#### DINGOES

##### *Shortage of Baits*

The Hon. W. R. WITHERS, to the Leader of the House:

- (1) Has the Government received any request for the Midland Abattoir to supply by-products to the Agriculture Protection Board's bait factory at Forrestfield?
- (2) In view of the shortage of dingo baits for the Pilbara bait laying programme, what directives have been given by the Minister to correct the shortage?

The Hon. J. DOLAN replied:

- (1) Yes.
- (2) Samples received from the Midland Abattoir have proved unsuitable for the manufacture of wild dog baits and investigations are being made into sources of a more suitable material.

2.

#### POLICE

##### *Homosexuals: Prosecutions*

The Hon. L. A. LOGAN, to the Minister for Police:

How many persons have been prosecuted for committing the act of homosexuality in private in the last two years?

The Hon. R. THOMPSON replied:

Nine.

### 3. MEMBERS OF PARLIAMENT

#### *Staff and Offices*

The Hon. R. J. L. WILLIAMS, to the Leader of the House:

- (1) Has the Government received any applications from Members of the Legislative Assembly for offices in their electorate?
- (2) If so, which Members have applied?
- (3) Further to the answer to question 3 of the 16th October, 1973, why was it decided to adopt South Australian practices?
- (4) Is it the Government's intention to ignore our Constitution Act and the Parliamentary Privileges Act and thus deny equal privileges to Members of this House?

The Hon. J. DOLAN replied:

- (1) Yes.
- (2) I consider this question to be of a most inquisitive nature, and do not propose to supply this information.
- (3) This question is based on an assumption, which is contrary to fact.
- (4) For the present, it is the Government's intention to provide office facilities for the Members of the Legislative Assembly who apply. In the light of experience gained in this field, consideration may later be given to an extension of these facilities.

4.

#### WILLETTON SCHOOL

##### *Enrolments and Classrooms*

The Hon. CLIVE GRIFFITHS, to the Leader of the House:

- (1) What is the current enrolment at the Willetton Primary School?
- (2) What is the anticipated enrolment in February 1974?
- (3) What is the current number of classrooms at the school?
- (4) How many classrooms will be available at the school for the commencement of the 1974 school year?
- (5) Does the Minister anticipate any accommodation problem at the school during 1974?
- (6) Can the Minister assure parents that the teacher-pupil ratio at the school will not deteriorate during 1974?
- (7) Will the Minister give an assurance that sufficient progress will be made with the permanent building programme at the school so that no over-crowding will take place?

The Hon. J. DOLAN replied:

- (1) 398.
- (2) 480-500.

- (3) 10.
- (4) 12 permanent rooms together with demountable rooms as necessary.
- (5) It is difficult to estimate enrolments in any rapidly developing district but the school accommodation is always under review and special arrangements are made.
- (6) and (7) It is departmental policy to provide adequate accommodation and teaching staff.

## 5. WATER SUPPLIES

### *Polythene Pipes and Valves*

The Hon. N. E. BAXTER, to the Leader of the House:

- (1) Will the Country Water Supply Department supply substantive information that the use of polythene piping and pressure valves connected to the Scheme is unreliable and causes wastage of water through burst pipes?
- (2) Has the Department investigated alternative types of pressure valves with a view to obviating the problem?
- (3) Has the Department the right of entry to private property to check if consumers are using polythene piping?
- (4) Do the district offices of the Department keep files on consumers so a check can be made to ascertain if polythene piping and pressure valves are being used?
- (5) Does the Department recommend the use of—
  - (a) galvanised;
  - (b) P.V.C.; or
  - (c) copper piping?
- (6) Was the Country Water Supply Department established to supply the people with water to the best of its ability?

The Hon. J. DOLAN replied:

- (1) The Department has records of troubles in country farmlands where plastic pipes have been used contrary to policy. I would be prepared to nominate an officer of the Department to discuss details with the Hon. Member if he so desires.
- (2) The Department is continually liaising with valve manufacturers on this problem.
- (3) Yes.
- (4) Separate files are maintained for each individual service. These files record where applications for use of plastic pipes have been received and their use approved. Troubles are seldom experienced with plastic pipes where the owner has

applied for a service in the prescribed manner and has followed departmental advice. Farmers' difficulties normally occur where no applications have been made and inappropriate pipe and fittings are used. These are only detectable by physical inspection after problems develop.

- (5) The Department approves the use of pipes when manufactured to recognised standards from either galvanised steel, copper or plastic.
- (6) The Department endeavours to operate the system in the best overall interests of the community.

## 6. HEALTH

### *Arteriosclerosis Treatment*

The Hon. R. F. CLAUGHTON, to the Leader of the House:

- (1) Will the Minister advise the results of the approach to the Australian Government by the Premier to assist in having doctors study the treatment of arteriosclerosis in Germany?
- (2) What steps is the Government taking to have the methods studied by a Western Australian doctor?

The Hon. J. DOLAN replied:

- (1) The Premier discussed with the Federal Minister for Health, Dr. Everingham, the desire of the Western Australian Government that the Australian Government co-operate for the purpose of investigating the treatment of arteriosclerosis by Dr. Moller in Germany. Dr. Everingham immediately indicated his readiness to commence inquiries in the direction desired. It is too early yet to talk of results.
- (2) The Senior Vascular Surgeon from Western Australia, currently in Europe, will visit the Centre and investigate the treatment, and make a report to the Government.

## 7. HOUSING

### *Port Hedland: Radburn Cells*

The Hon. W. R. WITHERS, to the Leader of the House:

In view of the expressions of criticism by residents of the Radburn system of housing in Port Hedland, will the State Housing Commission continue with its plans for further Radburn cells in the Hedland Shire, or will it consider the needs of the people and cancel the further building of Radburn cells?

The Hon. J. DOLAN replied:

The Radburn principle of estate design is being used by the State Housing Commission in several estates in both Metropolitan and Country areas, and in localities embracing a variety of climatic conditions.

In view of its many advantages from the point of view of pedestrian safety and general living amenity, and its general acceptance wherever it has been used, the Radburn system will continue to be used by the Housing Commission.

As to South Hedland, there have been a number of criticisms of various features in the first and second nuclei of the first cell. As far as I am aware these criticisms will be met by modifications to be introduced in the third and fourth nuclei.

Some of the criticisms relate more directly to matters of architectural design and choice of building materials. In this regard and as part of its ongoing studies to keep abreast of new developments and requirements, the Commission has arranged for its Consultant Planner and one of its Architect Planners to spend some time with the C.S.I.R.O. Building Division Unit working on living in remote areas. These two gentlemen will also spend some time resident in South Hedland before reporting on what changes, if any, the Commission should introduce in architectural design and material use to improve the livability of its units for the arid climate of the area.

## 8. LAND

### *National Parks Board: Vesting*

The Hon. V. J. FERRY, to the Leader of the House:

- (1) What was the total area of land vested in the National Parks Board as at—
  - (a) the 30th June, 1971;
  - (b) the 30th June, 1972; and
  - (c) the 30th June, 1973?
- (2) (a) Has any additional land been vested in the National Parks Board since the 30th June, 1973; and
  - (b) if so, what is the total acreage of the additions?
- (3) (a) Are other lands under current consideration for vesting in the Board; and
  - (b) if so, what acreages are being considered?

The Hon. J. DOLAN replied:

- (1) (a) 1,445,282 hectares (3,571,369 acres).
- (b) 1,462,475 hectares (3,613,854 acres).
- (c) 1,724,164 hectares (4,260,501 acres).
- (2) (a) Yes.
- (b) 30,879 hectares (76,304 acres).
- (3) (a) Yes.
- (b) Approximately 1,214,000 hectares (3,000,000 acres).

9.

## PASTORAL LEASES

### *Restriction on Transfer*

The Hon. G. W. Berry for The Hon. D. J. WORDSWORTH, to the Leader of the House:

- (1) Has the Minister for Lands indicated that he will not allow the transfer of Edmond Station should it be sold?
- (2) Has he given reasons for this action?
- (3) Would the same condition apply to any property in the area over which the Pastoral Appraisal Board recommends restrictions over the next ten years?
- (4) (a) Have the recommendations of this Board been tabled in any House of Parliament; and
  - (b) if not, why is this document, which is obviously affecting this whole region economically, being kept secret?

The Hon. J. DOLAN replied:

- (1) Yes.
- (2) Yes.
- (3) Yes. It has application to properties the subject of the Pastoral Appraisal Board's Gascoyne erosion report.
- (4) (a) No.
- (b) The document is not secret. The report has been made available and studied by the Pastoralists and Graziers Association and consultations between individual pastoralists and the Board are proceeding.

10.

## ELECTRICITY SUPPLIES

### *Uniform Rate*

The Hon. W. R. WITHERS, to the Leader of the House:

In view of the information given in reply to question 2 on the 9th October, 1973, will the Minister advise the reasons why the profits from the State Electricity Commission are not used to establish

a uniform power rate throughout the State in view of the necessity to establish decentralised industry?

The Hon. J. DOLAN replied:

Since the 1st November, 1971 the State Electricity Commission has charged a uniform domestic tariff in all areas served by the interconnected system.

From the same date commercial and industrial tariffs in areas served by the interconnected system were altered towards uniformity.

In November 1972 the Commission introduced a Country Towns Assistance Scheme which will reduce charges to consumers in country towns not served by the interconnected system.

At the present time all available funds of the Commission are fully committed leaving no surplus for further reduction of tariffs.

# 11. KANGAROOS

## *Harvesting: Permits*

The Hon. L. A. Logan for The Hon. T. O. PERRY, to the Leader of the House:

- (1) How many damage permits were issued for the taking of kangaroos during the calendar year 1972?
- (2) Is it the policy of the Fisheries Department to favour "professional" shooters for the taking of kangaroos rather than farmers who own the land on which the kangaroos graze?
- (3) Will the Minister instruct all game wardens that no obstacles are to be placed in the way of farmers holding a damage permit to dispose of carcasses for pet meat?

The Hon. J. DOLAN replied:

- (1) 448 Damage Licenses were issued in the 1972 calendar year to allow the taking of Grey Kangaroos.
- (2) Not in respect of Grey Kangaroos as these are controlled on an individual property basis. However, many farmers prefer the shooting to be undertaken by a part-time professional hunter.
- (3) Wardens have been instructed to authorise farmers to dispose of Grey Kangaroo carcasses for pet meat provided—
  - (a) The Warden is satisfied that damage to property warrants the issue of a Damage License; and
  - (b) The farmer pays the royalty for the number of carcasses authorised to be sold.

A pamphlet setting out the Grey Kangaroo Management Programme in more detail is being forwarded to the Hon. Member.

12.

## WATER SUPPLIES

### *Coral Bay*

The Hon. G. W. BERRY, to the Leader of the House:

With reference to the "\$135,000 chalet plan near Coral Bay Hotel" reported in the *Daily News* on the 17th October, 1973—

- (1) From where is it intended to draw—
  - (a) potable water supplies;
  - (b) bore water?
- (2) (a) Has the Shire of Carnarvon been consulted regarding the proposed development; and
  - (b) if so, what was its decision?

The Hon. J. DOLAN replied:

- (1) The developer stated—
  - (a) *drinking water*—tank catchment from roofs and by cartage from Exmouth;
  - (b) *bore water* from two existing soaks at the service station.

The conditions of the proposed lease include—

"Neither the State nor the Local Authority accepts responsibility for the provision of services to the demised land."
- (2) (a) and (b) No; but proposed lease conditions demand the approval of the Local Authority to all works etc. and compliance with By-laws and other statutory authorities' requirements.

# 13. KARRAKATTA CEMETERY

## *Finances*

The Hon. R. J. L. WILLIAMS, to the Minister for Local Government:

Will the Minister provide a detailed proposed expenditure budget for Karrakatta Cemetery Board for the financial year ending the 30th June, 1974, in order to account for an anticipated increase of approximately \$146,000?

The Hon. R. H. C. STUBBS replied:

The accounts of the Karrakatta Cemetery Board for 1972-73 disclose a total expenditure of \$330,000 for the year. The difference between this amount and the expenditure of \$445,000 estimated for 1973-74 is \$112,000 not \$146,000. The principal items contributing to this increase are:

	\$
Wages, Salaries Super-annuation increases of 20% .....	49,500
Additional staff—	
4 Outside .....	14,500
1 Office .....	4,000
Crematorium—	
New Canopy \$10,000}	
Renovations \$ 8,000}	18,000
Roads and Paths .....	10,200
Reticulation .....	6,000
Board Fees .....	1,500
Additional Equipment—	
Tools, Traller, Mowers .....	3,000
Office Renovations .....	5,000
	<hr/>
	\$111,700

14.

**ABATTOIRS***Esperance Project*

The Hon. G. W. Berry for The Hon. D. J. WORDSWORTH, to the Leader of the House:

- (1) What are the conditions laid down by the Government as the basis of its proposed guarantee for the Esperance abattoir project?
- (2) What freight subsidies on building materials and on products of the abattoir are proposed?
- (3) (a) What is the estimated capital cost of providing adequate water to the abattoir site;
- (b) what Government assistance with water supplies to the abattoir site is proposed?

The Hon. J. DOLAN replied:

- (1) A guarantee of \$1.5 million has been offered to the company to build a \$2.5 million export abattoir in Esperance. The company is obliged to raise the balance of the funds and commence construction by 1st September, 1974. The full conditions have been set out in a confidential letter to the company and the Hon. Minister for Development and Decentralisation is not prepared to disclose these without the company's approval. If the Hon. Member wishes, the Hon. Minister will have the file available and discuss the matter with him provided he receives approval from the company to do so.
- (2) The company is eligible for a freight subsidy on its production and raw materials but the concession does not apply to building materials. The company is also eligible for an interest subsidy on borrowed capital.

(3) (a) \$240,000.

(b) The matter is currently under consideration.

15. *This question was postponed.*

16. **EDUCATION***Rural Arrears: Allowances*

The Hon. W. R. WITHERS, to the Leader of the House:

- (1) Will the Minister name the State allowances and assistance available to rural school children in Western Australia which is not available to metropolitan students, and disregarding any Commonwealth involvement or assistance?
- (2) What is the total cost to the State Treasury?
- (3) How many children qualify for these allowances in—
  - (a) the 1972 Zone A; and
  - (b) the 1972 Zone B?

The Hon. J. DOLAN replied:

- (1) The assistance made available by the Education Department to rural school children, which is not available to Metropolitan students, is assistance by way of school bus services and hostel subsidies.
- (2) For the year 1972-73, the total cost was \$3,731,663, made up of—

	Zone A	Zone B	Total
	\$	\$	\$
School bus services .....	126,755	3,523,814	3,650,569
Hostel subsidies .....	8,341	72,753	81,094
	<hr/>	<hr/>	<hr/>
	\$135,096	\$3,596,567	\$3,731,663

  

(3)			
School bus services .....	902	21,248	22,150
Hostel subsidies .....	154	1,454	1,608
	<hr/>	<hr/>	<hr/>
	\$1,056	\$22,702	\$23,758

17. *This question was postponed.*

18. **LAND***Transfers of Titles, and Mortgages*

The Hon. I. G. MEDCALF, to the Leader of the House:

- (1) How many transfers of land were registered at the Titles Office during the undermentioned periods—
  - (a) the year ended the 30th June, 1970;
  - (b) the year ended the 30th June, 1971;
  - (c) the year ended the 30th June, 1972;
  - (d) the year ended the 30th June, 1973;
  - (e) the quarter ended the 30th September, 1973?
- (2) How many mortgages were registered during each of the same periods?



The Hon. J. DOLAN replied:

(1) and (2)—

Year ended 30th of June—

	Transfers	Mortgages
1970	37,960	33,947
1971	31,700	29,085
1972	35,618	31,901
1973	45,599	39,775

Quarter ended 30th September, 1973—Transfers: 13,567;  
Mortgages: 11,312.

# **WORKERS' COMPENSATION ACT AMENDMENT BILL (2ND)**

## *Second Reading*

Debate resumed from the 24th October.

**THE HON. L. D. ELLIOTT** (North-East Metropolitan) 14.28 p.m.): I support the Bill and, contrary to the normal practice, I desire to commence my speech by referring to the final clause in the Bill which deals with noise induced hearing loss and pathological manifestation. I could not help but think that members of the Opposition qualify under both these headings, because when Labor Governments introduce legislation to improve the conditions of working people, Opposition members either do not want to hear or else they exhibit pathological manifestations of anti-worker bias.

The Hon. W. R. Withers: Could you speak a little louder please?

The Hon. L. D. ELLIOTT: I think Mr. MacKinnon hit the nail on the head when he referred to the two different philosophies held by the Labor Party and himself on a subject such as workers' compensation. He said the Labor Party viewed this Bill as a piece of social welfare legislation, whereas he saw it as a business arrangement under which, on the one hand, an employee could offer his labour for sale and, on the other, the employer has money to pay for the worker's services. I think that statement highlights the two different approaches to this question.

During his speech Mr. MacKinnon kept emphasising the importance of the employer's position and talked of such things as economic development, productivity, etc. As a member of the Labor Party I am more concerned with the tragic situation of the injured worker and his family. One hears a great deal about the cost to industry or to the nation, of industrial accidents, but very little emphasis is placed on the cost, in terms of human misery, to the injured worker and his family.

I am strongly opposed to Mr. MacKinnon's suggestion about the appointment of a Select Committee. That would be merely a delaying tactic, and this matter is urgent. We cannot afford to wait any longer before upgrading workers' compensation benefits in this State.

Each provision in the Bill can be more than justified by the mountain of evidence already available. Surely the first criterion which should be established when judging whether or not the legislation is good and necessary is whether people are suffering or will suffer as a result of the absence of such legislation. I believe I can show quite definitely that people in our community are in distress because of the inadequacies of our Act.

It is a disgrace to this State that a single woman who becomes incapacitated as a result of an injury sustained at work is expected to live on \$24.60 a week, and that a man with a wife and two children in the same circumstances receives only \$49.10 a week. This figure is well below the poverty level of \$66 a week for a family of four. A person should not be expected to lower his or her living standards when on compensation.

Earlier this year I quoted to the House the case of a family of five, and I gave the details of its budget which indicated that the weekly expenditure was \$79. The normal wage of the husband at that time was \$72, and the only way the family was able to make ends meet while the husband was working was by his working overtime. If the same man with a wife and three children went on compensation at the moment he would receive the princely sum of \$52.70 a week.

Consider the position of the single woman who is expected to live on \$24.60 a week. What a hopeless position she would be in if she were in a flat paying \$20 a week, which is not uncommon. How on earth would she pay for all the other necessities of everyday living—food, electricity, and other household commodities? She may also have hire-purchase commitments on her furniture or a motorcar; yet she is expected to cope on \$24.60 a week.

People in the consumer-oriented society in which we live are encouraged to enter into hire-purchase commitments. Every year a new model television, refrigerator, motorcar, and other household gadgets are produced and tremendous pressures in newspaper and television advertisements are thrust on people exhorting them to buy.

The Hon. Clive Griffiths: I have the same television I bought 10 years ago.

The Hon. L. D. ELLIOTT: We all know the tremendous pressures upon people to own their own homes which involves, in most cases, very heavy weekly repayments.

The Hon. A. F. Griffith: It involves very heavy weekly interest payments at present under the Federal Government.

The Hon. L. D. ELLIOTT: An accident at work and a reduction in income can create very severe disruption to family life. Debts mount quickly and some goods under hire purchase can be repossessed. An eviction notice may be served because of arrears in rent, and the education of children can

come to an abrupt halt because the children must leave school to go to work in order to supplement the family income.

Miss Jennifer Stewart, a medical social worker at the Royal Perth Hospital Rehabilitation Centre, in a report to the Australian Council of Social Services in 1971, after dealing with all the problems facing the family of an injured worker, had this to say—

Small wonder that the first visit to the Social Worker by the spouse, family or friends often commences by the expressing of fears for the financial security of the family. It is certainly an area of major concern to all those involved with the wellbeing of the family group and often a stumbling block to the patient's recovery.

Australia is in the lowest 10 per cent. of all nations in regard to weekly compensation payments and our payments in this State are equal to the lowest in the world. As I have said, this is a disgrace to the State.

Statistics for 1971-72 indicate that in that year the total number of nonfatal industrial accidents in Western Australia was 15,773, which I believe indicates the extent of the hardship being suffered in the community as a result of industrial accidents.

Moving to the question of limited weekly payments, I support the provision in the Bill stipulating that there shall be no limit to weekly compensation payments as presently exists under the Act. No limit exists for Commonwealth employees or for employees in New South Wales and the Northern Territory. The amendment in the Bill is in line with I.L.O. Convention 121 which states that payments should be made through the entire period of incapacity. When an international body such as the International Labour Organisation, comprising representatives of workers, employers, and Governments, decides that something is just and equitable, and when this country participates in the deliberations of that body, surely it is reasonable that we should include the principles of those recommendations in our legislation.

I want to deal with the new concept of the prescribed amount which is arrived at by multiplying by 260, representing five years, the seasonally adjusted average weekly earnings per male unit employed throughout Australia. On the figures available for the June quarter—that is, \$106.10—this would represent a total amount of \$27,586. This is arrived at by multiplying it by 260. This may sound a lot of money until a number of factors are analysed.

The actuarial valuation placed on a life in 1902 when the Workers' Compensation Act of that year was introduced, was £800 or \$1,600. I rang the Commonwealth Statistician to obtain some comparable figures for wages in 1902 with those of today; and this is what I was told.

In 1902 the weighted average adult nominal weekly wage was \$5.40. In July of this year, the weighted average adult minimum weekly wage, which is comparable with the nominal weekly wage of 1902, was \$72.28, or 13 times greater than the wage in 1902.

The Hon. J. Heitman: What was the wage in the years 1929 to 1932?

The Hon. L. D. ELLIOTT: I am comparing the wage of today with that of 1902. As I mentioned, the actuarial valuation of a life in 1902 was £800 or \$1,600, and that is the comparison I am trying to make, not with the situation in 1929.

The Hon. J. Heitman: There was another drop in those years.

The Hon. L. D. ELLIOTT: To continue with my argument, today's wage is 13 times greater than that of 1902. Therefore if we multiply by 13 the \$1,600, which was the actuarial value of a life in 1902, we arrive at a figure of \$20,800.

Under the provisions of the Bill and the provision that a widow would be given 75 per cent. of the prescribed amount on the death of her husband, 75 per cent. of the prescribed amount today—that is, the \$27,586 which I quoted earlier—would be \$20,689 which is \$111 less than the earlier figure I quoted which is arrived at by the multiplication by 13.

I do not believe that we are being too generous when we consider the mental anguish and the disruption to a woman's life as a result of the death of her husband; and I do not think we are being too generous in offering \$27,000 to a man who has been blinded or who has suffered one of the other serious injuries mentioned in the second schedule.

Human values have changed a great deal since 1902. People today are no longer prepared to tolerate the inhuman treatment meted out to the less fortunate in the community at the beginning of the century. Reforms have been made in our care of the aged, insane, and delinquents, and it is time we adopted a more humane attitude to the victims of industrial accidents.

Clause 4 deals with the journey provisions and Mr. MacKinnon and Mr. Wordsworth were both critical of the provision to cover a man travelling to his permanent home on weekends. I think this is a perfectly reasonable proposition because it is necessary for a man to see his family regularly if he is to maintain a normal family relationship. After long periods of separation there is a danger that the husband and wife may drift apart with unpleasant consequences for all concerned, not to mention the State which ultimately may have to support the wife and children. The aspect about the fellow going to the hotel, which was raised by

Mr. Wordsworth, is adequately covered in the proviso at the end of section 7(b) of the Act.

Clause 5 introduces a new section 7A dealing with noise-induced hearing loss which it is intended to include as an industrial disease under the third schedule. We must keep in mind the fact that the new section must be read in conjunction with section 8 which provides that a person must be prevented from earning a full wage before he is entitled to compensation for deafness.

Industrial noise-induced hearing loss has long been recognised as being compensable not only in the other States of Australia, but also in other countries of the world. In fact, Western Australia is the only State in which cover is not granted for this incapacity. Cover is provided in most of the Canadian provinces and the majority of the United States of America.

For the information of Mr. Wordsworth and Mr. MacKinnon, I wish to indicate that several years ago Dr. A. Glorig, Director of the Callier Hearing and Speech Centre of Texas, visited Australia for the purpose of addressing a symposium on industrial noise, held in Adelaide. He presented some established facts on deafness, and said—

If ears are subjected to 100-105 decibels for 8 hours a day over 10 to 15 years permanent hearing loss results—and when I say permanent I mean exactly that. There is nothing that can be done about this kind of hearing loss.

The Hon. G. C. MacKinnon: Did they bring him all the way from America to tell us that?

The Hon. L. D. ELLIOTT: I gained the impression from his speech that Mr. MacKinnon had some doubt about whether it could be established that certain forms of hearing loss were attributable to industry.

The Hon. G. C. MacKinnon: I will have to speak in a much more simple vein. I thought the office boys could have told us that, without our having to pay a man to come from America to do so.

The Hon. L. D. ELLIOTT: I am glad Mr. MacKinnon realises it is possible to suffer hearing loss as a result of noise in industry.

The Hon. G. C. MacKinnon: I would be a nit not to.

The Hon. L. D. ELLIOTT: Dr. Glorig says that industrial noise is the greatest cause of hearing loss in our particular civilization. Figures from a survey of the United States show that while only 3 per cent. to 4 per cent. of the total population had a severe hearing impediment, 19 per cent. of the noise-exposed industrial population suffer from hearing loss.

However, a satisfactory formula has been established by which it can be judged whether the deafness is caused by age or by noise.

We are told by Mr. MacKinnon and by Mr. Wordsworth that this is a difficult disability to determine. Apparently, these two members know better than the experts. I am rather surprised at Mr. MacKinnon's attitude on this—

The Hon. R. F. Claughton: At whose attitude?

The Hon. L. D. ELLIOTT: At Mr. MacKinnon's attitude on this subject. I will repeat my initial remarks for the benefit of Mr. MacKinnon. I was rather surprised at his attitude because, from the remarks he made when the noise abatement legislation was discussed last year, one gathered the impression that he thought it was a desirable principle, but the place for it was the Workers' Compensation Act—the Workers' Compensation Act Amendment Bill is now before the House!

I will not believe that we do not have in this State the medical or scientific personnel and facilities to establish whether or not a man's deafness is work caused.

The Hon. G. C. MacKinnon: Do you think we should set up a pop band and juke box compensation Bill?

The Hon. L. D. ELLIOTT: Apparently, Mr. MacKinnon was not listening to my earlier remarks. Previously I said that an extremely satisfactory formula has been worked out in America to establish the manner in which hearing loss has been caused. I can give the honourable member a copy of the report of the symposium on noise if he would be interested to read it. This report states quite categorically that it can be definitely shown whether a man's hearing loss has been caused by his employment.

The Hon. G. C. MacKinnon: That is kind of you, Miss Elliott.

The Hon. L. D. ELLIOTT: As I was saying, if such a formula can be established elsewhere, it can be done in this State.

Another aspect, which Mr. Stubbs pointed out to the House last year, was that compensation for this disability would result in many firms taking definite steps to reduce noise in their factories. He said at that time that his inquiries revealed that when workers' compensation became available many firms commenced noise reduction programmes very enthusiastically, resulting in a reduction as high as 15 decibels on some machines. It also resulted in employers forcing their workers to wear ear plugs or ear muffs.

Clause 9 makes provision for a new section 12E. I think this is one of the most important provisions in the legislation. The clause states that the employer shall

provide suitable employment for his partially incapacitated worker. I believe that availability of work and rehabilitation of an injured, or partially incapacitated, worker are just as important as financial compensation.

A man is not to be regarded as a piece of worn-out machinery to be thrown on the scrap heap when he is no longer able to work to his full capacity. He is a human being with feelings, emotions, responsibilities, and pride. It is important to him to know he can still play a useful part in society. It is necessary for his self respect.

Too many workers, after becoming incapacitated, are classified as fit for light duties, only to find that nobody, including their former employers, will employ them.

I had the case just recently of a partially disabled person who came to me looking for work. He was desperately unhappy because he wanted to work and nobody would employ him. He felt worthless to both his wife and society. I tried for weeks to get that man a job, and fortunately, I was finally successful. However, I know from my conversations with officers of the Commonwealth Employment Service that there are many cases in the community of people in the same position as that man.

Miss Jennifer Stewart, the medical social worker to whom I earlier referred, said in the same report—

It is an increasing problem to social workers and others within the welfare field to keep individuals motivated to work when in fact the chances of work at a level with which the person can cope tend to be severely limited.

This provision will involve employers in the rehabilitation of their injured workers. My understanding of the clause is that the employer is to help the worker find suitable employment instead of leaving him to fend for himself, as is the case at the moment. This does not mean that the employer must necessarily provide the suitable employment within his own business. However, it does mean the employer can help the injured worker to find it—even if it is in some other organisation.

It is surprising to read of the number of jobs which apparently can be performed by disabled people. I was interested in an article in the American *A.F.L.-C.I.O. Journal*, which reported on a Swedish study on the ability of disabled people to work. The article stated—

A Swedish study utilising a hypothetical, severely disabled worker considered for a job in a shoe factory showed that even if he were blind in one eye, colour blind in the other, had curvature of the spine, arrested TB and rheumatic heart disease, had only one leg, a gluteal hernia and could

not raise his arms above his shoulders, he could still perform 50 per cent. of the jobs in that factory.

New South Wales has had this provision since 1951. I do not see why we cannot insert it in our legislation in 1973.

The Hon. R. H. C. Stubbs: I said that we were 20 years behind the times.

The Hon. L. D. ELLIOTT: It is intended to insert a new section 12F into the parent Act. The purpose of this section is to enable doctors, hospitals, and others in the medical profession to claim direct from the employer or insurer for services rendered to an injured worker. This is only right and sensible, of course. However, I could not help but be amused at the fact that the members of the medical profession themselves had asked for it.

The "doctor-patient" relationship obviously does not concern doctors greatly when it comes to payment for workers' compensation cases. One wonders why the doctors are making so much fuss about the national health insurance scheme that would introduce this same principle, which they find so desirable when it comes to workers' compensation cases.

We do not need a Select Committee to tell us what is wrong with our present workers' compensation legislation. We already know the inadequacies in the Act and the hardship caused to people because of them.

I believe all the provisions in the measure can be justified and many of them are already contained in legislation which exists in the other States. This is a good Bill and I hope it will be passed by this Council.

**THE HON. S. J. DELLAR** (Lower North) [4.55 p.m.]: I would like to start by congratulating Miss Elliott on the way in which she presented her case. I do not want to be critical and reverse my initial statement, but Miss Elliott has rather taken most of the wind out of my sails!

I support the measure in its entirety and I congratulate the Government for bringing forward legislation to provide better workers' compensation provisions in the interests of the workers of Western Australia.

As Mr. MacKinnon pointed out, a member's basic philosophy and political belief will have a large bearing on the individual member's approach to the legislation. However, the legislation has been introduced by the Government in accordance with an election undertaking given by Mr. John Tonkin in 1971. I was interested to note what Mr. MacKinnon had to say on this matter. I refer to page 3964 of *Hansard* of the 16th October where he said—

There is no surprise in the introduction of a measure of this nature in this Chamber, because Mr. Tonkin promised, in his policy speech, a full inquiry into workers' compensation. The pity of it is that the promise was not kept.

I repeat Mr. MacKinnon's words, "a full inquiry into workers' compensation." Later he said—

It is unfortunate that the Premier did not keep his election promise and institute a full inquiry into workers' compensation. It is no good saying one thing and meaning another . . .

Again, on page 3969 of the same date Mr. MacKinnon said—

Had the Premier done what he promised to do—that is conduct a full and proper inquiry—I am sure it would have produced a much better-balanced piece of legislation.

Mr. MacKinnon may believe that is what Mr. John Tonkin said in his policy speech. However, if we turn to the policy speech delivered in February, 1971, at page 26 under the heading "Workers' Compensation" we see the following—

A review of the Workers' Compensation Act will be undertaken with the intention of raising it to the best possible standards.

The Hon. A. F. Griffith: What page number?

The Hon. S. J. DELLAR: It is on page 26.

The Hon. A. F. Griffith: You have a different copy from the one I have. Mine has only 18 pages.

The Hon. S. J. DELLAR: Mine is the better one.

The Hon. A. F. Griffith: Obviously.

The Hon. R. F. Claughton: It is the correct one. We have the approved version!

The Hon. S. J. DELLAR: I understand that this is the policy speech. This portion continues—

To this end, a study of the English and New Zealand laws will be made. It is not my understanding that the Premier ever undertook to make a full inquiry into workers' compensation.

The Hon. G. C. MacKinnon: How do you define "review"?

The Hon. S. J. DELLAR: Mr. MacKinnon may have inferred this from the policy speech, but I do not believe the Premier said that a full inquiry would be made. I am not denying that there may have been moves for a full inquiry since that time. Even if this were the case, the position was explained by Mr. Bickerton in another place earlier this year. Mr. Bickerton give the reasons for the Government's

decision not to institute an inquiry. This was because the new Australian Government intended to undertake an inquiry.

The Hon. A. F. Griffith: I wonder whether you would be kind enough to let me have your copy of the policy speech?

The Hon. S. J. DELLAR: It is the only one I have, Mr. Griffith.

The Hon. G. C. MacKinnon: I thought New Australians were migrants. We do not have a "New Australian Government".

The Hon. S. J. DELLAR: It depends on one's interpretation.

The Hon. G. C. MacKinnon: That is what I meant by the use of the word "review".

The Hon. D. K. Dans: It is romantic to be pedantic.

The Hon. G. C. MacKinnon: I must remember that quotation.

The Hon. S. J. DELLAR: Even if the inquiry is instituted by the Australian Government, that does not mean the recommendations of the inquiry will be brought into effect or that the Government of Western Australia will adopt them. Consequently I see no reason why the Western Australian Government should not continue with its stated policy to review workers' compensation. This is what has been done with the introduction of this measure.

The Hon. A. F. Griffith: I am fascinated with the policy speech.

The Hon. S. J. DELLAR: The Leader of the Opposition often fascinates me! Last night Mr. Leeson and Mr. Hunt referred particularly to the provisions in the Bill concerning mine workers' diseases. It is not my intention to traverse this ground at any length except to say I am fully aware of the effect this can have on workers. My father, father-in-law, and several uncles have all worked in the goldmining industry. I know the effect it has had on their health and the legal battles they have had to fight to receive adequate compensation for this disease which they contracted while working in the mines.

A comment has been made—and this was also referred to by Mr. Hunt and Mr. MacKinnon—concerning the amount paid to dependants in other States on the death of a worker. I will refer to this at a later stage.

Mr. MacKinnon made reference to the effect premium increases would have on the goldmining industry, and the effect they would have on other industries throughout the State.

These are problems which will have to be overcome, and can be overcome by co-operation between the Government and the other parties concerned. Mr. MacKinnon also commented on the effect the Bill would have on producers because of the costs involved.

I was interested to read a measure that was introduced into the Parliament of Western Australia in 1901 at page 735 of the *Parliamentary Debates* of the 3rd December of that year, when The Hon. W. H. James—who I believe was Minister without Portfolio—said—

The Workmen's Compensation Act of 1897 in the old country—

He was referring to Imperial legislation at the time—

—was a step towards reform and, as no doubt members are aware, was introduced and fought for by the present Colonial Secretary, Right Hon. J. Chamberlain. The principle of that Act is that the industry in which the servant is employed shall bear the risk and burden of compensation.

According to my philosophy the situation has not changed at all since 1897 and 1901. Employers must accept the fact that they have an obligation to insure their employees in industry against accidents, industrial disease, etc.

The Hon. G. C. MacKinnon: They have known that for many years.

The Hon. S. J. DELLAR: I realise this but I say that the principle enunciated in the Imperial Act of 1897 still applies today.

Mr. MacKinnon also said he thought the way the Bill was written indicated that workers' compensation was becoming social welfare legislation. I believe that the Workers' Compensation Act Amendment Bill is a social welfare measure, because we consider the welfare of the worker and his dependants. I will not go into this aspect any further because I believe Miss Elliott has covered the point adequately this afternoon. Accordingly there is no necessity for me to weary the House further in the matter.

The payment of compensation during periods of annual leave and holidays was also commented on by Mr. MacKinnon and I believe the workers' entitlement for accrued leave is a matter between the employer and the employee. It is no business of the insurance companies.

The Hon. G. C. MacKinnon: I also read Mr. Hartrey's speech.

The Hon. S. J. DELLAR: The change in relation to the position concerning dependency has been explained previously by other speakers. The aim of workers' compensation, among other things, is to compensate financially for the loss of earning capacity of the worker. His earning capacity, of course, depends on his ability to work and to receive increments, but if he is killed on the job all sources of income are of course lost to his dependants.

The new provisions relating to travel between a worker's place of living and the place at which he might work have been explained. It is quite clear to me what it

means; but if it were, as Mr. MacKinnon thought it to be, a dramatic extension of the provisions of the legislation, there is nothing wrong with that; but it does not apply to some of the things that were mentioned. I understand that Mr. Wordsworth also mentioned this aspect last night.

The provision relating to industrial deafness in the Bill has also been explained so I will not expound further on that. This will probably save quite a lot of the time of the House. I would like to say, however, that such compensation is provided in all other States although the onus is on the worker to prove the relationship between the deafness and the work. This requirement is provided in all States except South Australia. The intention of the Bill is to introduce the same provision that applies in South Australia.

The question regarding compensation payments to the dependants of deceased workers has been discussed in this Chamber and in another place. We have had the figure of \$5.76 mentioned as the average of the other States which is paid to dependent children as an allowance. I cannot see how the figure of \$5.76 has been arrived at in the figures used by Mr. Hunt last night. From my investigations, taking New South Wales first and calculating the figures in the other States over a year, the rates in the other States are—

	Lump sum	Per week
	\$	\$
New South Wales	—	7.50
Victoria	400	7.69
Queensland	420	8.08
South Australia	300	5.77
Tasmania (up to may or June)	362	6.96

The figure for Tasmania has been increased to \$425 as a lump sum and to \$8.17 per week. On my calculation those figures work out at an average of \$7.44 per week as the dependency allowance paid within Australia. I do not think this falls far short of the \$9 per week.

Arguments have been raised as to whether one can maintain a child on \$9 per week. As the father of four children I think I have a fair idea of what the position is. I do not think one could maintain a child on \$9 a week, particularly if one considers all the aspects that apply.

I was interested to read an article in *The West Australian* of Thursday, the 25th October which was headed, "Rise sought in widows' allowances". It reads as follows—

The W.A. Association of Civilian Widows is seeking an increase in child and mothers' allowances and parity with rehabilitation widows' benefits.

The civilian widow's child allowance is \$5 a week. Rehabilitation allowances are \$9.25 a week and foster children receive an allowance of \$13 a week.

So a number of the amounts which they are receiving in the other States for various illnesses are far greater than \$5 a week. They are certainly not lower; and perhaps \$9 is the right amount because we cannot go too far in this matter.

I cannot in any way favour the appointment of a Select Committee to investigate workers' compensation as was suggested by Mr. MacKinnon, and apparently supported by Mr. Wordsworth last night. If the House decides to appoint a Select Committee such a committee must report back to Parliament while the session is in progress; if the session is not in progress the committee could be converted to a Royal Commission. When Mr. MacKinnon closed his comments he said at page 3970 of the *Parliamentary Debates* for the 16th October—

I intend with the agreement of this House to move that the matter be considered sympathetically and speedily by a Select Committee in order that the workers of this State may benefit from what can be managed within this State in the way of reasonable workers' compensation.

I do not know how speedy one can be on a matter of this nature, because from what I have heard of the comments passed, if workers' compensation is such a complicated matter we could not possibly rush into it and have a speedy inquiry.

The Hon. G. C. MacKinnon: For the sake of the workers I would like it to be a bit speedier than the Labor Party has been.

The Hon. S. J. DELLAR: It depends on what one means by "speedy".

The Hon. G. C. MacKinnon: I would say about two years.

The Hon. S. J. DELLAR: I do not think anything more will be achieved by the appointment of a Select Committee, and I hope members of the House will not support the appointment of such a committee to inquire into workers' compensation, because the matter has been current for about 12 months.

A Bill was introduced into another place and was subsequently withdrawn. Further amendments were drafted and the result is the Bill we have before us. The move proposed by Mr. MacKinnon is purely a stalling tactic to prevent the Government implementing the legislation it promised in its policy speech.

Such a move would deprive the workers of increased workers' compensation. The Bill should not be delayed any further.

The Hon. Clive Griffiths: How long has it been in the House?

The Hon. J. Heitman: Why didn't you bring it in before?

The Hon. G. C. MacKinnon: In Caucus you have as many votes as the Premier.

The Hon. D. K. Dans: That all sounds very democratic.

The Hon. S. J. DELLAR: The measure has been around Parliament for about 12 months or so in one form or another and, accordingly, I think members have had sufficient time to study the Bill and make their own inquiries, draw their own conclusions, and debate its provisions now.

I again congratulate the Government on introducing the Bill before us. It may not have been introduced as speedily as I would like but the measure should be considered now and not referred to a Select Committee.

**THE HON. D. K. DANS** (South Metropolitan) [5.12 p.m.]: I support the second reading of the Bill and oppose the proposition to appoint a Select Committee to inquire into the effects of the measure and report its findings back to Parliament.

I have read the speech made by Mr. MacKinnon and I have listened with interest to what was said by Mr. Wordsworth. With due respect I do not think that either of the gentlemen advanced reasons as to why this Chamber should appoint a Select Committee to inquire into workers' compensation.

The Hon. G. C. MacKinnon: I have not moved the motion yet so I cannot give the reasons.

The Hon. D. K. DANS: I hope the honourable member will change his mind. The Bill was introduced into the Assembly last year, though admittedly it was withdrawn and again brought back with amendments. It has been in the other Chamber for some five or six months and has run the gauntlet of intensive debate in Committee. In these circumstances I wonder why at the 11th hour a proposal is made—or perhaps it would be better to say it is now suggested—to appoint a Select Committee to inquire into the matter and report back to the Chamber in the short time available to us.

In the very short time I have been in this House it will be recalled that I have already served on one Select Committee. This was very early in my parliamentary career, and I might say I did not know what was happening to me at that time. If one could judge the time it took to investigate the potato industry—which to my way of thinking is not nearly as important as this matter—I imagine the committee would be reporting back to the Chamber in six months hence.

I am not against inquiries, but I am against an inquiry which, to some extent, only goes through the motions of being an inquiry. If it is the intention to report back before Parliament is prorogued—

**THE DEPUTY PRESIDENT:** Order! I would point out to the honourable member that we are not debating a motion for

the appointment of a Select Committee. We are discussing the Workers' Compensation Act Amendment Bill.

The Hon. D. K. DANS: With due respect, Mr. Deputy President, I am trying to elaborate upon the Bill. I have said in the course of my comments that I can see no reason for heading in the direction in which it is proposed to head with this most important piece of legislation. However, I will bow to your request and comment upon the statements made by Mr. MacKinnon when he addressed himself to the Bill.

One of the propositions he put forward was that the State Government Insurance Office already loses some \$750,000 a year as a result of its involvement in workers' compensation; and that for some strange reason this is an argument in favour of not proceeding with the Bill and making a determination upon the matter in Parliament. That may be so; but it also may be that the burden of workers' compensation would not be so heavy for the State Government Insurance Office if it could in fact spread the load. I will not advance that argument very far; but I do not think Mr. MacKinnon's argument is a good one in relation to this Bill because the Commonwealth is at present conducting an inquiry—the Woodhouse inquiry—into the question of a national compensation scheme, and it has been suggested that whatever conclusion is reached will make this Bill an interim measure.

The Hon. G. C. MacKinnon: Your Minister suggested that it is an interim measure.

The Hon. D. K. DANS: Fair enough, I will agree with that. When it was suggested that a national compensation scheme be considered a great deal of coming and going took place on the part of insurance companies. They went around seeing people and saying to them, "Look, we can handle workers' compensation better than the Commonwealth can handle it." The reason I am advancing this argument in relation to the Bill is the fact that the private insurers do not see a great deal of liability in engaging in workers' compensation insurance. If one looks at the question of what rights we in this Parliament have, it seems to me that when Bills dealing with social matters are brought before the Chamber we are prepared to abandon the sovereignty of Parliament.

The Hon. A. F. Griffith: How do you make that out?

The Hon. D. K. DANS: Let us look at the question of the Long Service Leave Act Amendment Bill.

The Hon. G. C. MacKinnon: You might as well; you have referred to everything else.

The Hon. D. K. DANS: In my opinion the Opposition adopted delaying tactics in respect of that Bill. Of course, the suggestion that the Bill now before us should be referred to a Select Committee—whether or not the Bill is ultimately passed—is simply a delaying tactic which takes from this Chamber its traditional right. I point out that I am not saying this House has not a traditional right to move for the appointment of a Select Committee.

The Hon. G. C. MacKinnon: I wondered when you would get around to that.

The Hon. D. K. DANS: The Opposition has a fair chance of success with its delaying tactic because it has the numbers. It is the right of the Parliament to make a determination on this Bill and if we are to abandon our right to other bodies, which may or may not have been proposed by a member in another place who dealt with committee systems, then we run the serious danger of eroding the authority of this Chamber.

It matters very little to what length we examine the Bill in this House. I cannot foresee the outcome of the measure, but surely it has been in the Parliament for a long time—rightly or wrongly; I will not debate the issue of whose fault it is that it has been before Parliament for so long—and members in this place and in the other House have had ample opportunity to make themselves aware of the ramifications of the Bill.

The Hon. A. F. Griffith: You will not debate that issue because you might put the blame where it belongs.

The Hon. D. K. DANS: I am on my feet; Mr. Arthur Griffith would not expect me to say that.

We have a Bill before us to amend the Workers' Compensation Act, and we have a suggestion that a Select Committee should be appointed to study the Bill. I would think the Select Committee would have to report back to Parliament before it is prorogued; so what kind of result would we achieve? The people who are mostly concerned with this Bill are, in the main, people without much of a voice because most of the more powerful unions either by numbers or by position in the community have already resolved most of the points by negotiation. So we are talking about a small section of the community who normally are on the lowest rung of the social structure as far as wages and other things are concerned; who virtually have no voice. If we delay this legislation we will deny them the opportunity to enjoy the minimum improvement it will grant to them.

I have an idea that if I were on the outside looking in I would do one of two things. Once I heard the suggestion that the Opposition was again going to duck



its responsibility in this Chamber I would make an application to the Industrial Commission, because I am sure that commission has the power to adjust the workers' compensation position. If I were a more militant sort of person—

The Hon. J. Heltman: Aren't you?

The Hon. D. K. DANS:—I would lead my troops onto the streets. If we continue with this brazen dereliction of our duty in regard to dealing with social progress and social legislation, then before we are very much older—no matter who occupies the Treasury benches in this Parliament—we will find that we will have upon our hands more than we can handle.

The Hon. A. F. Griffith: That sounds like a lot of threats to me.

The Hon. D. K. DANS: It all depends how one takes it. Certainly I have never threatened anyone in this Chamber; I am not in a position to threaten anyone. I am simply saying what I would do if I were in another place. I would not be threatening anyone; I would be taking action.

I would point out to the Leader of the Opposition I do not refer to the workers as "the mob"; they are an important part of the community. Those who work with muscle and brain power—

The Hon. A. F. Griffith: I don't know to whom you are referring.

The Hon. D. K. DANS: Mr. Arthur Griffith used the word "mob"; not I.

#### *Point of Order*

The Hon. A. F. GRIFFITH: On a point of order, Mr. Deputy President, I have no recollection of using the word "mob" at all in the last 10 minutes.

The DEPUTY PRESIDENT: I did not hear the Leader of the Opposition use the word "mob". I think Mr. Dans should withdraw that remark.

The Hon. D. K. DANS: With due respect, Sir, I will withdraw the statement; but I think this issue provides a good case for the compensation of industrial deafness.

The Hon. A. F. Griffith: I cannot help it if, for your own purposes, you accuse me of using a word which I did not use on this occasion.

The Hon. D. K. DANS: I have withdrawn my statement.

The DEPUTY PRESIDENT: Order! Will the honourable member please proceed with his speech. We will have no further argument on that issue.

The Hon. A. F. Griffith: I suggest that you look at *Hansard* to see what was said.

#### *Debate Resumed*

The Hon. D. K. DANS: I support the second reading of the Bill and refute the suggestion that a Select Committee should be appointed in respect of it.

THE HON. R. F. CLAUGHTON (North Metropolitan) [5.25 p.m.]: I, too, support the second reading of the Bill. It is becoming more and more accepted that business organisations should accept the responsibility of meeting the cost of any consequences their operations have upon the community. It is well accepted now that where environmental hazards occur they should be controlled by the business which causes them, and the business should bear the cost. Likewise, hazards to employees should also be the responsibility of business, and compensation should be included in the costing of the business.

The Hon. G. C. MacKinnon: I think that argument was settled in 1902.

The Hon. R. F. CLAUGHTON: It seems, Mr. MacKinnon, that we are still trying to settle it. The provisions of the Bill before us deal with the cost that is incurred as a result of illness or disabilities suffered by workers as a consequence of their employment; and the argument is in respect of whether the cost should be borne by the employer.

For instance, there is the argument regarding work-caused loss of hearing. It has been suggested that this matter should not be included in the Workers' Compensation Act. If employees suffer hearing loss as a result of the nature of their work, surely it is the responsibility of their employer to see that they are compensated.

The Hon. G. C. MacKinnon: You have a vivid imagination, because every speech I have heard was in favour of that point—mine included.

The Hon. R. F. CLAUGHTON: Then I fail to see what the argument is about. We on this side will be most pleased if the legislation is accepted. I have no recollection of hearing Mr. MacKinnon say that he accepted this provision, but I am only too happy to acknowledge my lack of attention when he was speaking.

The Hon. G. C. MacKinnon: O.K., you misunderstood me.

The Hon. R. F. CLAUGHTON: Then that is one battle we will not have to fight in the Committee stage. As that provision is acceptable, this is a further reason why it is not necessary to refer the Bill to a Select Committee.

The Hon. A. F. Griffith: Oh, come on! I thought you and I had agreed on something yesterday; but apparently something has taken place.

The Hon. R. F. CLAUGHTON: Perhaps Mr. Arthur Griffith will agree with me today.

The Hon. A. F. Griffith: That depends entirely on what you say.

The Hon. R. F. CLAUGHTON: Basically my argument is that the cost of compensating persons who suffer injuries arising from the nature of their employment

should become part of the cost structure of the business operation in which they are employed; it should not become a cost to be borne by the rest of the community. At present if an employee cannot obtain compensation under the Act, then the cost must be borne either by himself or by the community, generally.

The fact of the matter is that increased costs are not borne by the particular industry or undertaking; any increase in costs is taken into account in the price that is determined for the article. Therefore, other sectors of the community which are not related to the production of the goods or services have to bear the added cost.

It is a social injustice that an employee who suffers an illness or injury should not be compensated by the employer. Mr. MacKinnon has made reference to the Woodhouse inquiry. He has referred to this Bill as being an interim measure.

#### *Point of Order*

The Hon. G. C. MACKINNON: On a point of order, I am tired of being accused of having said that this is an interim measure. That is a plain lie. I quoted what the Minister in another place said: that this is an interim measure.

#### *Debate Resumed*

The Hon. R. F. CLAUGHTON: Mr. MacKinnon has admitted that he used those words, even if they had been used by somebody else previously. We cannot indulge in suppositions as to what the Woodhouse inquiry will achieve. We do not know what part of the report will be adopted by the Australian Government after it has been presented. In the meantime the employees will suffer, because they will not receive just redress.

The approach of the Opposition to the measure is unrealistic, and it could lead only to the disadvantage of the people who are particularly concerned. Nonetheless, this is one more instance of the Liberal Party's attitude of doing nothing until it is forced to. This is the attitude which it has adopted in respect of quite a number of social measures which have been introduced in this House. On this occasion the public can expect no bold action from the Opposition. It adopts a very timid approach to all these matters. Certainly the unions and the employees can expect very little from the Opposition.

With those words I support the Bill.

**THE HON. R. THOMPSON** (South Metropolitan—Minister for Police) [5.34 p.m.]: This Bill has received some criticism regarding the delay in its introduction in Parliament and presentation to this House for consideration. We in this House do not deserve that criticism, because we have dealt with the measure as expeditiously as possible.

The Bill does not introduce very many new concepts into workers' compensation. In introducing the second reading I referred to them in detail and they are the total loss of the power of speech, the loss of genital organs, the permanent loss of the capacity to engage in sexual intercourse, and severe body or facial scarring or disfigurement. Someone might claim that industrial deafness is also a new departure contained in the legislation; but in fact it is not. Industrial deafness is already covered if the employee is not able to continue work, and compensation is provided in the schedules to the Act.

Most members on this side of the House who have spoken in support of the legislation have replied virtually to all the matters that were raised by Mr. MacKinnon in his contribution to the debate. Because of the hour I do not think it is necessary for me to go over everything he has said.

However, if time permits I wish to mention a few points. We should make some comparisons with the other States in respect of compensation received by workers when they are incapacitated and cannot continue working. In New South Wales most workers receive ordinary time wages—that is, the normal wages they would receive—for the first 26 weeks. This applies to Commonwealth, State and local government employees, as well as to all workers covered by major awards, such as those engaged in the building trades, the metal trades, and even the food preserving services. The last mentioned are not prone to take industrial measures on behalf of their workers.

After 26 weeks the worker reverts to a lower scale as set out in the Act; this is 85 per cent. of the average weekly earnings for an adult male which at the present time stand at a maximum of \$43 per week, with additional amounts of \$11 for the wife, and \$5 for each child. The maximum rate is not to exceed the worker's average earnings.

In Victoria, as in New South Wales, most workers receive ordinary time earnings for the first 26 weeks. All major awards have these make-up pay schemes. Injured workers revert to a lower scale as set out in the Victorian Act. The adult male worker receives \$43 or the average weekly earnings, whichever is the lesser, plus \$12 for the wife, and \$4 for each child.

In Queensland all workers receive ordinary time earnings for the first 26 weeks. This provision was introduced into the Queensland Act in April last. After that the workers revert to a lower scale of \$41 for an adult male, with additional amounts of \$10.25 for the spouse, and \$4.10 for each child. The weekly compensation is not to exceed the average weekly earnings.

South Australia has make-up pay schemes, but such schemes are not a common feature. The Government of that

State has announced its intention to increase compensation to the level of the average weekly earnings. Under the present Act 85 per cent. of the average weekly earnings or \$43 per week is paid, whichever is the lesser. That is the rate for the adult male, plus additional amounts of \$13 for the wife, and \$5 for each child, with the maximum weekly compensation not exceeding the worker's average weekly earnings, or \$65 per week, whichever is the lesser.

In Tasmania the weekly compensation is payable at the rate of the worker's average weekly earnings with no cut-back at all. That Act was amended in 1970.

In Western Australia the Act needs updating, because the State has fallen a long way behind the other States. If Parliament refuses to provide realistic compensation there will be no alternative other than for the trade union movement to seek recourse through the industrial arbitration system.

The Hon. J. Heitman: That is intimidation.

The Hon. R. THOMPSON: It is not intimidation at all. I shall prove it is not, because such recourse through the arbitration system already exists.

Under the provisions of the Western Australian Act an adult male worker receives \$32.50 for himself, \$9.10 for his wife, and \$3.70 for each child; the maximum weekly payment not to exceed average weekly earnings.

Referring back to the interjection from Mr. Heitman, accident clauses can be included in awards by the Industrial Commission. This House has to make up its mind whether Parliament or the Industrial Commission is to determine workers' compensation payments; because at the present time the Industrial Commission has accepted and incorporated provisions in awards. I refer to the building trades award, the iron ore awards, the maritime workers' awards, and the B.P. oil industry award. Those awards are at present being determined by the Industrial Commission. I feel that any application to the commission by a union would be successful so it is not intimidation at all. Provision is already in the Act for the incorporation of accident clauses. At least, let us have uniformity.

We have always believed in bringing Bills such as this to Parliament, and this has been the practice with all Governments.

The Hon. J. Heitman: That is fair enough, but on many occasions when the Government brings forward this type of legislation it tries to impress on the people that the employer is against these provisions. I have employed labour for most of my life and I have never questioned having to pay workers' compensation at any time.

The Hon. R. THOMPSON: Have I made any such accusation?

The Hon. J. Heitman: Well, it has been insinuated by previous speakers.

The Hon. R. THOMPSON: I have said that Parliament has to make up its mind whether we legislate for workers' compensation, or whether the Industrial Commission will make determinations.

The Hon. J. Heitman: Or we have a full inquiry and make it fair to everybody.

The Hon. R. THOMPSON: This is the point.

The Hon. D. K. Dans: The honourable member opposite is not suggesting that the Industrial Commission makes it fair for one party and not the other?

The Hon. J. Heitman: It depends on which side of the fence one is on.

The Hon. D. K. Dans: I agree with you there.

The Hon. R. THOMPSON: We are presently dealing with approximately 350,000 people in Western Australia who probably account for 98 per cent. of the work force. They come under awards and agreements, and they are covered under the provisions of this Act. Therefore it is totally unfair to move for the appointment of a Select Committee. It reflects on this House absolutely. It implies that members are not capable of examining Bills, determining their contents, and amending them. When the Opposition has the numbers two to one in its favour it has the power to do just that. I purposely delayed this Bill for several days so that amendments could appear on the notice paper.

The Hon. J. Heitman: I thought the Bill was delayed for just on two years!

The Hon. R. THOMPSON: I delayed it for two days before proceeding so that amendments could appear on the notice paper. Members of this Chamber were not prepared to follow that procedure but as a result of a preconceived idea there is now a move for the appointment of a Select Committee in the hope of delaying the passage of this Bill.

I will not go along with the appointment of a Select Committee. I am prepared to delay the Bill further so that amendments can be put on the notice paper. We would then be able to debate the measure according to proper parliamentary practice. Members opposite did not refer the Dairy Industry Bill to a Select Committee, and that Bill caused considerable trouble.

The Hon. J. Heitman: It took two years for that Bill to come here, too.

The Hon. R. THOMPSON: This is a predetermined delaying tactic. Why does the Opposition not exercise the privilege of Parliament of debating the Bill and trying to amend it. I ask: How many members spoke to the Bill?

The Hon. J. Heltman: The Minister cannot claim that members did not amend the Dairy Industry Bill.

The Hon. R. THOMPSON: There has been only token opposition to this Bill. Mr. MacKinnon did not oppose the principles contained in the Bill, other than the provision for the payment of \$9 to the child of an injured worker.

Let us look at this provision. The Council of Social Services in Western Australia has been pressurising the Government for a long time in an attempt to obtain an increase in the payment for wards under its care, and for wards of the State in foster homes. The request is for an allowance of \$19 a week. It is claimed that that is what it costs to keep a child who is a ward of the State.

It does not cost any more to keep a child in a foster home than it does to keep one's own child in one's own home. A child still eats, still has to be clothed, and still requires the normal things in life. As from the 1st November next this Government will increase the weekly rate to \$13 for a child in a foster home.

It is claimed, and I agree, that \$13 is not enough, but it is the most we can afford. For that reason it is rather futile for the Opposition to say that \$9 a week is too much to pay for a child. If one examines closely the amounts payable by the other States—as was referred to by Mr. Dellar—one will find that the average payment is \$7.44; Queensland being the highest with a payment of \$8.08.

Before concluding I will quote the actual figures payable to a widow in the event of her husband dying as a result of an accident in industry. The current figure in Western Australia is \$13,279. That amount has gradually increased because we make provision for movements in the basic wage. If my memory serves me correctly the amount was about \$12,000 in 1970.

The payment to a widow in New South Wales is \$13,250 and that has not been increased since 1970. I understand a new Bill is ready to go before the Parliament in that State. The amount in Victoria was increased last year to \$13,690, and the amount payable in Queensland, this year, is \$15,600. The payment to a widow in South Australia is \$15,000 and there is a Bill currently before that Parliament. Tasmania recently lifted its figure to \$17,239.

We are asking that the base rate for a widow should be 75 per cent. of the new formula devised and explained in the second reading speech. A widow, without consideration for children, would receive \$20,690. We are accused of causing inflation, and no-one denies that it has occurred. However, inflation makes it necessary to increase the figure now and not delay it.

We cannot admit that inflation is with us and that we cannot keep up with it, and then deny a decent wage to a worker so that he can support his wife and family. A person, through no fault of his own and as a result of an accident, could be suffering in hospital while his family also suffers in the process of trying to exist. Members have heard me speak about people who have had their furniture, and even their houses, taken away from them because they could not meet their commitments while living on workers' compensation. In my opinion very few workers—less than one-half of 1 per cent.—would be malingerers receiving workers' compensation. Western Australia—and indeed Australia as a whole has a wonderful record as far as the work force is concerned.

It is a shocking situation when the Parliament is not prepared to debate an issue before it. In this Chamber the Labor Party has a two to one majority against it. If the measure is referred to a Select Committee we will still have a two to one majority against us. To bring in a minority report is the same as to register a vote on this side of the House.

Mr. MacKinnon could quite easily put amendments on the notice paper in an attempt to achieve his objectives. Those amendments would be decided by debate in Committee. This Chamber is the place where such matters should be decided.

The Hon. S. J. Dellar: Hear, hear!

The Hon. R. THOMPSON: I am appalled to think of the depth to which Parliament would allow itself to sink if it agrees to the appointment of a Select Committee on this question.

With those remarks, I trust that members will support the second reading of the measure and reject the suggested proposal.

Question put and passed.

Bill read a second time.

#### *Reference to Select Committee*

THE HON. G. C. MacKINNON (Lower West) [5.52 p.m.]: I move—

That the Bill be referred to a Select Committee.

My reason for moving this motion which I stated during the second reading has been confirmed by the fact that from the outset of the debate on the Bill we seem to have been subjected to a minimum of reasons and a maximum of inflammatory speeches and publicity. The inflammatory publicity started with the *New Deal* and has been carried on by Mr. Dans and Mr. Ron Thompson.

The Hon. R. Thompson: I never said anything inflammatory.

The Hon. G. C. MacKINNON: This has been interspersed—

### *Point of Order*

The Hon. R. THOMPSON: I have not said one word which I cannot prove. All my figures have been documented and are from official records. No inflammatory speeches have been made and certainly no misstatements have been made.

The PRESIDENT: There is no point of order.

### *Debate Resumed*

The Hon. G. C. MacKINNON: There have been inflammatory speeches interspersed by threats, veiled or otherwise. Even the answer given today by Mr. Dolan to a question asked by Mr. Arthur Griffith contained something of the nature of a warning—I will not use as strong a term as "threat".

When I suggested that the Workers' Compensation Act Amendment Bill should be referred to a Select Committee I was informed that, should this eventuate, the House could well sit until the matter is dealt with by the Parliament.

The Hon. D. K. Dans: How long do you think it would take for a Select Committee to deal with this matter?

The Hon. G. C. MacKINNON: I will deal with that in a moment. Despite all the threats and inflammatory statements, starting with newspaper articles in the *New Deal*, not one member from the Government benches answered the cogent point that I put up.

The Hon. D. K. Dans: What does "cogent" mean?

The Hon. G. C. MacKINNON: I am sure one of the attendants will lend Mr. Dans a dictionary! I wish to read some letters to prove my point. The first is a letter dated the 28th December, from the office of the Minister for Labour, addressed to Mr. F. S. Cross, Director, W.A. Employers Federation (Inc.).

The Hon. J. Dolan: What year?

The Hon. G. C. MacKINNON: The year is 1972. The letter reads—

I refer to discussions at the recent Meetings of the Minister for Labour Advisory Committee relating to proposed amendments to the Workers' Compensation Act.

You will recall that it was agreed a Special Committee of seven members should be established to examine and submit suitable proposals, the Committee to consist of two each from the insurance sector, the Trades and Labor Council and the employer organisations, plus a suitable independent Chairman.

I would appreciate your nomination for two persons to represent the employer organisations, please.

The letter is signed by Mr. A. D. Taylor, who was Minister for Labour at the time. I refer to another letter dated the 27th February, 1973, again addressed to Mr. F. S. Cross, Director, W.A. Employers Federation (Inc.). It reads—

I refer to my letter of December 28, 1972, in regard to the appointment of a special committee to examine and submit suitable proposals for the Workers' Compensation Act.

On January 24, 1973, the Right Honourable the Prime Minister of Australia made a statement to the effect that Justice Woodhouse and others were to meet and advise the Government on a special national insurance scheme incorporating Workers' Compensation.

In lieu of the imminent meeting of this group and the requirement that their report will be based on Federal legislation, the Western Australian Government has decided to wait until the guidelines of the Commonwealth legislation are known before we push forward with our own enquiry.

Thank you for your offer to participate. I will keep in touch with you and, should it be considered necessary, you will be contacted for nominations to such a committee.

The letter is signed "A. D. Taylor, Minister for Labour". There is a footnote reading—

(As dictated by the Hon. A. D. Taylor, M.L.A. and signed in his absence by Mr. L. A. Brown, Private Secretary.)

Another letter is dated the 13th February, 1973. This, too, is addressed to Mr. Cross, Director, W.A. Employers Federation (Inc.). It reads—

I refer to Mr. Taylor's letter of December 28, 1972, relating to the Workers' Compensation Act, and in particular the suggestion that a special review committee of seven members be established.

I hope Mr. Dellar noted the word "review". To continue—

It has now been brought to attention that the Commonwealth Government is likely to explore the possible introduction of a National Compensation Scheme. Therefore, subject to obtaining more definite details of the Federal proposal, it is not intended to proceed with the immediate establishment of the special committee.

It would be appreciated if you would therefore defer any further action until Mr. Taylor is in a better position to clarify the situation and advise you.

That was the information which I conveyed to the House. Members will recall that I specifically said this is a matter which ought to be discussed and decided between the employers and the employees. It should have been, but it was not. The letters I have read are proof positive that it was not. For the sake of accuracy, I wanted the letters recorded in *Hansard*.

These are the letters which stopped any discussion. To say that we are abrogating our rights as a Parliament is nonsense. Whatever the report is, it would have to be submitted to the Parliament and discussed in this Chamber.

Surely it is the right of the Parliament to refer matters to a Select Committee. Mr. Dans asked how long this would take. On a similar Select Committee some time ago the present Clerk of the Parliaments acted in the capacity of secretary. Mr. Logan was a member of the Select Committee which was chaired by Mr. Harry Hearn. The inquiry took a few weeks. I think an extension of time was granted until early in December to enable the committee to examine certain matters in further detail.

Nobody, except the Labor Party, can accept any blame for delay in increasing the benefits of workers' compensation. This rests fairly and squarely on the shoulders of the Labor Party. The Workers' Compensation Act needs amendment. It is the worst Act in Australia. It is the worst, because the Labor Party could not make up its mind about what it wanted.

The Hon. A. F. Griffith: According to those figures, New South Wales has the worst Act in Australia.

The Hon. G. C. MacKINNON: I think the New South Wales legislation has one or two benefits which our legislation does not have. However, let us say that our legislation is nearly the worst in Australia. This is the fault of the Australian Labor Party. The Government brought down a Bill to offer maximum benefit of \$15,000. For some reason of which I am not aware the Government withdrew that legislation and brought down the measure which is before us now.

There are many other things I could say, but I do not want to delay the House on this Thursday evening. It is not my fault that the Bill has been carried on and on in this way, but there is every justification for referring it to a Select Committee in order that discussions may be conducted with the Employers Federation and those interested in industrial legislation, and that the matter may be resolved in an amicable way. It is all very well for the Minister to say we could have moved amendments.

The Hon. D. K. Dans: How many organisations would take part?

The Hon. G. C. MacKINNON: It just depends how many want to come forward. Most of these people are well organised. I would say there could be two or three interested parties.

We could have put amendments on the notice paper but they would have been knocked back at the other end. I thought with a Select Committee and proper discussion we might get somewhere.

**THE HON. R. THOMPSON** (South Metropolitan—Minister for Police) [6.02 p.m.]: I oppose the motion and I have already indicated my reasons for opposing it. Parliament is the right place in which to debate legislation—

The Hon. G. C. MacKinnon: It will be debated in Parliament when the report comes back.

The Hon. R. THOMPSON: —of this kind.

The Hon. A. F. Griffith: We have had a very good debate on the motion for the appointment of a Select Committee.

The Hon. R. THOMPSON: I will not delay the House any longer. Most members on this side of the House have expressed their views. They are clear and—to use Mr. MacKinnon's word—cogent.

The Hon. D. K. Dans: Do not use that word. It has a homosexual connotation.

The Hon. G. C. MacKinnon: It is not my word.

The Hon. A. F. Griffith: It visibly upsets Mr. Dans.

**THE PRESIDENT:** Order!

The Hon. R. THOMPSON: Mr. MacKinnon has not told us in exact terms when the Select Committee would report back to Parliament.

The Hon. G. C. MacKinnon: That is the third motion to be moved. I have another two motions.

The Hon. R. THOMPSON: I express my disapproval of the motion and I will certainly divide the House on it.

Question put and a division taken with the following result—

#### Ayes—13

Hon. N. E. Baxter	Hon. N. McNeill
Hon. G. W. Berry	Hon. I. G. Medcalf
Hon. V. J. Ferry	Hon. J. M. Thomson
Hon. A. F. Griffith	Hon. R. J. L. Williams
Hon. Clive Griffiths	Hon. W. R. Withers
Hon. J. Heitman	Hon. F. D. Willmott
Hon. G. C. MacKinnon	(Teller)

#### Noes—8

Hon. D. K. Dans	Hon. R. T. Leeson
Hon. S. J. Dellar	Hon. R. H. C. Stubbs
Hon. J. Dolan	Hon. R. Thompson
Hon. J. L. Hunt	Hon. Lyla Elliott
	(Teller)

#### Pairs

<b>Ayes</b>	<b>Noes</b>
Hon. C. R. Abbey	Hon. W. F. Willesee
Hon. D. J. Wordsworth	Hon. R. F. Cloughton

Question thus passed.

*Appointment of Select Committee*

**THE HON. G. C. MacKINNON** (Lower West) [6.06 p.m.]: I move—

That the Hon. L. A. Logan, the Hon. D. K. Dans, and the mover be appointed to serve on the Committee.

Question put and passed.

**THE HON. G. C. MacKINNON** (Lower West) [6.07 p.m.]: I move—

That the Committee have power to call for persons, papers, and documents, and to adjourn from place to place; that it may sit on days over which the Council stands adjourned; and that the Committee report on Thursday, the 29th November, 1973.

The Hon. D. K. Dans: Does that include weekends—seriously?

The Hon. G. C. MacKINNON: The thought did not cross my mind, but yes, no days are excluded.

Question put and passed.

**INDUSTRIAL ARBITRATION ACT  
AMENDMENT BILL**

*Receipt and First Reading*

Bill received from the Assembly; and, on motion by The Hon. R. Thompson (Minister for Police), read a first time.

**ADJOURNMENT OF THE HOUSE**

**THE HON. J. DOLAN** (South-East Metropolitan—Leader of the House) [6.08 p.m.]: I move—

That the House do now adjourn.

**THE HON. R. J. L. WILLIAMS** (Metropolitan) [6.09 p.m.]: I refer to the answer to a question I asked today. I assume that the Leader of the House did not prepare this answer, but that it was prepared for him. I claim that I was maligned in the answer to my question. I object to an answer which tells me that I based a question on an assumption. I did no such thing. I asked a previous question on this subject of the Leader of the House on the 18th October, and this is recorded in *Hansard* at page 3948. The reply was as follows—

- (1) and (2) The Government has decided to limit the provision of these facilities to Members of the Legislative Assembly, as is the practice in South Australia.

I then asked today why it had been decided to adopt South Australian practices. The Minister replied as follows—

This question is based on an assumption, which is contrary to fact.

If that is the case, I did not state the fact. The fact was stated by the Leader of this House. I have no wish to impugn the Leader of the House or his motives. I have always said they are above reproach.

The Hon. Clive Griffiths: He is responsible for the answer to the question.

The Hon. R. J. L. WILLIAMS: I ask the Leader of the House to look at this answer and to investigate the reason for it.

I also suggest that no members of this House should ask any questions because if they do so they will be called inquisitive. The word "inquisitive" means inquiring or being curious. There is another slant to that term which has a nasty connotation; that is, that it means prying.

I cannot state too strongly that I have been maligned, and I suggest in any other Parliament this answer would have been regarded as a breach of privilege.

**THE HON. J. DOLAN** (South-East Metropolitan—Leader of the House) [6.11 p.m.]: I will have the honourable member's comments examined, and I will give him a written answer.

Question put and passed.

*House adjourned at 6.12 p.m.*

# **Legislative Assembly**

Thursday, the 25th October, 1973

The **SPEAKER** (Mr. Norton) took the Chair at 11.00 a.m., and read prayers.

**CLOTHES AND FABRICS  
(LABELLING) BILL**

*Introduction and First Reading*

Bill introduced, on motion by Mr. Harman (Minister for Consumer Protection), and read a first time.

**EDUCATION ACT AMENDMENT  
BILL (No. 4)**

*Second Reading*

**MR. T. D. EVANS** (Kalgoorlie—Attorney-General) [11.07 a.m.]: I move—

That the Bill be now read a second time.

The relevant sections of the Act mentioned in this Bill concern, in brief, assistance to non-Government schools, textbook subsidy scheme for secondary students, onus of proof of age, authority for the Board of Secondary Education to levy fees for the issue of duplicate Achievement Certificates, and to change the name of the "Federation of Parents and Citizens' Association" to "Council of State School Organisations". I intend to deal with each of these items separately and in that order.

By way of introduction to the first amendment mentioned above and contained in clause 2 of the Bill, I will