

Mr. Cross: Why did you not vote "Yes" at the Referendum?

Mr. McDONALD: That would have given the vested interests full and final power in Western Australia. The last barrier would have gone. That would have been the result had the Referendum been carried. I will not detain the Committee longer, except to say that I do not know—the Government may—whether any member in this House outside the Government has any idea what our objectives are for the post-war period. We have never discussed them; we have never put them in writing; we have never clarified our minds about them; we have never decided what we want. Until we decide what we want we are not likely to get it because we do not know what we want to get. When we talk about the Budget and read about our revenue and our expenditure for the last year and for the forthcoming year, I think these matters should be associated with some indications of policy and development, of prospects and the means by which we are going to work in order to ensure that our State makes the progress we want it to make.

Progress reported.

*House adjourned at 9 p.m.*

## Legislative Council.

*Tuesday, 3rd October, 1944.*

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

### ADDRESS-IN-REPLY.

#### *Presentation.*

The PRESIDENT: In company with officers of this House, I waited on His Excellency the Lieut.-Governor and presented

to him the Address-in-reply agreed to by the House. His Excellency replied as follows:—

Mr. President and honourable members of the Legislative Council—I thank you for your expressions of loyalty to His Most Gracious Majesty the King and for your Address-in-reply to the Speech with which I opened Parliament. (Sgd.) James Mitchell, Lieut.-Governor.

### ELECTORAL—SOUTH-EAST PROVINCE.

#### *Seat Declared Vacant.*

On motion by the Chief Secretary, resolved:

That this House resolves that, owing to the death of the Hon. Harold Vivian Piesse, late member for the South-East Province, the seat be declared vacant.

### BILLS (2)—FIRST READING.

- 1, Electoral Act Amendment.
- 2, Constitution Acts Amendment (No. 1).

Received from the Assembly.

### MOTION—ELECTORAL REFORM.

#### *To Inquire by Select Committee.*

HON. C. F. BAXTER (East) [4.39]: I move—

That a Select Committee of five members be appointed to inquire into the question of electoral reform, and to advise on amendments to existing legislation with a view to improving the representation of the people in the Parliament of the State.

The motion which I am asking the House to discuss and which I hope will be approved is very important; in fact, the Electoral Act is the most important measure on the statute-book of the State. The Act contains provisions for the making and unmaking of Governments. It gives the right to the electors to exercise their franchise in favour of the candidate whom they desire to be elected. The rights of electors generally are set out very clearly in the Act; but unfortunately those rights are not being lived up to in any sense of the word. Further, for a very long period of years there has been no appreciable amendment of the Act. Small amendments have been made occasionally; and for many years there has been in the minds of our people a desire for a thorough investigation of the whole electoral system. Apparently the Government is not prepared to make such an investigation or

to amend the Act to meet our altered conditions.

For many years there have been grave transgressions of the Act and I am sorry to say that these are increasing at every election. We find that there are people who have not the slightest respect for the Act; they consider it to be something with which they can play. As a matter of fact, people now do not seem to value the privilege of a vote. Much has been said about the franchise, but even so some people have to be compelled to enrol themselves for the Legislative Assembly. Owing to the nature of the franchise for the Upper House, it would not be reasonable to introduce compulsory voting for the Legislative Council. As I say, some people do not value the vote. Their tendency for the last thirty years has been to get away from anything serious at all. They are not as public-minded as people were many years ago.

Take our rolls today. The Assembly rolls are kept in fairly decent order, mainly by members themselves, by intending candidates or by people representing such candidates. The Government certainly has made some effort and expended some time on the Assembly rolls, but nothing whatever has been attempted with respect to the Council rolls. On the average, the latter rolls are far too big for any candidate to attend to. I have made attempts, but had to give it up. The Government appears to be solicitous to alter the franchise for the Council, but has not made the slightest attempt to put the Council rolls in order. I do not blame the present Government alone for this neglect; the fault lies with preceding Governments also. Had the Council rolls been revised and put in order, I guarantee that the East Province, of which I am one of the three representatives, would have not 11,000 but 18,000 to 20,000 electors. If the rolls were in order there would be no need for concern about the franchise.

At each election a number of names are struck off and, of course, a number put on. The rolls are in shocking order. Even when an election for the Upper House takes place we find people wavering about recording a vote; on an average, only 50 per cent. of those enrolled cast their votes. There have been many abuses of the Electoral Act. One of the worst, in my opinion, is the abuse of the postal voting system. I do not know whether

the department is lax in its appointment of postal vote officers or whether the type of man that the department appoints is lackadaisical and does not trouble to find out exactly what his legal position is. Some of the postal vote officers are a little on the unscrupulous side; but postal voting in this State is a disgrace.

We had an example in the recent Avon election, where, had a postal officer acted within his legal rights, instead of laying himself open to a charge which was not proceeded with, the election would have had an entirely different result. That case was not proceeded with by the court, and perhaps it is just as well it was not, as it has saved a lot of publicity being given to certain matters which should, in the public interest, not be publicised. One also finds instances of postal vote officers who are appointed to take postal votes at a certain place, travelling around in a motorcar taking votes of people who are quite healthy and fit to go to the polling booth themselves.

Hon. J. Cornell: Government employees at that!

Hon. C. F. BAXTER: Yes, and members of Parliament! Do not forget that! Many cases have been sent by the Electoral Department to the Crown Law Department, but no prosecutions have followed. There must be some way out of this difficulty. An inquiry might lead to prosecutions in future cases. An instance occurred during the last Legislative Assembly elections where a certain postal vote officer took three postal votes in his car, instead of at the place where he was appointed to take them. One of those voters was a man who two or three days previously had voted for another province. He was up in years and could not go to the booth to vote. Although this incident was reported, no proceedings were launched.

Neither the present nor past Governments have taken proceedings under the Act and it is time some stand was taken. If the Crown Law Department will not take action, then should we not consider giving the Chief Electoral Officer power to initiate proceedings through other channels? He should be authorised to start proceedings against postal vote officers who transgress the Act. I can instance many cases of that nature, but it is no use whipping the matter too much, because the cases have already been publicised. Even with the taking of votes we find irregu-

larities at times. A glaring case occurred during the last Referendum in a certain Army camp. A warrant officer was in charge and he was being assisted by a lieutenant and a captain. The receptacle for the votes was an open tin. Seven people, including the informant, recorded their votes. Each vote was taken by the postal vote officer and as it was recorded was put into an open envelope. The warrant officer looked at it and passed it on to the lieutenant, and the captain looked over the lieutenant's shoulder. This happened while six men recorded their votes. The seventh man said, "Give me an envelope." They said, "Do not seal the envelope." He said, "I will seal it, because I know the Act." He sealed the envelope and put it in the tin. If that is not coercion, what is?

I heard of another instance in which a big open tin again figured, although in this case envelopes were used. Do these things show respect for the Electoral Act? Do they not show the necessity for tightening up? Then there is the question of enrolment. I will go only as far back as the last Council elections on this matter, although I could go further. Thousands of votes were then added to province rolls. A thousand names were added to the North-East Province roll in the last few days. It is in this regard that the Act needs amending.

Hon. E. M. Heenan: It is done every ten years there.

Hon. C. F. BAXTER: I know, and it is quite wrong.

Hon. E. M. Heenan: What is wrong about it? Under the existing system those people would not be enrolled unless someone put them on.

Hon. C. F. BAXTER: I cannot see the strength of that argument at all. The position is that a thousand names were added to that roll. The electoral officer cannot, and does not in the last week or ten days, make the slightest attempt to verify whether those people are qualified to be on the roll.

Hon. J. Cornell: He has not time.

Hon. C. F. BAXTER: That is so. They go on the roll and, after they have recorded their votes, those not eligible are struck off. Is that to continue?

Hon. C. B. Williams: How many of the thousand were struck off?

Hon. C. F. BAXTER: It is pretty safe to say that at least 300 were struck off.

Hon. G. Fraser: I challenge the hon. member to prove such a case in the West Province.

Hon. J. Cornell: We had an inquiry into the West Province a few years ago.

Hon. C. F. BAXTER: There must be something wrong in the West Province or Mr. Fraser would not be so keen about it. I am not talking about the West Province.

Hon. G. Fraser: I challenge—

The PRESIDENT: Order! I must ask members to hear Mr. Baxter in silence. Other members will have ample opportunity later of replying to what he says.

Hon. C. F. BAXTER: I am pointing out that if we want to get a sound roll and sound voting then consideration must be given—

Hon. E. M. Heenan: To adult franchise.

Hon. C. F. BAXTER: Consideration must be given to the provision of a longer period for investigation, maybe six weeks. I understand that six weeks would give the Electoral Department time to check the names added to the roll. Some people seem to favour taking the roll over a certain period of the year. But the present system allows those who hold the votes to rush them in, and even date the votes at that time. They are held back and rushed in at the last moment. That is done frequently. Of course, the Electoral Department has no hope of analysing those votes, although investigation is necessary. Mr. Heenan knows that 2,000 names were added this year. After all, in his province—

Hon. E. M. Heenan interjected.

Hon. C. F. BAXTER: The hon. member will have plenty of time to speak afterwards. He is, in his province, in a novel position. Where the owner of a block of land lives on it and has three or four tenements with one lavatory service and one water service, he and his tenants are all entitled to be on the roll—and they are. He has not much to complain about, but I am not talking about that phase. Some time ago Parliament did carry out an investigation to see if it could place the Electoral Act on a better footing than it is today, and to see if it could inflict heavier penalties and take action against transgressors.

Hon. G. Fraser: What did you do with the report of the last Commission of the other House on the Electoral Act, some four or five years ago?

Hon. C. F. BAXTER: What was the result? We have lately heard a lot about adult franchise. It is quite apparent that the Government can look only at another place and not at this House. If we examine the franchise of the two Houses, where is the difference? On the Goldfields each vote counts as two. In the North-West, a little over 2,000 voters are represented by four members. What does that point to? It indicates conclusively that whilst I do object to the one voter on the Goldfields counting as two, I have no objection to there being a smaller number on the roll in the North-West Province, and that smaller number making up the constituency. Does not that show conclusively that the quota is on an interest or a property basis for the Legislative Assembly? Everyone agrees that the North-West should have four members to represent it.

Hon. J. Cornell: The Federal Constitution does not do that.

Hon. C. F. BAXTER: No, but our own does. Where the four seats are held by Labour, this Government does not look at that side of it at all. It is on exactly the same basis as the Legislative Council, but I am not going deeply into the subject of the Legislative Council today because a Bill dealing with it will be coming forward later. I shall only say that the inequality of it all is that whereas in the metropolitan area three members represent 30,000 people, in the goldfields districts eight members represent 20,000 people.

Hon. C. B. Williams: We made Western Australia; the President will tell you that!

Hon. C. F. BAXTER: I am not disputing that.

Hon. C. B. Williams: I know. You were there, too!

THE PRESIDENT: Order!

Hon. C. F. BAXTER: While that is the position, the Government shuts its eyes to the facts and says, "Let us deal with the franchise for the Legislative Council." The Government should look at the franchise for its own House first and see if the interests are not represented there just as they are here. A bit of a shanty is all that is necessary to be entitled to enrolment for this House. But that is another story; I do not intend to speak along those lines.

Hon. G. B. Wood: It does not bear inspection.

Hon. C. F. BAXTER: Yes, it does. It is interest representation there, the same as for this House.

Hon. C. B. Williams: Only by shacks.

Hon. C. F. BAXTER: Yes, in the case of shacks at 7s. a week. Because of the effluxion of time and altered conditions, the changed opinions of people and the different lives they lead today compared with many years ago when the Act was framed, it is necessary—more especially in view of the abuses and the illegal practices that are carried out under the Electoral Act—that a thorough investigation should be made. Further than that, there may be justification for an extension of the franchise. I am not going to say that there is, or that there is not.

The way to get at the facts is to have an investigation. Let a Select Committee be appointed to take evidence from those who can give worthwhile information. The time is over-ripe when Parliament should appoint such a body to conduct an inquiry—no Government has done that as yet and the present Government does not intend to do so—and make recommendations to Parliament—as I hope will be the case—with a view to so amending the Act that we may have on the statute book a better measure than we possess today, and remove the many anomalies from which we suffer under existing legislation from time to time.

**HON. SIR HAL COLEBATCH** (Metropolitan): I desire to second the motion and propose to take the somewhat unusual course—though I am sure that is not a disorderly course—of speaking to it straight away. My reason for doing this is that it seems to me if this House desires to appoint a Select Committee the sooner we get to work the better, so that that body may make an investigation and submit a report before the end of the session. The motion is very comprehensive in that it aims at improving the representation of the people in the Parliament of the State. Nothing can be of greater importance to the community than its proper representation in its Parliament. For that reason it is a pity that we could not have a joint Select Committee.

The matter is of sufficient importance for the best men in both Houses of Parliament, representing all parties, to devote some considerable time to the investigation. However, whether it is to be a committee of this

House or a joint committee, I hope it will not approach the question with the idea that there is anything sacrosanct about our State parliamentary system. I hope it will not run away with the idea that we have reached a high water mark in democratic government. Personally I do not think our parliamentary system is even a decent caricature of the democratic ideal of equal consideration for all, which is the complete representation of the whole of the people. I suppose one of the first questions which the committee would have to consider would be: Would our parliamentary system be improved by the election of the two Houses on identical franchises? Fortunately we have something to guide us in that matter.

Having some knowledge of the constitutions of different countries, I question whether there is any part of the world excepting Australia where there is a system under which two Houses of the one Parliament are elected on the one franchise. I do not think there is one. We can therefore ask ourselves, has this system of electing both Houses of the Commonwealth Parliament on the one franchise given us a Parliament that represents the proper government of the country? Our people are not satisfied with the Senate. I do not think one person in twenty would say he was satisfied with the Senate. The Labour Party, supporting the idea of the single franchise, desires the destruction of the Senate, or it did. Perhaps now it has a majority in the Senate it will not be so keen about its destruction.

No-one is satisfied with the Senate. It is the outstanding failure of the Commonwealth Constitution. The framers of the Constitution deliberately designed the Senate to serve two purposes. One purpose was that it should act as a House of Review, and the other that it should represent the States, to preserve the rights of the States as set out in the Constitution. From both points of view it has fallen down on its job. I speak from experience.

Hon. C. B. Williams: Did you fall down on the job so far as Western Australia was concerned?

Hon. Sir HAL COLEBATCH: I spent four years in the Senate. To illustrate the wrong course that was adopted through providing that the two Houses should be elected on the same franchise, I would like

to mention what my own experience was. For the first few months there was a National Government in power, and a National majority in the Senate. We sat pretty. Then the Bruce Government was overthrown, and the Senate was kept busy condemning the proposals that came from the Labour majority in the House of Representatives, and disallowing many Government regulations. On the whole I think the Senate's disallowances were fully justified, but they were mostly ineffective because directly the Senate rose the same regulations were re-enacted.

Then the Scullin Government fell, and we had a National Party Government in power in the House of Representatives, and the same party with a majority in the Senate. What happened? Many things that were attacked when done by the Labour Government, particularly in regard to tariff policy, were tacitly accepted and approved by the majority in the Senate. It was obvious, therefore, that the Senate was useless either as a House of Review, or as the protector of the rights of the States. It has happened before and it may happen again with the Senate; because it is elected on the same franchise, it may be composed of one party only. I do not think there is anyone who considers that the Senate is a good House, and I do not think anyone approves of it. That should warn us against adopting a like process of having the two Houses in this State elected on the same franchise.

The Select Committee, if appointed, would do well, I think, to start off with some such inquiry as this: Is our State in fact governed as it should be? If the question were answered in the affirmative, all that the committee need do would be to act on the suggestion of the mover, which I think is quite sound as far as it goes, namely, endeavour to remove present anomalies and make such amendments to the Act as the march of time suggests. I do not think the committee could answer the question in the affirmative. I think it would certainly say "No." If it did say "No" it must then take the wider outlook and ask itself, "What must now be done to achieve what in any community is most important of all, namely, the proper representation of the people in Parliament?"

I must give reasons for my assertion that ours is not a well-governed country either

federally or from the point of view of the States, and would start off by quoting the failure of our system to maintain a reasonable increase in our population. Australia is a country of great resources, and yet before the war we were not even maintaining a sufficient increase to keep up our existing population. All statisticians were agreed that after the lapse of a few years our population would show a decline. It has taken a war to awaken politicians in Australia to the need for populating the country. But what sort of reason is that? Surely the opportunities that were offered in times of peace should have been sufficient inducement to increase our population so that the country might be developed to the fullest extent without taking into account the need for getting more people so that we might defend the country and provide an increase in our fighting personnel!

We should regard that one fact, failure to increase our population, as *prima facie* evidence of inefficient government and as proof that there is something wrong with our Parliaments. I do not think the people generally failed to realise, knowing the dangers that our country was in because of the sparseness of its population, that the fault lay with Governments and Parliaments. It cannot be said that the Parliaments have done anything to remedy the situation. Another illustration is the steadily growing centralisation of people in the cities. In Western Australia, although our industries are agricultural and pastoral to a larger extent probably than is the case in any other part of Australia, even here half our population is centred in the metropolitan area. That is an indication of bad government and its consequences may be serious. It must mean a serious reduction in the wealth of the country that ought to be produced, and a serious reduction in wealth that ought to be produced is going to be felt by the entire population. It is also responsible to a large extent for the falling birth-rate.

Of all nations it has been the country that has consistently built up its population that has made an economic success of its undertakings. Another illustration of bad government pointing to the fact that something is wrong is the extent to which all our industries have begun to rely upon some form or other of government assist-

ance. If they are not bolstered up by tariffs or some other advantages they must have subsidies. There is now talk of subsidising the price of wool, which would complete the circle, so that all our industries will then be living on each other. Surely that is a ridiculous and wasteful proposition, and a course of action that will not prevail in a world where we shall all have to face strenuous competition. I fear that in both Federal and State politics the impression abroad is that the Government is a source of wealth, that it can create wealth, whereas the truth is the province of the Government should be to help and encourage people themselves to create wealth.

One of the difficulties of our Parliamentary system is the extent to which class division has crept into politics. I do not think that is evident anywhere else in the world to the extent it is in Australia. I do not think any section of any community had a stronger justification for breaking away from its parent body, if I may so call it, than had the Country Party, both in the Federal and State spheres. The Country Party struck out for itself. Its grievance was chiefly against the Federal policy, against high tariffs. It was not long, however, before the Queensland Country Party realised what a great asset for its State was the sugar embargo. Then we had the Paterson butter scheme and prohibition against imported bananas and the enormous duties or prohibition in regard to imported rice. I am not blaming anyone. What really happened was that the party which set out to lay hands upon the burglar found it more profitable to share in the spoils.

Why this division of the classes, and this determination on the part of one section to get special privileges and concessions from the Government, whether Federal or State? That is also evidence that we are not a well-governed country. In another connection the fault from one point of view lies with the State, and from another with the Federal system because of the manner in which our revenues are divided. That is the condition of what may be called our social life. With our small population and our great resources we should make much more progress on the social and cultural sides than we have made. Time was when Australia was regarded as in the forefront of education. Now everybody realises that we are right in the background. In

the matter of providing for the sick and as regards pension funds we were outstanding, but the failure to develop the social and cultural services of our people is, to my mind, a strong argument against our Parliaments as at present constituted. The other day we had a very interesting address from Mr. Miles on the North. His colleagues, too, have stressed many points that have been raised. I think the trouble with the North is that it has not sufficient local government, that it does not govern itself sufficiently. I do not wish to dwell upon that aspect except insofar as is necessary to illustrate my meaning.

I do not think the government of the North from Perth is good. More local government is needed. The North has slipped back for years, I think for three reasons. First, there was the burden of a high tariff, which jumped up costs and closed markets. Secondly, there was the restriction on over-sea shipping. Thirdly, there was the prohibition of the employment of Chinese cooks and gardeners. Those things arise from the craze for uniformity, from the belief that the law must be the same everywhere whether it is suitable or not. We must get back the right to tax our own people, and when we do get it back I hope our Parliament will not be hidebound by this idea of uniformity but will recognise that there is need for different direction of the people in different districts, especially a district like the North.

Profits devoted to re-establishing industries in the North should be exempt—partially at least—from income tax. Greater advances might be secured if more attention were paid to local needs and local requirements rather than to the question of uniformity, to everybody and everything being treated in the same way. I am not prepared to admit that democracy means the giving of complete and equal power to all men and women over the age of 21 years. I do not believe democracy means that. I know there was a celebrated President of the United States who delivered himself of what was considered a wise saying. He said, "You can fool some of the people all the time, and all the people some of the time, but you cannot fool all of the people all the time." Personally I think it is a very silly saying. All that any Government or any party needs to do is to fool a majority of the people for one day—election day. That, to my mind,

is one reason why we cannot say that we can achieve the high water mark of democracy by giving everybody over 21 years of age a vote.

I should like to say a word in defence of the Legislative Councils of Australia as we have them. I do not suggest for one moment that they are perfect; in fact, I can see tremendous disabilities associated with them. But it is a fact that the Legislative Councils of the three smaller States saved the people of Australia from a Federal domination that they did not desire. It was not the Senate, elected on the popular franchise, not the Legislative Assemblies of the different States, but it was the Legislative Councils of Western Australia, South Australia and Tasmania that rightly interpreted the wishes of the Australian people. I was in Kalgoorlie at the time of the Referendum, and at a meeting I addressed a questioner raised the point that the Legislative Council of Western Australia was constantly blocking progressive legislation. I said to him, "Will you give me one instance of what may be termed progressive legislation that the Legislative Council of Western Australia has blocked?" He was floored; he had no answer.

After consideration he said that Western Australia's Legislative Council had thrown out Dr. Evatt's Bill for transferring powers to the Commonwealth. The Legislative Council did nothing of the kind. It amended the Bill, and handed to the Commonwealth the powers it thought the Commonwealth should have, refusing the rest. I am sure that if at the Referendum each of the fourteen powers had been put to the people singly, the verdict of the people would have been in close conformity with the decisions of the Legislative Council on this subject. I am still strongly of that opinion, although it is quite possible that the verdict of the people would not have given to the Commonwealth Parliament as much power as this Legislative Council was prepared to grant it. Take the two States that swallowed the whole of Dr. Evatt's proposals. In the case of New South Wales the Legislative Council was a nominee Chamber, which is now elected by the two Houses of Parliament. It is likely that in New South Wales the Assembly and the Council will, therefore, drift together.

There is naturally some embarrassment on the part of members of the Legislative Council in that State because they know their

election depends largely on members of the Legislative Assembly. I do not know to what extent a measure of independence may be claimed by the individual members of our Chamber, but I do know that they are not bound by Party ties to anything like the extent that members of another place are. We know very well what is the position in the case of Queensland. Thus it was the three States that had Legislative Councils elected on different bases from the Legislative Assemblies, that rightly interpreted the wishes of the people. I do not think we could have a stronger indictment of our Parliamentary system than the appalling lack of interest on the part of electors. Take the Legislative Assembly. It is necessary to have compulsory voting for that Chamber in order to get a representative vote. I am not going to suggest that compulsory voting should be done away with so far as the Assembly is concerned, or that it should be applied to the Council; but I say it is an indication of the lack of interest of voters for the Legislative Assembly that there should be compulsion to vote.

The casting of the vote should not be regarded as a duty to be performed under penalty, but as a privilege which the electors would not in any circumstances reject. Compulsory voting becomes doubly absurd in cases like the recent Referendum, when people were compelled to vote either "Yes" or "No" to the whole of 14 questions of widely different merit, linked together in a single question. Many electors must have felt that they were forced either to vote for something they did not want, or to vote against something they did want. The disinclination of people to attend political meetings shows a waning interest. I cannot accept the idea that the wireless is a satisfactory substitute for the public meeting. What would a Supreme Court judge say if he had to determine a case on evidence given over the wireless? Deprived alike of the opportunity of studying the demeanour of witness or of cross-examination, he would, I am sure, give any decision only with the greatest diffidence.

Some 16 years ago I was appointed a member of a Royal Commission to inquire into the working of the Commonwealth Constitution. We took evidence all over Australia, and, I think, satisfactorily performed the task allotted to us. The report,

I venture to say, was an excellent one, due to the exceptional capacity of, and the amount of work put into it by, the chairman, John Peden. His efforts were recognised by the conferring upon him of a knighthood; but I have yet to learn that the Government that appointed the Commission, or any of the Governments that have succeeded it, has given the slightest consideration to the report or endeavoured to implement the Commission's recommendations. In addition to taking evidence all over Australia, we had a good deal of evidence regarding the constitutions of other countries; and I still have in my possession a book containing the full text of the constitutions, as they existed at that time, of practically all the countries in the world with written constitutions.

The evidence confirmed in my mind an impression I had long held—that the best-governed countries in the world were the comparatively small Scandinavian countries. At a later date I had the opportunity of visiting those countries, and this afforded a still more convincing confirmation of that opinion. I base the assumption of their good government upon the general contentment of the people and the high standards of education and of public taste. Let me give one illustration. Prior to the war of 1914-18 the commercial relations of Sweden were mainly with Germany, and German was then the language principally taught in the Swedish schools.

After the war, Sweden drifted towards the British, and an Englishman went to Sweden for the purpose of teaching the English language. He made arrangements to give an hour's talk once a week over the wireless; and he made a preliminary announcement asking that each person who wished to join the circle of listeners should send him fourpence, and he would arrange to have a copy of the London "Times" of a certain date sent to him, containing the matter which he would broadcast. In less than a week he had over 40,000 applications, exhibiting great eagerness on the part of the Swedish people to learn English.

Another thing that struck me in Sweden was the vastly superior type of house built for wage-earners. It is a fact that the Scandinavian countries weathered the depression better than any other country in the world. There was a complete absence



of ostentation, and the gap between rich and poor was very narrow compared with what obtained in any of the big countries. Another peculiarity of these countries is that their Parliaments are elected under the proportional representation system, which secures to all considerable sections of the community membership in proportion to their numbers. The methods of election to the Upper Houses differ widely, but I do not think there is one instance in which the qualification for an elector to the Upper House is property—not one. In many cases there is an age qualification; that is to say, the elector for the Upper House has to reach a higher age than is the case with electors for the Lower House. There are also some educational qualifications. However, in nearly every one of those constitutions there is a provision pledging a member to accept no instructions from any party or any section, but to regard himself as the free servant of the State. In some instances they go so far as to exact a pledge that a man will not be influenced by representations coming even from his own constituency.

In some cases the Upper Houses are appointed by the local governing authorities. In some, the powers of the two Chambers differ and are carefully defined. In more than one instance there is specific provision that representation of the country—I am not referring particularly to the Legislative Council, although it applies to both Houses—shall be double that of the cities and towns. That is to say, if Parliament or either House consists of 150 members, 100 must be representative of the country areas. There is a very close resemblance between the constitutions of all those countries, and the basis is proportional representation.

The outstanding fact is that they are, by common consent of the expressed opinion of people living in other countries, the best-governed countries in the world. I take it that it will be within the province of the proposed Select Committee to give some consideration to this matter. I do not know whether any of those circumstances are suitable to us, but there are many points well worthy of consideration. The first questions the committee should ask itself are: Is this a well-governed State? Does the Constitution require minor amendments to correct anomalies and make such progress as the conditions of the times demand, or is there

need for drastic alteration in principle to bring it nearer to the democratic ideal of just consideration for all?

[Resolved: That motions be continued.]

**HON. G. FRASER** (West): In a few words, I shall outline my attitude towards the motion. I oppose it, not because I do not think some electoral reforms are necessary but because the Electoral Act affects both Houses of Parliament, not only this one, and therefore when an inquiry into the Electoral Act is made or electoral reforms are suggested, such inquiry or suggestions should be made by a combined committee and not by a committee of this House or of the other place alone.

**Hon. J. Cornell**: It is necessary to agree to the appointment of one committee in this House before asking the other place to appoint a committee.

**Hon. G. FRASER**: Mr. Baxter did not suggest that he intended to take that course. He has moved for a committee from this House alone. What his subsequent intentions are I do not know, because he did not mention them.

**Hon. G. B. Wood**: Why not amend the motion?

**Hon. G. FRASER**: I am not prepared to go so far as to move an amendment, because I have vivid recollections of what happened only six or seven years ago.

**Hon. J. Cornell**: Nine years.

**Hon. G. FRASER**: Is it as long ago as that? At that time I served on a Select Committee which was afterwards converted into an honorary Royal Commission and dealt very fully with the subject of electoral reform. Mr. Cornell, Mr. Parker and myself were on that Commission, but the report did not get very far in this Chamber.

**Hon. J. Cornell**: The matter went back to the Assembly.

**Hon. G. FRASER**: We did not get anywhere, at any rate. Such a number of amendments were made when the proposal reached this Chamber that it was absolutely useless.

**Hon. W. J. Mann**: Proving that there is something wrong with the Act.

**Hon. G. FRASER**: I do not know about that, but apparently there was something wrong with the report. Yet the Royal Commission was very representative. In view of what happened then, I am not prepared to move an amendment to this motion because

I consider the time of members who might be appointed to such a committee would be wasted. The committee's report would probably have the same reception as that given to the report of the honorary Royal Commission.

Hon. G. B. Wood: It is the same Government.

Hon. G. FRASER: It was not the Government which was responsible, but one of the members of the Royal Commission who was not able to induce the rest of the members to see his point of view but was able to persuade this Chamber when the report came here. That was nine years ago, and I am relying entirely on my memory.

Hon. J. Cornell: I have kept all the records. I will bring them in.

Hon. G. FRASER: Sir Hal Colebatch made an interesting speech. I am not at this stage in a position to debate the majority of his points, but if what followed is in conformity with his first statement, I think there must be a number of loopholes in his speech. When he started, he mentioned that one of the first questions the Committee would have to ask was: "Are we well governed?" He went on to say that he did not think we were, because there was such a slight increase in the population of Australia. That went to prove that we were not well governed. I disagree that we should measure the success of a Government by the increase of population. Would he say that countries like China, Japan and India are well governed because they have had wonderful increases in population?

Hon. Sir Hal Colebatch: They are not short of population, as we are.

Hon. G. FRASER: That does not alter the fact that the hon. member said the fact that there had been no increase in population was proof of bad government.

Hon. Sir Hal Colebatch: Where it is needed.

Hon. G. FRASER: The hon. member is hedging now! I am only referring to his statement. To my way of thinking it is not logical to say there must be an increase in population to demonstrate that there has been good government. I am not saying whether we are well or badly governed, but if the rest of Sir Hal's speech is in conformity with that part of it, I do not think much of it. The main point upon which I rose to speak, however, was in connection

with something mentioned by Mr. Baxter in support of the motion. He evidently thinks it wrong that in certain provinces quite a large number of electoral cards are handed in during the last week or so. I can see nothing wrong with that. As a matter of fact, if people in this State entitled to have a vote for the Legislative Council are to be able to exercise that vote, there is no other way of achieving that end. It is necessary for us to wait until the roll is printed.

Hon. J. Cornell: I never do that. I would never get anywhere if I did.

Hon. W. J. Mann: Nor would anybody else.

Hon. G. FRASER: If it is done in any other way, the roll is out of date by the time it is printed. The roll is 12 months old, and it is useless working on such a roll. There is only one way to do the job properly, and that is to wait until the final roll is available.

Hon. J. Cornell: My last roll is four years old.

Hon. G. FRASER: In that way one knows who is and who is not on the roll, and has an opportunity to place people on it who are entitled to be enrolled. I have done that and so, I think, has every other candidate for the West Province.

Hon. G. W. Miles: You need to give the electoral officer time to check up.

Hon. G. FRASER: He has all the time necessary.

Hon. G. W. Miles: No.

Hon. G. FRASER: He has all the time between the printing of the roll and the supplementary roll.

Hon. H. S. W. Parker: Do not you think a Select Committee would assist in matters like that?

Hon. G. FRASER: A Select Committee is not needed for that purpose.

Hon. J. Cornell: How many members of the Council know the Act says that a supplementary roll must be published every three months?

Hon. G. FRASER: It does not matter when it is published. The only time to find out who is not on the roll is when the roll is printed. In order to get the roll up to date it is necessary for 1,000 or 1,200 or 1,300 cards to be put in during the last few weeks. There are only a few weeks between the time of the printing of the roll and the

closing of the supplementary roll. That is the only opportunity of getting the roll up to date. It might be all right in country districts where there is no floating population—

Hon. L. B. Bolton: Do not you think that should be altered?

Hon. G. FRASER: In the metropolitan area and in industrial centres there is no other means of doing it. Mr. Baxter, in moving the motion, suggested that a number of cards have been thrown out. I challenge him to prove that any of the 1,200 or 1,300 cards put in by me have been thrown out because of wrongful claims.

Hon. C. F. Baxter: I was speaking of a particular district, and said so at the time.

Hon. W. J. Mann: The West Province is not the whole of Western Australia.

Hon. G. FRASER: It is a most important part of it! I am entitled to speak from my point of view and the hon. member is entitled to speak from his. I have as much right to have my say as has any other hon. member, and I say that the only way to get anything like a reliable roll is for this work to be done after the printing of the main roll.

Hon. J. Cornell: I have vivid recollections of the Chief Electoral Officer's stepping into the East Province at one period.

Hon. G. FRASER: I do not know anything about that; it must have been a long time ago.

The Honorary Minister: You know the result of that; he lost his application to the court.

Hon. G. FRASER: However, that is the procedure which is adopted and which will be adopted because it is the only method by which a district with a fluctuating population can provide a complete roll. If it is necessary for an investigation to be undertaken, arrangements can be made, but whilst the present system operates the same methods will be adopted and the Electoral Department will receive that usual 1,000 to 1,300 cards after the close of the main roll. That is the only way in which people entitled to a vote can obtain it. What happens elsewhere I do not know but, so far as the West Province is concerned, I challenge any member to go through the cards and find any that have been rejected. Country districts, where population does not fluctuate to the same extent as in the

metropolitan area, may be able to make other arrangements but in industrial areas the conditions to which I have referred must operate. Whether he intended to do so or not, Mr. Baxter left the impression that there was something wrong in that procedure being adopted. I can see nothing wrong with the practice. I have done it myself and will do it again. I shall place on the roll everyone I believe entitled to be there, up to the date of the closing of the supplementary rolls.

HON. E. M. HEENAN (North-East): I find myself in agreement with the motion and also with a number of points made by both Mr. Baxter and Sir Hal Colebatch. Experience has demonstrated that our electoral system does need bringing up to date, and a number of improvements could be made in it. Before dealing with the general aspect of the subject, I desire to clarify certain matters that were referred to by Mr. Baxter and to which I have taken considerable objection. He said that at the last election in the North-East Province 2,000 names were put on the roll. He was quite right in his statement that approximately 2,000 people were placed on the roll, but I am sure that he intended to convey to hon. members—and, in fact, did convey to them—that some irregular practice had been indulged in on that occasion.

As I was one of the candidates and can accept almost the whole responsibility for putting those people on the roll, I point out that the inference hon. members or anyone else would draw from Mr. Baxter's remarks was that I had been guilty of some improper conduct. I take great exception to that suggestion. As far as I am aware Mr. Baxter had not been on the Goldfields for 12 months prior to, nor has he been there since, that Legislative Council election. If he has, I have not heard of it. I do not know that he has visited Kalgoorlie or Laverton or any other centre in the North-East Province and therefore his knowledge of the facts could only have been gained from hearsay that was quite irresponsible and dishonest.

The true facts are—I acted like any other member, who has an election in the offing—that for a period of over two years I studiously day in, day out, put people on the roll when I met them and ascertained that they had the necessary

qualifications. Especially during the last 12 months, I put hundreds of people on the roll. During the Christmas vacation I sacrificed my visit to the coast and set myself the task, together with my committee and representatives of the Trades Hall, of dealing with the rolls. From January right up to May we continued with the work. The result was that a fortnight before the roll closed our task had been almost accomplished. We were congratulated by the returning officer for the province on what we had achieved. We had performed a public duty in putting the names of 2,000 people on the roll. But for our trouble and the expense incurred they would not have been enrolled.

Hon. G. B. Wood: Why should a candidate have to do that?

Hon. E. M. HEENAN: I agree that it is quite wrong that a candidate should have to do that work. That is why I say there is merit in the motion now before the House. I can say advisedly that a majority of those 2,000 people would not have had a vote at the last Legislative Council election had it not been for the great trouble and expense which I and my loyal supporters put into the effort of placing them on the roll. Apart from the worry and toil involved in the work, there was great financial expense which a poorer person than I could not have undertaken. In such circumstances the election would have been an utter farce—had that work not been undertaken. After hearing my explanation, I am sure Mr. Baxter will regret having created the impression in the minds of members that improper practices had been indulged in.

Hon. C. F. Baxter: I had no intention of reflecting upon you.

Hon. E. M. HEENAN: I say unhesitatingly that the A.L.P. council on the goldfields and the men and women who formed part of my committee did an excellent job, and did it honestly and well. They finished the greater part of it, as Mr. Seddon knows, well before the rolls closed. We did not save the cards as we filled them in. As, say, 50 were completed they were sent in. Another 50 would be sent in the following day, and so on. The Electoral Registrar was highly pleased and congratulated us on the work we carried out. Our task was completed about a fortnight before the rolls closed although possibly a few cards may have been handed in after that. I do

not desire to reflect upon my opponent, but as Mr. Baxter stressed the point, I will contrast my opponent's part in the election.

I tell Mr. Baxter that my opponent was away on holidays and returned to make a wild hectic rush round Kalgoorlie during the last week or so. He was the candidate, who during that last week, put in a large number of claim cards, which, of course, meant that the returning officer had no proper opportunity to check them. I do not agree with that, although under the Act the returning officer or anyone else can object to names being placed on the roll, as the supplementary roll was not printed for some weeks afterwards. What applied in the North-East Province I can quite imagine could obtain fourfold in the metropolitan area. I suppose there must be thousands upon thousands of people here who have possessed the necessary qualifications for a vote for the Upper House, and have possessed them for many years.

On the other hand, the particulars regarding the qualifications are shrouded in the Act by so much obscurity that some require the services of a lawyer to interpret them. Therefore there must be many thousands of people who have been qualified for very many years and yet have never been enrolled. They do not know themselves that they could be enrolled nor has anyone bothered to tell them or gone to the expense of putting them on the roll. From that standpoint alone, I hope that some good may result from the motion. I do not wish to keep attacking Mr. Baxter and his remarks, but while he agreed that the North-West should have ample representation in the Legislature, apparently he did not agree to that argument also applying to the Goldfields. Whatever his intention may have been, I think Mr. Baxter was answered fully by Sir Hal Colebatch, who remarked that the Scandinavian countries were apparently the best governed in the world and there the country areas have double the representation of the cities.

Hon. C. F. Baxter: Have we got that here?

Hon. E. M. HEENAN: I think the inference could be drawn from Sir Hal's remarks that he desired complete representation of the whole of the people. I think his words were, "What shall we do to get

proper representation for the people?" and he also referred to "complete representation of the whole of the people." I submit that none of the arguments the hon. member used combated that in favour of adult franchise applying to whatever Houses of Parliament are in existence. If two branches of the Legislature are necessary—that point is debatable—surely every adult in the country is entitled to a vote for both. If the qualifications for enrolment for the Legislative Council were fully exploited, there would be very few off the rolls.

Hon. G. B. Wood: Then, what is wrong with the franchise as it exists?

Hon. E. M. HEENAN: At the present time there are about seven separate qualifications entitling a person to be enrolled for the Legislative Council. Some of them are set out in language that is very involved and intricate. The general public has no conception what those qualifications are.

Hon. G. B. Wood: No, because the people are misled by Trades Hall.

Hon. E. M. HEENAN: I am quite sure I am correct in making the statement that a number of members of this House are not aware of all the qualifications.

Hon. T. Moore: They should go to the Trades Hall and learn what they are.

Hon. E. M. HEENAN: There is a popular conception that the only way by which a husband and a wife can both be enrolled for the Council is for the wife to own property. I tell members that every husband and wife who rent a house and pay about 7s. or 7s. 6d. a week are entitled to be enrolled for the Upper House.

Hon. L. B. Bolton: Tell us how.

Hon. E. M. HEENAN: That is a fact. The Crown Law Department has issued a ruling to that effect. There is no ambiguity about it. Of course, I am not here to give away inside secrets! One of the qualifications, in fact the common qualification, for enrolment as an elector of the Council is that of householder, and a householder is defined as any person occupying a house of the clear annual value of £17. Another qualification is that of ratepayer.

Hon. W. R. Hall: Why give secrets away?

Hon. E. M. HEENAN: A ratepayer is a person whose name is on the ratepayers' list of any municipality or road board for a property of the annual rateable value of

£17. When a man and his wife rent a dwelling, either of them is entitled to be on ratepayers' list for the municipality or road board. Both cannot be on the ratepayers' list. If the wife's name appears on the list, then for a dwelling, say, in Subiaco, her name would appear on the Subiaco municipal roll. Once her name appears on that roll, it gives her the qualification to be on the Legislative Council roll. The husband can get on the Council roll as a householder.

I mention these matters because I assume that later on the question of the Council franchise will be debated. I unhesitatingly tell members that the qualifications at present are almost tantamount to adult suffrage, but they are surrounded by so much obscurity and *hoens-pocus* that people do not understand the position. Some of them do not know the province in which they live; they do not know what the qualifications are; enrolment is not compulsory, and that is why we have the ridiculous spectacle of so few people voting for Council elections.

Hon. C. B. Williams: You are speaking for the Goldfields, not for the timber areas.

Hon. E. M. HEENAN: However, I agree that our electoral system needs overhauling in many respects. Everything devised by the human mind needs revising from time to time, and I have no objection to the motion. I was delighted with some of the points made by Sir Hal Colebatch, and I hope we may learn from some of the principles he enunciated.

**HON. C. B. WILLIAMS** (South): I intend to support the motion unless, of course, Caucus directs otherwise, though so far as I can see, there is no reason why it should do so. The hon. member has told us the truth; the postal vote system for the Commonwealth has very little on that of the State. All I wish to say in that respect is that electors should have the opportunity to exercise their vote. Members are well aware that the first postal vote officer to approach an elector usually gets his vote. There is one matter I wish particularly to bring before the House. Kanowna is the name of a goldfields town; in fact, it is the town where Mr. Heenan was born. Kanowna is not what it was, and I see no reason, historically or otherwise, why it should not be catered for by postal voting. I am considering this matter from the point of view of saving

money. Mr. Baxter, in moving the motion, overlooked this aspect, and set out to make a party matter of the proposal.

I say that Kanowna as the chief polling place should be wiped out. There are only five votes in the town, and if I lost the lot of them, it would not make any difference to me. Kanowna is only ten miles from Kalgoorlie; it is the chief polling place, and with five voters, has a returning officer, poll clerk, motorcars to take officials there, and all the rest of it. This should not be tolerated. Norseman or even Esperance should be the centre. Some day we might get for Esperance the consideration necessary to make that port what it ought to be. In addition to a returning officer to cater for a handful of voters, there are scrutineers for the Labour Party and for the National Party—all for the sake of five votes. Kanowna was very much in the limelight when I was a lad, but since then it has declined. I should like to know what was the cost of taking those five votes. I have no desire, as a rule, to serve on Select Committees, but I would like to be a member of this Select Committee. Some 17 years ago I got 50 votes in the Kanowna electorate and despite a ruling by judges, the nit-wit of a returning officer would not admit the votes that were indicated by crosses. Mr. Cornell was present and will remember the occasion.

Hon. J. Cornell: I was not.

Hon. C. B. WILLIAMS: Then the hon. member has a poor memory.

The PRESIDENT: I ask members to hear the speaker in silence.

Hon. C. B. WILLIAMS: I approve of that. Every vote indicated by a cross on that occasion was against the views of the electoral officer. We should have a definite undertaking that when a cross or other mark is made on a ballot paper and indicates the intention of the voter to be either for or against the candidate, it should be accepted. I cannot agree with everything Mr. Baxter has said, but I do say that the chap wins who gets the best postal vote officer under the present system. One reason why I support the motion is that we ought not to stand on sentiment. We should not have a chief polling place at Kanowna when it has only five voters, notwithstanding that Mr. Heenan was born there. We should have the chief polling place either at Norseman

or Esperance, both of which are bigger places.

On motion by Hon. G. B. Wood, debate adjourned.

### BILLS (2)—THIRD READING.

- 1, Main Roads Act (Funds Appropriation).
  - 2, Industries Assistance Act Continuance.
- Passed.*

*House adjourned at 6.15 p.m.*

## Legislative Assembly.

*Tuesday, 3rd October, 1944.*

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

### QUESTIONS (2).

#### FENCING WIRE.

*As to Black and Galvanised.*

Mr. BERRY asked the Minister for Agriculture:

(1) Is it a fact that galvanised fencing material is available to primary producers in any of the Eastern States at the present time?

(2) Is there any substantiation of the persistent and prevalent rumour that the W.A. Netting and Wire Company, Ltd. refuses to galvanise fencing material until all stocks of black wire fencing material have been purchased by Western Australian primary producers, or otherwise disposed of, with profit to the company?

(3) If the answer to No. (2) is in the affirmative can he take steps to compel this firm to galvanise such fencing material and make same available without deliberately forcing surplus stocks of black wire fencing material on primary producers of this State?

(4) If the answer to No. (3) is in the negative will he endeavour to induce the