procuring fencing material would not be lost sight of. It has not been lost sight of. I have kept in touch with England and the Eastern States, but we would be mad to give the Commonwealth a big order for fencing material unless they could quote us the price. To give them a signed cheque with power to fill it in for any amount would be madness. The people could not pay for it. The member for Kimberley is the direct opposite of the member for Subiaco (Mr. Brown). The member for Kimberley would say nothing good of State enterprise. The member for Subiaco gave me the surprise of my life by expounding the theory of nationalising most of our industries.

Mr. Hickmott: Everything but bakeries.

The HONORARY MINISTER: I would ask the member for Kimberley, if there had been no State steamers, what would have been the position of the people in the North-West during the past few years? The reply would probably be that, if the State had not stepped in, other steamship companies would have supplied the want.

Mr. Durack: Where would we be to-day but for the privately-owned steamers which carry supplies to the North-West?

The HONORARY MINISTER: I might ask where shall we be shortly if the "Minderoo" and "Charon" go elsewhere. The State steamers, plying on the North-West coast, have been of great benefit, and have saved the people much. I am sorry our steamers are hung up. I wish we had more of them, as their employment on the North-west coast would do much to reduce the cost of meat in the metropolitan area and southern districts. If it had not been for the steamers, I do not know where our wheat farmers would have been, because there would have been no superphosphate for them. In conclusion, I hope members will try to catch a little of our Premier's optimism; it is badly needed in Western Australia to-day.

Question put and passed; the Address, as amended, agreed to.

[The Speaker resumed the Chair.]

BILL—STATE CHILDREN ACT AMENDMENT.

Restoration.

Message from the Council, requesting the Assembly to resume the consideration of the Bill for an Act to amend the State Children Act, 1907, at the stage which it had reached last session, now considered.

The MINISTER FOR WORKS (Hon. W. J. George—Murray-Wellington): I move—

That the State Children Act Amendment Bill, which lapsed last session by reason of the prorogation of Parliament, after it had been read a second time and before it had been considered in Committee, be restored to the Notice Paper at the stage it had then reached.

Question put and passed.

House adjourned at 9.29 p.m.

Legislative Assembly,

Tuesday, 26th August, 1919.

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

QUESTION—EXPULSIONS FROM EASTERN GOLDFIELDS.

Hon. P. COLLIER asked the Minister for Mines: 1, Is it a fact that the police in the Eastern Goldfields have requested certain residents to leave the district? 2, If so, what is the reason, and by what statutory authority is this being done? 3, What action is the Government taking to maintain constituted authority, and to prevent the unauthorised and unlawful attempt to force citizens and other residents out of the district?

The MINISTER FOR MINES replied: 1, No. Certain people were advised that, owing to the feeling created against foreigners by the murder of a returned soldier, it would be in their interests and the interests of public peace for them to change their locale for the time being at least, as this was considered the best method of avoiding friction and, possibly, a serious disturbance of the peace. 2, Answered by No. 1. 3, The Government have strengthened the police force besides taking the action mentioned in reply to Question 1, which has proved most effective in upholding constituted authority.

QUESTION—INSURANCE COMPANIES' DEPOSITS.

Hon. W. C. ANGWIN asked the Premier: 1, What is the total amount deposited by the insurance companies with the Colonial Treasurer in accordance with "The

Insurance Companies Act, 1918''? 2, What is the total amount granted or promised to be granted by loan to persons or companies for assistance to establish industries or other purpose, and on what conditions? 3, Who are the persons or companies to whom such grants are made or promised to be made?

The PREMIER replied: 1, £200,000. 2, £120,000 on basis of £ for £ of subscribed capital, interest at the rate of 5½ per cent., first mortgage over security for repayments. 3, West Australian Meat Exports Company, Limited; Westralian Meat Works, Geraldton; Nor'-West Meat Works, Limited, Carnarvon.

BILL—CONSTITUTION ACT AMENDMENT.

Introduced by Mr. Mullany and read a first time.

PAPERS—FREEZING WORKS, FREMANTLE.

On motion by Hon. W. C. ANGWIN ordered: That all papers relating to the erection of freezing works at Fremantle be laid on the Table.

RETURN—FREMANTLE WHARF, COST OF POLICE SERVICE.

On motion by Mr. JONES ordered: That a Return be laid on the Table showing the cost of police service on the Fremantle wharf from March 29 to May 5, 1919.

RETURN—POLICE BENEFIT FUND.

On motion by Mr. JOHNSTON ordered: That a Return be laid on the Table showing: 1, The amount to credit of the Police Benefit Fund on 30th June, 1909. 2, The number of members of the Police Force contributing to the fund at that date, and the rates of their contribution. 3, The amount to credit of the Police Benefit Fund on 30th June, 1919. 4, The number of members of the Police Force contributing to the fund at that date, and the rates of their contribution. 5, The amount disbursed by this fund during each of the past ten years, respectively.

BILL STATE CHILDREN ACT AMENDMENT.

In Committee.

Mr. Stubbs in the Chair; the Minister for Mines (for the Colonial Secretary) in charge of the Bill.

Clauses 1, 2—agreed to.

Clause 3—Amendment of Section 4 of principal Act:

The MINISTER FOR MINES: I move an amendment—

That in line 7 the words ''a child committed to an institution'' be struck out and ''convicted child'' inserted in lieu.

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

Clause 4—Addition of section to Part III.:

Mr. SMITH: Is it intended to appoint a magistrate specially for the Children's Court?

The MINISTER FOR MINES: Not necessarily, though one might be desirable in Perth, where the work is heavy. The chances are that one will be appointed for Perth. At present the work devolves upon magistrates who are pretty fully occupied otherwise.

Hon. T. WALKER: Can the Minister state what magistrates have visited institutions for the care of children, and on what occasions those visits were paid? I understand such visits are of rare occurrence; and in the case of children something more than a casual inspection is needed. The clause as it stands means that anybody and everybody shall attend to this work; and that means nobody. So far as I can gather, the work is at present really neglected.

Hon. W. C. ANGWIN: Institutions for the care of children are frequently visited by officers of the State Children Department. However, there can be no harm in appointing a special magistrate to visit the institutions, if only to relieve the fear entertained in some quarters that they are not carried on in a proper manner. The appointment of a special magistrate does not seem to come under this clause.

Hon. P. COLLIER: Seeing that the Children's Court consists of women and men justices in addition to the police or resident magistrate, why should the right to visit institutions be restricted to this proposed special magistrate? It would be well if the other members of the court also made periodical visits to the institutions to which they commit children. Thereby they would gain a firmer grasp of their duties.

Mr. Smith: It ought to be compulsory for the other members of the Children's Court to visit the institutions.

Hon. P. COLLIER: Possibly. It is not intended, I presume, that every justice of the peace shall be empowered to make visits of inspection.

The MINISTER FOR MINES: It is a question whether other members of the Children's Court should also be appointed by the Governor in Council to visit these institutions. Perhaps we had better try first appointing the special magistrate for that purpose. The chief object in having a special magistrate is to get him to make a study of child life. Possibly the same thing is desirable in the case of the other members of the Children's Court. However, this power being in the nature of an innovation, let us in the first instance restrict it to the special magistrate. The principle can be carried further, if neces-

sary. Though the institutions are not visited by magistrates, their inspection is by no means neglected. They are inspected by departmental officers, who apply themselves to this particular matter, and who should be held responsible. So far, let me add, they have not been found wanting. Numbers of casual inspectors walking in and out of institutions to inquire into complaints made by irresponsible persons would not be for the benefit of either the children or the public.

Hon. T. WALKER: The principal Act absolutely destroys responsibility so far as magistrates are concerned. We have no special magistrates in the sense of this Bill. The Bill does not alter the definition of "special magistrate," and that, as defined by the existing Act, means anybody—a police magistrate, a Government resident, a resident magistrate, or a justice of the peace nominated by the Government for purposes of the Act. All magistrates are special magistrates for the purposes of the Act. It is left to everybody. If there be anything at all in the view taken by the Minister as to the importance of the study of child life—and I know of nothing more important—one cannot have too much inspection and judicious supervision. The Minister points out that inspections are made by the officers of the department. I can conceive of no worse class of supervision.

The Minister for Mines: They have no interests to serve.

Hon. T. WALKER: They have, for it has become a department.

The Minister for Mines: A very valuable one.

Hon. T. WALKER: Undoubtedly, if rightly run. But in some instances it is doing as much harm as good. The court itself is becoming too much like a police court.

Hon. W. C. Angwin: That has nothing to do with the institutions.

Hon. T. WALKER: True, but I am replying to the Minister. If we contemplate having special magistrates, they should be nominated. It should be somebody's particular duty to make this supervision. I would limit the selection of men for the purpose to people of experience. Not every irresponsible magistrate or justice of the peace should be constantly urged to visit these institutions. The supervision should be left exclusively to persons of knowledge and judgment, and it should be compulsory for those specially appointed persons to visit the institutions.

Hon. W. C. ANGWIN: Hearing the member for Kanowna, one would think that the institutions were run for gain, that those in charge of them were there for what they could make, and not to render assistance to the children under their care. Many of those officials have no salary at all, but are giving their services solely in the interests of the children. Consequently, there is not that necessity for close inspection which the hon. member would have us believe. As for the officers of the department, they have no interests whatever, beyond that of the welfare of the children.

Hon. T. Walker: They have their billets to consider.

Hon. W. C. ANGWIN: It does not affect their billets. They go there merely to see that the children are well looked after and that the money subscribed to the institutions is being expended to advantage; whereas a magistrate, when he goes, goes out of curiosity, or to satisfy the curiosity of some person outside.

Hon. P. Collier: There have been instances of neglect, such as occurred at the Swan Boys' Orphanage.

Hon. W. C. ANGWIN: Isolated instances of the sort are unavoidable. It must be remembered that visitors are welcomed by those in charge of the institutions. I am afraid that the supervising duties would be found insufficient to warrant the appointment of a special magistrate, that they would not occupy his full time. To my thinking it would be better to add the necessary visiting to the duties of a departmental officer. I have known determined attempts made to take girls from our institutions, girls who were being kept there for their own good. Efforts have been made to ridicule Western Australia in respect of the care of some of those girls. We were once threatened by a publication in England, in consequence of which we communicated the whole of the facts to the Agent General. The officers of the department visit these institutions and see to it that the children are well looked after. In my opinion this provision for a special magistrate is merely to satisfy curiosity.

Mr. ROCKE: The provision will prevent estimable women from visiting the institutions. Possibly women inspectors visit the institutions to-day, but they go there in an official capacity, and, in consequence, it may be that we do not get from them a perfectly frank opinion.

The Honorary Minister: I think you will find the opposite is the case.

Mr. ROCKE: Every precaution should be taken to see that the institutions are conducted to the best advantage of the children. Even the women who sit on the Children's Court bench will not be permitted to visit institutions. They at least should be allowed to see that institutions are being properly conducted.

The Honorary Minister: What is to prevent them?

Mr. ROCKE: The Bill provides for a special magistrate, and a woman cannot be a special magistrate.

The Honorary Minister: There is nothing to prevent women visiting.

Mr. ROCKE: Defects, which would not be noticed by men, would be detected by women.

The Minister for Mines: There are women inspectors.

Mr. ROCKE: Provision should be made for specially appointed inspectors, including women, to inspect institutions on behalf of the children.

The MINISTER FOR MINES: One might conclude from the arguments advanced that no woman could visit institutions to make inspections, but such is not the case. There are women in the department whose duty it is to visit institutions and report. If they find anything wrong, they not only point it out, but get the Government to insist on the institution altering its methods, if necessary. The hon. member's suggestion would result in the court visiting an institution, and merely causing gossip and comment without rectifying defects. There is too keen a desire to get people to carry the responsibility for alterations which the public do not desire. Officials should carry the responsibility, and they dare not create scandal. Troubles will arise, and the Government must be able to pin the responsibility to the official who should rightly bear it.

Clause put and passed.

Clause 5—Substitution of new section for Section 18:

Hon. P. COLLIER: Do the Government intend to appoint members to children's courts? Will it be open to any and every justice to go the Children's Court, or will a special magistrate be appointed for that duty alone?

The MINISTER FOR MINES: Where there is sufficient work for a special magistrate—the only place I know of is the metropolitan area—such will be appointed.

Hon. P. Collier: Is it intended to have others with him?

The MINISTER FOR MINES: They will be appointed as well.

Hon. P. Collier: Paragraph 2 states "The Government may also appoint such persons." Is it intended to appoint them?

The MINISTER FOR MINES: It is, as well as the special magistrate.

Clause put and passed.

Clause 6—agreed to.

Clause 7—No summons to be issued in certain cases:

Mr. ROBINSON: This and the succeeding clause deal with offences and the committing of children to institutions. Where a child has committed an offence, probably an institution is the best place to send it. But in many instances children, charged with offences, would be a thousand times better off if removed to another home or to congenial surroundings than if herded in an institution. Do the Government favour institutions in the first instance, or homes?

Hon. W. C. Angwin: Section 23 provides for that.

Mr. ROBINSON: That section relates to destitute or neglected children. This clause refers to a child charged before the court with an offence, and the only remedy is to send such a child to an institution.

The MINISTER FOR MINES: The member for Canning was a member of the Cabinet which discussed this Bill before it was submitted to Parliament, and should know the policy of the Government, which has undergone no change.

Hon. W. C. Angwin: This is the Bill as amended by a select committee.

The MINISTER FOR MINES: But in this respect it is the same. Cabinet is of opinion that homes are better than institutions. I do not underrate the work of the latter, but I believe in the influence of the home. The department is doing more in this direction every year.

Clause put and passed.

Clause 8—In committing to an institution, court to have regard to the future of the child:

Mr. THOMSON: I move an amendment—

That after "institution" in line 1, the words "or a private home" be inserted.

Under the clause as printed, the court would have no alternative to sending a child to an institution.

Hon. W. C. Angwin: I suggest using the words in the principal Act "or place of some respectable person."

The MINISTER FOR MINES: The interpretation of "institution" in the Act covers all institutions set out in the schedule and other places for the time being under the supervision of the department. If a child were committed to a private home, that home would be under the supervision of the department for the time being.

Hon. W. C. Angwin: The same as foster mothers.

The MINISTER FOR MINES: Yes.

Mr. Pilkington: This clause does not give power to commit a child.

Mr. THOMSON: In view of the Minister's explanation, I ask leave to withdraw the amendment.

Amendment by leave withdrawn.

Clause put and passed.

Clause 9—Court may refrain from recording conviction or from imposing punishment or fine:

The MINISTER FOR MINES: I move an amendment—

That in lines 7 and 8 the words "from recording such conviction or" be struck out and at the end of the clause the words "or without proceeding to conviction dismiss the complaint" be inserted.

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

Clause 10—Amendment of Section 24:

The MINISTER FOR MINES: I move an amendment—

That at the beginning of the paragraph, the word "or" be inserted, and that in line 3 the word "he" be struck out, and "such child" be inserted in lieu.

Amendment put and passed.

Hon. W. C. ANGWIN: I move a further amendment—

That the following words be added to the end of the clause: "or during such shorter period as the court may think sufficient."

I intend at later stages to embody a similar provision in other parts of the Bill. As the position is to-day, the court has been acting illegally; they have convicted children for periods, sometimes short and sometimes long.

Discretion should be left to the court to say whether the Government should have control of the child until it reaches the age of 18 years. In some instances the parents are caused unnecessary worry. Let me give an instance. A boy whom I know very well found a quantity of copper wire which was put into the river so that it might be removed at night. The boy informed the police of his discovery and the people who owned the wire made the lad a present of a guinea. It was reported afterwards that an orange had been taken from a Chinaman's cart by the same boy. He was brought before the court and committed to an institution for a month. The boy was honest; what he did was only a lad's freak. The Minister took up the matter and quashed the conviction. If the court had been able to exercise discretion it would have been better.

The MINISTER FOR MINES: I accept the amendment as the department desires that the position, as explained by the hon. member, should exist.

Amendment put and passed.

The MINISTER FOR MINES: I move a further amendment—

That paragraph (d) be struck out.

It is unwise in dealing with children in this manner that the department should have the opportunity of reviewing the decision arrived at.

Hon. P. Collier: And it is contradictory to Section 38 of the principal Act.

The MINISTER FOR MINES: It is not a criminal action; it is a question of how we are to care for child life, and if we are going to put the department, or even Parliament, in the position of having to comply in every regard with the directions given by the court, the best thing to do will be to hand over the Children's Department to the court and say "Here is as much money as you require to carry on." Under the circumstances, we might delete the clause.

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

Clause 11—The court may vary or rescind any order:

The MINISTER FOR MINES: I move an amendment—

"That the clause be struck out."

The clause would result in a good deal of friction between the department and the court and there would be a general mix up.

Hon. W. C. Angwin: And it is inconsistent with Section 28 of the principal Act.

Hon. T. WALKER: The clause gives the court power to review a decision and to listen to new evidence, if necessary. Something of the kind is required either on the part of the court or some other authority.

The Minister for Mines: Would you like to conduct an appeal before the same court?

Mr. Hudson: It is frequently done.

Hon. T. WALKER: The department should have the power it is proposed to provide; they are more easily approached. We do not desire to have too many formalities, too many stern sets of rules and precedents in governing child life. I prefer the department to have the authority without taking away the power under Section 38. There should be some chance of review by the court itself, to make amends for its errors. I do not like the clause as it stands, and neither do I like the suggestion for its entire removal. There are times when the officers of the departments and the police are at loggerheads, and who is to decide between them? We must have an independent tribunal that can hold the balance equally between the parties.

Mr. PILKINGTON: The clause is a very useful one. We are not dealing here with cases similar to those which go before the Criminal or Supreme Court, where the decision is absolutely final subject, of course, to the Governor in Council. The court, after ordaining that a child should be dealt with, may find subsequently that the conditions are changed, and there may be good reasons for a parent or guardian urging that a child should be released. This clause would largely meet the objection, raised by the member for North-East Fremantle, to the provision as to the detention of children until they reach the age of 18. The intention is to enable the court to have the conditions changed, and to alter an order which has been made. This will enable the court to perform its duties in a proper manner. I regard the clause as a wise and reasonable one.

The MINISTER FOR MINES: The deletion of this clause will not prevent the court from reviewing any decision it may make, or from recommending to the Minister that its previous decision should be varied.

Mr. Pilkington: It has no power to hear the case again.

The MINISTER FOR MINES: I prefer that position. There are hundreds of people in the community who delight in making complaints, probably more so in connection with this department than any other. Under this clause it is almost mandatory upon the court to meet all complaints. If this power is granted to the court the department will be required to send officers into different districts in order to appear before the local courts to answer complaints made by parents, guardians, or other interested persons. All this would mean additional expense to the department. The powers necessary in these matters are already provided. To retain the clause would be to add considerably to the cost of the administration of the department.

Hon. T. WALKER: I cannot see how the deletion of the clause will render the administration of the department more economical. The object of the clause is to charitably consider the case of a child.

Hon. W. C. Angwin: No.

Hon. T. WALKER: It will not be used to vary an order to give greater punishment to the child.

The Minister for Mines: It could be.

Hon. T. WALKER: But it would not be. What time has the department in which to hear all these cases and determine when a variation of an order should be made?

Hon. W. C. Angwin: There is too much criminality about the courts altogether.

Hon. T. WALKER: I admit that, as things are at present. There is ample room for reform in regard to our criminal court. The object, however, is to have a special court for these children, and it is supposed that the bench will be made up of persons who have an intimate knowledge of child life. At present justices of the peace are placed on this bench, and sit precisely as if they were sitting in the police court. With a special bench what harm would there be in permitting it to review a decision given some weeks before? We cannot open too wide the door so that every kind of justice may be meted out to these children.

Hon. W. C. Angwin: That is why I want it out.

Hon. T. WALKER: And that is why I want it in. I hope the Committee will retain the clause in the Bill. It does not prevent the department from acting as it would act under Section 38.

The Minister for Mines: It compels the department to take action in cases where this would be unnecessary.

Hon. T. WALKER: Not at all. There is no compulsion in the matter. This tribunal is supposed to be a special court acting independently upon evidence placed before it, and is not supposed to deal with a child as the Criminal Court would deal with prisoners. What harm is there in giving to parents the right to appeal to this special court on fresh evidence submitted? It is only fair play that this should be allowed.

Hon. W. C. ANGWIN: The principal Act provides all that is necessary for the rehearing of a case, reducing a sentence, or releasing altogether a convicted child. The member for Kanowna asks to whom an appeal could be made. I should say that an appeal could be made to a reasonable Minister.

Hon. T. Walker: There is not one here.

Hon. W. C. ANGWIN: Every case of a release is gone into by the Minister after inquiry has been made by the officials of the department. The surroundings of the new home to which the child is to go are also explained to the Minister, and any changed conditions laid before him.

The Minister for Mines: And parents write to the Minister also.

Hon. W. C. ANGWIN: This provision has been inserted for the express purpose of taking control from the Minister. The desire is that the full control should be vested in the State Children Department. In nine cases out of ten, the parents of the child are consulted as to the institution to which the child shall be committed; religious views are respected. A pamphlet dealing with this Bill quotes a case to show that the Minister was wrong in releasing a certain child that had been convicted; but the case occurred under the old Act of 1907, and no case of later date has been quoted. The Minister takes extreme care in the case of a child alleged to have been wrongly convicted. The clause as it stands is quite sufficient.

Mr. PICKERING: We have gone to a great deal of trouble to provide machinery for the creation of a special court which will treat children as leniently as possible. The Minister and his officers would not have the same qualifications for dealing with the cases of children as this specially constituted court would have. If, as the Minister states, the Colonial Secretary is now inundated with appeals, then plainly it is not possible for him to give full consideration to each case.

The MINISTER FOR MINES: I want the Committee to understand the position, and the advocates of economy to understand what expenses they are heaping up. The Minister is likely to be soft-hearted rather than hard-hearted. Under this clause the court will have to re-hear a case if application is made by either the parent or the guardian or the department. This is going to be a special court, not bound by the iron rules which govern the procedure of other courts. If, under this measure, the court and the department do not work together, all our efforts will have been in vain. We do not want the department to appear before the court as in the nature of a defendant. The member for Kanowna knows that, as Attorney General, he has been asked to vary orders of the criminal court; but he also knows that he never took upon himself to do so without consulting the judge or magistrate who adjudicated in the case. What I am nervous about is the number of appellants. People appeal to the Minister week after week, making another application as soon as one has been refused. So the department will have to be continually making investigations and continually sending officers to the court to prove that the conditions have not varied since the order was made.

Mr. Pilkington: The departmental investigation is not a proper investigation.

The MINISTER FOR MINES: I know of no case in which a parent or guardian has requested that an order of the court be varied and in which there has not been a proper inquiry by the department. After all, the department are the Government, and the Government are the people. We do not want to make this court something on the pattern of our ordinary courts. In the circumstances, having called the attention of the Committee to what is proposed, I am satisfied. But hon. members will presently wake up to learn what expense they are heaping on the country. Appeals are absolutely endless.

Hon. P. Collier: If there are going to be appeals, let us set up a special court of appeal.

Mr. MUNSIE: The reason of the clause is that the present members of the children's court consider that the department treat children too leniently, not that the department treat children too harshly. What happens is that, upon a child being committed to an institution for four years, there is an appeal made to the Minister after 18 months to send the child home; and the Minister, in the kindness of his heart, wants to do so. But I consider he ought not to have that

power. If, after the child has spent three months in an institution, the department think the child should go back to the parents, I am quite willing that course should be taken.

Sitting suspended from 6.15 to 7.30 p.m.

The ATTORNEY GENERAL: I do not like the clause as it stands. If we consider the object sought to be attained, and consider also the remedies provided by the Act, it will be seen that there is no necessity for the clause, at least not in its present form. Section 38 of the Act gives the Governor power to order the release of any child. The only additional power of any importance given by Clause 11 is the power to vary or rescind an order made by the court. The question of recision is not of importance, because it is not necessary to record any order made by the court. What is really sought to be effected by the clause is that the court shall have power to vary its own order. The members of the court say "In our court we see more of what is necessary for the children than does the average person who sits on the bench, and circumstances may arise which would lead to a desire on our part to vary our own order." That is a very laudable desire, but of course it is quite contrary to all ideas which prevail in courts. How far can a remedy of this kind be carried out? A child may be detained in the institution until 18 years of age. The order may have been made when the child was 12. If there is any virtue in the provision, surely the same court must sit to vary the order as that which made the order. It would be ridiculous to have three or four people making an order, and a totally different set of people varying that order.

Hon. P. Collier: Does not that happen in all our courts?

The ATTORNEY GENERAL: Only by way of appeal from the decision of one judge to the ruling of two or three judges.

Hon. P. Collier: This court wants the right of appeal to itself.

The ATTORNEY GENERAL: Which, strictly speaking, is improper. If we are to have any satisfactory decision, the only court which could vary its own decision would be a court cognisant of all the circumstances.

Mr. Hudson: But the appeal may be made years afterwards.

The ATTORNEY GENERAL: That raises another difficulty. If some years were to elapse, it might be impossible to get together the same court as that which made the order. Also in such a re-hearing all the original witnesses should be brought before the court. Where are they likely to be found, and to what expense would the Government be put in bringing them together? From a practical point of view, the idea is unworkable. If we had power given to the Governor-in-Council to release a child or rescind or vary an order made, there would be no necessity for calling the same court together again and re-calling all the witnesses. That, I think, is a provision which would get us out of the difficulty.

Hon. W. C. ANGWIN: I do not think the Minister's suggestion would effect anything. The only applications to be anticipated will be those for release.

The Attorney General: Power already exists for granting that.

Hon. W. C. ANGWIN: It might happen that the Minister would not be satisfied with the conduct of the child, or perhaps would not be satisfied with the environment into which the child, if released, would have to go, and so he might postpone the application for three months or more. A child may be detained until 18 years of age. If released from an institution by the Minister, the child would have the balance of the term hanging over him, and so would be afraid that if he did anything wrong he would be sent back. One method which has been adopted is that of boarding out a child with his parents instead of committing him to an institution. He is still maintained as a State child and, if he does anything wrong, he is at once amenable to the department and can be consigned to an institution. Section 38 of the Act provides all that is necessary.

Hon. T. WALKER: I cannot understand the Attorney General's reasoning. He tries to raise imaginary difficulties.

The Minister for Mines: They are real.

Mr. Pilkington: They do not exist in other cases where a re-hearing is allowed.

The Minister for Mines: This is not a matter of one re-hearing, but of continual re-hearings.

Hon. T. WALKER: It is imaginary to suggest that all guardians and parents are mad and will be continually requesting re-hearings. If there is a difficulty now, what is to prevent the parents being anxious to obtain a re-hearing from the Minister?

Hon. W. C. Angwin: Which is the better for the child, the court or the Minister?

Hon. T. WALKER: We should close no door against those who wish to appeal for right and justice. This would mean closing one door. Section 38 provides a very cumbersome method of appealing. If a parent wishes his child to be released, he has first to go to the department and convince the officers there. They in turn have to convince the Minister, who has to convince Cabinet before the matter can be brought before the Governor-in-Council.

Hon. W. C. Angwin: Have you ever heard of one case being proceeded with in that way?

Hon. T. WALKER: No, but that is the course to be adopted, and it is for only one definite purpose—release.

Mr. Hudson: Supposing it is desired to shift a child from one institution to another?

The Minister for Mines: The department can transfer it to the other department at once.

Hon. T. WALKER: It might be desirable to mitigate an order.

Hon. W. C. Angwin: There is no severity here.

The Attorney General: If you substitute "Governor" for "court," will that suffice?

Hon. T. WALKER: That would only provide a new avenue. The prerogative of mercy vested in the Crown does not take away the right of courts to vary an order or grant an appeal. Every person should have the fullest right to complete justice. This procedure might not be availed of. Even a good thing might be abused, but the fear of abuse should not be advanced as an objection to giving means for the fullest justice. The Attorney General's argument that it would be difficult to assemble the same court has scarcely any bearing. The court is continuous. Circumstances might arise during the course of the child's incarceration that rendered it desirable to vary the treatment.

The Attorney General: Could not that be taken into consideration by the Governor-in-Council?

Hon. T. WALKER: It might be, but it could be considered by the court. In the department there is no machinery for taking evidence, whereas a court must conduct its inquiries with some degree of exhaustiveness. A privileged tongue might get ears in a department where evidence is not strictly essential. We should not take away this right to appeal for justice in the treatment of children.

Mr. PILKINGTON: If it is correct, as has been suggested, that this clause is intended for a purpose not stated on the face of it, I fail to see what that purpose can be. A bogey has been raised. One would suppose from the Attorney General's remarks that a re-hearing is something novel, but re-hearings are made in maintenance, affiliation and bankruptcy cases. It used to be the regular practice of the old court of chancery. Why is this power of re-hearing not abused in other courts and why should it be abused in this court? It is not worth while to make a trivial application, because any abuse can be dealt with. The suggestion that the Governor-in-Council is a substitute for a re-hearing is quite incorrect. The re-hearing would be a judicial proceeding in a court, but the proceeding before the Governor-in-Council would not be a judicial proceeding. The parties would not be able to appear before the Governor-in-Council and give evidence. If the clause is actually abused in practice, and the court is unable to cope with the applications, the Minister would then be able to make out a strong case against it. I see no reason to anticipate abuse any more than in other cases in which litigants can ask for a re-hearing in regard to an order.

The Attorney General: You have not much knowledge of human nature if you cannot see it.

The MINISTER FOR MINES: The position as we know it is that one appeal can be made to-day and another to-morrow.

Mr. Pilkington: And you cannot stop it.

The MINISTER FOR MINES: There is no objection where applications can be dealt with by the department, but if a man went to the court in Leonora, we should have to send up an official to show that the conditions were not changed, and the country would have to pay the expense.

Mr. Hudson: What if the conditions are changed?

The MINISTER FOR MINES: Then an application can be made to the department. I do not wish the children to be mixed up with the maintenance, affiliation and other cases quoted.

Hon. T. Walker: They are provided for in this very measure.

The MINISTER FOR MINES: Why not include lunacy cases? Appeals in such cases are made day after day. Is it desirable that we should definitely state in the Bill that the court on an application by the department or the parent or guardian may vary the order, and at the same time to allow the Governor-in-Council to do likewise? Is that the proper course to adopt? If those words are to be in an Act of Parliament the proper course will be for the Government to say, "You can go to the court with your application." The member for Kanowna wants the door left open, and the member for Perth says "Send them all to the court." Which is the better door to leave open?

Hon. T. Walker: Leave both wide open.

The MINISTER FOR MINES: The people who are responsible for the wording of the clause had it in their minds that the department should not interfere with the decision of the court. Do hon. members know of a single instance where the department have not acted wisely and leniently in connection with children who have been handed over to their control? As there is no fault to be found with the department in that respect, let us take up the position as we know it and not move our ground in the direction of something which may prove to be unsound. We do not want the courts always to be occupied with the consideration of applications to vary orders. On the question of the control of children the court will lay down what is to happen so far as the child is concerned. After that it becomes the duty of the department.

Hon. T. Walker: If I believed all you say about the court I should not vote for the Bill at all, because the court is not to be trusted.

The MINISTER FOR MINES: That is absurd. I have no desire to get the court mixed up with the administration of an Act of Parliament.

Mr. Pilkington: You want the executive to become the court.

The MINISTER FOR MINES: I want the member for Perth to realise that the care of the children of the State is the court's responsibility and the executive have no right to shift that responsibility. We cannot remove the responsibility from the department. It must be remembered that the officials of the department have to answer

to the Minister, and the Minister is responsible to the House. The members of the court, however, may be there to-day and may resign to-morrow.

Clause put and negatived.

Clauses 12 to 16—agreed to.

Clause 17—Amendment of part VII. Begging or performing or work connected with race horses by children under 16 forbidden:

Mr. SMITH: The last line of paragraph (a) refers to children offering anything for sale. I am not quite clear as to whether the clause is intended to prevent newsboys offering their wares for sale. If so, that would be most unfair to those lads who are earning their livelihood by selling newspapers. The sale of newspapers by lads has gone on almost from time immemorial.

The Honorary Minister: Making Sunday mornings hideous.

The MINISTER FOR MINES: The paragraph is taken from the New South Wales Act, and I have not heard any of the newspapers in New South Wales going into the bankruptcy court in consequence. The paragraph, however, must be read in connection with the whole clause. Its aim is to prevent children begging or being used for that purpose.

Hon. P. Collier: Under the guise of selling something.

The Attorney General: That is so.

Mr. Green: Will the Attorney General explain what is meant by the marginal note which relates to racehorses?

The Minister for Mines: The marginal note does not mean anything.

Hon. W. C. ANGWIN: The first part of the clause gives the department power to license a child of the age of 12 to engage in street trading, and the paragraph declares that they shall not offer anything for sale if they are under the age of 16 years. I desire to find out whether the paragraph will not interfere with any child who, for example, might be assisting its parents in a small store.

The MINISTER FOR MINES: No, it deals with begging. Read the whole clause. I give the hon. member an assurance that what he feared is not intended. If there is any doubt about it, the Bill can be re-committed and the clause redrafted. The object is to prevent any person allowing a child to offer anything for sale when the real object is to beg.

Mr. Smith: How can they do that?

The MINISTER FOR MINES: Easily; what do they do with matches?

Hon. T. Walker: The clause is not clear.

The MINISTER FOR MINES: It can be re-committed.

Mr. WILLCOCK: It can be made clear by adding the words "offering for sale," after the word "pretence." It will then read, "For the purpose of begging or receiving alms . . . . whether under the pretence of offering for sale, of singing, playing, etc."

Hon. T. WALKER: The paragraph is not clear and should be postponed and re-drafted. I can support the intention of the paragraph but not its present wording.

The Minister for Mines: I cannot see how the hon. member can be confused in this matter. There is no room for any misunderstanding.

Hon. T. WALKER: If a child sells a thing in the street there can be no offence.

The Minister for Mines: We propose to make it an offence.

Hon. T. WALKER: If a child sings or performs and is paid for so doing, he has earned this payment, and yet we are told that he would be begging alms. There is a confusion in this clause regarding a number of points which should be taken separately. It should therefore be postponed.

The Minister for Mines: I think the paragraph is clear enough.

Mr. ROCKE: I move an amendment—

That in paragraph (b) the word "fourteen" be struck out and "sixteen" inserted in lieu.

It is wrong that a child should be allowed to enter into a racing stable at the age of 14. If we are desirous of protecting the child life of the State we should certainly amend our present legislation in the direction I propose.

Mr. PICKERING: I support the amendment. The environment of a racecourse is, in my opinion, much more harmful to children than is the occupation of begging.

Hon. P. COLLIER: I should like to hear those members, who are followers of the sport of racing, on this matter. There is something to be said for the amendment. Apparently it is considered to be more harmful for a child to earn his living on the stage than on a racecourse. Is the atmosphere of a racing stable sweeter and purer than that of the stage?

The Honorary Minister: A well-conducted racing stable affords the strictest discipline for a boy.

Hon. P. COLLIER: Is it necessary to apprentice a boy to this profession at so young an age as 14? If so, this is the age at which a boy is more likely to be influenced in the wrong direction than he would be at the age of 16. I have yet to be convinced that the sport of racing would be interfered with if we did raise the age in this way.

The MINISTER FOR MINES: I cannot answer the point raised by the leader of the Opposition, but I do know that this Bill was carefully considered by a select committee in another place, and that committee must have had good reason for altering the original draft of the Bill, as they did, from 16 to 14. If a boy desires to take up racing as a calling I do not see why he should be prevented from doing so. I do not know that the surroundings of a racecourse are as bad as some people imagine.

Mr. Rocke: It is the influence of the surroundings that is bad.

The MINISTER FOR MINES: If the Committee desires to raise the age to 16, I do not know that I have any serious objection.

Mr. DUFF: I suggest that the select committee referred to was guided in its views by the fact that the average boy finishes his schooling at 14, and has, on leaving school, an opportunity of adopting this life as a profession. As a matter of fact, many boys ride horses at a younger age than 14.

Mr. FOLEY: I differ from the member for South Fremantle as to the atmosphere of racing stables, taking them all round. The boy apprenticed in a racing stable at the age of 14 years is protected, and he has the opportunity of seeing in good time whether he cares for the business. Moreover, by apprenticing him at that age there is a period of two years, from 14 to 16, to ascertain whether he is going to become too heavy for the profession of a jockey; and if from any cause he proves unsuitable, he can turn to another vocation at the age of 16. Some of the racehorse owners and trainers of this State are as reputable citizens as we have.

Hon. P. Collier: No one has denied that.

Mr. BROWN: I support the amendment. The object of this legislation is to enable boys to do some good for themselves. Parents who are unwise enough to apprentice their son in a racing stable at the age of 14 are depriving him of the opportunity of growing up into an average man. Horses should be compelled to carry heavier weights, instead of boys being compelled to grow up undersized.

Mr. O'LOGHLEN: I hope the Committee will retain the age of 14. A select committee of another place, which recommended the adoption of that age, took exhaustive evidence from trainers regarding the allegedly detrimental effects of a racing career. I have read the evidence, which shows that the trainers exercise the most careful supervision over the boys. The environment of a racing stable is no worse, if no better, than the atmosphere of many other employments. Boys must take to the work of a jockey at a very early age. If they grow to large dimensions, their racing career is very short. The sweating process for the purpose of reducing weight, concerning which so much is heard, is adopted by grown men in order to be able to ride horses which have been, as the phrase goes, pitchforked into events. The evidence of the seven or eight trainers who were examined by the select committee shows clearly that it is necessary to apprentice boys at a very early age.

Mr. PICKERING: Members opposing the amendment are considering the sport of racing, but are not considering the boy at all. There is a great deal of uncleanliness connected with racing, and the environment is not a healthy one. Moreover, the boy is stunted for the sake of the sport.

Mr. WILLCOCK: In considering the proposal to prevent a boy from starting on the career of a jockey until he has reached the age of 16, we must bear in mind that 18 months or two years will elapse before he will be able to ride in a race, except one reserved for apprentices. The most successful jockeys have, as a rule, reached the zenith of their fame at the age of 17 or 18. The two leading jockeys in England recently were both under the age of 19 years. The adventurous calling of a jockey is one to be pursued only by the young.

Mr. ANGELO: I am afraid that if the amendment is agreed to, the jockey in Western Australia will be considerably handicapped as against his Eastern confrère, who will have two years' advantage over the West Australian boy. Racing is a business to-day, and we must not handicap our lads in the way suggested. If a boy is to be apprenticed to racing, the sooner he learns to ride the better. For that reason I will oppose the amendment.

Mr. HARDWICK: I have been a jockey myself.

The Minister for Mines: Yes, you jockeyed yourself in here.

Mr. HARDWICK: And I hope nobody will jockey me out. I have ridden in races on the Perth course.

Mr. Foley: Were you not caught in the barrier once?

Mr. HARDWICK: No. The member for Forrest told me that he did a lot of riding in the early days in Victoria, when he adopted the Tod Sloan attitude. I hope the age will be permitted to remain at 14 years, because our boys have to remain at school until 14 years of age, and I know many instances of a boy leaving school at 14 and almost immediately becoming the breadwinner for the family. The amendment will serve to handicap our boys as against the boys of the Eastern States.

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

Ayes	11
Noes	20
Majority against ..	9

Ayes	
Mr. Brown	Mr. Rocke
Mr. Green	Mr. Thomson
Mr. Hickmott	Mr. Walker
Mr. Jones	Mr. Wilson
Mr. Lambert	Mr. Griffiths
Mr. Pickering	*(Teller.)*

Noes	
Mr. Angelo	Mr. Maley
Mr. Angwin	Mr. Mitchell
Mr. Collier	Mr. Mullany
Mr. Davies	Mr. Munsie
Mr. Draper	Mr. O'Loghlen
Mr. Duff	Mr. Pilkington
Mr. Durack	Mr. Scaddan
Mr. Foley	Mr. Willcock
Mr. George	Mr. Willmott
Mr. Johnston	Mr. Hardwick
	(Teller.)

Amendment thus negatived.

Hon. W. C. ANGWIN: Paragraph (c) prohibits any child under 16 years of age from taking part in any public entertainment for profit, or offering anything for sale. This provision is supposed to have been taken from the New South Wales Act, but, as a matter of fact, it is quite different from that measure, which provides merely that a child of the prescribed age shall not do these things between the hours of 10 p.m. and 6 a.m., although I admit it places a complete embargo on the doing of these things by a child 10 years of age. But the New South Wales Act contains a proviso that in certain circumstances exemption may be granted by the Minister. Under our law, the assistance paid to a mother in respect of a child ceases when that child reaches 14 years of age, unless of course the child is sick, and so unable to obtain employment. I think we should insert in this clause a proviso giving the Minister power to grant exemption in certain cases. It must be remembered that some entertainments require young children for their proper presentation. The clause is likely to impose considerable hardship in a number of cases, and I suggest its postponement for consideration at a later stage.

The CHAIRMAN: The clause has been debated and cannot now be postponed.

The MINISTER FOR MINES: I shall have a further subclause drafted to give the Minister the power to grant exemptions.

Hon. W. C. Angwin: Will you agree to recommit the clause?

The MINISTER FOR MINES: Yes. The whole object is to prevent boys of 14 to 16 engaging in some occupation at places of amusement, and it might be desirable to give the Minister power to grant exemption in special cases. To strike out the words suggested would defeat the object of the clause.

Mr. O'Loghlen: How would it affect teachers training pupils?

The MINISTER FOR MINES: It would not affect them unless the pupils were showing for profit and reward.

Mr. JONES: I hope the Minister, in drafting the subclause, will not consider only the pea-nut boys. He should also bear in mind the requirements of the drama. If the Minister had not power to exempt children performing in a drama, many of the most desirable plays would be cut out.

The Minister for Mines: I think there should be power to give general exemption.

Mr. ROCKE: Will the Minister define the word "perform"? I have known girls of six to eight years dancing at a public entertainment for a showman after ten o'clock at night.

Mr. Green: What were you doing there?

Mr. ROCKE: If the Bill is intended to protect young children, will it meet such a case?

Mr. FOLEY: If a child under 16 is not to be engaged for public performance, provision should be made in the Bill instead of leaving it to the discretion of the Minister.

The Minister for Mines: You will have an opportunity to discuss the clause on recommittal.

Clause put and passed.

Clause 18—Repeal of Sections 97, 98, 99 and 105:

Mr. PICKERING: What will be the effect of repealing these sections of the Act?

The MINISTER FOR MINES: The lying-in homes referred to in those sections are already provided for under the Health Act.

Clause put and passed.

Clauses 19, 20—agreed to.

Clause 21—Addition of Sections to part VIII.:

Hon. W. C. ANGWIN: In the proposed new section 107b, three days is stipulated as the period in which a person, adopting a child, shall give notice to the secretary of the department. That period is too short. I move an amendment—

That in line 6 of the proposed new section 107b, "three" be struck out and the word "seven" inserted in lieu.

The MINISTER FOR MINES: Even seven days would be insufficient in some cases. If a person posted the necessary intimation in three days, that might be sufficient.

Hon. T. Walker: People in the back blocks might not be able to do it in seven days.

The MINISTER FOR MINES: I accept the amendment.

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

Clause 22—agreed to.

Clause 23—Insertion of new sections after section 117:

Hon. P. COLLIER: While it is necessary to take extra precautions for the protection of illegitimate children, it might be possible to go too far in the matter of inspecting their homes. Many such children are cared for by their mothers or grandmothers as well as any other child would be, and it would not be advisable for the inspector to pry into their homes. Where an illegitimate child is placed out or is living with other than its natural guardian, such protection might be necessary. I hope the inspecting officers would exercise these powers with discretion. When a departmental inspector calls at a home at regular intervals, the fact becomes known to the neighbours, and it would be distasteful——

Hon. T. Walker: And a source of constant shame.

Hon. P. COLLIER: Yes, to the mother or relatives of the child. The Minister should consider the question of exempting homes where the child is cared for by a natural guardian.

The MINISTER FOR MINES: This provision is taken from the South Australian Act, and I am advised it has operated satisfactorily there. It is preferable to have an officer of the department, who is not given to gossip, to do this class of work.

Hon. T. Walker: Generally a woman.

The MINISTER FOR MINES: Yes, appointed for the purpose. It is not likely to be abused, and only by making inspections can we assure ourselves that the treatment being meted out to the child is satisfactory. The result is that we will probably find little or no further inspection made.

Hon. P. Collier: It is all a matter of discretion exercised in the administration.

The MINISTER FOR MINES: Yes, but we cannot exercise discretion unless we have the power. Undesirable tactics have been adopted in connection with this matter, and the department have found a difficulty in getting at the facts.

Mr. FOLEY: I realise that a man's home should be his castle, and although a child may be illegitimate the motherly love is there just the same; and if the child is living with its mother, or its grandmother, it may be equally well looked after by either and no one should interfere. Generally, in these cases there should be as little interference as possible. But the State should have the right to send one of its inspectors there. I believe whenever it has been necessary to do this, tact has always been used. During the past three years, my eyes have been opened to a considerable extent. At the beginning I would have believed what the leader of the Opposition believes to-day. Matters of this kind come within my purview in connection with the military position which I occupy, and I know that these children are much better cared for when they are with their own people than is the case when they are boarded out.

Hon. P. Collier: That applies to legitimate children as well.

Mr. FOLEY: The only thing I regret is that the State cannot be educated to the extent of appointing someone who knows all about children to visit homes and give the mothers that advice which it is so important they should have, and of which so many of them lack knowledge. The clause is absolutely necessary at the present time, and from what I know of the inspectresses who are engaged in this work, whether it be in connection with the military department or the State Children Department, they have always exercised the utmost tact.

Hon. T. WALKER: If there is one creature who should receive the sympathy of the world at large, and who receives very little of it, it is the mother who brings into the world a child that has not the sanction of the marriage contract. This is a perpetuation of that old doctrine that regarded birth as carnal and evil in itself. The child born of unmarried parents is still a child, and sometimes it attains eminence. Nature does not stop her operations because an individual has her blessing or is taboo. Brain, heart, character, disposition, are all implanted in the child born illegitimately just as in the case of a child born in wedlock. The mother of an illegitimate child has all the mother's instincts, feelings and holiness that belong to those who have had their birth preceded by the most sacred and acknowledged vows. If there is one thing more than another that helps to degrade the human race it is the way we trade upon the woman who, in the usual language of the world, has fallen. If anything is ever likely to hound down a human character and cover it with contumely and reproach for having brought a human being into the world, it is this clause.

The Minister for Mines: Oh, no.

Hon. T. WALKER: Yes. An officer, an inspector, a sort of disguised policeman, will be sent to the house to demand an entrance. In that way we advertise the woman's shame, that is to say the woman's misfortune, to the whole world, to the gossiping world, to the world that has not one kindly word to offer to the woman who has brought another creature into being with a mother's love to bless it. We say that because a child is illegitimate we require to see how it is looked after.

The Minister for Mines: We prevent those children from being farmed out. We take them over. The mother tries to keep the matter secret.

Hon. T. WALKER: And why not?

The Minister for Mines: We keep the child for her.

Hon. T. WALKER: An officer is sent to the house to search it, just as we would search the house of a thief.

Mr. Thomson: The next clause in the Bill compels publicity.

Hon. W. C. Angwin: The birth of every child has to be registered.

Hon. T. WALKER: What kind of heart and spirit has dictated legislation of this kind? I could understand it coming from pious South Australia, but not from a common sense State like Western Australia. The inspector will ask who is the father of the child and who is the mother. The taint is on her very garb. I thought we recognised motherhood wherever it was, and gave it some degree of sanctity, even though it took place in an atmosphere of misfortune. But, no; we descend to the common gossiping methods of Mother Grundy—curiosity. That is what Western Australia is going to do with this kind of legislation. I cannot vote for a clause of this description. Give the child that had no voice in the destiny of its being a chance to grow up without reproach, and get a foothold in the world. The mother should not have her shame bruited about, her heart crushed, her feelings humbled, her sacred sense of motherhood polluted, by an Act of Parliament. That is what we propose to do. Are we progressive; are we going ahead? A human creature is a human creature, no matter whether there be a binding contract or whether the contract be omitted. I shall always recognise the sanctity and nobility of human life, even when it does not conform to all the conventionalities of society.

Mr. PICKERING: I recognise there is a grave danger from over-officialdom on the

part of those in authority as the result of the inclusion of a clause of this kind in the Bill. It is an unfortunate thing that if there is any shame in connection with matters of this kind, that shame always lies at the woman's door, and she may not be the main offender.

Mr. Lambert: She rarely is.

Mr. PICKERING: So much depends upon the administration of the department in regard to this clause. There is a danger that the officials may exercise certain powers to the detriment of the women concerned. A woman would naturally seek to hide her shame, and every opportunity should be given to enable her to do so. It should be the business of the department to so frame the clause that there is no undue interference with either the child or the parent. The clause is a crude one, and should be reconsidered. Justice should be one of the chief factors in dealing with these mothers.

Mr. MULLANY: I can see no necessity for one of these children to be treated differently from the children of married parents. We should be prepared to help the unfortunate mothers in these cases, and I do not think the clause will have that effect. I intend to vote against it, because I do not think it is either right or just. It will not be of any help to the unfortunate mother who has been placed in this predicament.

The MINISTER FOR MINES: I am afraid members have lost sight of the practical object underlying this clause. There is no intention of giving publicity to these cases.

Mr. Mullany: Nevertheless, the unfortunate mother is being treated differently from other mothers.

The MINISTER FOR MINES: The conditions are different. In cases of this sort there is a desire to hide what is looked upon as something to be ashamed of. The mother of such a child would often endeavour to dispose of it to some other people, and when this is done the State should see that such child is protected and cared for. These children are frequently farmed out under the care of persons who do not act properly towards them, and the result often is that the child does not live. We desire to remove from the mother the idea that there is any shame attachable to her. We are making her feel that she has not been forgotten. We are helping her instead of doing her an injury. Have hon. members any idea of the number of illegitimate children who are now being cared for by the department?

Hon. T. Walker: That is not due to the department.

The MINISTER FOR MINES: It is. It is realised that these children are a valuable asset to the State, and should be protected. A great deal of assistance has already been given in this direction, and this has gone a long way towards making the mothers feel that there is no shame cast upon them.

Hon. T. Walker: I know some of your officers who have tried to taboo some of them.

The MINISTER FOR MINES: That is not the case. We have a more complete list of these mothers than we ever had before.

Hon. T. Walker: I am astonished. I recently had to deal with one of these cases myself.

The MINISTER FOR MINES: The least said about that case the better.

Hon. T. Walker: It is a case in which the department had to advertise the fall of a woman.

The MINISTER FOR MINES: It is absolutely incorrect.

Hon. T. Walker: It is not.

The MINISTER FOR MINES: I say it is, for I know the case well. Although the hon. member had one particular case brought under his notice, the departmental officers have had scores of them.

Hon. T. Walker: I, too, have had to deal with many of them.

The MINISTER FOR MINES: Trace of these mothers and their children has been kept by the department, and it has been ascertained that there have been 28 deaths out of a total of 294 illegitimate children. This is most unsatisfactory, and the departmental officers have been visiting these children to see that they are properly cared for. I want to see that effective means are taken to care for these children in the directions recommended by the hon. member. He, however, wants these things smothered up, which may mean the loss of valuable lives, whereas we want to have regular inspections made by responsible officers. We do not send out our inspectors in uniform, but they go out in their usual attire.

Hon. W. C. Angwin: Your detectives are not in uniform, but everyone knows them.

The MINISTER FOR MINES: Our inspectors go into homes day after day.

Hon. T. Walker: They go so often that they are well known.

The MINISTER FOR MINES: They are inspecting homes other than those in which these particular children are housed. The Chief Justice of Victoria, in passing death sentence in a case of the murder of an illegitimate child in 1917, said that these cases required the greatest possible attention, because hardly a week passed without some such child being similarly dealt with. All this has happened through this idea of hush.

Hon. T. Walker: All for the contentment of society! There is the room for reform.

The MINISTER FOR MINES: The hon. member wants to commence at the wrong end, and this will not be effective.

Hon. T. Walker: This will put an end to reform.

The MINISTER FOR MINES: If the hon. member is going to set out upon a campaign to induce society to think as he does, he will have a task that will take him to the end of his days.

Hon. T. Walker: That is why I have to fight you over these things.

The MINISTER FOR MINES: I am preaching the same principles as the hon. member.

Hon. T. Walker: You are perpetuating the old system.

The MINISTER FOR MINES: I am not.

Hon. T. Walker: You are.

The MINISTER FOR MINES: It is not the old system.

Hon. T. Walker: It is an extension of the police system.

The MINISTER FOR MINES: It is nothing of the kind. Something has to be done in this matter.

Hon. T. Walker: Not of this kind.

The MINISTER FOR MINES: The hon. member does not suggest anything else.

Mr. Rocke: Can you not exempt the home of the natural mother and allow the inspection to be for the foster mother?

Hon. T. Walker: They must pursue the mother.

The MINISTER FOR MINES: We do not pursue anyone. That which we have a knowledge of——

Hon. T. Walker: Prying busybodies.

The MINISTER FOR MINES: There can be no busybodies. We have no people trying to pry into other people's business.

Hon. T. Walker: But it is so.

The MINISTER FOR MINES: We have none in our department.

Hon. T. Walker: You only hear the reports, and do not go amongst them. You have not to encounter them.

Hon. W. C. Angwin: They are not bad officers.

Hon. T. Walker: Some are good, but not all.

The MINISTER FOR MINES: Although the hon. member wants a change he is going the longest way round in order to educate the public to accept his views. I wish the public to accept those views too, but want to see something done of a practical nature. I want to see the State render such assistance as will save these valuable lives. To-day, as a result of the system of hush, these unfortunate women are often induced to do almost anything to prevent discovery.

Mr. Thomson: They cannot hand over their children to any but certified foster mothers.

The MINISTER FOR MINES: If the hon. member knew what we do about these matters, he would see the necessity for something of this kind. We want to do that which is desired by the member for Kanowna.

Hon. T. Walker: The very opposite!

The MINISTER FOR MINES: In many instances these women ask for assistance and advice. They are sent to a particular body of persons and that is where the tale begins to travel. We want these matters brought under the notice of quarters from which the tale will not travel. We want to keep these matters dark, for the protection of both the mother and child. Although it may appear that we are appointing, what may be termed, policemen, publicity is the last thing that we desire. The hon. member is taking an entirely wrong view, and his idea of our intentions is the very reverse of what is in our minds. He complains of existing conditions, but nevertheless urges that they should not be altered. The Government believe that what this clause proposes is a fair and effective means of reducing the mortality of illegitimate children. If evidence is brought to me of officials of the department having behaved as busybodies or having gossiped, prompt action will be taken.

Hon. W. C. ANGWIN: I hope hon. members will vote against the clause. The considerations which the Minister urges in favour of it are already met by Clause 21. Under the present clause every mother of an illegitimate will have her domicile inspected for a period of six years; and yet the existing Act already provides everything needed in that respect. The carrying of this present clause will open a way for the gratification of mere curiosity. At best the clause is quite unnecessary. A certain society to which reference has been made, merely duplicates the work of the State.

Mr. THOMSON: The member for Kanowna is to be congratulated on his handling of this clause, and I shall vote against the provision The Government already have the power which they seek. In my district a man lost his wife, whereupon a neighbour very kindly undertook to look after a young baby left on the widower's hands. The department tried to compel the neighbour to take out a foster mother's license, although she was merely doing a kindly act. It is time that the mothers of illegitimate children and the illegitimate children themselves, had a fair deal.

Mr. DAVIES: The one effective method of meeting this difficulty appears to me to be that the State should give the mother of an illegitimate child the opportunity of handing over the child immediately after birth to the care of the State. I understand some provision of that kind exists now, but involves appearance at some court. That should be avoided. Every country nowadays realises that child life must be protected. I agree that notice of the birth of an illegitimate child should be given within three days.

Hon. P. COLLIER: I protest against the distinction drawn in this Bill between the mother of an illegitimate child and the mother of a legitimate child. The department recognise that it is esential to protect all children, not only illegitimate children. Under Clause 25 the department propose to take power to send one of their officers, or an officer of the police force, to enter any home in which the department believe, or have reason to believe, a child is being ill-treated or neglected. Thus Clause 25 will give the department the same power in respect of all children as they ask by this clause in respect of illegitimate children. Here are two clauses which confer the same power on the department, Clauses 23 and 25, but the distinction is so drawn that it must be especially mentioned that Clause 23 gives power of inspection in respect of illegitimate children living with their mothers. I see no reason why any such distinction should be drawn. The Minister for Mines says the time is not yet when society will

take the view it ought to take towards the unwedded mother. I believe it requires much more education to break down the old Mother Grundy idea of the unwedded mother. But we shall all the sooner get on that track if we wipe out the distinction in our legislation between the illegitimate child and the child born in wedlock. I think Clause 23 ought to go out, because all the required power is contained in Clause 25, with which, however, I do not altogether agree.

[Hon. G. Taylor took the Chair.]

Mr. MULLANY: The Minister claims that the object of the clause is to protect the mother and her illegitimate child. But it is easy to imagine this provision having precisely the opposite effect. Suppose the Minister were kind enough to offer employment to an unwedded mother, and permit her to bring her child into his home. Would he like the department to send an inspector along at any time, and time after time, to pry into his home? I agree with the member for Kanowna and the leader of the Opposition that this clause is in the wrong direction, and that we should endeavour to place the illegitimate child on the same footing as the child born in wedlock.

The MINISTER FOR MINES: I am not going to insist upon the Committee accepting something which it does not desire. I deny that the Government have in mind the appointment of a lot of prying policemen to give publicity to something which should not be published. The member for Menzies suggested that I would not be pleased if, in circumstances which he set out, the department were to send an inspector to pry into my home. But it is not intended that the inspector should pay more than one visit, should come back again after he was once satisfied that the child was being properly cared for. The leader of the Opposition was plainly inconsistent, for after suggesting that Clause 23 was not necessary in view of Clause 25, he added that he hoped to defeat Clause 25 also.

Hon. P. Collier: No. I said merely that I did not agree with it as drawn.

The MINISTER FOR MINES: In what way would the hon. member amend it? I want hon. members to come down out of the heights and find a practical remedy for present difficulties.

Hon. T. Walker: Substitute "sense" for "police."

The MINISTER FOR MINES: I am trying to get some sense into an Act of Parliament. For the year ended 30th June last, 274 children were placed out under foster mothers, and only four deaths occurred. In the same period 294 children remained with their mothers, or with others not paid, and there were no fewer than 28 deaths. It is a pretty big margin. We require to do something of a practical nature. It is unquestionable that there is much hiding of the births of illegitimate children, and in consequence we have a heavy mortality. The clause is an attempt to provide against that. I believe the provision is better than allowing things to remain as they are. Until society is better educated on the question of the treatment of the unwedded mother, we must endeavour to relieve the position in a practical way. However, I will not press the clause if the Committee does not want it.

Hon. T. WALKER: Apparently the Minister has only one idea, namely, that there are more deaths among illegitimates than among legitimates. What is the reason? It is due to the scorn and contumely that is heaped on the mother of an illegitimate child, a condition of things perpetuated by legislation of this kind, catering to the popular idea, and preserving the ignorance that obtains. The illegitimate child has not the same chance as has the child born in wedlock. The mother feels ashamed to walk among her fellows from that time, and that condition impresses itself on the babe and lessens the babe's vitality from the moment of conception. But whilst there is this deteriorating influence during gestation, at the time of birth the mother is ashamed to confess that she has given birth to the child. She is neglected, and the bulk of these deaths take place in early infancy, because the child has never had a chance. The mother has never had a chance. Society has committed a murder on that babe; the babe is murdered by the hatred heaped on the mother who has not trodden the path of virtue. The Minister said the public needs education, but he needs something practical. What is the practical thing he needs? The view he admits to be wrong, which needs correction, which has kept the world back and has caused these very deaths, he cites in support of his argument. Thank goodness I am not pulling backwards. I am not going back to the czardom of Russia where policemen watched almost every home. If this is what the Minister calls practical, we know the tendency of his mind. It has drifted backwards, following the line of least resistance, taking things as they are. That is his attitude of mind. Mine is to fight what is wrong every time it lifts its head. The Minister tells me to go and educate the public. I am trying to do so and the biggest need for education anywhere is among members of Parliament and Ministers upon this very subject.

Clause put and negatived.

Clause 24—Agreed to.

Clause 25—Insertion of section after Section 119:

Hon. P. COLLIER: This clause should be modified. I am not prepared to give any and every policeman in the country power to enter any and every home at any time he likes, if he has reasonable ground to believe there is, in the home, a child who has committed an offence, or is neglected, destitute, uncontrollable, or incorrigible.

The Minister for Mines: There is no distinction there.

Hon. P. COLLIER: No.

The Minister for Mines: Then it must be good.

Hon. P. COLLIER: While there should be no distinction, we should not go too far. The clause proposes to confer extraordinary power on the police. A child might be arrested in the home by a policeman and dragged before a police court to be tried. This savours too much of government by policemen. It would not be so bad if the power were confined to an officer of the department, but to extend it to policemen is far too drastic.

Hon. W. C. Angwin: It is inconsistent with Clause 7.

Hon. P. COLLIER: Yes; under Clause 7 there is not even power to summon a child until notice has been served. Officers of the department are selected because of their special qualifications to deal with children.

The Minister for Mines: I shall agree to strike out the words "or member of the police force."

Hon. P. COLLIER: The tendency of the Bill is to eliminate the policeman as far as possible, but I realise the difficulty that, in remote places, there is no officer of the Government, except a policeman, to take action. I move an amendment—

That in lines one and two of the proposed new section 119a, the words "or member of the police force" be struck out.

Hon. W. C. ANGWIN: Clause 25 is merely an extension of Section 23 of the Act. It is almost impossible to administer such a measure in a large State like Western Australia, without the assistance of the police. What I object to is that the police may arrest any child liable to be tried for an offence and yet, under Clause 7, a summons cannot be issued without notice first being given. I have heard it said that the later section of an Act prevails; if that is so, Clause 7 would be ineffective.

Amendment put and passed.

(The Chairman resumed the Chair.)

Hon. W. C. ANGWIN: I move a further amendment—

That in line 5 of proposed new Section 119a the words "to have committed and to be liable to be tried for any offence, or" be struck out.

My reason for asking the Committee to delete these words is that while we provide for arrest in this proposed section, in Clause 7 we provide that a summons shall serve the purpose.

The MINISTER FOR MINES: The whole clause requires some consideration, and as the member for North-East Fremantle intends to submit a number of new clauses for the consideration of the Committee, I move—

That progress be reported.

Motion put and passed.

(The Speaker resumed the Chair.)

Progress reported.

TEMPORARY CHAIRMAN OF COMMITTEES.

Mr. SPEAKER: I desire to inform the House that I have appointed as temporary Chairmen of Committees Mr. Foley, Mr. Munsie, and Mr. Piesse.

House adjourned at 10.35 p.m.

Legislative Assembly,

Wednesday, 27th August, 1919.

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

QUESTION—WHEAT POOL, CAPITAL OUTLAY.

Mr. HARRISON asked the Honorary Minister: 1, Is the West Australian wheat pool under any obligation in the way of capital outlay to any other State wheat pool? 2, If so, what is the nature of the liability and the approximate amount due? 3, Does this State share in any cost concerning State wheat pools other than in the sale of wheat?

The HONORARY MINISTER replied: 1, Yes. 2, A special grant of £1,000 was made by the Australian Wheat Board to the South Australian Wheat Scheme for the carrying out of experiments in regard to weevil extermination; this State's share is approximately £100. 3, Outside of the £100 mentioned above—No.