

bank, whether it be a private or a Government bank. I feel quite sure that the rural bank would not be likely to succeed in carrying on the primary producers as the stock firms are able to do, and I repeat that I foresee a certain amount of danger associated with this phase of the business if the rural bank tries to interfere in that direction. I have no desire to occupy the time of the House at greater length beyond saying that I have pleasure in supporting the second reading.

On motion by Hon. H. Seddon, debate adjourned.

*House adjourned at 9.2 p.m.*

## Legislative Assembly.

*Wednesday, 22nd November, 1944.*

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

### QUESTIONS (3).

#### OLD AGE PENSIONERS.

*As to Granting Concession Fares.*

Mrs. CARDELL-OLIVER asked the Minister for Railways:—

Is he aware: (1) That the New South Wales Railways Department and the Road Transport and Tramways Department issue free or concessional fares to old age and invalid pensioners?

(2) That old age and invalid pensioners are allowed a return ticket at single fare to country districts once a year?

(3) That such pensioners living in the country are allowed return fares to the city at single rate once a month?

(4) That the department allows a free pass on city and suburban trains, trams and omnibuses at all times on Sunday, and between 9.30 a.m. and 4 p.m., and after 6.30 p.m., from Monday to Friday, and on Saturday between 9.30 a.m. and noon, and after 2 p.m.?

(5) Would he give consideration to a similar concession to such pensioners in this State?

The MINISTER replied:

(1) to (4) No.

(5) As old age and invalid pensioners are a Commonwealth responsibility, this matter has already been considered by the Government and is to be referred to the Commonwealth.

#### BUTTERFAT PRICES.

*As to Reduction.*

Mr. WATTS asked the Minister for Agriculture:

(1) Have butterfat prices been recently reduced?

(2) If so, what were the reductions and what are the present prices?

(3) What are the reasons for the reductions?

The MINISTER replied:

(1), (2) and (3) A variation in the price of butterfat occurs between the two periods, January to August and September to December, as a result of the Commonwealth subsidy being paid to dairy farmers.

The subsidy during the period January to August is 6.92d. per lb. This is reduced to 4¼d. per lb. from September to December.

A further variation of the price of butterfat is caused by the stabilisation contribution required by the Dairy Products Marketing Board. During July and September, the contribution was 5 per cent. of the gross proceeds, representing approximately 1d. per lb. butterfat. During August, October and November, the contribution was 7½ per cent. amounting to approximately 1½d. per lb. butterfat.

The present price of butterfat of choice quality is 1s. 5½d. plus Commonwealth subsidy of 4¼d. per lb.

There may be small variations in the price of butterfat paid by individual factories throughout the State, such variations being dependent upon the varying conditions affecting manufacturing costs.

## WHEAT.

*As to Supplies for Stock and Poultry.*

Mr. TELFER asked the Minister for Agriculture:

(1) Is it a fact: That certain primary producers are being refused the right to purchase the second grade or rain-damaged wheat at the Bassendean wheat sheds?

(2) That manufacturers of stock and poultry foods are denied the wheat from the Bassendean sheds and are at times held up pending the arrival of wheat from country sidings?

(3) That the Australian Wheat Board insists on the primary producers taking wheat which is badly affected by bin scald and that this has resulted in losses of stock?

(4) Could not quantities of the rain-damaged wheat be made available to metropolitan manufacturers of stock and poultry foods and produce merchants when supplies from the country are not available?

(5) Will the Government take steps to ensure that a sufficient quantity of wheat would be retained in Western Australia and be made available to flour millers and stock and poultry food manufacturers to meet the needs of this State for the year 1945?

The MINISTER replied:

(1) to (4) Producers and manufacturers of stock foods can obtain second grade wheat now from bin "A" at Bassendean.

For a short period wheat of the highest second quality was not available except from country bins.

Wheat of varying grades from 3s. to 2s. 6d. per bushel was available from bin "B" during the above period.

Owing to transport difficulties second quality wheat was not available for a short period in the metropolitan area, and only supplies from bin "B" were available.

Losses of stock have been investigated by officers of the Veterinary Branch, and it is believed that these may have been due to the quality of wheat being fed.

It is not anticipated that supplies of second grade wheat will be restricted in the future, as this was due to a shipment being required urgently which coincided with the opening of bin "A" and the second quality wheat was required for shipment immediately it was segregated.

Samples of unsatisfactory wheat being fed to stock have come under the notice of the

Department of Agriculture, and the circumstances surrounding the sale and purchase of this type of wheat are being investigated.

(5) This position has been safeguarded.

## MOTION—NATIVE ADMINISTRATION.

*As to Royal Commission Inquiry by Commonwealth.*

MR. McDONALD (West Perth) [4.35]:  
I move—

Inasmuch as the States of New South Wales, Queensland, South Australia and Western Australia have at the request of the Commonwealth Government granted to the Parliament of the Commonwealth the right to make laws for the good government of the people of the aboriginal race in co-operation with those States, this House is of opinion that the Government should immediately request the Commonwealth Government:—

1. To appoint a Royal Commission to examine into and report on the administration and policy pursued in regard to the people of the aboriginal race; and
2. To make recommendations as to the future policy and administration having regard to local and other conditions; and
3. In particular to determine what financial support should be made available to the States by the Commonwealth in order to carry out such policy and pursue such administration.

In submitting this motion to the House, I desire to explain that it is based on two main considerations. The first is the recognition on the part of many responsible people in this State of the obligation they have to our aboriginal population and their desire to be assured that we are fulfilling our duty to them to the fullest possible extent. The second consideration is the fact that a new approach can now be made to this problem by reason of the recent offer of the Commonwealth Parliament to share in the responsibility for the people of the aboriginal race. In dealing with this matter I am fully conscious of the difficulties involved in securing the best possible welfare of the natives. I realise the limitations under which the Department of Native Affairs has laboured for want of finance, and that there are differing opinions as to the proper attitude towards the aborigines and the half-bloods. I take into consideration all these factors in approaching this matter. Nor do I intend to refer to the criticisms that have

appeared in the Press of late about native affairs, nor to suggest whether those criticisms were unfounded or well-founded. I am prepared to believe that they emanated from people sincerely desirous of assisting in promoting the welfare of our native population.

Members will also appreciate that the matter of the welfare of our natives is a subject of deep concern for a number of religious and other organisations that have thought it part of their responsibilities to pay some attention to this social problem in our State. My feeling is that the House should welcome the increased interest in native affairs which has been shown and the increased willingness on the part of the general public to undertake responsibility, financial and otherwise, to ensure that the best possible policy is adopted in relation to this particular problem. The various representations of responsible bodies, therefore, should be welcomed and appreciated, and taken as an indication that the people will be behind any measures adopted by Parliament in order to solve the question of the best possible future for those of the aboriginal race. In this motion there is an endeavour to approach the matter in a constructive way. What we are concerned with is the future. As far as the past is concerned, that may have to be looked at for experience in order to guide us as to the right attitude and policy to be adopted in the future; but I do not think much would be gained by going back on the past where admittedly much endeavour has taken place in order to better the conditions of our aborigines.

I think the right attitude is to look to the future and endeavour to determine how we can embark upon an improved policy and more adequate administration in the days to come. I do not intend to deal with this subject at great length, or at any rate not at inordinate length. Members will have read a great deal of late about this question, and what has been said will be present to their minds. We have also had the advantage of statements by the Minister for Native Affairs, in which he has given information as to the departmental attitude in respect of many matters affecting native administration in our State. The case for this motion is really to be found in the department's own report. I desire to refer to the annual report of the Commissioner

of Native Affairs for the year ended the 30th June, 1943. It was laid on the Table of this House on the 20th September of this year. In the course of an informative report, the Commissioner has a paragraph in which, under the heading of "control of native welfare by Commonwealth Parliament," he deals with the particular aspect contained in the motion. The Commissioner's report, I may mention, was written after the Commonwealth Powers Bill was passed and before the Referendum had been submitted to the people. The report refers to the Parliamentary Select Committee which was appointed from this House to consider the Powers Bill, and on page 9 the Commissioner says—

I attended before the Committee as a witness, and urged that favourable consideration should be given to the passage of the Bill. I did so for financial reasons alone. Alternatively I suggested that the State should have some working arrangement with the Commonwealth authorities respecting the native question, mainly in respect of welfare agents, because the State Government was not able to afford the expense necessary to place the welfare of the natives on a proper footing.

I pause at this stage because the Commissioner said that the State is not able to afford the necessary expenditure to place the welfare of our natives on a proper footing; in other words, the Commissioner feels that the administration of our native affairs is not satisfactory even to him. I am not suggesting for one moment, of course, that the Commissioner does not feel that with the resources at his disposal he is doing the very best possible job for native administration. He is speaking of the year ended the 30th June, 1943; and he there tells us—and it is important to note this—that the expenditure or the financial resources are not there in the department to place the welfare of our natives upon a proper footing. Obviously, if that is the opinion of the Department of Native Affairs, it is for Parliament to endeavour to assist the department and the Commissioner by finding some means by which he can put the welfare of the natives on a proper footing. The Commissioner goes on to say—

In support of this I expressed the view that our legislation and organisation were satisfactory, but much more action is required in the way of welfare work, and such welfare work in my opinion could be accomplished by the establishment of extra settlements, hospitals, depots, etc., and by the pro-

vision of extra facilities and extra staff throughout our organisation. For these purposes extra funds are necessary, and the State Government is unable to satisfy the department's requirements. In other words, the task is too great in Western Australia for the proper handling of the native situation, and for this reason it is urgently necessary that the Commonwealth Government should intervene in the matter, either by taking over the whole management of the native question, or by some sort of subsidy system as indicated in my evidence to the Social Security Select Committee in February, 1942. On that occasion I advocated a Commonwealth subsidy of £3 for every £2 of net State expenditure. In these submissions I pointed out, *inter alia*, that up to the present we have viewed the local native question as a black question, forgetting the necessity for more humane consideration to the social outcast, the half-caste. This has not been intentional, but the State's efforts in their amelioration to better standards have been restricted by the shortage of funds, even though the present Government has doubled the expenditure on the natives since it took office. The half-castes are of half white blood, and this entitles them to recognition in amelioration to better standards. To accord them better treatment the State needs additional institutions with facilities for instruction in trades and occupations, in addition to more training facilities for domestics on the female side. Generally speaking, too, it is highly desirable that the State should have more native settlements and more far-reaching organisation for the native question in all its aspects, including segregation of types and classes. Besides this, the State should have a scheme of warm-blooded welfare work in districts outside our settlements in directions as indicated by me two years ago. Good use has been made of the natives for labour requirements, especially in these war years, but their potentialities in this regard could be increased if extra moneys were available for their development and welfare generally. In my opinion we should aim at a native peasantry by mental development and training and welfare work in the interests of our pastoral and farming pursuits, to offset the drift of our white population to our cities and towns.

The Commissioner then proceeds to speak of the war situation and the very great difficulties which it has meant to his department. He has lost staff and experienced difficulty in replacing them with qualified men and women. He also points to the unsettling effect of the war upon those of the aboriginal race. It appears evident, from his observations in that respect, that he feels particular measures will be necessary in order to ensure that the unsettling effect of the war is not going to make our native question still more difficult of solu-

tion. Then, on page 10 of his report, the Commissioner says—

For humane reasons, and social justice, besides considerations of industrial interest, we require the immediate expenditure of at least £100,000 in addition to our present expenditure. The expenditure of this additional amount would enable us to provide additional facilities, amenities and appointments for these natives and their social betterment, and since the State Government is unable to spare this amount I feel that the control of the native question should pass to the Commonwealth Government.

The Commissioner then goes on to outline the way in which this extra £100,000 is required to be expended. I do not propose to go through the whole list of the reforms which he sets out in his report, including additional settlements, added welfare facilities, supervision and various other improvements from the north to the south of the State which would be for the benefit of our native population. On the same page he says—

The Commonwealth Powers Bill contemplates that the Commonwealth should, as far as might be reasonably practicable, avail itself of the assistance of the States and their officers. Consequently, it occurs to me that it might be possible to arrange a compromise with the Commonwealth authorities for the enactments of Western Australia to remain as they are so far as the natives are concerned, but to be financed by Commonwealth money. A much better arrangement would be for the State to co-operate legislatively and financially with the Commonwealth Government on the basis of my evidence to the Select Committee on social security in February, 1942, when I advocated a Commonwealth subsidy of £3 for every £2 of net State expenditure, and allow the native question to go on under the State law as at present.

That informative report of the Commissioner of Native Affairs forms the basis of my motion; and I do not think I need to go beyond it, because the Commissioner's language is quite definite and conclusive, especially when he points to the fact that this State—and I am not blaming the Treasurer—is unable to meet the expenditure required to place our native administration upon a satisfactory basis. One sentence alone would justify members in looking favourably at the motion. That sentence is—

For humane reasons and social justice, besides considerations of industrial interest, we require the immediate expenditure of at least £100,000 in addition to our present expenditure.

That expenditure, I quite agree—for reasons over which we have no control—must be looked for, at present at all events, from the Commonwealth Government. I want to refer as shortly as possible to what I might call the constitutional aspect. In 1942 the Commonwealth Government intimated to the States that it was prepared to adopt a new policy; namely, it was prepared to share responsibility, or even assume responsibility, with regard to the native population of Australia—or, to use the words of the Commonwealth Government, “the people of the aboriginal race.” This is something new in the history of our native problem. So far as I know, this is the first time the Commonwealth Government has said to the people of Australia and to the States: “We recognise that this is a national responsibility and we, as a Commonwealth, are prepared to share in the obligations, difficulties and finances involved in ensuring adequate welfare conditions for our native population.” Following that declaration, the States were invited to pass legislation granting the Commonwealth Parliament power to legislate regarding the people of the aboriginal race. New South Wales, Queensland, and South Australia all passed Acts of reference in which they gave power to the Commonwealth Parliament to legislate, in the exact words that were suggested by Dr. Evatt, “as to the people of the aboriginal race.”

Mr. W. Hegney: The people revoked that decision.

Mr. McDONALD: I am coming to that. In our State, we passed the Commonwealth Powers Act, granting the Commonwealth power to legislate as to the people of the aboriginal race, in co-operation with the State. As the member for Pilbara mentioned, in two States—Queensland and New South Wales—the Referendum was not carried; and the Governments of those States would certainly feel, with regard to some of the powers that were referred by those States to the Commonwealth Parliament, a certain hesitation about their being exercised by that Parliament. But in relation to South Australia and Western Australia, the granting of powers was confirmed by the vote of the people; so that, with regard to those two States, there can be no hesitation on the part of the Commonwealth Parliament in exercising the grant of power regarding aborigines which was made by Act of Parliament in South Australia and Western

Australia. If the Commonwealth decided, after an inquiry in the way I am suggesting, that there should be a national policy; or if the Commissioner should recommend a national policy regarding those of the aboriginal race and should recommend constructive and practicable proposals to carry that into effect, I think there would be no difficulty in any other State as well as South Australia and Western Australia, in the matter being implemented through such constitutional action, if any, as might be desirable.

I do not want to labour the constitutional aspect, but neither do I want to be said to have ignored it; because I have received from Mr. J. R. L. Brinkley, to whom I am indebted for his interest in the constitutional aspect of this matter, a telegram which he asked me to read, and I think it is only courteous for me to do so. After having questioned the constitutionality of Commonwealth legislation on the matter of aborigines and of the granting of Commonwealth money to finance States in respect of aborigines he sent to me this wire in which he says—

See proceedings Canberra Convention page 167. Why do you yourself think prohibition placitum 26 not included “general way” Evatt’s answer to Playford stop Clear me aboriginal race employment and unemployment see Evatt’s “King and His Dominion Governors” page 205 intra State dealings page 170 Canberra proceedings all residuary powers falling within Section 107 only alterable favourable referendum stop Away from home unable express definite opinion Section 96 but doubt your view and if remember your motion correctly legislation under Section 96 would not meet its requirements stop Please refer my letter Press stop Electors New South Wales Queensland rejected referendum grateful read this Assembly and explain.

I felt that out of courtesy to Mr. Brinkley I should read this, but I do not propose to spend a great deal of time on the constitutional side. There has been and is some constitutional question in connection with the aborigines and the Commonwealth Parliament because Section 51, paragraph (xxvi), which confers the powers on the Commonwealth Parliament contains this provision—

The people of any race, other than the aboriginal race, in any State for whom it is deemed necessary to make special laws.

On the other hand—and this almost concludes my remarks on this aspect—in the reports of the proceedings of the Canberra

Convention Dr. Evatt in moving the clause in regard to the people of the aboriginal race said, at page 178—

By a curious exception, the Commonwealth is expressly excluded by Section 51 (xxxvi) from making laws with respect to the Australian aborigines, except in its own territories. Strong representations have been made that the Commonwealth should undertake this responsibility. The reference of this power will enable that to be done, to the degree and in the manner considered desirable by the Parliament.

He refers there to the Commonwealth Parliament. It is therefore quite clearly the opinion of Dr. Evatt and his legal advisers that the States could refer to the Commonwealth power to legislate in respect to the people of the aboriginal race. I only add this comment that the Constitution should be the servant and not the master of the people. I do not think we should allow any constitutional technicalities to stand in the way of any national action to better the conditions of the aboriginal people if we can find a way of improving their conditions. If there should be any measure necessary—and I doubt if there would be in view of Dr. Evatt's opinion—I feel that public opinion throughout Australia would readily support any provision to remove any constitutional disability standing in the way of improving the lot of the Australian aboriginal population.

In addition to the power which should be and possibly is already possessed by the Commonwealth Parliament to legislate regarding aborigines, by Section 96 of the Constitution the Commonwealth has power to grant financial assistance to any State on such terms and conditions as the Commonwealth Parliament thinks fit. While again there may be some argument about technical and constitutional difficulties, yet Section 96 provides a possible means by which—quite apart from any legislative action by the Commonwealth Parliament—the Commonwealth Government could assist States like ours with financial aid for the purpose of aboriginal betterment. So we have two objectives of which I might say the primary one might be financial aid and the secondary one might be legislation by the Commonwealth Parliament, if such legislation should be essential.

The Premier: It cannot discriminate against States, or favour any particular State.

Mr. McDONALD: There would be no discrimination if the Commonwealth Government said, "We shall make available a sum of money to the States to assist the aboriginal population."

The Premier: You were talking about passing a law to deal with the position of Western Australia.

Mr. McDONALD: In regard to any referred power, assuming the reference is as good as Dr. Evatt thought it was, the Commonwealth could always pass laws to affect the State which referred the power. It is always possible for a State to pass a law referring a power, and then the Commonwealth can intervene and pass laws affecting that State. That can be done, no doubt, without discrimination, or in a manner that would not be opposed to any feature of the Constitution. The motion has been framed in this way so as to invite the Commonwealth Parliament to make good its offer to accept a share of the responsibility for our native population. We in this State have, to my mind, an unanswerable case for making that request. The Commonwealth Government asked us to grant power to legislate in respect of our aboriginal population, and we granted it by Act of Parliament in 1943 and the people confirmed it by the Referendum vote in 1944. Whatever may be the position of other States, ours has an unanswerable case. We say, therefore, "We ask you to make good your offer to assist us regarding our aboriginal population." We say also, "We hope that through your inquiries through a Commissioner you will be able to frame a national policy for the continent in which you will be able to bring in all the other States that have the same responsibilities towards their native population."

We say in the motion that, in particular, one of the main subjects of the inquiry, in addition to policy and administration of the future, will be the extent to which financial assistance will be given by the Commonwealth to the States. I do not propose, although I have the report here, to read in any detail the remarks made when the Commonwealth Powers Bill was being debated in this House, but—and I am quoting from "Hansard" 1942-43 at page 2806—the Premier said this—

We could immediately improve the conditions of the natives if sufficient financial assistance were granted by the Common-

wealth Government, but it cannot do that by virtue of the prohibition expressed in the Commonwealth Constitution. We should, therefore, give power to the Commonwealth Government so that it can legislate and assist this State financially.

The Minister for the North-West at page 2808 of the same volume said—

The great handicap we suffer in the administration of native affairs is that of £ s. d.

I am in agreement with the Minister's observations which are on the same lines as the remarks made by the Commissioner of Native Affairs in his report. The latest work on Australian aboriginals is that of Professor A. P. Elkin, who is Professor of Anthropology in the University of Sydney. In addition he is President of the Association for the Protection of Native Races, and Vice-Chairman of the Aborigines Welfare Board, New South Wales. In the preface to his book, which is just published, he says this—

The decade 1930-39 was characterised in aboriginal affairs by an advance from a negative protective policy and outlook to a conviction and demand that a positive and forward-looking policy should be framed and put into operation, and that steps should be taken to have a unified system (or at least closely collaborating systems) of aboriginal administration for the continent. It may be that the present decade will see the working out of some such system of unified or collaborating administration.

He goes on to say—

The Referendum may, or may not, be carried. But in any case, willingness to hand over this power was expressed by the Governments of New South Wales, Queensland, South and Western Australia, which States and the Northern Territory include almost all of the full-blood and half-caste aboriginal population of the Commonwealth. This suggests that at least political opinion is not now opposed to a unified form of aboriginal administration. Therefore, irrespective of the fate of the Powers Bill and the Referendum, we should prepare ourselves for some measure of unity and close collaboration in this sphere.

He later says—

Whatever be the form of administration, collaboration will be essential. Historical and State differences exist. But no difference will be allowed to become an obstacle, if we agree on the goal—that we are helping seventy-odd thousand Australian-born persons of aboriginal descent, including over 20,000 of "white" descent also, to realise and fit themselves for their Australian citizenship—sooner or later. In the performance of that difficult task and in the solution of its in-

tricate sociological problems, we shall find unity.

In the course of his book he sets out what he calls a National Policy for Aborigines, 1944. On page 54, dealing with forms of administrative control he says—

There are three possible forms of control for the administration of a national policy for aborigines in Australia.

Parallelism.—The first may be called parallelism: the five States on the mainland and the Commonwealth (for the Northern Territory) could agree on, and accept, in conference one policy, to be authorised in similarly worded Acts, sets of definitions and regulations, expressing the one set of aims and principles, to be applied by each administration in the types of regions and circumstances for which the definitions and regulations were framed. Regular conferences of administrative heads would have to be relied on to meet the changing conditions in a uniform manner and so maintain the parallelism.

He refers to the conference of Chief Protectors of Aborigines held in Canberra in 1937 and describes this as being one step towards the attainment of parallelism. At the conference of Chief Protectors, a resolution was passed as follows:—

That the Commonwealth give financial assistance to the States most requiring it to assist them in their care, protection and education of natives, which unless extended, will bring discredit upon the whole of Australia.

That was the view of the Chief Protectors of Aborigines in conference in Canberra in 1937. They felt so strongly on the point that they said that unless financial assistance was granted by the Commonwealth to the States needing it, the administration would not be such as to be creditable to our nation. Professor Elkin goes on to remark—

Convergence.—This brings us to the second possible form of authority and control. In it the parallel lines meet, in that the Commonwealth, in consultation with the States, would determine the policy and be responsible for the total expenditure, while the State Governments would undertake the work of administration within their several territories. Perhaps this form could be called convergence, in that the six administrations converge in the single policy determined by the national Government.

The third form of organisation is called unification under which the Commonwealth policy would be determined and legislation framed by the Commonwealth which would meet all costs and appoint and control all staff. One of these forms,

either parallelism or convergence, would, if adopted, enable a national policy to be framed and Commonwealth financial support to be given and yet allow the States to retain a certain measure of autonomy. I believe in a substantial measure of autonomy for State administrations. I believe that the States are more in touch with their own problems and are in a better position to maintain immediate contact with the native population. If the House is prepared to carry the motion asking the Commonwealth to act in the manner proposed, a man like Professor Elkin might be qualified to make recommendations for a national policy and administration, and lay down a basis upon which financial aid would be forthcoming from the Commonwealth to the States.

The problem is a national as well as a State one. In 1941 there were in Australia 47,960 full-blooded aborigines and 25,311 half-castes, a total of 73,271. Our State has the largest population of the aboriginal race, some 26,000 all told, and while the report of the Commissioner states that the number of full-bloods is declining, it shows that the half-caste population in this State increased by nearly 1,000 in the course of 12 months. That increase, no doubt, will continue. The total expenditure by the Commonwealth and the States on the aboriginal population is about a quarter of a million a year; the total number of mission stations operating in the interests of the aboriginal population throughout Australia is 51, and of Government institutions there are 36. So this is a matter of considerable magnitude.

I hope I have said sufficient to inform members on the subject. I think the opportunity has come to us for the first time to take advantage of Commonwealth aid and Commonwealth interest to carry out the ideals of the Department of Native Affairs and the Minister and the Commissioner as expressed in the report I have read. We should not delay but we should, by passing a motion such as this, give a lead to the other States that have a similar problem. We should take the first step towards framing a national policy to be administered by the States according to the conditions prevailing in the States, but with such an increase in financial resources as is necessary to enable the objectives that our Commissioner has told us are so desirable to be, for

the first time, within the bounds of practical attainment. I commend the motion to the House.

**THE MINISTER FOR THE NORTH-WEST:** I sincerely hope that the House will not agree to the motion. I have no objection to the Commonwealth Government being appealed to to lay down a policy for other States of Australia interested in aborigines, but I have no desire that we should ask for a Royal Commission of inquiry by the Commonwealth to dictate a policy for us. I am satisfied that the State Government has a policy and can carry out a policy suitable for and applicable to the native races in Western Australia. I was somewhat surprised at a motion of this sort emanating from the member for West Perth because, both privately and publicly, I have always regarded the hon. member as one of our State righters.

Mr. Cross: The chief one.

**THE MINISTER FOR THE NORTH-WEST:** His having put forward a motion of this description makes me wonder just what is behind it. If the newly formed Liberal Party has no initiative and desires the Commonwealth Government to formulate a policy for it, I know of no reason why action should be taken through this Parliament by a motion of this sort. I listened very attentively to the hon. member in an endeavour to discover just what was in his mind and what had prompted him to move the motion. He said, to use his own words, that this was a request by many people in this State. If the motion be passed, the only purpose it will serve will be to appease the people referred to in their desire to have Commonwealth control.

The hon. member was very careful to say that he had no intention of referring to the criticism that had been levelled against the Department of Native Affairs recently. I consider it very necessary that that criticism should be referred to in order to give members, as well as the people generally, some of the background of what, in my opinion, has prompted the moving of the motion. I repeat that I know of no purpose that can be served by the motion other than to appease a section of the community that desires the Commonwealth Government to take control of the native races, in Western Australia particularly. There are some organisations in this State that desire to



take control of the native races, especially the half-castes, and as the Commonwealth Government has already made certain alterations in its administration in the Northern Territory by changing from departmental to mission control, there are some people in this State who desire that similar control should be extended to Western Australia.

Of course it is only natural that, if the Commonwealth did take control of all the aborigines in Australia, those organisations would have a greater chance of getting control through the Commonwealth Government than they would have through the State Government. I wish to say to members that my suspicions were first aroused when the member for West Perth was good enough to forward me a note indicating the motion he intended to bring forward. May I draw the attention of members to the pamphlets that have been circulated recently? I know members have received them and consequently there is no need for me to read the whole of their contents. I wish, however, to refer to the resolutions set out in the first pamphlet, entitled "The Tragedy of Native Affairs." The resolutions are as follows:—

(1) That steps be taken to remove children from the Moore River and Carrolup Settlements.

(2) That the Government co-operate in this matter with the Churches and aid them in providing accommodation and educational facilities.

(3) That the Commonwealth Government should assume responsibility for natives on a national basis.

That pamphlet was followed by a second pamphlet, dated November, 1944. I think most members will have received a copy of it. It states—

I ask all of you, my friends, to get a copy of the "brochure," "The Tragedy of Native Affairs," which is being distributed by the Native Welfare Council through our Book Depot, and to study it carefully in order to inform yourselves of the full nature of the problem. There is another pamphlet issued by the A.B.M. entitled "The Story of the Aboriginal," which puts the case of these people and our duty very clearly. Next I would suggest that as many as possible of you who are electors should copy out the three resolutions suggested and send them to the member of your district in both Houses of Parliament with a few words expressing your complete agreement with them, and adding your full name and address. If we can secure hundreds of correspondents to bombard their members in this way, we shall convince them that we are determined that action shall be taken to set right a great wrong done to a people who can-

not help themselves. I am, yours in Christ, R. H. Moore, Dean.

I have received resolutions by the score; and the part that amuses me is that I am perfectly satisfied in my own mind that most of the people responsible for the resolutions do not know the first thing about the subject. I have made the quotations merely to show that I am convinced a movement is afoot to force this State to hand over the control of its natives to the Commonwealth Government.

Mrs. Cardell-Oliver: You wanted that in the Referendum.

The MINISTER FOR THE NORTH-WEST: We wanted many other things in the Referendum, too. At least I was consistent. I supported the Referendum, but the member for West Perth did not.

Mrs. Cardell-Oliver: How do you know?

The MINISTER FOR THE NORTH-WEST: I took the opportunity to read his statements in the Press and I listened to him over the wireless.

Member: We are all Dumb Doras!

Mr. SPEAKER: Order!

The MINISTER FOR THE NORTH-WEST: For the benefit of the unsophisticated public that believes these resolutions are in the interests of the natives themselves, I point out that there is much more than meets the eye in the motion before the House. The Department of Native Affairs has a policy which has been founded on years of experience. It is not a policy formulated by theorists or itinerant missionaries or dreamers. It is not a policy put forward by anthropologists. The department realises that both spiritual and moral training is necessary for the native races. The department is also aware that hysteria and extremism will not solve the problem of our native races, any more than it will solve delinquency on the part of whites. I have no intention of reflecting upon anthropologists or missionaries. I realise that anthropologists have probably done wonderful work in leading us to understand the native races of the Pacific and other parts of the world.

There is, however, a vast difference between the races of the Pacific and the native races of Australia. The races of the Pacific are numerous and will endure as races; but the half-castes and natives of Australia are destined to absorption. There is not the slightest doubt about that, and so we must have a commonsense policy, one that will

educate and train these people to become useful Australians in the course of time. I do not consider there is any necessity for anthropologists or other people to tell this State what it ought to do with its natives. The department initiated a policy of education, for half-castes particularly. We believed that all that was necessary was a primary education, to be followed by manual training for the boys and domestic training for the girls. That would fit them to take their place in industry. That policy was interrupted by the war. With all the money available to the Department of Native Affairs at the moment, the department cannot solve the problems of manpower and material. These are our greatest problems at present. Nobody would be more pleased than the Commissioner of Native Affairs and myself if the policy could be continued, but it is impossible at the moment. The department had a manual training instructor at the Moore River Settlement, but he, like many other good Australians, enlisted, and we have been unable to replace him. It will be exceedingly difficult to secure the services of manual and domestic instructors until things become normal and there are releases from the Army.

Despite all the criticism that has been levelled at the department about its lack of policy, I point out that 6,000 half-castes are in private employment in the State at the moment, and have been for the past two years. People should not make exaggerated statements; they should be more careful in expressing their views. Neither the department nor I object to fair criticism of mistakes or of faulty administration; but we find it hard to suffer the exaggerated statements that appear in the Press and are made by people who are looked upon as being responsible, but who should know better. I therefore desire to reply to some of the criticism that has recently appeared in the Press. Unfortunately, it was started by a discussion in the Anglican Synod and consequently it will be necessary for me to mention the various organisations that have made the criticisms. I hope I shall not be misconstrued. I have no intention of quarrelling with or casting aspersions on any person.

A discussion commenced at the Anglican Synod on a report which it had received from the deaconess who was the resident

missionary at the Moore River Settlement. At the time the discussion took place, the member for Williams-Narrogin asked me some questions. I replied that all I knew was what had appeared in the Press, but that a departmental inquiry was being held and I would submit a statement to the House later on. I propose now to give the information to members. The inquiry to which I referred was held by a high official of the department, and the following is the report that he submitted to me for consideration:—

In response to your instructions I proceeded to the Moore River Native Settlement on Thursday last, the 21st inst., to investigate the statements made by Mrs. Vallance which appeared in print in "The Daily News" on Wednesday evening, the 14th idem, and in which it was alleged that appalling conditions existed at this institution; further, that Moore River was no better than "a day and night brothel." The statements made by Mrs. Vallance were alleged to be from information given in a report to the Anglican Synod by the resident missionary, Deaconess Heath. Deaconess Heath had left Mogumber for Perth on the 20th inst. I arranged for her to accompany me back to the Moore River Native Settlement. Immediately upon arrival at the settlement I informed the superintendent and the matron that I was visiting for the purpose of instituting inquiries respecting the Press statements of which these officers had already received a copy. I arranged for the hearing to commence within half-an-hour. The proceedings commenced at approximately 11 a.m., and those present were the superintendent, the matron, Sister Eileen, Mr. Peters (head office) and myself.

To begin with, I read the Press cutting and then asked Sister Eileen if she was the missionary deaconess referred to by Mrs. Vallance. In reply Sister Eileen stated that obviously she was the person referred to but strongly denied that she had supplied any information to Mrs. Vallance or any other organisation or body other than to her superior Church officer, the Rev. Hamilton, Rector of Swan, and visiting Anglican clergyman to Moore River Native Settlement. Sister Eileen admitted making a general report to Mr. Hamilton in which she had reviewed conditions at Moore River for a period of twelve months or so prior to the arrival of the present superintendent and matron. However, she stated that in this report she had taken every precaution to protect Mr. and Mrs. Knight as she felt that these officers were in no way responsible for the present state of affairs which actually was the culmination of several years of previous mal-administration.

To clarify matters in respect to the report Sister Eileen informed me that it had been her custom for many years past to render periodical reports to her superior Church officer, in which she submitted her views and comments on general affairs at the Settlement. She admitted

reporting the incident of eight boys breaking into the girls' dormitory, but denied reporting that these boys were quartered in the girls' dormitory. Sister Eileen also stated that she drew attention to many similar happenings prior to the Knights taking over and commented that this type of conduct was simply turning the institution into a day and night brothel. However, this specific comment mainly applied to episodes which had occurred prior to the present administration.

Mr. Knight then gave me the full facts concerning the incident under discussion. It appears that shortly after Mr. and Mrs. Knight arrived at the settlement various incidents convinced both that the native youths were breaking into the girls' dormitory at night time, and further, that they received information indicating that the girls were also on certain occasions breaking out of the building.

I do not propose to read the whole of the report for the reason that if members desire to read it for themselves they can either inspect it at my office or have a type-written copy. I wish to indicate to the House that the statements that appeared in the Press are misleading and a garbled account of what the sister reported to the Anglican Synod. Boiled down, the sister actually used the words "the place was being turned into a day and night brothel." That, however, was an exaggeration, but the statement was made in the Press by some other person. This does not alter the fact that the whole of the case against the administration of the Native Affairs Department arose as a result of that particular report. That document started a tirade of criticism against departmental control. It was mentioned in this House on a previous debate that Sister Eileen also reported this case to the department, but that no notice had been taken of it. I wish to read a report which the sister made in the notorious letter of the 14th June, 1943. The letter is as follows:—

I regret that it is necessary to make this report, but as it involves the welfare of the inmates and has been brought before my notice by the camp people themselves, I feel it is my duty to all concerned.

For the past month at least, continuously, girls have been escaping from the dormitories at night and spending nights with various boys in the camps. This is a well established fact and it has been duly reported, but apparently the means of dealing with it cannot be found and the girls continue to escape. On Saturday night three girls spent the night out, one girl, Edith Harris, who is reputed to be only 13½ years of age.

I do feel very strongly that we are neglecting our duty by ignoring this serious development and urge that strong measures be taken to see that the dormitories are adequately fastened, and the boys responsible for assisting

the girls to escape dealt with. It is very improper that the children should be exposed to this indecency which is quite freely discussed among them, and there are at least some of the natives whose sense of morality is outraged by this behaviour, and it certainly tends to lower the prestige of our administration of native affairs.

Yours truly,

Eileen Heath,  
Deaconess, Moore River Native Settlement.

The Commissioner of Native Affairs did not ignore this matter. He made investigations and wrote to the then superintendent, who gave the following reply:—

In reference to Sister Eileen's letter I have to assure you that preventive measures have been taken to prevent escapes, etc., so far as possible, and punishment has been meted out to the culprits when discovered.

To some extent I can hold Sister Eileen partly responsible for some of the escapes—the keys of the dormitory are kept on a shelf in the staff quarters and I have an idea that someone (native) was going in and taking the keys out and unlocking the doors. I had the keys shifted and put in the care of Miss McDonald. When this was done Sister Eileen bitterly complained and insisted that they be replaced at the staff quarters. Not wishing to cause any further friction with Sister I allowed her to take them back—hence the result and I am to blame. Some day possibly I will get a little credit for knowing what I am doing.

That is the sort of thing that goes on. I point out that Sister Eileen is not one of the staff. In the course of her duties she would look at the girls after tea, and would take them to the church service and replace them in the dormitory. She would then lock up the dormitory and hang the key at some place in the staff quarters. It was only natural that the boys, possessing powers of observance, would see where the keys were placed and steal them.

Mrs. Cardell-Oliver: Absurd!

The MINISTER FOR THE NORTH-WEST: That is the sum total of the argument that was brought forward, namely, that the settlement was being turned into a day and night brothel. I assure members that no matter where the key was placed it would make very little difference. The boys would still get into the dormitory, or the girls would get out of it. This sort of thing does not happen only at institutions controlled by the department. It happens on every mission-controlled place in Western Australia and outside of it. I have proof of that. When it happens at a mission-controlled place, no publicity is given to it in the Press. The mission is not termed

a brothel. If it happens in the case of a departmentally-controlled place every publicity is given. In the former case the department has to take the boys away and bring them under departmental control. I do not know whether Sister Eileen or the other missionaries who have made all these statements to the Press know of these happenings. Possibly they do not, and believe that they happen only in the case of Government institutions.

I wish to read some correspondence from the Superintendent of the Forrest River Mission, which is one solely controlled by the Anglican Church, and has been under its control without any interference from the Native Affairs Department in any way. The letter I have here was written from the Forrest River Mission on the 8th October, 1941. I have not picked out any special cases, and have only selected one or two ordinary instances to show members and the public that those people who make these statements to the department in connection with departmentally-controlled institutions, know very little of what they are talking about. I have only picked out the cases which have to deal with the criticism of the department. The letter of the 8th October, 1941, from the Superintendent of the Forrest River Mission is as follows:—

On the night of the 4th inst., I caught several of the older boys paying a visit to the girls' dormitory. The girls are of course locked up during the night; the dormitory verandah is closed in with a strong heavy K wire-netting. The girls were on the verandah when I suddenly appeared on the scene, and the boys were on the outside talking with the girls—as this is strictly against the Mission rules—I have decided to have the two senior boys (Daniel and Henry) sent off the Mission for a time.

The other boys are still inmates of the boys' dormitory. These boys have been punished; they were given 12 strokes of the cane on the buttocks in the presence of myself, Mr. Bradshaw, Conrad Maddigan, and several of our leading natives. I asked the chaplain (Rev. E. Sweetman) to administer the punishment, which he did. This was carried out on the evening of the 5th inst. in the schoolroom and after I had spoken to all the Mission natives at a general gathering for the purpose of reading your letter re Daphne's affair.

(Signed) Tennyson Thompson,  
Superintendent, F.R. Mission.

I go on now to the 11th February, 1942, when correspondence was received from the Ven. Archdeacon Parry, in which he points out

that these boys have been a great nuisance and desires that some action be taken by the department. He addressed the following letter to the Commissioner of Native Affairs:—

In a recent letter from Mr. Tennyson Thompson he reminds us that in a letter to your department on 8th October, 1941, he reported the misdemeanours of boys visiting the girls' dormitory, and after punishment had warned them that they would be sent away if this occurred again. The same boys—Leonard, Maxwell, and Leo, are again causing trouble in this way, and he reminds us that both the department and our committee promised to uphold him in disciplinary action if necessary. He continues—"I am quite convinced that until a move is made to have some sent away, so as to be a real lesson to the others, these things will continue. I would suggest that these boys be sent to Moola Bulla for at least 12 months. I have already had a meeting of the whole Mission people (including the staff) and have told all that I intended to have these lads sent to Moola Bulla."

I am therefore writing to you as Commissioner to request that something may be done in this matter, as Mr. Thompson feels very strongly that some such disciplinary action is the best to take under the circumstances, and that it would have a lasting effect on the others. The ages of these boys are 17 and 18 years. I hope that your department will be able to help us in this way, and if it is not possible to have them removed to Moola Bulla that your department will suggest what disciplinary action you consider wisest in order to impress both the offenders and others at the mission that this sort of conduct will not be tolerated. Perhaps your Mr. McBeath, with his great and sympathetic knowledge of the position at F.R.M., might be able to recommend the proper course to take.

When the missions get into trouble they appeal to the department. They look upon our officers as possessing sympathy and a special knowledge, and invite their assistance and advice. Officers were sent to Forrest River so that the department did go to the assistance of that mission. After they had been there for some time the general manager of Moola Bulla wrote back to the department, evidently in reply to a letter it had sent to him. I should like members to know what other practical men thought of these natives, and so I quote the letter of the General Manager, dated the 29th July, 1942, as follows:—

Re Leo and Maxwell.

Yes, the abovenamed boys are still here at Moola Bulla, where I think they are likely to remain as no-one is anxious to employ them or any of the Forrest River Mission natives.

They are absolutely the worst class of natives that I have ever had anything to do with, for the simple reason that the mission authorities have no control over their natives, and of course when they are sent here they expect to have the same latitude and to be able to do as they wish. Apparently the natives on the Forrest River Mission have never been taught to do a bit of work for their keep and education as it were.

I have had to take strict disciplinary measures with them from time to time to make them understand that they are not allowed to do as they wish on Moola Bulla and must do the work allotted to them the same as any other able-bodied native.

The abovenamed boys are all big strong young fellows and should be a credit to the mission people instead of having to send them away to finish their education.

That letter is signed "Alf. A. George." It is most peculiar that when such things happen on a Government-controlled mission, it is dreadful; but when they happen on a mission-controlled property or reserve, the natives concerned are quietly sent away for someone else to deal with and have their education finished. The authorities genuinely in control of the missions do not join in this scurrilous stream of criticism and exaggerated statements. I have here a letter from the Rev. L. W. Parry, acting chairman and treasurer of the Australian Board of Missions in Perth, dated the 19th August, 1942, in which he wrote to the Commissioner of Native Affairs as follows:—

Thank you for your communication of the 15th August. The two boys you mention were regarded by us as incorrigible and for that reason, through the courtesy of your department, we asked for warrants to be issued for their removal to Moola Bulla. We have now written to our superintendent asking for a report in detail of their past history and connection with the mission and on its receipt we will be pleased to send on the comments for which you ask. While not claiming that all Forrest River boys are perfect I ask you not to think that all are as bad as Leo and Maxwell. Almost every mission in the world gets severely blamed for its bad characters and not always credited with its successes. Thanking you for the courtesy of your communication.

I entirely agree with the sentiment expressed by Mr. Parry in that letter. Evidently he is a broadminded, sensible man who realises that there will be happenings of this description. I have not noticed Mr. Parry barging into the Press with any condemnation of the Department of Native Affairs. He has not done that for the simple reason that he is broadminded enough to know that while very little is said about any good work that is accomplished, any indication of in-

efficiency will receive its due publicity. Such are the tactics that have been pursued by certain people against the Department of Native Affairs. They have done everything they possibly could to decry and belittle departmental control despite the application of that old adage: "People who live in glass houses should not throw stones." Then again I notice in the Press that accusations have been made against me to the effect that I have made attacks. I have yet to learn that I have ever done so.

Of course, if people choose to continue to attack the department and its administration, it is my right to defend the department respecting the good work I know is being accomplished. The policy of the department has been to assist the missions in every shape and form; never to hamper their efforts but to do everything possible to aid them in their task. It is said that all is fair in love and war, and so I suppose these people are entitled to spread their stories about the Government institutions. In these circumstances, it is about time someone told a few stories about their institutions. Any member who has read the pamphlets carefully—I refer to those that have been issued dealing with Government-controlled native settlements—will appreciate that we are accused of locking up natives like fowls, inflicting unduly severe corporal punishment and of doing all sorts of things. On the other hand, from letters in the possession of the department, it will be seen that the missions do exactly the same as the Government institutions have done.

In one particular letter it was stated that the boys and girls were locked up—the letter was couched in sensible language and it was not suggested that the boys and girls were locked up "like so many fowls." That is the sort of expression used when any reference is made to something done in a Government-controlled institution. The missions have punished boys with 12 strokes of the cane on the buttocks and have then sent them away. I agree with that; they are entitled to do so. If native lads get out of control, they should receive corporal punishment. I do not believe that a missionary would inflict excessive punishment or do anything that was not within reason. He would do the fair and the right thing. But the Department of Native Affairs is not given credit for doing the fair or the right thing. Exaggerated statements are made

such as that a native has been caned until he has bled. All sorts of things are said to have happened, whereas they actually have not happened at all. The Forrest River Mission is not the only one that has had to put up with experiences of this description. Another gentleman who has had some dealings with the Department of Native Affairs is the Rev. R. S. Schenk of the Mt. Margaret Mission. That mission has assisted half-castes and has done a wonderfully good job. But the same things happen there as at the Moore River and Carrolup settlements. Boys visit girls, and girls actually run away with boys.

Thus it seems that with all the spiritual teaching that is forthcoming at these missions, such happenings are not prevented. I repeat that I do not hold the missionaries responsible for that. All I ask is that in their references to the State institutions the missionaries in their criticism proceed along lines that they themselves would expect from the Government. I do not intend to read screeds from the communications and reports that I have in my possession for the purpose of providing evidence, but because I have been accused of giving preference to police officers for appointment as protectors, rather than to missionaries, I must explain that I have done that on one occasion only. That instance had relation to the Rev. Mr. Schenk. Members can rest assured that I had very good reasons for preferring a police officer as protector to the reverend gentleman. Had I not had those very good reasons, I would not have taken any such action. Natives have left Mr. Schenk's mission. They have run away; both boys and girls. Some have been dissatisfied in connection with some of their business dealings with the Mt. Margaret Mission.

So dissatisfied were the natives that they complained to the Department of Native Affairs, and the department caused an investigation to be made. It is the prerogative of the department to protect the natives if they have cause for complaint. In such circumstances naturally there was a clash with the superintendent of the mission. Because of that, statements were made that we preferred police officers as protectors to missionaries, the suggestion being that the department was deliberately hostile to the missionaries, which is not the truth. In 1941

a native made a complaint with regard to some dealings in connection with gold and said that he had not received his just dues. The department took the matter up and had inquiries made. Naturally those inquiries were carried out by the police. The departmental officers in Perth could not make inquiries regarding a goldmining deal at Mt. Morgan. The police therefore conducted an inquiry into the complaint and I shall read first the report of the police constable to his sergeant, which was as follows:—

Sergt. Tonkin.

I respectfully report that Mr. R. S. Schenk, Superintendent of the Mt. Margaret Mission Station, called at station on the 18th inst. and gave the attached statement which was taken by Sergt. Chambers in connection with the complaint made by the native "Dan" about the non-payment of gold which was due from the sands treatment. Mr. Schenk has now promised to pay this money which is apparently owing to the native "Dan." You will probably deem it advisable to forward the attached statement to the Commissioner of Native Affairs for his information. That report is signed by Constable F. J. Hall and is dated the 19th March, 1941. The statement by Mr. Schenk was as follows:—

Statement of Rodolphe Samuel Schenk:

I am a superintendent of Morgans Mission Station. Re the complaint made by native "Dan" refusing to pay for gold in sands at Mt. Margaret battery, I as a representative of the mission voluntarily decided to pay the native "Dan" for gold in sands, the same as is done by the State battery. I am in no way legally bound to do so. I have definite proof that some person or persons unknown to me salted the said sands and that was my reason for refusing to pay. The gold obtained over the plates averaged a little over 6 dwts. to the ton and the box which was supposed to be the samples of the sand assayed 1 oz. 17 dwts. to the ton. This statement has been read to me and the contents of same are correct.

That statement was signed by Mr. Schenk, his signature being witnessed by Sergeant J. Chambers. That is the only instance where a missionary was replaced by a police constable and, as members will readily appreciate, the department had very good reason for doing so. There was discontent amongst the natives who confided their worries to the Department of Native Affairs with the result that I have indicated. When such an instance is brought under notice, it is the function of the Department of Native Affairs to afford natives protection; and that was what was done in this instance.

I have another gentleman of the missionary calibre who has a particular aversion to me and speaks to the people of Western Australia about my personal attitude towards the natives. I refer to one Albany Bell, who on each occasion when he has printed a pamphlet since I have been Minister in control of the Department of Native Affairs, has always found something nice to say about me, usually in the strain that the natives can expect no sympathy while I am the Minister in charge of the department. The reason for that, according to Mr. Albany Bell, is that I represent the pastoralists of the North, and the pastoralists dictate policy. That is the sort of thing he puts in his pamphlets for the benefit of the unsophisticated public of Western Australia who may read his writings. By the same token, he in some way or other conducts a mission at Roelands. He must be connected with it in some way because he approached me fairly soon after my appointment as Minister for Native Affairs with a request that the department should give him some assistance in establishing a mission at Roelands. The department assisted him in every shape and form. It took some orphans from the Moore River Settlement and sent them to the mission at Roelands. The department subsidised the mission for the care and attention devoted to those natives.

*Sitting suspended from 6.15 to 7.30 p.m.*

**THE MINISTER FOR THE NORTH-WEST:** Before the tea adjournment I was dealing with the Roelands Mission, which also has difficulties with native boys who run away. On that mission the same thing is done as at other missions. The department has assisted the Roelands Mission in every way, and it is in a much happier position than is the department itself in respect of staff. It has 10 missionaries to look after 33 natives; and in spite of that fact it still loses natives. Boys who have run away from the mission have complained to the department, and have been taken back under the wing of the department. I have mentioned three particular missions and I did this with a purpose, because those are the three particular missions which have publicly made grave charges against the Department of Native Affairs. It is for that reason I have confined my remarks to them, who have had so much to say through the Press by way of criticism. There have also

been statements and complaints from some ex-employees of the department, but those ex-employees are also accredited mission workers.

For instance, I think the lady, Miss Jones, who made complaints regarding wet beds, shortage of accommodation, and defective sanitary conveniences and so forth at Carrolup Settlement was an employee of the Department of Native Affairs. Her references to wet beds being made up in the morning, and to girls sleeping in wet beds, are subject to the criticism that the responsibility for making up the beds was that of Miss Jones herself, as an employee of the department. It may be true that some beds were wet, but the beds are made up by the girls themselves under the supervision of the welfare officer. During the time to which Miss Jones's complaints refer, she was the welfare officer at Carrolup. So if there is any truth in the statement that wet beds were made up, the reply is that it was Miss Jones's responsibility to see that the beds were not made up wet but were put out to air and dry. This lady also complained about overcrowding.

It is a fact that there was overcrowding at the Carrolup Native Settlement very early in the inception of its re-organisation, for the simple reason that dormitories and so forth, in fact the whole place, had been made ready for about 100 inmates, boys and girls. To the astonishment of the department we received 140 children there, or 40 more than the full number which had been catered for. That overcrowding, however, did not last very long, as extensions were provided and of course the extra 40 were catered for in very comfortable conditions. Thus also the sanitary arrangements were not as complete or as up-to-date as the department would like when Carrolup was first opened and natives began to drift in to the settlement; but all that has been attended to and corrected. Miss Jones's statement was correct to this extent, that pans were placed in the dormitories to start with; but later, and not much later either, extensions were put on from the dormitory with a sort of passage-way to the lavatory accommodation, which was fixed many months ago. So that most of the criticism recently levelled through the Press represents criticism of something that existed 12 or 18 months ago; but it has been re-hashed, for appearance in the Press, so as to lead the public to believe

that these are things happening at the present moment. The overcrowding that occurred was due to incompleteness of the place when the natives first began to come in.

Other criticisms have been directed at the Moore River settlement on account of bugs, nits and other things. I should imagine that there are not very many old buildings in Western Australia that have not got bugs. Bugs are horrible things, especially as regards children; but the place has been thoroughly scoured and is regularly washed out with boiling water. Nits, I believe, occur in white children. A Government employee, a trained nurse, and medical officers who went through the schools would, if they found a child with nits, send the child home to be cleaned. Nits are not confined only to native places. Such diseases and complaints apply to where children congregate. These things cannot have been so very bad at Moore River or Carrolup, where there is a medical officer employed by the Native Affairs Department, who must be extremely negligent if he did not take steps to combat such troubles. He visits Carrolup once a fortnight on a general inspection, and he is also available at call any time he is wanted for special cases. That medical officer has never made any report or statement to the effect of the criticisms I have quoted. I do not believe that members who know the medical officer are likely to accuse him of failing in his duty or trying to shield the department when he finds things not up to standard. Surely in such circumstances he would make a report to the Commissioner of Native Affairs!

The same thing applies at Moore River, where it is alleged that children were eaten with bugs. We have a medical officer for Moore River who visits there once a month and at call. We also have three qualified trained nurses in charge at Moore River, and surely they would not allow such scurrilous things to continue without making complaints. All the Press propaganda and criticism have recently been aimed at the department. I admit that a deaconess made a charge about boys getting into the girls' dormitory. I think I have clearly shown the House that that sort of thing is not confined to Government institutions. It happens on the missions which have had most to say about the department. It will also be remembered that in previous debates I have in-

stanced responsible people who visited the different Government institutions. I quoted from an officer of the mission at Bunbury, who had made a general inspection of the Carrolup Settlement. The Leader of the Opposition and the member for Pingelly, did not make any report to the department that things were so glum and so horrible that immediate action ought to be taken. I do not believe that these are gentlemen who walk around with their eyes shut and their ears closed, seeing nothing and hearing nothing.

If people have a complaint to make, they are only too anxious to make it to responsible gentlemen such as those I have mentioned. I can also instance the Leader of the National Party, who on one occasion was at Moore River. That is some months ago, and I have not heard that gentleman raise his voice either inside this Chamber or outside it by way of complaint regarding what he saw at Moore River. No-one will tell me that a gentleman of the calibre of the member for West Perth will visit a settlement without having complaints made to him and without observing the state of things. The member for West Perth would have much greater powers of observation than I have, because I have been considered a confirmed tea-drinker at Moore River by my critics, and yet I am satisfied that the member for West Perth would have seen and heard plenty of cause for complaint if things at Moore River were as bad as represented in the Press.

Other statements have been made in pamphlets and repeated in this House concerning complaints by correspondents to the Premier and by people who have interviewed me. Reference was made to a lady named Miss Birt. It is true that Miss Birt did write letters to the Premier, and that she interviewed me. It was intimated that nothing had happened as a result. Of course, something else did happen. I conducted inquiries into the charges made by Miss Birt, but they were not substantiated. I subsequently interviewed her to explain that her charges had not been proved, and no more was heard of the matter because I was unable to convince Miss Birt, and she was unable to convince me. That is where the argument finished. The whole of the staff at the Moore River Settlement was interviewed and made statements which did not substantiate the charges made by Miss



Birt. I have referred to the various missions that have been particularly critical of the department, and I have quoted from the files to show that the department can be just as critical of the missions as the missions have been towards the department.

I have no wish to quote any more from the departmental files and from letters by natives to the Commissioner of Native Affairs to bear out what I have already said. I merely mentioned those things to give members and the general public—that is, fair-minded people—an inkling that there are two sides to this question. As I said in my opening remarks, I am convinced that the motion has been launched for the sole purpose of endeavouring to force this department under the control of the Commonwealth Government. Although it is put up to this House, under the plea of finance, that we shall be much better off under Commonwealth control, the actual position is that people who are prepared to criticise and condemn the department are anxious for control to go to the Commonwealth because they will get more leniency from the Commonwealth than from this State. When introducing the motion, the member for West Perth quoted freely from the report of the Commissioner of Native Affairs. I have no objection to that; it only proved that the Commissioner and the department know the shortcomings.

An argument was put forward prior to the Referendum, but the position has been somewhat altered. The idea was to ask the Commonwealth Government to give a subsidy at the rate of £3 for every £2 expended by the State Government, but the proposal quoted from the annual report was submitted prior to the Referendum, when it looked as if the Referendum would be carried. The argument of the hon. member is not sound now because surely no-one thinks that the Commonwealth is going to accept piecemeal legislation of this description, applicable to one State only. While it is admitted that finance plays a big part in the administration of native affairs, it is well for members to know that although there was an unexpended balance of £4,000 on native administration for the last financial year, and we have about £18,000 worth of loan money in trust, finance is not of much assistance at the moment because our greatest difficulty is the shortage of manpower and materials; and, until that posi-

tion is altered, the Commonwealth Government will not be able to do any more for the natives than is being done by the State Government. The member for West Perth also quoted from Professor Elkins's remarks. The Professor is looked upon as an expert anthropologist, but I do not think the native problem is going to be solved by anthropology. That may be all right so far as natives of the South Pacific are concerned, but his ideas are not applicable to the Australian natives.

I have tried to point out by inference, and by Press reports and pamphlets that have been issued, that there are organisations definitely trying to have the control of the natives taken away from the department. I followed that up by trying to show that those organisations have had control of millions of acres of reserves and numbers of natives ever since the colonisation of Australia began; but that they succeeded in their administration no more than has the department. On the other hand it is on record where they have failed satisfactorily to handle certain natives and have appealed to the department to take charge of them. It is on record, too, that departmental officers have had to be sent to missions to be placed in control for some months at a time with a view to restoring order at certain missions. I may be accused later of having made an attack on some of the missions; but I claim the right to do so because those missions have attacked the department. I hope the motion will not be agreed to.

[Resolved: That motions be continued.]

**MR. WATTS (Katanning):** If consistency is a virtue, I think I can claim it in regard to this matter of Federal control of natives. I opposed the provision in the Powers Bill, I opposed the Referendum proposal, and I am opposed to this motion. That does not mean that I am by any means satisfied with the conditions of the natives in Western Australia; nor does it mean that I do not realise that there are many and great difficulties facing any administration, whether it be Commonwealth or State. The native is unquestionably a problem it will take all our energy and ability to solve if he is to find his place in the economy of this country and take a share in its management. As a section of our people, the

natives have unquestionably been sadly neglected. Whether that neglect has been intentional or otherwise does not matter. I am inclined to think it has been due almost entirely to a late realisation of the immensity of the problem. I do not think that 30 years ago we fancied the native population would ever cause us much concern. At that time we had not anything like the number of half-castes who are now the greatest problem in the southern portions of the State, and to whom attention was drawn by Magistrate Moseley in his report as Royal Commissioner on Native Affairs in 1935. It is unnecessary for me to quote from Mr. Moseley's report in that regard; but he did make it perfectly plain that one of the greatest problems was that of half-castes in the southern portion of Western Australia. Little or nothing has been done for their real betterment in the intervening period.

I admit that the settlement at Carrolup has been re-opened under considerably better conditions than existed on the previous occasion it was in use. I admit, too, that a medical fund has been created and successfully administered to the extent that it is able to be successfully administered. Some effort has been made to employ the half-caste population to make it useful, particularly in this period of war when manpower is so short. There have been difficulties that the department has made efforts to overcome but which exist mainly because of the peculiar nomadic mind—if I can use that phrase—of the half-caste himself. I suppose I have, in the district I represent, as many half-castes as there are in any electorate in the southern areas of the State; and I suppose I have gone to as much trouble to try to understand the problem of native administration as applied to those people as has any other member. The department knows full well what a nuisance I have succeeded in being from time to time over the last two or three years in regard to this question. I have even had a visit, with the inspector recently appointed, to that part of the State, with a view to assisting in the solution of the difficulties facing those who seek to employ natives for shearing and in other occupations. I think some progress has been made.

I am not saying that the efforts of the department in that direction have been en-

tirely futile; but I think that, in that regard, a great deal more has to be done. Can we not trace the difficulty back to the earlier days of those same people we now seek to employ in their early manhood and up to middle age? There was nothing done to train them in useful occupations or make them realise that they have some responsibility in the scheme of things if they intend to make use of the social amenities that surround them and to require the consideration from those that employ them that they always seem to me to seek. We have done nothing for the child who is now grown up. Are we going to do something for the child who is still a child, in order that when he grows up he may be better than those who are of full age? It seems to me that that is one of the first requisites in any scheme for the betterment of the native. I do not suggest for one moment that we could or should take the native child and educate him as we educate the white child, in many instances, to the Leaving standard. There might be exceptions to that rule. I believe I saw a possible exception when I was at Carrolup a year or so ago. But I do think they could be taught the elements or rudiments of our sort of education, and definitely be instructed in useful occupations; something that they can work at with their hands; something which when they have learnt it will be of use to the people amongst whom they dwell and of use to themselves. They must be taught also the principles of hygiene. It must be impressed upon them in no uncertain manner that those principles must be adhered to if they are to move about among the white population.

It is only recently that we have taken some steps to elevate those who may prove that they deserve it to the position of having conferred on them the rights of citizenship in our white community. The numbers who will have those rights will be extremely limited if we continue with the methods that we have used in the past in regard to the natives, and particularly those who have white blood in their veins and therefore are not entirely of aboriginal origin. But when the suggestion is made that these desirable reforms should be commenced or put in train by a Royal Commission to be appointed by the Commonwealth Government, then I find myself quite unable to agree. I put myself in "Gilligan's place" for a few

seconds. I wonder what I would think were I in charge of the Department of Native Affairs? I think I would come to the conclusion that at least before any suggestion was made that there should be an inquiry by an authority set up from Canberra, some effort should be made to have an inquiry by some authority set up by this Parliament. If that authority failed it might then be time to think of going to Canberra.

In the circumstances, I am very definitely against that portion of the motion. I am, therefore, not surprised that the Minister, as I understood him, is also opposed to that part of the motion. His opposition is probably due to similar reasons to those I have mentioned. Let us turn to the question of Commonwealth policy in regard to aborigines. Is it more desirable than a policy that we can evolve and put into operation in Western Australia? I think there is no evidence to indicate that it is. For 30 years the Commonwealth has had control of the Northern Territory where there are some 16,000 natives. During the greater part of that time the position of those natives has deteriorated as compared with the position when the natives were under the control of the South Australian Government. There may have been, and I believe there has been, some improvement during the past four or five years, but that improvement has not been so noticeable as to discharge the Commonwealth from the onus of the preceding 25 years. I remember attending the Select Committee on the Commonwealth Powers Bill, last year. The Premier and my friend the member for West Perth were also members of that committee. A reverend gentleman by the name of Taylor appeared before it. He came there representing the National Missionary Council. He told us a great deal of his impressions of the benefits that would be conferred on the natives of this State by transferring the management of native affairs to the Commonwealth Government. I asked him, "Have you ever visited or spent any time in the Northern Territory?" He replied, "No." Yet, he was prepared to come to that Select Committee and, in effect, denounce the administration of the Governments of this State, and to commend the administration of the Commonwealth which had been in charge of the Northern Territory and its natives for approximately 30 years. He was prepared to

do that, although he had not the opportunity, or at any rate had not had taken the opportunity, of going to the Northern Territory to ascertain whether the position was as he believed it to be.

The Premier: It was entirely hearsay.

Mr. WATTS: Yes. I admit that we are all subject to that; I am myself so far as the Northern Territory is concerned, but I do say that he was no better equipped to say that we should go to the Commonwealth than I am to say that he has made a mistake—and I have this much in my favour that I do know something about what the State is doing, and I have at least an opportunity to explode, if I feel like it, in regard to State administration. Another witness who gave evidence before that Select Committee was a Mr. Albany Bell. I asked him the same question in regard to this same subject. I quote now from the report of the evidence—

Are you acquainted with the Northern Territory?—Only by literature.

You have never been there?—No.

You know that the Commonwealth has controlled the natives there for approximately 30 years?—Yes.

As you have not been there I take it that you cannot say authoritatively whether the conditions of the natives in the Northern Territory are more satisfactory than are those in Western Australia?—The present policy has only been in existence for a short number of years. You can exclude the previous 30 years.

I am not concerned with the present policy of the Commonwealth. I want to know if you can, of your own knowledge, say whether the conditions of the natives of the Northern Territory are better, after 30 years of Commonwealth administration, than in Western Australia?—I could not say.

The Minister for Lands: He would think that a lubra and two blackfellows were a "gin and two."

Mr. WATTS: That may be the Minister's opinion. The member for West Perth asked him—

Has any other State been more successful in its dealings with its half-castes?—I think undoubtedly that Queensland is well ahead of us. I have not visited there myself, but I have contacted people who know the work in Queensland pretty well.

By Hon. J. C. Willcock: Would those people know what we are doing here?—The party that I am thinking of particularly does know.

By the Chairman: Have you gathered whether Queensland has done better than the Northern Territory?—I should think that Queensland has done better than the North-

ern Territory, but they are developing on directly opposite lines or objectives from what we are here.

That is an example of a State Parliament that has given a measure of satisfaction!—Yes. I was not thinking that the Commonwealth would interfere with the Queensland system if it was successful. But in our case we are not dealing with the problem at all. We are marking time and keeping the natives quiet.

I have a certain measure of agreement with the last statement, but my point in reading these extracts is to show that there is no evidence to prove that Commonwealth control is better than State control, and there is some evidence, if this testimony is taken at its face value, that the conditions in the State of Queensland are better than those in the Northern Territory. Therefore it is of no use saying—if that evidence is in accordance with fact, and it is as the witness believed it to be—that we should not aim to follow the State of Queensland but the Commonwealth. So the evidence given by these two gentlemen does not indicate that we should hand the control of this matter over to the Commonwealth. But that does not take away from the fact that there have been many shortcomings in regard to the administration of the natives of Western Australia. What is the prime reason for these shortcomings? Unless the officers of the department are telling untruths—and knowing them I am not prepared to concede that they are likely to do that in evidence before a Select Committee or in an annual report—it is quite obvious that it is not lack of initiative or lack of ideas for the development of the administration, or even lack of desire to listen to other people's ideas in case they might grasp something useful from them, but primarily and substantially it is lack of money that is the trouble.

Mr. Marshall: The same old cry!

Mr. WATTS: As the member for Murchison succinctly observes, the same old cry.

Mr. Marshall: Always sparring at a shadow and letting the substance go.

Mr. SPEAKER: Order!

Mr. WATTS: That is a state of affairs that has not been improved by Federal conditions and control during the war period. It has, as was indicated by the member for Mt. Marshall in a discussion with the Treasurer a week or so ago, definitely resulted in our inability to maintain the reasonable rates of taxation that we were imposing before the war. The consequence is the loss

of a substantial sum of annual revenue which we might otherwise expect to have had, and for which we might have demanded that the Minister in charge of Native Affairs, when in a receptive mood, should apply to the Treasury for the benefit of his department. We should have seen that the Minister insisted and we would then have seen that the amelioration and betterment of the natives were gone into at once. But we have it on the evidence of the Commissioner and the Minister and indeed, if I am to believe it, on the evidence of the two gentlemen I have just mentioned, that the main trouble is the lack of sufficient expenditure. So I am obliged to turn to the evidence given by Francis Illingworth Bray, Commissioner of Native Affairs. He appeared before the Select Committee on the 9th February, 1943. He also, I think, had the virtue of consistency—if it be a virtue—because he said practically the same thing in his evidence as he said in his report some months later. He gave this evidence to the Committee—

I urge the Committee to favourably consider the passage of the Bill for the transfer of the Native Question to the control of the Commonwealth Parliament. I do so for financial reasons alone. Alternatively I would suggest that we might have some working arrangement with the Commonwealth authorities respecting the Native Question, mainly in respect to welfare aspects. The State Government is not able to afford the expense necessary to place the Native Questions on a proper footing. Legislation and organisation are satisfactory but much more action is required.

He then went on to enumerate some of the actions that he thought ought to be taken and proceeded to quote some of the expenditure he desired to make. He suggested the appointment of an assistant commissioner or an additional deputy at a cost of £550 a year; further administration costs and medical offices at a cost of £3,400 a year; the appointment of an inspectress of natives to deal with matters affecting native women and children and dietary questions, etc.; two additional inspectors of natives, one for the South-West and one for the mid-north Goldfields and Murchison districts at a cost of £1,100; and an itinerant magistrate for the North to preside at courts of native affairs and to deal with other important native cases at a cost of £800 a year. He wanted £17,000 for two new settlements in the South-West Land Division; £4,000 for a new settlement in

the Port Hedland-Marble Bar district; £2,500 for new and larger premises for the Native Girls' Home at East Perth where domestics could be trained; £1,500 for a depot in the metropolitan area to deal with out-patients, male patients and other types of camp natives awaiting hospital attention; £5,000 for buildings and staff quarters at Moola Bulla Native Station; £6,000 for a new station in West Kimberley with institutional facilities; £21,000 for hospital accommodation; £10,000 to complete the building programme at Carrolup Native Settlement; £5,000 for institutional and training facilities at Cosmo Newbery Rationing Depot; £2,000 to help missions; £3,000 for the upkeep and maintenance of trade and domestic classes and £10,000 for dietary improvements, clothing, etc., and the carrying on of trade instruction and domestic schools and for the general ameliorative requirements of the natives.

All those items amounted to £93,450 and some of them are items which we all contend ought to have been provided long ago. I am not acquainted with and the Minister has not told us how strong or how frequent the representations to the Commonwealth Government have been in regard to these matters during the war period, especially since the period when it took much greater control than it previously exercised over the State's financial position. If those representations have not been loud and frequent, they ought to have been. I think the hon. gentleman transgressed in that he did not inform us as to just what had been done in that regard. But he did say that a proposal had been put forward for financial assistance on a £3 to £2 basis by one of his officers, and the Commissioner, in his evidence, said—

Western Australia has approximately 26,000 natives and spends approximately £50,000 a year on the native question inclusive of loan expenditure. Since the State is so widespread the amount of £50,000 a year is roughly half of what is actually required for expenditure on the natives.

So, in addition to the £94,000 for what we might term capital improvements, there is apparently in the mind of the Commissioner the expenditure of £50,000 a year in addition to approximately £50,000 he mentioned out of State revenue for the provision of education, instruction, moral uplift and amelioration of native conditions in this State.

I took the opportunity of going down to the Carrolup native settlement which, although it is not in my electoral district, is but four miles over the boundary. There seems to have been some misunderstanding in the Press as to the circumstances in which I and the member for Pingelly visited that place because we were particularly careful not to say we were going and no one knew we were going. As a matter of fact, we lost our way and went in by the back entrance instead of the front.

Mr. Seward: You lost your way.

Mr. WATTS: I apologise to the hon. member; I lost the way. By entering at the back, we had to cross the Carrolup River. We were not entirely satisfied—I think I can speak for my colleague as well as for myself in saying this—with the conditions at Carrolup. There were many things that were missing. For example, there was not sufficient hospital accommodation; there was an inefficient baker's oven—which I think has been rectified since; there was a not very satisfactory water supply. Nor is the land satisfactory. I have always criticised the site of the Carrolup native settlement. I do not think it was a wise choice at all, considering all the circumstances of the case. But there was no evidence at the settlement of any unhappiness amongst the natives; nor was there any evidence of the filth or untidiness that has been alleged against the place. There was a deficiency in educational premises; there was a room for the elder children, of whom there were about 40 at that time, but a bough shed was being used for the accommodation of the infant children. This was 18 months ago. The very capable young woman who was in charge of it considered, and I agreed, that when the weather changed, it being then very pleasant autumn weather, the conditions would not be so good. Nor would they be.

I had an opportunity of meeting Miss Dannatt, who was in charge of the older section of the school. She has since written in "The West Australian" her views of Carrolup after two years' residence there. Any member who has taken the trouble to read the letter, which appeared in an issue of "The West Australian" last week, will doubtless agree that what she said fairly closely coincides with the impression that I at short notice was able to form of Carrolup.

There were deficiencies, such as I have mentioned, but many of the statements made against the settlement have been definitely denied by this lady. She is not at the settlement now. For many years she was well known as a teacher at a prominent girls' school in Perth. I believe from my knowledge of her and from her reputation that her statements can be taken at their face value.

Consequently, I do not think that we should readily subscribe to all the rash and sometimes unproven statements made in regard to the institution. There is ample room for improvement; there is ample room for educational and technical facilities suitable for the native people; there is ample room for better hospital accommodation. There are things lacking in the way of dormitory accommodation that ought to be provided, but they involve the expenditure of money. So far as I can judge, it is not a matter of inattention by the superintendent in charge at that time and his staff. I believe that he was in charge until about the middle of last year. What has happened since then I do not know, but the assertions that have been made have covered a period of years during the occupancy of the then superintendent. I have no brief for him or for his predecessor or for Mrs. Leeming. But after two years' experience, they seemed to have a kindly interest in the native population around them and to be doing their best for those people. In my opinion the property was not being worked to the best of its capabilities. The livestock there was not even in store condition. Some of the mutton displayed to the member for Pingelly and myself as having been selected from the available flock would not have done credit to the worst farmer in Western Australia.

Mr. Marshall: Some of the sheep were like magic lanterns.

Mr. WATTS: The hon. member may not be far wrong in that. However, I believe much of that is attributable to the fact that a property is being used for the settlement that would have been far better left with the people who had it. They could not do too much with it, although they tried fairly hard, as the Minister for Lands will probably remember. They were there for many years. I still think it was a mistake, and Mr. Magistrate Moseley did not lend any support to the idea, as I understood his re-

port, of the taking over of Carrolup. It amounts to this, that gross exaggeration has been indulged in with regard to the Carrolup Settlement. A fair statement would have pointed out its deficiencies in regard to buildings and facilities for educating, training and employing the young people there, as well as some of the elders, but it would not have descended to the level it has reached if sufficient trouble had been taken to verify the facts. I say frankly it was not until I read the communication by Miss Dannatt and the Rev. T. R. Pellham-Thorman of Katanning, both of whom are known to me and therefore I can attach credence to their statements, that I came to the conclusion that there had been little if any change since my visit to the settlement. The deficiencies were the same and the position was no worse than it was—though very considerable improvements as regards buildings and facilities were required—so far as the human element in charge of the natives was concerned.

Before leaving the motion I would like to refer to the Moore River settlement. I confess that I know nothing whatever about Moore River. The statements which have been made regarding that settlement might have considerably more foundation than those made regarding Carrolup. I will leave that to the House to judge in face of the evidence offered to it by the respective contestants in this matter. I have never had an opportunity to visit Moore River; nor have I made any inquiries into it, probably because to visit it involves more travelling for me when I am in the southern portions of the State than to visit Carrolup. However, it should be a definite proposition with all native settlements in the southern areas that they should grow a great proportion, if not the whole, of their food requirements. I do not like to quote mere hearsay statements, but it is a well-known fact that quantities of vegetables are taken to Carrolup week after week, having to be transported by road over a distance of 22 miles. This is not economical. It does not amount to ill-treatment of the natives, but it does amount to ill-treatment of the State's finances. It shows a lack of co-ordination in the efforts being made to manage the settlement. It does not amount to cruelty, because the natives are being looked after reasonably at much greater expense than under more

satisfactory conditions. So far as teaching them to do something is concerned, the present system is uneconomic and should be put an end to as quickly as possible. But that does not amount, as I have said, to charges of cruelty to natives or unsatisfactory conduct on the part of the management. It is a matter, on the one hand, of water supplies, and on the other, of necessary facilities for doing the work, and these facilities should be found as quickly as possible.

The Premier: There is a water supply.

Mr. WATTS: Is it finished?

The Premier: Yes.

Mr. WATTS: I thought it was not. Turning again to Commonwealth activity in regard to natives, it has always seemed to me that, because of the distance of the Commonwealth administration and because of the relationship that must exist between the Commonwealth Parliament and its members, they have very little idea of the question. After all, the States which have native populations are, broadly speaking, Queensland and Western Australia. Tasmania has none; South Australia very few, and Victoria and New South Wales not very many—a few hundred half-castes. The great majority of the natives are in the Northern Territory, Queensland and Western Australia. The Northern Territory has one member in the Commonwealth Parliament who has no vote except on matters affecting the Northern Territory ordinances. Queensland has 10 members and Western Australia five members in the Commonwealth Parliament. Therefore, in any Federal legislation, as I see it, we would be submitting the affairs of the greater number of natives—26,000 in Western Australia, 16,000 in the Northern Territory and 15,000 in Queensland—to about 50 members of Parliament who, as far as their electorates are concerned, know nothing about natives. In this Parliament, if I may so suggest, there is hardly a member outside the metropolitan area who has not got to deal with this problem in one form or another, who is not more or less in weekly contact with it, and who is not obliged, whether he likes it or not, to take considerable interest in the native or half-caste population in his electoral district. At Canberra, out of 70 members of the House of Representatives, approximately 50, and probably 60, would have no appreciable

number of natives living in their electorates, and in many cases there would be none at all. To my way of thinking, we should not hand over the control of our natives to the Federal authorities. By its Constitution, the Commonwealth is especially prevented from having that control. I have always objected to the Commonwealth having such control. In my opinion, that would be entirely wrong, as I shall prove by the Commonwealth's behaviour in certain matters associated with native affairs. One such matter I shall quote—

Under the Commonwealth Maternity Bonus Act, that bonus is not payable to any woman who has a preponderance of native blood. If she is below half-blood, she is eligible to receive the bonus, no matter what the conditions may be under which she is living, whereas if she has half or more aboriginal blood then she is excluded from participating in the maternity bonus. Having a case where the woman possessing more than half the native blood is living under decent conditions in a country town house, and is bringing up her children as useful members of the community, and whose husband is a returned soldier from the 1914-18 war, I made representations to the Federal Minister to the effect that the Act be amended to provide that, instead of that hard and fast rule, a bonus be paid when recommended by the State Department of Native Affairs, and withheld when that department considered it should be so. Despite the fact that negotiations extending over almost 12 months have taken place, it is not possible yet to get the Federal Minister to agree to the proposal.

There we have a department which, so far as natives are concerned, says, "It does not matter under what conditions you live; so long as you are less than half-blood you can have the maternity bonus, but if you have one per cent. over half blood and we can prove it, then, notwithstanding that you are living under the finest conditions, conditions that would be a credit to any white person, you cannot have the maternity bonus, although your children are being well brought up and your husband is a soldier from the 1914-18 war. Because you are one per cent. over a half-caste you cannot have the bonus." After 12 months it is impossible to make any impression upon the Federal Minister that that is not the way to bring the native population into a condition where they can take their place among white people in a respectable and responsible manner, and at the time those negotiations took place

that Federal Minister was a Western Australian. So there are difficulties in the way of Federal control, which certainly does not appeal to me. I would like to turn for a moment to the observations of Mr. Moseley, in his report on aborigines in 1935. At page 5 he says—

If it is assumed, notwithstanding the present apparently appropriate life of the natives on stations, that the day will arrive when the blacks will find a place in a white civilisation, then much more should be done to fit them for such a position. If the assumption be well founded, the difficulties ahead of the administration are sufficient to cause great anxiety; a scheme of training must be evolved which will bring about the transition without hardship to the black; if the transition be possible by natural process, well and good; if it must be the outcome of intensive training and instruction, how are these to be undertaken?

We hear much about the need for anthropologists and people better qualified to deal with natives than is the Department of Native Affairs in this State. I well remember, at the proceedings of the Select Committee on the Commonwealth Powers Bill last year, one witness, to whom I have previously referred, expressed the opinion that these officers could best be got under Commonwealth control; but the Commonwealth has not got them except in regard to the limited work which they do in the Northern Territory. We would of necessity have to apply for them and pay them. Surely, if we could obtain these particularly skilled people in native affairs, we should pay them. Again, it comes to the question of money; but we do not want to transfer the management, or any part of the management, to headquarters some 2,000 miles away. What is required is more expenditure on facilities and on the men required to bring about the desired improvement in the conditions of our natives. It is little use complaining unless we are prepared to provide the money.

As I said earlier, the State's financial resources have been unnecessarily, in my opinion, or at least drastically restricted because of the financial arrangements made during the war. These arrangements have deprived us of a considerable amount of money which otherwise we ought to have. The only remedy, therefore, appears to me to be to approach the Commonwealth and say, "You must provide this money for this very necessary work, and provide it in the immediate future." If the Common-

wealth will do that, then I have no doubt that many of the proposals enumerated by the Commissioner of Native Affairs to the Select Committee to which I referred will be put into effect at an early date. If the money is available and these proposals are not to be put into effect, then I assure the House that my criticism of the Department of Native Affairs will be in very different terms from what it is tonight. I have no doubt that if a reasonable amount of extra money to supplement the amount available by the State at the present time—which I think is about £60,000—were made available, much of this work could be done notwithstanding the existing difficulties in the way of manpower and materials. If the Commonwealth were to assist financially, it would realise that the work must be done in a reasonable time. The children of the native population must be taken in hand immediately, in my view.

The Premier: That is where the manpower difficulty comes in.

Mr. WATTS: I know, but one cannot have it both ways. One cannot delay a great work because the war is continuing for a long period. The native children who five years ago were eight and nine are now 13 and 14, and meantime another generation is coming on. We cannot allow that state of affairs to continue simply because of the lack of a few—and a very few—people to give the necessary instruction and assistance. Anyhow, the effort must be made, because we cannot allow the existing state of affairs to continue in face of modern demands. We have changed our outlook to a great extent in the past few years, and I think it is a very proper change. We must realise that we owe responsibility to our half-castes, for whom we are responsible to the extent of 50 per cent. We cannot wash our hands of them; they are our responsibility. Without labouring the matter further, I think I have made myself plain. I intend to move a substantial amendment to strike out certain words with a view to inserting other words. I move an amendment—

That the following words be struck out:—  
"the States of New South Wales, Queensland, South Australia and Western Australia have at the request of the Commonwealth Government granted to the Parliament of the Commonwealth the right to make laws for the good government of the people of the aboriginal race in co-operation with those States, this House is of opinion that the



Government should immediately request the Commonwealth Government:—

1. To appoint a Royal Commission to examine into and report on the administration and policy pursued in regard to the people of the aboriginal race; and
2. To make recommendations as to the future policy and administration having regard to local and other conditions; and
3. In particular to determine what financial support should be made available to the States by the Commonwealth in order to carry out such policy and pursue such administration."

with a view to inserting the following words:—"the reforms and improvements necessary for the better education and the moral and physical uplift and care of natives are substantially dependent on the availability of ample money, the Commonwealth Government should, this House considers, make available to the State a sum of not less than £50,000 per annum for three years to supplement the present expenditure by the State and enable necessary reforms and improvements to be put into effect" in lieu.

At the end of three years, the present financial arrangements, such as they are, will come to an end, and the whole matter can be reconsidered. I ask that the annual amount should be £50,000 for three years, because that is the figure which I have taken from the evidence of Mr. Bray, who said that £50,000 voted by the State represented approximately half of what should be, in his opinion, spent on the natives. Should any member consider the amount ought to be larger, or think that my calculation is made on a wrong basis, I have no objection to his moving an amendment to that effect.

On motion by the Minister for the North-West, debate adjourned.

## BILL—RURAL RELIEF FUND ACT AMENDMENT.

*Second Reading—Defeated.*

Debate resumed from the 1st November.

**THE MINISTER FOR LANDS [8.45]:** Bills with the principle included in this measure have been treated by both Houses of Parliament in this State in a very guarded manner. I think the Bill first introduced including this principle as amending the principal Act was in 1936, but that Bill was ultimately withdrawn because of certain doubts of Mr. Speaker at that time. In 1937, a somewhat similar Bill was re-

ferred to a Select Committee, a report was presented, and the Bill was not proceeded with. Two years later, in 1939, a Bill almost identical with the one now before the House was introduced by the present Leader of the Opposition, was carried on the voices in this House but was defeated in the Legislative Council by 16 votes to 10 on the second reading. Thus, amending Bills of this description have had a rather chequered career in both Chambers of this Parliament. Because of responsibilities which must attach to the Crown if farmers are unable to get their seasonal requirements for finance from their ordinary financial institutions, I think there is no doubt there would be a greater financial burden imposed upon the State. Whether that be so or not, there is in this type of legislation a certain principle which, if applied purely in a State sense, can have very serious repercussions on the ability of farmers to finance on money from within the State. This is a subject to which, during the last few years, I have given much attention.

I have not only read many authorities upon it but have taken much evidence from authorities on the subject, have spoken in this House and in other places in connection with it, and have written much matter dealing with it. I am very concerned that this is not the way to approach the question if it is, as the member for Pingelly said in introducing the Bill, that there is vital need in this State for it. The hon. member expressed some doubt on the subject and said he had very little pleasure in introducing such a Bill. I can quite understand that when we realise not only the experiences of Bills of this character in this and the other Chamber, but also the fact that no proof has been furnished at the time when such Bills have been introduced that the requirements for such legislation would meet the average case of farmers who are entitled to come under the provisions of the Farmers' Debts Adjustment and the Rural Relief Fund Acts. It can safely be said that, in spite of political activity and the anxiety of members opposed to the Government to adopt the usual political practice of putting the other fellow in the wrong, the Government of this State can claim much credit for scrutiny, and action because of its scrutiny, of the disabilities and affairs of farmers from the beginning of its administration. Although very little credit is given to the

Government for political reasons by its friends opposite, if we could divorce this subject from political motives altogether, we would have an opportunity to make much greater progress when the subject is closely studied. It is admittedly a matter that lends itself to political patronage of a section of the community. It is a very contentious subject. It is a matter upon which farmers may be placated and respecting which the Government, as I previously mentioned, may be put in the wrong.

In all fairness, we should look at the matter from a far different point of view. It is one in connection with which there is some doubt as to whether we would perform a kindly act for the farmer unless the subject is approached in a far wider way than a Bill of this description admits. I have always been concerned with what material assistance the farmer would get from this class of legislation. I am always concerned as to whether we are going to prejudice him in the field of credit in connection with his seasonal requirements, particularly from the firm or bank or institution that normally might finance him. With regard to the Bill itself, even if we could agree that all the doubts I have mentioned could be eliminated, there are many frailties in certain of its clauses because of the impracticable way in which the problem is approached. There is, in a certain clause in particular, an attempt to set down in a statute something in the way of a formula. I refer to the clause dealing with the valuation of productive capacity, which subject has strained the capacity of very experienced and capable people in every State of Australia. Quite distinct from that, however, I would like the House to know that this is a subject upon which a Royal Commission appointed by the Commonwealth has carried out investigations in recent times and has reported to the Commonwealth. Although the report has not yet been made public, it does, to my certain knowledge, cover very fully all aspects of this very vexed problem. I shall refer to that a little later.

Mr. McLarty: Are you referring to the Rural Reconstruction Commission?

The MINISTER FOR LANDS: Yes. I have in front of me an interim report submitted by that Commission to the Commonwealth many months ago on the subject of farmers' debts and debt adjustment in all

its many phases. To that matter I shall refer briefly a little later. I mentioned that I fear legislation of this sort, without ample provision being made for the financing of the farmer and for the handling of his debts and of his own business during the period the stay order operates, my fear being that uneconomic farmers would become a burden on the State. It might be that that would be a very good thing, but it would be a very bad thing unless an organisation were first set up to deal with such a position. I think that is the manner in which this subject should be approached. If I may for the moment examine what this Bill provides for, we shall see just how far-reaching its effects can be. Not being satisfied that the last word had been said on the subject, despite the scrutiny of all the difficulties and of its examination by at least one acknowledged authority on the subject in recent months, I submitted the Bill to several people who can gauge its possible effects if it is capable of implementation, those people being resident in this State. I have received much varied comment from the people who can speak authoritatively of the endeavours to implement such legislation. One authority advised me in these words—

It is one thing to pass legislation but it is quite another to carry it out, and to attempt to assess values of securities on the productive capacity as set out in the Bill would not only be difficult but impracticable. If our yields were always normal and we had no droughts, emus, grasshoppers, rust, hailstorms, or other setbacks, which affect the farmer's income from year to year, we could arrive at the productive capacity, but to suggest that the value of a holding is less by reason of the fact that due to, say, emus, half that particular year's income is lost, is definitely wrong.

This commentator, dealing with the Bill, continued—

It proposes to force a mortgagee to reduce his debt notwithstanding that the amount involved was advanced in good faith, possibly in some cases to oblige the mortgagor, but based on the mortgagee's opinion of the security value, and the mortgagee will now be asked to reduce the debt based on a formula other than that on which the loan was made. Legislation of this nature is, in my opinion, dangerous—it will certainly restrict credit and, although benefiting a few individual farmers, will harm the farming community as a whole.

I am not prepared to say that I agree entirely with those contentions, but they do

raise a point of view expressed by a competent man. Many aspects of the principle that is developed in the main clause of the Bill have received scrutiny by people who realise the difficulties. Another officer who has had much to do with the adjustment of farmers' debts in this State raised this point when he said—

It must not be overlooked that the Commonwealth Government distributed grants which were payable direct to farmers and over which the mortgagees had no claim. Clause 3, proposed new Subsection 5 (d) is one of the principal clauses, as this clause proposes to fix the method of valuation. Fixing of valuation of income based on 10 years' average values after the 1st January, 1945, is not clear as it is not mentioned if the valuation should include—

- (1) Acreage payments made to wheat farmers.
- (2) Superphosphate payments made to farmers outside wheat.
- (3) Special arrangements for purchasing apples.
- (4) Special payments to potato growers.
- (5) Special bonuses to dairy farmers.
- (6) Price fixing of practically all lines of farm produce including vegetables to meet war conditions.

There may be other special payments made but the above concessions were granted to meet specific circumstances, acreage grants for wheat failure, superphosphate payments to encourage pastures, etc., payments to apple growers to compensate for lack of markets, payments to potato growers and dairy farmers to encourage increased production.

There are very many other aspects, too, in connection with the limitation or lack of limitation on the class of person who might enjoy a writing-down and yet not deserve it. Is there any restriction on the type of person who has large interests or investments outside the farm? Who is to say? And what is to be the gauge as to whether the farmer conducted his farming in a satisfactory manner? There are very many weaknesses in the Bill as regards the possibility of assessing such important matters as the depreciation of farm machinery, and whether operations have been carried out economically or expensively. I referred the Bill to the Director of the Rural Relief Trustees under the Farmers' Debts Adjustment Act, and his comments are especially interesting. He dealt with the Bill clause by clause, but I do not wish to detain the House with his comments, which appear in many instances to be very sound. I shall content myself

with reading the letter he submitted in company with his other comments—

The principal clause appears to be 3 (b), providing for the suspension of the rights and remedies of creditors. This would enable the farmer to use the proceeds of the farm without any control whatsoever. The Trustees are of the opinion that such a revolutionary proposal would be the end of the present method of financing farmers' operations, because no one would be prepared to take a bill of sale or other charge over crops, stock or machinery with the possibility of the farmer applying for a stay order. If the Bill became law, it would no doubt also have an effect on the State's chance of attracting outside capital for general investment, because of the statements that would be made that Parliament had cancelled the rights of secured creditors of farmers, and therefore investments in the State could be regarded as doubtful.

That is the opinion of the Director under the Farmers' Debts Adjustment Act. The Trustees have had considerable experience in the handling of cases, thousands of cases, that have come within their purview during recent years. They can see not only difficulty in administration but serious difficulties that might in the ultimate prove highly prejudicial to farmers' interests. I would not like to burden the House with the clause by clause criticism submitted, much of which appears to me to have very sound foundation, and upon which expert officers have raised comments. Rather would I pass to the aspect I raised that this is a subject which should be dealt with from a far wider standpoint than the attempt to legislate in this way in one State. I would not like to be guilty of disclosing, prior to their publication, the contents of the report made by the Commonwealth Treasurer and the contents of the Fourth Report of the Rural Relief Construction Commission. This report dealt absolutely with settlement reconstruction, and with a plan for farmers' debts adjustment in a national way. The report dealt with a detailed consideration of various relief schemes. It dealt with the forbearance and postponement of obligations, with short-term credit for necessitous farmers, with waiver of Crown debts, with moratoria, debt adjustment, reconstruction of marginal wheat areas, and other relief schemes and general comments on adjustment schemes. It broadly reviewed every debt adjustment scheme that is in operation in Australia and also in New Zealand; and

in a rather lengthy survey of the subject the Commission's report covered in its recommendations such matters as these—The need for a national plan for settlement reconstruction, the co-ordination of farmers' relief, permanent legislative machinery necessary, the necessity for individual treatment, the aims of settlement reconstruction, provisions for restoring financial stability, control during period of reconstruction, the need for an agricultural analysis, and the desirability of reconstruction organisation. It further dealt with the application of banking profits to assist settlement reconstruction, and the basically uneconomic farmer. I would not agree to anticipate the publication of this report, if it is to be published. I understand that the Third Report of the Commission is now printed and in circulation, but I would hope, as has been mentioned by me in this Chamber previously in connection with this very vexed and involved subject, that the matter will not be dealt with as an item within the confines of the borders of this State. I think there is every need for the subject to be scrutinised, for there would be permanent provision on the statute book of every State in Australia for use when the necessity arises. The legislative authority would then be there to make whatever adjustment might be necessary, but always with the safeguard that there should be no easy way if the debtor has not a good case. And fundamentally it may be that one of the most important things in Australian rural reconstruction is that the uneconomic farmer should have every opportunity, if it is impossible for him to become an economic unit, to be no longer a farmer at all.

That, I think, is one of the greatest things for Australia to attempt. It refers to the trouble that has involved this nation in colossal losses; and many Governments have been to blame from time to time because of short-term anticipations in the pushing-out of settlement into unsuitable areas, without any regard for climatic circumstances or possible market trends. So that I would submit, quite distinct from any form of criticism which may be found in the 1937 and 1939 "Hansards" of this State by members from this front bench on this type of legislation, that there are very many reasons today, in addition to the reasons

then given, why such legislation should not be proceeded with. I can anticipate that when the survey that has been made of all Australia's experiences is released, as well as the recommendations for legislation which the report I have mentioned contains, there will be much criticism; but I can assure members that the subject-matter has not been lightly put together, but that an earnest endeavour has been made to solve a very vexed problem by treating the question in a national way. On those grounds, I hope that the Bill will not be proceeded with. I intend to oppose the second reading.

**MR. WATTS (Katanning):** I am somewhat astonished at the strong opposition offered by the Minister to the measure, as it so closely resembles one which was introduced in this Chamber in 1939. In fact, with the exception of a few alterations in dates and things of that kind, it is identical with that measure.

The Minister for Lands: I said so.

**MR. WATTS:** On that occasion the Minister did not express anything like the opposition he is now voicing. He did not on that occasion divide the House on the second reading or on the third reading. The result was that the measure was transmitted to another place, where it was defeated. If on that occasion it was not necessary for the Minister to raise all the points in opposition that he has raised tonight—

The Minister for Lands: I raised all of them.

**MR. WATTS:** —I find it hard to understand why it should be necessary for him to oppose this measure in the terms he has.

The Minister for Lands: Read the first three columns of my previous speech.

**MR. WATTS:** I have it before me and will, if the Minister so desires, read it to the House.

The Minister for Lands: You will find the same objections.

**MR. WATTS:** I quote the Minister's speech from "Hansard," 1939, page 1134—

I intend to oppose the Bill, and I think the member for Katanning (Mr. Watts) realises that he is placing a very big responsibility on the Government at this stage by endeavouring to have such a measure passed into law. In normal circumstances the position would be difficult enough, but in existing circumstances the measure would impose a very severe burden on the Crown.

The Minister then dealt with the position of the trustees and mentioned one or two other matters.

The Minister for Lands: You must read the whole of the speech.

Mr. WATTS: It is too long.

The Minister for Lands: You are picking out bits.

Mr. WATTS: I frankly admit that the Minister did oppose the Bill, but not in the strong terms in which he opposed this Bill tonight. I think the Minister will agree, on due reflection, that that is a substantially correct statement of two differing sets of circumstances. In any event, the Minister and I can, as we have succeeded in doing in the past, differ and still not fall out. I will therefore turn to another aspect. The Minister said he was of the opinion that no proof had been offered of the necessity for this measure. I submit to him that in a democratic institution such as this Parliament, the best proof he could ask for would be a resolution of this House passed—presumably as all resolutions should be passed by this House—after mature consideration of all surrounding circumstances. I find that in 1941 this House passed a resolution calling upon the Government to introduce legislation for this purpose. Three years have since elapsed and no steps have been taken to give effect to that resolution. This measure deals with the first section of the resolution, the one I think requiring most attention. That is one ground for the member for Pingelly introducing the Bill on this occasion; it is, as I have said, identical with the Bill introduced in 1939. But it is of course quite possible that in 1941 members may have been misinformed; perhaps "misinformed" is not the correct word to use; members may not have had the right evidence or information submitted to them.

I have here a copy of the evidence tendered by the Associated Banks of Western Australia on the 22nd March, 1943, to the Post-War Rural Reconstruction Commission. The Associated Banks very courteously sent me the copy. They make a number of references to this matter, necessarily, from their point of view, guarded in character, but nevertheless indicating a very clear need for more activity in this matter, the only point in dispute being whether it should be of a volunteer nature, or controlled by the trustees of the Rural Relief Fund Act or by some other responsible tribunal. I quote

from page 4 of the evidence, under the heading of "Causes of Financial Failure"—

7. Over-valuation of farms (particularly the unimproved portions) leading to excessive borrowing and some confusion between money earned and money borrowed. Many farmers thought they were making progress if their paper surplus improved, forgetting that a lot of the improvement came from unearned increment. They were also inclined to treat money borrowed as money earned, and spent it as such, before the existing system of rationing expenditure over the year was introduced.

8. Too great reliance by lenders on security valuations with insufficient attention to earning capacity to carry and reduce the debt. Margins in some cases consisting largely of valuations placed on unimproved and unproductive portions—really a liability for Crown rents, rabbits, etc.

Other portions of the evidence given on behalf of the Associated Banks deal with proposals for the betterment of farming conditions generally. On page 6 the following appears—

5. Continuance of voluntary debt adjustment to struggling farmers of acknowledged ability, and for debts incurred prior to, say, 1938 only. This now applies mainly to secured debts.

There is a very interesting summary to the evidence. It is as follows:—

Summarised, it is considered that future efforts towards improvement should apparently be directed as under . . .

6. Continuance of writing down through rural relief to capable farmers with heavy debts.

That is not my opinion. It is the opinion of the member for Pingelly. It is not the opinion of any person closely associated with Parliament. It is the opinion of persons who, from their own knowledge and experience gained in one avenue of financial dealing with the farming community, have come to this conclusion as late as the 22nd March, 1943. They would be vitally affected by the very proposals which they suggest themselves; and as between them and me there is only one word of difference, and that word is "voluntary." I am of opinion that the handing over of this question to a responsible tribunal in regard to what I believe are the few remaining cases where activity of that kind would be required, would be much more desirable than a voluntary system. So I submit, on the facts presented there, quite apart from anything else that may have been presented to this House, there is justification for fur-

ther and close consideration of the measure that was passed in 1939. From time to time we have had objections raised to this proposal, which is also in this Bill, that the tribunal or trustees, in dealing with valuations, should take into account what the property would produce as a criterion of its value as a security.

We have been told it is most unwise to use the production basis, but we have not been told what to put in its place. We have not been told what system of valuation is better or more reliable, and I can find no other. I have always had the impression that, provided it was equitably based over a reasonable number of years and not surrounded by too many restrictions, the basis of the productive capacity of the property was the only one on which could be founded an opinion of its ability to serve a debt, by which I mean pay interest on it. I have been looking again through the report of the Surveyor General on the pastoral industry to see whether, by any chance, he had anything to say on a method of valuation for the writing-down proposals that he set out in his report. I find that, in paragraph 894, at page 125, he referred in these words to the second valuation out of three which were to be made over a period of eight years under his proposals—

In arriving at the second valuation, the board must satisfy itself that if the valuation of the station is readily ascertainable from the evidence of sales of other stations, such value does not exceed the productive value. By "productive value" is meant that value on which the estimated earning capacity of the station on an average season's costs and prices could be expected to return a reasonable rate of interest, having in mind the nature of the investment.

In regard to the final adjustment at the end of the eight years, he said—

At the end of eight years the lessee's property shall be valued again by the same process as that outlined for the second valuation.

Although he suggests taking into consideration the evidence of sales of other stations, he insists that the value assessed shall not exceed the productive value, and by that productive value he means the value on which the estimated earning capacity of the station on the average costs and prices could be expected to return a reasonable rate of interest. That is the principle which is involved in this Bill in ar-

iving at a value. The Bill says, in short, that after all these years, and taking the average prices realised—and they have fluctuated considerably from low to high and from high to low—the value of the property on that basis, calculated by the Trustees on official figures, is not sufficient to afford security for the liability thereon. If it is not sufficient now and has not been sufficient for that long period of years—which would be the case in many instances that now require the benefit of this Act—it is high time we adopted the underlying idea of the Associated Banks' evidence and put a period to it. There is nothing in this measure to afford relief to a person who has not managed his property in an average efficient manner and who may be taken as being an incapable person.

It is perhaps hard to assess what average efficiency is, but nevertheless it must have this effect on the minds of the Trustees when making a decision: That unless there is evidence that a property has been capably worked by a man prepared to work reasonably hard, he could not ask them to give him the benefit of this Act because he would not measure up to any reasonable calculation of average efficiency. On the face of it, there is no need at this stage to oppose this legislation. The Associated Banks, who gave consideration to the matter for the purpose of giving evidence to the Rural Reconstruction Commission, had in mind that in certain cases action of this kind is required for the salvation of certain capable farmers. The only difference is that they wanted a voluntary adjustment and this provides for a compulsory adjustment, if it is brought into effect—and I have already referred to this twice in order that there may be no possibility of misunderstanding. So we find that the basis of valuation is not so unreasonable as at first sight might be supposed. In fact, it is comparatively reasonable. I am prepared to concede there is probably not a very great number who would apply.

No clients of the Crown would apply under the measure because they would be excluded from the rights under this Bill which excludes the Crown except insofar as the Crown is bound by the principal Act; and it is only bound by the principal Act to the extent that it could not have money from the Rural Relief Trustees be-

cause of the effect of the Commonwealth legislation on the settlement or partial settlement of debts due to the Crown. Other than that, the Crown is not bound at all by the principal Act and is therefore not bound by this Bill if it becomes an Act. So there would be a very limited number, but in all probability that limited number would contain a very great proportion of deserving men who are entitled to this measure of consideration which they have never been able to obtain. I hope the House will not hesitate to carry the second reading and the subsequent stages of the Bill, and submit it to another place.

**MR. McDONALD** (West Perth): I have been interested to hear the information given by the Minister in advance of the release of the report of the Rural Reconstruction Commission. The information was timely and is certainly of assistance to some of us in our consideration of this Bill. I will return to that a little later. In 1939, as the member for Pingelly and the Leader of the Opposition have reminded us, a Bill was introduced in terms somewhat similar to those in the measure now before us. Whether I was right or wrong, I informed the House on that occasion that I was opposed to the Bill. But I also said when speaking on the Bill in 1939 that I would be agreeable to a writing-down on the basis of the Victorian Rural Relief Act, or alternatively to a writing-down on a Commonwealth-wide scale with the provision for proper funds for seasonal credits and other assistance to the farmer in the transition period as was recommended by the Royal Commission on the wheat industry in 1934. Members will recollect that the Victorian Debt Adjustment Act took in the money provided for that purpose by the Commonwealth in 1934 and used it to compensate not only unsecured creditors but also first mortgagees whose debts were written down. Certainly those Victorian first mortgagees did not receive 20s. in the pound of the amount extinguished, but they did receive some shillings in the pound in respect of the amount extinguished, and they were prepared to view the whole matter as striking a fair balance between the mortgagee on the one side and the mortgagor on the other.

But of course all our debt adjustment money in this State has been expended, or almost all, without there being any provision

from that source to compensate any first mortgagees. Later my colleagues and I gave this matter careful consideration, and we arrived at what we thought would be equitable principles for debt adjustment and what would render justice to the farmer and at the same time have due regard to the position of the lender. If it becomes essential or inevitable that this State alone should pass debt adjustment legislation by an Act embodying the principles that my colleagues and I evolved in, I think, 1941, it would be acceptable to me. But the Bill now before the House unfortunately does not contain many of the principles of debt adjustment that I regard as fundamental to a satisfactory debt adjustment scheme. Moreover, the desired objective that I referred to in 1939 and which at that time, and in fact for some years since, appeared to be unlikely to be attained, appears now possible of accomplishment in the not distant future through the medium of the recommendations of the Rural Reconstruction Commission.

I gather from the Minister's remarks that the Commission has evolved a scheme to deal with the debt difficulties, both secured and unsecured, which would apply throughout the whole of Australia. I understand from the information he gave that this method of dealing with farmers' debts could be accompanied by provision to meet the credit needs of the farmer during a transition period which is a most essential safeguard for the farmer himself. It does not matter so much to the creditor or the mortgagee who might simply desire to cut off credit and make the best of the situation as it is. But the farmer is not likely to get credit from anyone else. So I hope that the member for Pingelly will accede to the suggestion that this legislation be held over until Parliament has had an opportunity to study the recommendations of the Rural Reconstruction Commission. In consequence of the report of that Commission there are possibilities, in fact, I might almost say probabilities, that the Commonwealth will introduce legislation which will far more adequately safeguard the farmer than anything we can do through this State Parliament.

I turn now to the Bill. I refer to the evidence given by or on behalf of certain banks and quoted by the Leader of the Opposition.

I regret that I have not been favoured by the banks with a copy of their views or of the evidence. I am indebted to the Leader of the Opposition for the information he gave the House in that respect. He said that the banks, admittedly always with a voluntary basis in mind, indicated that in the case of certain farmers there would need to be some debt reduction. We all know that the financial institutions and private mortgagees have been voluntarily making debt reductions for many years, and on a very substantial scale. Apparently the banks suggest that there might still be some cases where debt adjustment remains to be made.

The Minister for Lands: There was over £250,000 in three years in the pastoral industry.

Mr. McDONALD: Yes, but I understand we were invited to assume that, in the light of some remarks made by banking representatives before the Federal commission, they are by way of giving their blessing to this Bill. I have not had the pleasure of discussing this measure with any banker or banker's representative, but I doubt if their remarks could be correctly taken to represent an agreement with this Bill. For example, there appears to be no remedy for what is called the personal covenant—our old friend. I want to speak subject to correction because this Bill is an amendment of the Rural Relief Act of 1935, which again incorporates the provisions of the Farmers' Debts Adjustment Act. In consequence all three measures have to be read together in order to get the framework of the Bill. Subject to correction from the member for Pingelly it seems to me that there is no remedy for the personal covenant problem in this Bill. The result is, that rightly or wrongly, if money has been advanced to a mortgagor on a farm which turns out to be of less value than the loan, then the amount advanced has to be written down even though the mortgagor might have a hundred thousand pounds—to quote an absurd amount—in Commonwealth bonds, or might be worth many times as much as the mortgagee, and even although the mortgagee advanced the money without worrying much about the farm, because he knew the mortgagor to be a man of large independent means apart from the farm. Banks and other institutions not infrequently advance

money without worrying about the security but knowing that the farmer has large or substantial outside assets, and I do not think the banks would realise that this Bill would deprive them of recourse in that event.

The Bill also is retrospective. It is to apply to all existing mortgages. As regards future mortgages, it would not matter much to the lender, because he could regulate his advance according to the new legislation and he would, of course, advance very much less. But the Bill applies to all existing mortgages, and therefore, to my mind, it is liable to be received by lenders as involving to some extent a means of going behind the contract made when the money was originally lent. Another difficulty that is worrying me is that this legislation would apply to mortgages which might be given over properties almost entirely city properties, but would come under the measure merely because they, for example, included a poultry farm, a bee farm or an orchard of small value. I think the measure would apply to any security over what is referred to in the Rural Relief Fund Act as land employed in the farming or pastoral industry: Again, speaking subject to correction, that is how I read the Bill. The measure, therefore, would not be confined to mortgages over farms or stations only, but would affect mortgages over city or other properties if amongst the security there happened to be any land that came within the definition of land employed in the farming or pastoral industry.

A lender under this measure, too, would have no recourse in respect of a mortgage debt that was guaranteed. The lender might have advanced the money on first mortgage without being very much concerned about the borrower, but relying upon a guarantee from some person of substance. The guarantor might be a man of great means. As I read the Bill and again speaking subject to correction, if the farm turned out to be of a value less than the amount lent, although the lender advanced the money on the strength of the guarantee he would have no remedy against the guarantor, except up to the amount at which the farm had been revalued for the purpose of debt adjustment. All these aspects have occasioned me a great deal of concern, and I do not think they would have been in contemplation by the bankers when they re-



ferred to voluntary or any other sort of debt adjustment. I am not going to refer in detail to the principle of valuation for the purpose of debt adjustment. I had occasion to make some remarks on that when speaking on another Bill, but on the proposed valuation method contained in the Bill, there would be no consideration, for example, of the kind of dwelling on the land.

I admit that dwellings on farming and pastoral properties do not carry the usual values because they are not productive, but when it comes to selling a farm or station, I suggest that a dwelling does make some difference to the price the buyer is prepared to pay. So far as I can see, there is no provision for some value being attached to the amenities on a property, or for its proximity to a school where the children might be educated, or for its proximity to a town for the convenience of shopping, or for its proximity to a siding for cheapness in delivering produce for transport to market. Nor is there any consideration for a farm in a district that is stationary or receding in value as against a farm in a progressive district such as the South-West where values are likely to rise and the demand for properties to be considerable. I feel that the Bill would benefit by consideration being given to the various matters I have mentioned, and the farmer and the State would benefit still more by waiting to see the measure of assistance which can be obtained from the proposals about to be put before the Commonwealth Government. I hope the Bill will not be pressed. In expressing that hope, I am not so much concerned with the lender as with the borrower. I think justice has to be done to the lender, who may sometimes be a poor person, possibly a man who has sold his farm after a lifetime of work and hopes to spend his last few years in receipt of the interest the borrower has agreed to pay. It may be that the lender may be in need. Therefore we cannot exclude the lender from considerations of justice in a matter of this kind. But I am affected chiefly from the point of view of those engaged in the primary industries.

It seems to me that while a debt adjustment measure could be supported, and I would be prepared to support it if it contained the principles which I consider it should contain, this Bill—which is capable

of unfairness to the lender—is likely to damage the structure of the farmer with regard to credit. I would be the last to see the primary producers placed lower still in the scale of credit facilities. I know they have had difficulties in the past through bad seasons and circumstances over which they have no control, but I feel that this measure does not sufficiently contain the principles which should apply in justice to the lender as well as to the farmer to avoid repercussions on rural credit which I should very much regret to see occur. I hope therefore, that the member for Pingelly can see his way clear to defer the measure until the Commonwealth proposals are made known; or, failing that, that the measure should be deferred until it contains provisions to meet the objections which I have mentioned in the course of my remarks; that is, the removal of features which would enable a man of large means who could well afford to pay, or his guarantor, to have the debt written down out of the pocket of the lender. I hope that the Bill will stand over until we hear more about this subject; but, without amendments that would meet the difficulties I have referred to and without the incorporation in the Bill of the principles I have mentioned, I do not think I can support the second reading.

**MR. LESLIE** (Mt. Marshall): This Bill interests me from three angles. If it is accepted by the House, I believe it will serve three objects which the rural industries have been seeking for some considerable time. The first is the bringing of the secured creditor into a position similar to that which he would occupy if the borrower decided, instead of making a composition with his creditors, to go bankrupt. It will also place the secured creditor in a position where he will have to make what I consider to be a very small sacrifice, in common with the unsecured creditors, but of course not to the same extent. Secondly, the Bill proposes to deal with the very vexed question of valuations. The valuation of a property on the basis of its productive capacity is, I suggest, wrapped up with the vexed question of the personal covenant. By arriving at a system of valuation based entirely upon the productive capacity of a property, we are going to eliminate the errors of the past which have caused lenders to advance money partly on their own estimates of the pro-

ductive capacity of a property and partly on the personal equation of the borrower. Lenders relied for the recovery of their principal upon the personal covenant; in other words, upon the personal equation of the borrower. The Minister considered the valuation question an outstanding weakness in the Bill. He quoted from expert opinions which had been given to him to show how difficult it was to depart from the practice which had prevailed for so long.

I remind the Minister that it is only the dead who never change their ideas. It is time we did something to show that we have not yet reached that stage, and therefore I cannot accept, nor do I think reasonable people can accept, an ancient formula or an ancient practice as an excuse for not accepting something new and something which, I suggest to the House, has merit behind it. So much, then, for the basis of valuation. I am firmly of the opinion, although others may differ, that over-lending on farming securities during the past couple of decades has been due entirely to the fact that the lenders gambled on the personal equation of the borrower. They did not accept entirely the productive capacity of the property. There was an element of speculation, certainly. Had they relied entirely upon the productive capacity of the property when making their advances, such advances would have been on a far more conservative basis and the colossal losses of which the Minister spoke would not be on record. I point out to the Minister, however, that while Governments can point to colossal losses, they can also point to colossal indirect benefits to the nation as a result of the development that took place. These indirect benefits include increased employment and the meeting of overseas obligations at a time when Australia was in dire need; benefits because of the ever-expanding primary production at that time.

I say that the secured creditor whom it is designed to bring within the ambit of the Bill is actually being asked to suffer no greater loss—in fact, I believe it will be a far smaller loss—than that which he would suffer were the borrower to take the remedy provided by the law and seek redress from a bankruptcy court. In that case the value of the property would be arrived at purely from the aspect of its resale, and the lender would then find that instead of having a small proportion of the debt that he holds

over the property frozen for a stipulated period, and perhaps written down after that, a very considerable proportion would be definitely and irrevocably lost in a forced resale; so much so that I contend this measure is conferring on the secured creditor a measure of protection which is not his at the present time, except by or through the fact that so many of the primary producers are keen and anxious to meet the whole of their obligations and, as a result, have declined to take what they considered or do consider the not very honourable course of seeking a remedy for their troubles through the bankruptcy court. To them must credit be given for their action in endeavouring to meet their obligations as they have done; and in this case, while it would certainly be involving the secured creditor in a small measure of loss, it would be bringing no more than a small measure of consideration and justice to the primary producer.

The Minister has suggested that he is not aware as to how needful are the operations of this measure. I can assure the hon. gentleman that if he had sought opinions and views from other than experts in Government departments, he would have found that the exclusion of the secured creditor from the Rural Relief Fund Act and the protection that that measure affords him, are definitely operating detrimentally in many cases, and in order to enable, as I said here on another occasion, primary producers to carry on their farming operations with a degree of flexibility that would ensure success and enable them eventually to meet the whole of their obligations, it is essential that a measure of relief should be given to them. Now I would like to deal with the particular musical note, if one may so call it, upon which the Minister will persist in playing when dealing with measures—so far as my experience in the House goes, anyhow—concerning rural industry; that is the attribute of political motives to this side of the House. The Minister's constant harping on this point creates in my mind a suspicion that he is over-suspicious.

The Premier: No. He has had a great deal more experience.

Mr. LESLIE: It may be so. However, it has created in my mind a belief that the Minister has an over-suspicious mind. I

would not like to see the Minister, through any action of his, do anything which will lower him in the high esteem in which I have held him up to now.

The Premier: That is the way to get him over!

Mr. LESLIE: I say that in all honesty. I want the Minister to realise that all the honesty in this Chamber is not on the other side.

The Minister for Lands: I have never suggested that.

Mr. LESLIE: No; but by constantly harping on the political motive, the Minister suggests it. There is no political motive in this action, for which I agitated a long time before I entered Parliament, and which I have constantly sought to impress on members on that side of the House and members on this side. The Minister has suggested, if he did not really say so in the course of his remarks, that this side of the House gave no credit to the Government for anything it has done. I deny that. We have given the Government credit. On the other hand, I may say that we have never heard any credit coming from that side of the House for any suggestions which this side may have submitted, even accepted suggestions. I give the Minister the assurance that if he can see his way to accept some of the measures which we have put forward on this side of the House, I personally will crown him with a wreath and tell the country what a jolly fine fellow he is!

The Minister for Lands: I am very averse from having a wreath!

Mr. LESLIE: I will give him a crown of glory, if he wishes. I care not what side of the House brings in this legislation. That is why I appeal to members to support the measure which has been so earnestly sought for. A suggestion has been made that the passing of such a Bill is likely to interfere with the credit resources that may be available to primary industry. I doubt if it will do so, because money has got to be invested in whatever sources are available. At least it will do this good, that it will certainly stop over-borrowing and over-lending; and a farmer today asks no more than orderly, straightforward business dealing. If he has a business proposition and takes it along to a prospective lender, he asks that that proposition be

analysed from a purely business point of view—that is to say, by a private lender. If the lender decides, contrary to what the lenders did away back in 1928 and 1927, that the risk is worth taking and is not going to do the farmer any harm or involve the country in more colossal losses, well and good. So if through the passing of this measure we can take such action as will ensure that the credit facilities of the country will be placed on a sound business basis, surely we are doing something that is really worth while, and are protecting our industries and our neighbours and our Government against a repetition of the colossal losses formerly experienced.

The member for West Perth has made an appeal to the mover of the Bill to hold it over until such time as some nebulous proposal to be submitted to some other Government may be made known to us, until we may have the opportunity to judge it and see whether it is of any good today or not, whether it is of any value or not. The only trouble with that suggestion is that while we are waiting, water is constantly running under the bridge—good water, which is of use. As I said earlier, farming operations are restricted and the only people who have suffered colossal losses, the really gigantic losses of the past due to the operation and application of an invidious or harsh financial system, losses in morale and losses in health and courage, are the farmers themselves, who are still bearing the burden they took up in the past. Now is the time for this House to take action. Let us not wait to see what other States are going to do. From the other side of the House, in connection with another measure, I heard a Minister say that Western Australia has always led. I see no danger arising from Western Australia leading again in this case. I am satisfied that we would lead the country on right lines. Consequently I appeal to the House to carry the second reading of this Bill. If alterations are necessary to clear up one or two doubtful points, let us deal with them in the Committee stage.

MR. SEWARD (Pingelly—in reply): I am sorry the Minister could not see his way clear to support the second reading, as he did on a previous occasion. I pointed out, when introducing the Bill, that it was practically on similar lines to the one which was brought down in 1939 and which passed this

House. Despite predictions that it might restrict credit, I consider that had that measure passed through another place it would have done much good. The Leader of the Opposition pointed out, when quoting evidence given by the Associated Banks to the Rural Reconstruction Commission, that they expressed the opinion that it was desirable to have a solution of this outstanding debt problem that has been weighing down a section of the community, though perhaps not a large section. As to whether it is large or small, I do not know; but it is desirable that relief should be given. I am not very much concerned about the operation of the measure restricting credit, because when it came to the writing-down of a debt the question of the man's carrying on must be taken into account. It would be ridiculous to write down a debt of £1,000 without taking into consideration how the man was going to carry on for the succeeding season. There must be provision for that. If it required £200 for a man to carry on successfully for that season, that amount would be taken off the amount written down.

As regards the question of withdrawing the Bill because certain proposals have been made by the Rural Reconstruction Commission in its fourth report—and incidentally, I have not seen the third report yet, though the Minister has assured us it has been printed—I would want something more reliable than that to depend upon. I take it that the report has been handed to the Federal Treasurer, but has yet to be made public. What is more important is that, even when the report has been made public, it will be far from being accepted. Many years ago we had a report on the wheat and bread industry, but effect has not been given to that report yet. If we are to be guided by what has happened in connection with other reports made in recent days, the outlook is not very bright. Reports on soldier settlement, housing, and other matters have been submitted to the Commonwealth Government, but there has not been much willingness to pay heed to them. We will be relying on a very weak reed indeed if we rely on the Commonwealth accepting this report of the Rural Reconstruction Commission when it is made available. In saying that, I would add that I believe it will be a good report.

There can be no question whatever about the thoroughness of the work done by the Minister on those reports. Reading the first and second reports I found them valuable contributions, painstakingly drawn up, and I have no reason to doubt that the fourth report will be equally valuable. However, I require some further evidence from the Commonwealth Government, more than I have at present, that it will accept the report when it is made available. The question was raised by the Leader of the National Party that there was no indication as to who would be affected by the Bill, and that a mortgagor with other assets might secure a writing-down when he was not entitled to it. But one of the provisions is that the trustee has to be assured that the mortgagor is entitled to the writing-down. If he had other assets or was able to pay his debts in full, the trustee would not come to the conclusion that he was entitled to a writing-down. The trustee has also to be satisfied that, having been given a writing-down, the mortgagor would then be able to carry on successfully. So the objections raised do not hold. The productive value of a property was mentioned. It was stated that depredations of emus and grasshoppers and the incidence of drought could affect the productive capacity of a property. I do not see how that can be accepted.

The productive value of a farm is what the farm will yield in an average season under efficient management. Drought or the depredations of pests do not affect the productive value of a property any more than would the buildings also referred to by the member for West Perth, provided those buildings were not unduly elaborate. A comfortable house fitted with proper conveniences contributes to the productive value of a farm in no small measure. The value of a place with a one-room humpy, having no amenities to enable a man to keep himself in a reasonable state of health, cannot be compared with that of a properly constructed building in which a man would be able to live in a reasonable standard of comfort and thus have his efficiency enhanced. Similarly with regard to amenities such as proximity to a school! Such proximity would increase the value of a farm to a family man; and these things must be taken into consideration.

In spite of anything that has been said during this debate or during the debate on another measure, I still maintain that the productive value of a farm or any property is the only proper method of valuation. The arguments that have been raised do not constitute valid reasons for rejecting this measure. The farming community saw a similar Bill pass through this House in 1939 and also saw a resolution pass through Parliament that legislation on these lines should be brought down. Ten years have passed and still their debts are hanging over them and must hang over them until some measure of relief is afforded to them either through this measure or by some other means. Relief is given to others. Only last night the Minister for Works introduced a Bill to give relief to a section of the community. I venture to say that he will get a measure of support for that Bill. I fail to see why that section of the community contemplated by this Bill should not get the relief to which it is entitled. Despite the fact that the Minister is opposed to the measure I still hope that the Assembly will renew the vote that it gave a few years ago, and pass the second reading.

*Personal Explanation.*

Mr. McDONALD: I thank the member for Pingelly for drawing my attention to that part of the Bill which provides that the trustees may have discretion as to directing the writing-down. I think that would give them power to take into consideration outside assets of the mortgagor.

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

Ayes	..	..	..	..	8
Noes	..	..	..	..	27

Majority against .. .. 19

AYES.			
Mr. Berry		Mr. Mann	
Mr. Doney		Mr. Seward	
Mr. Hill		Mr. Watts	
Mr. Leslie		Mr. Perkins	(Teller.)
NOES.			
Mr. Coverley		Mr. Needham	
Mr. Cross		Mr. North	
Mr. Fox		Mr. Nulsen	
Mr. Graham		Mr. Owen	
Mr. Hawke		Mr. Pantou	
Mr. J. Hegney		Mr. Rodoreda	
Mr. W. Hegney		Mr. Tonkin	
Mr. Holman		Mr. Triest	
Mr. Kelly		Mr. Willcock	
Mr. Leahy		Mr. Willmott	
Mr. Marshall		Mr. Wise	
Mr. McDonald		Mr. Withers	
Mr. McLarty		Mr. Wilson	(Teller.)
Mr. Millington			

Question thus negatived.

Bill defeated.

**BILLS (2)—RETURNED.**

- 1, Members of Parliament Fund Act Amendment.
- 2, Collie Recreation and Park Lands Act Amendment.  
Without amendment.

**BILL—OPTOMETRISTS ACT AMENDMENT.**

*Second Reading.*

MR. McDONALD (West Perth) [10.26] in moving the second reading said: This Bill seeks to make provision for admission to practise as an optician or optometrist of persons who are refugees from countries that have been occupied by Germany or Japan and who have been prevented from carrying on their profession by reason of such occupation. When the parent Act was passed in 1940 it provided by Section 34 that any person who within six months after the commencement of the Act made application for registration under the Act could be registered and allowed to practise as an optometrist if he was over 21 years of age and of good character, and if immediately prior to the commencement of the Act he had been continuously and bona fide engaged within Australia for not less than five years in the practice of optometry either as an optometrist or optician or as an employee of an optometrist or optician, or partly as such optometrist or optician and partly as such employee. In other words those who had actually been practising as opticians or optometrists for five years or more at the time the Act was passed were registered without examination. The fact that they had been able to earn a living, or continue in practice for five years, was taken in the circumstances as evidence of their reasonable qualifications to continue in practice.

It will be remembered that that Act registered optometrists for the first time. Now I want to tell the House that as far as I know this Bill will apply to only one man. I am fully aware of the objection that is generally extended to legislation which affects only one person. The particular individual concerned in this measure is Mr. E. M. Ezekiel, a naturalised British subject—I believe he is a British subject—who practised

for many years in Singapore and also had a branch establishment at Batavia in Java. When the Japanese occupation of those countries took place he was compelled to leave them and give up his businesses. He came to and took asylum in Western Australia. He has not got the academic qualifications prescribed in the Optometrists Act and therefore the board, rightly, has declared that it is unable to admit him to practise within the terms of the Act. I propose in the Bill that the gentleman in question and any other in a like position might, in the circumstances, be placed in the same category as those who were admitted to practise when the Act was passed in 1940. In other words, if they have been actually practising and earning their living for five years or more, then any refugee from an enemy occupied country should be allowed to obtain registration by the board in the same way as those originally in the profession were registered by the board in 1940 when the Act came into operation.

In the case of a refugee from an enemy occupied country, his practical experience should be taken and treated as a qualification in the same way as we did with our own optometrists and opticians when we passed the measure for their registration. I do not know of any other person who would be an applicant for registration under these conditions. While it is in one way not entirely relevant because members will consider the Bill from the point of view of principle, protection of the public and reasonableness of admitting men on these terms, I would like to refer to the man concerned so that members may know something of him. Mr. Ezekiel is a married man, 45 years of age and has two children. He holds a certificate from the Philadelphia Optical College showing that between August, 1927 and March 1928 he took and passed through a course in various optical subjects and was awarded the degree of Doctor of Optometry.

I am not suggesting that this would equal the extended period of study involved in British and Australian Schools of Optometry, but this gentleman has the qualification I have mentioned. He took a course in optics with an institution known as the Needles Institute at Chicago and I am also informed that he attended the London Refraction Hospital and the clinic at

Utrecht in Holland, having had five years' clinical experience. I have a copy of the official directory showing that he is a member of the Institute of Ophthalmic Opticians of Great Britain. That institute has for its objects to seek the unity of the profession by admitting all opticians of good standing, approved training and experience. This man is a member of the institute and is entitled to use the letters F.I.O., which membership of the institute confers on those who belong to it. I am not suggesting that this membership involves any particular guarantee of a course of study or any particular guarantee as to the standard of efficiency, but a number of opticians, not all, engaged in the metropolitan area are members of that institute.

Briefly, Mr. Ezekiel practised in Singapore for about 20 years prior to the Japanese occupation and had a considerable number of employees. In 1930 he opened a branch in Batavia, also with a fairly large staff. I have, for the inspection of members, a photograph given me by him showing his establishment in Singapore, which indicates that it was a large and apparently creditable establishment in a good way of practice.

Mr. Marshall: What is his nationality?

Mr. McDONALD: He is Jewish.

Mr. Marshall: That is enough.

Mr. McDONALD: His nationality makes no difference to me. Since he came here, he has been engaged in work for other opticians, but he seeks an opportunity to practise the profession in this State. In this short Bill, it is provided that this gentleman, or any other in the same category, though I am not aware of any other, who applies before the 30th June of next year and shows that he is a British subject or a naturalised British subject, over 21 years of age and has been practising for five years or more in a country or countries since occupied by the enemy and has been compelled to leave the practice on account of such enemy occupation may be admitted to practise by the Optometrists Board, but the right to practise is limited to a period of five years. In other words, it is a measure to grant a certain hospitality to refugees that is to last for five years. At the end of that time, unless they have qualified in the ordinary way, they will have no right to practise. They may then return to their

country of origin or take some other position. By that time, we can hope that peace will have returned to the world.

I place this Bill before members for their consideration. I had much doubt about bringing it down seeing that it will affect only one man, but on consideration I decided to introduce it and leave it to the judgment of members, knowing it is a matter on which there is room for difference of opinion. I feel, however, that a fortunate country like Australia can afford to extend to a refugee the opportunity to carry on his ordinary livelihood for a period of three, four or five years especially as there will not be such an influx into the calling as will make any material difference to the economic position of those already practising. I leave members to judge whether they desire to endorse the measure and extend this degree of hospitality in the way of earning a livelihood to this man and others in a similar position. We have already done something along the same lines in regard to refugee doctors. I move—

That the Bill be now read a second time.

On motion by Mr. Needham, debate adjourned.

### **MOTION—INDUSTRIAL ARBITRATION COURT.**

*As to Power to Order Improved Processes, etc.*

Debate resumed from the 8th November on the following motion by Mr. North:—

Since modern conditions are gradually transforming the once useful Arbitration Court into a bottle-neck between industry and progress, action should be taken to increase the powers of the Court to enable it to—

- (1) order the installation of improvement of process in any particular industry;
- (2) certify that the funds necessary from time to time to give effect to No. (1) are for a purpose worthy of special rates of interest and amortisation, and
- (3) order that anyone losing employment because of the introduction of improved process receive full award rate of pay until further employment is obtained.

**MR. NORTH** (Claremont—in reply) [10.41]: I wish to thank the House for its reception of the motion. It represents a slight contribution to the political thought of the future, envisaging as it does condi-

tions that will probably arise after the war and that I believe will require close attention. If it is not possible to achieve anything under existing conditions, it may be that the ideas embodied in the motion will be found of greater use in future. The Minister raised a question as to where the funds would come from to meet the conditions set forth in the motion. My idea is that the funds will become accessible as a result of the use of the improved processes. The fact that funds are not available now is no different from saying that a beautiful lady has not a hand mirror. If she has not got one, she can as easily get one. In the same way these funds are the reflection of the improved processes which will be employed in the industry. With these few words, I thank the House for the reception accorded to my motion and have pleasure in asking leave to withdraw it.

Motion, by leave, withdrawn.

*House adjourned at 10.43 p.m.*

## **Legislative Council.**

*Thursday, 23rd November, 1944.*

Bills: Transfer of Land Act Amendment, 3B., passed	1942
Legislative Council (War Time) Electoral Act Amendment, report	1942
Electoral (War Time) Act Amendment, report	1942
Constitution Act Amendment (No. 2), 2B.	1943
Mortgagees' Rights Restriction Act Amendment, Assembly's message	1948
Lotteries (Control) Act Amendment, 2B., personal explanation	1948

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

### **BILL—TRANSFER OF LAND ACT AMENDMENT.**

Read a third time and passed.

### **BILLS (2)—REPORTS.**

1, Legislative Council (War Time) Electoral Act Amendment.

2, Electoral (War Time) Act Amendment.

Adopted.