

Legislative Assembly

Wednesday, the 10th October, 1962

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BILLS—

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

QUESTIONS ON NOTICE

1. *This question was postponed.*

STATE HOUSING COMMISSION

Development of Manning Residential Subdivision

2. Mr. D. G. MAY asked the Minister representing the Minister for Housing:
 - (1) Will he advise whether the prepared preliminary design for the residential subdivision adjacent to the Koonawarra Primary School, Manning, has been approved?
 - (2) In view of the excellent essential services available, coupled with its close proximity to the city, will he give consideration to the early commencement of State housing development in this area?

Mr. ROSS HUTCHINSON replied:

- (1) The preliminary design has been approved and consideration is now being given to certain modifications before the design is finalised.
- (2) Extensive sewerage and drainage is required and, as soon as practicable, consideration will be given to early development.

Houses Built in Canning Electorate

3. Mr. D. G. MAY asked the Minister representing the Minister for Housing:

Will he advise the number of houses—"spec" and war service excepted—built by the State Housing Commission in each year 1959 to 1962 for the following districts:—

 - (a) Manning-Koonawarra;
 - (b) Riverton-Rossmoyne;
 - (c) East Cannington;
 - (d) Kenwick;
 - (e) Maddington;
 - (f) Thornlie;
 - (g) Gosnells;
 - (h) Canning Vale?

Mr. ROSS HUTCHINSON replied:

	1959-60	1960-61	1961-62
(a) Manning-Koonawarra	4	2	...
(b) Riverton-Rossmoyne	7	3	4
(c) East Cannington .....	...	...	...
(d) Kenwick .....	...	1	1
(e) Maddington .....	...	...	...
(f) Thornlie .....	...	...	...
(g) Gosnells	4	...	...
(h) Canning Vale .....	...	...	1

DRUGS*Thefts in Last Three Years*

4. Mr. DAVIES asked the Minister for Police:

- (1) How many cases involving the theft of drugs have been handled by the police in each of the last three years?
- (2) In how many cases have the stolen drugs been recovered?
- (3) Is there any evidence that any of the stolen drugs are used for the purpose of addiction?

Mr. CRAIG replied:

- (1) 1960—6 cases.
1961—3 cases.
1962—5 cases.
- (2) 1960—4.
1961—1.
1962—1.
- (3) Yes, one. All other cases involved the theft of doctors' surgical bags. There is no evidence that any unrecovered drugs have been used for drug addiction.

MIGRANTS*Placement of Skilled and Unskilled Males*

5. Mr. FLETCHER asked the Minister for Immigration:

Will he make available the following information on the respective numbers of unskilled and skilled male migrants awaiting placement in employment at—

- (a) Point Walter;
- (b) Graylands;
- (c) Northam migrant hostels?

Mr. BOVELL replied:

As at the 4th October, 1962, there was only one unskilled and one skilled migrant at Point Walter Hostel who had then to be placed in employment.

The migrant centres at Graylands and Northam are under Commonwealth jurisdiction. Details are not recorded by the State Immigration Department.

METROPOLITAN CITY COUNCILS*Ratable Properties, and Income from Rates and Loans*

6. Mr. DAVIES asked the Minister representing the Minister for Local Government:

- (1) For the last financial year, how many ratable properties were there within the boundaries of—
(a) the Nedlands City Council;
(b) the Subiaco City Council;
(c) the South Perth City Council?

(2) What was the income from general rating and loans of each of these city councils?

(3) How many ratable properties were there within the boundaries of ward 8 of the Perth City Council for the last financial year?

(4) What was the income from general rating and loans from ward 8 of the Perth City Council for the last financial year?

Revenue from Other Sources

(5) What other revenue was received during the last financial year by—

- (a) the Nedlands City Council;
- (b) the Subiaco City Council;
- (c) the South Perth City Council;
- (d) ward 8 of the Perth City Council?

Expenditure from General Rating

(6) What was the expenditure from general rating during the last financial year by—

- (a) the Nedlands City Council;
- (b) the Subiaco City Council;
- (c) the South Perth City Council;
- (d) ward 8 of the Perth City Council?

Current Rates

(7) What rates have been struck for the current financial year by—

- (a) the Nedlands City Council;
- (b) the Subiaco City Council;
- (c) the South Perth City Council?

Mr. NALDER replied:

The information desired is not in the possession of the Local Government Department and can only be ascertained from the individual councils concerned.

EMPIRE GAMES*Assistance from Trained Youths*

7. Mr. BRADY asked the Premier:

(1) Is he aware that approximately 5,000 youths who are in training to assist at the Empire Games will have to abandon their assistance if a public holiday is not proclaimed for the opening day?

(2) If arrangements are being made to get over the difficulty will he state what the arrangements are?

Mr. BRAND replied:

- (1) and (2) The 5,000 youths are all members of voluntary youth groups and sports associations affiliated with the Associated Youth Committee. About one-third of them are schoolchildren, who will be in recess on opening day, the balance being over school age and outside the jurisdiction of the Education Department. They would include a large proportion of employees.

McNESS HOMES*Number Built for Pensioners*

8. Mr. BRADY asked the Minister representing the Minister for Housing:

- (1) How many McNess homes for pensioners have been built by the Government in Bassendean, Guildford, or Midland during the past four years?
- (2) Are any McNess homes to be built in the current year?
- (3) In what area was the last McNess home built?

Mr. ROSS HUTCHINSON replied:

- (1) Nil.
- (2) Six cottage flats at Bunbury.
Four cottage flats at Maylands.
Seventy-five single-unit flats at Cottesloe.
- (3) Thirty-nine single units at Southlea, South Perth, and six cottage flats at Maylands for married pensioners.

NATIVES: VISITS TO METROPOLITAN AREA*Provision of Accommodation*

9. Mr. BRADY asked the Minister for Native Welfare:

- (1) As natives visiting Perth to see relatives in hospitals are finding it difficult to secure accommodation, will he arrange with his department the necessary accommodation for such natives—
 - (a) without citizenship rights;
 - (b) with citizenship rights?
- (2) As natives cannot camp at Allawah on visiting Perth, will he state what area, if any, is set aside for camping?
- (3) Is the Native Welfare Department arranging any accommodation for natives attending the Empire Games, and where is the accommodation arranged?

Mr. LEWIS replied:

- (1) No. However, the department does assist natives to find private accommodation.
- (2) There is no native camping reserve in the metropolitan area.
- (3) No accommodation has been arranged for natives who may be attending the Empire Games.

SECONDHAND MOTOR VEHICLES*Police Inspection Before Registration*

10. Mr. HAWKE asked the Minister for Police:

- (1) Is he aware that the Commissioner of Police, Mr. O'Brien, was recently reported as having said

there are loopholes in the Traffic Act which prevent a periodical police examination of secondhand vehicles prior to registration?

- (2) Is any legislative action proposed in this matter during the current session of Parliament?

Mr. CRAIG replied:

- (1) Yes, a secondhand vehicle licence can be renewed without any mechanical examination, unless some particular circumstance brings such vehicle under notice.
- (2) No.

BUNBURY POWER STATION*Dust Contamination Tests, and Ash Fall-out*

11. Mr. WILLIAMS asked the Minister for Electricity:

- (1) Is the S.E.C. at present carrying out dust contamination tests in Bunbury to determine the ash fall-out from Bunbury power station?
- (2) If so, where, and at what intervals, are these tests conducted?
- (3) What is the figure for "established world standard" of ash fall-out?
- (4) How does the ash fall-out in Bunbury at the various test points compare with the "established world standards"?

Mr. NALDER replied:

- (1) Yes.
- (2) An area generally south of Bunbury power station, and in the town and residential area. Collection is continuous and analysis is made monthly.
- (3) Big Cities — 1,000 tons/sq.mile/per annum.
Clean urban conditions — 100 tons/sq.mile/per annum.
Country — 10 tons/sq.mile/per annum.
- (4) Tests indicate that Bunbury lies between 'country' and 'clean urban conditions'.

ELECTRIC CURRENT*State Electricity Commission Prices*

12. Mr. SEWELL asked the Minister for Electricity:

What is the price paid by consumers for electric current supplied by the State Electricity Commission for—

- (a) power for domestic use;
- (b) for commercial use;
- (c) for heavy industrial purposes;

in the following centres:—

Metropolitan area;
Bunbury;
Albany;
Northam?

Mr. NALDER replied:

	Units per month	Pence per unit
(a) (i) In metropolitan area	24	2.4
(ii) In South-West Power Scheme and other country undertakings—		

	Units per month	Pence per unit
First	24	7.0
Next	4,976	3.25

(b) (i) In metropolitan area—
Table A—Lighting

	Units per month	Pence per unit
First	100	6.6
Next	500	6.1
Next	4,400	5.1
All over	5,000	4.1

Table B—Industrial and Commercial Power

	Units per month	Pence per unit
First	200	3.6
Next	4,800	3.0
Next	50,000	2.6
All over	55,000	2.0

or

Table E—Industrial and Commercial—Combined Lighting and Power.

Lighting and power for State and Commonwealth buildings, hospitals, commercial and industrial establishments, or other establishments where lighting and power circuits are not separate.

	Units per month	Pence per unit
First	50	7.6
Next	950	6.6
Next	1,000	5.1
Next	3,000	4.1
Next	50,000	2.8
Next	445,000	2.0
All over	500,000	1.8

For three shift industry only, when approved, all units over 1,000,000 per month—1.6d. per unit.

(ii) In South-West Power Scheme and other Country Undertakings—

	Units per month	Pence per unit
First	24	7.0
Next	4,976	3.25
Next	195,000	2.25
Next	300,000	2.0
All over	500,000	1.8

For three shift industry only, when approved, all units over 1,000,000 per month—1.6d. per unit.

(c) (i) In metropolitan area—See (b) (i).

(ii) In Bunbury, Albany, and Northam—See (b) (ii).

I will table the commission's complete schedule of charges.

The schedule of charges was tabled.

HIGH SCHOOLS

Curriculum

13. Mr. JAMIESON asked the Minister for Education:

- (1) What are the optional compulsory subjects in the high school curriculum for this State?
- (2) Can no way be found to overcome the problem of allowing a student—proved proficient in two subjects, one of which must be dropped—to continue with both subjects?

Mr. LEWIS replied:

- (1) and (2) What the honourable member has in mind is not clear from the questions and any reply might be of little assistance to him. It is suggested that he get in touch with the Director of Secondary Education and put the case about which he is concerned before that officer.

SCHOOL BUSES

Subsidy to Operators

14. Mr. HALL asked the Minister for Education:

- (1) Is it the intention of the Government to make money available by way of subsidy to school bus operators to enable them to buy new school buses?
- (2) If so, what percentage will be advanced, and what will be the interest rate and the repayable number of years?

Mr. LEWIS replied:

- (1) and (2) No. In fixing the rates of payment to bus contractors an amount to cover depreciation is included. It is from this source that replacement costs should be met.

The interest rate allowed in fixing the contract price is 8 per cent. on the capital value.

ROAD WORKS EXPENDITURE*States' Appropriations*

15. Mr. HALL asked the Minister for Works:

What funds were appropriated to the respective States of Australia

for road works expenditure under the Commonwealth Aid Roads Act for the years 1959, 1960, 1961, 1962?

Mr. WILD replied:

GRANTS TO THE STATES UNDER THE COMMONWEALTH AID ROADS ACT, 1959
(Nearest £)

State	Year 1959-60 £	Year 1960-61 £	Year 1961-62 £	Year 1962-63 £	Total £
New South Wales	11,714,300	12,870,312	13,810,961	14,939,975	53,335,548
Victoria	8,366,444	9,183,415	10,079,504	10,876,990	38,506,353
Queensland	7,700,057	8,427,577	9,093,659	9,795,703	35,016,996
South Australia	4,735,787	5,128,065	5,752,157	6,200,067	21,816,076
Western Australia	7,383,412	8,090,631	8,763,719	9,487,265	33,725,027
Tasmania	2,100,000	2,300,000	2,500,000	2,700,000	9,600,000
	42,000,000	46,000,000	50,000,000	54,000,000	192,000,000

ROADS: LINE-PAINTING UNITS*Number in Operation*

16. Mr. HALL asked the Minister for Works:

Can he advise whether he has had the matter of units for the painting of lines on main roads investigated; and, if so, how many units are now operating in this State?

Mr. WILD replied:

Yes; the position has been examined. The Main Roads Department has one line-marking machine. The current programme for line marking in country areas is about 1,600 miles. This mileage takes about six to seven months to complete, and includes travelling time to and from the various districts.

There are nearly 400 miles of line marking required in the metropolitan area, and this work is programmed to dovetail between country movements.

Some months ago the department started investigating a suitable design for a replacement machine. Inquiries have been made throughout Australia and with the Californian road authorities. The Californian Highway Department has designed a new machine, and when it has completed a prototype it will supply us with detailed plans.

PACKAGED GOODS*Deceptive and Misleading Information*

17. Mr. D. G. MAY asked the Minister for Police:

- (1) Will he advise whether the modern trend towards the sale of more and more pre-packed goods is occasioning concern because of de-

ceptive and misleading information associated with certain commodities?

- (2) Does he agree that these practices limit the consumers' ability to choose intelligently?

Interstate Conference Findings

- (3) Resulting from expressed concern of these inefficient practices, was an interstate conference recently held to inquire into the standardisation and marketing of packaged goods?
- (4) Will he advise the resultant findings of the conference and the proposed action?

Mr. CRAIG replied:

- (1) Yes.
- (2) Yes.
- (3) Yes.
- (4) These matters were discussed by responsible Commonwealth and State Ministers at a conference recently, and resulting therefrom a board of inquiry was appointed by the Victorian Government to investigate the position and make a report thereon.

The inquiry is still proceeding; and when it is completed the recommendations will be placed before the responsible Ministers in each State for consideration of the action to be taken to remedy them.

TOTALISATOR AGENCY BOARD*Racial Discrimination.*

18. Mr. CURRAN asked the Minister for Police:

- (1) Is it correct that a colour ban has been imposed by the T.A.B. agency at Pinjarra?

- (2) If so, what is the reason for this ban being imposed?
- (3) Has the T.A.B. the legal right to discriminate between white and coloured people?

Mr. CRAIG replied:

- (1) There is no T.A.B. agency at Pinjarra.
- (2) Answered by No. (1).
- (3) The Totalisator Agency Board has only the right to discriminate between orderly and disorderly persons.

RAILWAY BY-LAW No. 54

Distribution to Employees

19. Mr. BRADY asked the Minister for Railways:

- (1) Will he state whether all railway employees will be given copies of the by-law No. 54 published in the *Government Gazette* on the 1st October, 1962, and laid on the Table of the House on Thursday, the 4th October?

New and Amended Rules

- (2) Will he state—
 - (a) what are the numbers of new rules (if any);
 - (b) numbers of rules amended (if any)?

Mr. COURT replied:

- (1) Employees will be issued with either a complete copy or a copy of the general rules of by-law No. 54 according to the duties they perform.
- (2) The 561 rules of by-law No. 54 have been redesigned for clarity and include new and amended rules which have not been segregated for comparison by number with the existing set of rules.

FIRE FIGHTING

Water Pressure Required

20. Mr. BRADY asked the Chief Secretary:

- (1) What pressure in pounds is required for adequate fire-fighting purposes in the eastern suburbs?
- (2) Is he satisfied that the pressures are up to required standard in the Bellevue, Greenmount, Eden Hill, Midvale and Koongamia residential areas?

Mr. ROSS HUTCHINSON replied:

- (1) It is not practicable to limit an appraisal of water required for fire-fighting purposes to main pressures only. Regard must also be had for equipment used by the brigade.
- (2) Yes.

GYP SUM

Rail Freights on Norseman to Esperance Line

21. Mr. MOIR asked the Minister for Railways:

Further to question No. 21 of the 26th September last concerning gypsum freights, is the 12½ per cent. rebate mentioned applicable to the rail charge of 40s. per ton ruling during the period June-December, 1963?

Mr. COURT replied:

No.

WELLINGTON WEIR

Apple Growing in Catchment Area

22. Mr. H. MAY asked the Minister for Agriculture:

- (1) Will he make inquiries regarding the growing of apples within the Wellington Weir water catchment area?
- (2) Is it a fact that, provided cover crops are planted on land developed as orchards, there is no danger of increasing the salinity of water which eventually reaches the Wellington Weir?

Mr. NALDER replied:

- (1) The whole problem of agriculture on the Wellington Dam catchment area is under consideration.
- (2) Cover crops in orchards would not remove the danger of increasing the salinity of water which eventually reaches the Wellington Weir.

FIRES

Stations in Metropolitan Area

23. Mr. CROMMELIN asked the Chief Secretary:

- (1) How many fire brigade stations were established in the metropolitan area at the 30th June, 1952, 1957, and 1962?

Staff of Metropolitan Fire Brigades, and Salaries

- (2) How many permanent staff were employed by these stations at the 30th June, 1952, 1957, and 1962?
- (3) What were the total salaries paid to these staffs for the same periods, namely year ended the 30th June, 1952, 1957, and 1962?

Fire Damage in Metropolitan Area

- (4) Over the last ten years, how many fires with damage exceeding—
- (a) £100,000;
 - (b) £50,000;
 - (c) £25,000;
 - (d) £10,000;
 - (e) £5,000;
 - (f) £1,000;
 - (g) £500;
- have occurred in the metropolitan area?

**Metropolitan Local Authorities:
Contributions to Fire Brigades Board**

- (5) What amount has been subscribed by local government authorities in the metropolitan area to the Fire Brigades Board in each of the last ten years to the 30th June, 1962?

Mr. ROSS HUTCHINSON replied:

- (1) At the 30th June—
1952—13;
1957—14 + Service Depot;
1962—15 + Service Depot
+ Workshops.
- (2) At the 30th June—
1952—180;
1957—220;
1962—255.
- (3) Financial year for W.A. Fire Brigades Board ends the 30th September—
1952—£139,070;
1957—£228,891;
1962—£340,822.
- (4) Statistical information in this form is not kept by the W.A. Fire Brigades Board.
- (5) 1953—£45,676;
1954—£48,924;
1955—£54,927;
1956—£62,857;
1957—£69,616;
1958—£80,473;
1959—£88,010;
1960—£93,280;
1961—£102,055;
1962—£109,454.

QUESTIONS WITHOUT NOTICE**AUSTRALIAN LABOR PARTY****Minister's Accusation**

1. Mr. MOIR asked the Minister for Railways:
 - (1) Has he seen the news item in the *Kalgoorlie Miner* of the 6th October referring to a meeting of the Liberal Party in Kalgoorlie in which he was reported to have said that having failed at the ballot box the Labor Party was now seeking to bring about the

downfall of the Government through industrial lawlessness, and that the A.L.P. must accept full responsibility for this?

- (2) Was he correctly reported?
- (3) Does he consider statements of this type to be supported by facts, and what justification has he for making such statements?

Mr. COURT replied:

- (1) to (3) In answer to the honourable member: Yes; I have seen the report and it is a fair and factual account of what I said at the meeting referred to.

WEST NORTHAM SCHOOL**Tabling of Report on Damage**

2. Mr. WILD (Minister for Works): Last week the Leader of the Opposition asked a question in connection with laying on the Table of the House the report of the circumstances under which the West Northam School lost its roof during a cyclonic disturbance. I ask that these papers lie on the Table of the House for seven days.

The papers were tabled.

SCHOOL BUSES**Subsidy to Operators**

3. Mr. CORNELL: I refer to question No. 14 on today's notice paper in which the member for Albany asked the Minister for Education a question regarding assistance to school bus operators. If I heard aright, he said depreciation at the rate of 8 per cent. was allowed by the Education Department in respect of school buses. Does that mean the Education Department regards the life of a school bus as being 12½ years; and, if it does, does the Minister regard that as a fair assessment of its life?

Mr. LEWIS replied:

The 8 per cent. is considered to be a generous rate of interest allowed in the contract price for money borrowed for the purpose of purchasing a school bus.

**UNETHICAL ADVERTISING AND
OBJECTIONABLE SALESMANSHIP****Inquiry by Select Committee: Motion**

MR. D. G. MAY (Canning) [4.45 p.m.]: I move—

That, in view of the fact that the great variety and complexity of goods on the market today occasions considerable difficulty for people to

choose wisely, unless they are sufficiently informed about the technicalities, performance, and degree of necessity, of the products on sale, and also of alternative goods, a Select Committee be appointed to inquire into, and examine all factors relating to unethical advertising and objectionable high pressure salesmanship.

Because of the extensive nature of this motion I would like to divide it into various categories; namely: Objectionable high-pressure salesmanship, unethical advertising, restrictive trade practices, and deceptive packaging. I feel there is a definite affinity between these matters and therefore consider a full inquiry is justified.

I realise it is most unusual for a new member to introduce a motion of this nature; but this matter came under my notice in connection with a few welfare bodies to which I was attached, and was investigated before my election to Parliament.

I do not want members to feel that all salesmen come under the category of "high pressure." There is a definite line of demarcation as far as high pressure and ordinary salesmen are concerned. The ordinary salesmen are most conscious of the irritation which is caused to housewives by interference with their daily work, and on most occasions they are most considerate. However, there are pestilential salesmen who will do anything to obtain a sale irrespective of the amount of suffering which may occur as a result of their action.

In America there is an army of approximately 80,000 salesmen selling encyclopaedias. They ply their books from door to door and they have repeatedly been ruled illegal because their chief sales-
weapons were considered deceptive. Naturally, such operations are very hard to police because they take place in the seclusion of the home.

In order that members can thoroughly examine all phases of this motion I have endeavoured to obtain as much information as possible through various documents, pamphlets, and other means, from all parts of the world. In doing so I found that in 1959 the President of the British Board of Trade set up a committee to consider and report on whether changes in the law and other measures were desirable for the further protection of consumers. An interim report was published in 1960. Unfortunately, due to the restricted time available, I have not been in a position to obtain it, but will do so at a later date if required.

As far back as 1959 this particular matter came under notice in the South Australian Parliament; and it is interesting to note that in the South Australian *Parliamentary Debates* of 1959, vol. 1, page 262, a private member asked the Minister

for Education certain questions regarding high-pressure salesmanship. The Minister replied in this vein—

During recent months a number of complaints have been received from members of Parliament, school committees and especially from parents, that high-pressure salesmen are again visiting many homes and are attempting to persuade parents to buy sets of encyclopaedias and similar reference books, alleging that if these books are not in the home the children are at a disadvantage in their school work. A particularly unfortunate aspect of this campaign is that the salesmen often urge a parent to sign an order for the whole of an expensive set of books with a down payment, usually of only £1.

I would like members to take particular notice of that aspect—the down payment of £1—because I desire to refer to it in a later part of my speech. The Minister continued—

Sometimes, too, the salesmen even produce letters purporting to have been written by heads of schools, praising the value of such books. The effect on many parents is often strong enough to influence them to sign the order form and pay the small amount required. It is particularly requested that heads of schools and members of their staffs should refrain from giving to these salesmen any statement, either in writing or verbally, which could in any way be used to influence parents to buy these sets of books.

I shall not read the whole of the Minister's reply, but he gave an assurance to the House that he would ask the Crown Law Department to look into the matter. That was on the 30th July, 1959; and on the 13th August of the same year a similar question was directed to the Minister for Education, and again he stated that the matter would receive consideration. I shall quote what the member who asked the question said on that occasion—

One of the clauses Mrs. Sillett signed was:—

I understand there is no connection with any school or educational authority and that this work is not a compulsory text book for schools.

This was immediately after she had been told by the salesman that these books were recommended by certain headmasters and teachers of schools. The salesman used names in canvassing for these orders in order to create a sense of respectability and encourage people to buy. Will the Minister for Education state what steps his department can take to cut short this undesirable activity?

Once again the Minister said the matter was in the hands of the Crown Law Department and would receive further consideration.

On the 19th August of the same year the matter was again brought forward by a private member, and the same assurance was given. On the 1st September of the same year, the matter was once more brought forward by a Mr. Loveday who said—

Can the Minister say whether the Crown Solicitor has been able to suggest any means of protection for a person in these circumstances?

He was referring to the people who had signed the forms and handed over the £1, and who found eventually that they had to pay £37 or £38. The Minister replied—

No, not at the present time. He has been somewhat busily engaged elsewhere—

He was referring to the Crown Solicitor. He continued—

—but we are preparing quite a dossier for him. We are getting an infinite variety of complaints from persons in various parts of the metropolitan area and in country areas. The general manager of the company has written asking for an appointment, and I hope to see him either this week or next.

That was back in 1959; and from July to September the Crown Law Department was busily engaged on other duties, and was not in a position to give an answer to the Minister for Education.

Now we come to 1960; and in that year, on the 10th August, a Mr. Jennings asked the Minister whether there had been any further results of an investigation into door-to-door high-pressure salesmen, and the Minister said—

As a result of prominence given to previous questions by several members of the House and my replies to them, and also as a result of very effective work done on my behalf by the Deputy Director of Education, Mr. Griggs, I thought that the position had been remedied . . .

He thought the position had been remedied after he had referred the matter to the Crown Law Department. He received no answer, and the matter rested at that stage, and no further investigations were carried out by the Minister. He went on—

I shall be pleased to re-examine the whole position and take whatever steps I think fit when advised of the present position. I will let the honourable member and the House know in due course.

With the help of the Clerks of Parliament I have gone right through the *Parliamentary Debates* as from that date in an endeavour to find out what has transpired in South Australia since August, 1960. There has been no further word from the

Crown Law Department or the Minister for Education as to any action taken in an endeavour to curb this unsatisfactory state of affairs.

This is not a new subject. Last year in this House the member for Gascoyne asked a question of the then Minister for Education as follows:—

In view of the fact that a salesman called at my home canvassing for a new edition of a well-known encyclopaedia and made the statement that the Education Department would not recognise references from any encyclopaedia other than the one he was selling:

- (1) Can the Minister advise the House whether his department gives any directions as to which encyclopaedia secondary schoolchildren are to use for references?
- (2) Does he not think that some action should be taken to stop salesmen from making statements that could cause parents unnecessarily to spend approximately £300?

The Minister replied—

- (1) No directions are given by the Education Department.
- (2) This will be investigated.

Those questions were asked last year, and I have not been able to find the results of any investigations that may have been made by the Minister for Education. Admittedly The Hon. A. F. Watts is not now a member of Parliament, but I think his administrative officers should have carried on with the inquiry.

I have tried to point out that high-pressure salesmanship is carried on all over the world. It started off in America, spread to the United Kingdom, and from there to New South Wales, Victoria, and South Australia; and there is no evidence that the matter has resolved itself. I now come to Western Australia and the high-pressure salesmanship that is carried on in this State.

I would like to point out some of the methods employed by salesmen when they arrive at the door of a house and endeavour to obtain the signature of the housewife on the order form. These methods are indicated in an article which was headed "Women to Fight Salesmen," and which appeared in *The Sunday Times* of the 19th August, 1962. It reads as follows:—

The salesman obtained entry into her home by saying he was not selling books . . .

When he produced a world globe and a set of books she told him she was not interested. But he had an answer for everything . . .

The salesman said he would not be around for at least three years and there was no other way to obtain the books. He suggested child endowment could be used for payment.

The lady said that because she was suffering from a nervous complaint she paid £1 deposit and signed an order form. This seemed the only way to get rid of the salesman.

Next day her husband visited the local office to return the books but was told the books could not be accepted without the permission of the Melbourne office.

Mr. So-and-So wrote to Melbourne and received no reply. He returned the books two weeks later. He claims the company's selling and business methods are first to induce housewives to sign a contract by any means possible, deliver the books immediately; conceal the local address of the company so the books cannot be returned (the Perth branch was listed in the phone book under another name); and to ignore all letters written to the Melbourne address.

As a result of this the Australian Consumers' Association took the matter up, and received 70 to 80 letters from people in Western Australia on this very subject. Since mention of this motion was made in the Press, I have also received 40 to 50 letters, and it is very interesting to note that in every instance the form was signed by a female. This tends to indicate that it is the desire of the salesman to ensure that he approaches the female member of the household when endeavouring to make his sale.

Some of the suburbs which experience trouble from salesmen of this type are Nollamara, Willagee, Manning, South Fremantle, and various others which might be classified as working-class suburbs where, in the majority of cases, the families are not in a position to send their children to colleges, and so on. As a consequence, rather than deny their children this opportunity for education, the parents feel obliged to buy these books from the salesman in the hope that they might be doing the right thing for their children. That might be all right as far as it goes; but as was pointed out in this article, some of the womenfolk have allocated their child endowment in order to help them pay under these hire-purchase agreements.

Some of the housewives have not even referred the purchase of the books to their husbands. The eventual result is that they get further into debt because of these hire-purchase agreements, and eventually there is a considerable amount of trouble and disagreement in the family.

There is another article which also appeared in *The Sunday Times* of the 19th August, 1962, which was contributed by

The Sunday Times Sydney representative. In order to give members a further insight into just what is going on I would like to read this article, which is as follows:—

Children's book salesmen on commission are waging subtle psychological "war" on New South Wales parents. Teams fan out each day to "capture" buyers after military-type briefings and a crisp order: 'Move off to territory.'

But their own casualties are high; many give up when they fail to breach parents' defences.

This week I saw the instructions which one book firm gives its salesmen—fictitious conversations "to be learnt by heart and then practised." Here is an extract of the pre-canvass routine:

"Mrs. Jones?" (query in voice).

"Good morning. Smith is my name. I don't suppose Mr. Jones is in at the moment?" (emphasis on Mr.).

If the answer is "No"—"Oh, that's all right then. I am a bit pushed for time, anyway at the moment—I have a few other things to do. Look. I'll slip around and see him one evening after work. Goodbye."

Then as he moves away he turns back and asks the lady of the house—

"Oh, by the way. What time does he get home for dinner in the evening?"

She gives him a certain time, and he replies that he will call around a bit later and see the husband at that time. He does not turn up on the following day. But he again comes to the house; and when the lady comes out he says, "I am here again, Mrs. Jones. I realise your husband is not at home. I tried to get over the other evening but I had other business and could not make it." He then attempts to move away; and the lady of the house naturally asks him whether there is anything she can do, and whether it is necessary for him to see her husband. By that time, of course, he has a foot inside the door and in he goes.

There have been instances where such housewives have been subjected to interviews lasting two to three hours. They have not been able to get rid of these salesmen, even though there may have been visitors present; and to avoid any subsequent embarrassment a housewife will usually sign the form just to get the salesman out of the house. These cases are not isolated, because I have received 40 or 50 letters which I can produce. I do not wish to mention the names of the people who have written the letters, but if they are required I have their permission to place them on the Table of the House.

I do not wish to take up the time of the House by reading all these letters; but I would point out that everything to which I have referred is true; and I can certainly vouch for the statements that have been made. I would like to read one letter dated the 10th September. It is as follows:—

Dear Sir,

I would like to confirm my complaint recently published in *The Sunday Times* against the Eastern States firm . . .

My wife was a victim of the high pressure tactics employed by the salesman for the above firm.

Her request that he return one evening to see me or alternatively at a later date to enable her to discuss his offer with me was met with refusal on the grounds that he had no time.

His suggestions included (1) that he would pay the required deposit (£1).

Members may recall that the South Australian excerpt which I read showed that a deposit of £1 was required by such salesmen. Out of the 40 or 50 letters I have received, approximately 10 to 20 of them show that the salesman himself paid the deposit of £1. He told the ladies concerned not to worry; that he would pay the £1 deposit, and they could pay him later. They then signed at the bottom of the form without further ado, mainly to get rid of the salesman; because their washing was perhaps hanging on the line, and they probably had a hundred and one other things to attend to, including perhaps a baby.

In such instances, the salesman then moves off and later the housewife receives an order indicating that she is up for £38. Naturally she is very distressed, because more often than not she has not referred the matter to her husband.

I would now like to continue with the letter I was quoting. I was enumerating the suggestions made by the salesman. The letter continues—

(2) that my wife could use our Child Endowment to keep up the payments.

Having been subjected to over one hour of persistent sales talk my wife gave in and signed the order form.

The following day I rang the Perth office . . . lodging my complaint against the salesman and requesting that they cancel the order, and was informed that the Manager . . . was in the Eastern States and was due to return the following Friday when the matter could be taken up with him. This I endeavoured to do by ringing . . . and requesting an appointment with him which was made for Monday at 1.30 p.m. On arrival at the office to keep the appointment I was informed that none of the staff including . . . were expected for one or two hours.

I left my name and address with the books and world globe and a message that I would write.

My letter was forwarded by the Perth office to the Head Office in Melbourne, requested cancellation of the order and explained that I did not require the books nor could I afford them.

The former was refused and the latter was met with an offer of reduced payments with no extra interest charges.

No payments other than the deposit (£1) have been made on the goods and my wife is now being threatened with legal action if no payments were forthcoming.

Your advice on this matter would be appreciated.

The second letter I would like to read is as follows:—

Dear Sir,

My wife recently fell victim to this . . . high pressure salesmanship even though she had strict standing orders not to secure any H.P. deal without my approval.

The agreement sir, is enclosed for your perusal, we have the books here at present still packed. My wife paid £1 deposit and pledged practically all our child endowment for the next 15 months.

We are buying a new house and are furnishing same. Our existing debts are enough without this . . . crowd on our backs. Please give us some advice as to the legal claim this agreement holds.

I daresay the suggestion will be made that the people concerned should have known better than to sign such documents. But I would now like to read one from an officer of the Royal Australian Air Force. It is as follows:—

My wife and I were very pleased to read of the strong stand you have taken against the high pressure salesman who forced their books and world globe upon you.

We think we can guess in one that the publishing company you referred to was . . .

You see, my wife has received similar treatment from . . . and was also induced to sign a contract, despite the fact that I had spoken over the phone to the salesman saying that I was not prepared to enter into anything without seeing exactly what was involved first.

My wife rang me in the presence of the salesman asking advice but because I was extremely busy at the time I could not come home so I spoke to

the salesman over the phone refusing to enter into any transaction without first seeing the contract.

He then applied his pressure tactics to my wife (who was entertaining visitors) with the result that she signed up to avoid embarrassment!

Our children have since written to . . . requesting project assistance but have been refused on the grounds that the subjects they have asked for are (a) not Australian and (b) scientific, both categories not being covered by the contract!

We feel most strongly about the unethical business methods used by this firm and I am taking similar action to your husband and will return the books to the Melbourne office.

I would be pleased to know if the publishing company you refer to in your letter to *The Sunday Times*, August, 19, 1962, was in fact . . .

Those are samples of some of the letters that have come to my notice. I felt the House should be made aware of their contents. I have no objection to their being tabled if required.

I would like to bring to the notice of members one of the gimmicks used by salesman. On one occasion a salesman visited the home of a university professor. At the time he was not aware that the person concerned was a university professor, so went on with his patter and informed the gentleman that the books were approved by the Education Department, and that the information in them would be of decided advantage to his children. When he discovered that the professor was going to resist the purchase of the books, he eventually offered the books at a reduced price—even though the professor still assured him he was not interested in their purchase.

Members can imagine the professor's surprise when he found that the salesman, after discovering who he was, had called on every house in the street and had used the professor's name as being agreeable to the purchase of the books in question. That sort of thing is certainly most unethical. It is all very well for people to say that the housewives concerned should know what they are doing; but the fact remains that the methods and tactics adopted by salesmen when endeavouring to make a sale are, to say the least, questionable and quite unethical.

Another procedure which is adopted by salesmen before knocking at the door, is that the sellers of encyclopaedias usually fortify themselves with a list of prospects. This type of salesman usually finds out the various people in the district who are of some standing; and if, when he goes along to a particular house he makes a sale or is successful in arranging for an order to be signed, he asks the person

concerned for the names of two or three other people of reasonable standing whom that person knows. Once he is armed with that knowledge he calls on the two or three other people and tells them that he has made a sale to Mrs. So-and-so down the street, who is the wife of So-and-so. Naturally, these people fall into line; and so it goes on. It is a case of the tail and the head following one another all the way around.

Mr. Cornell: Keeping up with the Jones's.

Mr. D. G. MAY: Yes, keeping up with the Jones's. That is implied in most cases. In one instance a husband and wife became involved in a domestic row, and it looked as if the matter would have adverse repercussions; but fortunately the whole thing was resolved after the Australasian Consumers' Association stepped in and explained the position.

As I said before, I have endeavoured to make the terms of reference of my motion as extensive as possible, because I felt there was a definite affinity between high-pressure salesmanship, unethical trading, and unethical advertising. I do not think I need say any more about high-pressure salesmanship. As I said previously, I do not want to convey the impression that all salesmen come under the high-pressure category, because I know there are some keen and active salesmen in Western Australia who, if they used methods which were not ethical, would be disciplined by the firms concerned. One firm in Western Australia with which I have been in contact has advised me that in many instances where complaints have been received, the salesmen have been dismissed.

I would now like to deal with the matter of unethical trading. Unethical trading comes under quite a lot of headings, such as deceptive packaging, restrictive trade practices, and unethical advertising. I would like to read portion of an article which appeared in *The West Australian* this morning headed, "Unethical Trading Alleged." It reads as follows:—

The public was being misled by unethical trading methods by some retailers who offered superseded electrical appliances at reduced prices, the merchandise director and founder of Kreisher Australia Pty. Ltd., Mr. R. Weingott, said yesterday.

He was speaking to a convention of 250 representatives of electrical industries on inflated retail prices of electrical goods.

He said some retailers raised the price of goods such as television sets and then offered them to the public at a supposedly reduced price.

Some Sydney retailers also offered free appliances with each television set that was sold.

The television sets were often superseded models which were dumped in this State by Eastern States manufacturers.

However, the public, had no way of knowing that the models were out of date, because there were no identifying marks on the set giving the date of the manufacture.

That gets back to the original motion, which says that people are unable to choose wisely unless they are sufficiently informed about the technicalities, performance, and degree of necessity of the products. I believe this is a very important point, as these articles are not being put forward in their true light before the public of Western Australia. It is obvious that in the Eastern States they have practically reached saturation point so far as unethical business is concerned, and members will no doubt agree that those firms will need an outlet for this type of trading and Western Australia is the State which is going to be pressed in the near future. It is only natural that with the advent of the Games, and also the Royal visit next year, together with various other things, there will be an avenue here for this type of deceptive trading and high-pressure salesmanship.

In the *Kalgoorlie Miner* of the 5th September, 1962, under the heading "Restrictive Trade Practices" appears the following article, which was an attack by the Tariff Board:—

The operation of restrictive trade practices was attacked by the Tariff Board in its annual report tabled in Parliament today.

Inflated retail prices arose from these activities the board said, and such prices hit three ways. They—

Reduced efficiency.

Lessened incentive.

Denied the consumers the chance of buying at competitive prices.

I realise members may feel I am getting away from the actual motion, but I am endeavouring to point out exactly what is going on in Western Australia at the present time. These are facts that have been obtained during the last two or three months, and they can be verified by anyone who desires to investigate them. I want to bring them forward even though the previous attempt by the member for Manjimup to obtain a Select Committee was rejected on one count: that there was insufficient time for that particular matter to be investigated.

I feel that if a Select Committee were appointed and Parliament rose next month, that Select Committee could be converted to an Honorary Royal Commission and the matters I have brought forward could be fully investigated. I feel an inquiry of this kind is warranted. There is no doubt about it that some of the methods being

used are offences under the law. People in Western Australia are fined for other offences and yet this sort of thing goes on and no action is taken.

The other point I would like to bring forward is in connection with advertising and deceptive packaging. I have always been under the impression—as was Mr. Joel Dean, quite a prominent writer—that the objects of advertising are predominantly long-range to assure the firm eternal life and a place in the sun. We realise at the present time that trade is rather competitive, and that every firm is out to try to sell its goods. There is nothing wrong with that. The fault lies in some of the methods used in connection with advertising and packaging.

As a point of interest, I will refer to a poll that was taken in the United States of America among 180 well-known citizens; and it was found that although 90 per cent. regarded advertising as a productive force, over 50 per cent. said it promoted standards that were too materialistic, accused it of ignoring social values, or felt that it tended to destroy individualism and was helping to make America "soft". There was also a feeling that too many advertisements were making misleading, absurdly exaggerated claims for the products concerned.

That is what I am coming to now: the false and exaggerated claims in regard to various products. I feel the consumer needs protection against this type of misleading advertising; and that is the reason for my motion requesting the appointment of a Select Committee.

One type of advertising concerns the names employed in regard to certain types of commodities. I think the majority of us have sat in front of our television sets and seen the commercials that are shown. I would like now to refer to some of the names that are used. One man asked for a small tube of toothpaste and complained when handed one marked "Large". He was told that there were only three sizes—large, super, and giant. He asked for a small tube of toothpaste—

Mr. Rowberry: What size was the package?

Mr. D. G. MAY: —and "large" was the smallest they had. That made headlines in Australia. It is not something I made up; it is a definite practice. The following is an example of some of the exotic names being used:—

Giant Size Quart, Starter Size, Big 2-Ounce, One Third Bigger Than King Size, Super King Size, Long Gallon, Queen Size, Giant Imperial Quart, Colossal, Gigantic, Economy, Family, Giant Economy, Not Regular 10 oz. But Big 12 oz.

We have reached a state of affairs where people do not know what they are buying when they go into a shop to obtain certain

articles. They are only concerned that what they buy is "King Size" so and so, or "Queen Size" so and so.

The Australasian Consumers' Association was asked to put forward its views in regard to this method of advertising, and I feel that some of the statements made should be vented here, as they could be included in any terms of reference, should a Select Committee be appointed. These are the 12 points, which I feel are pertinent to the matter under discussion—

Net weight or volume to be shown clearly and conspicuously on all packages.

Some time ago a census was taken of the types of chocolates sold, and a 4 oz. chocolate was sold for 2s. A month later the price of the chocolate went up to 2s. 1d.; and, as there was no weight marked on the chocolate, people were under the impression they were getting the same weight as when the chocolate was 2s. They realised that costs had gone up, and naturally the price of chocolates would go up also. However, when a check was made by the Australasian Consumers' Association, it was found that even though the price of the chocolate had gone up, the actual weight had decreased.

That is what is happening in regard to soap powders and toothpastes. Quite often the "King Size" when opened is found to be only three-quarters full. That is the reason for the first point: that the net weight or volume should be shown clearly and conspicuously on all packages. The other points are as follows:—

The net weight to be the moisture-free weight, and the drained weight to be given for products packed in liquid;

Packaged goods to be sold only in a limited number of standardised sizes;

Containers to be not more than 5 per cent. greater in volume than the contents;

No price to be shown on the packet except the retail selling price;

No wording purporting to describe the size (such as "King Size") to be used unless the actual net weight or volume is shown immediately beside such wording in type at least as large as the word in itself;

All regulations to be uniform throughout Australia.

Those are seven or eight points which the journal of the Australian Consumers' Association Ltd. has gone into. The association feels that they are very pertinent points which could be incorporated in the investigation about which the Minister for Police advised me earlier in the evening when I asked several questions in connection with this subject.

I consider this matter to be an important one. In order to show members how important it is, I suggest they refer to today's notice paper on which I placed the following questions addressed to the Minister for Police:

- (1) Will he advise if the modern trend towards the sale of more and more pre-packed goods is occasioning concern because of deceptive and misleading information associated with certain commodities?

The answer given by the Minister was "Yes." My second question was as follows:—

Does he agree that these practices limit the consumers' ability to choose intelligently?

The Minister's reply was "Yes." My third question was as follows:—

Resulting from expressed concern of these inefficient practices, was an interstate conference recently held to inquire into the standardisation and marketing of packaged goods?

The Minister again replied "Yes." My fourth question was as follows:—

Will he advise the resultant findings of the conference and the proposed action?

The Minister replied as follows:—

These matters were discussed by responsible Commonwealth and State Ministers at a conference recently, and resulting therefrom a board of inquiry was appointed by the Victorian Government to investigate the position and make a report thereon.

The inquiry is still proceeding and when completed the recommendations will be placed before the responsible Ministers in each State for consideration of the action to be taken to remedy them.

The questions are similar to those which were asked of the Minister for Education in South Australia some three or four years ago and which have still to be investigated. We have not had an answer from that direction, but I am hoping that the present inquiry which is being conducted in Victoria will do something to assist the situation. I feel very strongly that unless each State takes some definite and real action on this matter, the position will become chaotic.

There is a definite opportunity for this State to do something to suppress this type of deceptive packaging and unethical tradesmanship; and also the tactics which are being adopted by salesmen in this State. They are not Western Australian salesmen; they are salesmen who have more or less been evicted from the other States, and they are now endeavouring to sell their wares in Western Australia. I think

this State should take steps to suppress these practices before they gain in magnitude.

Debate adjourned, on motion by Mr. Wild (Minister for Labour).

BILLS (3): RETURNED

1. Mental Health Bill.

2. Bush Fires Act Amendment Bill.

Bills returned from the Council with amendments.

3. Land Act Amendment Bill.

Bill returned from the Council without amendment.

FORRESTFIELD WATER SUPPLY

Ministerial Declaration: Motion

Debate resumed, from the 5th September, on the following motion by Mr. Hawke (Leader of the Opposition):—

That in the opinion of this House, the action of the Minister for Water Supplies, in making a public declaration of Government policy behind the backs of his Country Party colleagues, including Mr. Ray Owen, on a water supply for Forrestfield at a Liberal Party meeting held there during the recent Darling Range by-election campaign, is deserving of strong condemnation.

MR. NALDER (Katanning—Minister for Agriculture) [5.37]: I listened with a considerable amount of interest to the motion moved by the Leader of the Opposition some weeks ago. When one analyses the wording of the motion, one finds that the subject matter of the Leader of the Opposition's speech was very similar to what he said during the Address-in-Reply debate. It appeared to me that the Leader of the Opposition, in both speeches, was very concerned about the interests of the members of the Country Party and also of the party in general.

I would like to draw the attention of the House to the timing of this motion. The Leader of the Opposition gave notice of it several days before the Bunbury by-election; and there are two points of interest in it, so far as I am concerned. I think that the Leader of the Opposition, representing the party of which he is leader, decided that possibly this was a good opportunity to put forward a motion which could be used in connection with the by-election at Bunbury.

I have heard the Leader of the Opposition on many, many occasions put up a case for the consideration of the House. I have listened with a great deal of interest because he has displayed a considerable amount of enthusiasm in regard to the subject upon which he was engaged. On this occasion, however, I must

say that he did not appear to have the same enthusiasm. As a matter of fact, it appeared to me as though he was rather wishing that he had not moved his motion; because when one examines the information that he gave to the House, it was almost a repetition of what he said during the Address-in-Reply debate, with the exception that he did include information which had appeared in a number of Press articles, and information that had been made available when he had looked at a file which had been laid on the Table of the House.

There is no doubt that this motion had two objectives. So far as I am concerned, as Leader of the Country Party, it was to embarrass the Country Party and, if at all possible, to bring about the downfall of the coalition Government. I would say it—

Mr. Oldfield: The statement embarrassed Ray Owen.

Mr. NALDER:—was a matter for the Country Party to decide when it considered it was advisable to do so.

Mr. Graham: You are too weak, that's the trouble. You prefer office to principles.

The SPEAKER (Mr. Hearman): Order!

Mr. NALDER: This matter was entirely a domestic one, and it was the responsibility of the Country Party—its executive members, and members of the parliamentary party. If the Leader of the Opposition, and the party which he leads, really meant business when the motion was introduced, then so far as the Country Party is concerned I would draw attention to the comments of the Leader of the Labor Party which appeared in *Hansard* No. 2. He stated on page 117—

I think all past records in the Darling Range electorate, as lined up with the new boundaries, would have shown the Labor Party had no possible chance of winning the election. In any event the general election result proved that beyond any shadow of doubt, because the Labor candidate secured only slightly more than one-third of the total primary votes.

Clearly, then, there was no possibility at all of the Labor candidate winning the seat at the by-election, because the combined total of the Liberal Party and the Country Party votes was such as to make it abundantly clear the Labor candidate would finish far short of a majority.

He went on to give the information which is contained in that *Hansard* report.

Mr. Hawke: Isn't the Minister going to quote the context, instead of taking just that bit out?

Mr. NALDER: I quoted that, Mr. Speaker, to emphasise that if the Leader of the Opposition was concerned about the

Country Party in the Bunbury by-election—I know he is not solely responsible; I know that the party which he leads had a say, and also the A.L.P., in which the Labor Party is represented, probably had a say; but if he had exerted an effort on this occasion—seeing that he had already stated that his party had no hope at all of winning this by-election—and if he really meant business, as I said, in the interests of the Country Party, possibly they would not have put up a candidate in the Darling Range by-election.

Mr. Hawke: Why does the Minister refuse to quote the objective of what he has already quoted? Why does not the Minister quote the thing completely and give what the argument was about, instead of picking out a few words?

Mr. NALDER: I am not just picking out a few words; I am quoting the reason that the Leader of the Opposition advanced when he put up his case.

Mr. Hawke: Well, I will quote the rest of it later.

Mr. NALDER: I am suggesting, in as polite a manner as I can on this occasion, that the Country Party will take the necessary action in these matters of a domestic nature when it is considered desirable to do so.

Mr. Rowberry: When is that?

Mr. NALDER: That is our business; not yours.

Mr. Oldfield: You are too weak ever to do anything about it.

The SPEAKER: Order!

Mr. NALDER: I am saying that the Country Party feels there is no reason on this occasion, because of the point I have made, for me to support this motion. We believe it is only designed for one of two reasons: either to embarrass us as a party, or to bring about the downfall of the coalition Government. Therefore, I shall vote against the motion.

MR. CORNELL (Mt. Marshall) [5.46 p.m.]: The reason why the Leader of the Opposition moved this motion is no concern of mine, but the fact that he has introduced it gives some of us an opportunity to discuss the matters which led up to the decision of the Minister for Works to do something which a brief period previously it was decided could not be done.

In order to put the record straight it is desirable that I should deal in sequence with the events that led up to this decision; and also to enable it to go on record I should mention the efforts made by the previous member for Darling Range (Mr. Ray Owen) in representing the case of this particular locality for a water service. It may be that a lot of what I shall put forward will be a rehash of what has already been said, but nevertheless I propose to put it to the House for the reasons I have stated.

A deputation was introduced by Mr. Owen to the Minister for Works on the 15th October, 1961. Subsequently, on the 6th December, 1961, a member of that deputation in the person of a Mr. A. G. Palfrey asked for a commencement date—the date when the work which was represented to the Minister was likely to be commenced. On the 4th December the Minister wrote to Mr. Owen and said that nothing could be done before the completion of the Mundijong and Maida Vale schemes. At that time—that was early in December, 1961—the Under-Secretary for Water Supplies had this to say—

1. With the Maida Vale scheme the residents are contributing towards the revenue deficiency whilst in the case of Mundijong the shire council has undertaken to so contribute.

2. The latter arrangement is by far the most satisfactory as far as this Department is concerned, but until the stage is reached when a definite scheme can be established and up to date costs ascertained, it is not possible to make any move in this direction.

3. In view of the inability to foresee the circumstances in two or three years' time it would appear inadvisable to promise other than the fullest consideration when funds can be made available. In any case the scheme will obviously require to be tackled in stages.

On the 19th December the Minister for Works wrote to Mr. Palfrey and referred to his letter of the 6th December concerning the water supply for Forrestfield and said—

For your information I enclose a copy of a letter which was forwarded to Mr. R. C. Owen, M.L.A. As you will note it is not practicable to name a date for commencement of the scheme.

On the 20th December—the day after the Minister communicated with Mr. Palfrey—the then member for Darling Range (Mr. Owen) wrote to the Minister for Works and made reference to this work being carried out. He was fair enough to admit that there was little possibility of anything being done before 1963-64 when the Maida Vale extension, he said, should have been completed. He went on to say—

But in order to give your Department a fairly accurate picture of the present state of development, a survey has been made of the occupied holdings in the area and a summary of this is set out in the accompanying sheets.

From this, it is hoped that your Department can work out a plan for reticulating this area, in conjunction with the neighbouring districts of Maida Vale and Wattle Grove and so

determine the approximate cost of the whole scheme, and an assessment of what each occupier would need to contribute in order to make the scheme workable.

I have been assured that the people of Forrestfield will co-operate with the Department in any project to supply water to the district and will undertake to meet any reasonable guarantee of revenue so that the scheme would be a financial proposition.

It is therefore requested that planning be put in hand and estimates prepared to enable residents to enter into any necessary agreements regarding guarantee of revenue, in anticipation of some Loan funds being available to commence this project in the 1963/64 year.

About the same time The Hon. N. E. Baxter wrote to the Minister for Works on the same subject; and the reply, which is dated the 4th January 1962, over the signature of the Minister for Works, is as follows:—

This matter is being kept continuously under review and advantage will be taken of any opportunity that might occur to accelerate the date of bringing water to this area. However, it is most unlikely that the proposal could be included on the Estimates earlier than 1963/64.

On the 29th December, 1961, the Premier minuted papers to the Minister for Works and requested some specific details which could be passed on to Mr. Palfrey. He, apparently, was a very keen visitor to the Premier's Department for some information regarding this scheme. The matter was passed on to the Under-Secretary for Water Supplies, and he minuted the file in these terms—

Mr. Palfrey is a resident of a semi-rural community agitating for provision of scheme water. He was a member of a deputation which waited upon you recently, and he has been given the same information as you gave to Mr. Ray Owen, M.L.A., as leader of the deputation.

As is clearly evidenced by his letter of the 20th December, Mr. Owen is vigorously pursuing the cause on behalf of the community generally, whilst Mr. Palfrey, on his own admission *vide* his letter of December 6th, is mainly concerned in subdividing his holding and is apparently determined to pursue the matter of water for Forrestfield on his own account.

This no doubt indicates a natural desire to achieve results, but experience has shown that it is most frustrating and sometimes embarrassing conducting correspondence on costs and requirements of a scheme with individuals having personal viewpoints, and

simultaneously with responsible parties or bodies acting on behalf of everyone concerned.

However, the plain facts are:—

For many years a number of semi-rural communities have been pressing for scheme water, and although such propositions are costly and highly uneconomical, it was felt that scheme water was warranted, and subject to an arrangement whereby contributions towards revenue deficiencies were agreed upon, a commencement was made to serve Mundijong and Maida Vale.

The work on these two schemes, aggregating £108,000, is being necessarily spread over two years, and subject to funds being available, should be completed during 1962-63.

Reticulation of Forrestfield and Wattle Grove en route is estimated on present costs to involve £145,000, and most probably it will be necessary to spread the work over three years from the date of commencement. However, it is a heavy cost at about £600 per improved property—obviously uneconomical—and the undertaking will require careful consideration and negotiation in regard to the revenue deficiency before the scheme can be undertaken.

Concerning Mr. Ray Owen's letter of the 20th December, I would comment that the information he has gathered serves to show how the residents themselves are divided on the question of provision of scheme water, and payment of guarantees. However, the first step will be to make a valuation assessment of the districts with a view to ascertaining the anticipated revenue from rating.

This will not be practicable for some months; in fact it would be unwise to rush the matter, but Mr. Owen could be thanked for the information collated, and without being given undue encouragement concerning the scheme, informed of the department's intention. He could also be advised that a tentative estimate of the cost of reticulating Wattle Grove and Forrestfield on present prices is £145,000 for about 239 improved properties.

The file was returned to the Premier's Department and the Minister for Works had this to say—

As you will note in the minute from the Under Secretary, Metropolitan Water Supply Department, the residents are divided among themselves in regard to the provision of water and the payment of guarantees. Possibly paragraph 7 gives the telling information.

The Premier replied to Mr. Palfrey and said—

I have had enquiries made in an endeavour to give you some specific indication as to when your area will be served with water.

I have been advised that reticulation of Forrestfield and Wattle Grove, en route to Mundijong and Maida Vale, is estimated on present costs to involve £145,000, and it will probably be necessary to spread the work over three years from the date of commencement. As the number of improved properties in the scheme number only approximately 240, the expenditure of this large amount would be uneconomical at this stage.

That letter is dated the 31st January, 1962. On the 9th February, 1962, Mr. Palfrey—

Mr. Rowberry: What are the initials of his Christian names?

Mr. CORNELL: He is Mr. A. G. Palfrey. Apparently he is a particularly persistent gentleman because again he approached the Premier and again a file was minuted to the Water Supply Department and the necessary reports were put up and a minute returned to the Premier by the Minister, and the contents of the minute were incorporated in a letter dated the 28th February written to Mr. Palfrey. The following are the contents of the minute to which I have referred:—

The residents of Maida Vale and Mundijong have been seeking water supplies for as long as Forrestfield, and both propositions are far less costly and more economical than Forrestfield.

The fact that a number of Forrestfield residents are willing to contribute towards an annual deficiency does not provide the funds for a project costing £145,000, nor does it make the scheme economical.

Mr. Palfrey advances the usual contention that provision of water would encourage development—a policy which, although ideal, would entail a fabulous and continuous outlay of funds and a premature burden on ratepayers if adopted throughout the metropolitan area.

The department advises that a full report on the economics of the scheme will be submitted towards the end of this calendar year for consideration with the possibility of a commencement in 1963-64.

It is felt, however, that it would be so poor economically that the Under Treasurer might have to be asked to accept a revenue loss against the public debt as was done in a similar scheme instituted for Roleystone.

On the 2nd March the under-secretary reported to his Minister, following upon a letter which had been written to *The West Australian* by a man named Evans, and concluded—

Mr. Evans: Not from Kalgoorlie.

Mr. CORNELL: No. The under-secretary concluded by saying—

I would suggest an answer to the effect that the Government fully recognises the needs of these semi-rural areas and is giving effect to a policy of progressive attention as loan funds can be made available and economic requirements satisfied. A full report on the economics of the scheme is to be called for with a view to giving consideration to a commencement on the scheme in 1963-64.

That was on the 2nd March. On the 7th March Mr. Owen wrote to the Premier in respect to the position at Forrestfield and suggested that he and the Minister for Works attend a meeting of representatives of the public and, in particular, of the Parents & Citizens' and Progress Association for the purpose of discussing the problem of water supply in that district. The matter was again referred to the Water Supply Department and, on the 16th March, in a minute to the Premier, the Minister said—

I feel that no good purpose would be served by meeting a deputation at the minute to you on the 22nd February in reply to correspondence from Mr. A. G. Palfrey clearly sets out the position. There is no possibility of there being a commencement before 1963/64 as the department is already fully committed with Mundijong and Maida Vale schemes which will take all finance available up to and including 1963.

The Premier, on the strength of that advice, wrote to Mr. Owen acknowledging his request for the deputation and in the letter continued to say—

As explained to various individuals and organisations in this area previously, there is no possibility of a commencement on a scheme for Forrestfield until 1963/64, as the department is already fully committed with Mundijong and Maida Vale schemes, which will take all available finance up to and including 1963.

Under the circumstances, I regret that no good purpose would be served by my presence at the meeting suggested.

About the same time, Mr. Baxter, M.L.C., who was also keeping an eye on the position, received a letter from the Under-Secretary for Water Supply, in which he said—

I would reaffirm previous advice that a review of revenue potential will be carried out within the next few months

and, with the assistance of information supplied, per medium of Mr. Ray Owens' survey some months back, the economics of the proposition will be put to the Hon. Minister well before the draft Loan Estimates for 1963-64 are prepared in February next.

Because of the unknown position regarding loan allocation and the necessity to consider many urgent requirements, a precommitment of funds cannot be made for any new work. However, strong indications are that given a normal loan allocation and subject to assurance of a satisfactory revenue return, provision will be made for a commencement on this scheme during 1963-64.

On the 9th July, the Under-Secretary for Water Supply submitted this minute to his Minister—

I would advise that subject to your approval it is proposed to construct the 12-inch water main from the railway to Welshpool Road, East Cannington, during this financial year. The Chief Engineer is in accord and £29,000 has been provided on the Estimates.

I ask the House to note particularly the date of that minute which is the 9th July, 1962, because the day following, on the 10th July, the under-secretary wrote this letter to the member for Canning—

The possibility of extending the water main to serve the property of Mr. Koopman, Lot 381, Grove Road, Wattle Grove, and two adjoining properties, has been already given consideration following representations from the Gosnells Shire Council, on behalf of Mr. Guira. However, there are two factors which debar approval being given to the work.

Until it is practicable to strengthen the supply, by the construction of a large and costly feeder main along William Street, extensions from the existing reticulation cannot be considered.

Even assuming the hydraulic position to be sound, funds are not available to expend £1,738 on 2,900 ft. of main to serve three improved properties. A substantial contribution towards the cost would be required to enable favourable consideration to be given, but until the hydraulic position is rectified it is of little use calculating possible contributions.

It is very difficult to reconcile that letter with the minute put up by the same gentleman on the previous day. At a party-political meeting held at Forrestfield on the 10th July, the work envisaged in the minute submitted by the under-secretary was announced by the Minister. In my view this announcement and the decision made meant the end of the political road for Mr. Owen.

Mr. Hawke: Hear, hear! There is no shadow of doubt about that!

Mr. CORNELL: I know the Minister for Works had no particular regard for Mr. Owen and this antipathy may have outrun his better judgment. The plain fact is that instead of receiving the laurel wreath for the excellent work he had done for his district, Mr. Owen was handed a crown of thorns; and, on the 10th July, 1962, he was crucified politically.

Mr. Hawke: He sure was!

Mr. CORNELL: Although it is a hard thing to say, I am afraid Mr. Owen was nailed on a cross by a Minister in a Government to which Mr. Owen had given unswerving support and undivided loyalty. There were times when Mr. Owen could have followed another course. His support of the Government proposal to close the Bellevue-Mt. Helena railway, was a fact which was trotted out against him in the election campaign. The fact that he supported the Government on that occasion is a point in the case I am endeavouring to make. For this loyalty he was rail-roaded and, in effect, sold down the water scheme of Forrestfield.

On the 16th July, the Forrestfield Progress Association sought confirmation of the announcement made by the Minister at the political meeting held six days before on the 10th July. In its letter the association sought much more detail than was given in the announcement at the meeting in question, and the secretary of the Forrestfield P. & C. and Progress Association had this to say—

As was to be expected, your announcement about the above scheme at the recent meeting in the Forrestfield hall has aroused great interest in the district. As a result, our association has received many inquiries from people seeking confirmation of the announcement and requesting more detailed information.

At our monthly meeting on Thursday night last, it was decided that, as the announcement was not made to a progress meeting, the Association needed to have some official statement before giving such information and I was instructed to ask if you would be good enough to:—

- (a) Confirm with this Association that the expenditure of £29,000 on Stage 1 of the scheme has already been authorised and that this stage, which provides for the laying of a 12-inch main along William Street from Higham to Welshpool Road, is to be completed within six months.
- (b) Confirm that the remainder of the scheme will be carried out in two stages and that the

Scheme will be completed within two years of the completion of Stage 1.

- (c) Confirm that the proposed Water Board—

That is, the Metropolitan Water Board—
—will be under the direction of the Minister and that, in consequence, the Board will not nullify the above plans.

- (d) Make available to the Association a copy of the map, which you kindly let us see at the meeting, so that we may tell people how they are to be serviced.
- (e) Indicate (if it is possible at this juncture) how the work is to be allocated between Stages 2 and 3.

I was also instructed to assure you of the Association's utmost co-operation in expediting the scheme. Our members will willingly undertake the gathering of any additional information required and, if you so desire, are prepared to discuss details with departmental officers at any convenient time.

With promptitude extraordinary the Minister replied to that letter two days after he received it and confirmed what the association desired by making these points—

- (a) The Metropolitan Water Supply Department have placed on the Estimates an amount of £29,000 for the laying of a 12-inch main along William Street from Higham to Welshpool Road. These Estimates are now in the course of preparation and will be formally presented to me within the next few days, and it is my intention to approve of this item.

It is anticipated that the work will be completed some time during this financial year.

- (b) The supply of water to Forrestfield and Wattle Grove will be undertaken in two stages and should be completed approximately within two years of the provision of the larger main along William Street.
- (c) The proposed Metropolitan Water Board will be subject to the Minister and consequently the Board will not be in a position to nullify any decisions previously made by myself or by any previous Minister.

- (d) I shall forward copy of the plan showing the route of the scheme to your good self as early as practicable, but at this stage it would not be possible to indicate exactly how stages 2 and 3 will be undertaken.

Some time later this financial year arrangements will be made for all the settlers whom it is hoped to serve to make application with a view to the economics of the scheme being worked out and, as I indicated at the meeting the other evening, enabling a final determination as to what guarantee, if any, will be required for each service provided.

Mr. W. Hegney: Who wrote that letter?

Mr. CORNELL: The Minister for Works, on the 19th July. It can be seen that at that stage conditions were apparently introduced; namely, the economics of the proposition which the Metropolitan Water Supply Department had said had not yet been worked out and this implied that until the economics of the project were worked out it was impossible to say yea or nay to the extension.

It is interesting to check the timing of the Minister's announcement. As I have already said, he was scheduled to speak at a party-political meeting at Forrestfield on the 10th July. On the 3rd July his under-secretary wrote to The Hon. N. E. Baxter, M.L.C. and made two positive statements which I have already read; namely, the statement that the extension of the water supply before 1963-64 was quite impossible and, in view of the unknown position regarding loan allocations, a pre-commitment of funds could not be made.

On the 9th July, less than a week after the two statements had been made to Mr. Baxter, it was proposed, subject to the Minister's concurrence to construct a 12-inch main as part of the work, the cost to be £29,000. After reporting to the Minister, on the 9th July, that it was proposed to construct a 12-inch main along William Street, the under-secretary, as I have said, wrote a letter to Mr. D. G. May, M.L.A. and said, in effect that the work which was approved on the 9th July was quite impossible on the 10th July; so the two statements do not add up.

I am at a loss to understand a man making a positive statement on one day and sort of nullifying it the following day. Admittedly, one letter was written on one file and the other letter was written on another file, but that should not affect the position. I should say that as soon as the member for Canning received word of this particular work he was not long in again taking up the cudgels on behalf of the constituents for whom he had previously made representation. He promptly

got in touch with the under-secretary again and received a complete negation of the proposition which had been put to him just beforehand. The under-secretary confirmed that the hydraulic position along that particular road would be corrected and, that being so, the constituents of the member for Canning would be served in due course.

Sitting suspended from 6.15 to 7.30 p.m.

MR. CORNELL: Before tea I concluded quoting from the relevant files which were tabled in this House. I now close that portion of my remarks by making the observation that it is quite interesting to note the decision to undertake a work of considerable magnitude was never officially conveyed to the parliamentary representatives of the district, as far as I can ascertain. If it has been conveyed, there is nothing on the files to indicate that.

As far as I know, from the files tabled, the present member for Darling Range has received no official notification whatsoever; neither has Mr. Baxter or Mr. Diver. Even Mr. Roy Abbey, who coughs every time the Minister has a cold, appears to have been overlooked in this matter.

This torpedoing of a unit of the Country Party constrains one to think in retrospect, and in particular of the previous member for Moore. If he had remained with us he would not have been silent on this issue. However, he is no longer with us; but if there are any recorded rumblings in the vicinity of Karrakatta Cemetery they are caused by the late Hugh Ackland turning in his grave at the use of the Country Party as a doormat by one of the hierarchy of the Liberal parliamentary party.

The dish of dirt which was offered to the Country Party for consumption in respect of this matter poses the question of the Country Party's position in the political scheme of things, and in particular its future. It cannot be denied that the Country Party possesses less influence today than it did 10 years ago; and to a degree that is understandable. Its decline is due to the acceleration in the drain of population from country areas to the cities. Even in country centres where the population has remained static there has been an internal transfer of population from the rural areas to towns. Each redistribution weakens the position of the Country Party; and strange though it may seem, agricultural prosperity has not helped its cause.

I do not think anyone will deny that the Liberal and Country League is dedicated to the removal of the Country Party from the political scene by a merger, but preferably by a take-over. If the expectation of life of the Country Party is limited well and good; but for the period that remains for it I suggest that it live as a separate political entity, plug its platform and policy, and give support to the larger parties only in return for concessions.

Servility to its Liberal partner will avail nothing; and unless the party takes a more positive and a more independent stand, the studied insults of the Forrestfield water extension will go on.

If the attitude of the Country Party to the Liberal and Country League is one of "Whither thou goest, I will go; and where thou lodgest, I will lodge: thy people shall be my people, and thy God my God" then its departure from the political stage is assured and accelerated.

The House would probably like to know the attitude of the parliamentary Country Party to the action of the Minister for Works. Neither the party nor the Country and Democratic League organisation likes it one little bit, and both consider that he was guilty of a breach of coalition ethics. However, the Country Party considers that the Minister is not worth while wrecking the Government over, and accordingly will not support the motion.

In conclusion, may I suggest that a political obituary card be sent to Mr. Ray Owen with this text, "Whosoever hath, to him shall be given; and whosoever hath not, from him shall be taken even that which he seemeth to have."

MR. W. A. MANNING (Narrogin) [7.36 p.m.]: I have read with interest the speech made by the Leader of the Opposition when he moved this motion. I notice that the speech consists almost entirely of a recital of details concerning the Darling Range election, and in particular the water supply question over which controversy has arisen. Those details were readily available to any member in this House, because the file was laid on the Table for a time.

I know a number of members have perused the file; some perused it in more detail than others. If one perused the file he would find that the few details enumerated by the Leader of the Opposition were in accordance with the facts which appear in it. When one reads the details in the file one cannot deny the fact that the strong comment which was made by the previous member for Darling Range (Mr. Owen) was very well founded, because the facts are there for anyone to see. It is no use denying those facts as they are down in black and white. I do not intend to cover the details, as was done by the mover of the motion, and also by the member for Mt. Marshall.

To sum up we can say this: There was a definite refusal to extend the water supply to Forrestfield, up to the time of the political meeting referred to. That is in accordance with the facts. At that time it was stated that nothing could be done because there were two essentials which had to be fulfilled; firstly, there was the necessity for a review of the potential revenue. That was set down as being

the essential part of the basic information which was required before work could proceed and money was made available.

Strangely enough, in order to ascertain those details, the survey which had been conducted by Mr. Owen was to be used as the basis. So it was quite evident that, in addition to making representations on behalf of his electors, Mr. Owen had gone to considerable trouble to provide the information which was required. He set it down in such a way that it was acceptable to the department, because the department recommended the acceptance of the information in its correspondence, and declared that the information was to be used as the basis for the required survey.

Although the previous member for Darling Range had gone to all that trouble and had sought replies from the Minister and the under-secretary for the department—this course of action was also taken by Mr. Baxter—it was stated clearly that there was no possibility of the extension being carried out. That was where the matter stood, and the position was fair enough. At times we all have to accept this sort of situation. There was no action from the Minister or the department to the representations made by Mr. Owen.

Then, at a particular time—namely, on the night of the political meeting in question—everything that had been done and said previously was set aside. There was not to be any financial review; there was not to be a summary made of the revenue estimates; there was not to be any survey undertaken; yet, a few days before, these conditions were vital. On the night of the political meeting they did not matter at all! That was the turning point. The conditions which were said to be necessary were brushed aside, and the future of the extension was made easy.

That is a summary of the facts as I see them. I cannot get away from them, because they appear on the file. The facts are substantially the same as those set out by the Leader of the Opposition, and also by the member for Mt. Marshall.

But there is a very strange aspect about this motion. The Deputy Premier has said that the Leader of the Opposition showed no enthusiasm for it; and that is true. If one looks at the speech of the Leader of the Opposition one will find that, from beginning to end, with the exception of a few final comments, it was purely a recital of facts. His only other comment was this—

Clearly the proof and evidence which they have provided in the public statements they have made in connection with the matter justify my motion.

What great enthusiasm was shown by the mover! He gave us no idea why he was moving the motion, what his objective was, and why it was of interest to this House.

Mr. Rowberry: Do you not know that?

Mr. W. A. MANNING: Surely he should have given us some expression of opinion! If he wants us to be enthusiastic about the motion he should give us an idea of the motive behind it; but he did not, so we can only assume that he had some motive. I do not suppose the motive was to help the Government; I do not suppose it was to help the Country Party; I suppose it could have something to do with the Bunbury by-election. There is a suspicion that the motive was the Bunbury by-election.

Mr. Evans: You want to have two bob each way?

Mr. Oldfield: Do you agree with what the Minister did?

Mr. W. A. MANNING: The honourable member should wait until I have finished.

Mr. Oldfield: You are being "wishy-washy" like your leader—weak as water.

Mr. W. A. MANNING: The speech of the Leader of the Opposition did not reveal any motive for the motion. Surely when a motion is moved in this House there must be an objective. If the mover wants support he must give the motive for the motion. The facts, as he recited them, were on the file and we did not want them to be repeated to us, unless there was some objective.

Mr. Oldfield: The member for Mt. Marshall repeated the facts again tonight.

Mr. W. A. MANNING: That is right; but he did not move the motion. He spoke to it, as I am doing. The Leader of the Opposition has moved the motion with some objective in view; but what is that objective? Surely we are entitled to know. If the motive was to castigate the Minister for Water Supplies, surely that is not a matter for this House to decide. If it is a matter between the coalition parties, surely that is a matter for them to decide between themselves.

Mr. Oldfield: We had a candidate in the field, too.

Mr. W. A. MANNING: The Labor Party had its own candidate in this election, too, and he was defeated.

Mr. Evans: So was your candidate.

Mr. W. A. MANNING: If we are concerned at any action of the Minister, we can deal with it in our own way. We will have our own remedies. We will deal with it as it suits us and not as dictated.

Mr. Oldfield: After being knocked off one by one!

Mr. Hawke: I do not see the Minister for Water Supplies turning white!

Mr. W. A. MANNING: We will look after our own affairs with assistance from no-one else. I am sure we are not inclined in any way to vote for a motion that really amounts to a vote of no-confidence in the

Government—and that is the reason why it was moved by the Leader of the Opposition.

Mr. Bickerton: I am glad you have found a reason.

Mr. W. A. MANNING: We had to find out for ourselves.

Mr. H. May: You said you did not know.

Mr. Toms: Marvellous deduction!

Mr. W. A. MANNING: We have to make our own deductions, and that is what I am pointing out. We have to deduce these things ourselves. I do not know whether the Leader of the Opposition was not game to tell us his motive. Really I do not think he had any enthusiasm for his own motion. He had lost all his enthusiasm by the time he came to move it. We, as members of the Country Party, stand as part of the coalition Government.

Mr. Oldfield: Or fall!

Mr. H. May: You don't stand.

Mr. W. A. MANNING: The sole idea is to seek to defeat the members of the Government, but we stand behind the Government; and it has achieved many things.

Mr. Oldfield: It got rid of Ray Owen.

Mr. W. A. MANNING: We are not the only ones behind the Government. The electors themselves are behind it as proved in the recent elections. When we deal with matters like this, they are difficult enough and are important enough in their own way. Everything has to be considered in its relative importance, and although we object to what the Minister did on that occasion, what he did was not sufficient to warrant the sacrifice of a Government of the standing of this one.

Mr. Oldfield: You only have to sack one Minister, not the Premier.

Mr. W. A. MANNING: The desire of the Leader of the Opposition is not to sack one Minister but to defeat the Government. That is his attitude. If we disagree on some action which is taken within the Government, or without it, we will see there is an appropriate remedy; and we will deal with the matter, as I have said, in our own way. But the action taken by the Minister does not warrant the setting aside of this Government, and rejecting the decision of the people of Western Australia who wanted this Government.

Mr. Graham: What about sticking to your mate?

Mr. W. A. MANNING: Because of that, we cannot afford to lose this Government at present, as the alternative would be something which would be really fatal to Western Australia. Because of that, although we disagree with the action of the Minister on this occasion—

Mr. Oldfield: Well, move to disagree with it!

Mr. W. A. MANNING: We will deal with it in our own way and will reject the motion of the Leader of the Opposition.

MR. OLDFIELD (Maylands) [7.49 p.m.]: The member for Narrogin adopted the same attitude as his leader. He delivered his opinion somewhat more forcibly, but his argument was weaker. However, at least he has given information to the House about which we were not aware earlier. He groped around and said that the matter was one between the Country Party and the Liberal Party and that they will determine the issue in their own good time. I think I know who that thought came from. It came from The Hon. A. F. Watts. However, the people who delivered his thought had not the capability to deliver it efficiently.

The member for Narrogin has just let out of the bag the fact that the Premier has said that this motion if carried is condemnation of one of the Ministers and would defeat the Government. Once again he has bluffed the Country Party—and completely bluffed it. If the motion is carried, the Premier would not resign the Government. He would carry the Minister although condemned by the House.

Mr. W. A. Manning: Who said the Premier said anything? I did not mention the Premier.

Mr. OLDFIELD: Who else is strong enough to make such a threat? No-one but the Premier. It would certainly not be your own leader. He made such a weak speech and sold his party down the drain on this issue. He may be big in stature but he is small in heart. You were blushing with shame when your leader was speaking—even you.

I know the member for Mt. Marshall was not happy when the Deputy Premier was speaking tonight; not at all. The Deputy Premier, when replying to the Leader of the Opposition in this debate, not only denied the real issue, but claimed he did not know what it was all about. I will tell the member for Narrogin and the Deputy Premier what it is all about. It is contained in the motion, which reads as follows:—

That in the opinion of this House, the action of the Minister for Water Supplies in making a public declaration of government policy behind the backs of his Country Party colleagues—

Does the Deputy Premier understand it so far? I continue—

including Mr. Ray Owen, on a water supply for Forrestfield at a Liberal Party meeting held there during the recent Darling Range by-election campaign, is deserving of strong condemnation.

The Minister is deserving of strong condemnation for what he has done—and the fact has been outlined here tonight. The Deputy Premier said he did not know what it is all about or why the motion has been moved. It has been moved because everyone likes to see fair play and the action was what could be called a stab in the back to the Country Party, and Ray Owen in particular.

Mr. W. A. Manning: What about Bunbury?

Mr. OLDFIELD: What about it? I did not notice the member for Narrogin down there. That is another thing the Deputy Premier said tonight: that if we, the Labor Party, had any thought for the Country Party whatever, it—the Labor Party—would not have put up a candidate for Darling Range. I would remind members that the Labor Party candidate topped the poll in the general election, and any person who tops the poll in any election is entitled to be a candidate in any subsequent election. Anyway, what difference did it make to the Country Party? As a matter of fact, a few Country Party members in the Federal sphere, and a few in another place can thank the Labor Party that they were elected. If the Country Party does not want the Labor Party preferences, it has only to say so. The Labor Party does not have to give preferences to the Country Party. It would be quite happy to give them to the Liberal Party.

Mr. Hawke: Not happy!

Mr. OLDFIELD: Just say so. I do not know how the Deputy Premier is going to get on in 1964 in the Upper House election for the Central Province. I do not know what he is going to say about the Labor Party if it puts up a candidate for that seat.

The SPEAKER (Mr. Hearman): I think that is speculative and has nothing to do with the motion.

Mr. OLDFIELD: I could not help feeling sorry tonight for the Country Party members—and particularly those in the back benches, who blushed and squirmed in their seats when they heard their leader sell them down the drain. He decided that the fruits of office were to be put before the final and ultimate interests of the Country Party members and the people who elected them to this Chamber. He decided he could not afford to risk the chance of the Premier resigning over this motion because he would then not be Deputy Premier.

Mr. Craig: Don't talk rot! He is independent of politics if he wants to be, which is more than you can say about yourself.

Mr. OLDFIELD: It was quite obvious, from what the member for Mt. Marshall said, that he would like to support this motion. He wants to support it. There

is no doubt where his sympathies lie, and also the sympathies of some of his colleagues. I would say the Minister for Police—

Mr. Craig: What?

Mr. OLDFIELD: You would like to support this motion.

Mr. Craig: I would not do so under any circumstances.

Mr. OLDFIELD: If you were basically honest you would.

Mr. Craig: I am always honest, which is more than you are.

Mr. OLDFIELD: You are bound by Cabinet decision.

Mr. Craig: Boloney!

Mr. OLDFIELD: You are outvoted six to four.

Mr. Craig: You don't know what you are talking about! Give us some sense for a change!

Mr. OLDFIELD: It is quite apparent that at heart the member for Mt. Marshall would like to support this motion; but because a Cabinet decision has been made, out of loyalty to his Country Party colleagues—his parliamentary Country Party colleagues—he is not going to support it.

Mr. O'Connor: How do you know?

Mr. OLDFIELD: He is not going to support it because he said so. If the member for Mt. Lawley had been listening to his speech he would know.

Mr. H. May: That is how he knows!

Mr. OLDFIELD: I think it was his penultimate remark. Does the member for Mt. Lawley understand that? However, the member for Mt. Marshall is displaying a loyalty to his leader and parliamentary party that his leader has not shown to the back benches tonight and particularly to Ray Owen.

Mr. Nalder: How would you know what loyalty meant?

Mr. OLDFIELD: It is quite obvious to the Labor Party members what is going to happen to the Country Party members if they continue what they are doing tonight; and if the leader, because of the fruits of office, wants to tag along and apologise for a Minister who was responsible for one of his members being stabbed in the back. By the leader making his members disagree with this motion, because of loyalty to him and the Minister, the Country Party is playing right into the hands of the arch enemies—

Mr. Craig: The Labor Party!

Mr. OLDFIELD: —the Liberal Party. The members of the Country Party are being knocked off one by one. Just watch it! The member for Avon has no love for the campaigning methods of the Liberal Party. I think last March—

Mr. H. May: I think the next will be the member for Narrogin.

Mr. OLDFIELD: The member for Narrogin is in the sights.

The SPEAKER (Mr. Hearman): I think the member for Maylands had better confine himself to the motion and not get into a hypothetical discussion about a future occurrence.

Mr. OLDFIELD: I think the water issue will be raised at Narrogin, Mr. Speaker. It certainly is going to be at Avon. However, I think you are correct, Mr. Speaker. I am stretching the Standing Orders somewhat, so I will confine myself to the motion.

Mr. Nalder: That is the best thing you have said so far.

Mr. OLDFIELD: I must agree with the statement of the member for Mt. Marshall that the stage is being reached when the Country Party is losing its effectiveness; and, in fact, that if many more incidents like this occur, there will be no place for it in the political field of Western Australia.

MR. TONKIN (Melville—Deputy Leader of the Opposition) [7.59]: I think the motion moved by the Leader of the Opposition requires some analysis in order that we may know exactly the proposition before the House. If one were to take literally what the member for Narrogin said, one would be completely at a loss in trying to assess what the situation is. The Leader of the Opposition has asked for an expression of opinion on two things: one an expression of fact, and the other a matter of opinion.

With regard to the question of fact, there has not been one speaker yet—with, possibly, the exception of the Deputy Premier—who has denied the truth of this fact or attempted to deny it. The fact is that the Minister for Water Supplies made a public declaration of Government policy behind the backs of his Country Party colleagues. There is no doubt whatever. That is a fact: The Minister for Water Supplies did make a public declaration of policy behind the backs of Country Party colleagues in the Government.

Mr. Hawke: For the purpose of defeating the Country Party candidate.

Mr. TONKIN: For the purpose of securing the election of a candidate from his own party. It was done deliberately for that purpose; and there is no doubt in my mind that it was a decision made by the Minister within a few hours of his going to the meeting. All the facts support that. I cannot imagine that the Under-Secretary for Water Supplies would send out the letter he did to the member for Canning, under the date that he sent it, if before it was sent a decision had already been made to approve of this water supply for Forrestfield. Those things are just not done.

Mr. Rowberry: By honest people!

Mr. TONKIN: Another thing which concerns me about this, and which makes me doubt the truth of the statements which have been made in connection with the Minister's pronouncement is that unless things have changed very greatly, approval for substantial expenditure from Loan Estimates is not given by the Minister without reference to the Treasurer. If it is a matter of £200 or £300, then maybe; but where it is proposed to spend some tens of thousands of pounds in connection with a major work, I do not believe that under this Government—I know it was not so under our Government—it is possible for the Minister to give approval for the expenditure before the matter has been referred to Treasury; and therefore, in order for the Minister for Works to have been able to give approval for this expenditure, on the day that he said he did, it would have been necessary for him to have been in communication with the Treasurer prior to giving his approval—and there is nothing anywhere to indicate that was ever done.

So I have yet to be convinced that when the Minister made his statement that approval had been given, it had, in fact, been given. Now, as the Leader of the Opposition said, the Minister made the declaration from the public platform for the purpose of securing the election of the Liberal candidate, knowing full well it could only be done at the expense of the Country Party candidate who had been a supporter—and a loyal supporter—of the coalition.

So I do not think there is any doubt that the fact alleged in the motion of the Leader of the Opposition has been shown to be completely right, as stated; and that is, that the Minister made a public declaration of policy behind the backs of the Country Party colleagues in the Government. If the Country Party is prepared to stand for that, then I suppose that is its own business; but it does not show the members of the party in a very good light. If they are prepared to take that, they will take anything in order to remain in the coalition.

I cannot think of anything worse in a coalition Government than for a Minister of one party of the coalition to take for his party a political advantage at the expense of the other member of the coalition. If he were taking it at the expense of the Opposition it would be an entirely different matter; but to seek to take advantage of his own position as Minister to make a declaration in support of a candidate from his own party at the expense of a member of a coalition is something which I would find extremely difficult to swallow.

Mr. Grayden: If you had been at the meeting you spoke of, you would not make that statement. You would know it is completely and utterly untrue.

Mr. TONKIN: What is completely and utterly untrue?

Mr. Graham: Moonshine again!

Mr. TONKIN: The member for South Perth—as is his wont—has just thrown in something which is completely without foundation.

Mr. Grayden: Were you at the meeting? Did you speak to anyone at the meeting?

Mr. TONKIN: I asked the member for South Perth what was the statement which he says is untrue.

Mr. Grayden: When the Minister made the statement at the public meeting he qualified it and gave due credit to Mr. Ray Owen.

Mr. Graham: You ask Mr. Owen about that one!

Mr. TONKIN: Now you can see, Mr. Speaker, what little there is to take notice of in the interjection of the member for South Perth. The fact, as stated in the motion, is that the Minister for Water Supplies, behind the backs of his Country Party colleagues, made a public declaration of policy—and I go further and say, to the advantage of the member of his own party and at the expense of a colleague in the coalition.

Mr. Grayden: Quite untrue.

Mr. TONKIN: Now that is a fact. The next part of the motion says that because of that action the Minister is deserving of strong condemnation. Whether or not we accept that suggestion depends upon our reaction to the facts. If we think that what the Minister undoubtedly did is something which ought to be applauded—as the member for South Perth does—then, of course, our attitude is conditioned accordingly; but if we think it is a reprehensible thing and completely inexcusable in the circumstances, then our opinion must be that such action is to be condemned.

Whether or not we are prepared to take that to the limit of backing up our opinions with a vote, that is a matter for each member personally to decide in connection with other matters which might be involved in that decision. But it does not alter the fact that if one does not agree with such conduct, one should in some way or other express one's opinion on it.

I was very disappointed in the Leader of the Country Party—the Deputy Premier. Not that I am unmindful of his difficulty, because of the position which he occupies; but, nevertheless, I could not help feeling that here was an opportunity for him to express in some way his dissatisfaction at what had occurred; because surely he could not have been very pleased about it. He lost one of his supporters, who was sacrificed as a result of what was done. However, he chose to try to excuse the Minister—as a matter of fact, he spoke on

the Minister's behalf, in the Minister's stead—in order in some way to try to justify something which, of course, cannot be justified under any circumstances.

My opinion is that the Minister was really forced into the situation in which he found himself by a prior declaration made some days before by the Labor Party that if the Labor candidate were elected and a Labor Government were returned to office, it would provide Forrestfield with a water supply. That statement was printed in a leaflet which had circulated before the Minister's meeting; and there is little doubt in my mind that his only thought was to secure the election of the candidate of his own party. He realised this was a very important question in the electorate; so, irrespective of how it affected the Country Party member who had supported the coalition, or irrespective of how it would be received by the other members of the Country Party, the Minister made the declaration—and, of course, it was one which the people of Forrestfield were anxiously waiting to obtain.

This question of water supply in the district had been one of very long standing. I can recollect that during my own term as Minister for Water Supplies I had, on a number of occasions, to deal with it. Several of them were occasions when Mr. Ray Owen brought deputations from the district and asked that a water supply be extended to it. The worst feature of this declaration which the Minister made was that no prior indication had been given to Mr. Owen of the change of attitude of the department.

Here we had a man who had done his job as the member with regard to this matter—never mind any others. He had consistently made representation on behalf of the people of this district. He had been told over the years by successive Governments that the time was not yet; and right up to a few days before this declaration of policy it was intimated to him that there was little likelihood of the work being done for some considerable time.

Had he been in the position to go to the electorate and say, "At last I have succeeded in my representation, and you are now to get a water supply," there is no doubt in my mind that he would have been elected. But he was not put in that position, because the Minister denied him the information. The Minister preferred to use the information on behalf of a member supporting his own side of the coalition—and he got away with it.

If the Country Party is prepared to swallow that, then that is its own business; but surely such an attitude must in the public mind reduce the appreciation which members of the public would have for the strength and vitality of that party; because if it is prepared to be kicked about by the stronger partner in the coalition

at the price of the party remaining in the coalition, well then, of course, it will suffer anything; and when people allow themselves to be placed in that position, they start to lose respect, and they finish up with very little of it.

I could not but help admire the fortitude of the member for Mt. Marshall who, under the circumstances, was constrained to express his opinion—which is the opinion, I venture to say, of most of the members of his own party, if not all of them—under some emotion, because he felt that it was the right and proper thing to do. Such example might well have been followed by some of his colleagues, instead of their adopting a supine attitude such as that displayed by one member who said it might wreck the Government if anything different were done.

The carrying of this motion would not wreck the Government. This is not a condemnation of the Government's action. That would mean a condemnation of both partners of the coalition. This is not a condemnation of both parties of the coalition at all. It is a motion expressing the opinion which most of us must hold that the action taken by the Minister under the circumstances was a very wrong action, and quite unfair to the other party in the coalition; and as such the House was asked to express an opinion about it. That opportunity has been afforded us and those members who thought it fitting to express their views have done so.

I only hope the pronouncement which was made to the people of Forrestfield will be kept, and that the work will be done within the time it was promised it would be done so that they will not just be left lamenting and the whole thing will go down as merely a political stunt. I support the motion.

MR. HAWKE (Northam—Leader of the Opposition) [8.16 p.m.]: This motion as set down on the notice paper leads off with two words which are very misleading, those words being "Government policy." I think every member of the House would know I would have nothing to do with the selection of those words, or with the placing of them upon the notice paper; that is the heading given to the motion, presumably by the Clerks of the House, and those words were entirely and exclusively of their own selection.

As pointed out by the Deputy Leader of the Opposition, the motion does not in any respect seek to condemn the Government. Had my colleagues and I desired in any way to make this a no-confidence motion against the Government, or to condemn the Government as a whole, then different wording entirely would have been used to that which is in the motion. The Deputy Leader of the Opposition clearly indicated no motion could possibly be moved against the Government in this matter, because

the Government was not involved in it. Even a superficial reading of the motion would convince any person reading it that all Country Party members in the Government are deliberately excluded; because the wording of the motion sets it down that the Minister for Works and Water Supplies made his public declaration behind the backs of his Country Party colleagues.

Clearly, therefore, it would have been utterly wrong and quite stupid for any motion in this matter to have been tabled against the Government; the only appropriate motion which could possibly have been tabled is the one which has been tabled—a motion against the Minister concerned for having made the declaration he did, in the special circumstances which existed, behind the backs of his Country Party colleagues in the Ministry. There cannot be any shadow of a doubt as to why the declaration was made at the Liberal Party rally at Forrestfield. It was made obviously for the purpose of taking away from Mr. Owen, and if possible from the Labor Party's candidate, Mr. Metcalfe, some of the No. 1 votes which they received at the general election in order that the Liberal Party candidate at the by-election might get a higher number of No. 1 votes, and thereby create a situation where the Country Party candidate would be the first one out and his No. 2 preferences would make it absolutely certain that the Liberal Party candidate would win the by-election contest.

Surely those are the facts of the situation! It should be remembered here that at the general election the Liberal Party candidate led the Country Party candidate by only one vote after all primary votes had been counted. So the Country Party candidate was excluded from the count at the general election by one vote. After the result of the election had been referred to the Court of Disputed Returns, and the judge had examined certain votes to which objection had been lodged, either because they had been excluded and one party or the other thought they should have been admitted, or because they had been admitted and one or other of the two parties concerned thought they should have been excluded, the judge held there was a dead heat at the general election in regard to the No. 1 votes as between the Liberal Party candidate and the Country Party candidate.

Therefore in the by-election even one single additional vote to the Liberal Party candidate was of tremendous importance; and we know from the figures which were recorded at the Forrestfield polling place at the by-election the Minister's declaration about the water supply issue gained additional No. 1 votes for the Liberal Party candidate, and gained them, of course, by taking them away from the Country Party candidate and thereby encompassing his political destruction at the by-election.

This motion refers directly to the action of the Minister for Works and Water Supplies in this matter, and calls upon the House to condemn him for it. Surely the person to have replied to the motion was the Minister for Works and Water Supplies, or his leader in the Government, the Premier. But we did not hear a word from the Minister for Water Supplies.

Mr. Norton: He was struck dumb.

Mr. Heal: No, just dumb.

Mr. HAWKE: We did not hear a word from the Minister for Water Supplies; there was no explanation, no defence, no apology—nothing.

Mr. Toms: Neither would I in his position.

Mr. HAWKE: We did not hear a word from the Premier. Who defended the Minister in this motion?

Mr. Grayden: He did not need to. The facts are all on the file.

Mr. HAWKE: The leader of Mr. Ray Owen's party defended the Minister, the same Mr. Ray Owen who was battered and destroyed politically as the member for Darling Range because of what the Minister for Works and Water Supplies said at the Forrestfield meeting behind the back of the Deputy Premier, and behind the backs of the other Country Party Ministers in the Government. For some reason which is unfathomable in my judgment, the leader of Mr. Ray Owen's party gets up and whitewashes the Minister or tries to whitewash him. That is the most amazing action I have ever witnessed, and one of the most amazing I have ever heard anything about.

Mr. Grayden: You are forgetting that the whole thing was debated weeks ago on the Address-in-Reply.

Mr. HAWKE: I could not believe, if the position had been reversed and a Minister in the Labor Government had been attacked in this way the Minister himself would not have stood up and defended himself, or his leader would not have stood up and defended the Minister concerned. Yet in this House today we have seen an extraordinary, weird situation in which the Minister concerned has said nothing; in which the Leader of the Government has said nothing; and in which the leader of the aggrieved party, the party most grievously injured by the Minister's declaration at Forrestfield, has stood up and tried to whitewash the Minister and justify his own action in so trying to whitewash the Minister.

I suppose we have a great deal to be grateful for in the fact that the member for Mt. Marshall did not follow the appallingly weak lead of his own leader in this House today. The member for Mt. Marshall expressed his thoughts and, to a limited degree, expressed his own feelings in the matter. I recommend to the

Leader of the Country Party in this House that he read as carefully as possible, when the appropriate copy of *Hansard* comes forward, every word of the speech made in this House today by the Country Party member for Mt. Marshall. Should the Deputy Premier do that, and should he absorb as faithfully and completely as he should do the searching things which the member for Mt. Marshall had to say in his speech, then I would hope the Deputy Premier would not on any future occasion allow himself to be used as a whitewash brush to try to cover up some action—some treacherous action—committed by a Minister of the Government against a candidate of the Country Party.

Mr. Graham: The price of office!

Mr. HAWKE: During the debate reference has been made to the service which Mr. Ray Owen gave to his district and to this coalition Government. I say no member of the coalition Government could have given it more loyal service. He even took the risk of losing some measure of support in his own electorate at times by standing up for the policy of the Government. Yet when the time came for the Government to show some reasonable degree of appreciation to him he was, as the member for Mt. Marshall said, stabbed in the back by the major portion of the coalition.

I say the Deputy Premier could have prevented the defeat of Mr. Ray Owen in the Darling Range electorate in the first place, and especially in the by-election in the second place—

Mr. W. Hegney: Of course he could.

Mr. HAWKE: —had he been prepared to take a strong enough stand in the matter; and I would have hoped, had he taken such a stand, he would have received the support of his members in this House. I am positive he would have had solid support from the member for Mt. Marshall. All the Deputy Premier had to do, when the Liberal Party announced it was officially endorsing a candidate against Mr. Owen, and had in fact nominated him overnight without letting the Country Party know anything about it, was to lay it down, as a threat if necessary, that the Country Party members of Parliament, and the Country Party as such, would not stand for such tactics. There would have been no doubt as to what would have happened.

Mr. Graham: You need courage for that.

Mr. HAWKE: Even if the Deputy Premier and Leader of the Country Party had not been able to gather sufficient strength, or consult sufficient people of his own party to take that stand before the general election, he had all the time and all the justification in the world to take that stand before the by-election.

Mr. Graham: The minister for jellyfish!

Mr. HAWKE: We know it is the objective of the Liberal Party to become strong enough as a single party in this State to govern in its own right.

Mr. W. Hegney: To go it alone.

Mr. HAWKE: There is no secret about that. The Premier has made that declaration. On one occasion he made it at Mt. Barker; and I have no doubt he has made it on other occasions. I happen to know that before the present Deputy Premier became Leader of the Parliamentary Country Party some moves had been made by the Liberal Party at previous elections to organise endorsed opposition against certain sitting Country Party members.

I also happen to know the Leader of the political Country Party on those occasions had taken the strongest possible stand, with the result that the opposition which was being organised—official opposition from the Liberal Party against some Country Party members—did not eventuate. If the present Leader of the Country Party in this House merely wants to tag along with the Liberal Party; if he wants to sort of act as a mere tail-end supporter of the Liberal Party then, as Leader of the Country Party, he is going about it the right way in the attitude he adopted in the House this evening in connection with my motion.

I am not concerned so much as to whether the Deputy Premier votes for this motion or not; that is his own business. But it is not his own business that he should try to whitewash someone who was responsible for betraying the sitting Country Party member for Darling Range. That is the business of a lot of other people as well. Might I quote what Mr. Ray Owen himself said at the declaration of the poll? I quote only part of it. He said—

For the sake of peace and quiet in the Government it was a good thing I was not elected. It would have been difficult for me to support a Minister who could play such a trick.

Yet it has been in no way difficult for the Deputy Premier. He has accomplished the task with the greatest of ease. He has stood up here and defended the Minister instead of allowing the Minister to stand up and defend himself; or instead of leaving it to the Leader of the Liberal Party in this House to defend his own party Minister. Why should the Country Party do this dirty job for the Liberal Party? How did it come about that the Deputy Premier should do this job? Did he offer to do it; or was he talked into doing it without realising what he was taking on; without realising the invidious position into which he was being moved by those who prevailed upon him to do the job?

Mr. Graham: Oh, for a leader!

Mr. HAWKE: The only complaint I have heard about the speech with which I moved my motion some weeks ago is that I did not show enough enthusiasm. The member for Narrogin accused me of not showing enough enthusiasm. I notice his cheeks were very bulgy at the time.

Mr. Graham: He had one tongue in each!

Mr. HAWKE: He then went on to admit that all the facts set out in my speech were justified, and correct, and well-founded. So he agreed the case I had submitted against the Minister was in every way correct and justified.

I frankly say that the whole episode in regard to Mr. Ray Owen—out of which of course this has developed—has not been one for very much enthusiasm; not on my part, anyway. I regard it as one of the most disgraceful episodes in the political life of Western Australia. I cannot generate any enthusiasm about the episode as a whole; and I am surprised to think the member for Narrogin would feel that this is an occasion for great enthusiasm; for doing verbal handsprings; for quoting from Shakespeare, maybe, or from some other playwright or poet.

I think this is an occasion for great seriousness, and for a measure of sadness in the fact that a public man who served his district well, and who was 100 per cent. a loyal supporter of a coalition Government should have been deliberately driven out of public life, and destroyed politically by an action of political treachery committed by one of the members of the coalition Government.

Mr. Grayden: Absolute nonsense! You were not at the meeting. You cannot get past that one point.

Mr. Jamieson: The Minister has never denied it.

Mr. HAWKE: I frankly admit I am not at all enthusiastic in the normal sense. But I feel the wording of this motion in respect to the Minister is justified. If any further justification were needed for it, the absolute silence of the Minister himself in this matter provides overwhelming justification for every word which is in the motion; and I trust it will be carried.

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

Ayes—23

Mr. Bickerton
Mr. Brady
Mr. Curran
Mr. Davies
Mr. Evans
Mr. Fletcher
Mr. Graham
Mr. Hall
Mr. Hawke
Mr. Heal
Mr. J. Hegney
Mr. W. Hegney

Mr. Jamieson
Mr. Kelly
Mr. D. G. May
Mr. Molr
Mr. Norton
Mr. Oldfield
Mr. Rowberry
Mr. Sewell
Mr. Toms
Mr. Tonkin
Mr. H. May

(Teller.)

Noes—23

Mr. Bovell	Mr. Lewis
Mr. Brand	Mr. I. W. Manning
Mr. Burt	Mr. W. A. Manning
Mr. Court	Mr. Mitchell
Mr. Craig	Mr. Nalder
Mr. Crommelin	Mr. Nimmo
Mr. Dunn	Mr. O'Connor
Mr. Gayfer	Mr. Runciman
Mr. Grayden	Mr. Wild
Mr. Guthrie	Mr. Williams
Mr. Hart	Mr. O'Neill
Dr. Henn	

(Teller.)

Pair

Ayes	Noes
Mr. Rhatigan	Mr. Hutchinson

The SPEAKER (Mr. Hearman): The voting being equal, I give my casting vote with the Noes.

Question thus negatived.

WORKERS' COMPENSATION ACT

Amending Legislation: Motion

Debate resumed, from the 5th September, on the following motion by Mr. W. Hegney:—

That in the opinion of this House the Government should introduce during the present session of Parliament appropriate and necessary amendments to the Workers' Compensation Act, including, among others, the following:—

- (1) Removal of limit on hospital and medical expenses.
- (2) Insurance cover to be provided for workers travelling to and from place of residence and place of employment.
- (3) Substantial increases in compensation and other payments referred to in the Act (including schedules).
- (4) The provision of more reasonable treatment for incapacitated workers in certain circumstances including those incapacitated through asbestosis and silicosis.

MR. ROWBERRY (Warren) [8.41 p.m.]: I support the motion moved by the member for Mt. Hawthorn gladly, sincerely, briefly, and enthusiastically—if I might use a word which has been bandied about this House tonight. The idea of workers' compensation is based upon the old adage that the labourer is worthy of his hire. It is based upon compassion; social justice; and in these days on an economic basis, to a certain extent.

On that point I refer to the words used by the Minister for Labour when he spoke in this debate. They are recorded on page 958 of the 1962 *Hansard*. The Minister stated as follows:—

This State is about to embark on big industrial development. Who knows what the effect of the probable entry of Great Britain into the European

Common Market will be on Australia? The result is that producers and manufacturers, particularly in Western Australia, will have to look again at their costs structure.

Are we to infer from that statement that the Government has lost its faith in the great and exciting industrial leap forward which it is claimed will bring prosperity to everybody, and will this prevent any advances being made to workers' compensation? Surely the Minister and his Government have more faith in this great leap forward!

I draw the attention of the Minister to the fact that it is not the manufacturer or producer who pays the premium on workers' compensation; it is a cost which is included in the price of all commodities and articles. It is the community which pays this compensation—not the manufacturer, the primary producer, or the employer.

We have heard the figures given to this House by the member for Victoria Park, and I hope the Minister will take them into consideration when he reviews the situation, as he has promised to do. It was abundantly proved by those figures that in no case did compensation payments exceed 50 per cent. of the premiums received by the insurance companies. That shows that the manufacturers and the producers are not paying workers' compensation benefits. They only pay the premium, but the cost is included in the article sold to the public. Finally it is the public which pays this workers' compensation.

I repeat again the figures which were given by the member for Victoria Park, because they are very important in any survey of the question of workers' compensation. On page 973 of the 1962 *Hansard*, the member for Victoria Park, among other things, had this to say:—

From these statistics it is also interesting to look at the total compensation that has been paid, as a percentage of the premiums paid. In 1955 the amount paid back in compensation as a percentage of the premiums was 47.16 per cent.; in 1956 it was 48.65 per cent.; in 1957, 46.79 per cent. In 1958 it dropped down—the premiums must have gone up—to 43.84 per cent.

These figures should impress on the Minister that fact that without increasing the premium in respect of workers' compensation, it would be possible to increase the compensation payments, which is the aim of the motion before us.

The Minister promised to look into this matter next year, but there is a feeling on this side of the House—somewhat of disappointment, deepening into despair—that promises given politically are seldom fulfilled. There is a general feeling among the public that politicians will promise

anything, provided the public votes for them. When those politicians take their place in Parliament, they often give the idea that such an attitude is carried on.

The Minister states that he believes in the principle of workers' compensation; he believes industry should pay the greatest amount possible when a person is injured in the course of his work; but claims there has to be a balance. I would suggest that when the Minister assesses the capacity of the community to pay workers' compensation he take into consideration the facts and figures presented by the member for Victoria Park, some of which were repeated by me a short while ago. Over 50 per cent. of the amount of premiums received by the insurance companies for the underwriting of workers' compensation is retained by them.

Surely we should not say man's misfortune; man's disability; and the misery, want and deprivation of women and children should be made the subject of profit! That is what appears to be the case, from the figures given by the member for Victoria Park. Because of those reasons I have much pleasure in supporting the removal of the limit on hospital and medical expenses, which is item No. (1) in this motion.

From long experience in union affairs I would say that the matter of hospital and medical expenses has been the cause of much misery and much deprivation among working people. I believe, too, that doctors and hospitals would benefit greatly if this limit were not imposed; because at the present time the individual is sometimes unable to meet his commitments in respect of hospital and medical expenses. Therefore, all he is doing is leaving a debit balance in the funds of the hospital concerned and on the books of the doctors who treated him.

I know of cases where rehabilitation after injury has been so long and so costly that it was impossible for the individual to meet his commitments. Of course, if he is paid a lump sum because of partial or total disability, that amount cannot be called upon. It is sacrosanct and cannot be used for medical and hospital expenses. So we can see that the people and institutions that would benefit mostly from this would be the hospitals and the doctors who treat the patient.

It has been said that if there is no limit upon hospital expenses it will be made easier for a man to malingering; that it will encourage malingering; and if it is made easier for a man to stay away from work he will not want to go back—he would rather be on compensation than perform honest work. I wonder if the members in this Chamber who say that will go out on to the hustings and tell the working people—people who they ask to vote for them at election time—that they are

malingeringers. I do not think so. Personally I think it is the greatest insult ever offered to the working people of this State, or of any country for that matter.

The second point in the motion is as follows:—

Insurance cover to be provided for workers travelling to and from place of residence and place of employment.

Here again we have a proposition which, in my opinion, is justified and which is operating in four States of the Commonwealth of Australia. Public servants of the Commonwealth, New South Wales, Queensland, and Victoria are covered by this provision. The argument used by the Minister when he spoke was that we could not have this provision included in the Act because the worker might deviate on his way home and go to the pub and get tiddley; and he went on to say that the worker is in no different a position from the members of this Chamber.

I am reminded that quotations from the Bible have been made tonight. I will add another one—"All we like sheep have gone astray; we have turned every one to his own way." To say that the workers are malingeringers is a shocking allegation against the integrity and honesty of the working people of Australia—and that is the case whether applied to white-collar workers or workers of other descriptions.

I now wish to read from *The Civil Service Journal* dated the 31st October, 1960, as it is apropos of what I have been saying. The editor was commending Mr. W. Hegney, M.L.A., for introducing a motion into the Legislative Assembly which sought to amend the Workers' Compensation Act. That is in contradiction to the allegation of the member for South Perth that the member for Mt. Hawthorn has done practically nothing in this connection. The editor had this say—

I am shocked that on numerous occasions the West Australian Upper House has rejected a proposal which would extend to the workers in this State the same protection as enjoyed by the vast majority of fellow Australians.

Only for the serious nature of the matter the statements of the Upper House objectors would be laughable. The pseudo-moralists say that the employee may tarry on the journey home, attend a hotel and subsequently become injured. They argue that the employer should not be subjected to a claim when he has no oversight of the employees' actions. Arrant nonsense! Surely they do not suggest that this aspect was not fully considered by the other States before legislation was brought down. Have they never heard of "onus of proof" and "serious and wilful misconduct" clauses?

The onus of proof is on the employee to prove that he was legitimately going to and from his work when he sustained the injury. He is also subject to the provision of serious and wilful misconduct, for which he has to answer if he makes claims which are subsequently proved to have been false or based on his own misconduct. The article goes on to say—

I wonder which is the more immoral—allowing an employee who has had a drink after work to prosecute a claim, or contributing to the distress of a widow and young family left in impecunious circumstances by the death of her husband en route to work.

I have yet to learn of any insurance office closing its doors because of heavy workers' compensation liability. Nor have I heard of any business suffering badly because of this cover.

The member for South Perth showed, by figures he presented to the House, that this coverage would necessitate something less than .015.

Mr. W. Hegney: It was the member for Victoria Park, not the member for South Perth.

Mr. ROWBERRY: I am sorry; I meant the member for Victoria Park. The article finishes up by saying—

There is nothing outrageous in Mr. Hegney's proposals. The Government should give urgent consideration to their adoption.

That was written two years ago. Of course, nothing has been done in the meantime in regard to the two items with which I have already dealt. The next two items in the motion are—

(3) Substantial increases in compensation and other payments referred to in the Act (including Schedules).

(4) The provision of more reasonable treatment for incapacitated workers in certain circumstances including those incapacitated through asbestosis and silicosis.

Those of us who had the good fortune, shall we say, to see the X-ray slides shown by a member in another place this evening should know just how much this is necessary. No greater argument could be submitted than the learned doctor presented with his slides showing the effect upon the lungs if a person is exposed to the dust in certain mines.

When the Minister gives consideration to this Act, he should also give some thought to scientific research into and analysis of the composition of dust in mines—to the kind of dust and the effect it has directly upon a person. Were we to find that out we could probably devise some method of mitigating this circumstance.

I know from experience how painful it can be and how much a person can be incapacitated, because I worked for many years in mines in the Old Country. My father was incapacitated from what they called miner's asthma in those days. There was no such word then as silicosis. The dust of the coal has exactly the same effect upon the lungs in that it clogs up the small blood vessels in the lungs and makes breathing very difficult. The learned doctor in another place showed us the slides and told us from his experience that these people are rendered completely useless for work. They look healthy from the outside and even appear to be malingering.

The fact is that more research and more provisions will have to be made for these incapacitated workers; and more research, I am sure, should be made into the conditions under which the men work underground. I do not know what the conditions are like in Australia, but very often it happens that profits are put very much in front of working conditions and men are asked to work under circumstances under which animals would refuse to work. To keep the loved ones from want it is sometimes absolutely necessary to do things that are bad for the health.

It is for these reasons I say more research should be made into working conditions in order that plants might be installed to extract the dust from mines. I know this is possible because I studied mining engineering for a number of years. However, such plants are not often installed, because it puts the costs up.

In conclusion, I recommend this motion to the House. The Minister should not wait until next year to make a complete overhaul and review of the Act. Now is the time for action, not next year; because it often happens that when something is put off to the next day, it is a matter of this day, next day, sometime, never.

MR. J. HEGNEY (Belmont) [9.5 p.m.]: I propose to support this motion because it is one that should commend itself to any Legislature. I listened very intently to the Minister's reply to the motion the other evening and I must say I was very disappointed, because he just shelved this question for another period. In justification of his attitude he said that this is a complex and difficult problem.

That is no argument, because we all know that he would have the expert advice of the compensation board and his own officers who advise him in these matters. This is a most important law so far as the workers are concerned, and if the Minister had the will to amend it he could certainly do so. Unfortunately, this Government has not the will to do anything along those lines.

The Minister stated that he has been Minister for only a short time. However, his predecessor had this matter in hand

and was allegedly very keen on it; but he, like the present Minister, delayed in the matter; and, in fact, nothing was done. If the Minister's predecessor was interested in this question, surely there would be something on the files to indicate the trend of his thoughts! Therefore it is a very poor excuse for the Minister to say in reply to a motion of this kind that it is very complex and involved and therefore it will be shelved for another 12 months.

What will be the actual experience in connection with the Minister's attitude? It means that the matter will be shelved for another 12 months, during which time something might be done; but it will possibly be next January 12 months before this law to which we are now so urgently directing the Government's attention, will be amended. In the meantime, of course, there are hundreds of workers in this country who will suffer unjustly because the compensation law is not as liberal and as generous as it should be.

It is begging the question to say there are a number of submissions made by the member for Mt. Hawthorn in his motion and that therefore a great deal of information is required. One portion of the motion, dealing with compensation cover to and from work has, to my knowledge of the history of this Legislature, been before this Parliament a number of times. As a matter of fact I was quite a young fellow when the matter was introduced in this Parliament by former Ministers for Labour. It was first introduced in 1933 by the late Mr. McCallum who was in the Collier Government. Since then the provision has been considered by Parliament many times. Unfortunately, whilst the Government of the day has had the numbers in this House, and under a Labor Government the provision was passed, when it went to another place where the anti-Labor forces had control, it was rejected, and has been rejected over the years to which I have referred.

This provision exists in the law in many States of the Commonwealth. It exists in New South Wales, Tasmania, Queensland, and even in Victoria. I have met with several instances, as a member of Parliament, where men have set out in the morning to go to their employment, and they have either become incapacitated or have lost their lives. They have not been coming away from their employment. It was suggested that such men might go to a hotel in a direct route before they went home and in consequence of that they lost their lives or became incapacitated. But I have known of men who have been killed before they got to their place of employment.

The member for Swan referred recently to one case. The person to whom he referred lived in my electorate. He was killed at the Cresco crossing before he

entered his place of employment. He left a wife and four children. During the depression days a man was killed in Claremont subway while going to his job; and he left a widow and four children. Those men were killed in the early hours of the morning, and not when they were returning from their employment. No compensation was paid in those cases.

The Government should bring Western Australia's legislation into conformity with that of the standard States. The Premier, when introducing the Budget the other evening, justified what was being done here by comparison with what was being done in New South Wales by the Labor Government. He referred to increasing third party motor vehicle insurance by £1. If it is good enough for us to follow the New South Wales Government in this particular, then surely, in a much more important particular which concerns the safeguarding of the lives of workers engaged in industry, the Government should follow the practice of the New South Wales Labor Government. But no! Nothing has been done about that.

Since this Government has taken office there has hardly been any reference in the Address-in-Reply to legislation which would benefit the workers of this State. They are sadly neglected. But when Government members are out on the hustings, promises are made that the workers will get this and that, in order that votes will be gained. Members on the other side of the House get votes under false pretences when they are not prepared to give the workers of this country a fair go and to have this legislation brought into line with that existing in the standard States of the Commonwealth.

It was pointed out, in connection with medical and hospital benefits, that the costs which have to be borne by workers who are seriously injured in industry often exceed the amount allowable under the Act which operates in this State. Often the commitments involved and the added costs are considerable, and workers have difficulty in meeting them.

In my earlier years I worked in heavy industry. I was employed in the engineering industry all over Australia as a boilermaker—I worked in Western Australia, New South Wales, and Queensland. In other States there is provision for what is known as boilermaker's deafness; but no such provision exists in this State. Amendments to the Act have been brought before this Parliament, but they have been rejected by the anti-Labor section in another place. It is time this provision was incorporated in the Act.

Boilermakers make up an important part of tradesmen. As a matter of fact, the Government has sent a committee overseas to induce such tradesmen to come

here because there is great need for them. There has always been a great need for boilermakers. Unfortunately, the industry is a noisy one, and when it is time for the men to retire many of them have their hearing impaired. I meet one fellow frequently. He is almost completely deaf, due to the nature of his employment; and such men have contributed and are contributing to the welfare of the State.

Surely there should be reasonable and adequate protection provided for such workers when at the end of their employment their hearing is likely to be affected. That is not an unfair or unreasonable thing to ask. The Minister for Labour says that it is too complex a problem to tackle this session, and that it will be dealt with during next session. Amendments have been brought forward before, and even when the Labor Government of the day had a substantial majority and a definite mandate to amend the Workers' Compensation Act, that did not prevent the anti-Labor forces in another place from rejecting amendments practically outright.

Like the member for Warren, I was present in another place this evening when a member of that House showed some films dealing with lung diseases known as silicosis and miner's phthisis. The films were very interesting. It was pointed out that the men whose conditions were shown on the screen did not receive any compensation under the Workers' Compensation Act, for reasons which were outlined. The member in another place indicated that something should be done urgently in order that such people might receive some benefit. Although that member may be interested in this matter at the moment, unfortunately he has not been altogether co-operative in the past when amendments to the Workers' Compensation Act were submitted to him for consideration.

However, this is an important matter; and I am disappointed that the Government of the day—whilst it says that it represents the people—is concerned only with big business, and the workers of the State can go hang. The Minister's remarks the other evening were to the effect that the Government was not going to do anything until next year, when the matter would be gone into.

As I have said, the workers are suffering. When a worker is killed, his next of kin suffers. I do not think it is a fair thing that this Parliament, in a democratic country such as ours, should allow this sort of thing to continue. We pride ourselves on matters of hygiene and health, in our efforts to stamp out various diseases such as poliomyelitis and diphtheria and other diseases which play havoc with the young. We have brought under control many types of diseases, and the ravages to humanity are not so severe.

But here is a matter which affects men who are essential to industry; so much so that the Government has had to set up a committee and has sent it to all corners of the earth—to the highways and byways of Europe—to seek men because they are needed here. That being so, it is time the Government took steps to make the provisions of this Act reasonable and proper and to bring the Act into line with that which exists in Eastern Australia.

I am still a member of the Boilermakers' Union. Because of the attitude of employers in this State in regard to industrial conditions, boilermakers are refusing to knuckle under and they are fighting for better industrial conditions. Word goes overseas, and it has an adverse effect throughout England, where the organisation is strong and powerful. If the Government, through its mouthpieces who have gone overseas, had told them that our industrial laws were satisfactory and up to date, and that these men were coming to a land where they would be looked after, and their wives and next-of-kin would be reasonably and adequately safeguarded if anything happened to them in industry, there would be some substance in the statement. But unfortunately that is not so, and the Government goes on its way without doing anything.

The Minister says he cannot deal with this question in a higgledy-piggledy fashion, to use his own words. I say that the Government has had plenty of time to apply itself to this question and to do something for the industrial workers of Western Australia. I support the motion, and I think it is a fair and reasonable one.

MR. JAMIESON (Beeloo) [9.21 p.m.]: In supporting the motion, I should like to make reference to a few remarks made by the Minister when he opposed it some weeks ago. One of his reasons for opposing the motion was the good old argument of the European Common Market. He said that we did not know where we were going; and, as a consequence, in regard to workers' compensation we would just have to wait and see what happened.

I would like to explain, for the benefit of the Minister, that in the I.P.A. review there were several rather interesting articles that should indicate just exactly where we are in regard to this question. I should like to quote statements made by two business leaders, the first being Mr. C. R. Darvall, General Manager of the Australian and New Zealand Bank Ltd., a leader in Australian financial and banking circles, who, among other things said—

With this heritage behind us, it would be a hardy soul who could honestly prophesy that Australia would not continue to march forward

over the next decade, and this whether the United Kingdom joins the Common Market or not.

That is the opinion of a man who has a very high standing in the business world. He further makes reference to the Common Market as follows:—

However, for us in Australia, in determining the conduct of our own affairs meantime, it is important to remember that Britain's entry would not be all loss to us. There is the interim period for adjustment up to the end of 1970, and in any case only a percentage of our products will be immediately affected. In the longer term it could have advantageous effects, particularly if we robustly set about adjusting our own affairs during the interim period.

Now I come to the second quotation. These remarks were made by Mr. M. A. Mawby, C.B.E., Chairman of Conzinc Riontinto of Australia Ltd., an eminent industrialist and mining authority. I should imagine he would be nobody's fool, because he holds a high position in the business world. He said, in regard to the European Common Market—

Regardless of Common Market developments in Europe, it is inconceivable that Australian resources of this stature will not be developed over the next few years. Their individual size and significance mean that they must command full development within the world pattern of minerals and metals.

Of course, he was more concerned about minerals and metals; but they are the opinions of two men who hold high positions in the commercial, industrial, and business world of Australia. They indicate that there should be no fear about the European Common Market situation; and the sooner the Prime Minister stops howling about it, and asks his Liberal cohorts in this State to do likewise, the sooner we will be able to get on with some worthwhile improvements in conditions.

I do not know whether the Minister noticed it, but in tonight's Press I saw where the State which has the lowest workers' compensation benefits, although the benefits under its schedules might be slightly better than ours—namely, Victoria, where the maximum benefit is £2,240 for the death of a worker—intends to make certain alterations to its workers' compensation law. The heading is "Payments Proposal," and it reads—

Melbourne, Wed: Increases in workers' compensation payments for death and injury were provided in a Bill introduced last night.

Chief Secretary Rylah, introducing the Bill in the Legislative Assembly, said that it would increase the rates

of compensation paid to workers or their dependants, and alter some provisions of the Act.

It would appear that the Victorian Government intends to bring its Act more into line with the other standard States of New South Wales and Queensland.

During his speech the Minister missed out one State when quoting the maximum benefits payable. I refer to Tasmania where, I understand, the maximum benefit is £4,000 as compared with our maximum of £3,386. I am sure that the second schedule to the Tasmanian Act also contains some far better provisions than are contained in our Act. I just draw members' attention to one item in the second schedule where, for the loss of the right arm, or the greater part of the right arm, the payment is £1,920. That sum would not get a person very far if he had a lifetime in front of him without the use of his right arm, and it typifies how low our payments are.

In a recent case concerning an employer's liability, which came before the Chief Justice, Sir Albert Wolff, a few days ago, a chap who was injured through a fall at work, caused by the negligence of his employers, was awarded no less than £12,671 as a recompense for his inability to earn. It is true on that occasion there was some fault in the conditions under which the man was working; but had he suffered a similar injury, and been paid under the Workers' Compensation Act, he would have received only £1,900 maximum to see him through for the remainder of his life. That indicates to members the pitfalls there are in the workers' compensation legislation.

Furthermore, if this man had been killed, whether there was negligence on the part of the employer or not, because he did not appear to have any dependants, under the Act they would merely have been responsible for the cost of his burial. They would have got out of their trouble very cheaply compared with the £12,671 that they had to pay.

In his speech the Minister indicated that if payments were increased there could be a tremendous rise in premiums, and that could hinder the industrial development of this State. But surely we should be fair with those who are developing the industries of this State—the people who work in industry. The people who organise them do not finally develop the industries, but it is the people who work in industry.

I wonder whether the mission which is overseas trying to induce tradesmen to come to this country is advising those tradesmen that the workers' compensation provisions in Western Australia are not as just as those in many of the other Australian States. If the members of the mission are not doing that, then they are deceiving the tradesmen; because to my mind it is wrong if a fellow comes to

this State with his family and, within several weeks, he is killed in the course of his employment, and they get left a maximum of £3,000 to help them look after themselves for the rest of their lives; while a man who may be on the same boat goes to New South Wales, and if the same sort of thing happens to him there, his dependants get £4,300.

Yet New South Wales is one of those Labor States—one of the States that never goes ahead—one of the States in which there is no progress! Of course, it is remarkable that the two States in which the highest workers' compensation payments are made are States which have had Labor Governments for a considerable number of years. It is a remarkable fact that the two most highly-industrialised States in the whole of Australia on a population basis are New South Wales and Tasmania. Therefore, it is only fair and reasonable to assume that the reason why those two States have forged ahead industrially is because of the liberal workers' compensation payments and other benefits they have meted out to the workers. Therefore, the policy that those two States follow is a clear indication of what should be done for the workers in this State.

The Minister laid great stress on the fact that if the benefits to workers under the workers' compensation legislation were increased, the premiums paid by the companies would rise terrifically. In Queensland, the State Government Insurance Office, apart from making compensation payments to workers under the normal provisions, also covers workers under the to-and-from-work clause; and it is interesting to note, from the annual report of that insurance office, the following figures:—

Workers' Compensation

	Gross Premiums £	Gross Claims £
1959	4,973,717	4,321,726
1960	5,460,113	4,506,879
1961	5,795,297	4,521,566

So it seems to me that even with the inclusion of the to-and-from-work provision in the Queensland Workers' Compensation Act, those figures of the Queensland State Government Insurance Office would probably typify the workers' compensation business in that State. The returns may not be quite as good as those shown by private insurance companies, because usually it has always been the lot of any Government to handle the worst cases of workers' compensation. As has been mentioned earlier, at one stage in this State few private insurance companies would accept workers' compensation insurance for mine workers and finally it became mandatory for all mining companies to take out their workers' compensation insurance with the State Government Insurance Office for the protection of their employees.

A great deal has been said on how much the to-and-from-work clause would cost industry in the ultimate as a result of the rise in premiums. However, I suggest that no rise in premiums would result if an honest approach to the question were taken by the insurance companies. For the information of members I will quote another extract from the annual report of the State Government Insurance in Queensland for the year ended the 30th June, 1961, which has relation to the to-and-from-work provision. It reads as follows:—

An amount of £149,721 19s. 1d., or approximately 3½ per cent. of the total compensation paid during the year, was awarded on account of injuries which occurred to workers going to and coming from work. There were 1,420 of these altogether, 29 of which proved fatal. Vehicles were the cause of injuries in 1,027 cases.

That meant that there were about 300 cases in other categories.

That Queensland report would indicate that this to-and-from-work provision would not prove expensive in the way of increased premiums in this State, and such a provision could easily be incorporated in an amending Bill during this session to be passed by both Houses without waiting until next year. Like tomorrow, next year never comes; and the nearer we get to it the further away it becomes.

In New South Wales, where the to-and-from-work provision is in operation, it is interesting to note the following extract taken from the report of the Government Insurance Office of New South Wales for the year ended the 30th June, 1961:—

DEPARTMENTAL

Workers' Compensation Department

The net premium income of the Department for the year was £2,108,119 18s. 7d. which represented a record increase of £395,216 19s. 4d. over the previous year's figure.

Despite the fact that claims rose by £403,143 17s. 3d. to £1,673,338 7s. 5d., the surplus for the year was £405,189 19s. 7d., which is close to the record figure of the Department.

That was after an increase in premiums had been made in order to provide the increased amount payable to the dependants of a deceased worker. This amount was increased from £4,000 to £4,300 in that year, and in respect of each dependant child under 16 years of age the amount of compensation payable was increased from £2 to £2 3s. per week until attaining the age of 16 or prior death.

Despite all these increased benefits made by the New South Wales Government Insurance Office it was able to show a substantial profit; and I have not noticed industry in that State falling by the wayside. In fact, it has always been a thorn

in the side of Victoria that despite all its efforts to encourage foreign companies to establish themselves in Victoria it cannot compete with New South Wales in that respect. Victoria has been governed by a Liberal Party Government for many years, and the benefits enjoyed by workers there under the workers' compensation legislation are by no means as liberal as those paid to workers in New South Wales.

Reverting to workers' compensation in our own State, the following appears in the publication setting out the financial statements of the State Government Insurance Office for the year ended the 30th June, 1961:—

Government Workers' Compensation Fund.

Any surplus over £50,000 at the 30th June each year is paid to Consolidated Revenue. The total paid to the Treasury Department under this heading to 30th June, 1961, was £1,047,713, including £83,538 payable in respect of the current year. If this sum had been retained by the Office and invested the premiums charged to Government Departments could have been materially reduced.

Following that, the comparative figures for the previous two years are set out. That information would indicate that workers' compensation is not altogether in a position that it cannot carry extra advantages for the worker in the form of increased compensation payments.

The need for this motion is patently obvious. The sooner we provide better conditions for the workers by way of increased compensation payments, and the sooner we become honest with the people we are trying to attract to this State and stop misleading them, the sooner we will improve our State and its potential to attract new industry and migrants to our shores. However, this object will not be attained if conditions for workers do not measure up to the standards set by other States.

In view of the fact that the Treasurer is always anxious to quote the standard States in respect of increased charges that have been made by the Government, surely we are entitled to increase workers' compensation payments without having to worry about any detrimental effect as a result of the view taken of such an action by the Grants Commission or any other commission. We surely should be entitled to provide reasonable and adequate compensation payments along similar lines to those followed by the greater industrial States in the eastern parts of the Commonwealth. It is high time, therefore, that action was taken to increase workers' compensation benefits.

A move was made in this House a few years ago to bring this about. At the time the legislation was brought forward

to increase workers' compensation payments, the present Minister for Transport was in his seat and he asked some questions about the proposed amendment to the Act. He was not satisfied with the position in regard to workers' compensation at that time, and he was not prepared to do anything to increase the benefits that would accrue to the workers, because he was able to obtain an assurance from the Government of the day that it intended to take some action on the matter.

However, it did nothing about the matter; and he is now a Minister in the Government which still continues to do nothing about it. He does not seem very concerned about the provisions of the Act now, and is quite prepared to back up the Government's opposition to any improvements to the Workers' Compensation Act at this stage.

It is high time this Act was made the subject of review. We have had enough talk and nonsense about it. Surely the time is ripe to get the Minister and his departmental officers to work out something real and consistent with the need of this State! Surely it is time there was an urgent and entire reconstruction of the Workers' Compensation Act with a view to providing sufficient protection for the people concerned, whether they be tradesmen from the United Kingdom or from any other part of the world! These people should be given the same coverage as those in the Eastern States. I support the motion.

MR. CURRAN (Cockburn) [9.41 p.m.]: I wish to make a few brief comments on the question of workers' compensation. I heartily support the member for Mt. Hawthorn in his move to secure at least some measure of justice in the Workers' Compensation Act. I was most intrigued by the Minister's speech, and his annoyance with the member for Mt. Hawthorn for repeatedly introducing such desirable amendments year after year. I do not think it is a matter for annoyance; indeed, I think the member for Mt. Hawthorn should be wholeheartedly commended for his persistence on behalf of the working people of the community. I think we should pay particular attention to the first suggested amendment contained in the motion, which deals with the removal of the limit on hospital and medical expenses.

I believe this aspect is one of the greatest injustices suffered at the moment by the working community of Western Australia. For the enlightenment of members on the other side of the House I wish to quote a particular case: that of a man who spent only one week away from his employment and who, by doing so, exceeded all his hospital and medical expenses—after an absence of only one week! I refer to the case of Mr. H. J. Andrews. I would

like to quote a letter from the Secretary of the Waterside Workers' Federation to the Manager of the State Government Insurance Office, dated the 25th May, 1962. It is as follows:—

re H. J. Andrews.

We have a claim against McIlwraith McEacharn Ltd. on behalf of the abovenamed of 19 Silas Street, East Fremantle, who is suffering from dermatitis. He contracted it while handling soda ash in January, 1959, and has had treatment ever since.

However, the solicitors for McIlwraiths claim that Andrews had previously contracted dermatitis in 1956 through handling Borneo logs while employed by Robert Laurie Pty. Ltd. Mr. Andrews says this is so, but the condition was entirely different on that occasion and he is not sure of the year. Robert Lauries are unable to trace the case, but consider it would have been a State Government Insurance Office claim.

I do not feel that the cases are related, but as the solicitors have raised the question, I have no alternative but to make inquiries.

It would be appreciated if you could advise me if you have any record of H. J. Andrews having a claim of this nature through Robert Laurie Pty. Ltd. about 1956 and, if so, any details—such as period over which he received treatment and medical reports.

I regret having to trouble you, but must endeavour to find the answer to the contentions of the solicitors.

It was stated on behalf of McIlwraiths that this man contracted dermatitis in 1956 whilst working for another stevedoring company. We find the two stevedoring companies are trying to pass the responsibility of this man's compensation from the one to the other. It is quite obvious that this is being done on the advice of the particular insurance company; because although this man took one week off from work, it cost him £3 a week to keep himself fit for work as it was necessary for him to purchase ointments, pills, salves, and the like. The point is, however, that he has already exceeded his medical and hospital expenses. He had never been absent from work previously; but now that he has been absent for one week he has exceeded all his hospital and medical expenses.

I have with me some of his accounts which were handed to me by the Secretary of the Waterside Workers' Federation. One account was for £68 and another for £8 13s. 3d. That is what the man in question has had to pay out of his own pocket to keep himself fit in order to earn a living and maintain his wife and family. After reviewing the position of this man it is a little difficult to relate the remarks

of the Minister to this matter, particularly when he talks about the complexities of the situation with regard to the Workers' Compensation Act.

What is complex about this situation? There is nothing complex about it! It is only a case of doing the right thing by the ordinary working people in the community. I would like to quote from the Minister's speech. It appears in *Hansard* No. 8 of 1962 at page 958. The Minister said—

The question of workers' compensation is not an easy one. There are many facets to it. When one examines the relevant Acts which apply in all the States of the Commonwealth it is very difficult to arrive at what could be classed as a correct balance, because the legislation in one State contradicts that of another. In Western Australia in particular—I have no doubt this also applies to the other States—one of the most important points to be borne in mind is the ability of industry to pay.

The figures quoted by the member for Victoria Park were quite indisputable. They showed that the insurance companies were making substantial profits out of the Workers' Compensation Act in its present form. No-one endeavoured to refute the figures presented by the member for Victoria Park, because he was quoting from official documents. Yet we have the Minister referring to the ability of industry to pay.

That argument has been used every time the worker has endeavoured to seek some justice from his employer or from industry. Whenever the workers seek to present a case to the Arbitration Court, we have the same cry of the ability of industry to pay. On the other hand, we can pick up the *Financial Review* week after week and see that industry in Australia is booming. We even have the Ministers telling us of the great leaps forward that are being made. Yet when it comes to giving some measure of justice to the unfortunate workers the Minister starts talking about the ability of industry to pay—only because it suits his book. It is quite contradictory to have one Minister talking about industry booming and another wondering about its ability to pay.

I would like to quote another part of the Minister's speech which I found quite amusing. It is as follows:—

This State is about to embark on big industrial development. Who knows what the effect of the probable entry of Great Britain into the European Common Market will be on Australia?

I would like to ask any member on that side of the House what that has to do with workers' compensation. If everything else can carry on even with the

impending disaster—according to the Minister—of the European Market, why is it that something cannot be done about workers' compensation? I think every one of us will agree that during this session we have had a series of Bills introduced which could possibly have waited another ten years without causing undue hardship. Yet we are told that the Workers' Compensation Act is much too complex to deal with; and on occasion we are informed that the matter will be taken up next year, or the year after.

The Minister said it will come up for consideration next year. That was what we heard last year and, according to my colleagues, the year before that, and in previous years. How long have the workers in this community to wait before the Government brings some measure of justice to cases such as the ones I have quoted? I can refer to a case where a specialist recommended a worker as being fit for light employment after he was injured. We have quite a large number of people coming to the Fremantle Trades Hall telling us they are on social service payments because they cannot obtain employment although they have been certified as being fit for light work. Surely industry itself has some responsibility in this regard.

If a worker is injured in the course of his employment he should not be thrown to the wolves because he is only fit for light work. Whose responsibility is it to provide such light work? Surely industry itself must accept some responsibility.

We have come across cases of married men in Fremantle—no doubt there are similar cases in Perth—who are registered for employment, but who are completely unemployable because they have a percentage of disability. The truth of the matter is this: If a man is 100 per cent. fit, but is over 45 years of age, he cannot even obtain employment through the Commonwealth Employment Service. What chance has a man, therefore, to obtain a job when he has a disability? Such a person should receive some measure of compensation from industry by industry finding for him some kind of employment so that he can keep body and soul together. One of the most urgent setbacks which requires rectifying is that a person who is disabled to a certain extent as a result of a compensable accident and is only fit for light work, becomes unemployable.

I now turn to the point in the motion relating to compensation for injuries received while travelling to and from work. The member for Beeloo read out the part of the New South Wales Workers' Compensation Act relating to that aspect, but I want to refer to the Victorian provision. Before doing so I wish to point out the hazards which confront the worker when he travels to and from work. There are

many instances where workers at Kwinana travel from Bassendean, back and forth each day. They are forced to travel long distances to their place of employment during the peak hours of traffic. That is all the more reason why they should be covered by workers' compensation when they are travelling—because of the long distances they have to cover in order to follow their occupations.

I refer to the Victorian Workers' Compensation Act of 1958. Section 8 (2) states—

Without limiting the generality of the provisions of sub-section (1) of section five of this Act but subject to the provisions of sub-section (1) of section six of this Act an injury to a worker shall be deemed to arise out of or in the course of the employment if the injury occurs—

- (a) while the worker on any working day on which he has attended at his place of employment pursuant to his contract of employment—
 - (i) is present at his place of employment; or
 - (ii) having been so present, is temporarily absent therefrom on that day during any ordinary recess and does not during any such absence voluntarily subject himself to any abnormal risk; or
- (b) while the worker—
 - (i) is travelling between his place of residence and place of employment; or
 - (ii) is travelling between his place of residence or place of employment and any trade technical or other training school which he is required to attend by the terms of his employment or as an apprentice or which he is expected by his employer to attend, or is in attendance at any such school; or
 - (iii) is travelling between his place of residence or place of employment and any other place for the purpose of obtaining a medical certificate or receiving medical, surgical or hospital advice attention or treatment or of receiving payment of compensation in connection with any injury for which he is

entitled to receive compensation, or is in attendance at any place for any such purpose.

What is so complex about embodying such a provision in the legislation of this State? The Minister representing the Government is making a deliberate move to stave off, for as long as possible, a decision to increase the benefits. I would not care so much if the Minister representing the Government had put up logical arguments in opposition to those raised by members on this side, but members opposite have been just as dumb on this motion as they were on the motion relating to the extension of the water supply to Forrestfield.

I fully endorse the motion of the member for Mt. Hawthorn. I hope the Minister will take urgent action in respect of this matter, because such action is very necessary. Instead of the Government introducing all the Bills it has introduced this session relating to the eradication of noxious weeds, and to fly sprays, etc., it should get down to something concrete in respect of the workers' compensation legislation, and bring about some amendment to improve it.

MR. HALL (Albany) [9.58 p.m.]: The member for Mt. Hawthorn is to be commended for bringing the motion before the House. As the Minister said during this debate, the European Common Market could have some effect on the over-all policy relating to workers' compensation, and we would have to examine that aspect. The benefits which apply at the present time in respect of workers' compensation are insufficient to meet the necessities of life; they are insufficient for maintaining the home, for keeping body and soul together, and for keeping the family contented, while the breadwinner is under treatment for his injuries.

A strong point which enters my thoughts in regard to workers' compensation is this: Are we approaching this matter from the right angle? Certainly those who have received some disability should be paid the maximum amount of benefits which the State and the insurance companies can afford. The benefits payable under the Act of Western Australia do not measure up to the benefits which are paid under the Acts of the other States.

I want to refer to one point which is very relevant to this subject. Many industries of the world have adopted the objective of reducing the number of industrial accidents by giving an incentive to the workers themselves to police accidents in places of industry, including factories. This is the easiest way, and one of the most economical, to reduce the compensation bill of the nation, and to reduce the number of compensable accidents.

I can instance one case in Albany when the employees at the super works won a plaque and a dinner in a particular year because they had the lowest accident rate for the previous 12 months. The reduction was achieved as a result of the workers themselves policing one another, and so reducing the accident rate. If this State were to adopt that objective in industry, generally, the compensation bill would be much lower, and an incentive would be given to the workers to police the incidence of accidents, and thereby reduce the loss of life and limb. Furthermore, a benefit would accrue to this State and to the insurance companies.

I refer to a case which occurred in my electorate. A plaster worker who had received a serious injury to his back came to see me. He negotiated with the insurance company for a considerable time but got nowhere, although his claim was recognised. The insurance company offered him £200 as a complete settlement for his injury.

This chap had allowed his union ticket to lapse and had little finance with which to place his case before the Arbitration Court, the civil court, or the Workers' Compensation Board. Because he was a member of the union prior to his injury, the union in its wisdom, and so as to establish a precedent for workers in this particular industry, decided to fight this man's case. The man was offered £200 in settlement and was told that if he did not accept it that would be the end of it. Unfortunately for the insurance company concerned the matter will proceed as a result of the finance which is being made available by the union for this man to conduct his case.

Let us compare the £200 offered to this chap for a disability to his back—he tried to do light work but found he could not do that, even though he wore a surgical corset—with what was paid in New South Wales. I quote from an article which appeared in *The West Australian* on the 27th September. It reads as follows:—

Sydney, Wednesday: A kitchenmaid who injured her back while lifting a bucket of potatoes was awarded £5,000 compensation in the Workers' Compensation Commission today.

Judge Rainbow was told the woman, Mrs. Catherine De Haan (44), of Queenscliff, a northern suburb, already had received more than £2,000 in weekly compensation payments.

That reminds me of what the member for Mt. Hawthorn had to say with regard to weekly payments of compensation. Continuing—

She strained her back while working for Commonwealth Hostels Ltd. in September, 1957.

Evidence was given that she was lifting a bucket of potatoes to a peeling machine.

Commonwealth Hostels Ltd. asked Judge Rainbow to award Mrs. De Haan a lump sum of £5,000 in lieu of further weekly payments, plus medical and hospital expenses.

Mrs. De Haan consented.

I should think she would. I now wish to mention the farming industry, because that is a new field which is coming within the ambit of compensation. Last year I asked the Minister for Police a question regarding the number of accidents on farms. At that particular time no statistical information was available; and the statistician had no intention of compiling it. On Tuesday, the 15th August, 1961, I asked the following question:—

- (1) How many persons were killed on farms in Western Australia by way of accidents—all types—for the years 1956, 1957, 1958, 1959, and 1960?
- (2) How many accidents were reported for the years 1956, 1957, 1958, 1959, and 1960 which were not fatal?
- (3) What amount of money was paid in the form of compensation with regard to—
 - (a) fatal accidents;
 - (b) not fatal;
 for the years 1956, 1957, 1958, 1959, and 1960?

I was unable to obtain the information I required because the statistics were not compiled. No-one had any record of the accidents, yet they have gone on repeatedly. This year on Tuesday, the 2nd October, I asked the Minister for Agriculture—

As statistics are now recorded relative to farm accidents, how many accidents have been recorded to date, and what was the nature of such accidents?

To this question the Minister replied—

Accident statistics for all compensable accidents under workers' compensation in Western Australia have been collected for the 1st July, 1961 to the 30th June 1962. Such statistics are being processed by the Commonwealth Statistician and will not be available until late November.

When I asked my question last year I thought I had run into a brick wall, but apparently it registered with the statistician that it was an urgent matter to provide such information. The following article concerning farm safety appeared in an English journal:—

The increase of farm mechanisation has been accompanied by a rising tide of accidents growing in volume and

severity year by year. The decrease in the number of people killed on the farms of England and Wales from 123 in 1959 to 109 in 1960 was encouraging.

That reminds me of the point which I made earlier in my speech when I said that care must be taken in the use of machinery and belt coverings, etc., to make sure that compensation payments are reduced to a minimum. We could go further with a "Save the Children" policy on farms. Children are killed when their parents or farm workers back out vehicles and run over the children. Old people are also killed when they are riding on vehicles. There are many things we could do to reduce the possibility of accidents on farms.

The Minister made mention of Britain's entry into the European Common Market; and I would ask him to bear in mind that regulations have been introduced in Britain at this moment to cover farm workers by compensation. One of the things they stress it is essential to do is to reduce the accident rate to a minimum.

I have cited a case where £5,000 was paid for an injury to a back and another where an insurance company in this State offered £200. Therefore, there is no equality between the two States as regards compensation payments. I am of the opinion that the member for Mt. Hawthorn has moved in the right direction. It is psychologically against a person getting well if he has to lie in bed and wonder how many days he can stay there. It is also against the curative efforts of the doctor concerned. He would be just as worried as anyone else.

I can remember the occasion when a chap met his death while he was coming out of a factory in Fremantle. This factory was only about 50 yards from the road. The chap died within a few minutes. The back wheel of his bicycle was on private property and the front wheel was on the highway. However, no compensation payment was made; and if ever compensation should have been paid, it was on that occasion. I am of the opinion that insurance rates should be lifted and further payments should be made to workers who are entitled to compensation. However, one of the best ways to get out of paying compensation is to have the workers police the factories in which they are employed. But they will need to have an incentive to do this.

MR. EVANS (Kalgoorlie) [10.7 p.m.]: I do not wish to delay the House in its consideration of this important motion, but I wish to have my support recorded. Workers' compensation has existed in this country as an alternative remedy to common law liability and it is known under the legal title of the relationship between employer and employee as *respondent*

superior. This is the liability that an employer owes to an employee in regard to any accident which the employee sustains whilst engaged in employment for the employer.

The standard of liability is such that the employer is called upon to exercise reasonable care. Workers' compensation exists as an alternative remedy to common law liability. Whilst we have this alternative let us make it worth while. Figures have been quoted, facts given, and reports presented during the course of this debate to show that over-all the tenor of Western Australian workers' compensation law, at the present time, is in many respects the worst in the Australian States.

I would ask the Government to accept this motion and to consider giving the Workers' Compensation Act that 1962 look which the Minister for Industrial Development has claimed he has tried to give to industry in Western Australia. All we are asking is that the Workers' Compensation Act in Western Australia be given that 1962 look; in other words, that it be brought up to date.

I would like to mention one or two aspects relating to the provisions in the existing Act. I speak of compensation for persons suffering from industrial diseases in general and from pneumoconiosis in particular.

Those members who took the opportunity tonight to view the plates shown by Dr. Hislop in another place would realise only too clearly and too pointedly that the provisions in this Act are completely inadequate to meet the need for compensation by workers undoubtedly suffering from industrial diseases which are not compensable under the Act. It is the contention of those who really understand the nature of the disabilities that the Act should cater for the relief of those suffering from these diseases of the pulmonary system—that is, the heart and the lungs, and the other parts which become weakened and strained because of the nature of their work. It is not just a lung disease which is created in this industry—not simply and solely. There are other organs of the body affected and these other organs are not at present covered under the Act.

Dermatitis is another disease from which workers suffer, only in this case it is the workers in the Western Australian Government Railways who are affected. These workers come in contact with the oil which is used in diesel locomotives. Attention should be given to analysing the causation and incidence of this effect and to some ways in which they will be protected against the disease.

Of course there are other aspects of the Act which need urgent attention and which have been mentioned by other speakers tonight. One of these is the

cover for workers who are *bona fide* injured whilst travelling to and from work. It is only common justice that such folk should be covered, because were it not for the fact that they were travelling to and from work they would not have become involved in an accident.

The Minister has given us the age-old defence—industry will be called upon to pay extra. It is stated that industry may not be able to afford the 1962 look of the Western Australian compensation Act. In 1907, Mr. Justice Higgins refuted that argument once and for all when he granted the basic wage. It was stated then that industry could not afford such a system but it was introduced and is still with us. The Minister for Industrial Development said that industry is leaping forward. If this is the case, let it carry its responsibilities at the same time.

Mr. Burt: Do you think that goldmines are finding it difficult to pay the premiums at present?

Mr. EVANS: I know a lot that are making tremendous profits.

Mr. Burt: Not all of them.

Mr. EVANS: I know some that are—many of them. The time has come for urgent consideration to be given to this legislation. As I mentioned earlier, I am going to support this motion because it is fair and just. Not only is it fair and just but it is certainly propitious.

MR. W. HEGNEY (Mt. Hawthorn) [10.15 p.m.]: Firstly, I would like to thank members on this side of the House who supported the motion. They were very helpful in submitting arguments in favour of it, and this means incidentally that the Government should, this session, introduce legislation in line with the provisions set out in the motion.

I would like to say that it will not be the Minister personally who will bear the brunt of this reply, because he is only the spokesman for the Government, and any criticism I make will be of the Government. However, the Minister, as the Government spokesman, was labouring to justify the Government's apathy and indifference, if not hostility, to the introduction of the requisite legislation to amend this Act. I am not going to quote extracts from the Minister's speech, because that has already been done by some of the previous speakers. However, I have closely examined his reply on behalf of the Government, and on no fewer than five occasions in 18 minutes he impressed upon the House the fact that this was a complex question; that it was not an easy one.

Firstly, I would say in passing that that statement is a condemnation of the members of this Government because it implies that they have not the capacity to overcome this complex question by drafting legislation which would meet the situation. It is an insult to the Chairman of the

Workers' Compensation Board, and to the Parliamentary Draftsman and his staff. One might to an extent forgive the Government if this was a new matter, but I—and many members here—know that from 1953 to 1959 the then Labor Government on no fewer than five occasions introduced legislation including provisions similar to those set out in my motion.

On each occasion prominent members of this Government, who were then in opposition, opposed the measure; and although we had the numbers in this House and the Bills were passed here, members of the anti-Labor Upper House rejected them. This was, of course, despite the fact that a Labor Government was returned in 1956 after the party submitted during the election campaign a very definite programme, improved workers' compensation being in the forefront of it. The Labor Government was returned with an increased majority, and consequently no-one could deny it had a definite mandate from the people of Western Australia. But what happened? We continued to introduce legislation along the lines to which I have referred and it was, on each occasion, defeated in another place.

Let us return to the argument of the complexity of this matter. The Government states, through the Minister, that this is a complex question and not an easy one. The Premier, in the weekly political notes, on the 27th September, had the following to say:—

The Government was glad to exchange views and tell the House it was undertaking a close study in preparation for new compensation legislation next year.

Further on he stated—

This and other changes have caused a constant rise in the premiums paid by industry. Now, we are proposing to implement further changes next year.

Many people would like to see us move sooner, but they would not be in such a hurry if they understood the complexity of this problem.

That, in conjunction with the Minister's reference to "complex" and in conjunction with the apologetic speech of the member for South Perth, is just plain drivel and claptrap.

The Government has the capacity. It finds that certain matters are not too complex. It did not find it too complex to introduce legislation dealing with the Married Persons (Summary Relief) Act Amendment Bill. That measure contains 16 pages and 28 clauses, and involves loans by this Government to the extent of £2,500,000. The Government did not find it too complex to introduce the Chevron-Hilton Hotel Agreement Bill, which contained 21 pages, 42 clauses and eight schedules; nor did it find it too complex to introduce the Interstate Maintenance Recovery Act Amendment Bill; the Judge's

Salaries and Pensions Act Amendment Bill; the Dog Act Amendment Bill; Dividing Fences Act Amendment Bill; the Law Reform (Statute of Frauds) Bill; the Explosives and Dangerous Goods Act Amendment Bill; the Iron Ore (Tallering Peak) Agreement Bill; or the Iron Ore (Mount Goldsworthy) Agreement Bill. Those all come, of course, within the Government's jurisdiction, and rightly so.

Only the other day the Treasurer introduced the Loan Estimates followed by the Revenue Estimates. There was over £22,000,000 of loan moneys in the submissions of the Treasurer, and nearly £80,000,000 of revenue expenditure proposed by the Treasurer for the current financial year. We have the Minister saying—and he is backed up by the Premier in his political notes—that this question is a complex one; that it is not easy; that the Government is considering the position and is going to do something next year.

The predecessor of the Deputy Premier—namely, Mr. Arthur Watts—introduced legislation in 1948, when the Workers' Compensation Board was established. There was a clause in his amending Bill which provided for insurance coverage for workers travelling to and from work. The Minister for Labour and the present Premier were members of the Government; yet they come along and say that this matter is too complex, and that it is not an easy one.

Honestly, do members really believe that it is too complex a matter for any Government to introduce legislation to provide insurance coverage for workers from their place of residence to their place of employment, and return? Clauses could be lifted from four other Acts to cover the position. Can anyone say that it is too complex a matter to increase the amount of hospital and medical expenses to be provided for a worker? We are asking that he shall be entitled to reasonable hospital and medical expenses. There is nothing to stop the Government from increasing this provision in the Act or from giving authority to the Workers' Compensation Board to use its discretion in giving the amounts prescribed under the Act.

Does any member think it is too complex a matter to increase the amount set out in the first or second schedule to the Workers' Compensation Act? Certainly not! That is only used as an excuse to delay the introduction of legislation. I am quite satisfied that the Government will introduce amendments to the Workers' Compensation Act when it is obliged to and on the same basis as it introduced bank holiday legislation, and legislation to give aborigines the same rights as anyone else.

Let us turn for a moment to the statement made by the member for South Perth. He accused me, as the member for

Mt. Hawthorn, of doing no more than ask questions since we became the Opposition in 1959. I have indicated that on behalf of the Government I introduced legislation on five successive occasions when we had the authority to do so. We were given an assurance by a Minister in the Government some two or three years ago that requisite legislation would be introduced, and we were entitled to accept that assurance. What do we find? I will tell the member for South Perth, and the House, in order to keep the record straight.

The member for South Perth stated that the Government introduced, at each session since it took office, legislation to amend the Workers' Compensation Act. That is true. I interjected and asked the member for South Perth whether he knew what type of legislation was introduced. I will tell the member for South Perth and the House. In 1959 there was an amendment introduced to the Workers' Compensation Act by this Government, and it was of such a comprehensive nature that I propose to read it. After the preamble, and after clause 1 is dealt with, the Bill goes on to say—

2. This Act shall come into operation on a day to be fixed by proclamation.

3. Section four of the principal Act is amended—

(a) by inserting immediately before the word, "basic" where it appears in each of lines five, seven, nine and twenty-one of paragraph (a) of subsection (5), the word, "male" in each case;

(b) by inserting immediately before the word, "basic" in line fifteen of subsection (6), the word, "male".

In effect, that Bill in 1959 was to ensure that a female would not receive more than a male in regard to the maximum amounts of compensation. It was a tidying up clause to ensure that any alteration or adjustment of the maximum amounts would be related to the male basic wage and not to the female basic wage as it applied in 1959.

I now come to 1960. In the meantime, we were assured that the Government was going to introduce comprehensive amendments to the Workers' Compensation Act. I will now tell the member for South Perth exactly what was done. In the 1960 legislation there were 11 clauses. Clauses 1 to 3 were machinery clauses. Clause 4 dealt with industrial diseases; and that clause purported to remove from the Workers' Compensation Act the limitation of three years in which workers in the mining industry could recover or make claims for industrial diseases such as silicosis and pneumoconiosis.

Mr. Moir: And that caused more injustice than ever.

Mr. W. HEGNEY: I will deal with that in a moment, because there was a subsequent introduction of legislation. Clause 5 amended section 12 of the Act. That clause dealt with alleged fraudulent statements. Clause 6 was a machinery one and referred to compulsory insurance. Clause 7—and here I am going to say what the Government did in 1960—was one of the main clauses in the Bill and it repealed one of the most important clauses in the Act which protected the workers of this State.

Section 16 was entirely repealed by this Government. It is just as well that members should know this. I will read the marginal note and possibly a couple of lines. The marginal note is as follows:—

Principal, and contractor, and subcontractors deemed employers.

So that under this particular section which was repealed by this Government in 1960, an employee was entitled, if he met with an injury while on the job, to recover from the subcontractor; and if the subcontractor was a man of no substance the employee was entitled to go to the contractor; and if the contractor had no substance the employee was entitled to go to the principal.

I go on now to clause 8. That refers to the Workers' Compensation Board fund which deals with those cases for which it is not possible to recover compensation. Clause 9 refers to the jurisdiction of the board. It is a tidying up clause. Clause 10 is an important one. It altered the designation of the manager of the insurance office to general manager. Clause 11 dealt with increased medical expenses. Those are the clauses which are purported to have improved the provisions of the workers' compensation legislation. Yet one vital section of the Act was repealed altogether.

Let us have a look at the legislation introduced in 1961. I am not going to read it all. I think that in that year the present Minister for Lands was Minister for Labour, and he introduced legislation which purported to tidy up the industrial diseases clause dealt with in 1960. The other evening, the member for Boulder-Eyre dealt comprehensively with the complete mess that it caused and the complete chaos which has arisen as a result of the legislation, and the contradictory statements made either by Ministers or departmental heads.

There is the performance of this Government since 1959—three and a half years ago. I think I have dealt effectively with the allegations of the member for South Perth, and I do not think I need to refer to him again. However, I am very much concerned that nothing has been done substantially to improve the provisions of the Workers' Compensation Act over a period of years. No-one will convince me, and I do not think anyone would

convince any right-thinking person, that the main reason, and true reason, why nothing of a substantial nature has been done since this Government was returned is that the position is too complex. I refuse to believe that; because I know the Employers Federation and the insurance companies will do everything possible to prevent the Government from improving the provisions of the Workers' Compensation Act.

I do not intend to quote extensively—although I could—all the cases that have been referred to me, because some of them have already been mentioned. But if a worker is killed in the course of his employment his dependants receive a total amount of £3,380; and, of course, if he is permanently and totally incapacitated, and cannot do any work in the future, no matter what his age may be, he and his wife and dependants receive a total of about £2,867.

That is the position if a worker is injured in the course of his employment. But let us have a look at some other cases. Here is an instance in which a woman was injured, and the report of this case appeared in the *Daily News* of the 9th October, which was yesterday. This woman pedestrian, whose leg was broken when she was hit by a car, was awarded £2,700 damages by a judge in the Supreme Court. Also reported in the *Daily News* of the same date was the case of a woman—a widow with children—who was awarded £23,012 by the Chief Justice, Sir Albert Wolff. Yet under the Workers' Compensation Act the dependants of a deceased worker would receive only £3,380.

In the motion I am not stipulating any given amount, but I am asking that substantial increases shall be awarded. Why should there be such a discrepancy between the worker who falls by the way-side as the result of his employment, and a worker who sues in the court in regard to a traffic accident? The Minister, in trying to justify the fact that he and his Government have done nothing, introduced the question of negligence and said there was always an avenue open to the worker to sue. But that is only in a case of negligence. Those cases are more rare than traffic accidents; and only the day after the Minister made his statement an old friend of mine saw me at Parliament House and told me that he had a case where there was negligence, but he could not find the 200 guineas which the solicitors wanted before they would move in regard to the matter.

That is an indication of the difficulties which confront workers in these cases, and I am not dealing with the question of negligence but with workers' compensation. I am sorry that on behalf of the Government the Minister has indicated he proposes to do nothing until next session; and, as the time has gone on for so long,

and having regard to the circumstances, I am satisfied that when the Government does introduce legislation it will only do so because it has been obliged to do so by force of public opinion, in the same way as the Government introduced the Bank Holidays Act, and now proposes to introduce legislation to give natives full voting rights.

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

Ayes—22

Mr. Bickerton	Mr. Kelly
Mr. Brady	Mr. D. G. May
Mr. Curran	Mr. Molr
Mr. Evans	Mr. Norton
Mr. Fletcher	Mr. Oldfield
Mr. Graham	Mr. Rowberry
Mr. Hall	Mr. Sewell
Mr. Hawke	Mr. Toms
Mr. Heal	Mr. Tonkin
Mr. J. Hegney	Mr. H. May
Mr. W. Hegney	
Mr. Jamieson	

(Teller)

Noes—23

Mr. Bovell	Mr. Lewis
Mr. Brand	Mr. I. W. Manning
Mr. Burt	Mr. W. A. Manning
Mr. Cornell	Mr. Mitchell
Mr. Court	Mr. Nalder
Mr. Craig	Mr. Nimmo
Mr. Crommelin	Mr. O'Connor
Mr. Dunn	Mr. Runciman
Mr. Gayfer	Mr. Wild
Mr. Grayden	Mr. Williams
Mr. Guthrie	Mr. O'Neill
Mr. Hart	

(Teller)

Ayes

Mr. Davies
Mr. Rhatigan

Pairs

Noes

Mr. Hutchinson
Dr. Henn

Majority against—1.

Question thus negatived.

CHEVRON-HILTON HOTEL SITE

Utilisation for Public Purposes: Motion

Debate resumed, from the 5th September, on the following motion by Mr. Hawke (Leader of the Opposition):—

That in the opinion of this House all of the Crown or Government land referred to in the Chevron-Hilton Hotel Agreement Act, 1960, should now be reserved in the name of the State of Western Australia and be used in the future only for worthwhile public purposes.

MR. BRAND (Greenough—Premier) [10.41 p.m.]: This motion by the Leader of the Opposition is one which I feel was prompted by a desire to see this land set aside for the purpose which he outlined: namely, that the land in open space might be kept for use in any town planning exercise, and/or for use as a place for the erection of charitable homes, such as homes for the aged and the like.

I would like to point out to the House that as far back as 1940 this tract of land was the subject of inquiry by a Select Committee headed by the then Minister for Lands (The Hon. F. J. S. Wise). After considerable investigation it was decided that a part of this land—in fact, a greater

part than that set aside for the erection of the Chevron-Hilton Hotel—should be set aside for the erection of public buildings. Under the metropolitan region town planning scheme this site for the erection of public buildings was discarded in favour of the Observatory site.

In 1959, the land which is the subject of the motion was further considered in respect of sites which were required by the Taxation Department at that time; and Parliament decided, by supporting a Bill introduced by the Minister for Lands, that the area adjoining the Christian Brothers' College site should be set aside for sale to the Taxation Department, and that the second portion of that land should be reserved for other important purposes. However, those purposes were not defined, nor did the Minister indicate for what purpose the land was to be set aside.

The important purposes for the land which the Government had in mind at that time were that the area might be sold as a hotel site; or, more particularly, as the site for a tourist centre, including an air terminal to serve all the air companies and all the air services in Western Australia.

However, this project fell through, and it was not until 1960 that negotiations were made with the Chevron-Hilton interest which resulted in the agreement brought to this House making certain adjustments to the whole of the area, including the land occupied by the Christian Brothers' College at the end of this reserve.

Under the agreement the land was sold to Chevron-Hilton Hotels Limited for £224,160. The company paid a deposit to the Government of £22,500; and after spending a considerable sum of money upon plans for a hotel of international standard; for the beautification of the area itself—and, indeed, on the laying down of the foundations for the hotel—due to lack of financial support and because of certain economic measures taken by the Commonwealth Government at that time, the company had to suspend operations and the land had to revert to the owner, the State Government Insurance Office, to which the land had been transferred when negotiations commenced with Chevron-Hilton Hotels Limited.

I think it can be said that the land was vested in the State Government Insurance Office to avoid the loss the State would suffer from the activities of the Grants Commission, because any money obtained from the sale of Crown land went into general revenue. As I have said, the land has been forfeited; the Government holds the deposit paid by the company; and, as far as we are able to inform ourselves at present, it does not appear that Chevron-Hilton Hotels Limited will be able to proceed with the project it had in mind.

In case there is some doubt in the minds of members, I would like to make it clear that the land which has reverted to the Crown does not include any portion of that land upon which the old Christian Brothers' College stands, although portion of that site was to have been included in the land for the hotel site. It has to be remembered that the Perth City Council purchased the land on which the old Christian Brothers' College stands; and by a separate agreement with Chevron-Hilton Hotels Limited it proposed to excise certain parts of the northern, eastern, and southern boundaries for street widening, and to sell the balance to Chevron-Hilton Hotels Limited. The college site is now the property of the Perth City Council.

The future use of the Crown land which was to be sold to Chevron-Hilton Hotels Limited requires careful consideration. I still think that the idea which the Government had in mind of using this site to attract a company which would provide a tourist centre, including a hotel of international standard, is worthy of consideration, particularly now that international air services are being routed through the Perth Airport so that we can expect a greater number of international tourists and people visiting Perth from the business world who will be looking for the standard of accommodation they are accustomed to in other great capitals.

Here I want to say that the accommodation Perth has to offer is of a high standard so far as we are concerned; but we cannot boast a hotel with an international standard such as those we see in the Eastern States capitals or overseas.

The Leader of the Opposition has put forward certain suggestions; and from the point of view of providing a site for homes for the aged, I agree that would be a laudable object. But I also believe that if we have the money, and are able to plan for such a home, there are other sites which could be used for that purpose; and this area need not, or should not, be set aside particularly for this purpose. Nor do I think we should be barred from proceeding with any other desirable scheme merely because this land is still under the control of the State Government Insurance Office.

Mr. Hawke: Did the Premier say I suggested the site be set aside for a home for aged people?

Mr. BRAND: I understood the Leader of the Opposition to include homes for aged people; but I will read his speech again.

Mr. Hawke: I mentioned a rest centre for the aged.

Mr. BRAND: Possibly the same thing would apply. There are other areas where the Government, or organisations interested in aged people, could provide whatever might be a rest centre for the aged.

The Leader of the Opposition pointed out there were other good sites for hotels available in the city of Perth. I have no doubt there are. But I do recall that when Chevron-Hilton first came here looking for hotel sites, it requested the Government to consider two sites on which it had decided. One of these sites was in King's Park, which was immediately ruled out of order; and the other was the site which we negotiated with Chevron-Hilton later on.

It must be remembered that if a hotel and tourist centre is to be built at a cost of £2,000,000 it will need to be on a first-class site to warrant such an expenditure. It will also need to be situated in or near the centre of the city. The hotel that has recently been built in Adelaide comes to mind. That is of an international standard, backed to some extent by the State Government and situated on a very desirable site just over the bridge towards the cathedral. Other major hotels of international standard are found to be erected on first-class sites in capital cities.

I believe the motion moved by the Leader of the Opposition should not be supported, because I think the land should still be left free for the Government, or the authority of the day, to make a decision upon when an opportunity such as providing a new hotel or something similar arises. I do not think we should precipitate action here, and carry a motion which will place some limitation on the activities of the authority, or the Government, in respect of this land in the future.

It must be remembered that the planning of the hotel was approved by the city council, and by the town planning authorities; and it was part of a rather extravagant lay-out of the whole area bounded by the old site on which the Christian Brothers' College stood, by Government House, and by the Supreme Court buildings. I think this plan could still be carried out.

Parliament should not make up its mind at this stage that the land should be set aside for any specific purpose. It should be left free for the Government to take advantage of any opportunity which might occur in the future of putting it to the purpose to which the Government aimed to put it when it brought the agreement to the House originally.

I do not think there is anything more I can say on this matter. It is not a very controversial or vexatious question. I feel the House should oppose the motion moved by the Leader of the Opposition, and allow the future to decide what is the best purpose to which this important site in our city could be put. I am sure that no Government, and no authority, would take precipitate action on this very important site; and possibly the matter could be referred back to Parliament.

In the meantime, and because Parliament is not always in session, it would seem that the Government of Western Australia should not lose any opportunity; it should be free to negotiate just as it did on the previous occasion with this very important site. It is possible that we might be able to provide a very urgent service to the city of Perth, and secure the standard of hotel we hoped to get in the previous agreement.

Debate adjourned, on motion by Mr. Kelly.

House adjourned at 10.56 p.m.

Legislative Council

Thursday, the 11th October, 1962

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

QUESTIONS ON NOTICE

1. *This question was postponed.*

KALGOORLIE EXPRESS

Buffet Car Service

2. The Hon. J. D. TEAHAN asked the Minister for Mines:
 - (1) When will the new buffet car service commence on the *Kalgoorlie Express*?
 - (2) Will this service eliminate any railway refreshment rooms; and, if so, which ones?