

In the rather warm conditions of the north-west and goldfields areas some articles lose moisture through dehydration, and because of this they lose weight. On the other hand, articles which are refrigerated also lose weight because a certain amount of moisture is absorbed and when it is necessary to defrost the refrigerator the moisture clings to the ice box in which they are stored and we find there is a consequent loss in weight in the article due to the loss of moisture.

This being so it would be well for anyone who might have a bottle of his favourite beverage in his refrigerator to drink it before it goes up in frost and loses weight!

On the other side of the scale, there are some articles which absorb moisture and so gain weight. We know that tobacco which is stored in hot conditions for a long time loses both moisture and weight. So a two-ounce packet of tobacco would lose weight under certain conditions. I think all of us have seen smokers place a piece of potato in their tobacco pouches to give the tobacco the moisture content necessary for a good smoke.

I have no quarrel with the legislation. I see that section 14 of the Act is to be repealed, and the new section 27C which is to be added requires the packer of the goods to mark his name and address on each of the packages for purposes of identification. This also applies in the case of an approved brand. Incidentally, there is a penalty of \$200 which seems reasonable, though it would not deter some of the larger manufacturers. Perhaps the Minister could give some thought to incorporating a daily penalty in certain circumstances if the present provision is not satisfactory.

Subsection (2) of proposed new section 27C states that where an article is packed by a person as an employee of another person the name and address must be shown; and subsections (4) and (5) of proposed new section 27C make it an offence to sell pre-packed articles not marked in accordance with the legal requirements of the State. Here again, the penalty for default is \$200.

In passing I would like to refer to the skills employed by high-pressure advertising firms to appeal to human psychology. One sees articles marked "king size," "economy size," and "giant size"; while others indicate that vitamins are added; and in some cases we even see that enzymes are added. I have always thought that this was a biological process.

There seems to be something in the human makeup which falls for this sort of advertising. This attitude is particularly apparent at auction sales where we see people pushing and shoving each other.

Indeed, some of the ladies who attend the sales at our leading stores would make the West Perth-East Perth football match look like a game of tag the way they shove and jostle each other.

The Hon. W. F. Willesee: I do not think John Wynne would appreciate that!

The Hon. R. H. C. STUBBS: We give the Bill our blessing, because we feel it will be of some use to the manufacturers.

Question put and passed.

Bill read a second time.

*In Committee, etc.*

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

## ADJOURNMENT OF THE HOUSE: SPECIAL

**THE HON. A. F. GRIFFITH** (North Metropolitan—Minister for Mines) [4.53 p.m.]: I move—

That the House at its rising adjourn until Tuesday, the 30th September.

Question put and passed.

*House adjourned at 4.54 p.m.*

# Legislative Assembly

Thursday, the 18th September, 1969

The SPEAKER (Mr. Guthrie) took the Chair at 2.15 p.m., and read prayers.

## QUESTIONS (32): ON NOTICE

### 1. NATIVES

#### *Housing*

Mr. BRADY asked the Minister for Native Welfare:

What amount of money has been made available from the Commonwealth Government for Aboriginal homes in the—

- (a) metropolitan area;
- (b) country areas?

Mr. LEWIS replied:

The Commonwealth Government made \$546,639 available in 1968-69 and has undertaken to provide not less than \$547,000 in 1969-70. It does not stipulate what proportions are to be expended in the metropolitan or country areas. The 1968-69 grant was applied as follows:—

- (a) \$381,900.
- (b) \$164,739.

The allocation of the 1969-70 grant cannot be determined at this stage.

2.

**NATIVES***Projects*

Mr. BRADY asked the Minister for Native Welfare:

- (1) Are negotiations taking place with the Commonwealth Government on any of the following projects for Aborigines:—
  - (a) cattle raising;
  - (b) agricultural activities;
  - (c) gardening (vegetables)?
- (2) If so, what area is being considered for these projects?

Mr. LEWIS replied:

- (1) (a) Yes.  
(b) Yes.  
(c) Yes.
- (2) (a) Pilbara and Kimberleys.  
(b) Esperance, Newdegate, and Perenjori.  
(c) Kellerberrin.

3.

**EDUCATION***Playgrounds at West Midland*

Mr. BRADY asked the Minister for Education:

- (1) Are any further steps being taken to make the department's playgrounds adjoining the Swan River at West Midland more attractive or suitable for school sporting events?
- (2) If so, will he state improvements proposed?

Mr. LEWIS replied:

- (1) There are no plans at present for further development of the departmental playgrounds adjoining the Swan River.
- (2) See answer to (1).

4.

**EDUCATION***Land at Middle Swan*

Mr. BRADY asked the Minister for Education:

- (1) Has the Education Department land—apart from school sites—available at Middle Swan for the local State and private schools?
- (2) If so, what are the areas and what is the present state of the grounds?

Mr. LEWIS replied:

- (1) Yes, reserve 24249.
- (2) 23½ acres of moderately timbered relatively flat land with a water course through it. To the extreme west are the excavations of the Midland Brick Company.

5.

**EDUCATION***Primary Schools in Dale Electorate*

Mr. RUSHTON asked the Minister for Education:

What provision is being made to accommodate the primary school students from rapidly developing residential housing areas of Eden Park, Kelmscott, and west of Forest Road, Armadale for 1970?

Mr. LEWIS replied:

A new school in Seventh Road, West Armadale, will open in 1970. Children from Eden Park will be temporarily housed at Kelmscott Primary School until a new school planned to open in 1971 is ready.

6. *This question was postponed.*

7.

**HOUSING***Applicants: Standard*

Mr. BRADY asked the Minister for Housing:

- (1) How many applicants have been refused housing in the—
  - (a) metropolitan area;
  - (b) country districts,
 during past two years because they do not meet the commission's standard?
- (2) How many opinions are sought before applications are refused?
- (3) To enable applicants to lift their standard, are any warnings given to them that they are failing in the standard required by the commission?

Mr. O'NEIL replied:

- (1) (a) 178.  
(b) 74.
- (2) At least two.
- (3) No.

8.

**PEDESTRIAN CROSSINGS***Bassendean*

Mr. BRADY asked the Minister for Traffic:

- (1) Is he aware that staff called urgently to attend slow learning children at Market Street, Guildford, or "Fairholme", Bassendean, have to cross the road at the corner of James Street and Market Street, Guildford, at great danger to their lives, due to the build up of vehicular traffic?
- (2) Has any consideration been given to providing a pedestrian crossing on the north side of the bridge between the two homes catering for slow learning children to enable the homes to be reached without crossing James Street?

Mr. CRAIG replied:

- (1) No.
- (2) Not that I am aware. However, I will arrange for the matter to be referred to the appropriate authorities.

## 9. LAND Ballot

Mr. TOMS asked the Minister for Housing:

- (1) What were the conditions of sale placed upon the purchasers of lots balloted for in the recent ballot of Dianella land?
- (2) Were any reasons given by the 38 people who withdrew their right to select a lot after being successful in the ballot?
- (3) If so, what were those reasons?

Mr. O'NEIL replied:

- (1) Conditions are as per "Application to Purchase Building Site" form which is tabled.
- (2) and (3) Of the 38 people who withdrew, 33 persons gave no reasons; 4 persons withdrew due to lack of finance; and 1 person withdrew as his fiancée had drawn an earlier position in the ballot.

*The form was tabled.*

## 10. HOSPITALS Kalgoorlie Regional

Mr. T. D. EVANS asked the Minister representing the Minister for Health:

- (1) What is the nature of the next phase of additions and improvements planned for Kalgoorlie Regional Hospital?
- (2) Is it reasonable to expect this work to be commenced during 1970?

Mr. ROSS HUTCHINSON replied:

- (1) and (2) As previously advised to the honourable member, a tender has just been let for the erection of a new children's ward at a cost of \$436,805. The next phase of development is concerned with the casualty area and remodelling of wards, about which there will be discussions locally at an early date. The department's ability to commence this work will be dependent on the availability of loan funds, but an endeavour will be made to make a start in the 1970-71 financial year.

## 11. DROUGHT Conditional Purchase Blocks

Mr. DUNN asked the Minister for Lands:

What is the attitude of his department regarding the necessity of purchasers of conditional pur-

chase blocks carrying out the conditions of purchase in the case of conditional purchase blocks in declared drought areas or drought affected areas?

Mr. BOVELL replied:

The Land Act contains a provision whereby a lessee may be granted an extension of time of up to 12 months to complete improvements or fencing requirements.

In the event of applications, due to adverse drought conditions, being received to defer improvements, these will be dealt with separately on the individual merits of each case and given sympathetic consideration.

12. *This question was postponed.*

## 13. TREASURY Cash Position

Mr. TONKIN asked the Treasurer:

What was the cash position at the Treasury on the 31st August last compared with that existing at the 31st August, 1968?

Mr. NALDER (for Sir David Brand) replied:

The cash position at the Treasury at the 31st August, 1968, was \$47,181,728 and at the 31st August, 1969, \$68,040,310. Trust funds accounted for the major part of these balances. The combined cash balances of the Consolidated Revenue Fund and General Loan Fund at these dates were \$4,719,029 and \$8,332,213 respectively.

## 14. GRAIN

### *Price for Stock Feed*

Mr. JONES asked the Minister for Agriculture:

- (1) What price are farmers actually paying for grain held in country bins for stock feed?
- (2) At this price is it the Government or the farmer who is paying the freight?

Mr. NALDER replied:

- (1) Wheat re-delivered from country bins in drought areas for stock feed is charged for by the Australian Wheat Board at \$1.22 per bushel ordered. After the actual amount loaded out is accurately known, a refund is made based on \$1.22 per bushel less the estimated freight from the re-delivery bin to natural port. The final charge to farmers will average approximately \$1.08 per bushel received.

Oats for stock feed in drought areas are being sold by the Grain Pool of W.A. at 67c per bushel if supplied from a port or at 67c less freight to port at other centres (Tambellup 60c, Kojonup 59c).

Barley (Geraldton only) is being sold by the Grain Pool at \$1.00 per bushel.

- (2) Carting wheat from a re-delivery point to a farm is the farmer's responsibility, but if the distance exceeds 25 miles he may claim 5c per ton mile for the excess mileage.

Oats or barley when sold by the Grain Pool to a farmer in a drought area who has no re-delivery rights for wheat, qualify for the Government to pay rail or approved road freight to the rail or road bin nearest the farm. From that point transport is the farmer's responsibility but, if it exceeds 25 miles, he may claim 5c per ton mile for the excess distance.

#### 15. POLICE STATION

##### *Collie*

Mr. JONES asked the Minister for Police:

When is it anticipated that the approved alterations will be made at the Collie Police Station?

Mr. CRAIG replied:

Plans have now been completed and approved. Tenders will be invited through the Bunbury office this month.

#### 16. DROUGHT

##### *Rural and Industries Bank Loans*

Mr. JONES asked the Minister for Lands:

- (1) What conditions have to be met where a farmer in the drought areas wishes to obtain a loan from the Rural and Industries Bank for the purchase of wheat or coarse grain?
- (2) Has the Rural and Industries Bank determined a formula regarding the level of finance to be made available to a farmer who applies for financial assistance?

Mr. BOVELL replied:

- (1) Eligibility for a drought assistance delegated agency loan is governed by the following factors:—  
that—

- (a) The assistance sought is not available from normal sources such as banks or stock firms and the settler's position is such that his bank or stock firm could not reasonably be expected to help.

- (b) Priority is available from existing mortgages.
- (c) With the inclusion of the loan in his liabilities the settler still has an equity in his farm.
- (d) With the assistance provided by the loan the farmer will have a reasonable prospect of continuing in primary production.

- (2) Experience will provide guidelines.

#### 17.

#### PARLIAMENT HOUSE

##### *Additional Storeys*

Mr. JAMIESON asked the Minister for Works:

Are the foundations and structure of the present Parliament House section fronting Harvest Terrace sufficient to support an additional storey or storeys?

Mr. ROSS HUTCHINSON replied:

It would be necessary for a thorough structural examination to be carried out which could take some weeks to conclude before a decision could be given on this matter.

I understand that some 10 or 15 years ago an examination was made of the structural foundations at the Harvest Terrace frontage to Parliament House. It was then determined that with some additional strengthening an additional storey could be carried. However, because of the time lapse, and the recent earthquake, a very thorough examination would need to be made if it were ever determined to erect additions to that section of Parliament House.

#### 18.

#### CRAYFISHING

##### *Labelling*

Mr. FLETCHER asked the Minister representing the Minister for Fisheries and Fauna:

- (1) Additional to information printed in *F.I.N.S.*—will he request the department to have printed in English, Italian, and Slav the substance of the rock lobster amendments, as for example the need for bags of rock lobsters to be labelled—

- (a) on board;
- (b) on or before leaving the beach;
- (c) with the details required including name, boat, number, etc.?

- (2) Subject to approval of above, will consideration also be given to having the details mentioned above displayed in locations where fishermen congregate, such as in the vicinity of scales where catches are weighed and, subject to permission, within processing plants or other suitable locations?
- (3) Will consideration also be given to having water resistant labels containing space for name, boat, number, etc., printed thereon with suitable plastic or wire strings attached thereto for tying to bags containing fish?
- (4) If agreed to, will these labels be made available free or, if not, at cost so that fishermen cannot plead ignorance of their obligations when confronted by local inspectors or others?

Mr. ROSS HUTCHINSON replied:

- (1) The substance of the rock lobster amendments will be printed in the December issue of *F.I.N.S.* clearly setting out the responsibility of the fishermen. The department has adopted a policy of printing all notices in English only.
- (2) The requirements of the Act in relation to the labelling of bags will be displayed in prominent locations throughout the industry.
- (3) Fishermen obtain their own labels. In many cases this is undertaken by the processing firms with much of the standard information relevant to each firm being printed on the label. The department is not prepared to supply fishermen with labels.
- (4) See (3).

## 19. CATTLE AND SHEEP AUCTIONS

### *Legislation*

Mr. DAVIES asked the Minister representing the Minister for Justice:

In view of difficulties understood to be associated with the pursuit of recent criminal court proceedings in regard to offences relating to the auction of cattle and sheep, is it intended to examine existing legislation to see what changes are necessary to eliminate undesirable practices, and, if so, with what result?

Mr. COURT replied:

The difficulties experienced in these types of cases are: the detection of the offences, and problems associated with obtaining and presenting complex evidence. When the facts have been ascertained, existing provisions of the

Criminal Code are considered adequate to deal with the offences. The provisions of the Sales by Auction Act are being examined with a view to amendment.

## 20. CONSUMER CREDIT AND MONEYLENDING

### *Recommendations*

Mr. MAY asked the Minister representing the Minister for Justice:

- (1) Have the legal officers associated with the Standing Committee of Attorneys-General brought down any recommendation in connection with the consumer credit and moneylending investigation presented in Brisbane during August, 1969?
- (2) If not, when can it be expected that the analysis and resultant recommendation will be available?

Mr. COURT replied:

- (1) No.
- (2) A meeting of legal officers associated with the standing committee will be held on the 1st October next, to discuss the report and prepare submissions for the next meeting of the Standing Committee of Attorneys-General, which will be held in December.

## 21. POTATOES

### *Exports*

Mr. I. W. MANNING asked the Minister for Agriculture:

- (1) To what overseas markets does the Western Australian Potato Marketing Board supply potatoes?
- (2) What variety and what quantity of potatoes are supplied to each particular market?
- (3) What number of growers participate in the production of potatoes for export overseas and in which districts are they located?
- (4) What has been the average price per ton received by the grower for potatoes sold overseas during the past 15 months?
- (5) Has the Potato Marketing Board ever received a request for permission to grow potatoes for export overseas by persons not already licensed to grow potatoes; if so, was permission granted; if not, on what grounds was permission refused?

Mr. NALDER replied:

- (1) Singapore, Malaysia, Persian Gulf, Hong Kong, Colombo, and Mauritius.

## (2) Exports for the period 12th October, 1968 to 13th September, 1969:—

Market	Quantity (tons)	Variety
Singapore	7,474	Delaware
	210	Greta
	5	Flava
Malaysia	366	Delaware
	30	Greta
Persian Gulf	36	Delaware
Hong Kong	24	Delaware
Colombo	1,812	Delaware
	253	Greta
	34	Sebago
	5	Norland
Mauritius	200	Delaware

- (3) Registered growers in all districts may participate subject to export orders.
- (4) The pool resultant will not be known until the close of this year's operations early in October.
- (5) Yes, but permission was refused on the grounds that new licences for export production will not be granted while orders can be met from existing licensed growers.

22. *This question was postponed.*

## 23. EDUCATION

*Bunbury High Schools*

Mr. WILLIAMS asked the Minister for Education:

What are the future proposed plans for—

- (a) Bunbury Senior High School;  
(b) Newton Moore High School?

Mr. LEWIS replied:

The department has no definite proposals in mind to alter the present status of these schools.

## 24. EDUCATION

*Fourth-year Students*

Mr. WILLIAMS asked the Minister for Education:

- (1) Has his department considered or is it giving consideration to the establishment of high schools or colleges which will cater only for fourth-year students and above?
- (2) If so, what information can be given at this time?

Mr. LEWIS replied:

- (1) and (2) No.

## 25. FREMANTLE GAOL

*Staff Ratio*

Mr. FLETCHER asked the Chief Secretary:

Referring to his replies on the 10th September on the ratio of gaol officers to prisoners in the Fremantle Gaol—

- (1) Does the ratio—

- (a) one officer to 3.5 prisoners apply during each hour of each shift;

- (b) include those officers who are off shift during the day or night?

- (2) If eight officers were in charge of the 80 odd prisoners at the time of the recent gaol break, how does he reconcile the officer/prisoner ratio at 1 to 3.5?

Mr. CRAIG replied:

- (1) (a) No.

- (b) Yes.

- (2) The present staff of Fremantle Prison is 150 male uniformed staff to approximately 520 male prisoners, a ratio of 1 to 3.5.

This method is accepted as that which will provide officer/inmate ratios in correctional services throughout the world.

It must, however, be appreciated that a prison service must provide staffing 24 hours per day seven days per week. Since staff work a 40-hour week, it does, in fact, require 4.2 men to cover one man per shift for seven days (excluding leave reliefs).

To provide a constant ratio of 1 to 3.5 at all times throughout the 24 hours per day seven days per week at Fremantle Prison—that is, to have 150 on duty on every shift—would require a total staff of 630 uniformed officers (excluding reliefs for leave).

## 26. FLUORIDATION OF WATER SUPPLIES

*Sodium-fluosilicate*

Mr. TONKIN asked the Minister for Water Supplies:

- (1) What quantity (in parts per million) of sodium-fluosilicate is being added to the public water supply?
- (2) What amount of fluoride ion (expressed as a decimal part per million) results from the quantity of fluosilicate being added?
- (3) What increase in the price of sodium-fluosilicate has occurred since the first purchase was made?
- (4) What was the total cost of the sodium-fluosilicate used in the financial year 1968-69?

Mr. ROSS HUTCHINSON replied:

- (1) Sodium-silicofluoride is added in the proportions:

winter 1.5 to 1.68 p.p.m.  
summer 1.01 to 1.51 p.p.m.

depending on locality of supply.

- (2) The resulting fluoride ion is:  
winter 0.9 to 1.0 p.p.m.  
summer 0.6 to 0.9 p.p.m.  
depending on local conditions of temperature.
- (3) Decrease from \$118 to \$107 per ton.
- (4) \$20,000.

## 27. LOCAL GOVERNMENT

### *Division of Gnowangerup Shire*

Mr. GRAHAM asked the Minister representing the Minister for Local Government:

- (1) Has it been officially decided to divide the Gnowangerup Shire area to form a Jerramungup Shire Council?
- (2) At whose request was this decision made?
- (3) From what date will the new shire become operative?
- (4) Were any proposals submitted as to the boundaries of the new shire?
- (5) If so, by whom?
- (6) Are the approved boundaries co-terminus with the proposals?
- (7) If not, what is the degree of departure?
- (8) Were the people of the Gnowangerup Shire consulted regarding the creation of a new shire; if so, how many and in what manner?
- (9) Were the people in the new Jerramungup Shire district consulted; if so, how many and in what manner?
- (10) Is he aware that at a meeting of the Gnowangerup Shire Council held on the 17th December, 1968, a resolution was agreed to as follows:—"That the Gnowangerup Shire should be divided. A suggested dividing line to be drawn by an independent body for presentation at a district referendum."?
- (11) What action, if any, was taken to give effect to this resolution?
- (12) If it was ignored, what are the reasons?
- (13) Has he received any representations regarding the failure to hold a referendum?
- (14) If so, has he investigated the complaint, to what conclusions has he come, and what action has he taken or does he intend to take in connection with the matter?
- (15) Has he received any objections—
  - (a) to the formation of the new shire council;
  - (b) to the boundaries of the new shire council?
- (16) If so, how many and from whom?

Mr. NALDER replied:

- (1) to (7) A petition of ratepayers of the eastern portion of the district of the Shire of Gnowangerup, praying for severance of portion of the Shire of Gnowangerup district and the constitution of a new shire based on Jerramungup was referred to the Local Government Boundaries Commission. At a hearing of the commission, an alternative was put forward by the Gnowangerup Shire Council and the Needilup residents, and the Boundaries Commission recommended the establishment of a new Shire of Jerramungup, accepting the alternative proposal instead of that of the petitioners.

Basically, this recommendation departed from the prayer in the petition by retaining an area around Needilup in the district of the Shire of Gnowangerup.

No decision has been made to establish a new shire based on Jerramungup, but the Jerramungup Shire Formation Committee has been invited to forward a petition for consideration should that committee desire to have a new shire formed in accordance with the Local Government Boundaries Commission recommendation.

- (8) and (9) Yes, by a notice published in *The West Australian* newspaper inviting all persons directly affected to give evidence to the Local Government Boundaries Commission.
- (10) to (14) By correspondence from a Jerramungup resident I have been informed of the resolution of the 17th December 1968 of the Gnowangerup Shire Council relating to a referendum and I have requested advice from the council. No action is contemplated until a reply has been received.
- (15) and (16) No objections have been received to the establishment of a new shire, but five requests have been received to withhold action in order that figures relating to the area proposed by the Local Government Boundaries Commission may be obtained and assessed.

## 28. PEDESTRIAN CROSSINGS

*Sodium Lighting*

Mr. GRAHAM asked the Minister for Traffic:

- (1) When were the amber coloured lights at pedestrian crossings installed in Stirling Highway?
- (2) How many were installed?
- (3) What has been the accident pattern since then during the hours the lights have been on?
- (4) What was the position during a comparable period at the same crossings prior to the installation of the amber lighting?
- (5) How many pedestrian crossings, other than where automatic or actuated lights are in operation, are there where conventional lighting is installed?
- (6) What were the accident patterns at these during the periods mentioned in (4) and (5)?
- (7) Which local authorities in the metropolitan area have approved the amber lights?
- (8) Which have not?
- (9) What is the Government's policy regarding amber lighting of pedestrian crossings?

Mr. CRAIG replied:

- (1) The 21st December, 1965.
- (2) Six.
- (3) The 21st December, 1965 to the 30th June, 1969—

	Casualties	Damage only	Total
Accidents involving vehicles only	1	34	35
Accidents involving pedestrians	.....	.....	2

- (4) The 1st July, 1962 to the 20th December, 1965—

	Casualties	Damage only	Total
Accidents involving vehicles only	1	12	13
Accidents involving pedestrians	.....	.....	7

- (5) 194.
- (6) It is not practicable to provide an answer to this question. It will be seen from the answer given to part (5) that there are 194 pedestrian crossings in the metropolitan area. To extract the required information from accident statistical records for the period commencing the 1st July, 1962 would involve considerable work.

However, if the Deputy Leader of the Opposition requires this information, I will see what can be done.

Mr. Graham: I wanted Stirling Highway only. I am sorry I did not make it clear.

Mr. CRAIG:

- (7) Armadale, Kelmscott, Bassendean, Bayswater, Belmont, Canning, Claremont, Cottesloe, East Fremantle, Fremantle, Gosnells, Kwinana, Melville, Midland, Mosman Park, Mundaring, Nedlands, Peppermint Grove, Perth City, Rockingham, South Perth, Subiaco, Swan-Guildford.
- (8) Perth Shire Council.
- (9) It is Government policy to install sodium lighting at all existing and future pedestrian crossings in the metropolitan area.

## 29.

## POLICE

*Reports on Publications*

Mr. GRAHAM asked the Minister for Police:

- (1) What were the terms of the reports of the police on—
  - (a) the Aubrey Beardsley drawing published by the *Independent*;
  - (b) the *Othello* poster issued by Patch Theatre;
  - (c) the 3rd September, 1969, issue of *Pelican*?
- (2) What was the final decision in each case?
- (3) Who made such decisions?

Mr. CRAIG replied:

- (1) (a) The Aubrey Beardsley print as published in the *Independent* newspaper was considered by the Police to be obscene. However, a much wider consideration had to be given to the matter before a prosecution could be recommended and authorised.

The print, as published, was a copy of an exhibit which had been tendered in a court of justice (Magistrate's Court, Brisbane) and was part of an article commenting on obscenity laws.

It was therefore probable a defence could be raised of "Publication in good faith for the information of the public of a fair report of public proceedings of a court of justice", and, in consequence of which, the outcome of a prosecution would be doubtful.

In this case, after consultation with the Commissioner of Police, I indicated that I was not prepared to authorise prosecution as it was considered that the print did not come within the scope of a successful prosecution.



(b) The *Othello* poster was considered to be indecent. A verbal request was made by the Criminal Investigation Branch to the Patch Theatre authorities who immediately co-operated and agreed to withdraw the posters from circulation where possible. This was done. No prosecution is contemplated.

(c) The report on the *Pelican* has not yet been completed. Inquiries are proceeding.

(2) Answered by (1).

(3) In the case of printing, selling, publishing, distributing or exhibiting obscene matter in a newspaper or book, any prosecution must be authorised by the Minister for Police *vide* section 6, subsection (1) of the Indecent Publications Act.

In all other cases, the decision whether to prosecute or not rests with the Police Department.

### 30. INDUSTRIAL DEVELOPMENT

#### *Western Wire Works*

Mr. TAYLOR asked the Minister for Industrial Development:

Would he advise—

(a) the area of land made available to Western Wire Works at Naval Base;

(b) the price per acre paid for this land?

Mr. COURT replied:

(a) 21 acres 3 roods 17 perches.

(b) The price under a negotiated Contract of Sale in respect of approximately 11 acres is covered by the report No. 45 tabled by the Minister for Lands under the provisions of the Industrial Development (Resumption of Land) Act of 1945-60, on the 24th August, 1965.

The price for the balance of the land sold under the provisions of the Industrial Development (Kwinana Area) Act, 1952 was the same as for the land covered by report No. 45 and subject to the same Contract of Sale which sets out the conditions imposed on the company for the development of the area.

The overall price was \$1,400 per acre.

### 31. INDUSTRIAL DEVELOPMENT

#### *Newbold General Refractories Limited*

Mr. TAYLOR asked the Minister for Industrial Development:

Would he advise—

(a) the area of land made available to Newbold General Refractories Limited at Naval Base;

(b) the price per acre paid for this land?

Mr. COURT replied:

(a) 18 acres and 9 perches.

(b) This land was sold at the valuation of \$3,600 per acre fixed by the Taxation Department and is the subject of a Contract of Sale which imposes industrial development conditions on the company.

### 32. GOVERNMENT VEHICLES

#### *Number and Distribution*

Mr. BURKE asked the Premier:

(1) What is the total number of motor cars owned by the State?

(2) What is the distribution of vehicles among the Government departments and semi-Government authorities?

Mr. NALDER (for Sir David Brand) replied:

(1) 956.

(2) The information is as follows:—

Cars owned by Government departments—

Agriculture Department	16
Art Gallery of W.A. ....	1
Artificial Breeding Board	7
Audit Department .. ....	1
Bush Fires Board .. ....	5
Charcoal Iron and Steel Industry .... ..	1
Chief Secretary's Department .... ..	2
Child Welfare Department .... ..	14
Civil Defence and Emergency Service ....	1
Crown Law Department	3
Fire Brigades Board ....	1
Fisheries Department ....	1
Forests Department ....	8
Fremantle Port Authority	6
Government Stores Department .... ..	3
Harbour and Light Department .... ..	11
Industrial Development Department ....	6
Junior Farmers ....	1
Labour Department ....	9

Lands Department .....	15
Main Roads Department .....	90
Medical Department .....	31
Mental Health Department .....	9
Metropolitan Region Planning Authority .....	5
Metropolitan Transport Trust .....	32
Metropolitan Water Supply, Sewerage and Drainage Board .....	79
Mines Department .....	21
National Parks Board .....	1
National Safety Council .....	1
Native Welfare Department .....	69
North West Department .....	1
Police Department .....	137
Premier's Department .....	33
Prisons Department .....	1
Public Health Department .....	18
Public Service Commissioner .....	1
Public Works Department .....	147
Railways Department .....	79
Road and Air Transport Commission .....	6
Rottnest Island Board .....	3
Sir Charles Gairdner Hospital .....	1
State Electricity Commission .....	12
State Housing Commission .....	30
State Government Insurance Office .....	10
State Shipping Service .....	2
Taxi Control Board .....	2
Tourist Development Authority .....	1
Town Planning Department .....	4
Transport Department .....	14
Treasury Department .....	2
W.A. Meat Export Works .....	2
<b>Total</b> .....	<b>956</b>

## QUESTIONS (2): WITHOUT NOTICE

### 1. EDUCATION

#### *Display at Royal Show*

Mr. MITCHELL asked the Minister for Education:

- (1) Will the Education Department provide the usual exhibit at this year's Royal Show?
- (2) If "Yes", what areas of education will be concerned in the display?

Mr. LEWIS replied:

- (1) and (2) I must confess that had this question been asked of me yesterday I would not have been able to give a reply as to what the display would contain. This varies from year to year. However, as it happens, I went to the Show this morning—as I usually do on opening day—and I can say that the display this year covers the areas of primary and secondary education. There are exhibits of the junior primary—that is the six to eight-year olds—exhibits of what we call the middle primary; and exhibits of the upper primary as well as secondary.

The secondary exhibits include manual arts. I mention this because it is a very fine display this year including home economics from the girls and cabinet making from the boys. There is also an exhibit of the very fine metal work—and I say this advisedly—done by the boys, which includes precision tools they have made. Then there is the usual art section of the display—the sculpture being particularly good.

So I can say that I would recommend those who go to the show to visit Education Hall which, as members know, is located just south of and close to the Centenary Hall. I am sure members will be very pleased to see the commendable progress which has been made in this direction.

Mr. Davies: How does it vary from other years?

The SPEAKER: Order! If the honourable member wishes to ask a question without notice he may do so.

2.

### STEEL COMPLEX

#### *Studies: Government Participation*

Mr. WILLIAMS asked the Minister for Industrial Development:

- (1) To what extent is the State Government in consultation with Hamersley Iron and the other possible partners in the current studies being made for a major steel complex in Australia?
- (2) Will the studies being made by the consortium be in consultation with the State Government and include Western Australia?
- (3) Is the new steel complex more likely to be orientated towards the export of steel, or will it be initially orientated towards the Australian market with export as a subsidiary objective?

- (4) If part of the final result of the studies is for steel to be made in one or more other States than Western Australia, would this delay or otherwise inhibit the development of the production of metallised agglomerates and crude steel by a second industry in Western Australia?

Mr. Jamieson: Who asked you to ask that question?

Mr. COURT replied:

- (1) The member for Bunbury has a slight interest in this question, as has the member for Collie.

Mr. Brady: See that the answers are right this time.

Mr. COURT: I think I will do better than I did on the honourable member's other question which was on the notice paper. Hamersley Iron, which is the company concerned and is the leader of this consortium which is undertaking the studies, has been in close consultation with the Government. In fact, the present studies are substantially an extension, and will expedite the production of metal in this State including, eventually, crude steel.

- (2) The studies will continue in consultation with the State Government. There are, of course, technical matters which will be essentially the preserve of the company. However, as far as the question of main policy is concerned, the present form of consultation in respect of the overall project will continue.

- (3) Yes; although, of course, they would expect to capture some of the Australian market. However, the overall concept is more in keeping with the State Government's broad policy of endeavouring to expedite the production of metallised agglomerates and crude steel so that we can combine in partnership with the industrialised countries in the world that have not got indigenous materials. In other words, this project, essentially orientated towards export, is very much in line with the thinking of the Government and its objectives.

- (4) No. In fact, the studies of this consortium will accelerate rather than inhibit or delay the production of metal in this State, particularly as it is orientated towards the production of crude steel.

## BILLS (2): INTRODUCTION AND FIRST READING

### 1. State Housing Act Amendment Bill (No. 2).

Bill introduced, on motion by Mr. O'Neil (Minister for Housing), and read a first time.

### 2. Fremantle Port Authority Act Amendment Bill.

Bill introduced, on motion by Mr. Ross Hutchinson (Minister for Works), and read a first time.

## CHURCH OF ENGLAND (DIOCESAN TRUSTEES) ACT AMENDMENT BILL

### Second Reading

MR. COURT (Nedlands—Minister for Industrial Development) [2.46 p.m.]: I move—

That the Bill be now read a second time.

The Perth Diocesan Trustees of the Church of England are desirous of having their governing Statute amended to enable missions or institutions of the Church of England in Australia, Diocese of Perth, to be separately incorporated according to law in such manner and subject to such conditions, regulations, limitations, and provisions as the synod may, by resolution, determine.

This Bill makes such provision and as the Perth Diocesan Synod desires to ensure that an incorporation pursuant to this amendment will continue the present exemption enjoyed by church schools and colleges from rating under the Local Government Act, the Metropolitan Water Supply, Sewerage, and Drainage Act, and the Land Tax Assessment Act, it was requested that this Bill be introduced as a Government measure.

The provisions in this Bill are almost identical to the amendment made to the Presbyterian Church Act by section 21 of Act No. 19 of 1964, and that Act was motivated for identical reasons to those now submitted. Provision has also been made in this Bill for the transfer of assets from the Perth Diocesan Trustees to the new incorporated body free from stamp duty and registration fees.

This Bill provides in detail that the Synod of the Diocese of Perth may resolve that any mission or institution of the Church of England in Australia, Diocese of Perth, shall be separately incorporated in such manner and subject to such conditions as the synod may determine.

Under these provisions, when a mission or institution becomes separately incorporated, all real and personal property that immediately before the incorporation was exclusively used in the work and activities of the mission or institution, including property held by the Perth Diocesan Trustees upon trust for that mission or institution, and all other legal obligations

including debts and liabilities, shall, by force of this amending legislation, and without the need for any transfer or assignment, be taken over by the mission or institution as so incorporated. There is provision for indemnity in favour of the Perth Diocesan Trustees and all persons who, prior to the date of incorporation, were liable for or subject to such debts, liabilities, and obligations.

Subject to all easements, encumbrances, trusts, and equities so affected, each mission or institution shall hold in its corporate name all real and personal property, rights, and benefits acquired by it after it was incorporated or given to the Perth Diocesan Trustees in trust for the mission or institution after incorporation. Notwithstanding the foregoing provisions, any mission or institution incorporated under this Bill shall continue to be a mission or institution of the church.

There is provision also for exemption from stamp duty and fees normally payable under the Transfer of Land Act, 1893, in respect of any transfer, conveyance, assignment, application, deed, and instrument that may be necessary for the purpose of effectually vesting the real and personal property, rights, and benefits in the corporate name of the mission or institution.

It is further provided in this Bill that where an institution is separately incorporated under clause 3 or has been incorporated according to law prior to the introduction of this measure, if the institution is a school or college, all vacant land held by the institution and all land so held that is used exclusively or mainly for the purposes of the school or college, shall not be ratable property or ratable land under the provisions of the Local Government Act, 1960, or the Metropolitan Water Supply, Sewerage, and Drainage Act, 1909, and is exempt from assessment for taxation under the Land Tax Assessment Act of 1907.

Finally, there is a protection, in respect of assets held in trust by the mission or institution, that they shall be held subject to the performance of any trusts in relation to them and also subject to the Statutes, orders, directions, and regulations of the synod of the church, so far as they do not contravene or are not inconsistent with any Act or law in force in the State.

In commending the Bill to members, I would reiterate that this measure is introduced at the request of the Church of England and introduced as a Government measure, as has been the custom with other similar types of legislation on previous occasions.

The SPEAKER: Before the Minister sits down, do I understand him to say that this exemption from rates applied previously?

Mr. COURT: That is my understanding, Sir.

The SPEAKER: It is just a question of whether the Bill should have been introduced in the Legislative Council.

Mr. COURT: I understand its purpose is to continue only that which already exists.

Debate adjourned, on motion by Mr. Davies.

## TIMBER INDUSTRY REGULATION ACT AMENDMENT BILL

### Second Reading

MR. BOVELL (Vasse—Minister for Forests) [2.53 p.m.]: I move—

That the Bill be now read a second time.

Some time ago a committee comprising officers of the Forests Department and representatives of the sawmilling industry was constituted to examine and redraft the Timber Industry Regulations Act and also the relevant regulations under the Act with the purpose of bringing them up to date with modern machinery and techniques. As a result, amendments were made to the Act at the last session of Parliament. However, when the regulations were submitted to the Crown Law Department, it was opined that regulations could not be approved under existing provisions.

The Bill before the House includes provision for the Minister for Forests to delegate his authority by regulation. At present, whilst the Act is under the control of the Minister, this power does not exist. Due to the varying types of machinery now in use in the sawmilling industry, it is considered essential that inspectors have discretionary powers and be able to direct that certain work be carried out to ensure safe-working conditions.

Under present legislation, should an inspector be aware of a danger in the operation of a machine, ministerial authority must be obtained before he can take action to rectify the fault, or take steps to make working conditions safe for the personnel engaged in such an operation. It will be seen that a delay of this nature could result in an unnecessary accident which might have been avoided if the inspector had discretionary power to direct that certain work be carried out to make working conditions safe. A similar position, I understand, applies in other Acts—for example, the Stock Diseases Act—and has been overcome by a similar amendment providing delegation of authority.

A further amendment included in this Bill proposes that where certain types of machinery are in use the owner shall provide first aid materials of an approved nature. The amendments are considered most desirable and I commend the Bill to the House.

Debate adjourned, on motion by Mr. H. D. Evans.

**PRISONS ACT AMENDMENT BILL***Second Reading*

Debate resumed from the 16th September.

**MR. FLETCHER** (Fremantle) [2.57 p.m.]: I express the wish that this Bill to amend the Prisons Act to provide for the granting of leave to certain prisoners had not appeared as number one on today's notice paper, because I would then have had greater opportunity to study its implications. It seems simple enough on the surface, I admit, but such short notice does not afford me—or any other potential speaker—any opportunity, if I thought it necessary, to place amendments on the notice paper. For example, my two legal colleagues, the members for Kalgoorlie and Mt. Hawthorn, might have different ideas in regard to the provisions in the Bill and could desire to bring forward amendments.

Mr. Craig: Do not talk them into it!

**MR. FLETCHER**: No; I have no intention of amending the Bill, but I have no doubt the paucity of other business on the notice paper is responsible for its being number one. Nevertheless, the object of the Bill seems to be quite simple. It seeks to amend the principle Act to give certain prisoners an opportunity to leave the institution daily to work in a regular and everyday job. They would be required to return to the prison each night and each weekend, so they would not have absolute liberty.

Other provisions seem to provide that the selection of such prisoners will depend almost entirely on their good behaviour and the possibility of their assimilation into the community to lead a normal life. It appears that the prisoners will also be selected and recommended by the Prisons Department's Classification Committee, but this would still be subject to the approval of the Minister. To achieve this end an amendment to section 2 of the principal Act is sought.

Leave of absence will be granted to certain prisoners. This scheme applies in other parts of the world, as the Minister pointed out in his introductory remarks. It is adopted in Queensland, and I have not heard any unfavourable publicity or unfavourable comment from that State. I hope and trust the same will be the case in Western Australia. I am also aware that New South Wales has introduced similar legislation, and that Victoria is in the process of doing likewise. Since this appears to be an Australian and a world trend, it is time we attempted to emulate what has been done elsewhere.

I have spoken on this subject previously when this type of legislation has been before the House. I have mentioned that the inactivity to be found in prison life

breeds hatred in confined space, and creates contamination through contact with other less desirable types. A physical, moral, and psychological deterioration is often found in a person who has been confined to prison; or, in short, he comes out of prison a worse character than when he went in. I admit that some of these people can be helped, and that others are beyond redemption.

This proposal for the prerelease of prisoners will offer them the opportunity to be assimilated back into society. Prisoners or ex-prisoners will become a name, rather than a number. Let me say that I have taken a particular interest in this subject by attending meetings of what is known as the Civil Rehabilitation Council. Other members might know of its existence. I might mention in passing that the very humanitarian father of the present member for Perth is the president of this organisation. There is an equally splendid lady who is the secretary of it. There are various representatives on this council, including those from the clergy, the employers, and the trade union movement.

Guest speakers are invited to the meetings of the council. Might I congratulate this splendid organisation on the work it has done on behalf of prisoners at the time of their release. It is interesting to note that an ex-prisoner was recently a guest speaker at one of the meetings at which I was present. I have also heard other guest speakers. I was rather surprised to meet an ex-prisoner who had the courage to come forward and say things which were consistent with the purposes of this Bill.

In fact, I made brief notes of his remarks at the time. I noticed that he was a middle-aged person; that he had been convicted of theft; and that he now—since his release—holds a responsible job. In his remarks he pleaded that some sort of half-way house or hostel should be created to cater for newly released prisoners. In effect, he was pointing out that something like this legislation was desirable. He said further that released prisoners who had nowhere to go quickly returned to crime. How true that is! This legislation might help to prevent such a situation from occurring.

I do not know from where he got his figures, but he said that it cost the community \$2,000 a year to keep a person in prison, and that it was worth while to make it easier for an ex-prisoner to live in decent surroundings when he got out. This is the type of thing that the legislation before us will provide; it will afford the opportunity to a released prisoner to achieve just that. Members may recall the report in connection with this aspect which appeared in the Press approximately a month ago.

I noticed another incident which happened a few days ago concerning a person who preferred to have a cell bunk to spending a cold night sleeping outdoors. He pleaded with the magistrate for the opportunity to go back to gaol so that he would at least have the security of a prison cell, and the magistrate was kind enough to oblige. Evidently, if I remember rightly, the offence was of a sufficient nature to justify imprisonment for two months.

Mr. Brady: He asked for two months, but received a sentence of only one month.

Mr. FLETCHER: The tragedy is that these people are released from prison, but are unprepared for return to normal society, because they have nowhere to go. Let me say at this stage that one person, Mr. Ames of the Prison Welfare Service, does attempt to care for these types of characters. I do not know whether the person who asked to be sent to gaol is an incorrigible type and beyond redemption; I quoted the instance merely to illustrate the fact that there is need for some opportunity to be given to ex-prisoners to enable them to return to society. A cursory examination of this Bill reveals that it will achieve that purpose.

Dr. Henn: Would not St. Bartholomew's House be more suitable for that type of case?

Mr. FLETCHER: I understand it is, particularly where alcohol might have been a contributing factor to the crime committed by the person concerned. I thank the honourable member for raising that aspect, because there are other institutions like the one he has mentioned which work quietly behind the scenes to achieve the desirable end implied by the honourable member.

Dr. Henn: I was wondering why that person preferred to be sent to gaol rather than to St. Bartholomew's House.

Mr. Brady: Perhaps he might have worn out his welcome at St. Bartholomew's or at St. Vincent's.

Mr. FLETCHER: Perhaps this person was not aware that such help is available. In a Bill of this kind it is desirable to go further than to provide this help; steps should be taken to make ex-prisoners more adaptable to normal life. If they were sent to St. Bartholomew's or some other institution many of them would return to the company with which they had previously associated; whereas, in contradistinction, if the Bill achieves the purpose set out within it, these people will be given employment.

Under the Bill, one of the requirements is the payment of \$14 per week for board, also a contribution to the support of the family, if any, of the prisoner concerned, and the payment of taxes, etc. I hope that these people will find employers who are

generous enough to pay a remuneration consistent with their ability to do the work. Might I say in passing that many of the ordinary citizens find difficulty in doing what is required under the provision I have mentioned, in view of the low wages they are receiving. However, I do not want to become controversial in respect of that particular matter.

Previously I have advocated something which is relevant to the Bill before us, and it is recorded on page 541 of the 1966 *Hansard*. On the 30th August of that year I asked the Chief Secretary—

Is he aware of the New South Wales Government's intention (*The West Australian* 7/3/66) to obtain employment for certain suitable gaol inmates outside prison on weekdays?

His reply was, "Yes." I then asked him whether he intended to implement the scheme in this State, and he replied—

Not at present as the recently introduced system of employment of prison labour in Western Australia is being confined to work within the prison establishment.

I am just letting the Minister and the House know I did attempt, even in 1966, to achieve a similar desirable purpose. Going back further than that, I referred to the subject in 1961. The following couple of pertinent paragraphs appear in *Hansard* No. 3 of 1961 at page 2203:—

There is one other matter I should like to refer to, and it is not particularly controversial: I refer to the Fremantle Prison. This is a perennial, and since I have been here I have raised the matter on several occasions. I would like to see a new gaol established in some area other than Fremantle. Even at the risk of getting offside with the various unions, as was suggested by the other side I did on one occasion, I think that a new gaol could be built with prison labour supervised by qualified tradesmen.

I do not think the building trade or the Trade Union Industrial Council, or any of our unions, would object if prison labour were used in a humanitarian way, and supervised by various tradesmen. Bricklayers and stonemasons could supervise the stone work, and carpenters could supervise the carpentry work associated with the building of the new gaol.

So in 1961 I was advocating the release of these prisoners for employment, not with a regular employer, but by the State for the purpose of building a prison. I still hold the same opinion. The purpose of this Bill is to make it possible for a prisoner to be employed outside the gaol. If I were to read more of what I said in 1961 I could demonstrate that I asked

the Minister if he would have such prisoners escorted in suitable conveyances to the place of their employment.

Mr. Bertram: You are fortunate that you have had to wait only eight years!

Mr. FLETCHER: That is so. I have waited for eight years to see this legislation implemented; but it appears that I was ahead of time when I made the suggestion in 1961. The Opposition then advocated the procedure, and the Government has ultimately adopted, if only in part, what I suggested. Nevertheless we cannot look a gift horse in the mouth.

To my way of thinking this is a desirable piece of legislation. Certain provisions preclude some categories of prisoners whose crimes were related to insanity or were serious offences against other people; and also those prisoners who are serving life sentences. This Bill therefore provides for certain categories to be included in the scheme, but for others to be excluded.

The prerelease provision is to apply three or four months prior to the normal expiration of the term of imprisonment. However, from the Minister's remarks I gathered that six months prior to such expiration, an assessment will be made of the various types of prisoners eligible for release. This, in my opinion, is a splendid provision because prisoners, knowing that the possibility exists for them to be selected for early release, will be on their best behaviour in an endeavour to earn this opportunity for prerelease.

I notice provision in the Bill making it compulsory for a prisoner so released to join the appropriate union. Being an ex-union man myself, I am all for this provision. I believe it will create a feeling of brotherhood, because the prisoners will be subjected to the rules and responsibilities which apply to members of the trade union movement; and this will help to make them more responsible citizens.

The provisions in this Bill will not usurp the prerogative of the Parole Board because they will be operated in conjunction with that board rather than in opposition to it.

The prisoners allowed out at present are, I understand, escorted, and I am concerned to know whether those escorting the prisoners are in uniform. If this is the case, attention would be attracted to them. Will those who are allowed out to seek employment, as mentioned by the Minister, or for family reasons, be escorted by officers in uniform? I would like the Minister to answer that at some convenient time. Those are my principal queries.

I have noted the penalties provided for any prisoner who absconds. As I said earlier, I sincerely hope that no prisoner will abuse the concessions granted under

this Bill, because if this occurs the privilege will be spoilt for others. I have also noted the provision for the cancellation of privileges; but, in this time of full employment, these people should be assimilated easily into the work force; and I hope that there is no reluctance on the part of anyone to employ them.

The Bill stipulates that an employer must keep a record of a prisoner on leave or release. I also sincerely hope that such records will be absolutely confidential. However, I have no doubt that a responsible employer would look upon it as his duty to ensure that no-one knew he was employing someone who had been in prison, because if this occurred once it could occur again, and we all know the old saying about giving a dog a bad name.

In conclusion I would like to say that the Parole Board has played a splendid role since its establishment, and I hope that this Bill will confer a similar benefit on those whom it seeks to help. I support the Bill.

MR. HARMAN (Maylands) [3.18 p.m.]: I hope that some time in the future I will be able to master the workings of the notice paper, because last year I took the adjournment of the debate on the Offenders Probation and Parole Act Amendment Bill on the 8th October, and finally spoke to it on the 25th March this year. However, on this occasion this Bill was introduced on Tuesday night and I believed I would have at least a week before I would have to speak to it. But, I find that it is Order of the Day No. 1 on today's notice paper.

Sir David Brand: You cannot take anything for granted here.

Mr. HARMAN: That is right.

Mr. Brady: It is a real football match here!

Mr. HARMAN: As I said, I hope that one day I will be able to master the situation.

Sir David Brand: Keep up with it all the time and you will be right!

Mr. Court: We always put the easy ones on the top.

Mr. Ross Hutchinson: You should read the amendments too.

Mr. Brady: If they are on the notice paper!

Mr. HARMAN: I hope that the prerelease centre comes into operation as quickly as this legislation. I can recall discussions being held for years about prerelease centres. I would hope also that the ultimate concept will be more than just a prerelease centre. I am sure of this, because when the Minister returned from his journey last year, he brought

with him many more ideas on this subject. It is a matter of some amazement to me that some of the other ideas and practices which are current in other countries in the world are not being introduced into Western Australia along with that of the prerelease centre.

The Minister is concerned about the number of prisoners in Fremantle Prison and, indeed, in other prisons in this State. At the moment the number of inmates is of the order of 1,250 and, according to the trend of the past three years, at least, this number will continue to rise.

On its own, the prerelease centre will not make a great deal of difference to the number of inmates in Fremantle Prison, or in any other prison. Am I correct in thinking that the centre will cater for only 14 prisoners?

Mr. Craig: Which centre is the honourable member referring to?

Mr. HARMAN: The prerelease centre.

Mr. Craig: No prerelease centre will be established in the initial stages. It will be operating from Fremantle Prison itself or from any other institution.

Mr. HARMAN: How many prisoners is it envisaged the hostel will accommodate?

Mr. Craig: If a hostel is to be provided eventually, it could cater for anything up to 50 prisoners.

Mr. HARMAN: How many prisoners will be able to enjoy this scheme?

Mr. Craig: This is hard to say. If the member for Maylands recalls, when I introduced the Bill I said that we would possibly have to feel our way for a start to see how successful it would be. We must be very selective in the type of prisoner who is to be released.

Mr. HARMAN: I realise that.

Mr. Craig: Consequently, it is difficult to say.

Mr. HARMAN: It seems, therefore, this will not make a great deal of difference to the number of inmates in the prison, because they will still be in prison. I thought the idea was to let prisoners go out into the community to work and to bring them back to their own hostel.

Mr. Craig: That is what it will be eventually.

Mr. HARMAN: I thought planning had been going on and that a building had been acquired.

Mr. Craig: The honourable member has become confused with the half-way house.

Mr. HARMAN: What is the difference between the half-way house and the prerelease centre?

Mr. Craig: The half-way house will cater for the type of individual to whom the member for Fremantle referred and to the type of person who was mentioned

in the Press the other day; namely, those who have nowhere to go on being released from prison. I am referring to alcoholics and the like.

Mr. HARMAN: I see. He is no longer a prisoner.

The SPEAKER: Order! The honourable member must make a speech. He is not entitled to get up in this House and cross-examine other members.

Mr. Graham: It was productive of a whole lot of useful information, Mr. Speaker.

The SPEAKER: That may be.

Mr. HARMAN: As I mentioned when opening my remarks in this debate, I did not have the time to make a complete study of the points I wanted to raise. However, I do not want to let the opportunity pass without trying to inform myself as to what is involved in the Bill. Also, there are one or two comments I wish to make.

The major point I wish to deal with concerns maintenance defaulters. I wonder if it is the intention of the Government that those people will be amongst the class of prisoner who will be given the opportunity to go into the community and work during the day, and then come back in the evening. The maintenance defaulter is a person who has dodged a responsibility which has been imposed on him by the courts of Western Australia. By going to prison he is able to forgo his responsibility to pay maintenance. When he comes out of prison he can go on his merry way again until he is caught up with on a warrant of commitment. It seems to me that this type of prisoner would be no security risk and would probably cause no embarrassment to the Prisons Department or to prison officials.

The maintenance defaulter probably is the type of person who, in the main, is content to sit down and let the rest of the world go by so long as he is untroubled. Consequently I hope this kind of prisoner will be to the fore when it comes to persons going out into the community to earn their own maintenance; and also he could provide something towards the maintenance orders for which he had been committed to prison. I support the Bill.

MR. CRAIG (Toodyay—Chief Secretary) [3.25 p.m.]: I thank the two members who have spoken for their support to this Bill. I will not delay its passage unnecessarily, but I would like to make some comment on the remarks made.

Firstly, the member for Fremantle, like the speaker who followed him, said he had not had time to consider the Bill. However, I am sure both members appreciate the necessity to bring a scheme, such as the one envisaged, into operation at the earliest possible time. It has been pointed out that this matter has been considered



for quite a number of years. However, for obvious reasons, it is only now that we are able to proceed on these lines.

The member for Fremantle mentioned the inactivity which exists in Fremantle. I agree with him. In more recent times, however, a considerable attempt has been made to overcome this. Through the appointment of a works supervisor, and others, quite a considerable amount of work is now done within the prison establishment by the inmates themselves. This work is particularly concerned with maintenance and, of course, it reduces the cost of bringing in outside labour.

At other institutions, such as Karnet in particular, prisoners are engaging themselves on manufacturing prefabricated cell blocks which will be used at other institutions. When these cell blocks are established at Karnet, Pardelup, Bartons Mill, and even at Wooroloo, it will be possible to transfer many prisoners from Fremantle Prison. The sooner we can reduce the number of inmates at Fremantle the greater will be the concentration which can be given to vocational work within that institution.

The member for Fremantle referred to the classification committee which will make recommendations to the Minister for an inmate to be released under the work-release programme. The committee consists of the Comptroller-General of Prisons, the Superintendent of Fremantle Prison, the Superintendent of Karnet Rehabilitation Centre, a probation parole officer, the senior welfare officer, the Superintendent of Industries, and the secretary of the classification committee. The member for Fremantle will realise that quite a strong committee has been formed and the members of that committee would have a full knowledge of the background of the prisoner who would be seeking release for work.

Mr. T. D. Evans: Will the benefits of this scheme apply to inmates of country prisons?

Mr. CRAIG: Yes, that is what the Bill provides. The wording is, "from any centre." The member for Fremantle also gave credit to various organisations, and particularly complimented the Civic Rehabilitation Council for the work it is doing in this field. I would also like to refer to the Prisoners' Aid Society, Rotary, Apex, various church groups, and many other people who make a wonderful contribution.

I would like to say a few words, also, for the employers themselves. Some doubt was expressed about whether certain information would be treated in confidence. I can assure the House that this will be the case. We have had the fullest co-operation from employers. Quite a number of industries in Perth at the present

time have ex-inmates on their staff. The management has more or less assumed a personal responsibility for the future welfare of those employees whom they consider to be amongst the best they have, because they are naturally anxious to rehabilitate themselves in order to get back into the community as quickly as possible.

The member for Fremantle asked me whether the escorts of these prisoners were in uniform. I think he was referring to the second part of this programme; that is, the day-release proposal. This allows for the release of prisoners for one or two days to enable them to seek employment and whilst doing so they are without any escort. There are occasions, even now, of course, when a prisoner is released for a day to attend a funeral or for some other purpose, and on such occasions the prisoner is required to have an escort, but in many cases the escort is not in uniform. It would depend on the circumstances.

The member for Maylands was wondering why, following my visit overseas last year, so many modern overseas practices were not being introduced at the same time as the work-release programme. There are several innovations I would like to see introduced into Western Australia, but unfortunately it is a question of cost. I can assure members that the cost of prison services in some of the countries overseas is 10 times the cost of maintaining our prisons in Western Australia. In fact, there has been so much criticism in some countries about the prison services that it has become a major public issue.

Members may recall the Mountbatten report in the United Kingdom. That came into being as the result of an inquiry that was forced on the Government, more or less, following a public outcry over the escape of notorious prisoners from maximum security institutions. Following the report, the British Government has had to spend many millions of pounds to improve its prison services and to increase the security of its institutions.

In view of the fact that some prisoners have escaped from prison recently, perhaps it might be wrong for me to say this, but we have not had the need to increase the security of our prisons in Western Australia. Nevertheless, there are many other innovations that could be put into effect in this State to advantage. One that has been referred to by the member for Maylands, which would reduce the prison population in the Fremantle gaol, is a hostel for work-release prisoners. This is the ultimate, of course, but it was found that in certain areas where it was decided to introduce this programme it started off within the prison establishment itself. After a period of time, when its success had been proved, a separate establishment

was created in order that the inmates could adjust themselves to normal home conditions; conditions different from what they would experience within the prison.

Then again, there are certain problems arising as a result of releasing prisoners from, say, Fremantle Gaol. They are required to return each evening after work and I should imagine they would be under pressure from their fellow inmates to bring back to them something or other that they required, and this could bring about some problems. However, I am sure the Prisons Department has this matter well in hand.

Maintenance defaulters were also mentioned. I note that during 1968 no less than 264 commitments were made under this heading. Like the member for Maylands, I feel that these defaulters should be given an opportunity to return something to society, or to repay the debts that have accrued under the maintenance orders made against them. This is one reason why the employer is required to pay the inmate's wages to the prison authorities.

During the debate on the second reading, and speaking of the programme generally, I did say that this would provide an opportunity to accumulate savings so that when released the prisoner could have some funds for himself and be able to pay any of his legitimate debts. This is one of the reasons why the wages of an inmate have to be handed over by the employer to the prison authorities.

I could speak on quite a few other matters in regard to prisons, but I am more or less confining my remarks to the Bill before the House. I thank the members who have spoken for their support of the measure. Actually, one becomes rather surprised to know the types of offenders who are in Fremantle Gaol. I have mentioned this before. We have a conglomeration of all sorts of men, and when it is realised we have to provide maximum security provisions to keep, say, a drunken man in gaol, the principle seems wrong. I mention this only because of the questions asked by the member for Fremantle concerning the provisions at Fremantle Gaol.

During the course of the year—I am quoting the 1968 figures—over 2,000 men convicted of drunkenness were committed to our institutions; 172 were committed for street drinking, and 869 for traffic offences.

Mr. Brady: It would appear that the breweries ought to be asked to make a contribution to the cost of maintaining the prison.

Mr. CRAIG: That might be an idea. In Denmark, one well-known brewery in that country—I will not mention any names—has to contribute 60 per cent. of its profits to a trust fund for the development of a famous museum there.

Those who have been committed to prison for the type of offences I have just outlined are not the type of people who require to be held in a maximum security prison. They can be provided for in other ways; by being committed to open or minimal security institutions from where they can go out to work and, as pointed out by the member for Maylands, they can then contribute something to society and help to pay the debts that have been incurred as a result of their misdemeanours. I commend the Bill to the House.

Question put and passed.

Bill read a second time.

#### *In Committee*

The Chairman of Committees (Mr. W. A. Manning) in the Chair; Mr. Craig (Chief Secretary) in charge of the Bill.

Clauses 1 and 2 put and passed.

Clause 3: Addition of part VIC—

Mr. T. D. EVANS: When the member for Fremantle was speaking he possibly invited an amendment, but I hasten to assure the Minister I have no intention of moving one. However, I would draw his attention to clause 3 which provides for regulation-making powers to be granted to carry out the intention of the scheme.

In replying to the debate on the second reading, the Minister mentioned that a regulation would be framed which would require an employer to pay direct to the prison authorities the remuneration of an inmate released under this scheme. I hope this is made quite clear in the regulation, because despite this fact there is a *bona fide* contract between the employer and the inmate which will enable the worker to come under the provision of the Workers' Compensation Act.

It may be construed that when the remuneration is paid to the prison authorities, the contract of employment, in fact, exists between the employer and the Prisons Department, and in this way the unfortunate inmate might be deprived of workers' compensation should he be injured at his place of work or whilst travelling to and from his place of work. I therefore ask the Minister to give some consideration to this point so that when the regulation is drafted it will be clear that the contract of employment is between the inmate and the employer.

Mr. CRAIG: It would be a contract between the employer and the employee. This is the whole purpose of the provision. The Prisons Department is not supplying free labour to an employer; he must pay the prisoner the normal wages and the employee, as such, must abide by the conditions of his employment as would be the case with anyone else.

If there was any doubt in regard to payment, I should imagine the employee could give a procuration order to the employer to pay the wages to the Prisons Department and there would then be no doubt as to the legality of workers' compensation, or anything else. Anyhow, I will look into the matter.

Clause put and passed.

Title put and passed.

### *Report*

Bill reported, without amendment, and the report adopted.

*Sitting suspended from 3.43 to 4.5 p.m.*

## **BILLS (2): RETURNED**

1. Wood Chipping Industry Agreement Bill.

2. Western Australian Institute of Technology Act Amendment Bill.

Bills returned from the Council without amendment.

## **LICENSING ACT AMENDMENT BILL**

### *In Committee*

Resumed from the 16th September. The Chairman of Committees (Mr. W. A. Manning) in the Chair; Mr. Court (Minister for Industrial Development) in charge of the Bill.

The CHAIRMAN: Progress was reported after clause 1 had been agreed to.

Clause 2: Amendment to section 44D—

Mr. COURT: I rise to support the clause but, at the same time, I wish to indicate that the amendments I said I would be moving cannot be moved. It has been explained to me by the Clerks that any amendments, other than in connection with the continuance of this provision in the Act would be out of order. Therefore, a separate Bill will have to be introduced to deal with the points I have in mind.

Clause put and passed.

Title put and passed.

### *Report*

Bill reported, without amendment, and the report adopted.

## **INSPECTION OF MACHINERY ACT AMENDMENT BILL (No. 2)**

### *Second Reading*

Debate resumed from the 2nd September.

MR. MOIR (Boulder-Dundas) [4.8 p.m.]: This Bill, which proposes certain amendments to the Inspection of Machinery Act, is a straightforward one, and we on this side of the House are in the pleasing position of being able to support it. One of

the principal reasons for this is, of course, that in arriving at these amendments a procedure has been adopted that could well be followed in respect of other industrial matters; namely, that the people concerned have been consulted prior to the drafting of the amendments and those people are in accord with the provisions of the measure.

In my opinion some of the proposals are long overdue. As a matter of fact, I have often wondered when some of the amendments now proposed would be introduced. However, they are here now.

The first amendment is to section 15 of the Act and the proposal is to do away with the necessity for people looking after small steam boilers, coffee boilers, sterilisers, and so on, to hold certificates. In accordance with a strict interpretation of the Act, those looking after such apparatus should be certificated people but, to a certain extent, the Act has been disregarded in this particular and the requirements as regards small boilers have not been enforced.

I was rather amazed at some of the comments in the Minister's notes. When talking about this aspect he said that the removal of the necessity to hold certificates when looking after small boilers would permit females to take on this work as well as males. The Minister said—

There is no objection to females attending these small boilers, which are generally electrical or sometimes oil fired. The necessity for physical strength is absent in these cases whereas bigger boilers firing with wood, coal, or sawdust, still require physical strength.

While it is important that a person handling such boilers be strong enough to fire them, the use of wood as a fuel has been diminishing over the years. I suppose the only place in the State where wood-fired boilers would be used to any extent would be in the timber industry in the south-west. In such cases it is a matter of economics for wood to be used as fuel. Waste wood is used for this purpose instead of being burnt on the waste timber heap at the mill. Consequently it is a source of cheap fuel. In some areas the cost of wood has become so great as to make its use as a fuel prohibitive. This applies particularly to the goldfields.

At one time most of the steam and electrical power generated on the goldfields was through the use of wood fuel. However, as the years have gone by, the supply has grown less and the wood has had to be carted over longer distances. This has made the cost prohibitive and people have found it more economical to use coal or fuel oil instead of wood for the purposes of power and steam generation.

While physical strength is needed to fire boilers with wood, that is not the paramount reason for requiring a certificated person to look after boilers. A person who is in charge of a boiler of any description must have some stability and must understand the dangers that are inherent in maintaining and looking after a boiler, particularly where steam is generated, sometimes to a very high pressure. Naturally with some of the small boilers, and the larger boilers too, all sorts of safety devices are used which, to a large extent, take care of the human element. However, as we all know the misuse of boilers can result in devastation.

On occasions in the past—fortunately there have been very few in this State—there have been bad explosions with boilers that have not been properly looked after. I am not suggesting, of course, that that happens with some types of boilers that are being excluded from the provisions of the Act. However, there is always an element of danger and risk when steam is generated, especially when it is generated to high pressures.

I have referred this measure to the Federated Engine Drivers and Firemen's Union officials and they inform me that they have no objection to the amendments. In fact, they were in consultation with the department in regard to them; and the Chamber of Manufactures, too, has agreed to the Bill. However, I would like to pass some comments about a few of the provisions.

The next amendment in the Bill is to section 36 of the Act. The purpose of this amendment is to provide that charitable organisations or educational institutions shall not be charged fees for inspections. It will still be necessary to have the apparatus of these organisations inspected. In the past it has been the practice to exempt these organisations from the payment of fees, under the direction of the Minister; but apparently the Minister has been acting without legal authority in this regard. Sometimes I think the Minister has been in a position similar to the position Nelson was in at the battle of Trafalgar when he put the telescope to his blind eye. I do not think anybody would quarrel with that, because they will still be subject to inspection.

The Minister stated that fees have been charged for boilers, pressure facilities, lifts, and maintenance machinery, and that it is the intention to continue this practice. I do not think anyone would object to that.

The next amendment is to section 56 of the Act, and it relates to engine drivers' certificates. As far as steam engines are concerned there are first-class, second-class and third-class certificates. There is also an overriding certificate—a winder driver's certificate.

It is proposed to widen the scope of the first, second, and third-class certificates because of the introduction of steam turbines. When steam turbines were introduced many years ago, they were very large and were used principally for the generating of electric power. At that time it was thought that only a first-class steam certificated driver should be the person to have charge of a turbine of those dimensions, and nobody would quarrel with that decision. However, as time progressed smaller turbines have been manufactured and brought into operation and it is now felt that they could be put under the jurisdiction of second and third-class certificated engine drivers. I have no objection to that.

The difficulty, of course, as was pointed out by the Minister, is to obtain people who have qualifications to operate reciprocating steam engines. As we all know, they are gradually going out of use. The reciprocating steam engine has done a marvellous job over the years. As a matter of fact, those engines made a major contribution to the development of this State, and I refer to the reciprocating engines used to pump water from Mundaring Weir to the Golden Mile. Although they have been operating for something like 70 years, it is only in this day and age that the last of those engines is disappearing. I understand the last one is performing its final few weeks of work on the goldfields pipe line, and will be replaced with new pumping equipment.

As I have said, those engines performed a wonderful job in this State in the generation of power. Also, of course, they have been used in mining operations where deep shafts have been involved. They have now been superseded and I doubt very much whether there would be a steam winding engine operating at the present time. They have been superseded by electric winding engines.

The same difficulty has arisen with the steam reciprocating engine as occurred with the turbines. The facilities for learning the operation of the engines and obtaining qualifications are not available. As those engines have disappeared, men have not been able to get the necessary experience to obtain certificates. As fewer and fewer reciprocating engines are in operation, so the facilities to learn to drive the engines are getting fewer and fewer.

I have always felt that the qualifications required of certificated drivers were too high. One could readily say that high qualifications are necessary because the men are in such responsible positions. However, on the other hand, I do think the men were required to have more knowledge than was necessary to become certificated drivers. For instance, a driver would be required to know practically every part of his engine, how it worked, why it worked, and what it did. I often wonder what

would happen if this provision was applied to people who hold a license to drive a motorcar. I wonder how many owners would be able to qualify for a motor driver's license. Very many motorcar drivers would not know what went on under the bonnet of their cars.

Mr. Craig: Some of them do not know what goes on outside the bonnet either.

Mr. MOIR: I have often thought that restriction has excluded many men who would otherwise be capable of doing a very good job of engine driving. They have not been able to pass the examination. As a matter of fact, I know men who were excellent in the handling of machinery, but because they could not put their knowledge on paper they failed time and time again.

As a matter of fact there was a rather notorious case of a man who was a fireman on a locomotive in the south-west for 15 years before he finally qualified. I suppose that man would have been one of the most capable engine drivers to put in charge of a locomotive. However, he was not able to put his knowledge on paper. I have some measure of understanding of this case because I qualified as a stationary engine driver many years ago. As a matter of fact, at the age I qualified I think I was one of the youngest engine drivers in the State. I did not follow the occupation, but I still had the qualifications.

The amendment to the Act will allow the smaller turbines to be incorporated in the second-class and third-class certificates, and I do not think there could be any quarrel with that.

Another amendment will affect section 58 (2), and will enable the board of examiners to depute someone to conduct crane and hoist drivers' examinations. I think this provision is in order, too, because we could not expect the time of the board of examiners to be taken up with interviewing candidates for hoist drivers' and crane drivers' certificates. Someone in authority can examine such applicants and ascertain whether they have the requisite knowledge and, I might add, the requisite temperament, to be put in the responsible position of driving a hoist or a crane.

This kind of action occurred many years ago on the goldfields where a small type of air operated hoist was operated underground. It did not take long for a man to become competent with such a hoist, and the power to license such an operator was deputed, under the Mines Regulation Act, either to the underground manager or the manager of the mine. That has applied for many years.

Another amendment will affect section 59 of the principal Act, and will remove the requirement that all applicants for a

certificate issued by the board of examiners for engine drivers be a British subject, a naturalised British subject, or an unnaturalised person who has not been in Australia for a period exceeding the minimum time after which applications for naturalisation will be accepted.

I have always thought it rather strange that we should have that requirement, and I always regarded it as a restriction. Probably, years ago, there were not a great many of those people in our country, but I could not understand why a person coming from, say, Germany, who may have been working on, or in charge of, engines in one of the very large power houses in that country should be precluded from following his vocation here. He would, in this country, probably work on engines of a very inferior kind compared with what he had been used to.

I quite agree with the requirement that such a person should be able to understand and speak English fairly readily. I think that is essential. There has always been a restriction on those people, but we have reciprocity with the other States with regard to the requirements for certificates. Here let me say that was not always so. At one time if a person went from this State to another State, although he was certificated to drive stationary engines here, it did not mean he was able to follow his vocation in the other State without re-examination. That always struck me as being foolish. All the other States did not have this requirement. A machinery act such as ours should be Commonwealth-wide, and all the States should comply with the same provisions.

I do not see any difference between driving an engine in Queensland, South Australia, or Western Australia. I do not know just how the legislation applies at the present time because I am out of touch with it. However, I do know that some years ago a person could not go to Victoria and follow his calling without being re-examined. In my case I had to apply for, and obtain, a certificate. To my astonishment I was granted a higher certificate in Victoria and was able to drive engines of a greater dimension than I was able to drive in this State. It appeared to me that the requirements in this State were more stringent than they were in Victoria. That struck me as being quite a peculiar situation.

Another amendment to section 63 of the principal Act deals with motor certificates, and these certificates would apply principally to diesel engines. This provision has not been altered since 1922, and we must admit it has taken us a long time to catch up with progress. Certificates issued by the Board of Trade of the United Kingdom will now come within the scope of the Act. There has been a

certain amount of reciprocity here but, at the same time, marine engine certificates have not been covered.

I have covered the subject matter of the Bill and, as I have said, it is a straightforward measure. It contains amendments which I think could have well been brought forward years ago, but I suppose the pressure to amend the Act stems from so much employment and so much new industry coming into the State, and because of the demand created by the people who hold qualifications. Therefore, I have no hesitation in supporting the second reading of the Bill.

**MR. WILLIAMS (Bunbury) [4.30 p.m.]:** I rise to support the proposed amendments to the Inspection of Machinery Act, and I do not propose to delay the House for long with what I have to say. The measure was outlined very well by the Minister when he introduced it, and also by the member for Boulder-Dundas. I agree with the honourable member that one section of these amendments is quite important and should have been dealt with a number of years ago. This is in regard to second and third-class turbine drivers.

Under the Act there is no method by which the horsepower of a steam turbine can be calculated. If one looks through the Act one will find that the only mention made in respect of this matter is the method of using cubic inches. Of course, the rating of a steam turbine cannot be calculated by using cubic inches; it must be calculated in horsepower.

Some three years ago representations were made to me by some members of the Federated Engine Drivers and Firemen's Union to see what could be done about this matter. However, there were some hold-ups along the line; but I am very pleased to see this measure before the House today.

I think the Minister made mention of the fact that this Bill will affect many employees of the S.E.C. It will also affect other industries which have their own power plants, such as the ore industries up north, and B.H.P. in the metropolitan area; and, of course, all the power stations of the S.E.C. will be affected. Until now, any person who worked for the S.E.C. and who wished to become a second or third-class turbine driver had to spend a certain time on reciprocating steam engines—I think they are commonly called donkey engines. However, these are becoming fewer and fewer. For instance, in the south-west of the State many of those steam engines were used in the mills. In recent years, the mills have been converted to electricity, and the steam engines have been cut out.

It has always seemed ridiculous to me that a person who worked in a sophisticated plant—such as an S.E.C. power station—

had to do a certain period of time on something which was brought into being in the 1800s to qualify him to use a steam engine of modern-day technology. I believe this measure will enable industry to better cater for its manpower requirements in this field.

I have one query which I hope the Minister will answer when he is replying to the debate. The Bill gives the board of examiners the power to depute an inspector to examine boiler attendants and crane and hoist drivers. It is probably a remote possibility, but the position could arise in which an inspector who had been deputised by the board of examiners failed an applicant, and the applicant had reasonably good proof that he was being victimised in some way. This can be done in many ways, because at times people do not get on well together. The inspector may have run across the applicant at some time prior to his application for a certificate, and there may be some animosity between the two.

I would like the Minister to let me know what right of appeal, if any, such an applicant has, and whether he can appeal to the board as a whole for another inspector to be deputed to carry out the examination. Of course, this Act has only recently come under the jurisdiction of the Minister for Labour. In the past it has been the responsibility of the Minister for Mines, and I have no doubt that some new faces will appear amongst those who are responsible for administering the legislation.

**Mr. T. D. Evans:** You are not suggesting there will be a new Minister this side of the elections?

**Mr. WILLIAMS:** No, I am not suggesting a new Minister—not even after the elections. However, that is another matter. I realise that the administration of this Act has been the responsibility of the Minister for only a short time, but I would like to suggest that he get one of his officers to go right through the Act, because many portions of it, and the regulations made under it, are fairly archaic. For instance, section 22 of the Act refers to gun-metal cocks and valves.

Gunmetal is one of the very early metals, and it used to be called admiralty bronze. There are other metals now which have replaced gunmetal, and I do not think this reference is necessary. The inspectors, along with employee and employer organisations and Australian standardisation organisations could well look into this and work out better wording and do away with some of these specific references to old metals, and other things, which appear in the Act.

I have not had time to go through the Act; but if one did go through it one would

find many other things mentioned which were brought in in about 1921 and which are most unnecessary.

Mr. DAVIES: What about reconstituting the department; it is in a bit of a mess as it is now?

Mr. WILLIAMS: This could be so. However, if the member for Victoria Park likes to get up and suggest this I am sure the Minister will be prepared to listen to him and, no doubt, give him an answer.

Another thing which worries me a little is that from time to time in my capacity as a member of Parliament I hear rumblings around the countryside—not in any specific area of the country—about apparent variations in the interpretation of the Act by inspectors with regard to different pieces of equipment and machinery. I have no complaint at all regarding my own business. We find that the inspector who visits us is courteous and seems to be very efficient.

However, I do hear rumblings from time to time when people in the engineering business get together and compare what different inspectors have said to them and asked them to do to bring their plants up to standard. It appears there are variations between inspectors regarding what is required. I have no doubt that no matter how well the inspectors are instructed and told, "Look, this is the interpretation you must stick to," there will always be certain differences in interpretation which cannot be obviated.

However, the number of rumblings that I have heard throughout the countryside over the past five or six years seems to indicate that it is more than a matter of personal interpretation by the inspectors. So I suggest to the Minister that he call his officers in from time to time and conduct a public relations exercise in order to standardise their interpretation of the main points of the Act under which they operate.

I would like to mention another matter to which I have not given a great deal of thought. It has come to my notice often, and it always appears a little strange to me, that there is today a common article of machinery which does not come under this Act, and that is the motor vehicle. I realise there are problems involved in this matter because of the various licensing authorities. However, a motor wagon is a piece of machinery and for the life of me I cannot see why the inspectors under this Act should not also inspect motor vehicles; because they are in fact pieces of machinery.

Mr. Fletcher: Mobile cranes are inspected.

Mr. WILLIAMS: Yes; they are brought under this Act at the moment, and I believe some consideration is being given to bringing tow trucks under the Act, also. I would like to hear the comments of the Minister with regard to bringing motor

vehicles under the provisions of this Act as far as the inspection of them is concerned. The inspectors to whom I am referring are fully qualified. I am not saying the people who inspect motor vehicles at the present time are not fully qualified. It would mean more inspectors, and these people are already fully qualified in the field of engineering and machinery. With those remarks I support the Bill.

MR. DAVIES (Victoria Park) [4.41 p.m.]: I am not going to oppose any of the provisions in this amending Bill because, as has been pointed out, they are very necessary, and we are really moving with the times. I interjected when the member for Bunbury was speaking, and although he made several statements regarding the inspection of machinery, he did not seem to agree with my suggestion that now is the time to have a look at the whole set-up of the department.

I had an experience about 12 months ago, and since then I have not been game to approach any of the departments concerned. On that occasion I was shunted between the Department of Labour, the Mines Department, and the Inspection of Machinery Branch. Not one of those departments would accept responsibility for the matter I raised and, indeed, it was finally left with a lawyer to be worked out, and to be taken to court for a decision. There seems to be a lot of confusion between the departments as to the areas of jurisdiction.

In the case to which I am referring a hook had broken when some metals were being lowered into acid for galvanising. The officers in the departments did not seem to know who was responsible; whether one section was responsible for the faulty hook; whether it was another section responsible for the working of the hoist; or whether the machinery, generally, was not in good working order. No-one seemed to know when the place had last been inspected, and all this culminated in complete confusion.

As I said, I left the matter with the legal men to be worked out, and I think the whole position needs to be examined to define the areas of jurisdiction.

Mr. T. D. Evans: Did the lawyer get the worker off the hook?

Mr. DAVIES: I am pleased to say that the outcome was successful, but only because the case did not have to go to court. The employer agreed to a settlement, so fortunately no-one had to accept responsibility. This case highlights the confusion which exists due to changes in types of machinery, changes in methods, and, apparently, some degree of uncertainty as to who should be doing what. The officers in the department expressed to me a doubt as to whether or not they had the right to intercede.

Although they are generally very helpful, the greatest help they could give me was to shunt me to somebody else. As the men themselves find this confusing, this might be an occasion for me to suggest to the Minister that the position be examined with a view to defining areas of authority.

**MR. O'NEIL** (Melville—Minister for Labour) [4.46 p.m.]: I thank members who have contributed to this debate for their support of the legislation and for their comments on the Bill. I think I can agree with them all that many of the amendments are long overdue, and that the Act itself is also long overdue for an overhaul. In fact, for the benefit of members I would advise that it is intended to have an officer made available to examine thoroughly the provisions of the Inspection of Machinery Act in order to bring it up to date, and to remove references to such things as gunmetal because, in fact, much more modern materials are available for various purposes. However, it is of sufficient importance to effect these very necessary amendments at this point of time.

The member for Bunbury referred to the possibility of an examiner who has been deputed to carry out examinations on behalf of the board, either advertently or inadvertently penalising a person who is seeking a certificate. In fact, he mentioned this matter to me some time ago. I can do little better than quote from a minute of the Deputy Chief Inspector of Machinery with regard to the method of issuing certificates. He said—

All applications for certificates under the Act are made to the Board of Examiners.

The Inspector examines orally for Boilers Certificates and then passes his recommendation to the Board whether the applicant has passed or failed the examination.

The Secretary of the Board notifies the applicants whether they have passed or failed the examination or whether their examinations are deferred. Any applicant therefore is not failed his examination by an Inspector because in every case it is the Board who notifies the applicant, and no doubt if an applicant was aggrieved with his examination results he could certainly take the matter up with the Board.

Under the circumstances, although I undertake to keep the situation under close surveillance, it is not considered there should be a right of appeal to the board against the decision of an examiner by a person who has been examined, in the event of his failure to pass the examination; because we could possibly have

this right of appeal exercised where the person being examined did, in fact, legitimately fail the examination.

The member for Bunbury also referred to the question of motor vehicle inspections coming under the auspices of the Inspection of Machinery Branch. I do not know that at this point in time—perhaps I should have used the word “now” in view of what I read in the newspapers recently—we should consider this. Apparently the Government's policy in regard to the inspection of motor vehicles is mainly to ensure that they are, in fact, safe on the roads. As I understand it, the inspection which will be carried out on motor vehicles will simply ensure that the braking systems are adequate, that the wheels are all fastened securely, and that the signalling devices which are required under the law do work.

**Mr. Williams:** Surely that is part of the machinery.

**Mr. O'NEIL:** Yes. I think the Government proposes to set up special inspection depots where specially skilled people will examine these machines. This is essentially related to road safety, rather than to the safety of machinery used in industry.

The other items of equipment mentioned by the honourable member, such as mobile cranes and tow trucks, could be regarded as machines used in industry, rather than as motor vehicles used for pleasure. I admit the distinction is a rather small one.

If we are to continue accumulating all these responsibilities in one department we will finish up with the State having one department only, because the Inspection of Machinery Branch also conducts an excellent educational system to train people to use mechanical equipment. However, the point has been well made. I think it is appropriate that we should wait and see how effective is the spot check of motor vehicles before we proceed any further.

I made a note of the interjection of the member for Victoria Park who referred to “the mess the department is in.” I am sure he did not really mean that. I do not know when the event to which he referred occurred, but it might have been before the Inspection of Machinery Branch was attached to the Department of Labour. This is a relatively new move. Previously this function came under the Mines Department, but it has now been placed under the Department of Labour. Similarly, weights and measures control has been handed over by the Police Department to the Department of Labour. So, the Department of Labour in this State now bears, in respect of responsibilities, a much closer relationship to similar departments in other States than it did previously.



All these functions, which are regarded as matters relating to labour and industry, are now under the one department. It is true they are not all housed in the same area, but it is hoped that before the year is out the majority of the sections of the Department of Labour will be housed together; if not completely together, then at least in two buildings very close to this place. We have the Industrial Commission and the weights and measures section at Vapech House, and there will be available another building of the same design, now being constructed not far from Vapech House. It is proposed to move the Department of Labour proper into that building, and probably other sub-sections of the department will also be moved into it. So, physically, the department will be a closer organisation, and will be much more easily supervised.

In the field of the inspection of machinery, an engineer (Mr. Doug May) has been appointed Chief Inspector of Machinery, and his responsibilities may be extended to undertaking other aspects of labour and industrial problems which are related to machinery, weights and measures, scaffolding, and the like.

Mr. May: Last year you mentioned that some consideration would be given to the licensing of front-end loaders, bulldozers, scrapers, etc. That has not been done.

Mr. O'NEIL: Initially some consideration was given to the certification of the people who operate these machines, but after further study it was considered that at this point of time it would be almost impracticable to do so. We could have a situation where a contractor has one front-end loader, or some such machinery, and for some reason his operator is not available. He may be absent from work as a result of sickness. If the contractor does not have another certified operator to operate the machine, then some difficulty will be occasioned. Ultimately the proposal was not proceeded with.

Mr. May: I was thinking more in terms of the iron ore industry. Some of the operators of these machines up north are not licensed.

Mr. O'NEIL: What might be an advantage in the north might be a disadvantage to the small contract operator. It was decided not to proceed with this proposal. I must point out that the proposal has been considered, but on reflection it was decided that it would not be proceeded with.

Mr. Williams: Will you deal with the question of the inspectors and their interpretations of the Act.

Mr. O'NEIL: I undertake to endeavour to have something done about this matter. There is always the problem of the clash of personalities arising from the action of

inspectors. It has occurred in the Police Department and in the field of factories and shops inspections. Wherever a person is clothed with some authority to inspect or to advise there is, on occasions, invariably the problem of personality conflict.

I do believe it is important for these officers to be brought together for the purpose of discussing problems they have experienced, to find ways to deal with them. In the State Housing Commission it is the regular practice to bring the country agents to the city every year for a two or three-day course. I refer to collectors and the like. They are brought together to be given briefing and instruction courses. It could well be that in the field of machinery inspection and factories and shops inspection a similar procedure could be adopted. I thank the member for Bunbury for his comments, and I think that covers pretty well all the remarks I wish to make. I now commend the Bill to the House.

Question put and passed.

Bill read a second time.

*In Committee, etc.*

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

#### ADJOURNMENT OF THE HOUSE: SPECIAL

MR. LEWIS (Moore—Minister for Education) [4.56 p.m.] I move—

That the House at its rising adjourn until Tuesday, the 30th September.

Question put and passed.

*House adjourned at 4.57 p.m.*

---

## Legislative Council

Tuesday, the 30th September, 1969

The PRESIDENT (The Hon. L. C. Diver) took the Chair at 4.30 p.m., and read prayers.

#### QUESTION WITHOUT NOTICE SUBDIVISIONAL APPLICATIONS

##### *Tabling of Report*

The Hon. F. R. WHITE asked the Minister for Local Government:

Would he table the report of the committee appointed by him in June, 1968, for the purpose of streamlining procedures in connection with subdivisional applications?