

no more contracts should be let for the balance of the financial year—was adopted by the present Government.

Debate adjourned, on motion by Mr. I. W. Manning.

ELECTRICITY SUPPLIES

Answer to Question: Personal Explanation

MR. NALDER (Katanning) [5.58 p.m.]: Mr. Speaker, may I ask the indulgence of the House to make a statement?

The **SPEAKER**: Has the Leader of the Country Party the indulgence of the House to make a personal explanation? There being no dissentient voice, leave is granted.

Mr. NALDER: This morning during the debate on the Address-in-Reply and whilst I was not present in the Chamber, the member for Collie made the statement, or implied, that I had misled the House when answering a question that was asked on the 11th August, 1970, by the then Leader of the Opposition. I did ask the Minister for Electricity a question without notice as to whether he would be prepared to correct that statement, if it should be corrected, but he indicated that I should seek advice and reply to the member for Collie.

I did ask the question again as to whether he would be prepared to let me discuss this matter with the State Electricity Commission, and I have since done this in the intervening period. In order to explain the position perhaps it would be as well for me to relate the question. It is as follows:—

Mr. Tonkin asked the Minister for Electricity:

- (1) On the occasion of the most recent price rise in motor spirit was the price of fuel oil supplied to the Government also increased?
- (2) If "Yes" did the increase apply to the fuel oil being supplied for the Kwinana power station?
- (3) By how much was the price of fuel oil increased?

The answer was as follows:—

- (1) No.
- (2) and (3) See (1).

The answers I have just quoted were correct. So as to clear the matter up I would explain and point out that the most recent price rise in motor spirit at that time was on the 22nd June, 1970. So at that particular point of time there was no rise in the price of fuel oil supplied to the State Electricity Commission.

Any increase in the price of oil was agreed to by the commission and the suppliers of fuel oil on the first of each month. On the 1st July the price decreased by 9c, and this was after the price rise for motor spirit.

In August, however, the price of fuel oil supplied to the State Electricity Commission went up 22c. Accordingly I make the point that the answer to the question at that stage was absolutely correct; and after checking with the officers of the S.E.C. I find their interpretation of the questions indicates that in their opinion the answer was correct.

I merely wished to make this explanation to the House because of the accusation levelled by the member for Collie.

House adjourned at 6.03 p.m.

Legislative Council

Tuesday, the 3rd August, 1971

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

QUESTION WITHOUT NOTICE

DAYLIGHT SAVING

Responsibility for Decision

The Hon. A. F. GRIFFITH, to the Chief Secretary:

In view of the publicity that has been given to the question of daylight saving, and particularly having in mind his comments in this afternoon's Press to the effect that the changeover "will mean that I will get it from both sides," and that it had become a "can't win issue," does it appear to him, as it does to me, that the Government has left him with this problem?

The Hon. R. H. C. STUBBS replied: I wish to thank Mr. Griffith for prior notice of the question. No; I do not think the Government has left me with it. It is simply a Government decision made after a review of all the submissions.

QUESTIONS (3): ON NOTICE

CATTLE Movement

The Hon. C. R. ABBEY, to the Leader of the House:

As regards movement of cattle from northern areas of Western Australia to properties in South West division—

- (a) Would it be possible to consider relaxing the provision which requires properties receiving cattle from northern areas to be quarantined for six months;

- (b) has the present system of blood testing and dipping all cattle before despatch from northern pastoral properties proved satisfactory; and
- (c) what numbers of cattle have been moved from pastoral properties in the North West to southern areas since relaxation of ban?

The Hon. W. F. WILLESEE replied:

- (a) Consideration will be given to relaxing quarantine provisions on Kimberley cattle in 1972 dependent upon assessment of progress made in the pleuro-pneumonia eradication programme at the end of 1971.
- (b) The present system of testing and dipping before leaving the Kimberley has proved to be entirely satisfactory.
- (c) During the 12 months ended 30th June, 1971, 4,943 cattle have been moved south of the 20th parallel under this system. This period of time approximately covers that in which the relaxations have been in effect.

2.

MAGISTRATE *Port Hedland*

The Hon. W. R. WITHERS, to the Leader of the House:

- (1) Is it proposed to base a magistrate at Port Hedland in the near future?
- (2) If so, when will the magistrate take up residence?
- (3) If not, could it be explained why there is no judiciary seat in the largest town North of Geraldton in a region that has the greatest population growth in Australia?

The Hon. W. F. WILLESEE replied:

- (1) Although the matter is under consideration, an early appointment is not anticipated.
- (2) Answered by No. (1).
- (3) There is no demand for a Judge to be resident in Port Hedland. The decision in respect of a magistrate is dependent on final decision for the development of the region.

3.

LAND *Timber Rights*

The Hon. F. D. WILLMOTT, to the Leader of the House:

With reference to the reply to my question on the 22nd July, 1971, regarding the reservation of timber rights to the Crown on alienated land, can the Minister advise

in what year the regulations, under the Land Act, referred to, were gazetted?

The Hon. W. F. WILLESEE replied:

The Regulations at present in force were gazetted on the 1st August, 1968. The Regulation expressing reservation to the Crown of all marketable indigenous timber was first gazetted on the 2nd March, 1934. Prior to that date, reservation was effected by special conditions inserted in the forms of Crown Grants and Crown Leases.

STANDING ORDERS COMMITTEE

Report Presented

The Hon. N. E. Baxter presented the report of the Standing Orders Committee.

Ordered: That the report be printed and its consideration made an Order of the Day for the next sitting.

ADDRESS-IN-REPLY: SEVENTH DAY

Motion

Debate resumed, from the 29th July, on the following motion by The Hon. L. D. Elliott:—

That the following Address be presented to His Excellency:—

May it please Your Excellency: We, the Members of the Legislative Council of the Parliament of Western Australia, in Parliament assembled, beg to express our loyalty to our Most Gracious Sovereign and to thank Your Excellency for the Speech you have been pleased to deliver to Parliament.

THE HON. F. R. WHITE (West) [4.44 p.m.]: I rise to speak in favour of the motion, but before doing so I would like to add my congratulations to those of previous speakers to the new members elected to this Chamber; those who have the great privilege of being able to represent their constituents. I would like to congratulate those new members on the very high standard of the maiden speeches which have been made to this stage. Their speeches auger well for future debates in this Chamber.

I would also like to congratulate Mr. Baxter on his reappointment as Chairman of Committees; and last, but not least, I would like to congratulate Mr. Willesee, Mr. Dolan, and Mr. Stubbs on their elevation to the front benches. I trust they have a very satisfying but not a very long term of office.

The Hon. W. F. Willesee: You are being nasty.

The Hon. F. R. WHITE: The main topic of my debate should require no words whatever to be said in this Chamber. If any words were needed then a one-sentence request outside this Chamber is all that should be necessary. However, on a very minor topic I will find it necessary to say many words. Before dealing with this parochial topic, however, I feel there is a need to generalise to a degree.

In his address the Governor made reference to the road toll. Subsequently, Mr. Baxter made reference to it and so did Mr. Leeson. Mr. Leeson said that in his common sense opinion the Kambalda-Kalgoorlie road was not constructed correctly and that the blending of the colour of its surface into the surrounding countryside tended to camouflage the road and was responsible for the tremendous number of deaths which has occurred in the last couple of years.

The emphasis these days appears to be on the reduction of the road deaths. When I speak of the road toll I speak not only of deaths on the road; I speak also of the paraplegics, the quadraplegics, the maimed and limbless, the living vegetables, and the mental incompetents who are occupying beds in our hospitals and institutions. When I speak of the road toll I also speak of the tremendous mental and physical anguish of the victims and their loved ones; I speak of the tremendous economic impact not only on the victims and their loved ones, but on the community as a whole.

In this State there appears to be a tendency towards traffic enforcement. The importance seems to be based on catching traffic offenders and taking them to court, thus inflating the revenue. Our traffic is mainly controlled by the Traffic Department and the traffic inspectors of local authorities whose prime function appears to be law enforcement.

The recent suggestions made by the Governor and the Ministers who will control proposed legislation to reduce our road toll seem to place the emphasis once again on law enforcement. The introduction of compulsory seat belts and locks on steering wheels will require policing, but I feel that such measures will not necessarily prevent accidents. We must have a greater emphasis on accident control and accident prevention.

We could stimulate greater thought in this field and educate the public far better if some of these law enforcement agencies, and particularly the Police Traffic Department, were to enter into a publicity campaign. If on television at regular intervals they introduced one simple concept in road traffic behaviour and presented this to the public and said, "This is what you should do," I believe that, over a period of time, the public would be better educated in road manners.

This could be supported by appropriate diagrams on the television and there could be scatter publicity through the media of the radio and the Press. Regular spending of money in this field will produce much better results than law enforcement.

Through this media perhaps drivers could be made to recognise that they have an added responsibility on the road; they should treat every other driver on the road as being an utter fool. Many members in this Chamber have avoided serious accidents by adopting this attitude. Let us face it! An individual may be law-abiding and do everything correctly, but some utter fool on the road may do the wrong thing and cause not necessarily death but serious physical or even mental injury.

I believe traffic police have become rather hardened through their continual contact with traffic accidents. It is a well-known fact that at the first sight of blood a person is deeply affected.

However, by continual contact with blood and with agony one becomes hardened; one becomes very impersonal. I feel that many law-enforcement officers have lost the personal touch by virtue of their regular contact with accidents. Our present system is one of cure and not of prevention. Economically, prevention is better than cure. This is an adage which we should adopt for the safety not only of our motorists but also of our pedestrians upon the road.

One remedy that could be adopted lies within the Traffic Department itself. I suggest that probationary officers—newcomers in the field—should go out to assist elder, more experienced, and possibly hardened officers when they visit the scene of an accident. These young, inexperienced probationary officers might see aspects of the accident of which the more experienced officer may not be aware and to which he may be blind. This would give the young probationary officer valuable experience but it would also, I hope, have the effect of a new broom treatment within the department. Perhaps it would make everybody become a little more conscious of some of the aspects of accident prevention.

Our system of traffic safety so far as road engineering is concerned is fairly complex. If I, as an individual member of the public, become aware of the need, in my common-sense opinion, for a traffic sign to be placed at an intersection where none exists at present, I have to follow a certain procedure. I would have to approach either the local traffic inspector or the local authority. Either verbally or in writing, I would have to request that something be done about the particular hazard which exists. The local traffic inspector would then investigate the cause of the complaint. He would test safe traffic approach speeds and would ultimately

recommend to his local authority, or superior, that a sign should or should not be erected.

Upon receiving this recommendation, the superior would then consider the merits of the proposal. If he saw fit, he would follow the line of action by referring it to the Minister for Police. The Minister for Police would refer it to the Main Roads Department, which is primarily interested in road construction and engineering and not in road safety.

The Main Roads Department would then look at the case presented to it and would contact the statistical section asking for a Stat. Form H.11 upon which accidents at the particular intersection would be listed if any had occurred. Accidents would be listed only if physical injury had occurred or if the extent of damage to any vehicle was in excess of \$100. If neither of these requirements has been met, the Stat. Form H.11 would not have any accident history. The form would be returned to the Main Roads Department which would give consideration to this and other information before making a determination as to whether the application is worthy of further action. The department would report to the Minister.

If no accident history of the intersection is recorded, it is very likely—indeed probable—that the recommendation would be, "No action." The Minister would then give his final approval, or otherwise, to the proposal.

This is the normal procedure when a member of the public, acting on common sense, believes that some hazard exists and endeavours to introduce some precaution against accidents happening. How often does a person who phones on such a matter receive the answer "Forget it", when reporting an accident in which no physical injury has occurred and damage resulting from the accident has been less than \$100? However, many accidents which come into this category can be shown at a later date to produce physical injury. We all know that whiplash injuries can show up at a later date. What may be considered a simple bruising of a limb can show up subsequently as a clot. However, there would be no record of this on a Stat. Form H.11.

Serious injuries are never brought to the forefront. We find that when accidents have caused physical injury they are briefly reported upon in the following day's Press, but then they are forgotten. There is no follow-up on this subject. If there were a follow-up, more questions would be asked as to whether sufficient action had been taken to make the road safe. I am aware of what, in my considered opinion, are hazards on our roads and I take this opportunity to point them out in the hope that the Main Roads Department will read of them and will recommend to the Minister that something be done before there is an accident.

We have the strange situation at the intersection of Canning Road and Lesmurde Road in Kalamunda where a fatality occurred several months ago, but at this stage there are still no safety signs at the intersection. It is a cross-road intersection with no precautionary signs at all. Another instance is the intersection of Mundaring Road and Hummerston Road. These two roads carry a tremendous amount of tourist traffic on Sundays.

Just out of Kalamunda, Mundaring Road heads in a due easterly direction. Along its path it suddenly veers to the right, but if one did not veer to the right and continued on one's course, one would enter into an extension of this road—Hummerston Road. This intersection occurs right at the crest of a hill. Those heading west up Hummerston Road suddenly find they are on Canning Road; a road which carries a lot of traffic. After they travel on this road, they get a serious fright and wonder why they were not warned. No signs exist at that particular place.

I had an experience quite some years ago when the Main Roads Department constructed the overpass in Welshpool Road over the standard gauge railway. This overpass was elevated above a side road leading from Forrestfield and connecting into the Welshpool Road of which this overpass formed part. Logical common sense engineering construction would have continued the Forrestfield Road as an underpass under the elevated overpass and, by means of a clover-leaf arrangement, would have returned the traffic onto the overway. This was not done. The approach road which could be called the secondary road, was elevated to the level of the overway and for a number of months there was a tremendous number of accidents which could have been prevented if satisfactory engineering techniques had been introduced at the start.

I can guess the answer from the Main Roads Department would have been: it would not have been economical to complete the project in the manner I have suggested; because it would cost a few more dollars. I do not care if the cost had been increased by a few more dollars; if physical injury to an adult or child could have been avoided it would have been a few dollars well spent. There is too much importance placed upon economics.

On Thursday, the 22nd July, 1971, I asked a question in this House. The question concerned a crosswalk in West Midland. Then, on the following Tuesday, the 27th July, I asked a further question concerning the same crosswalk. The answers advised me that accidents had occurred at this particular crosswalk on the 15th July, 1971, the 12th February, 1971, and the 13th June, 1966.

My reason for asking those questions was that on the 16th July I heard that a school-girl, aged 13 years, had been struck at this intersection and taken away to hospital. Upon being struck, onlookers quickly rushed onto the road, lifted the silent body up and started to carry her to the footpath. This carrying motion caused broken bones to pierce the flesh and the victim screamed in agony.

This accident should never have happened. Two similar accidents had previously occurred; one on the 12th February of this year, and one in 1966.

I feel it is necessary to describe this crosswalk, which incidentally lies in the province of Mr. Willesee, and Miss Elliott; but I make no excuse for introducing an item arising in their electorate into this Chamber because many of the 1,500 children attending the Governor Stirling High School—those who use this crosswalk—are constituents of mine. My own children attend that high school and I do not want to see my children or any other child injured.

I feel it is necessary for the benefit of members to describe exactly where the crosswalk in question lies. The Great Eastern Highway travels from west to east. It is a four-lane highway. The northernmost two lanes carry the traffic from west to east. There is a side road forming the leg of the "T" which is called Third Avenue, and this side road leads up to the Governor Stirling Senior High School. On the western side of this Third Avenue leg, there is a footpath. Many children leaving the school travel down this footpath towards the Great Eastern Highway. Upon reaching the highway there is a continuation of the footpath in the form of a crosswalk over the four-lane highway to enable students to get to a bus stop which is situated on the southern side of the highway.

Let us consider the accident which occurred on the 12th February, 1971. At approximately 11.15 on that Friday morning the school decided to call a staff meeting and, as a result, some 1,500 students disgorged from the school onto the road surroundings. Many of these students walked down the footpath on the western side of Third Avenue, reached the crosswalk, and thinking it was safe to do so, proceeded on its extension over the crosswalk.

One young lady reached the crosswalk and found the traffic was light. Two cars were coming from the west, one behind the other, in the lane nearest to the kerb. The first car put on its left-hand indicator lights to indicate that it was about to turn left into Third Avenue. The car immediately behind it, travelling at a normal 35 miles per hour, automatically went to pass it and continue on its way. The first car, however, suddenly stopped; there was a girl there waiting at the footpath. The girl stepped onto the road; and now I will describe what a witness to this accident observed. It appeared to him in slow mo-

tion. The overtaking car came abreast of the stationary car. The girl stepped past the stationary car and the left-hand headlight of the moving vehicle struck the girl on the right buttock. The girl slid up onto the lefthand fender in a sitting position with her back to the windscreen and then fell forward; or one may say she was thrown onto the pavement in the centre of the highway.

This witness got out of his car, rushed to the centre of the road and, in order to prevent this accident victim from moving, stood at her side. She was unconscious and blood was pouring onto the pavement. As her head and shoulders started to rise, the witness immediately supported her head and shoulders in his lap so that she would not move in case of spinal injury. He then awaited the arrival of an ambulance and the police. When these people finally arrived, the girl's broken leg was treated and she was taken to the Royal Perth Hospital.

After the ambulance left, the witness picked up the girl's school bag and shoe which had been thrown some 30 yards away, after which he entered a front yard and washed the blood from his shirt and from his body where this was possible. He then waited some 20 minutes to make the appropriate report to a constable who had arrived at the scene.

The following day there was a small article in *The West Australian*, which reported the fact that a 13-year-old school-girl was injured when she was knocked down by a station wagon in West Midland the day before. It added that she was taken to the Royal Perth Hospital with a broken leg and concussion. Her condition was favourable. This is so much like the report of so many minor accidents.

The witness, knowing the rules of *sub judice*, and realising he would be called as a witness to the accident at a later date, decided he would not inquire of the parents how the girl was getting on. Subsequently there was a court case and, following this, the witness decided to contact the girl's parents to find out what had happened.

He did this on the 23rd July of this year and discovered that this 13-year-old schoolgirl had been in her first week at the Governor Stirling Senior High School. In the accident she had suffered a bad break of the femur, as a result of which she had to spend 10½ weeks in traction in the Royal Perth Hospital. She had also sustained concussion; and had 16 stitches in the head, stitches in her lip, and a badly broken tooth which had to be repaired. Altogether she was in hospital for three months.

After coming out of traction she had to go to the Shenton Park annexe for therapy. This therapy is continuing to this day. After being released from traction and having had a certain amount of therapy over more than three months, the

girl was then able to hobble around on crutches. These were later replaced by two walking sticks, then by one walking stick, and finally, on the 7th July, she returned to school to commence what we call her second week in the school year. She did not return to school as a full-time student; she was only allowed to attend school two days a week. She still has to attend Shenton Park for therapeutic treatment.

So much for our minor accidents. There is no follow-up. There is very little notice or care given to these cases. This girl missed school for a long period at a very vital stage of her life. She has suffered anguish. She has been a victim of our roads. Her parents, apart from their mental anguish, have also suffered financially. The third party insurance will cover the parents to a degree, but there is still a tremendous financial responsibility to be met before these things are satisfactorily concluded in a court of law.

I take it the offender has been punished and this punishment has made the courts richer. However, the accident has made the public poorer, because indirectly it has had to spend money on the care of the victim of this accident. Who cares? Not the Main Roads Department. If the Main Roads Department cared about these things it would have taken action in June, 1966. If the traffic police cared they would have taken action.

No action was taken. No action was taken after the accident on the 12th February, which I have just described.

Coming now to the 15th July, the day this Parliament opened; at the time the lights were dimmed in this Chamber, the lights dimmed for another 13-year-old girl on that crosswalk, and still no action has been taken.

I have said I never lose my temper, but in an instance like this, and since nursing that little girl on the 12th February, I have had inside of me a burning anger.

When I commenced my speech I said there should be no need for me to say one word in this Chamber; when I started speaking I said that all that was needed was for one sentence to be uttered in the form of a request outside this Chamber.

I have spoken many words on this subject, and, after I have made one further statement, I will tell the House the sentence which I feel could have been said outside this Chamber. Before I mention the sentence I have in mind, I would like members to consider the three accidents which occurred at the crosswalk to which I have referred. Who bears the guilt for the accident to which I have just referred? Was the driver guilty, because his attention was distracted by a vehicle turning left at the point of the intersection where the crosswalk exists? Was the schoolgirl guilty for not taking adequate precaution and for not peering around the

stationary car to see whether another vehicle was approaching? Or were the authorities responsible for our traffic design and traffic prevention guilty?

As an individual I believe the authorities in charge of our traffic design and traffic prevention are guilty. I feel so strongly as to say that the term "guilty", in my mind, is not sufficient; it is not strong enough. I feel the authorities are culpably negligent.

The sentence which should have been said outside this Chamber is as follows:—

Will The Hon. Minister for Police take immediate action to have the crosswalk at the intersection of Third Avenue and Great Eastern Highway, West Midland, moved at least 100 ft. in a westerly direction; or, alternatively take action to have it manned by a crosswalk attendant during the periods of maximum pedestrian use?

The Hon. J. Dolan: It is a pity you did not ask for this.

The Hon. F. R. WHITE: I did not intend to continue with this particular discussion, but since the Minister has interjected I would advise him that I have already asked for this to be done. I had personal discussions with a leading member of the Main Roads Department just prior to the hearing of the court case.

I could not contain myself any longer and, accordingly, early in June I pointed out the inadequacy of this crosswalk and the gentleman concerned said he would look into it. We might ask ourselves, "Over the past two months, what has been done at this crosswalk?" The answer, of course, is "Nothing different has been done at this crosswalk from that which has been done at any other crosswalk in the metropolitan area." The only thing that has been done is that it has had erected above it large pedestrian lights, which conforms with the policy of the Government in connection with every crosswalk in the metropolitan area.

After I asked my question in this Chamber *The West Australian* newspaper contacted the Governor Stirling Senior High School, and at page 14 of the east suburban section of that paper we find, on the 29th July, the heading, "School Crossing is 'Really Bad Spot'." The article then goes on to say—

Parents and teachers at the Governor Stirling High School are concerned at the danger to schoolchildren at the intersection of Third Avenue and Great Eastern Highway, Midland. "It really is a bad spot," the school principal, Mr. F. E. McKenzie, said. "The crosswalk at the intersection should be manned with a guard or replaced with a pedestrian bridge," he said.

Another possibility would be to move the crosswalk or the nearby bus stand.

I understand that those are not the only two comments. I believe that requests have been made by the parents and citizens' association.

The Hon. J. Dolan: I have never seen them.

The Hon. F. R. WHITE: I will excuse the Minister, because he is new in his portfolio, but I trust that when he does learn more about the bureaucratic operations of some of the departments, perhaps he may do a little investigating to ascertain whether the safety and accident prevention procedures are up to the standards he requires. I know his standards are very high and I do trust he will take this matter up in the near future.

Pollution of the environment is a popular band wagon on which to jump at the moment. The proponents of conservation and preservation have, in recent times, gained a certain amount of respectability. In the past we have had the experience in this metropolis of ours of what has been termed the urban sprawl; in the past we have witnessed the haphazard erection of commercial establishments and industries and the truly haphazard development of housing. At one time there was no project planning for the future.

As a result of this lack of planning I find there are many undesirable circumstances which exist in my area. At Armadale, as at Middle Swan, there exist brickworks which constantly pollute the air. This may sound simple but the pollution from these brickworks can be very serious.

In Middle Swan there are two sets of brickworks closely situated to not only a primary school but also to a hospital. The hospital has not complained about the pollution, because it is fully air-conditioned. The primary school authorities, however, have complained and will continue to complain in the future. This pollution has a terrible effect on both the staff and the pupils. It most definitely interferes with the teaching of the children and, in my humble opinion, it also interferes with their health.

We have quarries in Gosnells and Herne Hill which, it is true, were established many years ago, but which are now the cause of a great deal of complaint as a result of the many people who have moved into the neighbourhood and who have built houses there in recent times.

As members know, at Midland there is a Government abattoir established. Not many people would be aware of the pollutant effect from this abattoir. There are a number of other examples which I could cite, but let us bring the position up to date.

I am aware that an authoritative body has been set up which is responsible for the overall broad planning of our metropolitan region. The Metropolitan Region Planning Authority is conscious of its duty—as it should be—and is aware of the need for planning for the future. As a result of this the urban sprawl has been stopped.

We have now introduced a corridor development plan which is being applauded by many people not only in this State, but in other States of Australia. Since its establishment this body has restricted the zoning of commercial premises, of light and heavy industries, and of businesses generally. We find, however, that the entire control of industrial development is not in the hands of the Metropolitan Region Planning Authority; it is in the hands of other Government departments which appear, in my opinion, to be very short-sighted as to the need for future planning. Accordingly we have the industrial sprawl continuing.

We have read in the newspapers recently of the sewerage pond in existence at Balcatta. We are aware that this gives out a stench which causes the owners of neighbouring homes to lock their windows and doors in an endeavour to keep out the stench. It has been mentioned in the news media that, as a result of this stench and these unhygienic conditions, children have been known to vomit when faced with food.

I suppose it could be said that these are isolated instances, but I could name many other so called isolated instances. When I was teaching at the Cyril Jackson High School, periodically I would look over to the fertiliser works and see a brown cloud of nitrogen tetroxide and other oxides of nitrogen being emitted from the chimneys. If the wind was blowing in the right direction this poisonous reddish brown cloud would drift over the school, and even after I had spent a time in the science laboratories I would feel a sense of asphyxiation while walking outside the building.

When they come in contact with water these oxides of nitrogen cause dangerous corrosive acids which could affect the lungs and which, it has recently been said, could be responsible for cancer in the human body. For years very little was done about that particular nuisance.

There are many other local and "isolated" issues—as they may be called—and I would like to refer to one particular instance which affected me personally, or my constituents, to some degree. On Monday the 3rd May, a meeting was held by the Hazelmere Progress Association at the Guildford Town Hall. There was a very forceful expression of opinion concerning the Midland Junction abattoir and the holding paddocks nearby.

People in this section said that the holding paddocks were overloaded with stock in the form of sheep, and that the manure

in the paddocks had become pulverised; and that in this pulverised form it was being blown into the surrounding homes, particularly when an easterly wind blew.

The people certainly had no difficulty in fertilising their gardens on such occasions, but I think members will appreciate that this sort of thing is not the least bit pleasant for human beings to put up with.

There were also complaints about dead sheep from the abattoir, which polluted the river and the ponds nearby. Reference was also made to dead sheep in the paddocks surrounding the abattoir and the road verges.

The biggest complaint concerned the open effluent lagoons which existed at the Midland Junction abattoir and in the hills just beside Ridge Hill Road. The effluent from the Midland abattoir is pumped firstly into one pond or lagoon, then into another lagoon where bacteriological action takes place, and after the effluent has been treated in the second lagoon it is pumped a considerable distance—some two miles—into a third pond established just off Ridge Hill Road.

I understand the effluent pumped into this third pond is, by agreement, supposed to have a B.O.D. count of between 10 and 20; that is the bacteriological count. However, the black effluent which comes out of that pipe has registered far in excess of a count of 300.

At the meeting of the Hazelmere Progress Association the representative from the Public Health Department was not duly concerned. He said there was no health hazard, and that the position would rectify itself. Subsequently a deputation from this association decided to approach the Minister, and the Minister did accept the fact that there was a problem. He said something would be done, and that the matter was being seriously investigated.

At a later date I inspected the ponding system and found it to be totally inadequate; but what surprised me was the information given in answer to a question asked in another place on the 20th July, 1971. The Minister said the lagoon system was functioning satisfactorily, and although there was, occasionally, a nuisance from odours there was no danger to public health. It looks as though the matter has been allowed to rest at that, and is regarded as just another isolated incident that affects a few people.

Any industry, in isolation, will only affect a few people, but group all these things together and we face a problem. If we allow industries to expand, as we recently allowed the Midland Junction Abattoir to expand—and it is most vital that this abattoir be expanded in view of the large influx of stock from the farmers—then in the future we may face a tremendous problem in relation to the pollution of the environment.

These are isolated instances; but in more recent times there have been many others which have caused a tremendous amount of public concern. I refer to the mining of bauxite in the Darling Range; the establishment of power lines along the foothills and through the metropolitan region; and the proposal to establish an alumina refinery at Upper Swan—and this is one instance which causes me concern.

We find that a decision on the recommendations will be made by Cabinet and that we, as representatives of the people, will have no official information as to the contents of the agreement with Pacminex until the second reading of the relevant Bill is introduced in this Chamber. I feel this is not a very healthy situation. In my view everybody, especially members of Parliament, should be given the opportunity to look into such matters before the agreement is actually tabled in Parliament. I feel that very often the Cabinet is misguided by the advice of the bureaucratic heads of Government departments; that there is a lack of forward planning by them and, as a result, a lack of forward planning by Governments themselves. This lack of forward planning will have disastrous effects upon our environment. If I, as a member of Parliament, or any member of the public want information concerning a project such as this one, we literally have to wring it out of the Ministers; and having done so, very often we are not satisfied.

We find that in many instances the Government departments are not allowed to give the information that is sought. An example of this would be the occasion of a public meeting of Swan electors held on Wednesday, the 9th June, at the Baskerville Hall. This resulted from a motion passed at the annual general meeting of the Swan ratepayers. The purpose was to enable the public to learn and be educated on what was proposed in the construction of the alumina refinery; what its effect would be not only upon the vineyards in that area but also upon the metropolitan area; and what would be the effect upon our heritage in the future.

The meeting commenced, and the shire president read out a letter which had been received jointly from the Minister for Industrial Development and the Minister for Local Government. This advised, quite fairly I think, that they did not expect that their departmental officers should have to run the gauntlet of public criticism. In effect the letter said that the gag had been applied and that the Government officers would not be allowed to attend.

One person who had been invited to attend was the representative of the Public Health Department. Others were the representatives of the Department of Fisheries

and Fauna; the Government Viticulturist; the Director of Environmental Protection; the representative of the Metropolitan Region Planning Authority; and the representative of the Department of Industrial Development. Apparently only one of the persons mentioned was allowed to attend that meeting, and he was the Director of the Department of Industrial Development. Another person who had not been included in the original list I read out and who was also allowed to attend was the representative of the Public Works Department. The people present at the meeting were not interested in public works matters; they were interested mainly in health matters and in the effects of the refinery on flora and fauna.

An interesting aspect is that although the people were given assurances by the two Government representatives at the meeting that there would not be any pollution or harmful effects upon the environment, they were told—and this was the first time I, as a member of Parliament, had heard it—provision had been made in the agreement to allocate \$5,000 a year to carry out research on the short-necked tortoise in the Gnanagara pine plantation, in order to ensure that no harmful effects from the non-existent pollution would be felt.

The people present at that meeting were also told that the agreement contained a provision for the allocation of \$30,000 for the purpose of regularly testing surface and underground water sources, to make sure the water did not become polluted; even though assurances had been given that no pollution would exist.

I feel that, to a degree, the public is being hoodwinked by the apparent secrecy which surrounds many of these projects and undertakings. Why should the Government not come out into the open and tell the people of what is going on, so that they may have a fighting chance to oppose a particular project or, what is more likely in many instances, so that they will have a chance to support a project? But the Government resists the attempts of the people to obtain knowledge; it tries to gag departmental officers to prevent such knowledge being made available to the public. When that takes place the public automatically resents the action of the Government, and becomes opposed to it. The maintenance of good public relations between the Government and the people is very important, and I feel there should be a little less secrecy and a little more open discussion so as to spread the facts among the people.

Recently the leader of my party published certain comments in the political column of *The West Australian*. I would like to quote the following two paragraphs,

because I feel the proposals contained in them should be adopted by every thinking person in the community—

Wherever possible, industrial development should be encouraged. We should capitalise upon its advantages to the State as a whole, but by decentralisation, planned siting and control, minimise its pollutant effects and prevent undesirable despoliation. By doing this, and by being forever watchful, we will preserve a healthy, happy and peaceful environment for future generations.

The Country Party is forever conscious that the correct decisions can be made only after a comprehensive study of all the relevant information, and then only after the public has had adequate opportunity to express its opinion.

I have spoken at length, but I must still speak briefly on one other matter. I did not intend to speak on this, but when Mr. Jack Thomson spoke in this debate on Thursday last he made reference to subordinate legislation, and in the concluding stages of his address a number of interjections were made. Because no fewer than three members were interjecting at one time I could not decipher just what the interjections were, but I did gain the impression that the interjectors opposed the formation of a subordinate legislation committee in this Parliament.

For fear that new members might be misguided into the belief that the non-appointment of parliamentary standing committees, such as a subordinate legislation committee, is desirable I feel I should express a few thoughts on this subject. I believe that all parliamentary committees, and particularly a subordinate legislation committee, should be a feature of all Parliaments; and I also think that service on such committees will enable members to become better educated in the affairs of the State. Apart from this it will help them be most vigilant in matters affecting their delegated fields.

As has been proved in other Parliaments in Australia and other countries of the world, the purpose of such committees is mainly and primarily to prevent undue trespass on personal rights and privileges; they help prevent bureaucrats from legislating for the people, thereby avoiding the processes of Parliament and the introduction of policies which conflict with existing legislation; and they ensure compliance with the parent Acts.

Western Australia and Queensland are the only two States of the Commonwealth of Australia which do not have a subordinate legislation committee. South Australia, Victoria, New South Wales, and Tasmania have each established such a committee, and they find their committees work very well.

The Northern Territory also has such a committee. Even the Senate of the Commonwealth of Australia has one. I think this proves there must be some justification for having such committees. I feel we in this Chamber could have been saved quite a lot of work on different occasions had such a committee been in existence. During this session we had the occasion of Mr. Berry moving for the disallowance of regulations because he believed they were not in the best interests of those concerned. If Mr. Berry had had the opportunity to peruse those regulations before they became law he could have possibly framed better regulations.

During the last session of Parliament The Honourable Clive Griffiths raised the matter of regulations which had been introduced to control the period during which people could stay at caravan parks. The honourable member spoke very vehemently in this House, and caused debate which lasted for many days, because of the introduction of those regulations.

We had another occasion when the points demerit system was introduced. The Leader of the Opposition will remember that a table of offences was produced in this Chamber at the last minute. If that complete list of offences had been included there would be in excess of 100 offences—I think it was 117—which would have been punishable by loss of points.

The Hon. A. F. Griffith: I think the honourable member can remember having difficulty understanding the list.

The Hon. F. R. WHITE: I did not have any difficulty; the Leader of the Opposition had difficulty in finding them.

The Hon. A. F. Griffith: I found them, and explained them.

The Hon. F. R. WHITE: As a result of limited discussion in this House, on that occasion, the list was reduced to, I think, 19. The system has worked, and it has worked well since. What occurred on that occasion proves that a prior look at such matters can save a great deal of time in a Chamber such as this.

We serve as members of Parliament, and as representatives of our constituents we are well fitted to look after the interests of those constituents. We have greater personal contact with the problems, and a better understanding than some of the Government departments which actually draw up the regulations.

I am rather surprised that there were no interjections while I was speaking on this matter; there were several interjections while Mr. Jack Thomson was speaking. I have a document with me which, I feel, justifies my rising on this occasion. With your permission, Sir, I should like to quote from the document, which is in booklet form. It is a report of the second conference of the presiding officers and clerks of the Parliaments of Australia,

Papua and New Guinea, New Zealand, Fiji, Nauru, and Western Samoa. The conference was held in Parliament House, Brisbane, from the 8th to the 10th April, 1969. During a debate on the committee system The Hon. H. V. Budd, M.L.C., President of the Legislative Council of New South Wales, had the following opinions to express:—

Complaints are heard from time to time nowadays that Parliament is becoming more and more a rubber stamp for the Executive or for Cabinet.

It is said that rank and file members of Parliament, including Government "back benchers", find themselves less and less able to play an effective part in settling the policies of governments.

In the United Kingdom and elsewhere some serious minded people are questioning whether parliamentary democracy as we know it can survive—whether the mass of the electors through their representatives in Parliament can really feel that they play a part in government, or whether, rather, they are becoming convinced that even under the democratic system Government is in the hands of an oligarchy.

Parliamentary democracy, it is said, is "sick". People have less and less respect for it. Perhaps this is so. Perhaps it is the old story of familiarity breeding contempt. Respect for parliamentary democracy may only be regained if the system were temporarily lost.

So far as Parliament itself is concerned, it has been claimed that its functioning would be more effective if more members could play what they feel is a meaningful part.

Could this be achieved by an extension of the committee system?

Two pages later, in the report, the same gentleman made the following statement:—

It is interesting to note that in 1930 Sir Robert Menzies (at that time a Member of the Victorian Legislative Assembly), gave evidence before the Senate Select Committee on the Advisability or Otherwise of Establishing Standing Committees of the Senate—
(a) Statutory Rules and Ordinances;
(b) International Relations; (c) Finance; (d) Private Members' Bills.

Sir Robert, in his opening remarks, stated he was concerned about the growing tendency to legislate by regulation and was of the opinion that Upper Houses were the appropriate bodies to appoint Select Committees to—

- (1) ensure that clear and adequate principles of guidance should be included in new

legislation so that the limits of delegated power might not be mistaken, and

- (2) examine regulations and ordinances to ensure that these limits were not exceeded.

He said:—

"It is my opinion that Parliament should lead the people, not merely follow them. In the hurley-burley of the Lower House it is difficult to get a Committee with the time or inclination to look into such matters, but it might be possible in an Upper House to get a Committee to deal with them."

Mr. Robert Menzies' other comments are illuminating in regard to other details.

These comments, I think, should be borne in mind at this point of time. To continue—

The increasing numbers of demonstrations being staged in many parts of the world today are perhaps a manifestation of a universal feeling that the people are being excluded from participating in decision-making on policy matters affecting their lives and that they do not share this decision-making power—in effect, it is an indirect criticism of Parliament; whereas the establishment of Parliamentary Committees might provide a safety valve and help restore the image that Parliament represents the people.

The Honourable Jack Thomson, 41 years later, spoke along the same lines. If ever such a situation occurs where debate is needed on this topic—that is, the introduction of a subordinate legislation committee—I trust that as a result of these few words members will be better armed to vote in favour of such a committee. I support the motion.

THE HON. G. C. MacKINNON (Lower West) (5.53 p.m.): We have now heard the maiden speeches of all the new members in this Chamber. I would suggest that those of us who have been here for a while have good reason to look to our laurels because the speeches of the new members are of a very good standard. The thought and research which has gone into their addresses speaks very well indeed for the calibre of those new members. The higher standard has been more noticeable this year than previously because 50 per cent. of the Australian Labor Party members and 25 per cent. of the Liberal Party members are new. Converted to percentages, that is of a pretty high order, and in a previous address I have already mentioned some of the reasons for the high percentage.

Virtually every line in the printed copy of the Governor's Speech could provide a subject for debate. I could pick almost any aspect of the document and find a subject which could exercise me for a long time. To my mind the remarkable nature of the document has been highlighted in statements made prior to, and subsequent to, the speech, referring to the amazing similarity between this Government and the previous Government. This similarity has been given as one of the reasons for the feeling of disappointment in the general body of electors throughout the State.

When the Government is changed, after serving for a number of years, one expects fairly sharp changes in the basic philosophy concerning the way matters are conducted. However, there is no such indication in the Governor's Speech. I would not regard the appointment of an ombudsman, for instance, of very great philosophical importance because, after all is said and done, every member of Parliament acts, to some extent, in this capacity.

I would not regard selective price control as being very important because, after all, we already have it. A number of items, such as electricity charges, milk, and potatoes are currently fixed in price. The changes which have been mentioned do not, to my mind, envisage anything like the changes which occurred in the basic management of the State—and the philosophy of the management—which took place 12 years ago when the Government changed hands. If members cast their minds back to that period they may remember what occurred.

The Governor's Speech contains one or two interesting topics. I notice, for instance, that the Government is dedicated to providing country areas with medical services equal in quality to those available in the metropolitan area. That is gobbley-gook. It is impossible to have a cobalt unit or a linear accelerator, an iron lung, or an open heart unit in a hospital, say, at Wyndham.

The Hon. A. F. Griffith: It sounds good, though.

The Hon. G. C. MacKINNON: Yes, it sounds good. However, it is gobbley-gook, and such statements really have no place in the Governor's Address.

It is not my intention to take any part of the Governor's Speech and build my own speech around it. There are a number of matters which I would like to discuss, and as I have already mentioned health, I suppose it would be expected of me—because of the current newspaper controversy with regard to the Royal Perth Hospital—to say something about that hospital. However, I do not intend to say very much.

A letter appeared in this morning's paper and, to my mind, it is the only letter which has appeared up to date which has really

highlighted the problem. The letter was written by P. A. Childs, and the relevant paragraph reads as follows:—

The politicians must make up their minds whether R.P.H. be solely a central, highly technical, diagnostic unit with beds only for complicated problems of diagnosis and management or whether it is solely a central traumatic unit. It cannot be both and remain efficiently administered.

That statement, to my mind, touches the heart of the problem of the Royal Perth Hospital. Members will recall the debate which occurred regarding the closing of the Woorlooloo Hospital. They will remember that comparisons were made between the cost of running the Woorlooloo Hospital and the cost of running other hospitals. I said then, and I say it again, that one must compare like with like. If any comparison is to be made between the Royal Perth Hospital and any other hospital, the only realistic comparison is to compare it with the Royal Albert Hospital in Sydney, the Royal Melbourne Hospital, or St. Thomas' Hospital in London.

It is quite wrong to compare the Royal Perth Hospital—the major central hospital for the State of Western Australia—with specialised hospitals such as Princess Margaret Hospital, King Edward Hospital, or Sir Charles Gairdner Hospital. Such a comparison would be comparing a general hospital with very specialised hospitals. The Royal Perth Hospital cannot even be compared with the Bentley Hospital or the Osborne Park Hospital. The Royal Perth Hospital is unique.

The problems associated with the Royal Perth Hospital have been discussed at numerous conferences of health Ministers, but those problems are always discussed in relation to identical problems which exist in the major hospitals in Victoria, Tasmania, and New South Wales.

This is a true comparison. Of course, the costs are extraordinarily high and the problems of management are extremely difficult in this sort of hospital. I believe it is imperative that when making a comparison of this nature—whether one is comparing railway stations, the way street sweepers work, or the way hospitals operate—one should be careful to compare like with like and to define the sphere of operation of the particular activity one is discussing. I do not intend to say any more about Royal Perth Hospital.

This morning I learnt with some pleasure that Operation Noah is to continue. Members will recall that this operation was decided upon following a trip I made to the north in company with some senior officers of the Department of Fisheries and Fauna. The trip was made in order to check on the flora and fauna in the Ord River basin area and to try to rescue some of the animals which will be trapped there with the rising water.

I was very much afraid that, with the current attitude of stopping everything and doing nothing if it costs two bob, the money for this operation might also be withheld, but I am delighted that the few thousand dollars required for the exercise has been made available. Whilst it will be nothing in comparison with the operation that took place at the Kariba Dam in South Africa, it will, nevertheless, be an interesting exercise for the appropriate officers and if it works as planned it will bring in personnel from the university, the Museum, and the Department of Fisheries and Fauna. It is a humane operation which, like many fairly simple exercises, has already gathered a fair degree of world-wide publicity and attention.

Sitting suspended from 6.03 to 7.30 p.m.

The Hon. G. C. MacKINNON: Mr. President, as frequently happens during the tea suspension, one is reminded of something one meant to mention and inadvertently omitted. The Speech of His Excellency the Governor makes reference to the setting up of a board to rationalise the dairy industry. We will discuss this in due course and at the appropriate time, but I hope the Government will not make the setting up of the proposed board an excuse to overdelay an increase in the price received by the whole-milk section of the dairy industry.

Members will recall that the price of milk to the consumer was increased by 1c per pint earlier this year. Immediately following that a number of cost increases occurred; but that 1c did little more than meet the increases in wages, generally, and the costs of the dairy industry which had taken place up to early December. Such increases are frequently automatically delayed. During January and February further salary rises occurred and I think the files will show that at this stage an additional increase is amply justified. So I would hope the proposal to set up a board to rationalise the dairy industry will not interfere with an increase in the price of whole milk.

Members in this place frequently complain with some justification that the import of what they say has been misquoted. It is, of course, quite possible to print the truth and be able to claim that what is printed has been truly said and yet be dishonest in conveying the import of the overall speech or the overall statement. To illustrate my point I will give a simple example. If I met someone who said, "Hello" to me and I replied, "Good day. It is a beautiful day isn't it? This is the sort of weather I like" and it was a lovely sunny day in July, my words could be quite truthfully reported.

The Hon. R. H. C. Stubbs: The days will be longer in December.

The Hon. G. C. MacKINNON: That is right. However, it could be deduced from my remarks that I was completely unsympathetic to the plight of the farmers who desperately want rain. Of course, such a thought could not be further from my mind, but that is a crude example of the point I am making. It is bad enough that this type of thing is brought about by people whose job it is to get some spark, some lively debate, or some controversy into their publication, whatever it may be. However, I find it less than amusing in other cases. I mention the publication, *Forest Focus*, which is published by the Western Australian Forests Department, and has on page 3 a very nice photograph of The Hon. T. D. Evans, Treasurer, Minister for Forests, and Minister for Tourism.

That publication contains photographs of a most unproductive area of replanted land in the bauxite mining zone of the Darling Scarp. There are coloured photographs of a washaway, a tree that has fallen over—it looks like some kind of eucalypt, it is probably a tallowwood—and of a pine tree that has also fallen over. The comments state that the surface soil is shallow and the tree roots have failed to penetrate the underlying hard pan to gain the required anchorage. Those are photographs, so the facts must be true.

However, just around the corner from that particular area further photographs could have been taken of the same replanted forest on land that also had been mined for bauxite. The trees in that area are growing remarkably well and look very healthy indeed. No doubt one could take photographs there which would prove the contrary of what was set out to be proved in this journal. To my mind, whilst this is truthful reporting, it lacks a little in honesty because the implication, whether stated or not, is that this is the general trend. I believe a number of members visited this area on a conducted tour—it was last year if my memory serves me right.

The Hon. A. F. Griffith: We saw a most excellent example of regrowth.

The Hon. G. C. MacKINNON: Yes, and the then Minister for Mines, Mr. Griffith, was a leading light in that trip. Members saw some areas which were in the process of being made into delightful picnic resorts. Holes had been dug out and allowed to fill and in the fulness of time the areas will be delightful picnic spots. I repeat that I find this more or less lack of honesty which seems to be portrayed in the publication less than amusing. Whilst I am not denying that the article is true—because one cannot argue with a photograph—it seems to me that a better balanced picture could have been presented.

I wish to discuss apartheid, and the involvement of Australia in the problem of South Africa. I do not speak with the greatest authority in the world, but I do speak with some authority. I feel one is obliged to state what one's authority is. I visited South Africa in an official capacity some two years ago and spent three and a half weeks in that country. To my amazement I found I was the first British Commonwealth Government Minister to officially visit South Africa since it became a republic.

The officials showed me a great deal of what went on in that country. I visited Johannesburg—Jo'burg as they call it—Pretoria, Durban, Natal, Capetown, Kirstenbosch Gardens, Assegaaibosch, Saldanha Bay, and many other places. I wish to say that I was treated with great courtesy. Members can imagine how dreadfully ashamed I felt when guests of this country were treated so shabbily, and when that shabby treatment was supported by no less than two State Premiers of Australia.

It has apparently become the custom that we in this place, irrespective of our position, may behave as individuals. I want it clearly understood that I am not voicing Liberal Party policy; I am voicing my own feelings in regard to this matter.

The Hon. A. F. Griffith: Ministers are allowed to do that in this Government.

The Hon. G. C. MacKINNON: I can surely be allowed to do so in times when a Premier can claim to be acting as an individual and the Speaker of the Legislative Assembly can so rule, and when the Minister for Local Government can make a statement and claim it was made in his capacity as a private person and not as a Minister. Therefore I have precedent for ensuring that my statements are recorded as my own and that I am not voicing the policy of the Liberal Party. In South Africa I was treated with great courtesy and great respect even when I disagreed with some of its policies. I deplore the encouragement given to protestors against our guests from South Africa—and they were the guests of an Australian sporting body—who were treated with less than courtesy.

I do not even agree with the popularly expressed idea that protests are perfectly reasonable and allowable. Generally, when people say this they add a rider to the effect that the protests should not interfere with the liberties of anyone else. Of course, if we abided by that dictum a protesting group—whatever it may be—would have to organise its protest somewhere out in the middle of the Nullabor Plain. But that does not happen. The protests always seem to be organised so that the protestors walk down an important main street, and if they happen to march past

the office of a foreign delegation representing a country they do not like at the time, they are likely to throw stones through the window.

I must admit that our form of Government is a form in which everyone can participate if they wish to take the trouble. The time of protest is when the votes are placed in the ballot box every three years—and this was successfully done earlier this year in Western Australia. The position Mr. Willesee occupies in this House today bears mute witness to that fact. This is the proper way to protest.

People say it is in order to protest in the streets because we live in a democracy. But China claims to be a democracy, and so does Russia. Every country claims it is a democracy, but in truth I suppose there has not been a true democracy since Athens.

We have a form of government in which everyone can participate if they wish to take the trouble. They can join the Liberal Party, the Country Party, the Labor Party, the D.L.P., or start one of their own; but they can participate.

The Hon. A. F. Griffith: We saw a bit of that in the last election.

The Hon. G. C. MacKINNON: That is right. I am sure I do not agree with the idea that everyone has a right to protest in any shape or form because irrespective of how a protest is carried out it must interfere with the liberties and the pursuit of happiness of other people. When children are encouraged to protest, it surely must interfere with the pursuit of happiness of that most sacred of all institutions, the family. But let us get back to South Africa.

The word "apartheid" means "separate development." It does not mean, as we are so often told, "apart-hate"; it means "separate development." It appears to me that apartheid must be compared with integration because integration is the only alternative policy. One could understand the furore about apartheid or separate development if one saw examples of integration which were an unequivocal success. One could understand the professed abhorrence of apartheid if in the next week's edition of the Press the person expressing his abhorrence of apartheid did not embrace that very principle. I mention that because the Honourable J. T. Tonkin himself said he believed he should set up a couple of reserves to be run and managed by the Aborigines themselves. That is separate development. Let us not confuse separate development laws with occupancy laws; with laws designed to keep cities and towns from becoming clogged.

In South Africa, of course, there are laws for the black people and the police enforce those laws. In theory, we do not have such laws, but I ask any honourable member in

this House to ask himself whether he does not know of cases in country towns where the law of vagrancy has not been used for precisely the same reason. Members know that this is true.

I do not profess to know all the ins and outs of South Africa's apartheid policy. I believe it is a country that is making tremendous efforts to solve some rather serious problems and, in many ways, it is meeting with a great deal of success. I would like to read portion of a report I wrote after making a visit to Baragwanath Hospital. This hospital is situated 10 miles out of Johannesburg and caters for the entire Bantu population. The Bantus have about nine tribes, and like the Zulus are all negroid, as distinct from the coloured people at the Cape, the Hottentots and the Bushmen. The hospital caters for about 1,000,000 people. Its basic design is that of a pavilion-type hospital with about 40-bed wards. The hospital consists of about 2,000 beds, with six kitchens supplying the meals. There is a theatre block embracing 10 theatres and all the ancillary services.

The hospital uses pulverised coal to generate its steam, which is used for every conceivable purpose such as cooking, and many other purposes. The staff consists of about 360 medical practitioners. Virtually all the specialties are represented by senior degree medicos. Only about 100 of the medical practitioners are white, the rest being coloured, Japanese, Chinese, Bantu, and Indian. Many of them are products of the schools, colleges, and universities in the Republic of South Africa. The nursing staff is made up of about 1,900 trained and registered nurses, of whom only about 30 are European. There are seven matrons, and several of these are also Bantu and coloured. The nurses' training school has an annual intake of 1,000. The hospital deals with 600,000 out-patient cases a year.

In the Bantu villages the mine workers live in two-bedroom brick homes of which there are rows upon rows. They look a little strange to our eyes, but after one has been to Europe and returned they do not appear to be so strange. Within this complex of villages there are 10 clinics which are used to screen out the minor ailments. The others attend a casualty section or go through a polyclinic, in regard to which they have some difficulty in obtaining staff; but, strangely enough, this is about the only area in which they have any real staff difficulties.

The hospital handles about 86,000 bed patients a year, the average stay being about eight days. About 2,000 surgical procedures are performed every month.

I was told by ordinary people that if a person had a serious complaint which required, say, neuro-surgery, for which one must attend the Royal Perth Hospital in this State, such a person would be advised not to go to the European Hospital in

Johannesburg but to go to the Baragwanath Hospital, because that is where all the specialists were. That may have been an exaggeration, but albeit that is the information that was given me by a number of people whilst I was there. So I mention Baragwanath Hospital purely and simply to illustrate that these people, to whom we are being extremely rude, have established this institution in South Africa. I had heard all about fear and hatred in South Africa, so one morning I rose very early, dressed very much as I am now, except that I had a camera around my neck and a hat on my head to make me look more like a tourist, and I walked down to the railway station against an advancing group of Bantu native workers. They are referred to everywhere as Bantu workers. The thought ran through my mind that I may have some uncomfortable moments; that someone might spit on my shoes or jostle me.

The Hon. J. Dolan: Someone in the front row probably called out, "Hello, Graham, how are you?"

The Hon. G. C. MacKINNON: If I had looked straight at any one of them, it is possible that that is what may have been said. However, what I want to point out is that they looked at me in much the same way as one would look at a person walking down Hay Street clothed in full Indian dress. I was not jostled and nobody spat at me. Instead, I was treated with courtesy and consideration by the Bantus in South Africa, which is more than can be said for our treatment of the South African rugby players who visited our country.

I can recall being at the head of a most picturesque valley down which I could see an African rondavel. I asked the man who was with me what the settlement was, and he replied it had been taken over as a farming area for distribution among the Bantu. I asked him if I could inspect it and he readily agreed. I spoke to many small Bantu children. Some spoke to my guide in Afrikaans, to each other in the Zulu language, or whatever was the language of the tribe to which they belonged, and to me in English, all of which they had learned at very good schools provided by the white population of South Africa.

The more highly intelligent children went from this school to college or to university to obtain professional degrees which, in fact, many of them do. I wonder if we can afford to continue with the sort of nonsense that was displayed by some people in Australia to a group of fellows who are probably not greatly interested in politics. I will correct that statement, because it is possibly not true and I will refer to it later.

I make these comments in the light of the fact that these sportsmen have done so much and we have done so little. In

this regard I was interested to note that an article was published in the Press recently with this headline—

Why South Africa
needs time

By

FRANK SIBSON,
a retired journalist
who lived in South
Africa for 36 years

I also read another article which I would recommend any member of this House to read if he considers there may be something worth thinking about in regard to the way so many people in Australia acted with the support of two Premiers, and the way they treated our guests from South Africa.

Another article by Ron Saw which I think would make all of us stop and think was also published in the Press recently on the same subject. In this article Ron Saw expresses doubts about how all people would like to make a Christian effort and treat everyone with brotherly love, but apparently they just cannot get around to doing it. I consider that Mr. Saw's article is a very good one. In the first part of his article Ron Saw had this to say—

If all the protesters who pestered the Springboks, and all the unionists who declared them black, were to be laid end to end the line would stretch, tortuously, all the way from Sophism to Prevarication.

I recommend that members read this article which appeared in the *Weekend News* of Saturday, the 24th July, 1971.

I have before me another excellent article which is headed—

South Africa: What
the world can do

That article was written by Laurence Gandar. I mentioned a moment ago that the South African Springboks were probably not interested in politics, but I corrected myself, because what impressed me—and in the report I made I commented on the matter here and there—was that wherever one went in South Africa the people were continually examining their policies and their philosophies. This is commonplace in South Africa but it is not so in this country. How many of us can honestly say that we can go out every night from Monday to Friday and meet different groups of people and be sure that every group will converse with intelligence and understanding about the philosophy and policy of the Australian Government; about the way in which we treat our Aborigines, and what steps we can take to correct our Aboriginal problems?

Let me assure the House that if one goes to the Republic of South Africa he will find what I did; that the people are constantly examining their consciences and

their way of life. A great deal of my itinerary was planned by the South Africa Foundation, which is a magnificent organisation; but no matter who arranged it my itinerary was planned so that I should spend a day and an evening among supporters of each of the three political parties. This was done so that I might understand their politics. The three parties were the United Party, the Nationalist Party, and the Progressive Party. The Progressive Party has only one Union member of Parliament and is the party least aligned to apartheid. I would point out to Miss Lyla Elliott that the one Progressive Party member is a lady and she is a very highly respected lady at that.

In the Union Parliament the Government majority is 100 to 26. It is obvious that the South Africans also examine various situations that exist throughout the world and they understand them. To anyone who visited their republic they would point out the tremendous urgency for there to be rapport between their country and that of visitors; and they have good reason for this. Foreign affairs are not our responsibility, but they should, of course, be considered by every responsible person.

Western Australia forms one prong of a crescent which embraces the Indian Ocean and the only other European nation in the whole of that crescent is the Republic of South Africa. The people of that country occupy an area which is remarkably like ours and they face problems which are similar to ours. I think that, in the season before last, South Africa was the largest producer of rock lobster tails, but its place has been taken by Western Australia, which is now the world's biggest producer. The Cape Province is very similar to the southern agricultural section of Western Australia. The Republic of South Africa is faced with problems of fire and the re-afforestation of catchment areas in the same way as we are and it is not provided with a sufficient amount of research and an interchange of ideas between this State and the republic. The work being performed there on fauna and nature reserves and other similar work is excellent and there are many features of this work that we could adopt and from which we would learn much. The people of South Africa are very easy people with whom to co-operate. An example of this was shown at the time of the incursion of the South African crayfishing vessel into our waters.

I am very pleased to say that one of the young research workers working with Dr. Heydorn at the Oceanographic Research Institute in Durban is currently in Western Australia profiting from the research done in this State with crayfish and the like. So there is some exchange of ideas; but not enough, as they would

point out, because our country is remarkably like theirs in many, many ways; and with the agricultural background of that country their people are similar.

One last point with regard to this matter which struck me as tremendously sad was that a Bishop of California, one time of Kimberley, has lent his support to the anti-apartheid forces; and I think the local archbishop gave some support at a time when there was a lot of work, thought, and heartburn with regard to ecumenism and a time when strangely enough the Christian church in South Africa—the Dutch-reform church sort of organisation they have there with several sects—supports the policy of that Government. So the predominantly Christian church supports the policy. Their church is very well attended. One marked difference one might note is that their church attendance is well above 50 per cent. of their population. Their churches seem to be very well endowed and it is sad that even in this realm in a time of such active ecumenism one finds church dignitaries becoming involved in this question.

The main reason I decided to take this course was that I felt I owed something to the people who were so very kind to me in the period I was in South Africa. They were courtesy itself. I went wherever I wanted to go. It was recommended that I should not walk around some places after midnight, but then it was recommended I should not walk around some parts of Glasgow, in Scotland after midnight.

The Hon. W. F. Willesee: You should not be walking out anywhere after midnight.

The Hon. G. C. MacKINNON: That is right, and what the Leader of the House says is not funny because, in many parts of the world which are almost 100 per cent. European, a person takes his life in his hands if he does just that. So there is nothing strange about not walking in some areas after midnight.

I was treated kindly. We discussed and argued many matters with the people. As members are probably aware, I can be reasonably forthright in my arguments, but despite that I was treated with courtesy and kindness; and so I was tremendously upset that people just across the Indian Ocean from us should have the sorts of insults flung at them, which were flung at them by many in this country; by those who would not know a thing about it and who would not give a tittle of consideration to the political situation in this country as compared with the average sort of consideration given by the citizens of South Africa.

They are concerned as a people. They get enough criticism to be concerned; let us face it. However, when one walks down the street and sees the healthy, clean,

and well-dressed Bantu, and remembers the plight of the Australian Aboriginal, one is entitled to wonder at the justification of the people in this country for their rudeness. I support the motion.

THE HON. R. THOMPSON (South Metropolitan) [8.05 p.m.]: May I congratulate the new members of the House and those who faced the electors and were returned victors. Our elections prove that not many members in this Chamber are defeated. Any person who does his work in the interests of his constituents is pretty sure to be returned. Therefore, to the new members may I make a suggestion that they put their constituents first, because they are the people who vote them into power. Members will be known by their deeds within their provinces and not so much by their deeds in Parliament, because very few people read *Hansard* and very few know the workings of Parliament or what work members may do within this Chamber.

I congratulate Mr. Baxter on his return as Chairman of Committees and I heartily congratulate my Leader, Mr. Dolan, and Mr. Stubbs. I do not relish all the work they must do in the Chamber because I realise that the Leader of the House in the Legislative Council has an enormous task. Mr. Griffith over the years was faced with this problem and he handled it quite successfully. I congratulate Mr. Willesee, Mr. Dolan, and Mr. Stubbs and wish them well; but, unlike Mr. White, I wish them a long stay in this Chamber as Leader and Ministers respectively.

I listened with some interest to the last speaker (Mr. MacKinnon) when he voiced his opinion on South Africa and the courtesy extended to him. He changed his ground several times and I was not quite able to make up my mind whether he was castigating the people who opposed the recent tour of the South Africans to Australia—they are still evident in some parts of Australia—or whether he was giving a personal explanation of his trip to South Africa.

I do not think we should forget that the South Africans were invited here by the Liberal-Country Party coalition Government. They were not invited here by the Australian people and I feel sure that the Australian people generally are not racists at heart.

The Hon. G. C. MacKinnon: I thought it was the rugby union which invited them.

The Hon. R. THOMPSON: The Government supported them in every sense of the word. I have a document in my hand, and I was pleased to hear the Minister say he expressed his own views and not those of the Liberal Party.

The Hon. G. C. MacKinnon: The ex-Minister.

The Hon. A. F. Griffith: I know it is hard for you to realise, but we are not still the Ministers.

The Hon. R. THOMPSON: I am sorry. I meant the ex-Minister. For 12 years I have been referring to Mr. MacKinnon as the Minister.

The Hon. A. F. Griffith: I think we will have these mistakes until we get used to the situation.

The Hon. G. C. MacKinnon: You have got such a shock you cannot get used to it.

The Hon. R. THOMPSON: It is not a matter of my having had a shock. I make the mistake purely as common usage. I do not think I received the shock. On the contrary, the honourable member opposite may have got the shock.

The Hon. A. F. Griffith: No; you kept telling us for 12 years; it had to happen.

The Hon. R. THOMPSON: It proves that if we say a thing often enough it comes true.

The Hon. G. C. MacKinnon: We will have to start saying things often!

The Hon. R. THOMPSON: I am very pleased the ex-Minister expressed his own thoughts and that those thoughts were not those of the Liberal Party, and particularly of the Young Liberal movement in Western Australia. In its bulletin issued in July, 1971, the Young Liberal movement did not agree with anything the Minister said. The bulletin commences—

Guess Whose Government's Got
Apartheid?

The bulletin then starts off by giving the views of a South African sportsman admiring the colour of his team. It reads—

Let me begin with the words of
some sportsmen: Systems Analyst
Barry Taafe:

The impression we give by doing
this—or the impression that the
South African Press and Public
Officials give for us—is that we
agree with apartheid, we officially
endorse racist support.

So we can see that that sportsman from South Africa did not agree. To continue—

Doctor Paul Darveniza:

I just don't think they realise how
Australian Tours are used for pro-
apartheid purposes—how we become
pawns in a bigger game of inter-
national politics. But they will swim
with the tide and when the man in
the street realises what is happening
and says we should not play, then I
think the Board will change its policy
and refuse to lend Australian support
to the most vicious sporting policy in
the world.

The Hon. G. C. MacKinnon: The bulk of the people in the street do no such thing. It was a vociferous minority.

The Hon. R. THOMPSON: To continue—
Final Year Law Student James Roxburgh:

Everywhere we went we were given civic receptions and each time the local mayor would remark how South Africa and Australia were two great countries with so much in common and how alike our policies were.

This is quite a lengthy document and I do not intend to read it all. The person writing the article goes on to deal with South Africa, the embargoes put on Rhodesia by Australian Governments, and how those embargoes were never enforced. He gives facts and figures for the year 1966 when articles were sold to and bought from Rhodesia although there was supposed to be an embargo in force. One of the last paragraphs states—

It is difficult to see how so many Liberals who ostensibly profess the dignity and perfectability of the individual can be so faint-hearted when confronted by a major challenge to that belief.

He is there dealing with the way in which the South Africans are forced to live, and the degradation they have to go through. His concluding paragraphs read—

For it is a challenge which calls on them not only to be silent but to participate in the negation of the dignity of man which we see practised in apartheid sport.

Liberals who are liberals will not be standing on the sidelines when it comes to meeting this challenge to the core of liberalism.

That particular article is signed "Robert French."

So it can be seen that although we heard Russia mentioned a while ago, this article does not state that Russia, China, or any other nation can be aligned in the manner that South Africa is to be aligned, for the simple reason that all sportsmen from those countries are permitted to participate. If they are good enough to get into the team they get into the team; but in South Africa they are selected from a racist point of view.

The Hon. G. C. MacKinnon: You know that is not true about Russia.

The Hon. R. THOMPSON: I am quoting from a Liberal publication. Had I stood up and said that, I would have been howled down by members of the Opposition.

The Hon. G. C. MacKinnon: We are free.

The Hon. R. THOMPSON: I am quoting from this document and I give the Young Liberal movement full marks because it looks as if a bit of democracy might be found in the Liberal Party when these Young Liberals eventually take control of the party. I would state that the views of the Young Liberals on this matter

are no different from those of the protesters who went into the street and protested against the apartheid policy of the rugby union of South Africa.

The Hon. G. C. MacKinnon: And threw petrol bombs and tennis balls full of nails!

The Hon. J. Dolan: Where? Not here?

The Hon. G. C. MacKinnon: No, thank goodness.

The Hon. R. THOMPSON: I was not about at the time. All I know is what I saw on television and read in the Press.

I will admit that, had I been well, I too would have been up there protesting.

The Hon. G. C. MacKinnon: Shame!

The Hon. R. THOMPSON: I would have been amongst them because, as a nation, we cannot afford to align ourselves with any country that has such racist policies, irrespective of whether we have received courtesies within those countries or not. That is beside the point.

The Hon. G. C. MacKinnon: We can always be polite to guests.

The Hon. R. THOMPSON: Yes, we can always be polite but, then again, actions which occurred in the various States did not leave a very good image of Australia. Further, if we take into account the United Nations decision, the sum of \$12,000 subscribed by the Federal Government does not leave a very good image either. The United Nations decision was supposed to promote goodwill and feeling throughout the world.

The Hon. G. C. MacKinnon: The result of the two Queensland by-elections indicates that Queensland did the right thing.

The Hon. R. THOMPSON: I could not care whether by-elections or general elections were held. Personally I am so far removed from Queensland it does not matter.

The Hon. V. J. Ferry: That is apartheid.

The Hon. R. THOMPSON: I do not know whether the elections were won on this issue. Further, Mr. MacKinnon does not know either.

The Hon. G. C. MacKinnon: I always believe what I read.

The Hon. R. THOMPSON: I read a statement to the House, but the honourable member did not believe that.

The PRESIDENT: Order!

The Hon. G. C. MacKinnon: I believe it is there. I just don't agree.

The PRESIDENT: Order!

The Hon. R. THOMPSON: If the honourable member always believes what he reads, I hope he will believe the rest of the articles I will read out. Unfortunately, Mr. President, I shall have to quote quite a few articles tonight, mainly newspaper cuttings.

The PRESIDENT: Order! I would like the honourable member to address me instead of baiting other members to interject, which is distinctly out of order.

The Hon. R. THOMPSON: Thank you, Mr. President. I always try to do my best to address the Chair with utmost decorum.

The Hon. A. F. Griffith: The honourable member always tries to do his best to bait other members.

The Hon. R. THOMPSON: Over the years, the ex-Minister for Local Government (The Hon. L. A. Logan) and I have clashed on many occasions, mainly on the issue of town planning. In view of the newspaper article from Canberra on Friday, the 23rd July, I suppose I owe him some sort of apology. It is an apology which he would have received from me much earlier had he advised the House exactly what was taking place in Western Australia.

For several years when we were in Opposition we moved amendments to the Address-in-Reply, as well as other motions, condemning the Government's attitude on the shortage of houses and the price of land. Only now that the former Minister is out of office do we find the real truth of what caused this. I can imagine that he made the statement in all honesty and sincerity, but I still think it leaves something of a stigma on back-benchers of Parliament. The article is headed, "Ex-Minister Slams Perth Land 'fixers.'" It says—

Back-benchers had killed legislation to control land speculation in Perth, the former Minister for Town Planning, Mr. Logan, said here today.

Government plans were nullified by its failure to "call the bluff" of these back-benchers, Mr. Logan told a meeting of the country's top planners.

Mr. Logan was speaking at the annual conference of the Australian Institute of Urban Studies. The *West Australian* the following morning said, "The Liberal Government did not call the bluff of resistant back-benchers." I think there should be a little more clarification from the Minister on these two articles.

The Hon. R. F. Claughton: The ex-Minister.

The Hon. R. H. C. Stubbs: The ex-Minister.

The Hon. R. THOMPSON: Clarification should come from the ex-Minister (The Hon. L. A. Logan) in respect of these two articles, because I think they leave a shadow over back-benchers of Parliament. At that time I could not have been accused, because I was a front-bench.

What was said in the articles did not happen within the confines of this Chamber at the time when we were urging the Government of the day to take direct action and do something. If I read the articles correctly, Mr. Logan is saying that

the matter was killed in the party room and not in the Parliament. I think, if this is so, the honourable member should say so.

The Hon. A. F. Griffith: Anything you cannot find there, I am sure you will put in.

The Hon. R. THOMPSON: It certainly did not happen in the Chamber. The very first occasion on which we launched an attack about the shortage of houses, the high price and shortage of land, the difficulties connected with town planning, and the difficulties of getting the various Government departments to co-operate and talk to one another, I recall Mr. Logan's reply when he said that high prices of land should not concern anyone; they were a good sign, for the simple reason that they showed we were living in an affluent society.

The Opposition of the day was trying to do something. It was trying to force the Government's hand to take direct action. Now the elections are over and there is a change of Government, we find back-benchers are being accused of not playing the game and we are told that the Liberal Government failed to stand up to its bluff. No member of the Labor Party was involved and, consequently, I leave it to the ex-Minister to speak for himself.

You may recall, Mr. President, that in November last year I spoke to the Appropriation Bill and mentioned the plight of deserted wives, divorcees, and people who are reduced to the lowest rung of society in Western Australia, I consider, through the actions of their husbands. I gave instances of people who, through no fault of their own, were living in dire need and virtual poverty. I mentioned their children, who are my main concern, and said that they are not getting the good things in life that a young Australian should get. At the same time I attacked the legal profession for the high cost of obtaining a divorce or a separation order in Western Australia.

At the time I said I had previously dealt with some 20 or 30 cases which I considered the Child Welfare Department should have assisted by helping the people concerned to get divorces. I said the Child Welfare Department would also be relieved, because many people do not like living in a *de facto* arrangement, because of considerations of dignity and honesty, and if some assistance were granted to them they would find husbands and their children would grow up in a house and fully enjoy the company of a male in that house.

I was agreeably surprised at the number of letters and absolutely amazed at the thousands of telephone calls I received. Of course I am not contemplating a divorce and I hope I never have to go into a Summary Relief Court or a Divorce

Court. I do think, however, that had the telephone calls kept up for a few more weeks my wife may have contemplated going for an extended holiday.

The Hon. A. F. Griffith: She must be like us, extremely patient.

The Hon. R. THOMPSON: My wife was nearly driven mad by telephone calls; she could not get her work done for weeks because when I was out of the house she had—as all our wives do—to take the brunt of the telephone calls.

Every person had his or her own story to tell and each was a very human story. I was surprised at the large number of men who came to my home, by appointment, to discuss their cases with me as, indeed, did very many women. I found myself utterly confused over the divorce laws. The Matrimonial Causes Act of 1959 is a Commonwealth Act, although it contains a separate piece of legislation which is applicable to Western Australia. I think ours is the only State which is dealt with separately. I was amazed at the complexity of the legislation and also at the lack of compassion, because compassion never seems to be shown by a judge when he is dealing with divorce.

The Hon. A. F. Griffith: That is a pretty raw statement.

The Hon. R. THOMPSON: The discretion given to a judge is very rarely exercised except in a case of a large estate or a money settlement. I found that husbands in the main are worse off. I can recall one very sad case of a man with two children, aged three and five years respectively. His wife had deserted him. He was buying a home in their joint names. The wife obtained an order against him for constructive desertion. This does not come under the Commonwealth Act but under our summary relief Act. The order against him was for \$15 a week. He was left with the children and the wife had gone to Victoria to live with another man. This is the kind of case which indicates that our own Act needs a thorough overhaul.

The Hon. I. G. Medcalf: Do you know what constructive desertion means?

The Hon. R. THOMPSON: I can only go by what was on the order given to the husband after the separation. The words "constructive desertion" appeared on that document and the maintenance was \$15 a week.

The Hon. I. G. Medcalf: It means that the husband had caused the wife to leave him.

The Hon. R. THOMPSON: All I know is that he was still living in the home; he had the children; the wife had not claimed custody of the children.

The Hon. I. G. Medcalf: He may not have been entirely innocent.

The Hon. R. THOMPSON: Is anyone innocent?

The Hon. I. G. Medcalf: I know. I just thought—

The PRESIDENT: Order! The honourable member will address the Chair.

The Hon. R. THOMPSON: Mr. President, is either party innocent when matrimony and children are involved? One person is not wrong all the time. On the average there must be faults on both sides. Let us face it. Each member of this Chamber, if he knows what goes on in his electorate and the problems which exist, will also know that not all men are entirely good. Some desert their wives and their families for a free life. Perhaps they go off with another woman; gambling, drink, or a thousand and one other factors may be the cause for a man deserting his wife. I am referring to the totally irresponsible types of people. However, we also find that a wife can drive a man from the house. Although he does not want to leave his children, he cannot put up with continual nagging and other things which wives can do which I do not think I should mention in full tonight. On the other hand, there is the unfaithful wife who commits her infidelity while her husband is away at work. In either case a husband can be driven from the home, but he pays the full penalty.

For these reasons, we should overhaul our systems completely in Western Australia. I refer both to the summary relief Act and the Matrimonial Causes Act.

According to the statistics I have had supplied to me, in the past five years the number of legal separation maintenance orders has risen by 362 per cent., and the number of divorces in Western Australia, between the years 1966 and 1970, has risen by 52 per cent.

I have a newspaper article here from *The National Times*, dated the 14th June, 1971. This article lists the statistics for all States and I think I should read it out. The increases are given as follows—

	%
New South Wales	32
Victoria	43
Queensland	58
South Australia	20
Western Australia	52
Tasmania	41
The Northern Territory	52
The Australian Capital Territory	71

The total overall increase from 1966 to 1970 is given as 37 per cent. throughout Australia. This article was headed, "June Bride's Problem." The article commences with the fact that one in seven of the June brides about to be married would finish up in the divorce court, and concludes with the percentages I have quoted. There is too much material to refer to in full but the article shows that these are documented figures and I believe them to be true and correct.

I feel an editorial in the *Sydney Daily Telegraph* is worth the time to read out. It is headed "Time to Put Justice into a Creaky Law", and it commences—

The statement by Mrs. Joan Rosanove's, Victorian first woman Q.C. that the dice are loaded against the man in marriage and divorce throws the spotlight once more on Australia's lamentable divorce laws.

Speaking from 50 years Supreme Court experience in divorce, Mrs. Rosanove herself happily married blamed women for 95 per cent of marriage breakdowns and declared that the law was mainly on the woman's side in that judges often felt sorry for the woman.

Finally, she considered the maintenance laws which enabled vindictive wives to "take a man for everything he's got and demand more".

Mrs. Rosanove's strictures are important because they add the viewpoint of a woman experienced in the courts to the rising protest against a law which many regard as outdated and unjust.

Judges and other eminent legal men have condemned certain aspects of the divorce courts.

More than a year ago, Mr. Justice Toose advocated that the present courts with their trappings of crime charge and counter charge and inference of guilt should be replaced by family courts where, failing reconciliation, divorce should be granted with dignity.

This plan was endorsed by Mr. Justice Barber, who deplored the rule that one party must be guilty and the other innocent when both are often to blame. He called for a "re-examination of the whole divorce law". Other legal men have described these laws as "creaking, crazy, stupid and suffering from a 19th century hangover." One branded crippling costs as "incredible and crying out for review".

Now comes Mrs. Rosanove's assertion that the law is loaded against the man who is often faced with bankruptcy or jail.

With criticism widespread, the public is entitled to ask "How much longer will the Government continue to dodge the straightforward issue of putting justice into a bad law?"

It can be seen, therefore, that *The Daily Telegraph* has seen fit to produce an editorial on this question.

There is widespread discontent with the law from both the male and the female angle and so there should be. If we have a look at the various laws we will find

that these laws are written by lawyers for lawyers, whereas they should be written by people for people.

The Hon. I. G. Medcalf: I thought the laws were passed by Parliament.

The Hon. R. THOMPSON: The laws are passed by Parliament but unfortunately parliamentarians are not lawyers; they are not legal draftsmen. From time to time I have seen amendments drawn up by lawyers which will not fit into our legislation. I have had experience of this.

The Hon. G. C. MacKinnon: We are people.

The Hon. R. THOMPSON: Yes, we are people, but we do not write the laws. The laws of the Matrimonial Causes Act would have been written by eminent draftsmen, lawyers in their own right in the Australian Capital Territory. We have accepted these laws but we can change them if we want to. I think it is time we did. I think it is time we adopted the English system and the system that is operating in Germany, which involves the use of family courts. I do not think there is any disagreement with the setting up of family courts in England—if I can find the piece of paper I will quote something about it.

The Hon. G. C. MacKinnon: You want to get yourself a good filing system.

The Hon. W. R. Withers: It looks as if it has been snowing.

The Hon. R. THOMPSON: I might even agree with you.

The Hon. G. C. MacKinnon: Do not shock everybody.

The Hon. R. THOMPSON: That would surprise you, I know.

In the *Sydney paper, The Morning Telegraph*, Toose, J. and Mrs. Rosanove and other prominent people have come out on the side of family courts. Let us have a look at what they say about the system of divorce in England. They say—

A big increase in the number of divorces in England and Wales has been shown in the first seven months of the "easier divorce" law.

Figures for divorces since the new Act came into force in January have not been collated, but they are expected to reveal that the Law Society's estimate of a 15,000 annual increase in divorces was conservative.

In the past, divorce cases increased by an average of 5,000 a year. The new law makes irretrievable breakdown of marriage the sole ground for dissolution.

Contested divorce cases are now almost non-existent because the real fight between estranged couples over money, property and children is invariably heard after the decree, before judge and in private.

The new law continues to work smoothly. The speed with which a case can be brought before the court has increased. Some courts have heard a petition eight weeks after it was filed.

So this shows us that the family court is the answer. Unfortunately, I am not able to tell members the composition of the family courts. I believe them to be made up of a solicitor or a person with a law degree, a psychiatrist, sometimes a member of the clergy or a social worker; a person who knows the type of problem these people face. This system is preferable to an action in the Supreme Court, where our form of law and its application to human relations is outdated. I will prove this later.

It is amazing to me to see that under the British system a divorce can be heard eight weeks after a petition is filed. In Western Australia divorce is becoming the bread and butter of the legal profession. There are a few solicitors who specialize in divorce. Occasionally one of the other solicitors may appear perhaps when a client of his firm is involved, but in the main, the divorce practice seems to centre around a group who specialize.

I have never yet heard of anybody who has managed to bring a divorce action on in our courts in eight weeks. On the contrary, I know of cases not able to proceed after a wait of two and a half years.

A man came to me after endeavouring to bring his petition on for 16 months. He had already had an account for \$1,208 from his solicitor for a case which had commenced uncontested. This man did not have a listing date in court at that particular time because an argument had arisen over some property. His wife had decided that she wanted a greater share in his property, although he had agreed to settle one house on her.

This man was facing bankruptcy over his action. He just could not pay the solicitor's account and there was no sign of the case ever getting to court. I think he took a most sensible course; he sold his remaining house in Western Australia and he has gone to the Eastern States. I wish him luck while he is there. I think this was a case of the wife and the lawyer ganging up against a person who was prepared to make a reasonable settlement. The wife wanted everything in this instance.

Under the family court system, this is what would happen: if the people fulfil the requirements of the law as it stands in England—and I believe in Germany it is on the same grounds—they go before the court, and if the litigants can prove without a shadow of a doubt it is impossible to carry on their marriage, the divorce is granted. A "slot machine" divorce, I think Mr. Medcalf called it the last time I spoke. It may be a form of "slot machine" or

"push button" divorce, but at least it is not the lawyers who push the button, as is the case in Western Australia.

The people who run these courts are concerned with society; concerned that families do the right thing. The stigma of accusations, adultery, someone being wrong and someone being right, does not arise. These things are not made public, even if they are relevant to the case. This is a family court and if there is any property settlement, that goes before a judge in private. If children are involved, that matter goes before a committee which I think is called an access committee. This allows trained people to speak to the husband and the wife, investigate the living conditions of the child, and decide who should have the legal custody of the child. If there is any argument about access, this is also decided by the panel. If anyone is not satisfied with this panel, there is an appeal panel to which either parent can appeal if he or she so desires.

You can see that the implementation of this system would be taking away the lucrative rackets indulged in by the solicitors in Australia. The common people of this country, the people who need assistance, are the people who are being ground down because, as I said when I spoke previously on this Act, a lot of them cannot afford the money to go into a divorce court and, as a result, they lose their dignity and live in a *de facto* relationship. This often means the children are deprived.

The Divorce Law Reform Society in Western Australia has been working for a long time—indeed, ever since its inception—to try to bring about some change and some reform in the divorce law. This body is an Australia-wide organisation, and it is possible that anybody reading the literature put out by the society could think that it was an all-male set-up. I do not believe this to be the case, however, because I read an article recently in the newspaper concerning a woman—I believe she was a pharmacist—who was happily married. She was taking a degree in law and being assisted by her husband to bring about some reform in the divorce law in Australia.

Many of the cases that cause a great deal of anguish are those where the husband has deserted and has been denied access to the children even though the wife has been issued with a court order saying that he must be given such access. There is very little that can be done about such cases under our present system.

Members may recall reading of a case in the papers last week where a man by the name of Arnold was separated from his wife. He had been before the court on nine occasions. He had won six of those cases before the magistrate, but on the last occasion he went before the court the magistrate said, "Complaint proved; no

penalty. Complainant to contribute to respondent's costs the sum of \$20; in default 10 days."

This man took his wife to court on a contempt charge which arose out of her failing to give him due access to the child as ordered by the court. This was not a new case. He had been before the court on a number of occasions and there evidently was some failure by the wife to grant him access to their child.

Because a couple happen to be separated it does not mean they do not love their children. We know that absence makes the heart grow fonder and it is possible that, because they are separated, they love their children more than they might normally have done. They might want to see more of them. I do not know the rights or wrongs of this case. I only know one side of it and I do not wish at all to prejudge the issue on the other side.

I do think it is quite ridiculous, however, for a person to have to foot part of the bill when he takes his wife to court under the existing law and proves contempt of court for her having failed to give him access to their child.

This aspect is covered by section 25 of the Married Persons and Children (Summary Relief) Act. The contempt is covered under section 29 of that Act. It can be seen from the provisions of the Act under what conditions a person can be brought before the court for disobedience of an order. We do not find any penalty provided, but we do find at times—and this has been pointed out to me on several occasions—that lawyers have been known to tell the wife, "Do not worry; do not let him see the child; they cannot do anything about it."

As a result of this, the husband files another petition; the parties approach the court; the lawyer again gets his fee, and even though the husband is within the law and his case is justified and right—because he is not able to get access to the child—he is still the loser.

Surely it is not just for such a man to have to contribute to the costs of someone who continually breaks the law! During the tea suspension I had a ring concerning something that happened to somebody last Saturday. A warrant was sworn under section 146 of the Justices Act. At 2.30 p.m. on Saturday a police constable arrived at the home of the man concerned and demanded \$33.20, or his body. The constable said, "I must have \$33.20 or your body."

In the writ issued by the wife it was claimed that the man concerned was behind with his maintenance, while in actual fact he had paid his maintenance up to the 18th September, 1971. Rather than go to gaol, and because he had friends at the house and felt embarrassed, the husband paid up another \$33.20.

This is the type of thing that a spiteful woman can do to her husband, and he has no appeal or redress against it. A warrant is merely issued for him to be taken into custody.

If the Minister for Police wishes to check this matter I would point out that it happened last Saturday at 2.30 p.m. when a constable from Maylands went around to take the man in question into custody. Surely there is something wrong with our laws when this sort of thing can happen, particularly when the man concerned had been to the police the day before and proved in black and white that he had paid the money. Surely we are not that far wrong that we are not prepared to make some change or draw up some enlightened laws—which could possibly be done by people who understand the position to which I have referred; people who are not concerned merely with the monetary gain or the procrastination of the divorce proceedings and the gain from the attendant litigation.

I speak with condemnation of our legal profession. There are a few solicitors in Perth who do not demand \$300 before taking an uncontested divorce case but, by and large, this is the amount that is asked of the person concerned.

The Law Society indicated that it had reduced this charge but although it has been asked the charge on which it has decided no reply has been forthcoming from that society. I know that the Divorce Law Reform Society has written to the Law Society asking for its new charges but no reply has been received to date.

I would also like to point out that a husband who is ordered to pay maintenance or alimony continues to be taxed as a single man. I appreciate that the law governing divorces is a Commonwealth Act, but I do think that some provision should be made in the legislation similar to that which exists in the English law where a man who pays alimony is at least taxed as a married man; he is able to claim some sort of taxation concession.

On the other hand, however, if a wife lives with a *de facto* husband the man in question can claim taxation exemption for her on that *de facto* basis. I cannot for the life of me see why a husband who is paying alimony cannot be taxed as a married man.

I could possibly go on speaking for another three or four hours, but I do not want to weary the House. I merely want to suggest that a thorough investigation be made into all aspects of divorce, maintenance, separation, child welfare assistance, the cost to the State in social services, the cost involved in imprisoning people who fail to comply with orders of the court and last, but by no means least, of people who skip the payment of maintenance and do not comply with a court order.

I know that all I have said can be substantiated by other members in this Chamber, particularly as it relates to those who represent the area of the State on the Trans-line where there are large numbers of people engaged in some form of employment. If one looks at the electoral rolls one will find there are only 10 or 12 such people on the electoral roll. The remainder do not want their names placed on the electoral roll because, for the most part, they are absconding husbands and men who are not paying their wives maintenance.

The same applies to the north-west, particularly to Wittenoom when the mine was in operation. Any absconding husband who went to Wittenoom was quite safe; there was no chance of his being picked up for non-payment of maintenance. If, however, the man got on to a truck and left Wittenoom, the policeman would say to him, "Where are you going?" The man might reply, "I am going to Perth." Upon which the policeman would say, "I have a warrant for your arrest for non-payment of maintenance; you must come into custody."

The Hon. I. G. Medcalf: What do you think should be done about these people?"

The Hon. R. THOMPSON: The honourable member is referring to the defaulters; those who have not paid the maintenance ordered?

The Hon. I. G. Medcalf: Yes.

The Hon. R. THOMPSON: What should be done to them is already written into the Act, but the provisions are not being applied by the courts.

The Hon. I. G. Medcalf: What do you think should be done?

The Hon. R. THOMPSON: At this stage I am not going to tell the honourable member what should be done, because I have heard him on this before.

The Hon. I. G. Medcalf: I have also heard you.

The Hon. R. THOMPSON: I feel that the whole thing gets back to the fact that there must be reforms. I think family courts are the answer. When it comes to a question of maintenance it is the family court that should make the decision. If access were given to the children by the wife I am sure we would find that in most cases husbands would not desert. It is because the husband has become frustrated that he says, "To hell with it; I will get out of it."

The Hon. I. G. Medcalf: You think it is as simple as that?

The Hon. R. THOMPSON: I think that is the main reason—I am now referring to a person who has been paying his maintenance and has been denied access to his child. I do not think this covers

the situation where a man leaves his wife and family; where he deserts and leaves the country. I do not think there is any solution to that problem.

We do, however, have reciprocal laws with other States; I think our laws are framed so that they may apply to other countries. Whether or not we have reciprocal agreements with other countries I do not know. I do not think there is any simple answer to the problem of the person who deserts his wife and cannot be traced. I do think, however, that the law and the courts have fallen down in the case of the person who deserts his wife because of a lack of access to the children and who, as a result goes to the north-west or decides to work on the Trans-line, or somewhere else. Such a person would be guaranteed access to his child by the family court set-up in England. If that had been done here this person would be a law-abiding citizen. I hope that in the very near future an Australia-wide movement will be initiated in this respect. I can see no reason why such a movement should not be initiated in Western Australia. This State should not always be the last in these matters; it should sometimes take the lead, because there are many deserted wives and deserted husbands from the other States now living in Western Australia.

If Western Australia took some action at this point of time, then possibly within two or three years we could twist the Commonwealth Government's arm and induce it to alter the Matrimonial Causes Act, and set up family courts in Australia, as these have come into favour in many countries of the world. Failing that, this State should revoke the Commonwealth Act and set up its own Statute; and thereby establish family courts, ancillary committees, and the right of final appeal to a judge. I support the motion for the adoption of the Address-in-Reply.

THE HON. R. F. CLAUGHTON (North Metropolitan) [9.01 p.m.]: I support the motion for the adoption of the Address-in-Reply which was so ably moved by Miss Elliott. I would like to compliment the President on his impartiality, and trust it will continue during the life of this Parliament. I feel sure he will continue to occupy the Chair with dignity. If I have occasion to refer to the status of this Chamber, it will not be due in any way to the part he has played. He has fulfilled his role extremely well, and he has done all in his power to maintain the authority of the Parliament of this State.

I would like to congratulate the new Ministers on their elevation to their present positions, but I must sympathise with them for the tremendous tasks they have been called upon to undertake.

I would like to pay my respects to Mr. Griffith (the Leader of the Opposition) for the ability he has displayed, and which I came to recognise in the period when I knew him as the leader of this House.

In these remarks I include the Clerks, and I thank them for the courteous way in which they have attended to the needs of members. Not once have I had occasion to find fault with the way in which my requests have been met.

Like other speakers I also pay my respects to the members of this House who retired before the last election; and I extend my condolences to the next-of-kin of those members who have passed away since the last session. It is sad to realise that members, whom we knew so well, are no longer with us. There is no doubt that in this Parliament we all become quite attached to those with whom we are associated, irrespective of the political parties to which they belong.

I put forward this proposal not in any derogatory sense or in criticism of those members who have retired; but I think that there is a case for an age limit to be set for members of Parliament. We have had the experience of members of Parliament being in their 80s, and perhaps they were not then able to carry out their functions as they should.

I welcome the new members who have been elected to this House, and I hope their contributions and the new ideas they bring forward will enliven the debates.

In the debate on this motion something in the nature of a threat has run through the contributions of several members. I refer to the speeches of Mr. White, Mr. MacKinnon, and Mr. Ron Thompson. The idea put forward is that some thought be given to the way in which our parliamentary institution is meeting the demands of maintaining a democracy. In a democracy the power rests in the people, but today many people are concerned because they have very little power to influence the course of events. We need to look at the role played by this Chamber to see how its part can be improved.

The threat to the liberty of the individual has been mentioned, and I would like to speak on that matter tonight. It is somewhat remarkable that our Constitution makes no mention of the rights of the individual. In my reading of it I found that it gave Parliament wide power, but I could not see any mention of the basic rights of the people being protected. The only place where that might occur is in those Acts of the United Kingdom which still apply in Western Australia.

It has been suggested in this House recently that this is a democratic Parliament, because universal franchise of people of 18 years of age and over has been adopted. That is only one aspect of democracy. I am sure the person who made that claim would not say the Russian

Government was a democratic Government, despite the fact that all the people of that country have a vote, because that country allows only one party to nominate candidates. We would not regard it as a democratic Government. Because this Chamber has adopted universal franchise of people of 18 years of age and over, it does not mean that the election of its members is completely democratic.

If we look at the figures relating to the last State election we will find that in round figures 307,000 people cast an effective vote for five metropolitan seats; in other words, that number of electors would elect 10 members to this Chamber; or two members to each of the five seats.

The agricultural areas of this State have 16 representatives, and for their election 162,000 people cast an effective vote. So there is a great disparity between the votes and the number of seats in the metropolitan area compared with seats in the agricultural areas.

If we take into account the seats in which the Country Party holds power—and these are mainly the provinces embracing the wheat belt; in particular, the Upper West, Central, Lower Central, and South Provinces—we find that it works out at 9,500 voters to a member. These four provinces are represented by eight members in this House, and the effective votes cast numbered 77,000; or an average of 9,500 for each member.

In contrast, the figure for the metropolitan seats is 30,700 electors for each member elected; in other words, it takes three times as many votes to return a member in a metropolitan seat. One could draw all sorts of conclusions from these figures, but no useful purpose would be served by emphasising this sort of argument. We could include the south-east seats held by the Labor Party with the group in which the Country Party has its main representation. We find the Australian Labor Party has two members there, and the figure of 9,500 votes to a seat would be the same.

What I have said indicates a fairly large imbalance between the voting strength of the electors in the various provinces. I cannot see much value in having representation in this House for empty spaces. The two northern seats—the North and Lower North Provinces—have roughly 10,000 electors, and they return four members.

The Hon. J. Heitman: How would you like to travel over those areas?

The Hon. R. F. CLAUGHTON: I would not. I suggest that for outlying areas the members concerned should be provided with greater facilities to enable them to serve their electors. This principle could be applied in a redistribution of electoral boundaries.

The Hon. G. C. MacKinnon: Don't you agree you should think in terms of the constituent rather than the member?

The Hon. R. F. CLAUGHTON: This is what I am suggesting. The constituent is very concerned with the service which the member provides.

The Hon. G. C. MacKinnon: So it needs more members when it is in a far flung area of the State in order to get adequate representation.

The Hon. R. F. CLAUGHTON: I would think that the 4,249 electors of the Lower North Province probably get better representation from their members than the 73,000 electors in my province.

The Hon. G. C. MacKinnon: We all agree with that.

The Hon. R. F. CLAUGHTON: No doubt that arises because of the difficulty of getting around to see each individual elector in my province. It is much more difficult to visit 73,000 than 4,249 electors, even if the large number of electors is confined to a small area. It might be far better in some instances for members to travel by air.

The Hon. G. C. MacKinnon: It is easier for your 73,000 electors to see you.

The Hon. R. F. CLAUGHTON: That might be so.

The Hon. G. C. MacKinnon: That is the way you ought to be thinking.

The Hon. J. Dolan: If you average five electors a day you will not see them all in your term of office as a member.

The Hon. R. F. CLAUGHTON: That is correct. Where the number is 4,000-odd the member might find time to see them all in his six-year term. The member with 73,000 electors would have difficulty in seeing them all, because of insufficient hours in the day.

The Hon. G. C. MacKinnon: But those who wanted to see you could see you without much trouble.

The Hon. R. F. CLAUGHTON: Well, I do not know whether the proportion would be any more in my province than it is in a far north province.

The Hon. W. R. Withers: One of those provinces has the largest population growth in the whole of Australia.

The Hon. R. F. CLAUGHTON: I am not in a position to query that figure. I know my own province is growing rapidly and according to the shire clerk of the City of Stirling, his is one of the quickest growing local authorities in the State. Between the two elections—1968 and 1971—the number of voters increased by approximately 17,000. That would probably be the entire population of the North Province.

The Hon. W. R. Withers: But two provinces which you have also mentioned cover 75 per cent. of the State.

The Hon. R. F. CLAUGHTON: That is right.

The Hon. J. L. Hunt: I think it will be found that they cover five-sixths of the State.

The Hon. R. F. CLAUGHTON: Roughly five-sixths of the State. Here we have examples of large provinces, and members being required to travel over those provinces. However, this is not thought practicable in the agricultural provinces. I do not intend to stress this point too strongly but I concede that country members have a good deal to put up with. Very often the home of a country member is in a province which he represents, and his family resides there. The country member has to travel to and from his province and his family does not see him for long periods.

I can attend two or three meetings in the one evening, but a country member would probably require a separate evening for each meeting. Country members do have problems and we should look at the facilities we provide to allow them to cope and provide a better service to their constituents.

The point I was making was on the question of democracy, and the fact that adult franchise simply does not make the Legislative Council a democratic House. It is the policy of my party to abolish this House, but if it is not possible—and I do not think it would be possible with the members as they are at present—we should perhaps examine ways in which we can make this Chamber a more effective arm of Government. In the three years I have been here it has been a party House; it has not been a House of Review. This is simply a euphemism to suit the coalition parties when they are in opposition, so far as I can see. Any legislation which the previous Government wanted to go through, went through.

The Hon. A. F. Griffith: I think the honourable member is getting his parties a bit mixed.

The Hon. R. F. CLAUGHTON: That is the sort of remark I would expect to hear from that side of the House.

The Hon. A. F. Griffith: The honourable member learnt that from me.

The Hon. R. F. CLAUGHTON: I expect members from the other side of the House to defend themselves in this way, but it is not a very helpful attitude to take. This Chamber could be looked at objectively without party differences being brought into it, and an effort made to improve it. The ideal House of Review, if we are to have one, would be to have the members appointed for a considerable length of time. However, we would not want those conditions at present.

The Hon. A. F. Griffith: That can be said again!

The Hon. R. F. CLAUGHTON: The New South Wales Legislative Council Chamber would probably be the closest to this idea. I do not think my party would regard that Chamber as ideal.

The Hon. G. C. MacKinnon: I think it will be found statistically, that that Chamber has been less successful than this Chamber.

The Hon. R. F. CLAUGHTON: It depends on one's criterion of success. If one's criterion is on the effectiveness as a House of Review I would not say that this Chamber was successful. I do not know what other criterion one would want to use.

The Hon. G. C. MacKinnon: What is the honourable member's criterion of success?

The Hon. R. F. CLAUGHTON: That is what I am saying—the claim made for the usefulness of this House as a House of Review. I have not heard any argument at all. I think the House is useful in that it includes within its provinces a number of Assembly districts and this allows the members of this Chamber to take a wider view of what is happening, and even to offer assistance to members of the Assembly when those members are unable to cope completely. I refer to the case of a Minister, and the member in the Upper House—when belonging to the same party—is able to help the Minister. It is also of assistance where the members belong to different parties when a constituent feels he would be better served by approaching somebody in the Opposition party.

The Legislative Council also has the advantage of members serving a longer term. The six-year term allows members to be more relaxed about their seats, and they are not so worried about how the electorate is viewing them. This, I feel, enables members to concentrate more on the legislation which comes before Parliament. The Legislative Council could also take greater interest in social issues. These things are important.

At the same time, I would say that the three-year term in the Legislative Assembly is far too short. I have said previously that a five-year term in that Chamber would be an improvement to the Government in this State. I would like to see the term in the other Chamber extended to four or five years.

The Hon. G. C. MacKinnon: That is a point of view always expressed by parties when in Government.

The Hon. R. F. CLAUGHTON: I have made such statements previously and they are recorded in *Hansard* and in the Press.

I suggest better facilities should be provided for country members in order that they might serve their constituents better. We should also look at the electoral system

itself. At the moment we have a common roll with the Assembly and I do not see any fault with that. However, there is very little scope in this Parliament for minority groups to gain representation. If it is felt that this Chamber should be different from the other Chamber then this is one way that difference can be achieved: to give the minority groups a voice. For example, having a State-wide electorate with proportional representation would allow minority groups to gain seats in this Chamber. There are some minority groups with which I would find difficulty living, but this does not mean they are not entitled to a point of view.

The Hon. V. J. Ferry: Is the honourable member thinking of standing as an Independent?

The Hon. R. F. CLAUGHTON: I would instance the Democratic Labor Party, a party with which I violently disagree. However, that party does represent a proportion of the population and those people have no voice in this Parliament. I do not expect members to agree with me, but this is simply one of the ways in which we can examine our electoral system in order to make this Chamber more effective in fulfilling its role.

I see no value in this Chamber when we simply repeat everything done in another place. This leads me to ask: Is it really necessary for us to examine all the legislation which comes through in the same manner as it is examined in the other Chamber? There would be a great deal more benefit in the suggestion put forward by Mr. White, that we take time to examine the regulations: the subordinate legislation. We could play a more important part for the people by doing that. We could examine in depth, rather than superficially, a smaller number of issues rather than try to cope with all the legislation that comes forward.

The Hon. G. C. MacKinnon: Has the honourable member a suggestion on how to sort out the legislation?

The Hon. R. F. CLAUGHTON: A decision could be reached within the parties. As the legislation came forward each party could decide whether or not it wanted the legislation examined.

The Hon. G. C. MacKinnon: The honourable member is referring to the routine Bills?

The Hon. A. F. Griffith: Time would be put into examining subordinate legislation, and the legislation which authorised the subordinate legislation would slide through.

The Hon. R. F. CLAUGHTON: I am not suggesting that at all. It must be remembered that all the legislation is examined in the other place. Why should we simply repeat what is done there, particularly when it is only routine legislation.

The Hon. V. J. Ferry: Has the honourable member taken out any statistics on the number of Bills which are amended in this House during a session?

The Hon. G. C. MacKinnon: It is a fair number.

The Hon. R. F. CLAUGHTON: I would agree with the honourable member; I have not taken out any figures.

The Hon. V. J. Ferry: In some sessions it is 25 per cent. of the Bills introduced.

The Hon. R. F. CLAUGHTON: I do not think that would make my argument any less valid. If we had a different system operating in this Chamber perhaps the other Chamber would feel more responsible in the way it examines legislation and would not be prepared to let it pass without close examination. At the moment we are dealing with hypothesis. I make the plea that if we are to have this Chamber then let it be a Chamber which is important and not simply a rubber stamp for the Legislative Assembly.

Another issue on which I wish to speak concerns the rights of individuals and within this comes the question of demonstrations. This matter has been mentioned previously, and the right of people to demonstrate has been questioned, particularly in relation to South Africa. I did not choose the rugby tour on which to make a stand regarding South Africa. Neither did I suggest that the South African rugby team should come here. Since this choice was made by persons living in this country I am concerned about our image to the rest of the world. We want Australia to be regarded as a democratic country; a fair country. Somebody made the choice, and there are so many instances where the choice is made for us. I do not see that we can object to that decision which was made by somebody else, but I feel I must support the protest which was made.

The honourable member spoke very well in support of South Africa, and I will concede there is considerable justification for the manner in which the South African Government deals with coloured people.

The Hon. W. F. Willesee: There is none at all.

The Hon. R. F. CLAUGHTON: I do not agree. I think there is probably a good deal of justification. I think the status of the people has risen because of the manner in which the Government has dealt with the problem. But we cannot condone any inhuman laws and regulations which are applied even to individuals within families when they are no longer able to live together or consort.

The Hon. G. C. MacKinnon: Do you say that would entitle them to cut a policeman's horse, as reported from one of the other States?

The PRESIDENT: Order!

The Hon. R. F. CLAUGHTON: This is a democratic country, and a democratic society is not an easy one to maintain. It cannot be all law and order, which might be pronounced "lawn order"—nicely cut and trim at the edges.

The Hon. G. C. MacKinnon: The horse was nicely cut. I do not know how you tie that up with democracy.

The Hon. R. F. CLAUGHTON: People are entitled to certain rights—

The Hon. G. C. MacKinnon: Entitled to cut a horse?

The Hon. R. F. CLAUGHTON: —and they are entitled to act as individuals. We cannot keep them in straight-jackets to avoid their doing things of which we do not approve.

The Hon. G. C. MacKinnon: But you do not encourage them surely!

The Hon. R. F. CLAUGHTON: Last night on television I heard a representative of the South African Government saying that one did not see many policemen on the street in that country, but it did not have demonstrations. That seems to me to be much too tidy for a democratic society.

I expect the Australian community to be rough at the edges, otherwise I would very much suspect how much democracy we actually had or enjoyed. One cannot bind people exactly in the fashion that one thinks is desirable. One must concede that other people think differently and have a right to express their views. There are times when their actions and views go beyond what society will tolerate, in which case society punishes those people. We do not disagree with that but we certainly disagree with their being so tied down by rules and regulations that there is no scope for expression of divergent opinions because the community, as a whole, does not agree with them.

The Hon. G. C. MacKinnon: That goes without saying, but you do not expect two Premiers to encourage them.

The Hon. R. F. CLAUGHTON: There are always extremes, and if one cannot tolerate them one can no longer bear with a democratic society; one would want an autocratic or dictatorial society. A democratic society must be prepared to allow even extreme views to be expressed.

The Hon. A. F. Griffith: With violence?

The Hon. J. Dolan: He did not say that.

The Hon. R. F. CLAUGHTON: Extreme views are sometimes expressed with violence but the community does not tolerate the violence. We have murders on occasions. We tolerate a tremendous number of things.

For instance, it is estimated that disabling industrial accidents cost this country between \$700,000,000 and \$1,000,000,000 a year. These accidents involve injury to

the individual, and reduction of his happiness and ability to enjoy life. This cost is far greater than the cost incurred in this country by demonstrators during the tour by the South Africans. It is also estimated that for every disabling accident—

The Hon. G. C. MacKinnon: There is no analogy. Every effort is made to reduce industrial accidents.

The Hon. R. F. CLAUGHTON: The honourable member should read something other than his Liberal Party propaganda. On page 19 of the *Hotel Review of Western Australia* of June, 1971, volume 5, No. 6, there is an article dealing with the cost to Australia of industrial accidents. I would like to see the honourable member get worked up about that rather than about demonstrations.

The Hon. V. J. Ferry: Industrial accidents do not incite lawlessness.

The Hon. R. F. CLAUGHTON: I am not so sure. Perhaps the people who are no longer able to earn a useful living or to enjoy life are responsible for some of the lawlessness in the State. This morning I was talking to my bank manager, who referred to the number of breaking and entering cases in the district where his branch is located. They run into a phenomenal number. The premises of one particular business were broken into on three occasions in one weekend and another on 27 occasions in the last 12 months or less. Mr. McNeill mentioned the young louts on the road. When we talk of law and order, this is the sort of thing we should be dealing with, not the rights of people to demonstrate. Demonstrations gain headlines, but the cost and damage to our society of demonstrations is nothing compared with these other things.

The Hon. G. C. MacKinnon: I was predominantly concerned at the encouragement by two Premiers.

The Hon. R. F. CLAUGHTON: Perhaps the Premiers have a greater appreciation of what society is all about than has the honourable member.

The Hon. J. Heitman: On that particular matter, that is so.

The PRESIDENT: Order!

The Hon. R. F. CLAUGHTON: There are other examples of the rights of individuals being reduced. Some people from a retirement village came to see me some time ago. On the whole, I think these villages are a great credit to the Commonwealth Government. They are usually very well conducted and provide very pleasant, well-kept surroundings, and hospitalisation facilities. But are we being too kind?

I am not sure of the process in all of these villages; I can only speak of this particular one—I will not mention its name. In this particular village the people pay a lump sum of around \$3,000 or \$4,000, depending on whether they have single or

double quarters. If a married couple has double quarters and one of the partners dies, the surviving partner, despite the original agreement, is then moved from his double quarters into single quarters. In the double quarters which he had established as his home and where he would have expected to spend the rest of his days, he may have added items of furniture, painted the walls, and done other small things about the place, but he is just moved into single quarters and he has no recourse.

The Hon. A. F. Griffith: Surely it would not be so despite a written contract.

The Hon. R. F. CLAUGHTON: I am not sure whether there is a written contract.

The Hon. A. F. Griffith: I used your own words.

The Hon. R. F. CLAUGHTON: The original sum that is handed over is not given as a deposit on a property; it is required to be made over as a gift. This is a "fix," a legal dishonesty, and it is condoned even by the church groups that run these villages. No doubt they have a great deal of honesty of purpose and concern to see that these people are helped, but because the sum paid is termed a gift and not a deposit it confers no rights. There is no legal agreement to say that a person has paid over a sum of money which entitles him to any property.

If the people who live in those villages become dissatisfied, they have no alternative because they cannot have the gift refunded and go to another village. The only move they can make is into private accommodation for which they would not be able to pay a great deal if they were on a pension or superannuation.

The charges at these villages are extremely reasonable. The charges that were quoted to me were about \$3 or \$4, and even less than that. At one place the charge was \$1.50, but I do not think that village required the gift. However, the cost is extremely reasonable and all the services are provided, but the people who live in them are robbed of their liberties and their sense of independence. They no longer feel free; they are tied to the place. If they are dissatisfied they have no recourse.

The particular person to whom I was speaking was paying a high rate compared with the cost of other properties. The couple moved into the premises when they were new and had to paint them themselves; yet part of the maintenance charge was supposed to be for the painting. In 4½ years no painting had been done on their property. They could not obtain a statement to find out how their money had been expended because they were only tenants and had no right to demand an audited statement as to how the money was spent. They felt the money was being

used for purposes other than the maintenance of their properties. That may not be so, but these people could not prove what was happening.

In that instance individual liberties were reduced, and there were very few people who would speak up for them. The general attitude was: They are all right, everything is nice for them; let us not disturb the situation.

As an example of the sort of thing that happens, I mention that one woman was sick but she would not report to the matron in charge in case she was moved from her quarters and into the hospital associated with the village. The nature of the patients in the hospital made the hospital abhorrent to her whilst she still had her own sensibilities.

The Hon. G. C. MacKinnon: These are sociological problems which are very real and terribly difficult to resolve.

The Hon. R. F. CLAUGHTON: That may be so, but I would hope that the managements of such places would be a little humane in their approach. The people contended that the administrator of their village was an autocratic person who was not prepared to listen to their complaints and who had no regard for their sensibilities. I have not spoken to him, and he might have been misjudged, but I would suggest that the people's complaints are probably true.

These may be older citizens, but they still need to feel they have a place in society and that they are able to exercise their independence. They probably feel the need for this much more than we do because they have so little else left to them, and the problem would loom much larger in importance to them than it would to us. I have mentioned this as an example and in the hope that the Press might say something about it. The Press does not seem to report very much of what goes on at this hour of the night.

The Hon. A. F. Griffith: You will be right. You will probably get the headlines.

The Hon. N. McNeill: That depends on what is being said.

The Hon. R. F. CLAUGHTON: That is quite true. I would further suggest that our society is becoming more complex, and this makes it much more difficult to deal with the concern felt by people about matters such as pollution. This is purely a result of the fact that people no longer feel able to manage their own lives or to have any control over what is done. Often people find great difficulty in obtaining information not only from Government departments, but also from local authorities. A book entitled *The Chairman as God* was reviewed in *The West Australian* of the 24th July. Apparently the book refers to the same sort of situation, because it says that the chairmen of large

multi-national companies are isolated from the people who work for the companies, from the world about them, and from human affairs. They are concerned only with the organisation and the management of their businesses. The review in the Press states—

Yet their decisions, made in air-conditioned offices insulated against outside noise or interruption and away from everyday human contacts, affect the lives of millions of people.

Then, referring to the author, the article goes on to state—

She says that if we are to allow a single human, the chairman, such enormous power, he in turn must allow us to look at him, ask questions and discuss his job with him and its implications.

I have no doubt that at some time in the future we will consider legislation to enable us to do just that. But in the meantime we have our own institutions, Government agencies, and local authorities and people want to know what they are doing. They want to know what is going on before decisions are made, because decisions are so difficult to change once they have been made.

I believe the community has a greater respect for those in power who take them into their confidence. In this respect, I would quote from a publication called, *Facts About Denmark* which refers to what that country has done in relation to this problem. On page 16 of the publication the following is stated:—

Since the passing of an Act in 1964 regarding the extent to which the details of administrative decisions must be made known to the parties involved, Danish citizens have had the right to be informed how the administrative authorities have dealt with their case. In other words, a Danish citizen may demand to see the documents involved (apart from purely internal reports, etc.).

A bill to make all administrative matters completely public is currently being considered by the Folketing.

The Folketing is the Parliament of Denmark. I would suggest that there is a need for the same sort of legislation in our own State. Mr. MacKinnon might not feel that an ombudsman is of great importance but that is the sort of institution which would allow people to have recourse in regard to their complaints against Government institutions. The Danish Government has taken a step in the right direction in that regard.

Life is a complex process today and very few of us can understand all its ramifications. The ordinary citizen is in a worse position than we are and he needs to have some avenue available to him so that he can be satisfied the Government's

actions are in the best interests of the community and in the interests of democracy itself. It is important that those in power should be subject to criticism and that their actions should be able to be viewed publicly.

I think I mentioned that our Constitution has no Bill of Rights. In the Press last week there was mention of a United States court decision wherein Scientology was regarded as coming under the definition of a religion, thus giving Scientologists the right to continue to practise. At the same time the court placed certain limitations on them. That is a facility which we in this State lack, because we have no protection such as that. The Scientology organisation in this State has been banned. I feel that was a step away from democracy—whether or not we agree with Scientologists; we may dislike intensely the things they do—but in a democracy other ways of dealing with such problems must be found rather than the use of the power of the law to overcome them. With those remarks, Sir, I support the motion.

Debate adjourned, on motion by The Hon. N. E. Baxter.

House adjourned at 9.54 p.m.

Legislative Assembly

Tuesday, the 3rd August, 1971

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

QUESTIONS (20): ON NOTICE

1. GOVERNMENT TRAVEL BOOKINGS

Agencies

Mr. COURT, to the Premier:

- (1) What Government and/or private agencies are used for Government Ministers and other Government travel bookings, etc., since the 3rd March, 1971?
- (2) What changes, if any, in policy and procedures are proposed?

Mr. J. T. TONKIN replied:

- (1) It is Government policy that travel arrangements for Ministers and officers are to be made through the Western Australian Government Tourist Bureau. Since the 3rd March, 1971, this policy has been adhered to except in four instances, when the following agencies were utilised—

Merizzi Travel Agency;
Air India (direct—no agency);
Cooks World Travel Service (2).

In these instances private agencies were utilised following the loss of I.A.T.A. franchise in December, 1970, by the Government Tourist Bureau.

- (2) No changes in policy are proposed.

2. PRIMARY SCHOOLS

Canteens

Mr. O'NEIL, to the Minister for Education:

- (1) To what extent and under what conditions does the Government subsidise parents and citizens' associations for the construction of canteens (or Oslo lunch rooms) in primary schools?
- (2) Does it become the responsibility of the Government to meet maintenance costs on equipment installed in these canteens?
- (3) If not, why not?

Mr. J. T. TONKIN replied:

- (1) A dollar for dollar subsidy up to a maximum of \$5,000 is payable on satisfactory completion of work. Plans, specifications and site location must be approved by the Education Department.
An assurance is required that the association has sufficient funds to meet its share of the cost of the project.
- (2) The Government will meet maintenance costs on fixed equipment but not on moveable items.
- (3) Answered by (2).

3. MIDLAND RAILWAY COMPANY EMPLOYEES

Interest on Gratuities

Mr. BRADY, to the Minister for Railways:

- (1) What rate of interest was allowed to Midland Railway employees on transferring to Government Railways for moneys in gratuities funds?
- (2) Has any increase been made on the interest rate for such funds since transfer?
- (3) If "No" will an increase be made to bring rates of interest to old Midland Railway employees into line with current loan interest rates?

Mr. BERTRAM replied:

- (1) 4½ per cent.
- (2) No.
- (3) I will examine this matter and advise the member.