no! The Government reminds me of the people in India. In New Delhi they were building a huge place called the Ashokia Hotel. When I was there I asked them, "Why are you building these big places?, because you will never use them." They said that in America, London, and all of the other big cities in the world these big buildings were going up. This is being done in India despite the fact that people are starving. One reads about this in the paper. The poor devils helping to build these places cannot keep themselves alive with the amount of food they get. That is what goes no.

However, in a State like ours there should be room for everybody, and everybody should have a fair share of the revenue of the country by its being spent on amenities that are required. If one went to Duranillin tomorrow one would see little kiddies that cannot afford to have a wash every five minutes because water has to be carted. Imagine that happening in a town in a State like this. The people have been there for years and they still have to cart water. It goes into big iron tanks that get red hot in the summer, which makes it impossible for anyone to obtain a cool drink.

I do not want to delay the House as I know the Deputy Premier is dying to move the adjournment of the House. However, I wanted to have a little quick-say in case he wiped off the Estimates. I hope what I have had to say has done a bit of good.

Progress

Progress reported and leave given to sit again, on motion by Mr. Brady.

BILLS (4): RETURNED

1. Iron Ore (Mount Newman) Agreement Bill.
   Bill returned from the Council with an amendment.
2. Iron Ore (Mount Goldsworthy) Agreement Bill.
   Bill returned from the Council with an amendment.
3. Iron Ore (Hamersley Range) Agreement Act Amendment Bill.
   Bill returned from the Council with an amendment.
4. Government Employees (Promotions Appeal Board) Act Amendment Bill.
   Bill returned from the Council without amendment.

House adjourned at 11.25 p.m.

Legislative Council

Tuesday, the 17th November, 1964

CONTENTS

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

BILLS (6): ASSENT

Message from the Governor received and read notifying assent to the following Bills:—

1. Fremantle Harbour Trust Act Amendment Bill.
2. Youth Service Bill.
3. Long Service Leave Act Amendment Bill (No. 2).
4. Wheat Marketing Act (Revival and Continuance) Bill.
5. Supreme Court Act Amendment Bill.
6. Fremantle Buffalo Club (Incorporated) (Private) Bill.

SENATE VACANCY

Governor's Message

Message from the Governor received and read transmitting a copy of a despatch received by him from the Governor-General of the Commonwealth of Australia notifying that a vacancy had occurred in the representation of the State of Western Australia, in the Senate, Senator Victor Seddon Vincent having died on the 9th November, 1964.

Filling of Vacancy

THE HON. A. F. GRIFFITH (Suburban —Minister for Mines) [4.37 p.m.]: I move—

> That with reference to the Message from His Excellency the Governor the Honourable the President be requested to confer with Mr. Speaker in order to fix a day and place whereon and whereat the Legislative Council and Legislative Assembly, sitting and voting together, shall choose a person to hold the place of the Senator whose place has become vacant.

Question put and passed.

QUESTION ON NOTICE

IRON ORE: TRANSPORT AND SHIPMENT THROUGH PORT HEDLAND

Effect on Property Owners

The Hon. H. C. STRICKLAND asked the Minister for Mines:

> In view of the Government's refusal to disclose for public information all plans relating to transportation and shipment of iron ore through Port Hedland, will the Government assure owners that there will be no injurious affection to, or dispossession of, properties to implement the plans?

The Hon. A. F. GRIFFITH replied:

> As explained to the honourable member when answering a question without notice on the 11th November, 1964, there has been close liaison between the two companies, the local authority, and the Government.
>
> At this stage the only approval that has been given is in respect of the general port locations for Finucane Island and Cooke Point. Official and detailed submissions in respect of plant, rail and associated shipping, and other installations have yet to be submitted under the terms of the respective agreements. These will be the subject of discussion by the Government and its advisers, and also between the Government and the local authority.
>
> The Government and the local authority will have due regard for the interests of residents and property owners. The details of any potential effect on residents and property owners can only be determined at the time when official and detailed submissions by the companies are under consideration.

COMPANIES ACT AMENDMENT BILL

Third Reading

Bill read a third time; and, on motion by The Hon A. F. Griffith (Minister for for Justice), read a third time and transmitted to the Assembly.

STATE FORESTS

Revocation of Dedication: Assembly's Resolution

Debate resumed, from the 11th November, on the motion by The Hon. L. A. Logan (Minister for Local Government) to concur in the Assembly's resolution—

> That the proposal for the partial revocation of State Forests Nos. 18, 21, 22, 27, 30, 37, 38, 39, 48, 51, 52, 53, 56 and 59, laid on the Table of the Legislative Assembly by command of His Excellency the Governor on the 3rd November, 1964, be carried out.

THE HON. F. J. S. WISE (North—Leader of the Opposition) [4.41 p.m.]: This motion is one of necessity, because the Forests Act provides that Parliament shall have referred to it for approval any alterations in lands which are assigned to the Forests Department to be used for forest purposes.

Through the courtesy of the Minister I have had an opportunity to see the detailed notes affecting each of these areas, and it is obvious there is in the motion nothing prejudicial to the forest circumstances of the State; and it appears that nothing will be wasted in so far as our forestry resources are concerned.

One thing that is noticeable on this occasion is the smallness, as a general rule, of the areas affected by the motion. In years gone by we have seen substantial areas—areas sufficient of themselves to be used for farming purposes—excised from forest lands. That is not the case on this occasion. An area of about a square mile in one instance and a little more than that in another are the largest areas affected. I have no intention of holding up the motion, which I support.

THE HON. F. D. WILLMOTT (South-West) [4.43 p.m.]: I have had a look at the forest areas to be released, and I know that many of them have, for quite some time, been the subject of negotiations between the parties concerned. I am glad to see they are now being cleared up. There is just one area which interests me a little, and that is area No. 14 which consists of approximately 92 acres carrying very little marketable timber. Most of the timber was ringbarked years ago when the area was alienated. Its release would enable the adjoining landholders to qualify for assistance under the dairy farm improvement scheme.

This area is in the Margaret River district, and I know that some farmers there have had quite a bit of difficulty in getting enough land to qualify under the scheme, because included in the qualifications is the necessity for an applicant to be the holder of 150 acres; and that is evidently the reason for this particular release.

The part I cannot understand is the way in which the release is being made, because it will bring about an "L"-shaped piece of State forest land in alienated areas. When the release was made, why was it not carried right through location 2513 instead of only partially across it? If that had been done it would have meant the alienation of only another 60 acres, I would say by the look of the plan, but it would have meant a straight southern boundary for the State forest instead of there being an "L"-shaped section. In other words, it would have just lopped off the short leg of the "L" and made a straight boundary.

I do not personally know this area. There may be a good reason for what is being done, but it is not apparent from looking at the plan. I think it would have been better had the excision been taken straight across location 2513 thereby making a straight boundary for the State forest.

THE HON. J. MURRAY (South-West) [4.46 p.m.]: In speaking to the motion, I crave your indulgence, Mr. President, and that of the House, in a small degree. I had intended to speak on the last Supply Bill, but like others I missed my opportunity. So instead of being able to roam from here to there and from there to here, and roundabout, I shall confine my remarks to statements which can be tied in with the motion before us.

Having said that, I introduce my remarks with a cutting from *The West Australian* of Saturday, the 31st October. This is a contributed article and is headed, "Bluebells Far From Home". It states—

> I was deep in the forests of the Darling Range at a spot far removed from human habitation and rarely visited by man.
>
> Yet at my feet was a patch of English bluebells, flowering on this sunny spring morning. On one side of the narrow gravel road was the jarrah forest; on the other was a small plantation of young pine trees, an island of green foliage and greener grass on an alluvial flat. Just off the road, among the pines, I found the bluebells.
>
> We were 15 miles south-east of Dwellingup.

Having used that extract as an introduction, I will also quote the last paragraph of the article, as follows:—

> The old life of the silent mill sites in the forests has gone for ever. The names evoke only memories now, and those in whom these memories still live are passing away year by year.
>
> Let us hope that someone who knew this vanished phase in the life of the hills will put it on record for posterity before it is too late.

It is only too true that those who knew this phase of our bush life are like old soldiers—they are passing on.

The Forests Act of 1918 was brought down in an endeavour to ensure the perpetuity of cutting for a limited number of sawmills. Mills such as the one referred to in this article, which was Duncan's mill out from Holyoake, have closed, and all that is left is a few bricks, bits of old iron and suchlike things, to show where the houses have been. There are probably signs of fire showing where others have been burnt down, but otherwise there is very little to tell the people of the amount of real wealth that has been taken from the forests which have provided something towards the development of those areas.

It is indeed unfortunate that people with the capacity to write the history of our forest country, covering all aspects, have resorted only to those forms of writing as exemplified by the small article from which I have just quoted, instead of putting into book form their thoughts on the subject, which would enable the history of the forest country to be placed on the shelves of libraries for the benefit of those who are interested. Because there is no

such history, people have to draw upon their memories and from the articles that are published from time to time in various journals.

There was one man who had this capacity to write whom I knew well, but he was not a native of Western Australia. He was an Englishman who was brought out to this State as private secretary to the then Managing Director of Millars Timber and Trading Company. He was the late W. C. Thomas, who lived in South Perth, I believe. At the time he was always writing articles for *The Western Mail*, which is now known as *The Countryman*. He contributed many articles on the forest country of our State, the theme of the article I have just quoted. He was not only a capable writer, but he also made a deep study of the subject. He could put his thoughts into verse, or into a complete article. It is regrettable that a man of his journalistic ability did not write a book for the benefit and enjoyment of those who followed after him.

Having introduced the subject of this article, which did refer to Duncan's Mill, it now leads me to the next phase of operations, which was the line put down from Pinjarra to Dwarda, along the Hotham Valley. I always called it the Pinjarra-Dwarda line, but I would say the correct railway title was the Hotham Valley line. Part of that line covered a distance of 33 miles and there were 10 sidings, and they were built for no other purpose than for railing the timber collected on this very rich, jarrah bush area.

It seems almost incredible that a siding was needed every three miles along that line to produce a forest product. Incidentally, the product mentioned as being taken from Duncan's mill was first taken to Holyoake, because, when I knew them, they were first cutting, in the main, for the State Saw Mills. Of course, when I knew them they would not have much opportunity to get an outlet except through the State Saw Mills. So the timber, in the main, which came from Duncan's mill came into Holyoake and was railed along this line. For many years that was the one line in the State which the Commissioner of Railways always held up as an example to illustrate how profitable railways could be when they had something of value to haul; something which could be loaded with a fair price for a fair job.

Whilst it could be truly said that the timber was primary produce it never became the subject for a special Act for the purpose of allowing privileged railway rates, despite the fact that some of the freights charged were fairly high; they were classified from third class down to first class and, as I have said, the Commissioner of Railways always used this line as an illustration of how railways could be made to pay. The line was eventually put through from Dwarda to Narrogin, but probably at least the top end of the line is now disused.

Honourable members may wonder why I have used this particular country as an illustration, but probably it is the best illustration that one could get in this State to explain the reason for the introduction of the Forests Act of 1918. We know that, from Jarrahdale, which is fairly close to the city, right through this country, the mills were cutting timber before the Forests Act was proclaimed, encouraged by all governments irrespective of their colour. They were cutting on what was called a gift basis. Some referred to these companies as having leases, or permits, or Crown grants—although I doubt if there were any Crown grants in this area—but there is no doubt that many of the concessions given to the timber industry were a gift from the nation.

In those days, and right up to the introduction of the Forests Act, the standard royalty was 1s. a load for timber. It seems incredible that such a small charge could have been made for permission to cut this timber. For that handsome sum, because there was no one to control the industry, the sawmillers were able to pick the eyes out of the bush! As the then Attorney-General said when introducing the Forests Act it was a case of "mining" our forests. In my view it was more serious than "mining." From the brief or scant knowledge of mining I have acquired since I entered politics, I would say that what the sawmillers did in those days was just the opposite to what the big companies did in regard to mining.

As far as I know the big mining companies in Kalgoorlie, whenever they got into a good patch of dirt, would save the high-grade ore for the purpose of sweetening the poorer grades. That was a common practice for many years. But timbermen did not adopt a similar practice; they looked upon the concessions granted to them as something to be gone over for the purpose of extracting the biggest possible profit, irrespective of the after effects to the State.

Unfortunately there was no local market for the bulk of the timber. Therefore the timberman had to cut the timber that was required by the export trade, because that was where his market lay, with the result that large quantities of timber—which would be very welcome to this State today—were burnt for the simple reason that they could not be sold.

It was not until just prior to 1903 that the Government brought Mr. Ednie-Brown to Western Australia to advise on forestry matters. I am relying on the late Attorney-General who introduced the Forests Act, for my information. He said that Mr. Ednie-Brown did not live very long. However, Mr. Ednie-Brown did make many recommendations and actually

wrote the Forests Act. The Bill which the late Attorney-General introduced to create a Forests Act was not very much different from the one which Mr. Ednie-Brown had recommended. Unfortunately Mr. Ednie-Brown died before the Act was passed.

The next step was taken in 1903, long before my time in Western Australia. Following on the recommendations of Mr. Ednie-Brown the Government of the day set up a Royal Commission to inquire into forestry matters. This Royal Commission made many recommendations—all very sound—one of the main being to put a stop to cutting large sizes of timber for export while there was no market for the small sizes. The practice of cutting large sizes was, in my view, a criminal waste of the State's assets.

The Royal Commission went further, and recommended that an advisory committee be set up to advise the Government on all aspects of forestry. That was way back in 1903. Strange as it may seem, the result of that Royal Commission was the setting up of an advisory committee, the chairman of which was the late Sir Newton Moore, who at that time was only Mr. Moore. He was well able to undertake the job he was given. He had given much evidence to the Royal Commission and one of his recommendations was that forestry should be removed from the control of the Lands Department.

It is a strange quotation coming from myself because I have argued for years that we could never get a proper balance between agriculture and forestry unless we put the control of forestry under the Minister for Lands. However, that was the recommendation made by the Royal Commission—for forestry to be taken out of the control of the Lands and Agriculture Department. That recommendation was not implemented. The advisory committee was continued, and forestry affairs were attended to by a senior clerk of the Lands Department, who would be the equivalent to the under-secretary in the Lands Department today. When an argument arose between lands and forests, the senior clerk would say, "Hands off this or that land," thereby brushing aside the claims for forestry purposes. Thus lands and agriculture won the day.

Even with the appointment of Royal Commissions and advisory committees, forestry in this State did not get very far. It was still the plaything of politicians and people with influence. Large tracts of country were whittled away, ostensibly to be taken up for land development. Those in the know were aware that the country taken up was not agricultural land but forest land. Most people who tried to develop it into agricultural land found they could not make two blades of grass grow where one had grown before, because this was jarrah country.

With the appointment of Sir Newton Moore to the advisory committee the people thought that the State would get somewhere; but he was subsequently appointed Minister for Agriculture and Lands. Therefore the advisory committee died. It was not until 1913 that another big step was taken. Through the efforts and the continual pressure of the late Mr. Philip Collier and the late Mr. O'Loghlen, forests came out of the control of the Lands Department and were included in the administration of the Mines Department. Steps were taken to bring out qualified foresters to take charge of forestry, one of whom was Mr. Hutchins, who had not only studied forestry matters, but was otherwise well qualified to undertake the job. He grew up among the eucalypts of South Africa, and he was responsible for planting the South African forests with our eucalypts.

The situation was not cured by that step. While this State was struggling along—and "struggling" is the right word to use—it was found that when men of influence got cracking together, people who were not friends of Western Australia were granted large tracts of pure forest country. The land was sold to them by this State at what I would regard as ridiculously low prices.

I shall use the figures which were given by the late Attorney-General when he introduced the Bill. He said this land was sold from £1 to 30s. an acre. I doubt very much whether in many of those instances these prices were actually paid. Even assuming the price to be 30s. an acre, it is ridiculously low. In one instance, in the tract of country to which I have been referring, there was an area of 5,454 acres. I lived alongside this country for some years, and in fact I used to pass through it daily. This land was sold before the Forests Act came into existence.

As a representative of the sawmillers of that area I had endeavoured for many years to persuade the owner of that land to allow the timber to be cut on any basis he liked to fix, because this was maiden bush, and the only maiden bush left in the area. The owner was not prepared to sell, nor was he prepared to allow anyone to cut the timber on a royalty basis. He did not even fence the land. I do not know what action could have been taken to compel him to fence it. He hung on to that timber until Sir Ross McDonald became Minister for Forests. Because the State mill had run out of profitable cutting, Sir Ross McDonald entered into negotiations with the executors of the estate of the owner of this block to buy this piece of country and return it to the State forests—from which it had been alienated.

The price which was paid by the Government for those 5,454 acres was £79,085. This was good bush, and one corner of it was reserved—and probably still is—by

the Forests Department for experimentation on the time it takes jarrah to grow to maturity. This area of land is said to be capable of producing 100 loads per acre, which is a phenomenal rate. The State had to pay over £79,000 for the return of that piece of country to the State forests.

Although that price was paid, the pleasing feature was that the timber was cut by the Holyoake mill, a State-owned mill; and that mill paid to the Treasury in royalties—which would be represented by book entries only because the royalties would be paid by one State department to another—the full amount of £79,000 in a short space of time. That shows the actual price paid was represented in the value of the timber, even though the price was phenomenal.

We now come closer to home and turn to the 1918 Act, which was introduced for no other purpose than to try to check those things that were going on; to bring a realisation into people's minds that this steal which was going on was not a good thing from Western Australia's point of view.

When introducing the Bill, the late Mr. Robinson, who was then Attorney-General, pointed out all the unjust things which timber millers had been doing in the past. He explained that they had done a disservice to the State. That was said in his opening remarks, but he concluded by pointing out that sawmillers had been encouraged to come here as a result of concessions, grants, permits, and the like. The purpose was to attract capital; and to balance the situation the laying of railway lines right throughout the south-west portion of the State could not have been done profitably without this timber industry.

Sawmillers had the name of being very bad fellows, but a lot of the development in the south-west portion of the State would not have taken place had it not been for them. They indirectly paid for the lines of communication. When the 1918 Bill was introduced the Attorney-General made several promises on the side of agriculture. He realised that he was bringing down a Bill which would cause development in agriculture in the south-west to mark time for a period. He knew it and said so. He said at the time that there was already an examination and classification taking place which, he suggested, would be completed in 12 months. This was, of course, a ridiculous statement to make. I have had some experience of classifying timber land and it would have been impossible to classify the area in 12 months even if the authorities had used every conservator and qualified timber man in the State.

The Attorney-General went further and suggested that when the classification had been completed a map would be prepared showing some 3,000,000 acres of State forest. Some areas, which would be coloured differently, would be shown as being timber reserves. He went on at some length to explain that the map would also show, in a different colour, those areas where the classifiers thought that timber would not grow in profitable proportions; in other words, land which was really open for selection.

He also pointed out that the Bill would make it mandatory for the Lands Department, on receipt of an application for the release of land, to refer the land to the Conservator of Forests for his report. The Bill did not say that the conservator could blanket land other than that which was set down as State forest. It said that the Lands Department would have to obtain a report from the conservator. The then Attorney-General went to some pains to point out that once the classification was completed there would be no necessity for referring to the conservator that portion which was coloured and shown as agricultural land.

The Bill which was introduced in 1918 eventually became law, and now, in 1964, it is regretted, as I have said before, that this important part of the Act was never insisted upon by one government or another. We accepted the classification of State forest, timber reserves, and agricultural land, but we did not insist on the conservator doing what he was supposed to do in regard to it. Section 19 of the Act reads as follows:—

> (1) The Conservator shall, with the approval of the Minister, cause a classification of the forest lands of the State to be made for the purpose of determining which of the lands are suitable to be—
>
> (a) permanently dedicated as State forests; or
>
> (b) reserved from sales as timber reserves.
>
> (2) The Conservator shall cause plans to be prepared of the lands so classified showing the quantity of timber growing thereon, and indicating those portions which, in his opinion, do not carry or are not likely to produce marketable timber.

People who are interested in the development of agriculture in the south-west portion of this State therefore have that complaint. By virtue of this Act, the Forests Department is the controlling interest. In 1957 I asked a question regarding this important matter. The forest returns for that year showed that there were 3,999,298 acres of State forest and 1,800,000 acres of timber reserves. I asked how much of that 1,800,000 acres had been classified under the provisions of the Forests Act. The answer was most illuminating. Of those timber reserves, 39,000 acres were classified as proper timber reserves; and of the remainder, about

1,600,000 acres were reserved as mining timber for the Kalgoorlie mines. Why they should have listed the timber reserves as being 1,800,000 acres when, in effect, it was 39,000 acres, I do not know.

Ever since the Act was proclaimed the conservator—it does not matter which conservator; all of them—and the government—it does not matter which government: all governments—failed to insist on this one important provision in the Act being carried out; that is, the overall classification of the South-West Land Division showing those areas in their respective spheres.

This caused the Liberal Party to say in its policy speech some time ago that if returned to power it would set up an independent tribunal to examine sparsely populated timber areas and advise the Minister what line of action he should take with regard to this land—whether it should be released for agriculture, whether it should be a timber reserve, or whether it should be State forest.

Had the Forests Department carried out section 19 of the Act there would not have been any need for the Government, when it took office, to set up this independent tribunal. But, it became very evident to the people living in the south-west that such a tribunal, as an advisory body, was very necessary because, as I said on another occasion, it is insufficient for any government to label a Minister with the term "Minister for Forests, Minister for Lands, Minister for Agriculture," and expect him, overnight, to be qualified to speak with authority on all things pertaining to those particular departments.

So, that advisory committee was necessary, and more so when we find that a land utilisation tribunal was set up many years ago. That tribunal never did function as it was supposed to do—along the lines of releasing land that was of no real use to the Forests Department for either a timber reserve or a State forest. It was to be released for agriculture development.

The necessity for such a tribunal became obvious, and despite the fact that the Government, when it did take office, spent 12 months before it could get the right personnel to sit on such an advisory body—only three members were required: a qualified forestry man, an agricultural man, and a man who did not necessarily have to be a civil servant, but was qualified to prepare a report suitable for presentation to the Minister controlling the department—this committte was duly set up. However, before it had time to function—one might say before it had even written the letter accepting the responsibility—loud exception was taken to the setting up of such a committee. Not only was exception taken before the committee had actually started operating but right up until another election was due. It was suggested, by the man who criticised most, that if there was a change of government, those men would not be appointed. He also stated that the committee was an insult to the conservator.

Had the gentleman concerned decided to let sleeping dogs lie with regard to this thing I would not worry very much about it, but this committee has been in existence for just on five years, and whilst there has been a change in the personnel because of ill-health, the committee has been doing a man-sized job, as I will illustrate with figures directly.

The criticism which was levelled was to the effect that the establishment of a Crown Land tribunal with a junior forestry officer, an orchard farmer, and a licensed surveyor to decide the future of Crown land, was an insult to the conservator. That is the language the gentleman used with regard to this tribunal. The report is in *The West Australian* of Wednesday, the 2nd September, 1964.

It was never the intention, as far as I know—and I think I know pretty well—to insult the conservator by appointing the committee. Nor was it the intention of those advising on this question to insult the conservator. However, the necessity was there for the appointment of this committee because the conservator had failed in having land classified and therefore put outside his jurisdiction altogether, as was intended by the Government.

Regarding further the question of whether the conservator was insulted or not, when the Conservator of Forests is appointed the Act lays down what he shall be. He shall be the Conservator of Forests, appointed by the Government and no person shall be appointed unless has has obtained a degree or diploma from a forestry school recognised by the Government. He has to have a forestry diploma, but he does not have to have anything to show whether he knows anything about agriculture or land development, or has any organising ability.

In my view, he would have to have that organising ability and I notice that in criticism of the previous conservator, it was stated that he lacked this particular quality. The Act does not provide for anything other than a diploma in forestry.

Therefore, far from insulting the gentleman concerned—either the previous or present conservator, I am not picking on one or the other—the idea of appointing this committee was to get advice; and it was not something which happened overnight. This matter has been a bone of contention in the south-west for many years.

The tribunal was set up to give advice to a Minister who, although he might have lived in the south-west, or might have had

something to do with this particular industry, could be classed as being far from knowledgeable in this particular sphere. Despite what was said by the gentleman offering the criticism about the junior forestry officer—he said that he was fortieth in line to be appointed conservator, in fact he had no hope of being appointed conservator because he had no qualifications as laid down in the Act—he was very knowledgeable. He was one of those men for whom provision had to be made when the Attorney-General of the day was putting the Forests Act through the House. That provision was not in the original Bill.

The original Bill, as it was brought to Parliament, laid down that sleeper cutters were to be barred from cutting on Crown land. However, because sleeper cutters and sleeper hewers—or beam squarers as some of them were known—who were probably the best versed in timber, had downed tools and gone to the first World War, provision had to be made for them. For many years one could go through that country and pick up broad axes, saws, and the like where they had been dropped when the men left the industry and joined up.

The Attorney-General was reminded of the loyalty of those people and he was reminded that the Government would show little loyalty to those people if they returned and found that there was an Act prohibiting them from earning their living at their usual occupation. The man I referred to was one of this type of forrester. The man who has replaced the original nominee on the committee is of a similar character—well experienced in practical forestry. He could walk through the bush and tell one what is in a tree, and whether it is true jarrah, or whether it is a mallet type from which one might take a first cut, but not get a second cut.

It is all very well for people with no practical experience to criticise such men as were appointed to this advisory tribunal. I say unreservedly that the purpose of appointing the tribunal was not to insult the conservator in any way—far from it. The purpose was to advise the Minister, whoever he might be, and help the conservator.

A true picture would be supplied of the country which had been applied for in the reports to the Minister. It would not matter how knowledgeable the Conservator of Forests was, who could expect him—the head of the department and the highest paid man in the department—to go out in the country and look at a block of 500 acres or 1,000 acres which had been applied for for land settlement in one of the sparsely timbered areas of the State.

It could not be expected. The Minister is compelled to ask the conservator for a report and, although the conservator would supply that report he would not, in actual fact, have viewed the area himself. It would have been viewed by one of his junior officers who would be far less experienced than the gentleman to whom I have referred.

I should like to point out to honourable members how valuable to the State, to the Government, and to the conservator is this special tribunal, the appointment of which was supposed to be an insult to the conservator. The results and the usefulness of this tribunal can be gauged from a question asked by my colleague on my right. I have been wondering why he has not interrupted me before and asked me what I am saying has to do with the motion. However, he can put up with what I am saying, I think. He asked the following question of the Minister for Local Government:—

> (a) What was the total area of land inspected and reported upon by the Crown Lands Tribunal?
>
> (b) What area of land was recommended as—
>
> (i) Agricultural land;
>
> (ii) State forest;
>
> (iii) timber reserve;
>
> (iv) water catchment; and
>
> (v) other purposes?

Honourable members can appreciate the various headings set out in the question asked by the honourable gentleman, despite the fact that the tribunal was inspecting unclassified Crown lands. The answer to the question showed that 472,640 acres as a total were inspected—it was practically half-a-million acres; and when one realises how much country that is, and that it was personally inspected by this tribunal, one can appreciate the work that was done. This acreage was not inspected personally by the chairman but it was inspected by the two most active persons on the tribunal; namely, the forester and the agricultural adviser.

Let us examine the work this tribunal has done in the five years since its appointment to report on, and make recommendations in respect of, areas of unclassified Crown lands; and its work is covered in the series of answers to questions asked of the Minister on the 22nd September, 1964. The total area inspected and reported on was 472,640 acres. The recommended classification was as follows:—

1. Agricultural land—141,873 acres of which 57,314 acres was for immediate release, 15,800 acres release after resumption from pastoral leases or cancellation of grazing leases, 8,130 acres after cancellation of reserves, 60,629 acres after removal of marketable timber.
2. To be added to State forest—136,943 acres.

3. To be added to timber reserves—161,753 acres, 100,998 under the Forest Act and 60,755 acres under the Land Act.

Recommendations in regard to water catchments were all included in areas classified as State forest.

There was a further 32,071 acres recommended as reserves for other purposes.

I should say the worth of the tribunal in making available for agricultural purposes this large area of land, and also the placing of such a large acreage under timber reserves and as State forests reserved under the Forest Act in perpetuity—and the only way they can be removed from control under the Act is by a motion similar to the one we are now discussing—could not be over-emphasised. What the members of the tribunal have done speaks volumes for their honesty and sincerity of purpose and it was very unworthy of the gentleman to whom I have already referred to suggest that it was set up as an insult to the Conservator of Forests.

I thank the House for its patient hearing, and you, Mr. President, for probably allowing me to step just a little beyond the bounds of the motion. I support the motion.

THE HON. J. DOLAN (West) [5.57 p.m.]: I shall not delay the House long in speaking to this motion, but I have travelled fairly extensively in this State, and that has led me to appreciate fully the magnitude of the work officers of the Forests Department are doing, particularly in the field of conservation and reafforestation. However, I really rose to thank the honourable Mr. Murray for his excellent discourse on the history of our forests. Far from the House showing him some indulgence I think honourable members should be very grateful for his words of wisdom. I was delighted to have had the opportunity of listening to the honourable member and to take in the fund of knowledge which he has given to us about the industry. I support the motion.

THE HON. L. A. LOGAN (Midland—Minister for Local Government) [5.58 p.m.]: I thank, honourable members for their support of the motion. It is very fitting, I think, that the honourable Mr. Murray found an opportunity to sing his swan song on a forestry matter, a subject in which he has always displayed a keen interest and about which he has an extensive knowledge.

I am not in a position to reply to the question raised by the honourable Mr. Willmott, except to say that on a quick examination it seems quite possible that the timber on the area about which he speaks, and which he thinks should have been included in the revocation proposals, has not been ringbarked as was the case with the other portion. If that is the case, I should think it is only a matter of time before the marketable timber on the land is either removed or ringbarked.

The other 62 acres referred to could easily be included in the revocation motion, and if the person who is going to get the 62 acres is in such a position that he now has less than 150 acres, I can appreciate his difficulties in attempting to get a living from it as a dairy farmer. If for nothing else, the fact that the extension would give him an economic unit is something worth while.

Question put and passed, and a message accordingly returned to the Assembly.

FISHERIES ACT AMENDMENT BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by The Hon. L. A. Logan (Minister for Local Government), read a first time.

Second Reading

THE HON. L. A. LOGAN (Midland—Minister for Local Government) [6 p.m.]: I move—

That the Bill be now read a second time.

Some little time ago, a committee was formed to look into certain matters, particularly in respect of protection which has become necessary for some of our beaches on the south coast and to a lesser extent on parts of the south-west coast.

There were representatives of all local governing districts abutting the south coast as far east as Doubtful Bay; the canning industry and local fishermen were represented; and also the State Government departments of fisheries, lands, and town planning together with a representative of the Government Tourist Authority.

One of the recommendations which was put forward as a result of the discussions which took place was for the introduction of protective legislation in the interests of the salmon and herring fishing industry in particular; and, of course, the success of this industry is felt in the canning industry at Albany.

At this stage, I think it well to mention the seasonal nature of the activities of fishermen landing large schools of salmon in the course of their migrations. As their migratory habits are, to an extent, predictable, it has been found they favour particular bays which are visited apparently every season. Until recently there has been little disturbance in these rather secluded spots but with the increasing popularity of speed boats, much disturbance has been taking place. The

salmon run occurs usually in the mid-February to April period which coincides with the popular holiday and tourist time of the year in that part of the State.

It will be readily appreciated that the salmon are scared easily by powerful outboard motors and, as a consequence of the intrusions of the public of late, schools of salmon have been frightened with detrimental effect to the livelihood of the fishermen and also of cannery employees.

On the passing of this measure, a specified period of approximately 2½ months would close several of these beaches to the activities to which I have just referred. Its provisions enable the Chief Inspector of Fisheries to proclaim defined areas as fishing zones in charge of an inspector, who would see that the provisions in the Act are carried out in the interests of an industry of some importance to the State.

Debate adjourned, on motion by The Hon. R. Thompson.

COAL MINE WORKERS (PENSIONS) ACT AMENDMENT BILL

Recommittal

Bill recommitted, on motion by The Hon. A. F. Griffith (Minister for Mines), for the further consideration of clause 5.

In Committee

The Chairman of Committees (The Hon. N. E. Baxter) in the Chair; The Hon. A. F. Griffith (Minister for Mines) in charge of the Bill.

Clause 5: Section 21A amended—

The Hon. A. F. GRIFFITH: It will be recalled that I undertook, last week, not to complete the third reading of the Bill until I found out whether or not a period of six months was sufficient to allow a member of this fund to rejoin and pay back the contributions he would be obliged to repay in addition to his normal contribution.

The honourable Mr. Dellar moved for a period of 12 months and the Committee, with this undertaking I gave, compromised on the issue and agreed to six months. There was a meeting of the tribunal on Friday last, and the tribunal was mixed in its feelings about the matter. The union's representative wanted the provision to be such that the pensioner could repay the amount owing by doubling his contribution each week, until the lag was brought up to date. I am informed that a majority of the tribunal did not view this favourably, because it would take a considerable number of years to get this amount to the point where the back payment was repaid.

The other suggestion made when we were talking about this last Friday was that we should leave three months in the Bill, and to that add a discretionary period of 12 months, the discretion to be exercised by the tribunal. I did not like this, and I said so at the time. The majority of the tribunal does not like this either, because it leaves a discretion in the hands of somebody who, perhaps, should not be in that position. After further consideration I think, perhaps, the only satisfactory manner to deal with this is to agree with the amendment moved by the honourable Mr. Dellar in the first place. I move an amendment—

> Page 5, line 1—Delete the word "six" inserted by a previous Committee and substitute the word "twelve".

The Hon. D. P. DELLAR: I thank the Minister for having had a look at this. Last Thursday I said the union requested that contributions be paid back at double rates, just as if the man were injured and went before the tribunal, which has power to act in that direction. There was nothing in the parent Act to say that could be done. Twelve months will assist the people concerned in paying back this money.

Amendment put and passed.

The Hon. A. F. GRIFFITH: I move an amendment—

> Page 5, line 5—Delete the word "six" inserted by a previous Committee and substitute the word "twelve".

Amendment put and passed.

Clause, as further amended, put and passed.

Sitting suspended from 6.15 to 7.30 p.m.

Further Report

Bill again reported, with further amendments, and the report adopted.

Third Reading

Bill read a third time, on motion by The Hon. A. F. Griffith (Minister for Mines), and returned to the Assembly with amendments.

TRAFFIC ACT AMENDMENT BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by The Hon. L. A. Logan (Minister for Local Government), read a first time.

DEBT COLLECTORS LICENSING BILL

Further Recommittal

Bill again recommitted, on motion by The Hon. A. F. Griffith (Minister for Justice), for the further consideration of clauses 15, 20, and 21.

In Committee, etc.

The Chairman of Committees (The Hon. N. E. Baxter) in the Chair; The Hon. A. F. Griffith (Minister for Justice) in charge of the Bill.

Clause 15: Duty of debt collectors in respect of trust money—

The Hon. A. F. GRIFFITH: It will be remembered that when we were dealing with this Bill previously in Committee the last four lines on page 11 were the subject of criticism in respect of drafting. I thought I knew what the four lines meant and I tried to impart what I thought to the honourable Mr. Watson, but I apparently did not succeed to the fullest extent desirable. Therefore I consulted with the draftsman again and he suggested I should ask the Committee to delete the four lines and substitute in lieu the words "to which the debt collector is lawfully entitled." I therefore move an amendment—

> Page 11, lines 37 to 41—Delete the passage, ", which he is, by written direction signed and given to him by a person entitled to give the direction, expressly directed to withdraw", and substitute the words "to which the debt collector is lawfully entitled".

Amendment put and passed.

Clause, as amended, put and passed.

Clause 20: Fidelity bond—

The Hon. A. F. GRIFFITH: I move an amendment—

> Page 15, line 39—Insert after the word "bond" the words "or approved security".

My parliamentary experience has taught me that when one makes a mistake, the best thing to do is admit it; and on this occasion I admit my mistake. I was inclined to mislead the Committee last Thursday evening when I convinced it that the clause would permit the Minister to accept a bond of some other type. The honourable Mr. Watson was quite sure I was wrong, and now I am equally sure he was right about my being wrong.

Amendment put and passed.

The Hon. A. F. GRIFFITH: For the reason I have just explained, and to complete the exercise, I move an amendment—

> Page 16, line 14—Insert after the word "Minister" the passage "and the security referred to in subsection (1) of this section shall be to the same amount as would be required in the case of a fidelity bond and in a form approved by the Minister, and the fidelity bond and security shall be".

Amendment put and passed.

Clause, as further amended, put and passed.

Clause 21: Termination of fidelity bond—

The clause was consequentially amended, on motions by The Hon. A. F. Griffith, as follows:—

> Page 17, line 11—Insert after the word "bond" the words "or approved security".
>
> Page 17, line 13—Insert after the word "bond" the words "or approved security".

Clause, as further amended, put and passed.

Bill again reported, with further amendments.

ELECTORAL ACT AMENDMENT BILL (No. 3)

Recommittal

Bill recommitted, on motion by The Hon. A. F. Griffith (Minister for Justice), for the further consideration of clauses 32 and 33.

In Committee

The Chairman of Committees (The Hon. N. E. Baxter) in the Chair; The Hon. A. F. Griffith (Minister for Justice) in charge of the Bill.

The CHAIRMAN: A proof copy of the Bill, as amended, will be circulated, and the amendments appearing on the notice paper refer to the reprinted Bill.

Clause 32: Section 175 repealed and re-enacted—

The Hon. A. F. GRIFFITH: Quite a lot of debate took place on this clause and also on clause 31 which affects section 174. The honourable Mr. Watson moved some amendments to clause 32, and I had to refer the clause to the draftsman to have it sorted out. I think the amendment on the notice paper more clearly expresses the intention of the Committee than it was expressed when we last dealt with the measure. I move an amendment—

> Page 10, lines 10 to 14—Delete all words commencing with the word "amended" down to and including the word "Act" and substitute the following passage:—
>
> repealed and re-enacted as follows:—
>
> S. 175 repealed and re-enacted. Electoral expense.
>
> 175. For the purposes of sections one hundred and fifty-eight, one hundred and seventy-four, one hundred and seventy-six, one hundred and seventy-seven, and one hundred and seventy-eight of this Act, "electoral expense", includes all expenses incurred by or on behalf of any candidate at or in connection with any election except the following expenses, namely the cost of electoral rolls, stationery, postages, telegrams, telephone

charges, messages, and personal and reasonable living and travelling expenses of the candidate in connection with the election."

Amendment put and passed.

Clause, as further amended, put and passed.

Clause 33: Section 176 repealed and re-enacted—

The Hon. A. F. GRIFFITH: It now becomes necessary to insert the word "electoral" after the word "No" in line 17. I move an amendment—

Page 10, line 17—Insert after the word "No" the word "electoral" deleted by a previous Committee.

Amendment put and passed.

The clause was further amended on motions by The Hon. A. F. Griffith, as follows:—

Page 10, line 22—Delete the words "and the purchasing of rolls".

Page 10, lines 23 and 24—Delete paragraph (b).

Page 11, lines 1 to 3—Delete paragraph (g).

Clause, as further amended, put and passed.

Bill again reported, with further amendments.

ADOPTION OF CHILDREN ACT AMENDMENT BILL

Second Reading

Debate resumed, from the 12th November, on the following motion by The Hon. L. A. Logan (Minister for Child Welfare):—

That the Bill be now read a second time.

THE HON. R. F. HUTCHISON (Suburban) [7.54 p.m.]: I support the Bill; and anyone who knows me will realise that this is legislation in which I take great interest. As society progresses, wider horizons of social legislation advance, and as a result we are called upon to alter our Statutes; and there is no legislation more important than that dealing with the lives and welfare of children.

Most of us in our earlier years read literature which highlighted the condition of orphans. There were periods in our history when certain authors would come to the assistance of humanity and highlight some of the abuses of the social system. We can recall the great authors who wrote on the subject of child welfare, as we call it today. We remember Charles Dickens and his book *David Copperfield*. I recall, and I think some other honourable members will, too, the songs we used to learn such as—

Please give me a penny Sir,
My mother dear is dead,
And, Oh, I am so hungry Sir,
A penny please for bread.

We do not hear songs of that sort today, but they applied in times gone by, as history will tell.

So we come to the period when education has marched on and social legislation has been introduced in the Parliaments of different countries. Since the two world wars social legislation has been accelerated apace, because in the last war, during the bombings in Britain, people learned to know human companionship and the need to help each other. There was more humanity brought forward in that war than in any other period of our history. Girls of the street had to mix with ladies of the higher stratas of society in bomb shelters, and it taught humanity a great and necessary lesson of man's inhumanity to man as it applied when we used to go our calm ways and not think about those who were suffering.

There is one clause in the Bill that I would speak to first although it is the last one in the measure, and that is the clause which requires that all adoptions shall be placed in the hands of the Director of Child Welfare and shall be reported to the department.

At one time this department, the same as others, was looked upon with suspicion. Many of our laws were very bad, and the departments were established merely to help in the poorest way. In days gone by children were left to the mercy of the world, and it is only now that we are breaking down the attitude that existed to children who were born illegitimate. It makes no difference to humanity whether a child is born in wedlock, or is illegitimate. A child is a child and has its own personality to develop; and it is just a matter of luck whether it has good parents or otherwise, or whether it is an adopted child.

I agree that the Director of Child Welfare should be notified of all children available for adoption, and that they should not be placed with relatives or anyone else without his knowledge; because we do choose—especially in the Child Welfare Department and other social service departments—men of a very high calibre. In the Child Welfare Department we have men—and I say this after working with them for some years—of education and with a knowledge of psychology; and they are able to judge things calmly, and are intelligent enough to see that a child gets the best deal possible.

Very often now—and I know this because I have taken part in many of these cases—children are left in tragic circumstances, or they are deserted or neglected, and some are placed with relations or friends and left for some time. What is done might not be all bad; and children have a knack of loving the persons who feeds them if they are only reasonably kind. But it is not a good environment for a child to grow up in. Accordingly if these cases were made known to the Director of Child Welfare, and if the Child Welfare Department had some jurisdiction over the adoptions, it would be a very good thing indeed. Because of that I agree with the clause. I do not know whether it would be 100 per cent. perfect, but at least we can try it. At the moment things are not altogether as they should be.

Very often children are left with a family; they get used to the other children in the family but they are never adopted. This might go on until they come to the important time in their life. The people whom they are with may continue to be kind to them, but they are actually never adopted.

I do not think there is any doubt that a child who is placed in a private home is always better off than a child who is placed in an institution, no matter how good the institution might be. I have always felt that a good home is a prerequisite in the happiness of the child. So it would be a very good thing indeed if the Director of Child Welfare were notified of children ready to be adopted—and doctors could help the department with the information—because in this way the whole matter could be looked at as it should be, from a departmental level. I am sure this would avoid the number of tragedies that we encounter today.

I know quite a lot about these cases, because I have taken a great deal of interest in children with unsuitable parents. Some of them have been children of deserted mothers, and perhaps in due course the mother has taken up with another partner during which time the child may be ill-treated. I have followed a number of these cases, and have managed to secure jobs for various lads who resented the home environment. I think it would be a very good thing if we had a co-ordinating centre for all children who were to be adopted.

We can only hope and pray that we will always have a suitable director of child welfare. There is no reason at all why the man who would occupy such a position should not be investigated thoroughly to ensure that he is the right man for the job. There is still much to be done in the interest of children; and a child has a better chance of happiness if placed in a good home where there is an authority to watch its interests until its well-being is assured.

There is another clause in the Bill which deals with the putative father who now has to give consent to the adoption of a child. He is one person who should fade right out of the picture. He should have no right at law whatever. It should be left to the mother. A father who has not made some provision for his child does not deserve any right at law.

Now it often happens that the director only becomes aware of the circumstances after an application for adoption is made. I agree entirely that he is the one who should know who is to be adopted before the child is adopted. At the moment it can be done privately or by a judge, and we should be very careful to see that this is not carried out to the detriment of our children. I am not too sure that it should not be an offence for anyone to place a child without the consent of the Director of Child Welfare. This would prevent a child being made unhappy by being changed to a new or perhaps unsuitable environment after it had become used to a home, where it had been placed temporarily.

Again, a change of environment might be necessary because of the home in which the child has been residing being found to be unsuitable for many reasons, such as the instability of the people in the home. In an emergency a child may also be placed with worthy people who have grown very attached to it, but who have no right in law, and the child is faced with the prospect of a transfer.

It should be obligatory that the Director of Child Welfare be notified of the position of any child left in adverse circumstances, so that the security and care of that child shall become the first consideration. I know many families with adopted children, some with two or more where the family is happy and the children's future is assured.

The Hon. J. G. Hislop: What section are you dealing with?

The PRESIDENT (The Hon. L. C. Diver): I suggest the honourable member proceed with her speech.

The Hon. R. F. HUTCHISON: Proposed new section 4G in clause 10 provides—

> A Judge may, by order, dispense with the consent of a person, other than the child in respect of whom an order of adoption is sought, to the adoption of a child, where the Judge is satisfied that—
>
> (a) after reasonable inquiry the person cannot be found;
>
> (b) that person is in such a physical or mental condition as not to be capable of properly considering the question whether he should give his consent;

(c) that person has abandoned, deserted or persistently neglected or ill-treated the child;

(d) that person has, for a period of not less than one year, failed, without reasonable cause, to discharge the obligations of a parent or guardian, as the case may be, of the child; or

(e) there are any other special circumstances by reason of which the consent may properly be dispensed with.

If the Director of Child Welfare were made the guardian it would be better for the child. Very often we find that a child is placed in an institution and forgotten, and this must cost the State quite a sum of money. When we find so many people looking for children to adopt, it is reasonable to feel that the Bill should provide for such an eventuality. I think that we could do a lot more for the happiness of our children. It will, of course, have to be done gradually. These things are not done all at once.

As honourable members know, there is always a prejudice about illegitimate children, and I am glad that there is no advertising allowed. To my way of thinking it makes no difference whatever whether a person is wealthy or poor, whether a child is legitimate or illegitimate; it is the person or the child that counts. I think we all know that a child can bring a lot of happiness into a home. It is always left for the older generation—for the grown-up children—to make these social distinctions. For my part I never see any distinction between the types of people I have mentioned. There is, of course, always the person who is bad and who as a result is not accepted by society.

I support the Bill with particular reference to the two clauses I have mentioned —the one concerning the putative father having no claim at law; and the other concerning the authority of the department. I do not think that a father who has deserted his child should have any claim on that child whatever. We should ensure that there are very highly trained officers in our Child Welfare Department. I see some very suitable officers from time to time from the scouting fraternity. They have a great knowledge of children and are able to apply this knowledge.

I would also like to see more women—who are, of course, natural mothers in our society—given office in the Department of Child Welfare wherever possible; because there is no doubt that a child turns naturally to a woman. If a woman is worth her salt at all the child will turn to her for love and affection. This is one field in which men and women can work together in an endeavour to bring happiness into the lives of children who are not quite as fortunate as they might be. I support the Bill.

THE HON. G. C. MacKINNON (South-West) [8.14 p.m.]: There is only one matter I wish to mention and it is of a general nature. It is dealt with to some extent in clause 10. Obviously this is an extremely difficult problem or it would have received detailed attention long since. I refer to the case of a person being given a foster child, becoming extremely attached to it, and then losing the child when the parents take it back. There is always a tendency, of course, for people who have children to consider the possibility of the child being taken back by the parent who has left it. On the other hand we find there is a very natural emotional connection that grows between the child and the foster parent.

As recently as last night I had a case brought to my attention by the lady involved; and a situation of this kind is, to these people, extremely heartrending. I notice that clause 10, to which the honourable Mrs. Hutchison referred makes it far easier for the judge to intervene in these cases; but I feel there are many times when the State might have intervened and declared these children as State wards, which, I understand, makes it necessary for the real parents to go to far greater lengths in order to reclaim the children.

If this step has not been taken, I understand the parents get the children back almost automatically and almost immediately. In the case I have in mind, more than one child is involved. The father has married again, to a woman of European extraction and neither of them speaks English very well. The children have spent their entire lives here and speak nothing but English and at the present time are in a positive maelstrom of emotional turbulence. I have no doubt the situation will iron itself out.

This sort of thing is bad for the children and is very upsetting for the people who take the step. I am speaking—the Minister is aware of this problem—of the very genuine people who take children like this and love them dearly and for various reasons are unable to adopt them. They convince themselves that the children will not be claimed back. That is understandable as under these circumstances it is easy to convince oneself that one will keep the children and so take a risk; but every now and again the situation blows up in their faces. A parent turns up from somewhere and claims the children back. I think possibly the Minister has included clause 10 with this very thing in mind.

I think a little freer use of the right to declare these children State wards or, even I understand, Minister's wards, should perhaps be availed of, because if the parent

is genuine, the parent would get the children back—and I think it is fair enough that they should. There is an advantage with children being with their natural parents, after all is said and done. However, children are extremely resilient and I have no doubt face most of the situations much better than the adults who do the fostering. I am delighted to see clause 10 in the measure.

There is not a great number of these cases. The one I referred to was, as I said, brought to my attention as late as last night, and it was my lot to endeavour to pacify and offer some sort of sympathy to a dispirited lady who has done a wonderful job with several foster children only to lose them next week.

The Hon. R. F. Hutchison: It is bad for the children.

The Hon. G. C. MacKINNON: Yes, as the honourable Mrs. Hutchison said, it is bad for the children. Having had that recent experience, I commend the Minister for his earnest endeavour to improve the lot of these unfortunate youngsters and at times unfortunate, adults.

THE HON. G. BENNETTS (South-East) [8.19 p.m.]: I am always pleased to see a Bill of this nature brought into the House as it will give security to, and better treatment of, the orphans and other children who are suffering this misfortune. The previous speaker mentioned people who had a number of these children from the homes and they became very attached to them after looking after them for a period. There are some people in my district who have one or two children. It is unfortunate that they were unable to have children of their own, but the result is that these children have a wonderful home and everything they desire.

I have seen many of these children grow up from babies and it is wonderful to have seen the excellent treatment they received. Old people are now living to a greater age and there is an increase in the numbers that are going into homes. With the amount of drink and neglect in homes today, there must be a big annual increase in the number of children who are going into homes. I know of several cases in which the Child Welfare Department and the Police Department in Kalgoorlie have done a good job in getting children away from homes where they have been ill-treated and where they saw nothing but alcohol being consumed. Of course, the children have to do the work in the house.

I know of a case now where there are children, one about 12, a sister about 10, and a boy just turned 16. The mother of these children remarried and the father did not adopt the children when they were 12 months old. The boy is a good living lad but he is not treated rightly by the father, with the result that things are really bad. That is what is happening to these boys.

Today in the paper we saw where boys robbed a bank and a store. A lot of this sort of thing is caused by ill-treatment and neglect on the part of the parents. I reared a family of seven, and our children had everything we had. They were well looked after, but we did not go in for drinking. We did not go anywhere without the children; and if my wife went out with one of our relations to the pictures, I stayed home and looked after the children. Our children were never left or neglected; they never saw drink consumed in the house, and they never went without meals.

I know of cases where children are taken from the Child Welfare Department home and the people concerned are making a living out of them. Other people look after children from farming areas; and these little kiddies when they come home from school have to do the work, such as peeling spuds, washing up, and everything else. But what are the parents doing? Some are plonk fiends. I mentioned a case last year where these children were given scraps of bread off the plates of the people who were being paid to look after them.

I have asked the Minister on several occasions if an inspection is made of these places after children are sent to them.

The Hon. L. A. Logan: Yes.

The Hon. G. BENNETTS: Do the inspectors notify them that they are coming?

The Hon. L. A. Logan: They do not advise them.

The Hon. F. R. H. Lavery: They go without notice.

The Hon. G. BENNETTS: I think the honourable Mrs. Hutchison was right when she said that perhaps women could be employed as inspectors.

The Hon. L. A. Logan: There are more women than men now.

The Hon. G. BENNETTS: Elderly people have reared families; and people like retired inspectors of police, or police officers with a knowledge of rearing children could do this job of inspecting because they know the ways and means of going around. I do not altogether disagree with the employment of young people, because if they get the right training they should be all right. However, I favour the elderly people as they would have reared their own families and would know the problems involved in order to bring children to adulthood.

I am pleased that this Bill has been introduced into the House. When the Minister replies to the debate, I would like him to tell me whether the number of children entering homes is increasing each

year. I know of a person who adopted one child. That child is pretty big now. The person concerned lived near me and I never saw such treatment of a child. I would not let those people look after my dog. It is amazing how people are able to get these children and mete out the treatment they do.

The Hon. R. Thompson: Do they look after the boy now?

The Hon. G. BENNETTS: Yes; but the boy is big enough to protect himself. The house was an eyesore and the people a worry to the neighbours. We were glad when they shifted out. That child was adopted by a person who had the means to keep the child well, but, as I have said, there was too much drink in the house.

I hope the remarks I have made will sink home to the Child Welfare Department, which, I know, employs some capable men. One person I know is an expert and he has been there for a long while. I have no doubt that I would be prepared to support whatever he brought forward to this House. I do not know how we are going to find where these bad cases exist.

I know some instances where, when the children come home from school, they have to get their own meals because their mothers and fathers are at the pub. I am speaking of people who are earning big money. In one of the cases I know well, the parents are receiving £80 or £100 per fortnight, and it is all going into the hotels, and the ratepayers of this State have to go to the assistance of the children in those circumstances. It is a shame; and anything the Minister can do to straighten things out will always have my support.

THE HON. J. G. HISLOP (Metropolitan) [8.30 p.m.]: One must support a Bill of this nature and congratulate the Minister and the department on the efforts taken to tighten up his matter of adoption. One of the most important clauses is that no adoption shall take place in future without the knowledge of the director.

No matter how we might alter the Act, we will never have a Utopia for all adopted children; but this effort goes a long way. I have been rather interested in the fact that this Bill makes it quite clear that the majority of the provisions are directed towards keeping secret all the arrangements concerning adoption of children. Nothing is divulged in any way, either by television, periodicals, or by advertising. All these things have been tightened in this measure.

I am pleased that parents of adopted children are not under any legal control in regard to telling others that they have adopted a child. There is nothing to prevent the adoptive parents from making it known that they have adopted a child. The only thing which is prevented in the Bill is the arrangements about the adoption being published.

The adoption of a child brings a ray of sunshine into the lives of many people, and they are only too pleased to advertise that they have at last a child in their home. Nothing should be done to prevent that from continuing. It would be dreadful if anyone who adopted a child should run into difficulties as a result of making it known that he or she has adopted a child. I have a friend who has adopted a third child. I think that the adoption of this third child brought greater happiness to the family than the adoption of their first child, because they felt then that they had a family rather than just a child to care for.

One of the matters to which must be given a good deal of thought is the distribution of children for adoption. The family aspect is perhaps of greater importance than the adoption of a child. I am referring to the matter of a person who has already adopted one child or even two children being refused the right to adopt another.

The Hon. R. F. Hutchison: They should be given preference.

The Hon. J. G. HISLOP: This aspect should be given careful consideration. I have made inquiries and have been told that there is no possibility of such people having another child because of the fact that they already had one adopted child or two adopted children; yet those are the people who would devote their lives to a family of children. I would prefer to say to an individual, "Would you be prepared to have more than one child; to adopt a second or even a third child?" I would realise that the children were going to people who looked upon children as constituting a family, which is the greatest privilege any husband and wife can have.

There is another aspect which I wish to mention. As soon as a child is adopted it should be informed—by indirect means if necessary, but it should be informed soon after reaching the age of understanding—that it is an adopted child. If parents do not tell their adopted children that they are adopted, then there is likely to be trouble. Parents are usually so happy about the adoption that they make the news known, and at some time in the future the adopted children will hear about it from school children or children in the street.

The Hon. R. F. Hutchison: Why should it make any difference?

The Hon. J. G. HISLOP: Children can be very cruel.

The Hon. R. F. Hutchison: That is perpetuating a stigma that should not be. It is stupid.

The Hon. J. G. HISLOP: The honourable member does not have a real insight into what I am trying to say. When an adopted child attends school some child may tell him that he is adopted. The adopted child might not have known of the situation up to that stage and he might go home and ask his parents why they had not told him. I have more than once seen difficulties arise in a family from that moment: when an adopted child said, "Why couldn't you have told me that I was an adopted child; that you were not really my mother and father? Why was it left to a child at school to tell me that I am an adopted child?"

I plead with parents to tell their adopted children as soon as they reach an understanding age. Such news does not make any difference to a family. They continue to be just as happy. In recent times I came into contact with a girl aged 17, 18 or 19, and she had still not been told that she was adopted. This will not last very long. It will eventually be found out, and the longer the child is denied the information the worse will its reaction be.

The Hon. R. F. Hutchison: I can't see your point.

The Hon. J. G. HISLOP: I know you cannot. I realise that.

The Hon. R. F. Hutchison: This is one of the differences that should not be.

The Hon. J. G. HISLOP: I am speaking about the reaction in the mind of a child who learns at a late stage that he is an adopted child. If that knowledge comes to the child from the wrong direction—from either school children or somebody in the street—it produces a very bad reaction. I stress this matter as being very important. Adopted children should know as soon as possible that they are adopted. These are some of the essential psychological factors connected with this measure. I applaud the Bill. It will do a tremendous lot for adopted children, and I trust the points I have raised will be discussed by the department.

THE HON. L. A. LOGAN (Midland—Minister for Child Welfare) [8.38 p.m.]: I am very happy at the way this Bill has been received by honourable members. I had some trepidation early in the piece because of one or two fairly radical changes; but my fears were unfounded, I am pleased to say.

In this type of legislation we are endeavouring to place the child first. We believe it is the No. 1 priority. However, we are not forgetting the rightful role of those people who want to adopt a child. We want to make sure that if a child has been denied its rightful parents, its second chance in life will be made as pleasant as possible.

The Director of Child Welfare, who is present, knows of people who have taken control of children, and when an application goes before a judge the report of the Child Welfare Department may not be in favour of the people having that child for adoption. This means that all the time the child has spent with the people concerned has been wasted. It is time wasted on the people concerned and on the child. This starts a disruptive element in the child because of the fact that it has had a second lot of parents and will now have a third.

By this legislation we are attempting to avoid such pitfalls. The honourable Dr. Hislop need not worry about clause 22 affecting the rights of parents. They will be at liberty to tell the world that they have a family at last. However, we have to be careful of anyone telling adoptive parents who the parents were and what they might have been. Nobody will attempt to deny adoptive parents from advertising their joy at having a family.

The department is considering the question whether people who have already adopted a child should be allowed to adopt a second or third. However, there are not enough children to go around. It is not an easy problem, when there are so many people without children who are asking for an adopted child. If the adoption of a second child may improve the situation in regard to the first adopted child, the department will make a recommendation that the adoptive parents be granted a second adoption; but in so doing, the department may be denying another couple from having one adopted child.

The honourable Mr. Bennetts touched on the subject of child welfare. I would remind him that there are more girls and women working for the department than ever before. There are one or two older women in the department, but these days we are selecting girls of 23 or 24 with very good background and education; and they are making excellent welfare officers. We cannot place them at Kalgoorlie or Geraldton because of the distances they would have to travel, and because of the type of work that a probation officer has to do. They can only be used around the metropolitan area. They are doing wonderful service.

As the honourable Dr. Hislop said, we will never achieve Utopia, but we are striving to do the best we can. I would point out that any adoption agreed to in the Supreme Court must have the recommendation of the department to the effect that the people concerned are worthy of adoption. Naturally, mistakes will be made, but we are hoping that this legislation will help to avoid some of them. Although we still allow doctors, lawyers,

and others to initiate adoption proceedings, before people can adopt a child they have to be vetted by the department and the department has to say, "We think you are a reasonable family to be granted an adoption."

The Hon. G. Bennetts: They always sneak through somehow.

The Hon. L. A. LOGAN: Of course, mistakes will always be made. However, I only hope and trust that as a result of this legislation some of the loopholes will be closed up and in the future only fit and proper persons who we know will do the right thing by children will have the opportunity of adopting them.

I repeat: I am pleased with the response of honourable members to this measure and I am grateful to them for their expressions of confidence in the officers of the department. Today, of course, we have men and women who of their own accord, and for two nights over six months of the year, attend for training in child welfare work; and, at the end of that period, they are given an examination and, if selected by the department, they are given honorary work looking after, or taking control of, some of these problem children.

These people do this work in their own time and they do work which the welfare officers have not got sufficient time to do. That is a wonderful spirit within our community and it is a phase of the department's operations that I hope can be built up so that we will probably reach the stage where the number of delinquents will be reduced. I am afraid I rather object to the word "delinquent" as applying to Western Australian children because I do not think it is the right word to use.

The Hon. F. R. H. Lavery: Hear, hear!

The Hon. L. A. LOGAN: In my opinion it is the wrong word. Too many children these days who are not delinquents are classified as such simply because they have made some slight error of judgment or have been guilty of some misdemeanour. But by no stretch of the imagination are they delinquents.

The Hon. R. F. Hutchison: I wonder how many of those here could say they haven't been delinquents at some time.

The Hon. L. A. LOGAN: Honourable members know the old saying, "There but for the grace of God go I." With all due respect, I think that would apply to most of us in this House. I thank honourable members once again for the reception they have given to the Bill.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (The Hon. N. E. Baxter) in the Chair; The Hon. L. A. Logan (Minister for Child Welfare) in charge of the Bill.

Clauses 1 to 10 put and passed.

Clause 11: Section 4H added—

The Hon. R. F. HUTCHISON: I simply want to say that I object to what the honourable Dr. Hislop said about mentioning the word "adopted." I do not think there is any stigma attached to being an adopted child, and it is only because we put the idea into people's minds that any thought is given to it.

Clause put and passed.

Clauses 12 to 27 put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

Third Reading

Bill read a third time, on motion by The Hon. L. A. Logan (Minister for Child Welfare), and transmitted to the Assembly.

BILL (3): RECEIPT AND FIRST READING

1. Married Persons (Summary Relief) Act Amendment Bill.
2. Interstate Maintenance Recovery Act Amendment Bill.
3. Justices Act Amendment Bill (No. 2).

Bills received from the Assembly; and, on motions by The Hon. A. F. Griffith (Minister for Justice), read a first time.

AGRICULTURAL PRODUCTS ACT AMENDMENT BILL (No. 2)

Second Reading

Debate resumed, from the 12th November, on the following motion by The Hon. L. A. Logan (Minister for Local Government):—

That the Bill be now read a second time.

THE HON. N. E. BAXTER (Central) [8.56 p.m.]: This is a very small Bill and my remarks on it will be brief also. As the Minister explained when he introduced the measure, it only repairs an omission in the principal Act. In the past the committee which is appointed under the Act to advise the Minister has been able to advise him only as to the grades of apples that could be sold within the State, or which could be prohibited from sale. As the Minister explained, it was thought that the matter would be covered legally but it was found that sizes had to be taken into consideration.

The principal Act contains only nine sections dealing with agricultural products, and this Bill deals with only one section of them—the powers of the committee to recommend in regard to the grades and sizes of apples to be sold or prohibited from sale within the State.

However, there is one aspect I would like to mention. Although I believe it is the intention to have the committee make recommendations regarding apples used for human consumption, there is nothing specified in the Bill or in the parent Act to provide for this. As I read the principal Act and the Bill the committee could, although it would be unlikely, recommend grades and sizes of apples whether they were disposed of for human consumption, for consumption by animals, for use in a cider factory, or for anything else.

This afternoon I discussed the matter with the Minister for Agriculture, who said he would check on the point, but, so far, he has not advised me of the result of his investigations. However, he said it was unlikely the committee would make a recommendation in regard to apples other than for human consumption. But we have to remember that this legislation will be on the Statute book for many years to come, and we do not know whether the term of the committee will be extended beyond the 31st December, 1965. I should imagine it will depend on how the position is at that date, and whether the apple growers are satisfied with the committee, but it does seem as though there could be a weakness in the legislation, even if this amending Bill is passed.

To this end, in the Committee stage I propose to move a few small amendments which will cover the aspect I have mentioned and will ensure that what was intended will be done. It will leave no doubt in the future that the committee's recommendation to the Minister, and the subsequent actions of the Minister, which are provided for in the principal Act, will cover apples for human consumption; otherwise people who have apples for sale, which are not fit for human consumption, but only for the feeding of stock or for turning into cider and vinegar, will be given an indication that there is no prohibition on the sale of apples for those specific purposes. I support the second reading with the reservations I have outlined.

Question put and passed.

Bill read a second time.

In Committee

The Deputy Chairman of Committees (The Hon. F. R. H. Lavery) in the Chair; The Hon. L. A. Logan (Minister for Local Government) in charge of the Bill.

Clause 1 put and passed.

Clause 2: Section 3A amended—

The Hon. N. E. BAXTER: I move an amendment—

> Page 2, line 8—Insert after the word "permitted" the words "for human consumption."

Under this amendment it will be shown that the actions of the committee which is set up under the Act will relate only to apples sold for human consumption, and not to those sold for other purposes.

The Hon. L. A. LOGAN: It is difficult to ascertain the full effects of an amendment like this on the principles of the Act. I do not know whether the honourable Mr. Baxter can tell me whether apples sold for the making of cider, of vinegar, or of apple jelly—which products are then consumed by humans—are sold for human consumption. It would be better to leave the wording as it is, because there are so many different forms in which apples can be sold for human consumption.

The Hon. N. E. BAXTER: I have discussed this matter with the Minister for Agriculture. The clause provides that the committee which is set up under the Act shall have the power to recommend to the Minister, in respect of the sizes and grades of apples, those which shall be permitted and those which shall be prohibited. The provision refers to table apples, or apples used for cooking; it does not apply to apples sold for stock feed, or to factories which turn the apples into other products.

The term "consumption" has a very broad meaning, but it is used in the following clause. The amendment will enable the committee to recommend to the Minister the grades or sizes of apples which are permitted to be, or which are prohibited from being, sold for human consumption.

The Hon. G. C. MacKINNON: This Bill has been deemed to be necessary, because of the shortcoming in the Act relative to the sizes of apples within the various grades. There is no doubt that the Act has operated quite satisfactorily as to grades, despite the fact that apples have been sold for manufacture into pulp. This has been a satisfactory method for disposing of fruit which is not up to the grade required under the Act. The Act is quite satisfactory, with the exception that within the grades themselves, there is no specific limit as to sizes. This applies particularly to Yates, as well as to other varieties. I suggest the clause should be left as it is.

The Hon. F. D. WILLMOTT: The amendment could prove to be dangerous, because it could break down the control which is now exercised over grades of apples which are permitted to be sold. If the words "for human consumption" are included, then the Act will not control apples which are not sold for human consumption. Without having much time to consider the effect of the amendment I have to oppose it on the ground that it will break down the control over the sales of apples. If only apples for human consumption are to be controlled, the door will be left wide open for apples, sold

ostensibly for other purposes, to be used for human consumption in country districts.

The Hon. N. E. BAXTER: I am endeavouring to make sure that apples sold for human consumption will be of the grade and size prescribed by the committee. It is a different matter when apples are sold for pulping purposes, but even so the amendment will ensure that no inferior apples will be used for human consumption.

Amendment put and negatived.

Clause put and passed.

Clause 3 put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

Third Reading

Bill read a third time, on motion by The Hon. L. A. Logan (Minister for Local Government), and passed.

WORKERS' COMPENSATION ACT AMENDMENT BILL

In Committee

The Chairman of Committees (The Hon. N. E. Baxter) in the Chair; the Hon. A. F. Griffith (Minister for Mines) in charge of the Bill.

Clause 1 put and passed.

Clause 2: Section 7 amended—

The Hon. R. THOMPSON: In the last fortnight most honourable members have had time to study the various amendments which appear in my name on the notice paper. In another place amendments were moved to this clause to extend the coverage applying to the place of pick-up of labour, and I think the Committee should take into consideration the desirability of further extending the clause in accordance with the amendment I have on the notice paper.

During my second reading speech I asked the Minister a question in respect of a ruling given by Mr. Schnaars some three years ago following a dispute with the State Electricity Commission. However, the Minister did not give me any answer. I wanted to know whether or not that ruling would still be effective. As I received no answer I intend to move the amendment.

We should realise the development that is taking place and that will take place in this State in the future. The classic example of this is the construction of the standard gauge railway line. We know that numerous contractors have gangs working on different projects within 60 to 100 miles of Perth. The conditions under which the men are living are very bad, to say the least, and it is necessary for them to travel home periodically for decent meals, clean clothes, and washing facilities. If we are to encourage people to take work of this nature we should give them the coverage from their temporary place of accommodation to their homes.

This provision has been incorporated in New South Wales Acts and in other Acts throughout Australia. I believe the Commonwealth will be incorporating it this session. Therefore, rather than have Western Australia behind the times with its Act, we should grant this little extra under the to-and-from clause, as we commonly call it.

I have already given the amounts of claims that have been experienced in other States, so I do not think this is going to create any burden whatever and should not increase premiums. I move an amendment—

> Page 2—Insert after subparagraph (ii) in lines 21 to 28 the following new subparagraph:—
>
> (iii) between his camp or place of temporary residence for the purpose of employment to place of abode when not so residing;

The Hon. A. F. GRIFFITH: In the first place I am sorry I did not take up the question of the ruling of Mr. Schnaars. The matter slipped my memory and I just have not done it. However, I will do so; but in the meantime I think it desirable that we debate the clause and the amendment.

I suggest that when a man takes a job requiring him to establish a second home, it is only because the journey between the job and his first home is unreasonable. There may be special circumstances which will require consideration in the light of experience, and a close watch will be kept. In the meantime it is suggested that the general cover the Bill gives now should be left as it is. The honourable Mr. Ron Thompson said that the provision in his amendment is contained in other legislation. That may be so; but we are incorporating the journeying clause, and the Government cannot see any reason at this time to go beyond that. I am therefore obliged to oppose the amendment.

The Hon. R. THOMPSON: I thought someone else might speak on this clause.

The Hon. A. F. Griffith: You did not give them much chance.

The Hon. R. THOMPSON: I looked around but no-one else tried to speak. This amendment is a most reasonable one, especially if we are to encourage development. I have friends working on the standard gauge railway project and some of them are driving 60 and 70 miles home just to get a decent clean-up. They

are living under intolerable conditions and working from 7 a.m. to 7 p.m.. Admittedly they are being paid overtime, but they do have to prepare meals afterwards, and the general facilities and amenities do not exist.

These people also like to go home to see their children. The Minister knows only too well that these people are working for two to three weeks, seven days a week. I therefore do not believe it is unreasonable to include the amendment in the Bill. A man is entitled to see his family, particularly if he is doing a duty not only to Western Australia, but to Australia generally; and I mention this railway construction as just one instance. These workers should have the coverage when travelling to see their families.

The Hon. J. DOLAN: I support the amendment. I feel that a couple of other points could be raised, the main one concerning a man's family. A man forced to work, as the honourable Mr. Ron Thompson has said, on the broad gauge project in districts around Northam, and so on, is entitled to see his family regularly. If he has teenage children or children going to school, it is absolutely essential that he see them. The father's influence should be exercised in the home.

I feel that trouble always starts in homes when the father is absent for some time. It is only reasonable to expect that he would want to go home; and I feel that the coverage should be extended in circumstances of that nature. If the children are younger, there is an additional reason.

The Hon. A. F. Griffith: There is nothing to stop him going home.

The Hon. J. DOLAN: I know; but he is not covered under workers' compensation if anything happens and I feel he should be, the same as applies in New South Wales.

The Hon. G. C. MacKINNON: To start with, in this country, thank goodness, no-one is forced to work anywhere, and I take exception to the honourable Mr. Dolan's inference that people are forced to. They are not; but that is probably a figure of speech.

I think that the honourable Mr. Ron Thompson has overlooked a point. He has used the term "place of temporary residence." We all know that some people decide of their own accord not to take their family to a particular place. I am not at all sure that under those circumstances it is reasonable that they should be covered under this clause. They would, of course, be covered under the third party insurance if they were driving a vehicle.

I know several school teachers who, for various reasons, moved into a town within a reasonable distance of where they are teaching. They reside in the town where they teach and go home over the weekend. Is it reasonable that they should be covered under workers' compensation over that trip? I am not at all sure it is. I am not at all sure either, whether taking into consideration proposed new subsection (lc) on page 3 of the Bill, and the provision in some contracts for workers to go home periodically, such workers would not be covered for such trips. I do feel that the amendment will be found very often to be too wide.

We have another situation in which a man might be provided with accommodation but not elect to live in it. He will decide rather to commute over considerable distances, even up to 20 miles or so. If he takes this course, is it fair that he should be covered? I do not think it is. In trying to right one wrong, the honourable Mr. Ron Thompson is perhaps extending the provision beyond what even he himself would consider to be reasonable. For that reason I oppose the amendment.

The Hon. J. DOLAN: I feel that the honourable Mr. MacKinnon was quite unfair in saying I used the word "forced" in the sense in which he conveyed it. I used it in the sense that anyone is forced, in certain circumstances, to go to a certain place because of his employment.

The Hon. G. C. MacKinnon: I understand now what the honourable member meant.

The Hon. D. P. DELLAR: I consider the honourable Mr. MacKinnon's explanation of the clause is lopsided. He mentioned a person living in Bunbury and travelling to Collie because he elects to work at Collie. In some cases that would work, but not in others. I can quote Coolgardie. Recently a mine closed down at Coolgardie and the men employed there had to be transferred to a mine at Kalgoorlie. But they are more or less compelled to live at Coolgardie because there is no accommodation in Kalgoorlie.

The Hon. G. Bennetts: Their homes are at Coolgardie too.

The Hon. R. F. HUTCHISON: It is amazing how bitterly workers' compensation legislation is fought in this Chamber. I think this is a just clause to include in the legislation. I would like to know how many men choose where they will work. They might in one sense, but at times circumstances compel them to travel long distances to go to work.

It always amazes me to see Government members fight workers' compensation legislation. The worker is begrudged everything he gets. Even now workers get a pittance in relation to the value of money and compared to what they should get.

There is not much chance of honourable members being injured in this Chamber, but a man who is working with

machinery does not know when he may lose a foot or a hand. I have on many occasions been disgusted at the misunderstanding and inhumanity shown when dealing with a Bill like this. Honourable members should be straining to give workers what is reasonable when they are injured or sick.

A few years ago I was at a Labor conference at Collie and a man at Albany was killed just a few yards from his place of employment. A collection was taken up at the Labor conference at Collie for this man's dependants.

The CHAIRMAN (The Hon. N. E. Baxter): Order! I trust the honourable member will connect her remarks with the subject matter of the amendment before the Committee.

The Hon. R. F. HUTCHISON: We are on the to-and-from clause. It is about time we put things in their proper perspective, and if a man's work is outside of the district where he lives he should be covered to and from his home.

The Hon. A. F. GRIFFITH: We have dealt with clauses 1 and 2, and I have not heard any bitterness up to date. If any bitterness is introduced into the debate it will not be introduced by me. I am prepared to debate the Bill bearing in mind that it has been introduced by the Government. I venture to say that whatever the measure contained, it would not satisfy some people; it would not be good enough. I hope no bitterness will be introduced into the debate.

The Hon. R. F. Hutchison: You know it has been.

The Hon. A. F. GRIFFITH: If it is introduced it will be done by the honourable member and not by me.

The Hon. G. C. MacKINNON: Within this Chamber there are Labor members whose sons hold professional positions, and there are Liberal members whose sons work in ordinary industrial jobs, and this legislation is designed to protect those people; and my son is one of them. I approach this Bill without any bitterness. The first word of bitterness brought into the debate was spoken by the honourable Mrs. Hutchison. It is a pity that sort of thing should happen. There is muttering going on near me, and it occurs whenever anyone around here speaks. The statements made by the honourable member are unfair and they incense me and upset me considerably.

The Hon. R. F. HUTCHISON: I am very glad the honourable member is upset, because that is what I am trying to do. I say to him through you, Sir, that the Bill is not fair.

The CHAIRMAN (The Hon. N. E. Baxter): Order! I do not want the debate to continue in this form. We are discussing an amendment to clause 2.

The Hon. R. THOMPSON: I do not think the honourable Mr. MacKinnon realises the purport of the amendment. It is word for word with the New South Wales legislation. It is not intended to cover school teachers or railway workers who are stationed in a town for a period and who can get legitimate accommodation.

The Hon. H. K. Watson: It refers generally to a place of temporary residence.

The Hon. R. THOMPSON: Yes; but if one is stationed in a town, one would not call a hotel a temporary residence.

The Hon. A. F. Griffith: Would that become a permanent residence?

The Hon. R. THOMPSON: Yes; under the letter of the law it would. If a school teacher remained in a hotel for three months he would have to record his place of residence as being at such and such a place.

The Hon. G. C. MacKinnon: Some leave nightly.

The Hon. R. THOMPSON: They are covered by the Bill. I would like the Minister and the Government to give earnest consideration to the amendment, because it is a desirable one. Let us look at what happens with a shearing team. The shearers live in temporary accommodation. They might work through from the lower Kimberleys to the Murchison and they would be covered while moving from camp to camp.

The Hon. A. F. Griffith: Are they covered while moving from camp to home?

The Hon. R. THOMPSON: Certainly. If they are travelling, they are covered all the way. The policy is taken out by the company that employs them. Should not railway workers and S.E.C. workers who travel from Bunbury to Wagin and return home at weekends be covered?

I think this is a just amendment. We are not asking for anything large, or for something that is going to cost a lot of money. The Queensland figures for the total to-and-from coverage amount to only 2.81 per cent. of all claims. We could, therefore, expect much the same result in this State. I do not think this is an unreasonable amendment.

The Hon. G. BENNETTS: The amendment would cover a person like myself. I come from Kalgoorlie and am domiciled at a hotel in Perth, and I come from the hotel to Parliament House to work. That is my temporary residence, and I want to be covered from there to here. A worker might have to work at a place from where it would be too far to return each night,

and he would live along the line somewhere. He would go home from his work and be covered, and now he wants to be covered from that place to his residence.

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

Ayes—10

Hon. D. P. Dellar	Hon. H. C. Strickland
Hon. J. Dolan	Hon. R. H. C. Stubbs
Hon. E. M. Heenan	Hon. J. D. Teahan
Hon. R. F. Hutchison	Hon. F. J. S. Wise
Hon. F. R. H. Lavery	Hon. R. Thompson *(Teller)*

Noes—12

Hon. A. F. Griffith	Hon. J. Murray
Hon. J. Heitman	Hon. H. R. Robinson
Hon. J. G. Hislop	Hon. S. T. J. Thompson
Hon. L. A. Logan	Hon. J. M. Thomson
Hon. G. C. MacKinnon	Hon. F. D. Willmott
Hon. R. C. Mattiske	Hon. H. K. Watson *(Teller)*

Pairs

Ayes	Noes
Hon. W. F. Willesee	Hon. A. R. Jones
Hon. J. J. Garrigan	Hon. C. R. Abbey
Hon. G. Bennetts	Hon. A. L. Loton

Majority against—2.

Amendment thus negatived.

The Hon. R. THOMPSON: I move an amendment—

Page 2, line 38—Delete proposed new subsection (lb).

The Minister says we are going into this journeying clause for the first time, and that we are extending it to the workers on a very limited basis. He did not say that exactly, but that is what it means. The whole thing is further limited by the inclusion of this proposed new subsection, which should not be there.

The honourable Mr. MacKinnon expressed concern for his family, but if he had a look at this his concern would be very real. The clause should be repealed. Under this journeying clause a person could have a heart condition whilst employed from 8 to 5, or whatever his hours of work are, and in some cases claim legitimate compensation for it. He could run into an injury on the way home. He could have tubercular glands—I do not mean pulmonary tuberculosis but that of the bovine type, which could be due to a previous accident, and which is dormant. This could flare up in an accident that occurred while travelling to or from his place of employment.

I would refer members to proposed new subsections (lb) and (lc). The limitation is not put on a person whilst employed at work, but a limitation is to be placed on a man whether he is travelling to work or whether he is travelling home. Why should it be placed on him while he is travelling home? It might happen once in a thousand claims, and we would expect to have very few claims of this type. It is foolish of the Government to consider such a condition as this. Why is it not contained in the complete Act? On a number of occasions the accident is caused either at work or through an injury which accelerates the disease. I hope the Committee will take a reasonable view of this condition in the Bill.

The Hon. J. G. HISLOP: Apparently the honourable Mr. Ron Thompson and I have varying views on what the clause is intended to cover. I have always thought the to-and-from clause is to cover a man for accidents that occur either going to work or returning from work to his home.

The Hon. R. Thompson: That is right.

The Hon. J. G. HISLOP: I did not know it was to cover a man who may have an injury accelerated by an existing disease. I did not think it was intended that that should apply in a journey to and from work. Tubercular glands do not arise as a result of an accident—not the bovine type anyway—but through an infection. Under the Workers' Compensation Act we have had a number of cases in which there has been ordinary stress at work, but which has been accompanied by the death of the individual. It could be the turning of a screw, and the man not being accustomed to doing that type of work dies because of a ruptured aneurism.

This is a very generous approach to workers' compensation. The whole thing is based on the fact that whilst at work the worker must be regarded as 100 per cent. fit. It does not matter what physical disability or internal disorder there may be, he must be regarded as doing the work he sets out to do. If during that work there is any stress—and there must be stress—then the individual is given workers' compensation.

Surely the question of journeying to and from work is quite different. We are either going to continue the whole of the ordinary process of workers' compensation from the time he leaves home to the time he returns home; or we are going to give to the individual a cover against accident on the way home or on the way to work. The latter is the one that I had interpreted this clause to mean; not the more generous approach to the result of an injury that we have under the Workers' Compensation Act.

The Hon. R. THOMPSON: I think the honourable Dr. Hislop has missed the point completely. If a person has a dormant disease that is caused through an injury or accident at work, and if he is covered by an insurance policy, why should he not be covered as if he were at work? This is to save the insurance company money. It will not save the insurer money. We are giving something with one hand and taking it away with the other.

The Hon. J. G. Hislop: You are getting confused.

The Hon. R. THOMPSON: I would not like the Committee to become confused. The honourable Dr. Hislop talked about us becoming generous. This is not generosity; this is something necessary.

The Hon. J. G. Hislop: I will explain it to you later.

The Hon. R. THOMPSON: During his second reading speech the honourable member talked about the worker getting something for nothing. I do not think a worker gets something for nothing when he suffers an injury under the Workers' Compensation Act, goes before competent doctors, suffers pain, injury, loss of wages, hospitalisation and has his family denied his full earning capacity. Sometimes his family is permanently denied his earning capacity. I do not think we should call that generous. It is wrong to say the worker through the Workers' Compensation Act is getting something for nothing. It is very small to speak of workers in that tone.

The Hon. J. G. HISLOP: If the honourable member likes to take words out of sequence and use them in a different sense I am not to blame; he alone is the one to blame.

The Hon. R. Thompson: No I am not.

The Hon. J. G. HISLOP: When I talked about the generous approach, I meant it in this way: If an individual has a diseased heart and some minor accident occurs—even minor stress—this Act accepts that that minor stress is the cause of the worker's death. That is accepted by anyone who has anything to do with this type of work as a very generous approach, because it is a very small element of injury which has finally produced the result which caused death.

The process of death was continuing over a long period, and it is only that slight amount of stress that has brought the sad conclusion. If one reads considerably on this matter one will find all over the world this has been accepted as a compensation claim, but has not been accepted as a true medical cause of death. This is a means whereby a worker may die at work, and no matter how slight the stress, his dependants will receive compensation. I am not saying we are giving the worker a generous amount of money; I am saying we have a generous approach in relation to the effect of minor injuries upon workers.

The Hon. E. M. HEENAN: Section 7 of the Act simply provides that if a person receives a personal injury by accident arising out of or in the course of employment, his employer is liable to pay compensation in accordance with the first schedule. Therefore he is compensated.

I think we have about 4,000 or 5,000 miners working in the mining industry. Some of them have strong hearts; and some are older than others and have weaker hearts, or hearts that have been perhaps strained or their functions have been impaired in some way during long years of work. If such a worker dies and the work contributes to his death, he gets compensation; and it is obvious if a man has a poor heart he has a greater chance of dying or being killed than a man with a sound heart.

I have been under the impression that we were to extend the total cover during the hours at work to the period when a worker finished work and journeyed home. I thought we were to cover him during that quarter of an hour, half an hour, or whatever period it might be, in the same way as we cover him on the job.

The Hon. A. F. Griffith: Despite the fact that that is not in the Bill.

The Hon. E. M. HEENAN: That is so. We have derogated from that principle and we are going to cover him to a lesser extent during that travelling home period than we do while he is at work. On what basis do we put forward that argument? I do not think it is logical if we are going to have a to-and-from clause. Why not cover him to the same extent as we do when he is at work?

The CHAIRMAN (The Hon. N. E. Baxter): Order! I am finding it hard to connect the honourable member's speech to the amendment before the Committee. The amendment is to delete the proposed new subsection (1b).

The Hon. E. M. HEENAN: The proposed new subsection (1b) limits the effect of clause 2. In other words, clause 2 provides compensation during the to-and-from period, but the proposed new subsection (1b) lessens it in the way I have endeavoured to explain. That is why the honourable Mr. Ron Thompson is trying to take it out of the Bill. That is the true position and the Minister appreciates it. He is quite frank about it.

There is the case of a chap who has a weakened heart and on his way home he gets into a bus and goes to lift a heavy parcel and collapses and dies. We are not going to compensate him. I come back to what I said at the beginning; I am sure all honourable members were under the impression that we would give full cover.

The Hon. R. THOMPSON: We have not been told anywhere in this Bill exactly what a worker can claim for an accident, or what will be considered an accident; and there are dozens of loopholes in paragraph (a) of this clause. I would say this Bill is giving exactly nothing; and I would like the Minister or any honourable member to tell us for what accidents, injuries, and the seriousness of them, a worker can claim under this clause.

The Hon. A. F. GRIFFITH: The paragraph the honourable Mr. Ron Thompson is seeking to delete was inserted in the Bill as a safeguard against claims being made under the journeying provisions for injuries of a non-accidental type which have no connection with either the journeying or the employment proper. I leave it at that.

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

Ayes—10

Hon. J. Dolan	Hon. R. H. C. Stubbs
Hon. E. M. Heenan	Hon. J. D. Teahan
Hon. R. F. Hutchison	Hon. R. Thompson
Hon. F. R. H. Lavery	Hon. F. J. S. Wise
Hon. H. C. Strickland	Hon. D. P. Dellar *(Teller)*

Noes—12

Hon. A. F. Griffith	Hon. J. Murray
Hon. J. Heitman	Hon. H. R. Robinson
Hon. J. G. Hislop	Hon. S. T. J. Thompson
Hon. L. A. Logan	Hon. H. K. Watson
Hon. G. C. MacKinnon	Hon. F. D. Willmott
Hon. R. C. Mattiske	Hon. J. M. Thomson *(Teller)*

Pairs

Ayes	Noes
Hon. W. F. Willesee	Hon. A. R. Jones
Hon. J. J. Garrigan	Hon. C. R. Abbey
Hon. G. Bennetts	Hon. A. L. Loton

Majority against—2.

Amendment thus negatived.

Sitting suspended from 10.15 to 10.35 p.m.

The Hon. G. C. MacKINNON: I should like to speak to this clause generally. During the second reading debate I mentioned a deviation from a journey to and from work, and the honourable Mr. Ron Thompson asked me if I could give him a few more details of the particular case I mentioned. This case was actually heard by the Supreme Court but it was not reported which, I understand, means it will not appear in the law reports, although I have been told that many such cases have been reported. It was the case of Oostenbaan, as the plaintiff, *versus* D. F. and D. E. Rose, and it covered a trip from Mt. Cooke, which is about 200 miles east of Port Hedland, to Port Hedland. The men deviated their journey at Marble Bar, and the court allowed this despite the fact that it was a deviation from the direct trip. The court ruled that it was a reasonable deviation.

At the time I was interested in it; and there is a body of law and decisions which have been given upon which the Workers' Compensation Board and the various courts base many of their judgments. I think the honourable member will recall that he asked me to get some additional details. I think what I have given is adequate for the purpose.

The Hon. R. THOMPSON: I move an amendment—

> Page 3, line 28—Delete the words "three thousand five hundred" and substitute the words "four thousand three hundred."

Possibly this is the principle figure in the legislation which we will be asked to consider, and the Committee should take into consideration the existing figure of £3,506. That is the figure which would be provided under the existing legislation, and by this Bill we are actually legislating to reduce that figure by £6.

Nobody can argue that that is not a truthful assessment of the position; because prior to the last basic wage increase the basic figure paid in the case of death or total incapacity was £3,386, and when we add the 2½ per cent. provided for by section 4, subsection (5) (a), on page 3 of the principal Act, it makes the figure £3,506. Therefore, this Bill is legislating to reduce that figure by £6.

During the second reading I read out letters from Mr. Holt (the Federal Treasurer) and Mr. Menzies (the Prime Minister) in which they promised the A.C.T.U. that they would bring the figure under the Commonwealth legislation up to that applicable in New South Wales at the present time, that figure being £4,300. When he introduced the Bill the Minister said that all parties had been taken into consideration. However, the opinions of the Trades and Labour Council of Western Australia were completely discarded by the Minister. In a 20-page document setting out the amendments which were sought by that body, a sum of £5,000 was mentioned as being just and equitable in the case of death or total and permanent incapacity. However, this measure provides for £6 less than the present figure.

If one studies the statements made prior to the basic wage hearing before the Industrial Commission one will find that the Government offered to bring the State basic wage into line with the Federal basic wage, and the Industrial Commission carried out to the letter what the Government said. If the Government is prepared to pay the Federal basic wage surely it should be prepared to provide the same level of compensation that was promised by Mr. Menzies! This would probably be the greatest insult ever offered to workers throughout Australia, because, on one hand their wages have been dictated, but when it comes to workers' compensation they are to be given £6 less than the present figure.

The Hon. A. F. Griffith: What do you mean when you say their wages have been dictated?

The Hon. R. THOMPSON: The wages were dictated.

The Hon. A. F. Griffith: They were not dictated.

The Hon. R. THOMPSON: There was a Press statement prior to the sitting of the Industrial Commission in which it was said that the Government was going to interfere before the commission.

The Hon. L. A. Logan: It was not.

The Hon. R. THOMPSON: Do not say that. Why did the Crown Solicitor get up in the court and apologise for the statement of the Minister for Labour?

The Hon. H. K. Watson: You are confusing interfering with intervening.

The Hon. R. THOMPSON: Well, intervening. I will correct that.

The Hon. F. D. Willmott: Intervening is a different thing altogether.

The Hon. R. THOMPSON: Interfering or intervening, if you like! Intervening is the correct word, but I think it is interfering with a decision of the court when a responsible Minister makes a declaration that the Government will support a wage increase up to a certain amount; and that was done prior to the commission having sat. Then the Crown Solicitor had to get up in the court and apologise for the Minister's statement. Do not tell me that that did not happen, because I quoted the instance here. This Government has the audacity to legislate for £6 less than the figure which is applicable. What is the reason? I do not think the Minister will, or can, tell me.

The Hon. A. F. GRIFFITH: The tactics of the honourable member do not deter me when he invites me to tell him, and then states that I cannot tell him. I shall tell him all I know, but I cannot tell him what I do not know.

The Government has set out to prescribe the amount for total and permanent incapacity at the same level as that for death, because for some considerable time one figure had been lagging behind the other. Prior to the introduction of this Bill and to the increase in the basic wage, the amount provided was £3,386. An increase of £114 was brought about by an adjustment to the basic wage, Western Australia being the only State until very recently—when Tasmania introduced a similar provision—which provided for an automatic adjustment in accordance with the basic wage. The adjustment to the basic wage was 2½ per cent., and this brought about an increase in the statutory figure to an amount of £3,506. No mention has been made of the Government's desire to bring the amount for total and permanent incapacity into line with the amount for death.

The Hon. R. Thompson: I have not finished yet.

The Hon. A. F. GRIFFITH: I thought the honourable member had put forward his whole case.

The Hon. R. Thompson: I asked the Minister why he was legislating for £6 less.

The Hon. A. F. GRIFFITH: I am told that the number of accidents which result in death represent only 4 per cent., as against 47 per cent. which is payable for total and permanent incapacity. In bringing the amount for total and permanent incapacity into line with the figure for death, the ratio of the 4 per cent. to 47 per cent. should be taken into consideration.

When the Industrial Commission makes further adjustments, and brings about an increase of another 2½ per cent. in the basic wage, the amount will rise again. This method of increasing the amount resulted from the recommendation of a Select Committee of this House headed by the late Hon. H. Hearn. The objective was to provide a basis of adjustment when the basic wage moved. Until very recently Western Australia was the only State which provided for this sort of adjustment. Whatever adjustments are made when the Industrial Commission sits again would have relationship to the figures now prescribed.

Whilst the statutory figure will be £3,500—but calculated on the basis of the adjustment it would be £3,506—there is some argument in favour of the fact that 4 per cent. only of people receiving compensation are paid for accidents causing death, while 47 per cent. receive it for total and permanent incapacity. That is the reason for bringing the total and permanent incapacity figure into line with that for death. It started off with the figures being the same, but somewhere along the line one went ahead of the other. It is now considered they should be the same. For those reasons I oppose the amendment.

The Hon. J. DOLAN: The Minister has told us that of all compensable accidents 4 per cent. were caused through death, and 47 per cent. through total and permanent incapacity.

The Hon. A. F. Griffith: I shall read the notes I have been supplied with. They state, furthermore, that only 4 per cent. of the accidents result in death, whereas the figure for total and permanent incapacity is 47 per cent.

The Hon. J. DOLAN: That makes a total of 51 per cent. caused through death or total and permanent incapacity.

The Hon. A. F. Griffith: Apparently.

The Hon. J. DOLAN: It seems remarkable that of the thousands of accidents which are compensable more than half result in total and permanent incapacity or death. I do not think that statement is correct.

The Hon. R. THOMPSON: I cannot accept the figures given by the Minister.

The Hon. A. F. Griffith: They might not be right. They may apply to accidents of this type.

The Hon. R. THOMPSON: Accidents causing death would number between 10 and 12 a year.

The Hon. A. F. Griffith: According to the information I have they represent 4 per cent.

The Hon. R. THOMPSON: If that is the case the payments in respect of total and permanent incapacity would exhaust the fund completely. The Minister said that Tasmania had come into line with Western Australia, but he failed to mention that the amount provided in Tasmania is £4,175, plus £103 for each child

under 16 years of age, or under 21 years of age if the child is a full-time student. Tasmania has now adopted the 2½ per cent. ratio, so it is far in advance of Western Australia where £3,500 is to be provided.

Let me compare the position of a worker in Western Australia with that of a worker in New South Wales or the Commonwealth Territory. Let me assume that a man with a wife and two dependent children is killed in the course of his work, and that the ages of the children are 10 and 11 years. The widow of such a worker in New South Wales and in the Commonwealth Territory would receive £4,300, plus £2 3s. a week for the 11-year old child until it reaches 16 years of age—or a sum of £550—and £2 3s. weekly for the other child until it reaches 16 years of age—or a sum of £660—making a grand total of £5,510.

In Western Australia the widow of a worker under the same circumstances would receive £3,500, plus £200 for the two children, making a total of £3,700, or £1,800 less than the amount that is paid in New South Wales or the Commonwealth Territory. The basis of my argument is illustrated in the comparison and in the figures I have given.

Is the life of a worker in Western Australia regarded as being of less value than that of one in New South Wales? Is the employer opposed to a similar increase being applied in Western Australia? I do not think so, because major companies from the Eastern States have contracted for work in Western Australia, and they are accustomed to paying much higher rates for workers' compensation. They welcome the rates of payment in Western Australia, and they would also welcome paying a proportionate increase to provide the workers here with the coverage which is provided in the other States. These figures are being used as a bait to the employers.

How can any person justify the fact that the life of a man with a wife and two children is worth £1,800 less in Western Australia than in New South Wales?

The question has been asked as to whether the insurance companies can afford to pay. I will give the answer to that. In Western Australia we are practically in line with Queensland as far as our premium ratios are concerned; but we will compare the premiums from 1948 to 1963 and these are as follows:—

Abattoirs—a decrease of 46 per cent.
Garages and workshops—a decrease of 38 per cent.
Breweries—an increase of 70 per cent.
Brickworks—a decrease of 7 per cent.
Builders—a decrease of 19 per cent.
Cabinet makers—a decrease of 41 per cent.
Carriers and carters—a decrease of 42 per cent.
Cement goods—a decrease of 61 per cent.
Clerical staff—a decrease of 39 per cent.
Engineering—a decrease of 39 per cent.
Structural engineering—a decrease of 16 per cent.
Farmers and graziers—a decrease of 39 per cent.
Foundries—an increase of 1 per cent.
General stores—a decrease of 8 per cent.
Hospitals—a decrease of 65 per cent.
Hotels—a decrease of 41 per cent.
Coalmining—an increase of 9 per cent.
Other coal industries—a decrease of 51 per cent.
Pastoralists—a decrease of 20 per cent.
Plumbers and zinc workers—a decrease of 32 per cent.
Public authorities generally—a decrease of 70 per cent.
Public electric light authority—a decrease of 43 per cent.
Stevedores (possibly one of the most hazardous industries)—a decrease of 75 per cent.
Timberyards—a decrease of 76 per cent.
Sawmills—a decrease of 39 per cent.

From those figures we can see that employers have nothing to quibble about whatever, because with the exception of two slight increases and one steep increase from the years 1948 to 1963 there has been an overall decrease well in excess of 25 per cent. in every industry. Therefore, I do not know how the employers would be concerned with this aspect at all. The Government has not considered the welfare of the workers in offering the paltry sum in comparison with what is offered to workers in other States.

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

Ayes—10

Hon. D. P. Dellar	Hon. H. C. Strickland
Hon. J. Dolan	Hon. R. H. C. Stubbs
Hon. E. M. Heenan	Hon. J. D. Teahan
Hon. R. F. Hutchison	Hon. F. J. S. Wise
Hon. F. R. H. Lavery	Hon. R. Thompson *(Teller)*

Noes—12

Hon. A. F. Griffith	Hon. H. R. Robinson
Hon. J. Heitman	Hon. S. T. J. Thompson
Hon. J. G. Hislop	Hon. J. M. Thomson
Hon. L. A. Logan	Hon. H. K. Watson
Hon. G. C. MacKinnon	Hon. F. D. Willmott
Hon. J. Murray	Hon. R. C. Mattiske *(Teller)*

Pairs

Ayes	Noes
Hon. W. F. Willesee	Hon. A. R. Jones
Hon. J. J. Garrigan	Hon. C. R. Abbey
Hon. G. Bennetts	Hon. A. L. Loton

Majority against—2.

Amendment thus negatived.

Clause put and passed.

Clause 3: Section 8 amended—

The Hon. E. M. HEENAN: I do not intend to move the first amendment standing in my name on the notice paper, because I am quite sure that if anyone dies of pnuemoconiosis his dependants will be covered. That point was clarified by the Minister in another place after consultation with the chairman of the board.

The Hon. J. M. Thomson: That is quite clear?

The Hon. E. M. HEENAN: Yes. Therefore I do not propose to move the first amendment. However, concerning my second amendment, the committee which inquired into the subject of pnuemoconiosis recommended that anyone who was compensated for bronchitis allied with silicosis should not be allowed back into the industry.

The Hon. A. F. Griffith: At all.

The Hon. E. M. HEENAN: However, the Government has seen fit to deviate from that recommendation by not forbidding such a person to go back; but under the Bill he would get no further compensation even though his condition was aggravated or increased by his return to work. My amendment seeks to modify that by providing that he shall not receive compensation for any period while he is back at work, but he will not be prevented from receiving compensation for any aggravation of his disease which occurs perhaps years later after he has left work.

As honourable members are aware, the goldmining industry is desperately short of men. I was told only over the weekend that Hill 50 could employ 80 or 100 miners straightaway if they were available. I am merely asking that a miner receive compensation if his condition becomes worsened perhaps years later. I therefore move an amendment—

> Page 4—Delete all words from and including the word "in" in line 35 down to and including the word "industry" in line 39 and substitute the following:—
>
> > while the worker remains in the industry, or, if he shall after leaving the industry, return to it, for the duration of such return.

The Hon. D. P. DELLAR: I do not think the amendment is unreasonable. We have to be guided to a certain extent by the honourable Dr. Hislop, and he admitted that once a man develops silicosis he never improves. Therefore if a man has been assessed at 20 to 30 per cent. disability on leaving the industry, and he returns to the industry, his condition must worsen.

The Hon. A. F. GRIFFITH: It would be true to say that the Kalgoorlie members would be pleased with the amendments in the Bill in relation to pneumoconiosis. What the honourable Mr. Heenan has said is correct. The recommendation of the committee is that a miner who claimed compensation for silicosis and bronchitis should not be permitted to return to the industry. I understand that in another place this was favoured by Mr. Moir. But the Bill does not go that far. It does not say a man cannot go back into the industry. It leaves him some choice.

If he decides to return to the industry it seems fair that he should lose the compensation rights for the disability in respect of which he was disabled and put out of the industry. It is suggested that if a man returns to the industry it would not be medically possible to distinguish the degree to which his condition becomes aggravated as a result of his return. After leaving the industry again he would resume compensation to the extent of the incapacity before he first left.

The principal feature is that the Bill does not do exactly what the committee recommended but gives him freedom of choice to return to the industry. If he returns, surely it is reasonable to assume he does so of his own free will; and whilst he is there his compensation payments should cease.

The Hon. J. G. HISLOP: The Bill states—

> Where, after the coming into operation of the Workers' Compensation Act Amendment Act, 1964, a worker becomes disabled from earning full wages . . .

That might mean that a man has been declared to be 10 per cent. affected by silicosis, and he would get 10 per cent. either in a lump sum or in small amounts over a period of two or three years. Then he decides to go back to the mine, and from then on he cannot get any increase above 10 per cent. That is not fair, because silicosis is a progressive disease; and the sooner we recognise that the better.

I have seen a case of a man who left the industry with a clear chest. The film showed no evidence of silicosis. He had worked for some considerable time in a mine. Without going into any other mine, some 15 or 16 years later he was completely and totally disabled by silicosis.

If a man leaves an asbestos mine with asbestosis he will remain at the state at which the asbestosis was diagnosed, because it is not progressive but is a mechanical blockage.

The Hon. A. F. Griffith: In respect of the man suffering from a 10 per cent. disability, is he put out of the industry because of the 10 per cent. disability?

The Hon. J. G. HISLOP: No. What I am saying is that if he takes the 10 per cent. and goes back to the industry, he is limited to the 10 per cent.

The Hon. A. F. Griffith: But he has not been out of the industry.

The Hon. J. G. HISLOP: This simply refers to a worker becoming disabled from earning full wages.

The Hon. A. F. Griffith: He may not be disabled because he is 10 per cent. silicotic.

The Hon. J. G. HISLOP: Let us take it on the basis that he is 40 per cent. silicotic. He would certainly be due to go out of the mine then. He would be paid 40 per cent., and if he went back to the mine he would get no more than 40 per cent.; and this is a progressive disease.

The Hon. A. F. Griffith: Would he be well advised to stay out of the mine?

The Hon. J. G. HISLOP: Yes.

The Hon. A. F. Griffith: Why does he not do that?

The Hon. J. G. HISLOP: Because very often these people do not know any other way of making a living.

The Hon. A. F. Griffith: Then you would not agree that there should be an automatic preclusion in respect of working in a mine?

The Hon. J. G. HISLOP: No; but I do not think a man should be prevented from receiving an increased amount. If he does not claim anything at all he can continue in the mine until at the end of the time he receives 100 per cent. payment.

The Hon. G. C. MacKinnon: Does not this include chronic bronchitis?

The Hon. J. G. HISLOP: No; it is a separate disease. It has been accepted by the board as being a concomitant disease. It is doubtful whether silicosis causes bronchitis. I think the bronchitis is caused largely by the habits of the miner plus being in the atmosphere of the mine. You have to take silicosis in association with bronchitis. I have seen a number of men with bronchitis but who had no radiological evidence of silicosis. They would draw nothing.

The Hon. R. Thompson: I know one such case.

The Hon. J. G. HISLOP: I can mention dozens of them. This provision could be looked at from the point of view of the wording. I ask the Minister to see whether the board is happy about this, because I think that if a man decided not to take his early compensation and simply stayed in the mine, he would ultimately get increased compensation.

The Hon. A. F. Griffith: If he stayed on?

The Hon. J. G. HISLOP: Yes.

The Hon. A. F. Griffith: I would agree with that.

The Hon. J. G. HISLOP: If a man were suffering a 40 per cent. disability and he said he would stay on, I would say, "Do not take compensation but wait until you are really incapacitated, and then get the lot."

The Hon. A. F. Griffith: As a doctor, what do you regard his physical condition as being like when he has 40 per cent. silicosis?

The Hon. J. G. HISLOP: Some of them at 40 per cent. are quite capable of working, but it is advisable that they should not work. Quite a number are working.

The Hon. A. F. Griffith: I believe you would advise such a man to get out of the industry.

The Hon. J. G. HISLOP: I would like the Minister to refer this matter to the board. There is possibly something in the wording that is out of gear. If the man claims he cannot earn full wages and he is compensated up to that point, that is as far as he can get. If he is given £300 for a 10 per cent. disability, or £1,200 for a 40 per cent. disability, he will probably take the money in small amounts per fortnight, and if, when it is used up, he continues working in the mine for a few years he will receive nothing for the work he does in those remaining years. I doubt whether that is what the Minister or the board intended.

The Hon. G. C. MacKINNON: I am a little confused here. I am fairly sure that the honourable Dr. Hislop's words have left a wrong impression on my mind. I gained the impression it would not matter to the man's longevity whether he went back to the mine or stayed out of the industry. I imagine that going back into conditions conducive to silicosis and pneumoconiosis must induce a speeding up of his condition.

The Hon. J. G. Hislop: Yes, it does.

The Hon. G. C. MacKINNON: Therefore it is desirable that he should not go back to the industry. It seems to me that this provision should be framed in such a way that these people will get every encouragement not to go back; in other words, to stay out. When the honourable Dr. Hislop says it makes no difference—

The Hon. J. G. Hislop: They both reach the same end.

The Hon. G. C. MacKINNON: We all reach the same end—that is inevitable—but some not quite as quickly as others. The honourable Dr. Hislop seems to think we should put no impediment in the way of the man if he wants to go back down the mine. If we want to keep him alive a little longer we should not make it easier for him to go down the mine.

The Hon. R. Thompson: What about the man who is 55 and has 30 per cent.? Where does he get another job?

The Hon. G. C. MacKINNON: That could be taken into consideration by the board and his compensation adjusted on the basis that he cannot get another job. We should not establish a situation where he can say, "This is enough, down the mine again."

The Hon. J. Dolan: But it does not mean he goes into the mine; it says in the mining industry.

The Hon. G. C. MacKINNON: Around the mine; in the mining industry. I am a bit confused about this. This is a continuing and increasing compensation to the chronic bronchitis section. I find it difficult to believe that the conditions of cold and so on would not further aggravate a chronic bronchitis condition.

The Hon. R. H. C. STUBBS: I agree with the honourable Dr. Hislop. This is not quite right. A man could have early silicosis and be advised to leave the mining industry. He could have 15 to 35 per cent. disability but he does not have to get out of the industry. Tuberculosis with silicosis would of course put him out. He may have 35 per cent. disability and, after a spell out of the industry and away from the fumes and so on, he may feel a new man and be able to go back to the mine. There are jobs on the surface like truck driving; caretaking; jobs in the change room; hoist driving, and so on. Silicosis would not progress too quickly after that.

These are important jobs. The way the Bill is worded we would deprive the mining industry of experienced men. These people have their homes and families there; they cannot get out. When they have 35 per cent. silicosis let them get their compensation; when they are ready to go back stop it.

The Hon. J. G. HISLOP: Chronic bronchitis and silicosis are continuing diseases. It a man gets bronchitis to a marked degree and is incapable without any association with silicosis, it would be at a fairly advanced stage, and it would continue. Once the process of destruction of the lungs occurs it makes headway; and with the two diseases the man has a hopeless future. I agree with the honourable Mr. Stubbs that some men leave the mines and make progress after 12 months. They feel better, but it does not alter the fact that the insidious character of silicosis is continuing all the time.

If a man is told he has evidence of silicosis in his pulmonary film, he is advised of this. He goes to the doctor for advice and he is told he has 10, 15, or 20 per cent. silicosis. This is at the early stage when the man is still continuing to work. He would be advised that it would be better for him to get out of the mine. After a couple of years he feels no better and makes another visit to his doctor. Another film is taken and the further progress of silicosis is shown. If he was 15 per cent. silicotic before, he might now be 25 per cent. silicotic and he gets another 10 per cent. payment. This goes on.

The same things occurs with the man who has left the mine. If he is told he has 15 per cent. silicosis in his chest and this is recognised by the chest clinic, and if he leaves the mine with a clear chest and two or three years after presents evidence of silicosis, he is still notified he may be affected at a certain percentage with silicosis, and he claims compensation. From then on he pays periodical visits and the compensation continues.

The Hon. A. F. GRIFFITH: If this Bill contained a clause which fulfilled the recommendation of the pneumoconiosis committee that a man with a certain degree of silicosis should not be allowed to go back into the industry at all, how would that have been viewed? We would have been obliged to accept that situation, because it could be argued that for his own good the man is not allowed to return to the industry. That was the attitude taken by an honourable member in another place. But the Bill does not go that far. If the man to whom the honourable Dr. Hislop refers goes back into the mine of his own free will, would he continue to draw that 10, 15, or 20 per cent. compensation?

The Hon. J. G. Hislop: No, he gets his 10 per cent. either in a lump sum or in small payments.

The Hon. A. F. GRIFFITH: So the honourable member wants him to go back into the industry that caused his disablement, knowing his position must be aggravated by his own action. He then goes back to the point where he gains a continuing degree of compensation by reason of his return to the industry.

The Hon. J. G. Hislop: That is what happens now.

The Hon. A. F. GRIFFITH: Only in view of some of the advice the honourable member might give.

The Hon. J. G. Hislop: No.

The Hon. A. F. GRIFFITH: He does not have to go out of the industry now. He stays there with 10 or 20 per cent. silicosis until he reaches that point of time. He should be encouraged to go out of the industry and be paid compensation. If he returns his compensation payments should cease. Say he contracts an industrial disease, is cured of it, and is compensated while going through the curing period. He then goes back to his job but he does not continue to get compensation for the disease. He cannot have his cake and eat it. We must say he shall not go back into the industry, or leave it as it is.

The Hon. J. G. HISLOP: Let us take the case of two men who join the mine and spend some years there. They are X-rayed and it is found they both have silicosis. They are warned that it is not in their interests to remain in the mine. One leaves the mine and the other stays in it.

They are both regarded as being 15 per cent. silicotic. The man who goes back to the mine will not get any more compensation than 15 per cent., no matter how long he works in the mine; but the man who went out of the mine at 15 per

cent. can still present himself in the normal way and say his silicosis is getting worse. In two or three years he goes to 20 and 25 per cent., and the longer he stays in the mine the silicosis will continue.

The Hon. A. F. Griffith: Haven't you finished up with them both out of the industry?

The Hon. J. G. HISLOP: No. One leaves the industry, and the other stays in the industry. The man who decides he is not going to work in the mine can get compensation as his silicosis progresses.

The Hon. G. C. MacKINNON: I cannot understand this attitude of protecting people from foolish acts. Recently we have protected them from the normal result of over-purchasing and the possible arrival of a debt collector; and we are probably going to protect them from the hazards of a foolish action if they buy something at their door from a door-to-door salesman. In this clause there is an endeavour to protect a man. The honourable Dr. Hislop has admitted that if some men return to the mines there is a distinct possibility of an acceleration of their condition.

The Hon. F. R. H. Lavery: There would be an acceleration whether they returned or not.

The Hon. G. C. MacKINNON: No; there is a difference between acceleration and progression. I would imagine this clause is the financial imponderable of this Bill as it is impossible to work out fairly accurately the extent to which an insurance company can become involved on account of the suspension of the limiting periods and the inclusion of bronchitis. There are no known statistics on which to work. That being so, I think it is reasonable that certain caution should be exercised.

The one thing that makes me hesitate to support the contention of the honourable Dr. Hislop is that while he stated without qualification that the complaint must progress, he also stated quite definitely that a return to the industry could and probably would accelerate that progression. Under these conditions, I think it is fair we should give as little encouragement to the men to return as it is possible for us to give.

The Hon. D. P. DELLAR: I would use myself as an example; and there are other men in the same condition. At the present time I am carrying about 20 per cent.; and who knows whether I will be in this job next year.

The Hon. A. F. Griffith: In politics that is an occupational hazard!

The Hon. D. P. DELLAR: In order to hold down the job I was doing in the mines, I carried mining certificates. If I return to the industry with the certificates I hold I could work on the surface. It would not be necessary for me to go underground. However, I am to be penalised; and there are plenty like myself.

The Hon. L. A. Logan: Have you been compensated for your 20 per cent.?

The Hon. D. P. DELLAR: No.

The Hon. L. A. Logan: You do not come under this?

The Hon. D. P. DELLAR: Other people have been. I go up every 12 months and get X-rayed. Plenty of people who have left the industry have taken compensation and we are going to penalise them for going back.

The Hon. R. H. C. STUBBS: As I said before, one can now go out of the industry, have a spell, and go back. There are plenty of fresh air jobs around a mine on the surface, and it is foolish to keep the men from occupying these jobs when the industry is so short of men. We should give them their chance. They should not get compensation while they are working, but if they have collected 20 per cent., let them go back for two or three years if they want to. If they want to get out of the industry they may have only progressed another five per cent. and that is all they can claim. If they contract tuberculosis they are put out of the industry.

The Hon. A. F. GRIFFITH: I can see what honourable members are driving at; and in order to make progress I suggest we pass over this clause and I will make further inquiries, after which we can return to it. I will not complete the third reading.

The Hon. J. G. Hislop: Is it your intention that you want the men to go back to the mines, or you do not want them to go back to the mines?

The Hon. A. F. GRIFFITH: The intention of the Bill is to provide the men with an opportunity, if they so desire, to return to the mines. If they choose to go back, it does not seem reasonable that they should return to the same working conditions and thereby bring about their death.

The Hon. E. M. Heenan: The employer must be prepared to take the worker back.

The Hon. R. H. C. Stubbs: The employer would gladly take the worker back, because he is an experienced miner.

The Hon. A. F. GRIFFITH: As long as all things are equal. If the honourable Mr. Heenan is prepared to withdraw his amendment I shall have the position investigated. We can consider the other amendments appearing on the notice paper, but if it is so desired we can return to this one by recommitting the Bill.

The Hon. E. M. HEENAN: In view of those remarks I ask leave to withdraw my amendment.

Amendment, by leave, withdrawn.

The Hon. E. M. HEENAN: I move an amendment—

Page 5, lines 15 and 16—Delete all words commencing with the word "from" down to and including the word "Health" and substitute the words "by the worker".

The Minister pointed out that when a miner suffering from bronchitis and silicosis elects to claim compensation he has to go before a medical board, which assesses the degree of unfitness; and on the basis of the decision of the board the worker would receive compensation.

I could imagine the board stating that a worker was 25 per cent. or 50 per cent. incapable. In every case the assessment is made by the board, so it has important functions to fulfil and they affect the miners. Under the Bill it is proposed that the board shall consist, firstly, of the mines medical officer appointed under the Mine Workers' Relief Act; secondly, a physician of the Department of Public Health, specialising in occupational diseases, nominated from time to time by the Commissioner of Public Health; and, thirdly, a physician specialising in diseases of the chest, also nominated from time to time by the Commissioner of Public Health.

I agree fully with the first two nominations, but in my view the third member of the board should be a physician specialising in diseases of the chest, nominated by the worker, and that is the proposal in the amendment. It seeks to give the worker a little say in the decisions of the board, and under the amendment he will have one nominee of his choice out of the three members of the board.

The Hon. A. F. GRIFFITH: The inclusion of the words "from time to time" means that it will not necessarily be the same physician who is appointed. It is sought to have the medical board assessing silicosis completely independent, and comprised of the very best physicians in this speciality available in Western Australia from time to time. The board will have no connection with the State Government Insurance Office, and it is thought that it will earn the respect of the workers.

Although the proposal that one doctor be nominated by the worker might appear to have some merit, I suggest that these matters be considered: If this were agreed to it would probably also be necessary to have one nominated by the employers, in which case the expert nature of the board would tend to be lost, due to the very limited number of experts available. If it is intended that the board should spend a lot of time and give a great deal of attention to its important functions, it is doubted very much whether, as the Medical Department has suggested, a doctor could be found whose practice would permit him to be available. Should the worker be able to nominate a physician to the Commisioner of Public Health I feel sure the commissioner would give it every consideration.

If the amendment were agreed to it could react detrimentally to the worker, when he is unable to nominate a physician. It might result in the appointment of a specialist from Perth, and he would have to travel to Kalgoorlie during hearings by the board.

The Hon. F. R. H. Lavery: That has happened before.

The Hon. A. F. GRIFFITH: I am sure members representing goldfields provinces are aware that the Public Health Department is very good in its treatment of workers generally. I urge that the provision be left as it is in the Bill.

The Hon. J. G. HISLOP: Going back to the days when inquiries were made into workers' compensation, the suggestion was made for the appointment of a nomineee of the workers' choice. If the amendment before us is agreed to the physician should be of a group which is recognised by the Workers' Compensation Board.

The Hon. A. F. Griffith: The amendment could make it a lot harder for the workers.

The Hon. J. G. HISLOP: The number of these specialists is limited. The clause states that this has to be a physician specialising in diseases of the chest. The board, as it is to be formed, does have a savour of being three public servants. If these people are to be examined in Kalgoorlie, very few practising physicians in the city will want to go to Kalgoorlie as frequently as they will be called.

This board does involve certain difficulties. I am not going to attempt at the moment to try to alter the board or its constitution, but I think the time may come when it might have to be altered. The decisions in regard to a miner's condition were made purely on the radiological film until lately, and that meant that an X-ray film had to be taken and seen by a chest physician radiologist, because nearly all the chest physicians are very expert in radiology and particularly those in the chest clinic. I would rather a man from the chest clinic was appointed because of his intense knowledge of silicosis.

The Hon. A. F. Griffith: I think he could be the third man from time to time.

The Hon. J. G. HISLOP: He could be. A physician specialising in occupational diseases need not know much about examining the chest or radiological films. As I have said, this may need altering later on, but at the moment we should let it ride.

As I was saying, until recently, compensation was paid on the basis of an X-ray film, other physical disabilities being taken into consideration. Lately an alteration has occurred because the films are seen by two or three people. However, under this provision these men are going to be examined by the board to see whether they have associated bronchitis. I think the board might even want to have an electrocardiograph taken to see whether there is any involvement of the right side of the heart, because if that is associated with silicosis it is accepted as being compensable.

How is this examination to be done? Will the members of the board examine those concerned or will they rely on the reports from the doctors who have seen the men? A lot of these miners come to the city to see a specialist. I am not the only one who sees them although at times I think I am, considering the overwhelming number whom I examine. The specialist will send a copy of his evidence and possibly an electrocardiograph to the board; but he is not going to be able to visit the board to give his evidence in person; it will have to be in a written report.

It would seem to me that set periods should be specified when the board will meet for this purpose—perhaps three or four times a year. It would then be possible to choose a practising physician. As I have said, it appears the board will have total representation of public servants, and while such a board would be a fine board of experts, many people have the idea that in such circumstances justice is not done. Justice is obviously done, but it does not seem to be done. It is always felt that an independent individual should be on such a board.

I believe we should let this provision remain as it is and see how it works. It will be a case of trial and error for a start, and possibly next year we could ask for a report as to how the board is progressing and what results have been achieved.

Amendment put and negatived.

The Hon. E. M. HEENAN: I move an amendment—

> Page 6, lines 35 and 36—Delete the words "three thousand five hundred" and substitute the words "four thousand three hundred".

I am not going to weary the Committee by elaborating on the reasons for my amendment, because they have already been commented on by the honourable Mr. Ron Thompson.

The Hon. R. Thompson: That was concerning the to-and-from provision.

The Hon. E. M. HEENAN: Yes, that is right. We could still win on this one. Let us hope so.

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

Ayes—10

Hon. D. P. Dellar	Hon. H. C. Strickland
Hon. J. Dolan	Hon. R. H. C. Stubbs
Hon. E. M. Heenan	Hon. R. Thompson
Hon. R. F. Hutchison	Hon. F. J. S. Wise
Hon. F. R. H. Lavery	Hon. J. D. Teahan
	(Teller)

Noes—12

Hon. N. E. Baxter	Hon. H. R. Robinson
Hon. A. F. Griffith	Hon. S. T. J. Thompson
Hon. J. G. Hislop	Hon. J. M. Thomson
Hon. L. A. Logan	Hon. H. K. Watson
Hon. R. C. Mattiske	Hon. F. D. Willmott
Hon. J. Murray	Hon. J. Heitman
	(Teller)

Pairs

Ayes	Noes
Hon. W. F. Willesee	Hon. A. R. Jones
Hon. J. J. Garrigan	Hon. C. R. Abbey
Hon. G. Bennetts	Hon. A. L. Loton

Majority against—2.

Amendment thus negatived.

The Hon. E. M. HEENAN: I move an amendment—

> Page 7, line 36—Insert after the word "process" the words "provided that the provisions after 10A of this Act shall apply to this subsection."

This amendment also gets back to the figure of £4,300 and to the deletion of section 10A of the principal Act.

Point of Order

The Hon. A. F. GRIFFITH: I rise on a point of order in an attempt to be helpful. Section 10A of the Act is to be repealed.

The Hon. E. M. Heenan: I know that.

The Hon. A. F. GRIFFITH: Then how are you able to move an amendment to a section which it is intended to repeal?

The Hon. R. Thompson: I have an amendment not to repeal it.

The Hon. A. F. GRIFFITH: That is a different matter.

The Hon. E. M. Heenan: I was going to point that out to the Committee.

Committee Resumed

The Hon. E. M. HEENAN: The next amendment proposes to delete the section altogether. The amendment which I have just moved was also moved in another place. It was considered to have some justification. The Government appears adamant that under no circumstances should the compensation for total disability exceed £3,500. My amendment seeks to get away from that. I have to admit that the amendment makes reference to section 10A of the Act, but the next amendment, in connection with clause 4, will seek to delete that clause.

The Hon. F. J. S. Wise: We could defeat the clause.

The Hon. E. M. HEENAN: That is so; so long as the Committee understands that.

The Hon. A. F. GRIFFITH: The proposal now is to go much further by introducing what is generally described as pension provisions, whereby cases of permanent incapacity, total or near total, or partial incapacity to a major degree, are entitled to compensation payments for life without regard for any maximum in the employer's liability. I am told the cost of this would be considerable. I am sorry, but I cannot agree to the amendment.

Amendment put and negatived.

Clause put and passed.

Clause 4: Section 10A repealed.

The Hon. R. THOMPSON: I move an amendment—

> Page 7, line 41—Delete the word "repealed" and substitute the passage "amended by deleting all words after the word 'where' in line 3 and substituting the passage—
>
> 'the injury results in—
>
> (a) permanent and total incapacity for work; or
>
> (b) permanent and partial incapacity for work of a major degree.
>
> In such a case the Board may, in its absolute discretion make such award as the Board thinks proper in the circumstances, notwithstanding that the total liability of the employer as prescribed by this Act may be exceeded.' "

In New South Wales unlimited compensation payments are made for total or partial incapacity, and compensation payments continue until the death of a worker. There are no limits whatsoever. In Western Australia the maximum amount is £3,500, and this State will still have the lowest amount in the Commonwealth. In Victoria the compensation is unlimited. That also applies to the Commonwealth compensation. In Tasmania the amount is £4,175. In Queensland the amount is £3,600, and in South Australia, £3,500. I suggest it is necessary for honourable members to refer to the principal Act and to read the amendment in conjunction with section 10A of the Act.

I do not know why we should have limits on limits. We find, in the majority of States in Australia, there is no limit, or, if there is, the position is better than it is in Western Australia. I should like to correct some figures which were supplied to the Minister and I shall quote the total sums for death and incapacity for the year 1963.

By weekly payments the percentage was 44.17, amounting to £898,128; by redemptions the percentage was 7.22, which amounted to £146,866; for specific injuries under the second schedule the percentage was 10.79 amounting to £219,416; for fatal injuries it was 4.40, amounting to £89,573; for doctors' expenses the percentage was 13.89; for hospital, 7.72; and for medical 5.29, making a total of 26.9 per cent.

The Hon. A. F. Griffith: The 4 per cent. wasn't far out, was it?

The Hon. R. THOMPSON: No, but the 47 per cent. was a long way out.

The Hon. A. F. Griffith: Yes, there is something wrong with that.

The Hon. R. THOMPSON: Possibly Mr. MacKinnon might be interested in the figure for common law and other Acts. The percentage was 3.65 amounting to £74,000 for 12 months.

The Hon. R. F. Hutchison called attention to the state of the Committee.

Bells rung and a quorum formed.

The Hon. R. THOMPSON: I cannot see any logical reason why the Government wants to repeal section 10A. By tidying it up in the manner I have suggested I think it would be acceptable to all parties.

The Hon. R. F. HUTCHISON: I have sat through a good many of the debates on Bills of this kind since I have been in this Chamber and the result has always been that Western Australia has the proud record of paying the least for a worker who is injured or killed in employment. The anti-Labor parties have always had a majority in this Chamber and I hope when workers look through *Hansard* they will see that justice has never been done in this Chamber so far as workers' compensation legislation is concerned—legislation which anyone would think any human being would agree to and have sympathy for. One would not think that any government would begrudge a worker enough money to give him frugal relief and comfort for his family. We have been discussing the position when a man goes into the mines.

The Hon. A. F. Griffith: We passed that two clauses ago.

The Hon. R. F. HUTCHISON: We know a worker is sentenced to death if he has silicosis.

The CHAIRMAN (The Hon. N. E. Baxter): Order! I would draw the honourable member's attention to Standing Order 395 which refers to a member digressing from the subject matter of any question. I ask the honourable member to try to confine her remarks to the subject matter of the question before the Chair.

The Hon. R. F. HUTCHISON: I am on the same subject and I merely wanted my words recorded. I am ashamed to have to sit here and listen to what I have listened to this evening.

The Hon. A. F. GRIFFITH: The Government seeks to repeal section 10A and the amendment is in direct opposition to that. The amendment would also have the effect of making provision that in

cases of permanent and total, or permanent and partial incapacity for work the board should have the right to order weekly payments which might continue for life without regard to the maximum liability of the employer.

The honourable Mr. Heenan dealt with this when he recognised that the legislation has a maximum of £3,500. For this reason there is no occasion for me to say any more on the point. The Government is not prepared to accept something which takes it beyond this point. We have no idea what this would cost and, as I said previously, it is considered the cost would be very considerable, or, "considerable" if honourable members like to delete the word "very".

The Hon. R. THOMPSON: The Minister has just said the Government is not prepared to go beyond the limit of £3,500. I quoted the position in other States and I said that in Victoria the payment is unlimited—payments can be made until a man dies. In New South Wales and under Commonwealth legislation the same position applies. In Tasmania the figure is £4,175, in Queensland £3,600, and in South Australia it is £3,500 plus any weekly payments made.

We would be the lowest because the weekly payments are subtracted from the £3,500 in Western Australia. Why should workers in Western Australia be classed as second-class citizens? That is what the Bill does. This will be the worst compensation Act in Australia. It is a disgrace to spend time debating a Bill to deny a right to people who keep the wheels of industry turning, and on whom every employer relies for his wages and profits. I do hope some sanity and humanity will prevail.

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

Ayes—10

Hon. D. P. Dellar	Hon. R. H. C. Stubbs
Hon. J. Dolan	Hon. J. D. Teahan
Hon. E. M. Heenan	Hon. R. Thompson
Hon. R. F. Hutchison	Hon. F. J. S. Wise
Hon. H. C. Strickland	Hon. F. R. H. Lavery *(Teller)*

Noes—12

Hon. A. F. Griffith	Hon. J. Murray
Hon. J. Heitman	Hon. H. R. Robinson
Hon. J. G. Hislop	Hon. S. T. J. Thompson
Hon. L. A. Logan	Hon. J. M. Thomson
Hon. G. C. MacKinnon	Hon. H. K. Watson
Hon. R. C. Mattiske	Hon. F. D. Willmott *(Teller)*

Pairs

Ayes	Noes
Hon. W. F. Willesee	Hon. A. R. Jones
Hon. J. J. Garrigan	Hon. C. R. Abbey
Hon. G. Bennetts	Hon. A. L. Loton

Majority against—2.

Amendment thus negatived.

Clause put and passed.

Clause 5: Section 11 amended—

The Hon. R. THOMPSON: Here we see an about face. Something that could have been of advantage to the workers was defeated. This is the most restrictive clause in any compensation Act in Australia. It limits the existing limits placed on the board dealing with permanently partially incapacitated workers. If a worker cannot follow his usual occupation due to permanent partial incapacity, and is certified for light work by his doctor—whether or not he can find light work—his weekly compensation cuts out well before he reaches the maximum of £3,500.

Let us say a man earns £20 a week, is injured, and is certified by a doctor as requiring a liftman's job, where the rate may be £15 a week. His earning capacity is reduced by 25 per cent. His entitlement is then restricted to 25 per cent. of £3,500—that is for permanent injury. He would be entitled to £875 compensation payments. In other words it would be £175 more than what the Government proposes in the schedule for the loss of a big toe. Yet the man would be walking round for life with a reduced income of at least 5 per cent., if he could find a job paying him £15 a week.

He would have his permanent injury and would receive £175 more in payment than if he had his big toe cut off, which would restrict him from doing his normal work. This would remain with him as a permanent partial incapacity. It is not always possible for these people to find light work when this has been recommended by their doctors. I am continually in contact with the Social Services Department, both in Perth and Fremantle, trying to find light occupations for such people. It is impossible to find such jobs for these men.

The Hon. A. F. Griffith: You are seeking to repeal clause 5 of the Bill.

The Hon. R. THOMPSON: Yes. I am seeking to repeal section 11 of the principal Act. This is the most restrictive clause in the Bill. As I said before, I am continually trying to obtain work for partially incapacitated people, but it is not possible to find it.

These people are 25 per cent. incapacitated and to qualify for the invalid pension one has to be 85 per cent. incapacitated. I would like to hear the views of the honourable Dr. Hislop on this because it is a case where a person is restricted from receiving just and due compensation. I move an amendment—

> Page 8, lines 2 to 14—Delete all words from and including the word "amended" down to and including the word "hundred" and substitute the word "repealed."

The Hon. A. F. GRIFFITH: Reference to clause 5 of the Bill will show that in addition to taking out the words "two thousand four hundred" and inserting in lieu thereof the words "three thousand five hundred" it also alters the description of "silicosis, pneumoconiosis, or miner's

phthisis" to "pneumoconiosis"; and in the third paragraph it does the same as in the first. This has been in the Act for a long time with the figure of £2,400. Now we seek to raise it to £3,500 in conformity with the rest of the approach. If this amendment is agreed to section 11 of the Act will be repealed.

The Hon. R. Thompson: That is correct; and it is not the first time I have tried to have it repealed.

The Hon. A. F. GRIFFITH: I cannot agree to that.

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

Ayes—10

Hon. D. P. Dellar	Hon. H. C. Strickland
Hon. J. Dolan	Hon. R. H. C. Stubbs
Hon. E M. Heenan	Hon. J. D. Teahan
Hon. R. F. Hutchison	Hon. R. Thompson
Hon. F. R. H. Lavery	Hon. F. J. S. Wise *(Teller)*

Noes—12

Hon. A. F. Griffith	Hon. H. R. Robinson
Hon. J. Heitman	Hon. S. T. J. Thompson
Hon. J. G. Hislop	Hon. J. M. Thomson
Hon. L. A. Logan	Hon. H. K. Watson
Hon. G. C. MacKinnon	Hon. F. D. Willmott
Hon. J. Murray	Hon. R. C. Mattiske *(Teller)*

Pairs

Ayes	Noes
Hon. W. F. Willesee	Hon. A. R. Jones
Hon. J. J. Garrigan	Hon. C. R. Abbey
Hon. G. Bennetts	Hon. A. L. Loton

Majority against—2.

Amendment thus negatived.

Clause put and passed.

Clauses 6 and 7 put and passed.

Clause 8: First schedule amended—

The Hon. R. THOMPSON: I move an amendment—

Pages 8 and 9—Delete subparagraph (i) of paragraph (a) and substitute the following:—

(i) by substituting for the words "three thousand" in line 3 the words "four thousand three hundred.";

by substituting for the words "sum of seventy-five pounds" in lines 4 and 5 the words "weekly payment of two pounds three shillings.";

by deleting the words "but not in respect of any ex-nuptial child" in lines 8 and 9.;

by substituting for the words "eight hundred" in line 20 the words "one thousand five hundred.";

by deleting the words "Seventy-five pounds" in lines 20 and 21, and substituting the words "a weekly payment of two pounds three shillings."; and

by deleting the semi-colon ";" after the word "child" in line 21, and adding the words "under sixteen years."

This amendment proposes to delete the amount of £3,500 and substitute £4,300. In addition, it will substitute for the words "sum of seventy-five pounds" the words "weekly payment of two pounds three shillings." I do not think it is right and proper that the small payment of £75 be paid in respect of dependent children. On the contrary, a weekly payment of £2 3s. would give possibly a little bit of meat to the very thin sandwich we have before us this evening.

I feel sure honourable members will agree to the third part of the amendment relating to the ex-nuptial child. I intended only to move the first two parts of the amendment affecting the £4,300, and the weekly payments of £2 3s.

The CHAIRMAN (The Hon. N. E. Baxter): Would the honourable member like to ask for leave to delete the third part of the amendment dealing with the ex-nuptial child?

The Hon. A. F. GRIFFITH: I am wondering why the honourable member does not wish to move the amendment as it appears on the notice paper, because each part of it affects clause 8.

The Hon. R. THOMPSON: I refer to the wording which appears in the first schedule of the Act. I want to amend the figure to £4,300.

The Hon. A. F. Griffith: You are trying to amend the Act, and not the Bill.

The Hon. R. THOMPSON: The first schedule is up for amendment.

The Hon. A. F. Griffith: You will have to amend the Bill to arrive at what you desire.

The Hon. R. THOMPSON: Once the schedule is up for amendment I am at liberty to move other amendments.

The CHAIRMAN (The Hon. N. E. Baxter): The amendment on the notice paper is not drafted in such a way as to amend the Act, but purely with the provision in the clause.

The Hon. R. THOMPSON: In view of the comments which have been made I wish to move the amendment as a whole.

The Hon. A. F. GRIFFITH: The amendment seeks to take out what is contained in the Bill and to insert a completely different set of figures. This Committee has made three or four decisions on the proposal to increase the figure from £3,500 to £4,300. The Bill seeks to increase the amount of £75 for each child of the deceased to £100. In place of this, the amendment before us seeks to provide weekly payments of £2 3s. for each child under 16 years of age.

Where there is one such child the compensation would be increased to £2 3s. weekly, or £182 annually, till that child reaches the age of 16 years. If there are 10 children the compensation would be increased to £1,820 annually. In the case of an ex-nuptial child this coverage would also apply. The amendment appears to refer to clause 1 (a) (i) of the first schedule, and does not fit into the Bill.

In respect of the maximum payment on death, the amendment seeks to raise the amount from £800 to £1,500. The amendment, which appears to refer to line 20 in clause 1 (a) (i) of the first schedule, does not fit in with the Bill. The fifth part of the amendment seeks to delete the £75, in lines 20 and 21 of the same clause of the first schedule, which is not referred to in the Bill. The sixth part of the amendment seeks to delete a semi-colon, and this again refers to the schedule and not to the Bill.

The other amendments which appear on the notice paper seek to increase the amount from £3,500 to £4,300, and to amend the provision in the Bill regarding medical and hospital expenses by providing that the board may, at its discretion, award these expenses without limit. It can be said that the provisions in the Bill are not ungenerous. I cannot agree to these amendments of the honourable Mr. Ron Thompson.

Amendment put and negatived.

Clause put and passed.

Clause 9 put and passed.

Clause 10: Third schedule amended—

The Hon. E. M. HEENAN: I do not intend moving the first amendment standing in my name on the notice paper as an assurance has been given that "dermatitis" covers all phases of skin diseases. Therefore I move the second amendment—

> Page 11—Insert after paragraph (c) in lines 11 to 19 the following new paragraph:—
>
> (d) by adding the following to the schedule—

First Column	Second Column
Occupational Deafness	Employment in an occupation where the worker is or was exposed to excessive noise.
Effects of x-rays, radioactive substances or other ionising radiation	Employment in an occupation or situation where the worker is or was exposed to radiation from x-rays, radioactive substances or other ionising particles.
Poisoning by other chemical substances	Employment in an occupation or situation exposing the worker to the effect of known toxic chemicals, whether by ingestion, inhalation or absorption.

The provision concerning occupational deafness is important. If a man is blown up and suffers a loss of hearing, he is covered by compensation, but the gradual onset of occupational deafness is not covered; and this should be remedied. Men who suffer occupational deafness are precluded in many ways from the enjoyment of life and their efficiency as workmen is lessened. Such men are covered in other States and we believe that they should be covered here the same as are those who develop silicosis.

Similar arguments apply to the effect of X-rays, radioactive substances or other ionising radiation, and poisoning by other chemical substances.

The Hon. A. F. GRIFFITH: Dealing with occupational deafness, this is technically an extremely difficult subject on which there as yet appears to be no certainty of expert opinion. Surveys are being made and research is proceeding. It appears to be agreed that trauma including industrial noise, can affect hearing under certain circumstances. It is also true that hearing deteriorates with age and degeneration in the same way as sight. It is difficult, and often impossible, to decide which is to blame.

Additionally, although loss of hearing undoubtedly causes some social discomfort or difficulty, there is as yet little evidence of it causing disablement in any industrial sense, and, consequently, any incapacity within the meaning of the Act. In this regard the results of research now being undertaken will be watched closely and if it appears desirable that changes should be made when the results are further advanced, the matter can be looked at.

In respect of the effects of X-rays, I am advised that the present provisions already cover any worker suffering such injury, upon proof being submitted. Specific inclusion might well give greater assurance, but it appears unnecessary to include this as I am advised that cover already exists.

Regarding poisoning by other chemical substances, assurance can be given that wherever it can be shown that a worker has been poisoned by chemical substances in the course of his work, he is already covered by the general provisions of the Act. It would certainly be considered an injury caused by accident arising out of his employment. That is the information I have in relation to the three matters. So far as deafness is concerned, I repeat that having gone that far in connection with the other two matters, I think the explanation is fairly clear.

The Hon. R. H. C. STUBBS: I agree with the honourable Mr. Heenan that industrial deafness should be recognised. There has been ample research all over the world. It is recognised in America and in other places. It is provided for in the New South Wales compensation Act and also in the Queensland legislation. I have here the latest information. I received a letter from the office of the Minister for Labour and Industry in Brisbane. Part of the letter reads as follows:—

> Deafness through industrial noise is compensable under the Queensland Workers' Compensation Acts. Industrial deafness was deemed to come

within the definition of "injury" as contained in the Acts. However, as some doubt existed, the matter was clarified by the amending Act of 1962.

I received another letter from the Minister for Labour and Industry in New South Wales. Part of his letter reads as follows:—

> Section 7 (4B) of this Act provides that "boilermakers' deafness" and any deafness of like origin is deemed to be a disease.

Men using jackhammers, or working on diesels, or in enginerooms, and on machines in mines are subject to industrial noise. If the noise goes beyond a certain number of cycles per minute, the men receive permanent injury to their ears. Hearing aids will not assist them. At a level of 4,000 cycles a minute, workers will lose their hearing. There is ample evidence to show that occupational deafness is recognised in many parts of the world.

Miners who enter the industry have to be X-rayed. I would suggest that men should also be X-rayed for hearing purposes before they enter an industry. They could have an audiometer test from time to time which would show to what extent their hearing had deteriorated. I know that hearing gets worse with old age, but in my opinion it is high time we did something about compensating workers for loss of hearing as a result of employment in industry.

I have here a book called *Health in Industry*. It deals with several diseases, including exposure to X-rays, ionising particles, radium, or other radioactive substances or other forms of radiant energy. I would like to know whether leukemia and malignant diseases of the skin are recognised under our Workers' Compensation Act.

The Hon. A. F. Griffith: I could not answer the question, but I would doubt it.

The Hon. R. H. C. STUBBS: If there is any doubt, then I think they should be included in the legislation; because exposure to X-ray causes leukaemia, anaemia and malignant diseases of the skin. Men who have used X-ray equipment in the past contracted these diseases. X-rays are now used to a greater extent in industry, for the detection of defects, cracks and blow-holes in castings; for defects in alloys from faulty mixtures; for erosion in cables and gas cylinders; for defects in reinforced concrete; and in welding. X-rays are also used to sort fresh eggs from stale, to reveal mineral adulterants in vegetable foods, and to detect weevils in grain. I think it is time we recognised these diseases.

The Hon. D. P. DELLAR: The Committee should have a look at this matter. Many men in industry have their hearing affected. For years I have studied men employed in the mines, and without any doubt the hearing of a number of them has deteriorated. Some days a man might hear one quite well, but on others it is difficult to make oneself heard. Some of the machines used in the mines are very noisy, particularly when used several thousand feet underground. Some of these machines are operating continuously for three or four hours at a time, and the roaring noise which they make is very loud. If anyone has heard the noise made by a Holman scraper, he will know what I mean. It is like half a dozen diesels roaring around one's ears all day long. That scraper unit is worked by a man for the full shift, and he gets no relief at all from the continuous noise.

Also, there are a number of other units in the mining industry which must affect the hearing of the workers who operate them, and they include units on the surface as well as underground. One worker in Kalgoorlie who was a good violinist has reached the stage where he has advertised his violin for sale because his hearing has deteriorated to such an extent that he cannot hear what he is playing. I think the amendment is well worth considering and I ask the Government to give it consideration.

The Hon. J. G. HISLOP: Three interesting matters have been brought forward for addition to the schedule, and I think it would be well worth while the Minister, during the next recess, appointing a small committee to go into them. First of all we have to establish the basis of what is occupational deafness and what is boilermakers' deafness. I should think there would have to be a survey of the number of people who are deaf, and there must also be a standard laid down as to the state and type of deafness that noise brings on in various industries. There would be a considerable amount of work for this committee to do. I would not like to see leukaemia and lymphoma and the like added to the list because it has never really been proved that they are caused by radiology.

We regard them as a form of malignancy of the bloodstream but we have no proof at the present time that radiology produces any malignancy in the normal course of people having X-ray examinations from time to time. Very often we will find that leukaemia occurs in an individual who has not had an X-ray examination, and I refer particularly to young children. So this, too, is a matter of grave doubt.

As regards the third point concerning chemicals such as are used in insecticide sprays and so on, these, too, are a cause of considerable controversy at the present time. Some of these are dangerous, some not so dangerous, and some are not dangerous at all. It would depend entirely on the individual who used them, the length of exposure, and the type of condition produced. At the present time all

the industrial literature is aimed at finding out exactly what the conditions are that are caused by these various insecticides and so on. I would consider this was a matter which could be considered by the committee to which I have referred, but it has certainly not reached the stage where we could accept it and merely insert it in the legislation.

The Hon. F. R. H. LAVERY: So far I have not spoken to this measure but I certainly intend to speak to this amendment. The proposal regarding occupational deafness is a story that we have heard over and over again in this Parliament. Time after time I have heard the honourable Dr. Hislop get up and say certain things that have almost convinced us that he would vote with us, so much does he support the item in front of him at that time; but not once has he sat down without saying that he believes the matter should be looked at before next session. I think the time has come to look at this matter now.

Of course, welding has removed a good many of the problems associated with deafness in the boilermaking industry, but there are still many containers and tubes, particularly connected with the oil industry, where riveting has to be done, and this has an effect on workers. I can show honourable members workers who have spent too long in the boilermaking industry—something like 15 years—and their hearing has been badly affected. One man is not even able to hear the speech on a TV session, even though he sits in a room 12 feet x 10 feet.

Last July I had an audiogram conducted by the leading ear, nose and throat specialist in the city. Without my telling him where I had worked he said, "You have worked in the mines." I said, "Yes, a long time ago." And he replied, "Yes that is when the damage was done to your ears." I could hardly believe that the work I was on between 1914 and 1919 could have had such an effect. He advised me that I had a 25 per cent. disability with my ears and they could never be repaired. There are certain sections of the Midland Workshops where it is not possible to hear anyone speak; and they are only tiny workshops compared with other industries in the world. To say that no research has been done up until now is completely wrong. It is not possible, because industry in America and Canada has been doing research on these questions for 40 years.

The Hon. A. F. Griffith: Who said no research has been done?

The Hon. F. R. H. LAVERY: I am not saying who said that, but the Minister did not. The honourable Mr. Stubbs said that already two States in Australia have a provision which makes this disability compensable. That is quite correct. I do not intend to speak about X-rays because I do not know much about them, but I do know something about poisonous and chemical substances. Already some people who have been working on ant spraying around the city are off work on compensation because of damage to their skin through dermatitis.

One man in Fremantle cannot pay his rent and is to be evicted from his home tomorrow. Do not let us say these things never happen. If we must wait till next year then let the Government tackle the job next year. We have at last got some action in connection with pneumoconiosis and we have had to wait long enough for that.

The Hon. J. G. HISLOP: I will agree to anything in the Bill on a scientific basis, but to allow deafness to be accepted widely as being industrially caused I will not accept. We must have some means by which we can distinguish industrial deafness from senile deafness, and we must be certain that deafness is industrially caused before it can be compensated. This matter can only be decided by a specialist after an audiogram has been taken. I am not prepared to accept anything which is not put up scientifically particularly if there is any doubt attaching to it.

The Hon. R. H. C. STUBBS: The honourable Dr. Hislop talked about leukaemia and the doubts about it being industrially caused. I have a book here entitled *Health In Industry* written by Donald Hunter, C.B.E., M.D., F.R.C.P., senior physician to a London hospital. He served for many years on the Pharmacopoeia Commission and on the Poison Board and in 1944 he became founder editor of the *British Journal of Industrial Medicine*.

He refers to The National Insurance (Industrial Injuries) Act, 1946, of England and says that in Great Britain a worker who develops one of 40 industrial diseases as well as pneumoconiosis and byssinosis prescribed by regulations is entitled to industrial injuries benefit.

He goes on to describe these 40 injuries in the first schedule and he mentions leukaemia, anaemia, and that sort of thing and refers to exposure to X-rays, ionising particles, radium, or other radioactive substance, or other forms of radiant energy as being the nature of the occupation. This man should be qualified to express an opinion.

The Hon. R. F. HUTCHISON: Would not the honourable Dr. Hislop know and recognise that almost all boilermakers are deaf? All those I know have been deaf as a result of working long hours surrounded by the noise of hammers, riveting, and so on. If that is not an industrially caused disease I would like to know what is.

The Hon. E. M. HEENAN: I would like to reiterate a couple of salient points made by the honourable Mr. Stubbs who said that industrial deafness was accepted in Queensland and in New South Wales as an injury under their Acts. Apparently the other two items proposed to be added are accepted in England.

I agree with the Minister that with their inclusion it might be possible to get compensation for poisoning and for the effects of X-rays, if it could be proved that the injured worker under our existing law could get compensation. In the case of industrial deafness the onus is on the worker to prove his case. He is not handed compensation because he is deaf. He may have to make out a case as to how he became deaf and point out that there was no hereditary deafness in his family but that it was caused due to his occupation.

He would call expert medical opinion in support of his testimony to convince the tribunal, and if he could convince them he should be compensated. I hope the Committee will be generous in this matter remembering that this can be done in New South Wales and Queensland. I know of only two men in Kalgoorlie who have been injured in this way.

The Hon. D. P. Dellar: There are quite a number.

The Hon. E. M. HEENAN: However, the proposition has been fully discussed. I hope the Committee will not only be generous, but also fair-minded by agreeing to this amendment.

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

Ayes—10

Hon. D. P. Dellar	Hon. R. H. C. Stubbs
Hon. J. Dolan	Hon. J. D. Teahan
Hon. E. M. Heenan	Hon. R. Thompson
Hon. R. F. Hutchison	Hon. F. J. S. Wise
Hon. F. R. H. Lavery	Hon. H. C. Strickland *(Teller)*

Noes—12

Hon. A. F. Griffith	Hon. J. Murray
Hon. J. Heitman	Hon. S. T. J. Thompson
Hon. J. G. Hislop	Hon. J. M. Thomson
Hon. L. A. Logan	Hon. H. K. Watson
Hon. G. C. MacKinnon	Hon. F. D. Willmott
Hon. R. C. Mattiske	Hon. H. R. Robinson *(Teller)*

Pairs

Ayes	Noes
Hon. W. F. Willesee	Hon. A. R. Jones
Hon. J. J. Garrigan	Hon. C. R. Abbey
Hon. G. Bennetts	Hon. A. L. Loton

Majority against—2.

Amendment thus negatived.

Clause put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

ADJOURNMENT OF THE HOUSE: SPECIAL

THE HON. A. F. GRIFFITH (Suburban —Minister for Mines) [1.48 a.m.]: I move—

That the House at its rising adjourn until 2.30 p.m. today (Wednesday).

Question put and passed.

House adjourned at 1.49 a.m. (Wednesday)

Legislative Assembly

Tuesday, the 17th November, 1964

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