Legislative Assembly

Wednesday, the 7th October, 1964

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

EXHIBITS

Display in Speaker's Lobby

THE SPEAKER (Mr. Hearman): Yesterday a request was made to table some exhibits; namely, two starting pistols. In future, any honourable member who has an exhibit which he wishes to display for the benefit of other honourable members should make arrangements with me to have the exhibits displayed in the Speaker's lobby. Yesterday, one of the two starting pistols concerned appeared to be loaded; and therefore, to ensure that there is some understanding on such matters, the co-operation of honourable members would be appreciated.

QUESTIONS ON NOTICE

WHIM CREEK COPPER MINING

Leases and Employees

1. Mr. BICKERTON asked the Minister representing the Minister for Mines:

(1) What are the numbers of the mining leases for copper held at Whim Creek and who are the leaseholders?

(2) Have the manning conditions been complied with on all copper leases at Whim Creek? If not, what leases come under the heading of non-compliance?

(3) Of the group of Japanese officials who were stationed at Whim Creek at the time of cessation of mining operations, how many are still in Australia and what are their names?

(4) What was the number of persons employed at Whim Creek copper mine immediately prior to the cessation of operations?

(5) What is the number of employees, if any, now?

Sale of Equipment, Stores, etc.

(6) Has he any knowledge of the sale of any equipment, stores, or goods from the mine since cessation of operations and, if so, what are the details? If he has no knowledge of any sale of the above, will he make inquiries and supply the information?

Quantity of Payable Copper Available

(7) From the information that is available to him through the Mines Department, is he of the opinion that copper in payable quantity does exist at Whim Creek, allowing for normal mining costs and local conditions?

(8) If he is unable to give an authoritative answer to (7), does this mean that the Mines Department lacks the necessary technical knowledge to make an assessment?

Government's Financial Commitment

(9) To what extent, if any, is the State Government committed financially at Whim Creek?

(10) If the Government is committed financially, what are the details and what security does it have to cover commitments?

Cessation and Recommencement of Mining

(11) Has he been given any assurance by the Japanese or their agents that operations will recommence and, if so, when, by whom and under what conditions?

(12) Is he aware that the sudden cessation of operations at Whim Creek copper mine caused a lot of inconvenience and loss of employment to local people and employees and will he take steps to ensure that in the case of the mine recommencing operations a reasonable measure of success is imminent?

(13) Who are the legal owners of the buildings on the mining leases at Whim Creek?

(14) Are there any other buildings at Whim Creek not built on leases which come under the Mining Act and, if so, under what conditions are they held, and by whom?

(15) Was he given any notice of the cessation of operations at Whim Creek and, if so, how much and by whom and, if not, why not?

(16) Does he consider that last year's Mining Act amendment dealing with the employment of Asiatics which caused considerable debate had anything to do with the cessation of operations at the mine?

(17) Have the Japanese or their agents intimated—

(a) a sale of all plant, equipment, buildings and leases;

(b) a desire to recommence operations under certain conditions and, if so, what are the conditions involved?

Japanese Control of Mining Labour

(18) Does he know of any case where the Japanese have used the Whim Creek project as an example of racial restrictions in their dealings connected with other mining projects resulting in them demanding complete control of labour on any project they finance?

Results of Drilling

(19) Does the Mines Department have the results of all drilling operations carried out at Whim Creek? If so, will he table the information?

(20) If the drilling results are considered confidential company information at this stage, what steps have been taken to ensure that the drilling information is handed to the department in the case of the present leaseholders not continuing mining operations?

Investigation into Mining Activities

(21) Does he not consider that a thorough investigation into commencement, running and closure of Whim Creek copper mine is warranted in the interests of Western Australian mining?

(22) Will he, subject to breaking confidence, disclose any information which is available to him that might help to dispel the lack of confidence which is felt by the people of the area in this type of "mushroom" mining venture?

(23) Have any approaches been made on a Government to Government level between Japan and Western Australia concerning operations at Whim Creek and, if so, what are the details?

(24) Have any approaches been made by the Commonwealth Government to the State Government concerning operations at Whim Creek and, if so, what are the details?

(25) Does he consider that the Whim Creek debacle will in any way affect the sale of iron ore to Japan and, if so, how?

Mr. BOVELL replied:

(1) to (25) Much of the information sought in these questions can only be supplied by the company which holds the mining titles referred to, the company being Depuch Shipping and Mining Coy. Pty. Ltd., a company registered under the Companies Act. The questions are being referred to the company with a request for information on the matters which appear to be domestic to the company.

A number of the questions can be answered from departmental records and information and on receipt of an answer to our request to the company for information, an endeavour will be made to answer the questions.

Meanwhile, the honourable member is asked to postpone the question pending receipt of information from the company.

HOUSING AT WITTENOOM

Single Men's Quarters at "The Compound"

2. Mr. BICKERTON asked the Minister representing the Minister for Housing:

(1) How many single men's quarters are in the area known as "the compound" at Wittenoom?

(2) When were they erected?

(3) What was the cost per building at time of erection?

(4) How much has been collected in rent for these buildings since erection?

(5) Does he consider them to be buildings which could be classed as good living quarters?

(6) Has consideration been given to replacing them with more suitable dwellings and, if so, what are the details and, if not, will he now consider the matter and have inspections made with a view to replacement?

Mr. ROSS HUTCHINSON replied:

(1) to (6) The single men's quarters in the area known as "the compound" at Wittenoom are the property of the Australian Blue Asbestos Pty Ltd. The information requested is not known to the commission.

WATER SUPPLY FOR KUKERIN TOWNSITE

Survey and Estimates

3. Mr. HART asked the Minister for Water Supplies:

(1) Has the department a survey of Kukerin townsite sufficient to plan and estimate costs of a town water supply and reticulation?

(2) Has the cost been estimated; if so, what is the estimate?

Mr. WILD replied:

(1) and (2) A preliminary field survey has been undertaken for a reticulated supply to Kukerin and the proposal is now under investigation.

WATER SUPPLY AT MOULYINNING

Departmental Plans for Earth Dam

4. Mr. HART asked the Minister for Water Supplies:
   (1) Has the department plans for an earth dam for the town of Moulyinning?
   (2) If so, has the site been surveyed and tested?
   (3) What date was that work done?
   (4) Will the work be carried out this financial year?

   Mr. WILD replied:
   (1) Yes.
   (2) Yes.
   (3) 1955.
   (4) No.

PRIMARY SCHOOL AT ASHFIELD

Classrooms: Tenders, Number, and Completion Date

5. Mr. TOMS asked the Minister for Works:
   (1) Have tenders been called for new classrooms to the Ashfield primary school?
   (2) How many classrooms are to be built and when will they be completed?

   Mr. WILD replied:
   (1) Yes.
   (2) Two new classrooms and staff room are to be built, the estimated completion date being the 1st February, 1965.

PRIMARY SCHOOL AT NORTH MORLEY

Site, Classrooms, and Completion Date

6. Mr. TOMS asked the Minister for Works:
   (1) On what site is it proposed to erect the new primary school at North Morley?
   (2) How many classrooms are to be built and what grades will the new school accommodate?
   (3) When is it anticipated that the school will be completed and in operation?

   Mr. WILD replied:
   (1) to (3) Difficulties are being experienced in obtaining a suitable site at North Morley for the erection of a new primary school. The construction of a new school is planned for completion by the opening of the school year in 1966. The size of the school will depend upon the instructions received from the Education Department. To accommodate the children resident in the North Morley area, four demountable classrooms will be erected on the Morley school site by February, 1965. These classrooms will be used at the discretion of the headmaster.

JOHN FORREST HIGH SCHOOL

Raising to Senior Status

7. Mr. TOMS asked the Minister for Education:
   (1) Has consideration been given to raising the John Forrest High School to a senior high school?
   (2) If the answer to the above is in the affirmative, when is it anticipated the change will occur?
   (3) Should the answer to (1) be negative, what are the reasons?

   Mr. LEWIS replied:
   (1) Yes.
   (2) It will not be raised in 1965, but there is a possibility it will have a fourth year in 1966.
   (3) Answered by (1).

DRAINAGE, WATER, AND SEWERAGE

Proposals for Bayswater Electorate

8. Mr. TOMS asked the Minister for Water Supplies:
   (1) What drainage works are proposed for the following areas during the year 1964-65:—
      (a) Morley;
      (b) Embleton;
      (c) Dianella;
      (d) Yokine;
      (e) Ashfield?
   (2) Are any water or sewerage extensions planned for the above areas during the same period; if so, what and where?

   Mr. WILD replied:
   (1) (a) A drain along Russell Street, Smith Street, thence between Halvorsen and Vera Streets, a pumping station and rising main back to the above from a compensating basin located west of Napier Street and south of Lincoln Street, and an extension from this basin across Napier Street, parallel and east of Napier Street up to a second compensating basin to the south-west of the intersection of Napier and Wolseley Streets.
      (b) None.
      (c) An extension from an existing drain up Lawrence Street, across Walter Road, along Bedale Street, Croft Avenue, to a proposed compensating basin in Croft Avenue.

(d) Pumping stations and compensating basins at the corner of Wellington and Flinders Streets and Wordsworth Avenue, at the end of Chaucer Street with pumping mains back to Native Dog Swamp.

An extension from the Wordsworth Avenue basin across Virgil and Shakespeare Streets into Dryden Street, across and along Woodrow Avenue, turning northwards but to the west of the Maurice Zeffert home to a basin to the north of Homer Street.

Some of this work will have to be completed in the 1965-66 year due to lack of sufficient funds to complete all culverts in the lower sections. A small compensating basin and pumping station will be constructed off Homer Street near the Mt. Lawley golf links.

(e) None.

(2) (i) Water Main Extensions—

Large Mains

Morley

Gordon Road: Napier Road to Emberson Street. 36 in. water main, length 4,700 feet.

Emberson Street: Gordon Road to Hamersley Avenue 2,950 feet of 12 in. main.

Hamersley Avenue: Emberson Street to Bath Road. 430 feet of 8 in. main.

Embleton

Irwin Street: Broadway to Walter Road. 1,450 feet of 8 in. main.

Dianella

Surrey Street: Grand Promenade to Lennard Street; and

Barr Street: Lennard Street to Coode Street 3,675 feet of 8 in. main.

Yokine

24 in. distribution main in Balga Street along Ditchling Street, Curlington Crescent and Loxwood Road.

Total length—7,646 feet.

Ashfield

Nil.

Minor Mains

Such reticulation as is warranted by development.

(ii) No sewer extensions.

TRAFFIC ACCIDENTS

Deaths and Injuries at Pedestrian Crossings

9. Mr. TOMS asked the Minister for Police:

What were the respective totals of deaths and injuries on pedestrian crossings during the years 1961, 1962, 1963, and 1964?

Mr. CRAIG replied:

This information is more readily obtainable for the 12 months July to June than a calendar year. The details for the four-year period 1960-61 to 1963-64 are as follows:—

	Deaths	Injuries
1960-61	4	82
1961-62	4	79
1962-63	3	91
1963-64	4	109

VERMIN EVIDENCE

Destruction

10. Mr. D. G. MAY asked the Minister for Agriculture:

(1) Is he aware that shire councils have no authority for vermin evidence to be destroyed locally and certified accordingly?

(2) If so, does he consider this to be a reflection on local government officials?

(3) In order to rectify this unsatisfactory position, will be introduce legislation this sitting of Parliament to amend the Vermin Act?

Mr. NALDER replied:

(1) Yes.

(2) No.

(3) No. The present method is recognised both overseas and here as the only satisfactory procedure.

ALMA STREET SCHOOL, FREMANTLE

Expenditure on Basketball Area

11. Mr. FLETCHER asked the Minister for Works:

In view of the fact that faults after the completion of the contract for laying down the Fremantle basketball area were noted by the architects and the Public Works Department, what reason can he and/or the Government advance for the expenditure of public money on inferior workmanship by private enterprise at the site mentioned and possibly other localities in the future?

Mr. WILD replied:

The faults in the basketball area at the Alma Street School were not the result of inferior workmanship but occurred because of

site difficulties. The area in question will be regraded and resurfaced by the contractors before the final acceptance is made.

All contracts are closely supervised and inferior workmanship is not accepted.

TECHNICAL EDUCATION INSTRUCTORS

Appointment of Qualified Tradesmen

12. Mr. I. W. MANNING asked the Minister for Education:

(1) What opportunities are there for qualified tradesmen to be appointed to the staff of the Education Department as instructors or teachers in manual training or technical education?

(2) Are approved applicants required to undergo training in teaching methods?

Mr. LEWIS replied:

(1) For secondary schools qualified tradesmen must meet the entrance requirements into teacher training and then undertake the teacher training course.

For technical schools qualified tradesmen are appointed as required. Vacancies are advertised.

(2) Yes, for secondary schools as above and for technical schools through the technical teacher training course.

COLLIE RIVER

Siltation

13. Mr. I. W. MANNING asked the Minister for Works:

(1) Has a recent survey to determine the extent of siltation of the lower reaches of the Collie River been carried out by the Public Works Department?

(2) Is it proposed to undertake work to desilt or improve this stretch of the river during the current financial year?

Mr. WILD replied:

(1) Yes.

(2) No.

TRAFFIC CONGESTION AT FREMANTLE

Alleviation at High Road-Carrington Street Intersection

14. Mr. FLETCHER asked the Minister for Works:

(1) Is he aware—

(a) that traffic congestion is caused by the non-alignment of High Street with High Road at the intersection with Carrington Street, Fremantle;

(b) that the situation is progressively deteriorating with the increase in vehicle registration;

(c) that this congestion could be resolved with very limited property resumption by linking High Road to a point at the intersection of Robinson and High Streets;

(d) that with street straightening as suggested in (a) and with light controlled access at intersection of Carrington Street, orderly traffic dispersal could be achieved?

(2) Has the Town Planning or the Main Roads Department any plans similar to or in relation to the scheme as outlined?

(3) If not, will he have both departments give immediate consideration to the suggestions above with a view to removing a traffic hazard and bottleneck?

Mr. WILD replied:

(1) It is known that there is some minor congestion at this location at peak periods. However, remedial action will have to be deferred until the demands of higher priority works have been met.

(2) Not at this date, although some preliminary thought has been given to it.

(3) The traffic situation at this intersection is continually under observation.

WHEAT SHIPMENTS

Port Charge at Esperance

15. Mr. MOIR asked the Minister for Agriculture:

(1) What addition would be necessary to the weighted average port charges for wheat if the wheat shipped through the port of Esperance was included in the average of Geraldton, Fremantle, Albany, and Bunbury port charges?

Shipments through Various Ports

(2) How many bushels of wheat were shipped through each of these ports during the preceding two years?

Mr. NALDER replied:

(1) Approximately .055d. per bushel. Australian wheatgrowers have approximately 2.75d. per bushel deducted from their returns for port charges which is the overall Australian average. Because of the special circumstances at Esperance, the growers exporting there are required to bear port charges

additional to this amount. As total charges were 10.746d. per bushel in 1962-63 the extra charge to Esperance growers would have been 7.996d. However, the Australian Wheat Board agreed to growers paying charges in excess of the average port charges at Fremantle, Bunbury, Geraldton and Albany; namely, 2.85d. per bushel.

If this credit had been determined on the basis of all Western Australian ports, including Esperance, the figure would have been 2.905d., an additional net increase to growers exporting from Esperance of .055d., or a reduction for net port charges, from 7.896d. to 7.841d.

(2) Wheat shipments in 1961-62 and 1962-63 from Western Australian ports (1963-64 season shipping not completed):

	Wheat Shipped.	
Ports.	1961-62. Bushels.	1962-63. Bushels.
Fremantle	29,384,394	31,812,009
Bunbury	4,579,938	5,056,792
Geraldton	12,004,239	12,435,212
Albany	6,544,326	8,827,015
Esperance	334,018	395,954
Total	52,846,915	58,526,982

EDEN HILL HIGH SCHOOL

Site and Completion Date

16. Mr. TOMS asked the Minister for Education:

(1) Where is the proposed site for the new Eden Hill High School?

(2) Have tenders been called for the construction of the above and, if so, when is it anticipated that students will commence their secondary school training there?

Mr. LEWIS replied:

(1) Negotiations are in hand to acquire approximately 23 acres in the area bounded by Fitzgerald, Robinson, Walker, and Beechboro Roads.

(2) Tenders have not been called, but it is anticipated that students will commence their secondary training in February, 1966.

CARAVANS FROM SOUTH AUSTRALIA

Resale in Perth

17. Mr. TOMS asked the Minister for Police:

Would a caravan licensed in South Australia, traded in with a dealer in the metropolitan area (Perth) and offered for resale, be

(a) subject to relicensing, if there is an unexpired portion of existing license;

(b) treated as a new caravan;

(c) required to conform with regulations covering (b);

(d) State Electricity Commission regulations?

Mr. CRAIG replied:

(a) Yes.

(b) Yes. Licensed in the same manner as for a new vehicle but tabulated as a used vehicle.

(c) Yes. Required to conform with regulations regarding lights, tow-bar, and other fittings.

(d) A caravan may not be connected to any S.E.C. power outlet unless the owner produces a certificate from the State Electricity Commission. This certificate is not a prerequisite to the licensing of the vehicle.

RURAL LAND

Revaluations

18. Mr. CORNELL asked the Treasurer:

(1) Has the Taxation Department recently completed a revaluation of the rural lands contained in the Wyalkatchem Shire Council?

(2) If so, what was the total unimproved capital value of that shire's rural lands—

(a) prior to the revaluation;

(b) after the revaluation?

(3) Is it a fact that some individual valuations were increased fivefold and greater?

(4) Have revaluations of rural land occurred in other shires since the 1st July, 1963?

(5) If so, in which shires have revaluations of rural lands taken place?

(6) In what country shires (if any) is the rural land content currently being revalued?

(7) In what country shires is a revaluation of rural land scheduled to take place during the next 12 months?

Mr. BRAND replied:

(1) Yes.

(2) (a) £434,725.

(b) £1,641,216.

(3) Yes.

(4) Yes.

(5) Capel, Cranbrook, Dardanup, Dundas, Moora.

(6) Coorow, Westonia, Swan-Guildford.

(7) Wongan Hills, Goomalling, Carnamah, Gnowangerup, Denmark.

19. *This question was postponed.*

FERTILISER WORKS

Locations and Proprietors

20. Mr. CORNELL asked the Minister for Agriculture:

(1) Where, outside the metropolitan area, are the fertiliser manufacturing works situated?

(2) Who, in each case, are the proprietors?

Areas Served

(3) In broad outline, what areas, respectively, are served by—

(a) each of the works outside the metropolitan area;

(b) those situated in the metropolitan area?

Mr. NALDER replied:

(1) Fertiliser manufacturing works are located at Picton Junction, Albany, Geraldton, and Esperance.

(2) The Picton and Geraldton works are owned by C.S.B.P. and Farmers Ltd. Seventy-five per cent. of the shares in the Albany Superphosphate Company Pty. Ltd. are owned by C.S.B.P. and Farmers Ltd., and 25 per cent. by Cresco Fertilisers (W.A.) Pty. Ltd. Esperance Fertilisers Pty. Ltd. is a wholly-owned subsidiary of the Albany company.

(3) The Geraldton works supply the area north of Coorow and Buntine. The metropolitan works supply an area bounded by Coorow and Buntine in the north; and Coolup, Culbin, East Arthur, Wagin, and points east of Wagin in the south.

The Picton works supply an area south-west of a line through Waroona, Dardadine, East Arthur, and Nookanellup. The Albany works supply superphosphate as far north as Lime Lake on the Great Southern line, and to areas east of the Great Southern line, except those supplied by the metropolitan and Esperance works.

The Esperance works by agreement with the Government supply an area within a radius of 125 miles of Esperance.

21 and 22. *These questions were postponed.*

NELSON LOCATIONS

Conditions of Lease

23. Mr. ROWBERRY asked the Minister for Lands:

(1) Under what conditions were Nelson Locations Nos. 10190 and 10191 issued as regards reservation of marketable timber to the Crown?

(2) When were the above leases issued?

(3) Were the provisions of regulation 14 of the principal regulations under the Land Act written into both of the above leases?

(4) If the contrary was the case would regulation 14 still apply?

Mr. BOVELL replied:

(1) Nelson Locations 10190 and 10191 were allotted subject to all marketable timber being reserved to the Crown in accordance with regulation 18 under the Land Act as published in the *Gazette* of the 2nd March, 1934.

(2) No leases were issued but occupation certificates in the form of the fourteenth schedule to the Land Act for a term commencing on the 1st July, 1938, were issued for both locations on the 4th May, 1939.

(3) The marketable timber reservations were endorsed on the occupation certificates for both locations.

(4) Regulation 14 under the Land Act, as published in the *Gazettes* of the 17th June, 1955, and the 15th July 1960, applies to Location 10190 until the 20th February, 1967, and to Location 10191 until the 17th February, 1969 (i.e., 20 years after the issue of the Crown grants).

W. O. JOHNSTON & SONS

Indebtedness to Government

24. Mr. OLDFIELD asked the Premier:

(1) To what Government departments and State instrumentalities is the firm of W. O. Johnston & Sons and/or its subsidiaries indebted?

(2) In each instance what is the sum involved and how was the indebtedness incurred?

Mr. BRAND replied:

As the subsidiaries of W. O. Johnston & Sons Pty. Ltd. are not known, answers have been confined to the firm of W. O. Johnston and Sons Pty Ltd.

(1) and (2)—

Midland Junction Abattoir Board: £10,100 for slaughtering and freezing charges.

West Australian Government Railways: £3,155 for freight.

Metropolitan Water Supply, Sewerage and Drainage Board: £567 for water, sewerage and drainage current rates.

State Electricity Commission: £1,650 for electricity and gas supplied.

ACCOMMODATION IN SCHOOLS

Space per Child, and Cost

25. Mr. NORTON asked the Minister for Education:

(1) What is the average area per place for a child in—
(a) State primary schools;
(b) State secondary schools?

(2) What is the average cost per place in—
(a) New primary schools;
(b) Secondary schools?

Mr. LEWIS replied:

(1) Average area per place for a child in—
(a) Primary schools is 14.8 square feet;
(b) secondary schools is 17.6 square feet.

(2) Average cost per place in—
(a) New primary schools is £150;
(b) Secondary schools is £395.

DARRYL BEAMISH

Tabling of Investigation Papers

26. Mr. HAWKE asked the Premier:

Will he lay upon the Table of the House all papers dealing with investigations made this year by officers of the C.I.B. relating to Darryl Beamish?

Mr. BRAND replied:

It is not considered desirable to make public police files on investigations of this nature as this could tend to restrict sources of information.

Should the Leader of the Opposition so desire, the file will be made available for his personal perusal at the office of the Minister for Police.

GERALDTON HARBOUR DEEPENING

Tabling of Groenendyke Report

27. Mr. TONKIN asked the Minister for Works:

Having stated in the House on Thursday, the 19th September, 1963 that Mr. J. Groenendyke's report on the deepening of the Geraldton Harbour would be tabled "as early as possible" will he now table the report?

Mr. WILD replied:

This report was tabled by the Minister for Industrial Development on the 23rd October, 1963.

STATE BUILDING SUPPLIES' UNDERTAKINGS

Debt Charges on Loan Capital

28. Mr. TONKIN asked the Treasurer:

For the year ended the 30th June, 1964, what was the total amount of debt charges on the loan capital which had been involved in the State Buildings Supplies' undertakings not recovered in interest paid by Hawker Siddeley and which the State was therefore obliged to meet?

Mr. BRAND replied:

The amount was £68,177 1s. 8d.

IRON ORE SALES TO JAPAN

Reduction in Royalty Payable

29. Mr. TONKIN asked the Treasurer:

(1) Has the Government agreed with Western Mining Corporation to reduce the amount of royalty payable on iron ore to be mined by that company for sale to Japan?

(2) If "Yes", what is the price per ton agreed upon?

(3) Is it his intention this session to seek the approval of Parliament to the alteration in the existing agreement?

Mr. BRAND replied:

(1) to (3) A Bill to amend the Iron Ore (Tallering Peak) Agreement Act, 1961-62 will be presented to Parliament during this session. Royalty provisions will be included.

30. *This question was postponed.*

MURESK AGRICULTURAL COLLEGE

Enrolments and Mature-age Students

31. Mr. JAMIESON asked the Minister for Agriculture:

(1) What were the enrolment figures for Muresk Agricultural College in each of the last five years?

(2) How many of these students in each of these years were mature (over 21) students?

Mr. NALDER replied:

(1) 1960 52
1961 59
1962 75
1963 85
1964 89

(2) 1960 6 (including 5 from overseas)
1961 6 (including 6 from overseas)
1962 9 (including 6 from overseas)
1963 9 (including 7 from overseas)
1964 4 (including 4 from overseas)

HARBOURS

Financial Results at Albany, Bunbury, and Fremantle

32. Mr. HALL asked the Minister for Works:

(1) What were the financial results of operating the ports and harbours of Albany, Bunbury, and Fremantle after allowing for interest payments on capital, for the years 1961-62, 1962-63, and 1963-64?

(2) Which of the harbours and ports as mentioned showed a profit and what was the amount of profit made by the respective ports for the years as mentioned?

(3) Which of the ports and harbours as mentioned showed a loss and what was the loss shown by the respective ports and harbours for the years 1961-62, 1962-63, and 1963-64?

Mr. WILD replied:

(1)—

Albany:		
1961-62	Loss	£25,131.
1962-63	Loss	£28,561.
1963-64	Loss	£31,966.
Bunbury:		
1961-62	Loss	£4,657.
1962-63	Loss	£4,865.
1963-64	Loss	£9,050.
Fremantle:		
1961-62	Loss	£142,804.
1962-63	Loss	£81,642.
1963-64	Profit	£45,809.

(2) and (3) Answered by (1).

Cost of Maintenance and Dredging at Bunbury

33. Mr. HALL asked the Minister for Works:

What were the costs of maintenance and dredging Bunbury Harbour for the year 1963-64 to the 30th June?

Mr. WILD replied:

1963-64—

	£	£
Maintenance:		
Wharves, Jetty, Capstans, etc.	39,474	
Dredging	23,532	
		63,006
Dredging outside navigable waters for reclamation		54,000
Developmental dredging		27,000

DEPARTMENTAL RECORDS

Use of Microfilming System

34. Mr. HALL asked the Premier:

(1) How many departments have adopted the method and principle of microfilming records for filing purposes?

(2) What are the names of the respective departments at present using this form of filing system?

(3) What is the approximate cost as to installation of such equipment or machinery necessary for microfilming of records?

(4) Does he agree that it is essential for such methods to be adopted by all Government departments for simplicity of filing records and duplication of records to be kept in the case of fire devastation and nuclear attacks?

Mr. BRAND replied:

(1) Two.

(2) State Government Insurance Office; Lands Department (Photogrammetric Branch).

(3) Existing installations cost approximately—

	£
State Government Insurance Office	750
Lands Department	400

Equipment ranges in price from £300 to £10,000 depending on requirements.

(4) Not essential for all classes of records. Each case is considered on its merits. Installations in certain departments are being currently considered.

WAGES AND LONG SERVICE LEAVE PAYMENTS UNCLAIMED

Public Works Department

35. Mr. HALL asked the Minister for Works:

(1) What amounts of unclaimed wages are held by the Public Works Department in each of the various departments other than the Metropolitan Water Supply Department, for each financial year since 1958 and the grand total?

(2) What amounts of unclaimed long service leave payments are held by the Public Works Department in each of the various departments other than the Metropolitan Water Supply Department for each financial year since 1958 and the grand total?

Metropolitan Water Supply Department

(3) What amount of unclaimed wages is held by the Metropolitan Water Supply Department for each financial year since 1958 and the grand total?

(4) What amount of unclaimed long service leave payments is held by the Metropolitan Water Supply Department for each financial year since 1958 and the grand total?

Mr. WILD replied:

(1) Public Works Department Wages A/c.—Amounts held as at the 1st July, 1964:

A/c. Year—	£	s.	d.
1957-58	1,083	8	7
1958-59	1,511	13	6
1959-60	2,230	10	8
1960-61	2,611	0	2
1961-62	1,461	19	10
1962-63	1,737	14	7
1963-64	4,303	10	5
	£14,939	17	9

(2) This information is not readily available. Amounts due to employees for long service leave are calculated only when the employee concerned commences leave and at the applicable rate at that time.

(3) For year ended the 30th June—

	£	s.	d.
1958	139	2	7
1959	132	14	11
1960	50	17	1
1961	74	16	2
1962	72	1	7
1963 .. .	28	5	2
1964	174	11	10
	£672	9	4

(4) Amounts for accrued long service leave are not drawn until leave is being taken. At the 30th June, 1964, 17 wages employees had long service leave due and this number was reduced to nine at the 30th September, 1964.

HARBOURS AND PORTS

Interest and Sinking Fund Payments

36. Mr. HALL asked the Minister for Works:

(1) What ports and harbours, apart from Albany, Bunbury, and Fremantle, pay interest and sinking fund on capital within this State?

Controlling Authority

(2) What is the name of the appropriate body or department controlling other ports and harbours in this State respective to name of such ports and harbours?

Profit or Loss, and Capital Advances

(3) What were the losses of ports and harbours, other than Albany, Bunbury, and Fremantle, for the years 1961-62, 1962-63, and 1963-64?

(4) What ports and harbours, other than Albany, Bunbury, and Fremantle, showed a profit and what was the profit made by the respective ports and harbours for the years 1961-62, 1962-63, and 1963-64?

(5) What amount of capital was advanced for the development, extension, and maintenance of the ports and harbours, other than Albany, Bunbury, and Fremantle, and what was the amount advanced to each individual port and harbour for work as mentioned?

Mr. WILD replied:

(1) Ports and harbours, other than Albany, Bunbury, and Fremantle, are within the Consolidated Revenue Fund; interest and sinking fund are not charged in their accounts.

(2) Harbour and Light Department.

(3) and (4) Surplus and deficiency of these harbours is shown in the statements below.

(5) Capital expenditure on development and extensions and maintenance expenditure is shown in the statements below.

OPERATING RESULTS OF PORTS AND HARBOURS BEFORE CHARGING INTEREST AND SINKING FUND

1961-62 to 1963-64

Harbour	1961-62		1962-63		1963-64	
	Surplus	Deficiency	Surplus	Deficiency	Surplus	Deficiency
	£	£	£	£	£	£
Esperance	14,620	....	27,707	....	33,125	....
Busselton	....	8,581	....	15,255	....	19,336
Geraldton	94,856	....	79,365	....	69,413	....
Carnarvon	....	32,923	....	33,326	....	20,825
Onslow	....	29,399	....	24,455	....	39,652
Pt. Samson	....	29,769	....	40,438	....	37,812
Pt. Hedland	57,103	....	16,052	....	15,249	....
Broome	....	15,946	....	26,575	....	17,701
Derby	....	25,660	....	10,114	....	3,463
Wyndham	....	11,252	....	22,582	....	8,302
Totals	13,049	....	....	49,621	....	29,304

CAPITAL EXPENDITURE ON DEVELOPMENT AND EXTENSION OF PORTS AND HARBOURS (INCLUDING DEPARTMENTAL CHARGES)

1961-62 to 1963-64

Harbour	1961-62 £	1962-63 £	1963-64 £
Esperance	26,718	125,925	234,761
Busselton	8,239	3,200	4,764
Geraldton	73,833	313,124	255,344
Carnarvon	7,032	762	9
Onslow	10,924	314	961
Pt. Samson	5,883	6,289	361
Pt. Hedland	6,418	5,002	20,315
Broome	1,794	....	2
Derby	10,475	4,214	6,412
Wyndham	51,264	7,886	42,274
Totals	202,580	467,316	565,203

MAINTENANCE EXPENDITURE ON PORTS AND HARBOURS

1961-62 to 1963-64

Harbour	1961-62 £	1962-63 £	1963-64 £
Esperance	....	10,484	12,939
Busselton	10,718	17,320	20,991
Geraldton	4,264	6,425	7,644
Carnarvon	31,381	31,356	22,613
Onslow	16,375	12,030	28,339
Pt. Samson	40,872	52,884	43,905
Pt. Hedland	18,773	18,303	19,499
Broome	25,254	29,747	23,948
Derby	41,172	25,719	22,002
Wyndham	20,661	32,811	26,411
Totals	209,470	237,088	228,401

MILK VENDORS

Cartage of Rubbish in Delivery Vehicles: Prohibitive Regulation

37. Mr. DAVIES asked the Minister for Agriculture:

(1) Is there a regulation under the Milk Act or does the Act itself prohibit the carting of rubbish in milk vendors' delivery vehicles?

(2) If so, what is the number of the regulation or section of the Act and when was such regulation promulgated?

Mr. NALDER replied:

(1) and (2) Regulation 119 gazetted on the 22nd July, 1949.

PENSIONS ACT OF 1871

Number Receiving Pension, and Annual Cost

38. Mr. DAVIES asked the Treasurer:

(1) How many people are currently receiving pensions under the provisions of the 1871 Pensions Act?

(2) What is the annual cost of pensions paid?

Increase in Pension

(3) Has any consideration been given to increasing these pensions to restore their purchasing power to that equivalent to the pension when granted?

(4) If so, with what result?

Mr. BRAND replied:

(1) 128.

(2) £80,848 10s.

(3) Yes. The original assessed rates of pension have been increased on several occasions following increases in the cost of living, and under existing legislation this group of pensioners automatically receives similar increases to those granted to 1938 Act pensioners.

(4) Increase of 25 per cent. from 1/2/1948.

Increase of 20 per cent. on pensions up to £260 p.a. and £52 p.a. on pensions over £260 up to £702 p.a. from 1/10/1951.

Increased by £52 under Pensions Supplementation Act from 31/10/1953.

Increased further £26 under Pensions Supplementation Act from 12/11/1955.

Increase under "Nicholas" formula from 1/1/1958 on pensions up to £1,000 p.a.

Increase required to adjust 1871 rates to comparable increase granted to 1938 Act pensions at 29/12/1960.

Increase automatic with 1938 Act increase from 1/1/1963.

HIGH SCHOOLS

Provision of Gymnasiums, Assembly Halls, and Sporting Facilities

39. Mr. BURT asked the Minister for Education:

Of the following high schools:—

(a) Mt. Lawley;
(b) John Forrest;
(c) Tuart Hill;
(d) Swanbourne;
(e) Hollywood;
(f) Melville;
(g) Albany;
(h) Geraldton;
(i) Bunbury;
(j) Northam;
(k) Merredin;
(l) Narrogin;

which are equipped with the undermentioned facilities—

(i) gymnasiums;
(ii) assembly halls;
(iii) sports fields;
(iv) sporting amenities?

Mr. LEWIS replied:

(i) Only Mt. Lawley of those high schools named has a gymnasium.

(ii) Bunbury and Northam have assembly halls.

(iii) and (iv) All schools listed have sports fields and sporting amenities.

KINDERGARTENS: BUILDING SUBSIDIES

Government's Decision on Representations

40. Mr. GRAHAM asked the Premier:

In view of the fact that—

(a) a deputation from the Shire of Perth waited upon the Minister for Education as long ago as August, 1963, respecting subsidies for the building of kindergartens;

(b) the Kindergarten Union made approaches to him some two months ago;

(c) representations have been made to him by others; and

(d) building programmes are being held up awaiting a decision;

will he take steps to ensure that an early announcement of the Government's decision will be made?

Mr. BRAND replied:

Yes.

TOURIST DEVELOPMENT AUTHORITY

Annual Expenditure

41. Mr. GRAHAM asked the Minister for Tourists:

(1) What sum has been expended annually by the Tourist Development Authority each year since its inception?

(2) What is the estimated expenditure by the authority this year?

(3) Are revenue or loan funds, or both, employed?

Mr. BRAND replied:

(1)

	Tourist Bureaus Consolidated Revenue Fund	Tourist Development General Loan Fund
1960-1961	£76,917	£72,263
1961-1962	98,935	77,737
1962-1963	115,231	75,000
1963-1964	121,865	82,779
	£412,948	£307,779

(2)

Estimate, 1964-1965	£128,900	£75,000

(3) Answered by (1) and (2).

VEHICLE LICENSE FEES

Receipts and Allocations

42. Mr. GRAHAM asked the Minister for Transport:

(1) What is the total of fees received in each of the last three years respectively in relation to the licensing of vehicles in the metropolitan area?

(2) What sums have been paid to local authorities and other authorities respectively during that period?

(3) What sums have been retained by the Police Department for administration, collection, etc., for each of the three years?

Mr. CRAIG replied:

(1)

1961-62	£1,582,862
1962-63	£1,760,219
1963-64	£1,920,600

(2)

	Local Authority	Main Roads Dept. Contribution Trust A/c.	Main Roads Dept. Central Road Trust A/c.
1961-62	£486,947	£486,948	£488,967
1962-63	£486,947	£486,948	£679,456
1963-64	£486,947	£486,948	£813,573

(3)

1961-62	£120,000
1962-63	£120,000
1963-64	£120,000

43. *This question was postponed.*

PAINTERS' REGISTRATION

Tabling of Papers

44. Mr. GRAHAM asked the Minister for Works:

Will he lay on the Table of the House for one week all papers relating to the registration of painters?

Mr. WILD replied:

The papers will be made available to the honourable member if he contacts my private secretary.

QUESTIONS WITHOUT NOTICE

GOVERNMENT OFFICES ON OBSERVATORY SITE

Protection of Construction Workers from Death or Injury

1. Mr. HEAL asked the Minister for Works:

As I deem this to be a matter of extreme urgency, I crave your indulgence, Sir, and the indulgence of the House, concerning the length of this question.

Will the Minister, as a matter of extreme urgency, examine the following statement given to me last night by a worker on the construction job of the new Government offices on the observatory site, give his comments thereon, and indicate what steps he proposes in order to protect workmen from death and injury? The statement reads—

When the question was raised in Parliament, it did not "rain" for about a week, but in the

last two weeks various items of equipment and other matter have fallen from the steel skeleton. Hardly a day passes that something does not fall. Last Wednesday, a heavy chain with a crane hook and two shackles attached fell 90 feet and smashed through the form floor at the first floor level, missing an electrician by 10 feet. The same day a heavy chain went over the side and missed a labourer by about 4 feet.

I have a piece of the floor here; and I ask your permission, Sir, to exhibit it in the corridor. I also have a ⅝th nut and bolt which fell from the 6th or 7th storey.

To continue—

On Monday this week a bar just missed a reinforcement steel fixer who had previously had his head gashed with a heavy shackle a couple of months ago. Yesterday, just after lunch, three girders weighing a total of 1½ tons fell 90 feet and just missed three labourers; one of them hearing the noise of the falling girders, pushed a fellow employee then leapt to one side himself. Fortunately, when the girders hit the decking they slid away from the men.

I believe this is the first time a P.H. crane has been used in the air in this State. The manner in which it is being worked at present is highly dangerous both to the steel riggers who are working on it and to the men working below. No scaffolding inspector has inspected the crane in operation in its present position to ensure it is operating to safe standards. The previous crane driver gave up his employment last Friday as he considered his job too dangerous.

When the three girders fell today, one of the riggers narrowly missed being knocked down with them.

The only answer to the problem is for Civil and Civic to cease work while Structural Steel are erecting the steel skeleton, otherwise there will be bodies on the site. Carpenters are leaving the job. Three left yesterday, two the day before and at least one more is leaving tomorrow."

I sincerely hope the Minister received a copy of the question early this morning.

Mr. WILD replied:

I thank the honourable member for sending me a copy of this letter that he received from one of the workers on the site.

Arrangements have been made for one of the scaffolding inspectors to investigate the matter immediately and submit a report.

RACING IN VICTORIA

Investment on "Cronin" and T.A.B. Payout

2. Mr. CRAIG (Minister for Police): Yesterday the honourable member for Perth directed a question to me without notice in connection with investments on the T.A.B. when a horse named *Cronin* won in Melbourne. The information is:

Invested for a win—£865.
Invested for a place—£261 15s.
Payout for the win—£38,838 10s.
Payout for place—£1,282 11s. 6d.

The starting price of the horse was 12 to 1 for win as compared with almost 44 to 1 on the tote.

The board, of course, has the authority to conduct its own pool on such Eastern States events to the extent that the winning dividends are limited to the amount of investments, but in order apparently to keep faith with the betting public, the board decided to pay out at the on-course totalisator odds even though a substantial loss was incurred by the board on this particular event.

AGENT-GENERAL

Announcement of Appointment

3. Mr. GRAHAM asked the Premier:

(1) When is it intended that the Government will officially announce that the present Minister for Works will be the next Agent-General?

(2) When is it intended that he shall take up his new duties?

Mr. BRAND replied:

(1) and (2) an announcement will be made when the Government makes its decision, which may not include the Minister for Works.

SUPERANNUATION AND FAMILY BENEFITS ACT AMENDMENT BILL

Returned

Bill returned from the Council without amendment.

BILLS (6): INTRODUCTION AND FIRST READING

1. Morawa-Koolanooka Hills Railway Bill.

   Bill introduced, on motion by Mr. Court (Minister for Railways), and read a first time.

2. Suitors' Fund Bill.

   Bill introduced, on motion by Mr. Court (Minister for Industrial Development), and read a first time.

3. Workers' Compensation Act Amendment Bill.

   Bill introduced, on motion by Mr. Wild (Minister for Labour), and read a first time.

4. Wheat Marketing Act (Revival and Continuance) Bill.

   Bill introduced, on motion by Mr. Nalder (Minister for Agriculture), and read a first time.

5. Electoral Act Amendment Bill (No. 2).

   Bill introduced, on motion by Mr. Toms, and read a first time.

6. Local Government Act Amendment Bill (No. 3).

   Bill introduced, on motion by Mr. Fletcher, and read a first time.

EDUCATION ACT AMENDMENT BILL

Third Reading

Bill read a third time, on motion by Mr. Lewis (Minister for Education), and transmitted to the Council.

BILLS (2): REPORT

1. Bellevue-Mount Helena Railway Discontinuance and Land Revestment Bill.
2. Police Act Amendment Bill.

Reports of Committee adopted.

BASIC WAGE ADJUSTMENT

Industrial Commission's Decision: Motion

MR. HAWKE (Northam—Leader of the Opposition) [5.12 p.m.]: Notice of motion No. 7 as set down under my name on today's notice paper is in four parts. The first part asks the House to express its dismay and disgust at the shocking decision of the Industrial Commission in awarding a miserably inadequate adjustment of the State basic wage.

The second part sets out to condemn the Government and the Employers Federation for their combined efforts to undermine wage and salary standards in Western Australia, and refers to the support they have received from some individuals appointed recently by the Government to the new Industrial Commission.

The third part expresses regret that no heed was given to the warnings expressed last year by Labor members of this Parliament and by trade union leaders in connection with the destruction of the State Arbitration Court, as we knew it at that time, which was being brought about through the legislation which was then before Parliament.

The fourth and final part condemns the Government for the false assurance it gave to Parliament last year when the legislation in question was before Parliament.

The first part of the motion deals with the actual decision given by the Industrial Commission in Perth a few weeks ago. In brief, the decision awarded an increase of 3s. 10d. in the basic wage as applying to the metropolitan area. In addition, the commission decided that the differing basic wage rates as previously applying, firstly, to the South-West Land Division and, secondly, to the goldfields areas, should be abolished and that one basic wage should apply to all parts of the State, with such other allowances as were applicable to the more remote areas in the country.

The result of this was that the basic wage as previously ruling for the South-West Land Division went up by some 5s. 11d. per week, and that applying to the goldfields areas by some 13s. per week. However, the commission, at the same time and in relation to the wage applying in the goldmining industry, reduced the goldmining industry allowance by some 7s.; and automatically, of course, reduced the total wage which men employed in the goldmining industry were to receive as compared with what they would have received had the commission not decided to reduce the goldmining industry allowance.

I think it was generally expected by most people in Western Australia, and particularly by the ordinary citizen, that the commission would have awarded a much more substantial increase than the one which it did finally make. It is true the commission made the award which it did make mainly upon the basis of bringing the State basic wage in Western Australia completely into line with the Federal basic wage for the city of Perth as decided by the Federal industrial authority some months previously.

We have heard a great deal about the desirability for uniformity to apply in relation to wage levels as between one State and another, and also as between all the States and the Commonwealth. Naturally there are always some arguments in favour of uniformity, no matter to which subject we might wish to apply the argument. In the same way there are usually some arguments against making uniformity the slavish rule, irrespective of whether it happens to be in the field of wage fixation or any other field in the different States of Australia.

In Western Australia the State Arbitration Court, prior to its destruction by the present Government and those who supported it, had followed a policy of awarding wages based very largely upon State considerations, and based predominantly upon the issue or the principle of making a decision in equity and good conscience, and upon the basis of trying to mete out to the greatest extent possible wage and salary justice to all of those concerned in that field in the State of Western Australia.

As a result of the policy which the State Arbitration Court followed in that direction for several years, the State basic wage, prior to the last decision of the Federal tribunal in relation to the Federal basic wage for Perth, was considerably higher than the Federal basic wage for Perth. It is true that when the Federal tribunal made its last decision in relation to Perth the Federal wage in Perth rose by 3s. 10d. a week above the State basic wage as decided many months previously by the State Arbitration Court.

I think it is clear beyond much argument, although it cannot be proved, that had the State Arbitration Court continued in existence, and Mr. Justice Nevile remained as its President, the State basic wage today would be considerably above what it now is and, therefore considerably above the present Federal basic wage for Perth. This would have been completely in line with the policy and the principles followed by Mr. Justice Nevile and the trade union representative upon the State Arbitration Court, even though it would have been against the policy and the principles followed by the employers' representative upon that tribunal.

One would think, from the way some people talk about the Federal wage, that it is a fair, just, and reasonable one. Anybody who would say that has failed to follow the history of the fixation of the Federal basic wage, especially since 1952. Had people carefully examined the history of that wage they would know the Federal tribunal in, I think, the year 1952, decided not to grant quarterly cost-of-living adjustments as they occurred following the expiration of each three months. The members of the Federal tribunal at that time tried to justify their decision upon the basis that the national economy and the economic system would not safely stand the strain of increasing wages and salaries to the extent that would have been necessary had the quarterly cost-of-living adjustments been applied.

The Federal tribunal continued that policy for a considerable time. From memory, I think the total accumulated amount of cost-of-living adjustments which were not granted was 52s.; and honourable members of this House will have no difficulty in realising that is a very substantial sum for the wage and salary earners of Australia to lose on the say-so of a tribunal, the members of which considered, perhaps quite conscientiously, that the granting of such payments quarter by quarter would have placed some severe or dangerous strain upon the national economy and the economic and financial system which operates within Australia.

It is true that subsequently the Federal tribunal granted annual increases in the basic wage which in time made up in some degree, but nowhere near in total degree, the quarterly cost-of-living adjustments which had been denied for such a long period.

It is an amazing thing that wage increases, salary increases, and pension increases can be held up to the public at large as being dangerous to the economy in the event of their being granted; they can be held up as putting a great strain upon the financial system of the nation; they can be held up as taking too great an amount from the total national income; whereas profits can be taken from the total national income without limit and without the say-so or approval of any legally established tribunal, or any Government, or any other public organisation.

These huge profits which we read about, and have been reading about for years, are taken from the national income upon the decision and under the control of individuals who are associated with business enterprises of one kind and another within Australia. I have never been able to find out from those who try to brainwash the public along the lines I have mentioned, how it comes about that an increase in wages or salaries, or an increase in pensions, for instance, can take too much out of the national income, and can put a dangerous strain upon the economic and financial system; and yet profits without limit can be taken from the national income, without any risk, and without placing any dangerous strain, or presumably any strain at all, upon the economic and financial position of the nation.

I should think that, on a pound for pound basis, the taking of profits would have an equally dangerous effect, or an equally unjust effect upon the share to be taken from the national income, as would wages, salaries, and pensions. I would think that, on a pound for pound basis of comparison, the taking of profits could put at least an equal strain upon the economic and financial position of the nation as the payment of increased wages and salaries, or the payment of increased pensions. In fact, I think in each of the two instances to which I have referred, the argument, on a pound for pound basis, would be more against the taking of profits and more in favour of the increases in wages, salaries, and pensions.

I make that last claim because, in the main, those who receive wages, salaries, and pensions, put their money back into circulation almost immediately, and by so doing fertilise the avenues of trade, commerce, and industry, by creating maintaining, and increasing the regular demand for goods and services within the nation. On the other hand, those who take profits, and especially those who take almost unlimited profits, certainly do not immediately, even though they might in the process of time, put that money back into circulation for the purpose of doing the same sort of thing as I mentioned a moment ago in relation to wage, salary, and pension incomes.

I know it could be argued that those who take these huge profits sooner or later plough much of them back into the expansion of industry, and maybe into the establishment of new industries; and consequently make a substantial contribution to the further development and the further progress of Australia as a nation. Therefore I emphasise the point that the Federal basic wage is not a fair, just, and reasonable wage at its present figure, because it does not yet have incorporated within it a quite substantial amount which was denied to the workers concerned during the long period when the Federal industrial tribunal refused to grant quarterly cost-of-living adjustments which should have been granted in view of the fact that the cost of living was increasing quarter by quarter, and the real wage which people working under Federal awards were receiving was being reduced. It is not necessary I think, to argue that a wage of £1, or whatever it might be, granted at the beginning of the year is not worth £1 in purchasing power at the end of the year if, during the year, the cost of living has increased, say, 10 per cent.

Each pound of wages and salaries is reduced accordingly in its real value, and in its ability to purchase services and goods. That was the view of the Arbitration Court of this State before the present Government abolished that court; it was the view of the majority of the members of that court. That is why, until the more recent declaration of the Federal court, the State basic wage in Western Australia was considerably in excess of the Federal basic wage for Perth.

The President of the State Arbitration Court at that time, Mr. Justice Nevile, had a very intense belief in the justice of giving the working people a reasonable wage —the maximum which he thought they should receive upon the basis of the State's productive capacity, and the general economic conditions operating within Western Australia. He was not caught up in the argument about the desirability of uniformity. He was not caught up in the argument that Western Australia could not afford a higher basic wage than, say, Adelaide, Melbourne, Sydney, or some other place. As I said, he believed very strongly in the principle of wage justice and gave his decisions accordingly.

No doubt it was because of this that the members of the present Government, urged on by a few representatives from private industry, decided to destroy the State Arbitration Court as we knew it, and thereby to put the skids under Mr. Justice Nevile, and to remove him permanently out of the field of industrial arbitration in Western Australia. That was one of the prime reasons. There were others which we on this side of the House expressed in no uncertain terms when the Government's Bill to destroy the Arbitration Court and to sack Mr. Justice Nevile was being debated in this House last year.

After the parties to the basic wage case before the Industrial Commission in this State had put their arguments earlier this year, and the hearing was adjourned to give members of the commission time to consider the evidence and to make their decisions, it was anticipated by most people that an increase of 10s. a week or over would be granted. I think most people were very surprised, and a great many were shocked, when the decision of the commission was given and made public. I have had it volunteered to me by quite a number of business people that they expected the court to grant an increase in the basic wage of at least 10s. a week for the metropolitan area, with a corresponding increase for other parts of the State.

So one wonders why the members of this commission—those who heard this case—arrived at the conclusion they did. Before I proceed to discuss that aspect, I should draw attention to a very important fact in connection with this matter, because it seems to me to have been preorganised—whether it was preorganised on the suggestion of someone from outside or for some other reason, I am not in a position absolutely to say. The fact is, however, that after it succeeded in destroying the State Arbitration Court by the passage of legislation through Parliament, and after it succeeded in getting rid of Mr. Justice Nevile permanently from the field of industrial arbitration in Western Australia, the Government had to appoint, under the new law, four commissioners to the new Industrial Commission.

Mr. Schnaars, who had been a commissioner for some years previously under the old law, was appointed by the Government as chairman of the new commission; Mr. Kelly, who had been employed in the Department of Labour under the administration of the present Minister for Labour, was also appointed, as was Mr. Cort, who had been an officer employed by the Employers Federation. As a sop to the trade union movement, a trade union official by the name of Mr. Flanagan was appointed as the fourth member of the commission.

It is very significant to note also that Mr. Flanagan was appointed as number four. His was the last appointment made; he was the junior member of the commission. One would have to be blind indeed to fail to see the significance of the move. When the commissioners were chosen to hear and decide this basic wage case, Mr. Flanagan was not chosen. He was left off the panel. He was given some duties as office boy or something of the kind; and so the panel of commissioners who heard the case and made the decision subsequently consisted of the chairman, Mr. Schnaars; Mr. Kelly; and Mr. Cort.

Mr. Jamieson: The four of them should have sat on an important matter like this.

Mr. HAWKE: So it was a certainty from the beginning, once the panel was chosen, and Mr. Flanagan was left off, that the trade unions in their submissions were kicking against the wind. That, of course, proved to be the case in the whole four quarters of the match. They kicked against the wind for the entire four quarters.

We all remember that when this new law was going through Parliament there was a provision in it giving the Government of the day the right to intervene in any hearing in the public interest. So when the hearing of this case was declared to be due to commence within a certain period, the Government set to work immediately to intervene—not in the public interest, but merely to intervene.

The Minister for Works was in such a hurry to intervene that he made a very premature announcement of the decision of the Government to intervene. He had to be advised that it was not for the Government to make a decision to intervene, but for the Government, if it wished to intervene, to make application to the commissioners for that purpose. I do not think it made any difference really, but that is how the Government was advised. So the Government sought permission to intervene, and without any argument was granted permission to do so. The Government was represented in the case by an advocate.

A few days before the case was due to commence, the Minister for Labour, on behalf of the Government, publicly declared that the Government would offer an increase of 3s. 10d. in the basic wage. That offer surprised a great many people because of the paltry amount involved. I say that because, for years previously, the Minister for Labour and other Ministers of the Government had been brainwashing the public about the unparalleled progress and prosperity which was existing in Western Australia; about the full steam ahead policy; and about the allegedly amazing things that were happening.

Had the Government been consistent with its glamorous propaganda it would, through its representative before the commission, have been justified in offering even more than the trade unions were claiming. The State Arbitration Court, under the presidency of Mr. Justice Nevile, had made most of its decisions in connection with the State basic wage before this allegedly unparalleled prosperity came into existence; before this amazing progress developed; and before this full-steam-ahead policy was put into operation.

So even in those times, which were not as good; in those times—which were to some extent semi-difficult as a result of the Federal economic policy which turned boom into slump over night, and so on—the State Arbitration Court, as it then existed, maintained in Western Australia a level of basic wage considerably in excess of the Federal basic wage as it applied to Perth; and indeed as it was applied in most other parts of Australia, if not in all other parts of Australia.

Yet we find this new Industrial Commission—which came into existence some five years after the present Government came into office, some five years after the present Government had allegedly, at any rate, developed unparalleled prosperity and amazing progress—could only see its way clear in respect of the majority of workers in Western Australia to grant an increase of 3s. 10d. a week.

I think it is more than significant that this commission, appointed as it were only the night before by the Government, adopted the offer, proposal, and argument of the Government almost totally in the decision which it made. It is an amazing thing that the chairman of the commission wanted to award much less than 3s. 10d. a week.

The commissioner who had previously been an employee of the Employers Federation, wanted to grant somewhat more than 3s. 10d. per week increase. I think it is pretty clear that the chairman was worked upon quite effectively by the other two commissioners, but I should think it must finally have been rather embarrassing to him to find himself in the position of making the lowest offer of all, and the representative from the Employers Federation making the highest offer.

However, the commissioner who had been an employee of the Government for several years before he was appointed to the commission, made the Government's offer in what he declared as being the right amount of increase to give; namely, 3s. 10d. per week in respect of the metropolitan area, and the other amounts to which I referred earlier in relation to the South-West Land Division and the goldfields areas.

Surely it is an amazing thing that this new Industrial Commission, set up and appointed by the Government, should accept the argument and the offer of the proposal of the Government in making its decision in connection with the basic wage! Whether the decision was made as a gesture of great gratitude to the Government for appointing the men to the commission I am not in a position to say. Whether they were caught up in the argument of uniformity or whether they felt that all this glamorous talk by the Government about unparalleled prosperity, amazing progress, and full steam ahead was just so much boloney, I do not know. It is, of course, a remarkable contradiction that the Government should, in all its propaganda, put over all this glamorous stuff I mentioned previously and suddenly, when a basic wage case has to be heard and determined, it should go almost totally into reverse gear and start to cry poverty and offer a miserable 3s. 10d. a week as an increase in the State basic wage!

One would have thought, had the propaganda of the Government over the previous three or four years had any substance and justification, the Government would have been willing to share this prosperity and this progress in some small material and practical form with the great mass of working people in Western Australia in order that they, in turn, should share in the prosperity; should share in the progress; and should obtain some substantial financial benefit from it.

There is no doubt, in relation to the second portion of this motion, that the Government and the Employers Federation worked fairly closely together. We know the State Arbitration Court, as such, would not have been wiped out and Mr. Justice Nevile would not have been removed from the field of industrial arbitration unless very severe pressures indeed had been put upon some members of the Government by some members of the Employers Federation. I doubt whether a majority of the members of the Employers Federation would have wanted to be done what was done finally by the Government with the aid of its supporters in both Houses of the Parliament.

However, we know that in every organisation of that kind there are the difficult, the avaricious, and the vicious, even though they may only be very few in number; and there are individuals who set the pace. There are individuals who determine the policy, as it were, even though the policy be unofficial and not be moved in motion form at any meeting or taken down in the minute book. We know how they work; and we know fairly well—certainly to our own satisfaction—the Ministers in this Government upon whom they would work.

If it should happen that the Minister for Works becomes the new Agent-General for Western Australia in London and be Sir Gerald Wild then, undoubtedly, that will be a gesture of gratitude from the Employers Federation, through the Government, to the present Minister for Works for what the present Minister for Works did in relation to destroying the State Arbitration Court; in relation to removing from the field of arbitration completely and permanently Mr. Justice Nevile; for putting into the office of the court the new Industrial Commission; and for replacing Mr. Justice Nevile with the three yes-men to the Government, who are three of the four commissioners comprising the Industrial Commission.

I know the Minister for Industrial Development is quite self-conscious about this. I can see him blushing at the thought that the Minister for Works is going to get a sort of break on him and perhaps a knighthood; but I would be inclined to think from my own observations and from my own summing up of the Minister for Industrial Development that he would regard such a reward for the part he played in this matter as more or less chicken feed. He would, I think, have his eyes upon the House of Lords.

Mr. Court: Keep this going and you will need entertainment tax.

Mr. HAWKE: I think entertainment is much preferable to the tragedy, in which the Minister for Industrial Development was one of the players, which took place when the State Arbitration Court was destroyed and when Mr. Justice Nevile was railroaded out of the field of arbitration altogether in Western Australia.

Mr. Court: You know that is not correct.

Mr. HAWKE: That was a tragedy of the first water. It was a tragedy because it was most unfair; it was most unjust: it was vicious; there was no warrant for it; and it came to pass simply because, and only because, Mr. Justice Nevile in some of his decisions as President of the Arbitration Court had very gravely offended the susceptibilities of a few vicious and avaricious members of the Employers Federation.

The third part of this motion has to do with warnings which were expressed last year by members of the Parliamentary Labor Party in this Parliament, and by trade union leaders, in relation to what would be likely to happen in the event of the legislation then before Parliament becoming law. We pointed out very clearly from this side of the House on that occasion that the imposition of the Federal basic wage upon the workers of Western Australia would be an absolute certainty in the event of the legislation in question becoming law.

I remember the honourable member for Mt. Hawthorn saying that on more than one occasion. I remember him repeating it in several of the speeches which he made in connection with the Bill, and

particularly during the Committee stages of the Bill. That was one of the main points of argument and one of the main points of warning which honourable members on this side of the House, in their strong and long opposition, offered on that occasion to the Government's legislation. It was indeed regrettable, and still is regrettable, that not sufficient heed was given to the warnings which were expressed so strongly and so feelingly and so conscientiously by us at that time.

The final part of the motion proposes to condemn the Government for the false assurances which it gave and which were given on its behalf when the debates were taking place in Parliament last year. The main assurance from the Minister for Labour and from the Minister for Industrial Development—and also, if I remember correctly, from the Premier himself—was that this legislation was being introduced only for the purpose of streamlining the arbitration and conciliation system in Western Australia. They assured us there was no intention of using the new system for the purposes of having a wage and salary level which would be unfair or unreasonable or unjust. They assured us there was no intention of trying to use the proposed new tribunal to bring the State basic wage into line with the Federal basic wage for Perth.

They assured us and reassured us on this point. When we refused to accept their assurances; and when we told them what we thought would be certain to happen under the new law, they said we were scaremongering; we were deliberately trying to stir up industrial strife among the ranks of the working people in Western Australia; and we were trying to do all sorts of other terrible things. Unfortunately, it has not taken very long in point of time for it to be proven absolutely that our fears and our charges were 100 per cent. justified; and the assurances which were given by the Government and on behalf of the Government were 100 per cent. false. That has been proven in the short space of a few months.

So there is, without any shadow of doubt, every justification for the motion which is upon the notice paper in my name; for the wording of it; and for what I have so far said in support of it. I have no doubt when the Government succeeded in getting its legislation through Parliament for the destruction of the Arbitration Court; for the virtual sacking of Mr. Justice Nevile from the field of industrial arbitration; and for the setting up of this new commission, the Government received—or some members of it—many pats upon the back from a few vicious and avaricious individuals down in the city. I have no doubt the Minister for Labour was warmly shaken by the hand by some fellows who give a most fishy handshake, one of whom has been in the news during the last few days—a man who condemns State enterprises and socialism and semi-socialism in no unmeasured terms, and yet who has been bludging, as it were—and I do not use that term offensively—upon the State instrumentalities in the running of his own private business.

That is the sort of individual who wanted the State Arbitration Court destroyed; that is the sort of individual who wanted Mr. Justice Nevile kicked out of the field of industrial arbitration; that is the sort of person who wanted yes-men appointed to the new industrial commission—a majority of yes-men.

It has been the desires, the wishes, and the will of individuals of that kind in the community which have prevailed; which have influenced the Government; which have influenced all of its supporters in both Houses of the Parliament to enable this industrial tragedy within the State—because an industrial tragedy it is, beyond any shadow of doubt.

To say that what has been achieved has been achieved on a questionable basis is to give words only a small percentage of the meaning they should really have. What has been achieved has been achieved by the employment of the most dishonest and dishonourable political motives possible. There cannot be any shadow of doubt about that. We said these things in this Parliament last year when we were debating the legislation.

I am sure some honourable members on the others side of the House felt we were speaking far too strongly; that we were exaggerating; that we were drawing the long bow. But the events of recent days have proved beyond any shadow of doubt that nothing we said at that time—no matter how strong the language; no matter how vigorously it was expressed—overstated the situation; overstated not the possibilities or the probabilities but the certainties which would flow from the drastic, deliberate, politically dishonest, and politically dishonourable industrial tragedy which was enacted within the Parliament at that time.

Fortunately the industrial workers of Western Australia have decided to accept the situation in a peaceful way at this time. To some extent industrial workers are placed in a most unfortunate situation. If they do not accept an unjust result of this kind—a shockingly unjust result of this kind—in a peaceful way, they only further penalise themselves; they only further penalise those who are dependent upon them as members of their respective families; because to stage any protest of any worth-while nature, they have to lose work, which, of course, in turn means loss of wages.

So the situation at this time has been accepted as inevitable. I think most industrial workers knew—once this new law was approved by Parliament; once

the new commission was set in motion—that they were sunk; that their wages cake was, as it were, dough; that there was not enough dough, if we can use the word in a monetary sense.

They accepted what we said when the Government's Bill was before Parliament. They did not think we were misleading them, as Ministers on the Government side accused us of doing. They did not think we were exaggerating the situation, or were over-using our imagination in relation to the results which were sure to flow from the destruction of the Arbitration Court; from the dismissal of Mr. Justice Nevile; and from the appointment by the Government of a majority of yes-men to the new commission.

So I think it can be said, with a fairly considerable degree of accuracy, that they were not expecting very much from the commission. I think few, if any, of them expected to receive as little as 3s. 10d. a week. I know some of them talked to me from time to time as the day for the publication of the commission's decision was drawing closer. They asked me what I thought. I said, "3s. 10d." I said the Government went to the amazingly extreme lengths of destroying a system which had worked smoothly and satisfactorily. It went to the lengths of humiliating a justice of the Supreme Court—Mr. Justice Nevile—by, as it were, dismissing him from his position as president of the court and from the field of arbitration.

The Government was very careful in selecting the members of the new Industrial Commission—the majority of them. It put a representative into the court to offer 3s. 10d., and to argue in favour of it; and it seemed to me, in all the circumstances of the total situation, it was more or less a certainty that the commission would award 3s. 10d. a week—and, of course, that was it.

But most industrial workers, with whom I discussed this matter prior to the commission's making its decision, expected anything from 5s. to £1 a week increase. So, although they were not expecting a great deal, they have indeed been shocked—and shocked very severely—by the decision which the commissioners have given.

Well, I have a fairly good idea of working fellows. I have been amongst them a great deal over the years. I know they accept some situations quietly and peacefully, for the time being at any rate—situations which hurt them very severely indeed; decisions which hurt not only their pockets but their sense of human dignity.

Mr. Fletcher: And their dependants.

Mr. HAWKE: In this situation they know—as well as we knew, and as well as we now know and have always known—that the new set-up—the destruction of the Arbitration Court—was a conspiracy beyond any possible shadow of doubt; a conspiracy to destroy the Arbitration Court; to get rid of Mr. Justice Nevile. This was due mainly, if not totally, to the fact that Mr. Justice Nevile had shown too great an adherence to the principle of wage justice and of giving a fair deal to industrial workers in this State by the granting to them of reasonable protection in relation to their employment, including, of course, the hated granting of preference to unionists in many fields. This was hated by those who worked upon the appropriate Ministers of the Government to get the Government to agree to wipe out the Arbitration Court; to get rid of Mr. Justice Nevile, and to put in his place these other individuals. They know all about those things.

When men know about those things, they might appear to accept a situation quietly and peacefully without a great deal of protest; but they do not forget quickly, not even in these days, when people are not nearly as politically conscious, as industrially conscious, or as conscious really in any way compared with what the situation might have been 40 or 50, or even 30 or 25 years ago.

We know that in this present period people are being brainwashed daily with all sorts of nonsense. This applies not only to the Government's propaganda about unparalleled prosperity, amazing development, and full steam ahead, and all that sort of thing; it applies in a hundred fields. One has only to read the news which is coming from Tokyo in connection with our athletes to know what goes on. So it is that we live in a period when the artificial becomes the real in the minds of a great many people; when the realities of a situation are smothered by all the rubbish and semi-rubbish imaginable; and when newspaper headlines and subheadlines, and all the rest of it, are framed in a way calculated either to mislead people or to dissuade or discourage them from developing any real, live, practical, and conscientious understanding of what goes on.

Nevertheless I am convinced in my own mind that a great number of working men and women in Western Australia do know—now, at any rate, if they did not know before—what goes on. They know what has gone on in this field in connection with this issue. It is still true that the hip-pocket nerve is rather sensitive. That does not apply only to working people. I think it applies ever so much more to a lot of people who have far more money than they know what to do with.

However, when people feel they have been denied a fair deal; when they feel they have been doublecrossed; when they feel political conspiracy has occurred, and has taken place for the purpose of depriving them of something

to which they were entitled, they can still generate a spirit of determination to strike back at an appropriate time and in an appropriate way. I do not use the word "strike" in that context in relation to industrial trouble or industrial upheaval.

So although the Ministers of this Government may feel they achieved all they wanted by doing what they did in this Parliament last year and in making the appointments to the new Industrial Commission; although they have received smiling nods of assent and these fishy hand shakes from the characters to whom I referred earlier—the comparatively few members of the Employers Federation who were the spearhead, as it were, of the pressures which were put upon the Minister for Works and the Minister for Industrial Development; although, as I say—

Mr. Court: The same old story!

Mr. HAWKE: —the Minister for Industrial Development and the Minister for Works may be preening themselves that they have the wholehearted approval and patronage of those few individuals to whom I have referred, they may find the patronage of those individuals can disappear as quickly as it can be given.

Sitting suspended from 6.15 to 7.30 p.m.

Mr. HAWKE: I now move—

> This House expresses its dismay and disgust at the shocking decision of the Industrial Commission in awarding a miserably inadequate adjustment of the State basic wage.
>
> We condemn the Government and the Employers Federation for their combined efforts to undermine wage and salary standards in Western Australia, strongly supported as they have been by some of the individuals the Government recently appointed to the new Industrial Commission.
>
> Further, we deeply regret that no heed was given to the warnings expressed last year by Labor members and trade union leaders in connection with the then impending destruction by the Government of the State Arbitration Court.
>
> We also condemn the Government for the false assurances it gave to Parliament at that time.

MR. WILD (Dale—Minister for Labour) [7.33 p.m.]: This evening there has once again been a most dastardly attack—something we are getting a bit used to, unfortunately, in this Chamber—on the bench. I have been here for nearly 18 years, and it seems that only in very recent times have we got down to this sort of thing. I cannot understand the Leader of Her Majesty's Opposition in the Parliament of Western Australia following a pattern that was set during this session—only a few weeks ago—by the honourable member for Balcatta when he, from his place, saw fit to make a dastardly attack on Mr. Justice Virtue. I think it is high time we got our thinking straight as to just where we are heading in this regard.

He went on and made many lying allegations suggesting that there was connivance between the Employers Federation and the Government—it could be me—and between the commissioners and the Government; and I say without fear of contradiction that they are completely and absolutely without fact whatever.

Mr. Moir: Whom do you think you are kidding?

Mr. WILD: I am not endeavouring to kid anybody, any more than you tried to kid Mr. Troy and Mr. Marks and all those hundreds of fellows you had up here during the last session of Parliament.

Mr. Hawke: They are a wake-up to you now!

Mr. WILD: We are not particular about that.

Mr. Court: I would not be very proud of doing Mr. Marks' and Mr. Troy's bidding.

Mr. Hawke: Oh!

Mr. Court: I hope you are not.

Mr. WILD: Industrial arbitration came into being in Australia many years ago, and I think it would be well if we were to go back to see what the sentiments were of the men who saw fit to put arbitration on the Statute book of Western Australia. I would say those good men would turn over in their graves if they knew that the Leader of the Opposition had risen in his place in this Chamber and, as I have said, wilfully tried to break down everything that the court stands for; and not only the court, but he was attacking the people—

Mr. W. Hegney: But there is no court.

Mr. WILD:—or the personnel who make up the court, or call it what you like. I intend to start by going back to 1904, when, in the Federal House—I shall be quoting from *Hansard* of the 22nd March, 1904—Mr. Deakin, who was then the Minister for External Affairs in the Deakin administration, first introduced the arbitration Bill into the Commonwealth Parliament. I am going to show that not only did Mr. Deakin introduce his Bill, but that Mr. Walker, who was later Attorney-General in Western Australia, introduced a Bill with similar aims; and both of those men would shudder in their graves if they realised that what they put on the Statute book some 40 or 50 years ago—

Mr. W. Hegney: Was destroyed by you last year.

Mr. WILD: It is not a case of being destroyed.

Mr. W. Hegney: Yes it is!

Mr. WILD: You are doing everything you can to destroy it. The Leader of the Opposition said here, as all 50 members ought—

Mr. Heal: Do not give us that bull-dust!

Mr. WILD: Never mind that! When one comes into this Parliament, one comes here with a certain obligation.

Mr. Heal: My word you do!

Mr. WILD: And that does not give everyone the right to strip down this one bastion that is remaining for the freedom of the people of Australia.

Mr. Hawke: What political hypocrisy!

The SPEAKER (Mr. Hearman): Order!

Mr. WILD: I intend, firstly, to quote from the speech of Mr. Deakin when he introduced the Commonwealth Conciliation and Arbitration Bill on the 22nd March, 1904. Among other things, he had this to say—

> The object of the measure has been stated to be, so far as its attainment may be possible, the establishment of industrial peace. The discussion upon the Bill, both at the time it was formerly submitted, and recently in anticipation of its re-introduction, has been concentrated upon the possibility or impossibility of achieving this task by legislative means. In the previous debate something was said as to the possibility, but further inquiry and examination will, I think, satisfy others, as it has satisfied me, of the urgent and burning need for making an effort—I would almost say any effort—to approach nearer to that most desirable end. I find that in the Commonwealth the burden of the argument in opposition to it is that the proposal is made in the interests of the employees—that it is a one-sided measure which casts a burden upon employer, and yields advantages only to those whom they engage.

He later said—

> It is sufficient for my purpose if it establishes the necessity of bringing both employers and employees under the control of the law, and of endeavouring to obtain the creation of an impartial tribunal which shall mete out even-handed justice between them.

Further on he said—

> Its object is to forbid tyranny on both sides, and as far as may be possible, to introduce into our industrial system a new standard which shall apply to all the persons concerned, subject to the interests of the whole.

He finished up by saying—

> I look upon the Bill with most hope as the forerunner of possible developments—as the introduction of a noble principle—more than as a completed plan. I recognise—and ask honourable members to recognise—that by legislation of this character something can be accomplished, but not very much; that by administration under such legislation, if it be sympathetic, wise and not too rigid, a great deal more can be done, but not all. Beyond both the legislation and the administration there is the public opinion to which I have already referred, which, aiding legislation and assisting administration, can accomplish most. Unfortunately at present public opinion is too often biased, partial, and uninformed upon industrial affairs—

Mr. Tonkin: This surely is a case of the devil quoting scripture!

Mr. WILD: To continue—

> —and their effects; but as it consists of the collected thoughts of the community, it is possible that, by individual action and effort, it will become enlightened and informed in support of the awards of our Arbitration Court. It should prove the first and supreme power in the working of this and similar Acts, by its own force, guiding and elevating the necessary legal sanctions, tending to suppress industrial war, industrial destruction, industrial anarchy. By its own developed intelligence, its conscience, its judgment, and its humanity, it can combine employers and employees together with those who stand outside the ranks of both, in consciously fulfilling the duties arising out of modern industrial evolution.

I now come closer to home, and the particular measure to which I shall refer was introduced by a Labor Attorney-General on the 6th August, 1912. He had some very interesting things to say.

Mr. W. Hegney: How was the court constituted then?

Mr. WILD: The Attorney-General in introducing the Industrial Arbitration Bill said—

> I cannot help but realise that this measure is a milestone in the history of the development of the British race.

He later said—

> We should understand that this Bill comes from the growth of humanity, not from the mere selfishness, caprice, and ambition of any section or any class.

He went on in that strain, and, to me, his final paragraph is the best—

> Now in thus submitting the Bill to the House I want the motive both of the Government and of myself to be thoroughly understood. It is for the

> purpose, I repeat once more, of banishing strikes for ever from our midst. It is for the purpose of the recognition of the manhood of the working world and putting toilers on an equality of real citizenship with those they call employers, of recognising that in this State class distinctions do not exist, that men are men and brothers all in whatever callings of life their lot may be placed, and with this object in view, I trust in no captious spirit, in no petulant mood, in no mere spirit of party strife will this measure be criticised. It is beyond party, it is above strife, it has for its purpose the wider union than all, the union of humanity, the union of mankind everywhere upon an equal basis of liberty and justice.

Mr. H. May: A very good sermon.

Mr. WILD A lot of water has passed under the bridge since that time; but what I have read is an indication of the theme or the thinking of the people who brought arbitration into this country. Over the years, with Parliaments coming and Parliaments going, and with arbitration courts or commissions, or whatever they may be, throughout the length and breadth of Australia, there has always been one factor paramount in this matter, and I say that what happened last year was the greatest disgrace and blot on the escutcheon of Western Australia—

Mr. Hawke: Hear, hear! The action of your Government!

Mr. WILD: No; the conduct of the Opposition.

Mr. Hawke: The conduct of your Government.

Mr. WILD: The conduct of the Opposition during the debate on the Industrial Arbitration Act Amendment Bill which came before this House last session was the most disgraceful exhibition ever seen in this Parliament. Although the Leader of the Opposition wants to tell us how upset the men are—they have now, of course, subsided and obey the law—it would have been very convenient if we had had a ticker tape available last session when the Leader of the Opposition was speaking on the same platform as Paddy Troy in the parking lot next to this Chamber. However, I say that here we have in this Parliament men of the measure who set up instrumentalities of this kind, and it ill behoves people who grace the floor of this Parliament to strip down, bit by bit, the authority of this institution.

Mr. Toms: You did it last year!

Mr. WILD: Irrespective of all that was said on the Opposition side of the House, and all that was said to the minions of the members of the Opposition who were in the gallery during the debate last session on the amending Bill—the Marks, Holletts, and the Stronachs, and all their other bedfellows—I say, without fear of contradiction, when one studies the three or four charges that were levelled against the Government, that not one has been proved.

Mr. Oldfield: Harold Wilson would like you in his Government.

Mr. WILD: We were told there was going to be industrial strife. I would point out to members of the Opposition that before the Industrial Commission was established there was a backlog of 158 industrial cases, representing applications from unions that were waiting to be heard; but at this point of time, other than the 10 cases now before the commission, there is not a backlog of one case. In addition to which, it was said in this House—and the honourable member for Mt. Hawthorn should turn over in his grave—

Mr. W. Hegney: Wait till I am dead!

Mr. WILD: I draw the honourable member's attention to what he told us of what was going to happen in regard to preference to unionists, which was not in the Bill. It would be very interesting to hear exactly what he did say on the question of preference to unionists.

Mr. Hall: We should call it the "turnover" Bill.

Mr. Rhatigan: We should call the Hotel Kununurra, "Gerry's Last Call".

Mr. Hawke: What about debating this issue at Northam?

Mr. H. May: Or Pemberton, or somewhere like that.

Mr. Oldfield: I do not remember the honourable member for Mt. Hawthorn making a speech.

Mr. WILD: This is what the member for Mt. Hawthorn had to say on the question of preference to unionists—just what was not in the Bill—and I quote—

> The Minister stated that the court had power to grant preference; that it had discretionary power. He also said that the measure followed the New South Wales Act. Either an office boy compiled the Minister's speech, or he has been led up the garden path and, in turn, has tried to lead us up the garden path.

I wonder if the honourable member denies that preference to unionists has already been given in two awards before the Industrial Commission since it was appointed. Firstly, it granted preference to unionists in the Ice Cream and Frozen Confectioners Manufacturing Industry; and, in recent weeks, it granted the preference to unionists clause to metal trades workers in the North West Cape case. So I say to the members of the Opposition who have made these charges against the Government that they are nothing but utter lies.

We also heard a good deal about the selection of the members of the Industrial Commission. I do not think the Leader of the Opposition reflects much credit on his predecessors when he starts to cast aspersions against the Chief Industrial Commissioner. I would point out that the Chief Industrial Commissioner (Mr. Fred Schnaars) was in five different unions during his early industrial career, and he was later appointed as the workers' representative on the Arbitration Court. Subsequently, he was appointed Conciliation Commissioner.

Until he apparently became the bad boy in the eyes of honourable members of the Opposition, if one looks in *Hansard* one can find references that have been made from time to time which indicate that he was considered to be a very fair and able man.

Mr. Tonkin: Don't forget that Billy Hughes became a Labor Prime Minister.

Mr. WILD: We now come to this question of Cort; not C-o-u-r-t. Mr. Cort was the representative of the Employers Federation who was selected as one of the industrial commissioners because of his long experience of advocacy before the Arbitration Court. Strangely enough, only a matter of about six weeks ago—my colleague, the Minister for Industrial Development and Railways can bear me out on this—when there was a dispute involving the Railway Officers' Union and its members were asked to take their pick of the four commissioners to hear their case, they selected Mr. Cort.

Mr. Hawke: And what did they get? They got caught!

Mr. WILD: They were given an opportunity to select any one of the four industrial commissioners, and they picked Mr. Cort.

Mr. Hawke: They got well trapped on that one.

Mr. WILD: I now want to say a word or two on the selection of the industrial commissioners to sit on the bench for the hearing of the basic wage case. To the Leader of the Opposition I would say that I have only spoken to Mr. Fred Schnaars over the phone and have been in his presence only on three occasions. On one occasion, soon after the appointment of the Industrial Commission, Mr. Schnaars came to discuss with me the regulation of the commission.

The second occasion was when I sent for him to confer with me over the trouble on the North West Cape and suggested that power was given to me to draw the attention of the commission to any industrial dispute, and this I did. The Opposition did not like it at all when I said that the Minister should have the right to do what he can to try to settle a dispute. The third occasion I met Mr. Schnaars was when I went to a meeting of the Apprenticeship Council and he was present at that meeting.

To the members of the Opposition I repeat that I had nothing to do with the selection of the commissioners for the hearing of the basic wage case.

Mr. Hawke: Who selected them?

Mr. WILD: They were selected by the Chief Commissioner. I had nothing to do with it, and I never will.

Mr. Hawke: Who appointed them?

Mr. WILD: The Chief Commissioner himself appointed the commissioners to sit on the bench for the basic wage hearing.

Mr. Hawke: Who appointed the commissioners?

Mr. WILD: Who does the Leader of the Opposition think appointed them?

Mr. Hawke: You, of course!

Mr. WILD: All the Leader of the Opposition wants to do is to drag down men in outside places. Because the commission has decided and made stable judgment the Opposition wants to decry it.

Mr. Hawke: It was a stable judgment all right; with inverted commas around the word stable.

Mr. WILD: The members of the Opposition love it when the ball rolls completely their way; but when things go against them all they can do is to get down to personalities and throw out innuendoes about the commissioners.

Mr. Hawke: You went very well.

Mr. WILD: We know all about that. The Leader of the Opposition went very well so as to get the air. I say it was a most dastardly attack on these men, who have no right of reply whatsoever. It was only in keeping with the same tripe and utter piffle spoken by the honourable member for Balcatta. I am sorry he is not in his seat, because I do not like saying things about anyone if he is not present. But I say it was a dastardly attack that was made by the honourable member for Balcatta on Mr. Justice Virtue, who had no right of reply. For that honourable member to get up in his seat and claim parliamentary privilege and to say—

Mr. Hawke: You butchered Mr. Justice Nevile!

Mr. Oldfield: Without trial.

Mr. Court: That is why he is still a judge of the Supreme Court.

Mr. WILD: I was rather interested to read some of the comments that were published in the Press of Western Australia, and particularly in the Press of the village of Albany where there is a harbour, and where various other little things have happened. It is a good place; I can tell the honourable member for Albany that. I would like to read to

the House what the *Albany Advertiser* had to say about this dastardly attack made by the Leader of the Opposition on the Industrial Commission after it had announced its decision in the basic wage case. This newspaper also made some reference to the comments the honourable member made on Mr. Justice Nevile. This was an editorial comment, and it reads as follows:—

Basic Wage Decision.

It is natural that Trade Union officials should express disappointment at the decision of the State Industrial Commission to bring the State basic wage into line with the Federal basic wage, instead of granting the quite substantial increase of more than £3 asked for by the unions' advocate.

As is usually the case, much of the criticism of the commission's decision is based on the ability of the "big" employer to pay. Who this big employer is in W.A. is not made clear. If the Trades and Labour Council was prepared to get down to reality it might be prepared to concede that most industrial concerns in W.A. are rather small fry.

A basic wage rise of the order asked for would have endangered the existence of some, and might indeed have administered the coup de grace to many, including most of the gold-mining industry.

The fact is that most industries in W.A. have to meet very keen competition from bigger concerns outside the State and they would find it hard to do so if the basic wage was some £3 a week higher than the Federal wage. No amount of sophistry will get over that hard, cold fact.

The fact that all approaches to questions of wage fixing seem to be based on the turnover of firms like B.H.P. and G.M.H. and take no account of the small shows, employing less than a hundred men, is perhaps not important. Unless of course the extinction of a few of these small shows throws a couple of hundred men out of work. It would become rather important to them.

One of the most astounding comments on the basic wage decision was that made by Labor's parliamentary leader, A. R. G. Hawke, in *The West Australian* of September 24, when he said, inter alia, "There is no doubt that the court, had it not been destroyed by the Government, would this week have granted wage increases much greater than the miserly amount given by the Industrial Commission." He had previously specifically referred by name to Mr. Neville, president of the Arbitration Court till it was replaced by the Industrial Commission.

By what authority does Mr. Hawke claim to be able to say what Mr. Nevile and the Arbitration Court would have done?

It seems to us that his statement is a very grave and serious reflection on the integrity of Mr. Nevile and those who were associated with him on the court.

Mr. Tonkin: Pretty queer reasoning!

Mr. WILD: This editorial continues—

It has always been accepted that Mr. Neville, like any other judge, based his decisions on the facts placed before him.

Is Mr. Hawke suggesting that this assumption is wrong? If he is not making such a suggestion, how else does he justify the statement, "There is no doubt" that the court would have done a certain thing?

It is an amazing thing to be said by a man who hopes to be the next Premier of this State.

It is pretty obvious that many schools of thought in this State are not very happy with the efforts of the Opposition in dragging into the gutter the traditional institutions, in order to make a political point. I know of nothing which is worse than for the Leader of Her Majesty's Opposition in this Parliament to stand up and disparage the instrumentalities which have been set up by this Parliament, and those who occupy positions in them. I hope that while we are able to control this great country of ours, these traditional institutions will be sacrosanct, and will be completely free of the tripe and piffle which the Oppositions hurls at them.

Mr. Hawke: The Minister destroyed the Arbitration Court of this State.

Mr. WILD: We did not. We heard all about that in the previous session of Parliament. All the Government did was to give the workers of the State the right to be heard by the Industrial Commission any time they wanted to be heard. That was what the workers wanted.

Mr. Hawke: You destroyed the court and dismissed the president. That was what you did.

Mr. WILD: All those bogeys were raised last year, and the ones which the Opposition has raised today have fallen to the ground. The Opposition cannot hang its hat on anything.

Mr. Hawke: Not even on the 3s. 10d.

Mr. WILD: What has that to do with the motion we are discussing? Let me get the thinking of the Opposition straight on that point, and on the point of my indicating that the Crown counsel was to appear at the hearing before the Industrial Commission. In my ignorance I did not realise that the Government had to go

before the court and seek permission for the Crown counsel to appear. All I did was to indicate that Mr. Wilson would be appearing on behalf of the Government.

Coming to the point of the 3s. 10d. rise in the basic wage, I did say—and I say again—that it was my considered opinion that the Industrial Commission should not grant more than had been given by the Federal Court following 18 months of wrangling and of submissions by all the best advocates in Australia.

The increase in the basic wage that was granted did not concern me. There was the commission to deal with that matter; and Mr. Hawke, the advocate for the unions, who is regarded as one of the best industrial advocates in Australia, made submissions on behalf of the unions. The union advocate had the ball at his feet to prove the points for the unions; but just because the Industrial Commission did not give the decision which the unions wanted, members of the Opposition vilified the Industrial Commission, and the commissioners who gave the judgment. It ill behoves the Leader of the Opposition to make scurrilous attacks on Mr. Schnaars.

Mr. Hawke: The Minister butchered the State Arbitration Court and Mr. Justice Nevile.

Mr. Court: Nothing of the sort! He is still a judge and is still eligible to become a member of the Appeal Court, if the Chief Justice so decides.

Mr. WILD: It would be just as well for me to refer to some of the comments which were made by members of the Opposition when the Industrial Commission was set up. It might not be a bad idea to record in *Hansard* for the second time what took place in the most deplorable spectacle we have experienced in this Parliament. In the course of his speech the Leader of the Opposition had this to say—

> I am certain in my own mind that should the Bill become law in the near future, as is the intention and objective of the Government, then the public in this State would be seriously prejudiced.

I would like to know how the people of Western Australia have been prejudiced by the Industrial Commission, which has been functioning for about nine months. I ask members of the Opposition: Have there been many strikes, other than that at Forwood Down, which was prompted by the red cobbers of members opposite? Has not an opportunity been made available to catch up on the backlag of cases which were awaiting hearing before the Arbitration Court. As Minister for Labour I have not had one approach from those closely associated with the Trades and Labour Council to amend the Act since it was placed on the Statute book.

Mr. Hawke: You have.

Mr. WILD: None at all; yet my door is open every day. I have seen members of the Trades and Labour Council on four or five occasions since the Industrial Commission was set up, but never have they indicated to me that there was something wrong with the commission or with the Act, or that they wanted to amend the Act.

Mr. Hawke: They went to see the Premier.

Mr. Jamieson: How about singing a few bars from "Land of Hope and Glory"?

Mr. WILD: Here is another contribution by the honourable member who has just opened his "squeaker". I refer to the honourable member for Beeloo. He had this to say in the debate on the Bill last year—

> Another is a threat to the quarterly adjustments to the basic wage procedure. The latter is the main point and the one behind the wood pile.

Has anything been done by the Industrial Commission predicted by the honourable member, and has it given a decision which he feared? Has the commission discontinued quarterly adjustments?

I am glad I came across this excerpt from the speech of the honourable member for Balcatta, who had this to say about Mr. Schnaars—

> We have heard tonight from the Minister for Industrial Development that the Conciliation Commissioner (Mr. Schnaars) has done a wonderful job, which by and large is generally accepted.

Has this opinion now changed because Mr. Schnaars is the Chief Commissioner? Is Mr. Schnaars one of the individuals referred to in the motion before us?

Let me refer to what the honourable member for Boulder-Eyre had to say on that Bill in this House last year. Apart from his great interest in the goldmining industry, he speaks with some authority on industrial matters. He had this to say—

> We can assume that the abolition of the Arbitration Court will create industrial unrest.

I can say that never before have we had such satisfied workers and employers as there are in Western Australia at the present time. It is very well for members opposite to giggle and sneer. I can say that there have only been two occasions when industrial unrest occurred in Western Australia since Christmas last. One occurred at North West Cape, which was created and prompted by three men who came from New Zealand. I know what I am talking about, because I went there to see what was taking place. Then there was the Forwood Down business, during which Mr. Coleman went and told the men to pull their heads in and return to work.

There has not been any other instance of industrial unrest in this State, and I hope there will not be any in the future.

That Statute passed last year has given the Government and the Minister for Labour the right to indicate to the Industrial Commission the likelihood of impending industrial trouble. The Industrial Commission can call the parties together and ask them to ventilate their grievances. This was the very idea of Messrs. Deakin and Walker when they introduced their respective arbitration Acts.

It ill behoves the Leader of the Opposition to drag down the Industrial Commission. For my part I hope the commission will always exist in this State. I shall not do what the Leader of the Opposition did in the first part of his speech this evening; that is, endeavour to interpret what was done by the Industrial Commission. When a commission is given the responsibility to hear evidence—which it did for four to six weeks—from some of the best brains in Australia, is it not right that we should accept its decision, whether it be good or bad?

In the past few weeks some large increases have been imposed on industry and on primary production. It came about as a result of the granting of three weeks' annual leave, long service leave based on 15 years' service instead of 20 years' service, and the small rise in the basic wage. All these had the effect of adding to the cost of industry, but both industry and primary production had to accept the impost. We did not hear the people concerned squealing or carrying on. They accepted the position.

Only this morning when I summoned the representatives of the Chamber of Commerce, the Chamber of Manufactures, and the Employers Federation, I looked them straight in the eye and said, "There will be considerable increases imposed on you by way of improvements to the Workers' Compensation Act. You will have to accept them in exactly the same spirit as you have accepted the decisions from the Industrial Commission." They agreed with my view, and at least they played cricket.

I deplore the tactics used by the Leader of the Opposition when he cast aspersions at a certain gentleman in the course of his speech. I do not know that gentleman very well; but the honourable member—without mentioning the name of the person concerned—referred to some unfortunate occurrence to one of the leading businessmen of the State.

Mr. Hawke: I did not mention his name.

Mr. WILD: There were nearly 50 honourable members in the House, and there were also Pressmen present; and they all knew whom the Leader of the Opposition was smearing. If the honourable member had as much courage to put his money into industry and try to make a go of it, he would be a better man. Just because something has gone wrong with the affairs of a prominent businessman, this is no place to besmirch his character.

Mr. Hawke: I did not besmirch his character. I criticised his politics.

Mr. WILD: There is definitely nothing in the motion moved by the Leader of the Opposition. All he has done is to bring himself into line with the honourable member for Balcatta when he referred to the incident concerning Mr. Justice Virtue, and into line with the piffle and tripe which has been spoken in this House about what was to happen when the Industrial Commission was established.

Mr. Graham: It has happened.

Mr. WILD : It has not. If the honourable member thinks something has happened he should get on his feet and tell the House.

Mr. Graham: I shall tell you.

Mr. WILD: The honourable member cannot. There is absolutely nothing in the motion moved by the Leader of the Opposition. It ill behoves him to speak in the way he has spoken, not only about the Industrial Commission of Western Australia, but also about its members.

MR. W. HEGNEY (Mt. Hawthorn) [8.14 p.m.]: The stupendous effort of the Minister for Labour to justify the action taken by the Government last year has failed. He commenced by quoting from *Hansard* of 1904, which referred to the establishment of an Arbitration Court in the Federal sphere. He went on to 1912 and referred to the introduction of a Bill by the Attorney-General relating to industrial arbitration; but he failed to mention that the Arbitration Act of that day, until 1963, provided for an arbitration court. It was to consist of a judge of the Supreme Court, a representative of the workers of Western Australia, and a representative of the Employers Federation.

The principle of the Arbitration Court in Western Australia was established in 1900, and was continued until 1963 when this Government destroyed it. But the Minister—very wisely, I suggest—sidestepped that issue. He said that there were 158 cases awaiting consideration when his Bill was introduced last year.

I understand that the Arbitration Court asked the Government to appoint an additional conciliation commissioner to obviate any substantial delay in the hearing of cases; and there was a particular reason, as was outlined last year, for the slight delay. A number of applications had been made for increased holidays, and so forth.

We contended last year, and we still contend, that if there had been no ulterior motive on the part of the Government in introducing its Bill to destroy the Arbitration Court, it would have taken the logical and reasonable attitude and appointed one or more conciliation and industrial commissioners, thereby leaving the Arbitration Court intact. That is all the Government had to do.

Despite the statement of the Minister for Labour to the effect that the trade unions of Western Australia are happy with the present set-up, I would like to tell him that they have viewed the action of the Government with suspicion; and before I resume my seat I hope to be able to give some justification for our attitude, because I still contend that our attitude was justified.

The Minister cannot deny that representations were made for the appointment of an additional conciliation commissioner, and I repeat that if this appointment had been made the Arbitration Court would have been left intact and any outstanding cases could have been expeditiously dealt with. But no!

The Arbitration Court had been in operation for some years and had, to my way of thinking, adopted a reasonable attitude in the determination of the basic wage under our State law. From approximately 1955, quarterly adjustments were effected by the Arbitration Court right up until 1963. The court was then abolished and the Minister has said that the quarterly adjustments have been continued.

I think I am right in saying that prior to the hearing of the basic wage case in Western Australia, the basic wage in the metropolitan area was £15 4s. 2d. The court eventually granted a basic wage of £15 8s.—a difference of 3s. 10d.; but in that 3s. 10d. there was 2s. 9d. adjustment in the basic wage. Therefore the workers of Western Australia gained only 1s. 1d. increase.

The Minister for Labour made some other statements in regard to dastardly attacks on members of the commission. No dastardly attack, to my way of thinking, has been made.

Mr. Graham: Except on the workers.

Mr. W. HEGNEY: I am not going to indulge in personalities, but I feel I interpret the feelings of a great number of trade unionists in Western Australia when I say they have reason to be suspicious about the action of the Government. The Minister himself last year in this Chamber made a very open statement to the effect that the compilation of the Bill was a secret—that no member of Cabinet knew its contents and therefore certainly no private member knew.

The SPEAKER (Mr. Hearman): I think the honourable member had better connect his remarks to the motion. To which paragraph is he referring?

Mr. W. HEGNEY: As a matter of fact I should have indicated that I will couple the first two paragraphs and thereby save duplication.

Mr. Graham: Hear, hear!

Mr. W. HEGNEY: That will obviate the necessity for me to deal with them individually. Would that suffice, Mr. Speaker?

The SPEAKER (Mr. Hearman): It will if the honourable member relates his remarks to them.

Mr. W. HEGNEY: Yes. As a matter of fact, to impress it on your mind, I will read the two paragraphs; and then if you will allow me to develop my point I will show you that I am quite in order. The first two paragraphs are as follows:—

> This House expresses its dismay and disgust at the shocking decision of the Industrial Commission in awarding a miserably inadequate adjustment of the State basic wage.
>
> We condemn the Government and the Employers Federation for their combined efforts to undermine wage and salary standards in Western Australia, strongly supported as they have been by some of the individuals the Government recently appointed to the new Industrial Commission.

I said I would not indulge in personalities; and when you called me to order, Mr. Speaker, I was leading up to the situation in regard to the determination of the State basic wage. I will not go back as far as 1904 but only to 1926 when the first basic wage was determined by the late Justice Dwyer. He determined a basic wage of, I think, £4 5s. for the metropolitan area, and annual adjustments had been provided for in the State arbitration legislation. However, in 1930, when prices were falling very rapidly during the depression, a Liberal Government introduced a Bill to provide for quarterly adjustments, and instead of an adjustment being made in June, 1931, an adjustment was made in March, 1931.

Now we come to 1938 when an inquiry was made, and Justice Dwyer, in addition to determining a basic wage on a £4 5s. basis—it was lower in 1938 than in 1926 actually—awarded an additional 5s. Judge Dunphy, in 1947, under an amendment of the National Security regulations, awarded an interim increase of 5s.

We now come to 1950, when the McLarty-Watts Government was in office, and the Federal Court in October or November of that year awarded £1 a week increase in the basic wage. At that time the Act in this State only provided that the

court was to determine the basic wage on the basis of needs, but the Act was amended by the then Liberal Government to provide that apart from the needs, the capacity of industry to pay should be taken into consideration.

The then president of the court (Mr. Justice Dunphy) awarded £1 increase to bring the amount from £7 6s. 6d. to £8 6s. 6d., much higher than the Federal basic wage. The point I am trying to make is that, right through the history of industrial arbitration in Western Australia, the State basic wage has been in front of the Federal basic wage—in many cases by a substantial margin.

But what do we find now? We find that the court has been abolished and new personnel introduced. I made a statement on this matter last year and will quote it. However, before I do so I would like to quote the Minister's gem in order that honourable members might see what I am driving at. After he had introduced his Bill, the Minister's final paragraph, on page 2021 of *Hansard* of the 24th November, 1963, reads—

> This Bill merits the approbation of every good unionist and employer in Western Australia, and I hope it will receive the early approval of the House.

The Minister has quoted from what I said, and I now wish to quote another portion, appearing on page 2262 of *Hansard* of the 31st October, 1963, as follows:—

> The matter of the basic wage is very important—

I would remind honourable members that this was said nearly 12 months before the court determined it. I will start my quotation again—

> The matter of the basic wage is very important. I might be wrong in my forecast; but knowing this Government and the things it will come at, I have a pretty rough idea that one of the reasons for abolishing the present Arbitration Court is so that it can, in due course, have a reduction made in the basic wage in this State. I know there have been underground attempts to bring the State basic wage in line with the Federal basic wage.

That is what I was leading up to.

Mr. Hawke: That was it!

Mr. W. HEGNEY: That was on the 31st October last year; and I repeat that I cannot be blamed—nor can unionists in Western Australia be blamed—if the attitude towards that measure was one of suspicion and distrust.

The Minister has tried to show that no influence was brought to bear on the commission. I am not saying that any influence was brought to bear on the commission. My concern was about the personnel of the commission. Although my remarks on this matter are recorded in *Hansard*, I do not intend to read them. I made the statement that while the Bill was being debated in this Chamber, two names were bandied around as being two of those who would be appointed to the commission. As it happened, those two were appointed.

As I have said, the Employers Federation and this Government have for some time been endeavouring to bring the State basic wage into line with the Federal basic wage and they have at last been successful in achieving this. Let me say, while I am on the question of the basic wage and quarterly adjustments, that the court has granted 3s. 10d., but included in that amount is 2s. 9d. which represents the quarterly adjustment for what is generally termed the cost-of-living figure. It may be that this court will grant quarterly adjustments for the next quarter or two; but I repeat what I said on the 31st October that, knowing what this Government will do, I would not be a bit surprised if, supposing it is returned at the next election, it introduced some provision to abolish quarterly adjustments in the basic wage.

I recollect drawing the attention of the Minister for Labour on a number of occasions to a certain clause in the Bill to which he referred in his speech. I am not going to make a big play of this matter because he has mentioned that in his ignorance—and I am not using that word in a critical way—he made an announcement that the Government was going to press for an increase of 3s. 10d. to bring the wage into line with the Federal wage.

During last year, on a number of occasions, the question was raised as to whether the Minister should be entitled to intervene in disputes. The Minister was adamant in his belief that he should have the right to intervene in any proceedings before the Arbitration Court; and in his anxiety, to my way of thinking, to ensure that his Government was going to have its policy carried out, he rushed into print and stated that the Government would only agree to 3s. 10d. a week increase and that its advocate would be instructed to press for that amount.

An apology had to be made the next day, and I am not criticising the Minister for having to apologise. We all have to at times. But that is another instance in which the industrial workers of Western Australia have grave cause to treat this particular decision and all the circumstances surrounding it with distrust and suspicion.

The Minister also said that the debate last session on this matter was a disgrace. As far as I am concerned I did not ask anyone to come to this Chamber. As far as I am concerned the Bill which was introduced by the Minister then, and which has caused the debate this evening, was one which to our way of thinking was

to the detriment of the people of Western Australia; because it was conceived in secrecy. According to the Minister nobody knew anything about it. Apparently because the President of the Arbitration Court, in conjunction with the two lay members had arrived at certain decisions over a period of years, the Government and the Employers Federation were dissatisfied with a number of those decisions and therefore the court had to go.

When industrial workers commit breaches of the Industrial Arbitration Act they are severely dealt with and heavily penalised; it is said they have broken the law. But when the Government does not like a law; when the law does not work out the way the Government wants it to work out, it does not break the law; it abolishes that law.

Mr. Hawke: They break it, too.

Mr. W. HEGNEY: The Government abolishes the instrument which administers the law, and the instrument in this particular case was the Arbitration Court. Finally, I would like to refer to the position in a general way, because, as far as I am concerned, if I had the opportunity of amending the Act to restore the Arbitration Court as we knew it before it was destroyed by this Government, I would do so. Paragraphs 3 and 4 of the motion state—

> Further, we deeply regret that no heed was given to the warnings expressed last year by Labor members and trade union leaders in connection with the then impending destruction by the Government of the State Arbitration Court.
>
> We also condemn the Government for the false assurances it gave to Parliament at that time.

Because of those sentiments we believe the Arbitration Court, as it was constituted, should be restored. There should be a President of the Arbitration Court and a representative on the bench looking after the interests of working people and another representative looking after the interests of employers. In that way we can get experienced men as members of the tribunal. Both the lay members on the Arbitration Court as it was constituted were able to bring to their duties a great sense of responsibility; and they, in conjunction with the judge, were able to assess the position, and, in the final analysis, in most cases, the judge was the determining factor.

We do not like the way the whole thing was done. We believe the Arbitration Court was doing a great job in the interests of the State of Western Australia; and we, and the unionists of Western Australia, cannot be blamed if we hold the definite and straightforward view that one of the main reasons why this Government destroyed the State Arbitration Court was so that it would have an alternative set-up by which it would more easily be able to have the State basic wage depressed in line with the Federal basic wage.

That is the position as I see it, and the Minister has not convinced me, and I do not think he has convinced anyone on this side of the House, that his motive, and the motives of the Government, were of a lofty nature when he introduced the drastic amendments which were effected last year. I hope the motion so ably moved by the Leader of the Opposition, and which to my way of thinking was so timely, will be carried.

MR. DAVIES (Victoria Park) [8.34 p.m.]: I would like to support to the utmost the motion moved by the Leader of the Opposition this evening. Of course, it is quite impossible to debate the whole of the judgment in the recent basic wage case; to do that would take many weeks. As a matter of fact, the judgment itself is quite heavy reading and one needs to relate the decision to the evidence. Here again we find there are various quotations which to me appear, on many occasions, to have been taken out of context.

As I said at the beginning, it is impossible to debate the whole of the judgment, but we want to express our opinion regarding the Government's disgraceful attitude to the whole of the basic wage proceedings; and our opinion is contained in paragraph 2 of the motion.

When speaking to the motion this evening, and replying on behalf of the Government, the Minister for Labour said very little about the Government's attitude. Indeed, in my opinion he hardly tried to explain its attitude in any way at all. All he did was to claim that we were not honest in our approach to the question, and that we were merely squealing. I am sure he will find, before long, that not only those on this side of the House are raising their voices in protest, but also many hundreds of workers, and many members of the Government's own political parties who have been disgusted with the new face the Industrial Commission has presented, will be saying their piece.

The judgment itself, as I have already said, makes fairly heavy reading, but one matter which stands out quite clearly is that the judgment is slanted very much towards the submissions made by the counsel acting on behalf of the Government, Mr. Wilson. To my way of thinking, Industrial Commissioner Cort was the only man who approached the question in the proper light; he was the only one who paid any attention to the evidence that was presented; and he was the only commissioner who appeared to have tried properly to assess the facts that were placed before him. From the inquiries I have made I believe he was the only commissioner who appeared to be asking impartial questions during the hearing.

As the counsel for the Government, Mr. Wilson expressed concern at the implications of any rise in the basic wage; and that is reflected in the judgment. There is no doubt, too, that he was aligned with the employers' representative. Those who attended the court at any time, right from the preliminary hearing, could see quite clearly that those two were working in conjunction. Even when the proceedings were being worked out at the preliminary hearing, it was left to those two persons—that is, the counsel for the employers and the counsel for the Government—to decide between themselves in which order each counsel would speak.

During the whole of the proceedings they were exchanging notes, and when one counsel was speaking, the other would be assisting him as much as he could do. I noted this from my attendance at the court, and I was advised by others who sat throughout the entire proceedings that that was the position. It was quite apparent to those who watched and also to the trade union advocate at the preliminary hearings, and subsequently.

There is no doubt the Government intervened under section 68 of the Industrial Arbitration Act, as it was amended last year; and there is no doubt also that that section, as amended, gives the Government much wider power to intervene than previously was the case. Indeed, if one looks at the transcript notes of the case, and Mr. Wilson's statement on the 30th July, there is an indication that, acting on behalf of the Government, he has much wider powers to intervene than he or anybody else had previously. So this throws the lie right back at the Minister for Labour when he said that the amendment to the Industrial Arbitration Act last year meant nothing at all. Of course it meant something! If there was to be no change the Government would not have tried to amend the section; but it did, and this is the first occasion the Government has been able to use its wider powers to intervene.

It was not so much the evidence placed before the commission when the Government sought to intervene as the manner of the intervention for which the Government ought to stand condemned. Surely when an Act is not yet 12 months old its various provisions should still be fresh in the minds of those who have had a good deal to do with it! The counsel for the Government who sought permission to appear should have known that no alteration was made last year to the manner of seeking intervention.

No alteration to the previous system was made, and the Minister cannot use the excuse that the Government acted because it did not know the provisions, and that the Act had been amended. Section 67 of the Act was not altered at all, and it provides the various methods which people can use to appear before the Industrial Commission. Further on in that section subsection (4) (a) states—

> Except where this Act provides otherwise no legal practitioner, whether of this State or of any other State, whether on the Rolls or not, or solicitor's clerk, shall be allowed to appear or be heard before the Commission in any capacity whatsoever, or to attend the Commission to advise the representatives of any party before the Commission, unless all the parties to the reference or other matter expressly consent thereto.

Never at any time was any approach made by the Government; no warning, as far as we know, was ever given to the Employers Federation; and most certainly no warning was given to the trade unions that Mr. Wilson, the Crown Prosecutor, would be used in this case. The fact that the Government did not apply the normal courtesies is, I think, a reflection of the Government's tactics during the whole of the proceedings. It was quite inexcusable, because when counsel has been briefed to appear before the Industrial Arbitration Court, as it was then constituted, or the Industrial Commission, as it is now constituted, there has been a need to advise the parties and get their consent to the use of a qualified legal practitioner. I repeat: This reflects the Government's attitude to the whole of the case—it did not want to apply even the niceties, which was the least it could do. The Government wanted to get in there and slam the trade union movement as hard as it could without applying even the normal courtesies. Indeed, throughout the whole time the Government's attitude was quite disgraceful.

The Trades and Labour Council, which was making the claim on behalf of unions, wrote to the Premier on the 26th May, 1964, as follows:—

> At the last meeting of the council I was requested to seek a discussion with you in respect to the State basic wage.
>
> The Council is anxious to obtain the views of your Government in respect to this matter in view of the recently concluded case before the Commonwealth Arbitration Commission.
>
> The deputation would comprise our President, Mr. J. C. Periera and myself, Secretary of the Council.
>
> Thanking you for consideration of this matter.
>
> Yours faithfully,
> (Sgd) J. W. Coleman,
> Secretary.

On the 15th June, which was almost three weeks later, the Premier replied to Mr. Coleman in these terms—

> I acknowledge receipt of your letter of 26th May in which you request that I receive a deputation from your Council to discuss the State basic wage.
>
> As the fixing of the basic wage is by statute, a matter for determination by the Western Australian Industrial Commission, I am unable to see that any good purpose would be served by the proposed discussion.

Surely it did not take the Government three weeks to come to that decision! That reply could have been sent the next day, because the Government had already, apparently, decided on its attitude. But surely at least some good would have come out of a round table discussion on this question. The Government could have made the offer it subsequently made. But the Premier on this occasion decided that he did not even want to talk to the trade union movement. I have complained about that attitude before in this House on several occasions, particularly in the case of the Railway Officers Union. The Government did not want to talk to the trade union movement.

Mr. Wild: You tell me of one occasion on which I have been approached and refused to talk to them!

Mr. DAVIES: I am talking about the Government. Is the Minister the whole of the Government?

Mr. Graham: He is the hole in the Government.

Mr. DAVIES: I am talking about the Premier, and the Government as a whole. I repeat that on other occasions the Government has not been prepared to see the trade union movement. I do not know how the Government expects conciliation if it refuses to get down to the discussion of the fundamentals of cases such as these before they get to the court.

Mr. Wild: They have never been refused at the Labour Department.

Mr. DAVIES: Would the Minister speak up? I have suggested once before that if the Ministers on the front bench wish to interject they should speak up, because we find it very distressing to see their interjections appearing in *Hansard* while they have not carried across the House. If they speak up it will give us the opportunity to reply to their interjections.

Mr. Dunn: You should listen to what the Minister is saying.

Mr. DAVIES: This was the Government's attitude. It was just not prepared to talk to the trade union movement or to make its offer of 3s. 10d. at that stage. Yet a fortnight later, and in complete contravention of every decent concept of conciliation and arbitration, the Government announced in the morning paper that it was prepared to offer the magnificent sum of 3s. 10d. Yet at that time it was not prepared to talk to the trade union movement.

The Government did not even apply the decencies of the Industrial Commission and the Arbitration Court when dealing with the trade union movement. It is about time the Government woke up to the fact that the trade union section of the community is a vital section, and it is waking up to what sort of a Government it is dealing with. The offer announced on the 3rd July is a complete contradiction of every decent concept of arbitration.

I think the court expressed its opinion of it when the matter came before it; and, of course, the counsel acting on behalf of the Government had to apologise. That was all he could do. He was, however, placed in a very invidious position by the over-anxious approach made to the question by the Minister for Labour in trying to influence the court. There is not the slightest doubt that that was the intention of the Government at the time. These are just two aspects of the Government's attitude to this matter.

Now we will talk about the aspect of the Industrial Commission in regard to the undertaking it gave. The original hearing was on the 3rd July, I believe, and the transcript ran into quite a number of pages. Unfortunately I have not the entire transcript with me, but what I have goes as far as page 14. I say it is unfortunate because this is one of the most important cases that has come before the Industrial Commission or before its predecessor, the Arbitration Court. I might interpolate here that the Government has yet to deny that it wanted to get rid of Mr. Justice Nevile. Not once during the entire debate on the Arbitration Bill, and not once tonight, has an honourable member of the Government stood up and said that the Government did not want to get rid of Mr. Justice Nevile. The Government has yet to say this. Of course it cannot honestly say that.

Mr. Dunn: The Government does not have to say it.

Mr. DAVIES: When the honourable member is game enough to get up and speak I will believe what he says.

Mr. Rowberry: He is done already!

The SPEAKER: (Mr. Hearman): Order!

Mr. DAVIES: When I was interrupted I was making some reference to the fact that there was a considerable amount of transcript taken at the beginning of the case to work out the procedures that were to be adopted.

It was decided that Mr. Hawke, the advocate for the union, should go first. There were then some niceties recorded

between Mr. Schnaars and Mr. Robinson, of the Employers Federation; and Mr. Wilson, for the Government. It makes interesting reading and shows how the three of them were working out how the case for the Opposition should be presented. But that is another story. The collusion between them was so blatantly obvious that I do not have to emphasise it here. On the 3rd July, 1964, the Chief Commissioner said—

> I do not feel, as I have already said, that Mr. Hawke is going to approach the matter along these lines. You see, so for as Mr. Hawke is concerned, I assume for the purposes of the inquiry, that these unions will be regarded as the applicants in this matter, and it may well be that in supplying this Commission with information, that after you have concluded your address, Mr. Hawke may be in the position of saying that information you have been supplied with is not correct, or is misleading, or is presented in such a manner as to not give a correct impression to the Commission. You have the advantage in following Mr. Hawke, of being able to point that out to us if you believe his submissions are incorrect, or presented in such a manner as would perhaps mislead the Commission. Mr. Hawke, unless given the same right in that respect, will not have the same opportunity of analysing your submissions that you put before the Commission. Provided it is kept within proper perspective, I do not think the matter will get out of hand at all.

Here, of course, the Chief Commissioner, Mr. Schnaars, was giving an undertaking to the union advocate that he would have the right to reply to the case presented by the Government and the employers. He did not say he could reply to every point, but if there were some statistics or figures or quotations that were queried Mr. Hawke would be given the right to comment.

The Chief Commissioner further said—

> I hope it is not on the assumption that your reply will take a week.

Here I think the Chief Commissioner clearly indicates that he will allow Mr. Hawke to stand on his feet in court and make a reply on the assumption that it would not take a week. Mr. Hawke said—

> No, I make no assumption on this matter. I rest very contented in the very fair way in which you said you would protect my interests.

Mr. Hawke was to find out that the Chief Conciliation Commissioner had no intention whatever of protecting those interests. That was the undertaking that appeared in the transcript and by which the court did not abide. What were the reasons for that? The reasons given were that one of the three commissioners who had been sitting on the case—Mr. Commissioner Kelly—was sick. What were the circumstances concerning Mr. Kelly's illness?

The case was concluded and Mr. Hawke was to make his submissions on Monday morning. When Mr. Hawke arrived at the court he was told that because of the illness of Commissioner Kelly the case could not proceed as planned, and that counsel would have to make their submissions in writing to the court, which would consider them. Not only did Mr. Hawke make his submissions in writing, but the Employers Federation had the right to answer the submissions made by Mr. Hawke.

Mr. Court: That was in accordance with the arrangement made and recorded in the transcript.

Mr. DAVIES: It is a contradiction of the arrangement made.

Mr. Court: You have not read the whole transcript.

Mr. DAVIES: It is a complete contradiction of the undertaking given to Mr. Hawke that he would be allowed to address the court on these points.

Mr. Court: The Chief Commissioner honoured to the letter the arrangement he made with Mr. Hawke. Read the whole transcript!

Mr. DAVIES: The Minister for Railways has not been listening to the matters I have read out.

Mr. Court: I have been listening, and that is why I picked your mistake.

Mr. DAVIES: Mr. Hawke found that the case was not to be proceeded with because of Commissioner Kelly's illness. It is interesting to note that Commissioner Kelly had that morning been outside the Industrial Arbitration Court talking to some of the trade union boys, and he did not mention he was ill and would not be sitting on the bench, or that he would be going home. Suddenly we find he is ill, that he will not be sitting, and that he is on his way home.

Mr. Evans: Very convenient.

Mr. DAVIES: Yes; it is certainly very convenient.

Dr. Henn: Cannot somebody get ill suddenly?

Mr. Hawke: I wish you would.

Mr. DAVIES: Perhaps Commissioner Kelly did become ill; but I do not know whether influenza comes on very suddenly. I do not know whether one can bring it on conveniently. There are, however, other illnesses one can bring on if one wants a week off from work. I am not a medical man, but I am suggesting that Commissioner Kelly appeared very fit when talking to the trade union secretary before he bounced up the stairs

into court. On the 23rd September I asked the Minister for Labour the following question:—

> During what period was Mr. Commissioner Kelly absent from the Conciliation Commission at the end of the basic wage hearing?

The Minister replied—

> Mr. Commissioner Kelly was absent from the Arbitration Court from and including Monday the 10th August, and resumed duty on Monday, the 17th August.

When the union advocate found out that Commissioner Kelly was unable to sit on the case, and that new arrangements had been suggested he approached the Chief Conciliation Commissioner, Mr. Schnaars, and said, "We are prepared to wait any length of time so that we can finish this case." It was pointed out that Mr. Hawke had a fortnight's holiday to take which he would be taking, and that he would be in the State for at least another two weeks. There was not the slightest reason to suggest at that time that Commissioner Kelly would not be back at work at the end of two weeks.

Mr. O'Neil: What has that to do with the motion?

Mr. DAVIES: I am talking about the Government's attitude. I do not know whether the honourable member has ever belonged to a union.

Mr. O'Neil: Oh yes, for a considerable time! I was an active member and a delegate to its conference.

Mr. DAVIES: Mr. Kelly was off for only a week, but Mr. Schnaars was adamant that the Industrial Commission could not wait for Mr. Kelly's return; this clearly indicates there was some collusion to prevent the undertaking that had been given, and to which I have referred, from being implemented.

Mr. Bovell: That is a serious reflection on the Chief Industrial Commissioner.

Mr. DAVIES: I have supported my statement with arguments.

Mr. Bovell: Rubbish!

Mr. DAVIES: The unions were prepared to wait, but Mr. Schaars said the matter was very urgent and the commission did not have time to waste. He said the Industrial Commission had to give a decision, and the arrangements he had made were final. Although the members of the trade union movement saw the Minister for Labour, no alteration could be made.

In fact, there was no great urgency for the decision. At that time the employers in Kalgoorlie had lodged an application for a reduction in the goldmining industry allowance. Although the Industrial Commission alleged that it was very busy dealing with the basic wage case, it managed to spend four days at Kalgoorlie on hearing the application for a reduction in the industry allowance. This is, indeed, amazing, after the commission had declared that it wanted to give a decision on the basic wage case. Because apparently the form of application for a reduction in the goldmining industry allowance was related to any rise in the basic wage, the Industrial Commission saw fit to forget the basic wage case, and there was a chance for it to deny a few shillings to the trade unionists in Kalgoorlie.

Mr. Evans: It would have been much better if the commission had kept right away from Kalgoorlie.

Mr. DAVIES: What I have pointed out once again gives the lie to some of the attitudes expressed by the commission, when it says one thing but does the opposite. How are we to put any faith in the commission?

The Minister for Labour thinks it is wrong that we should even talk about the Industrial Commission, but he should realise that the commission says one thing but does the opposite. We cannot be expected to put up with a commission such as that, and we are completely justified in bringing these matters to the notice of Parliament. They have already come to the notice of everybody else, but I suppose Parliament is the last place where one hears about them.

Although the unions were prepared to wait any length of time, so that they could complete their submissions in accordance with the undertaking given at the preliminary hearing, they were not permitted to do so. The Industrial Commission has certainly been on trial, but it has not come out of it too well.

The trade unions were waiting anxiously for the decision, because it was a matter which affected thousands of workers. I shall not refer to what was expected in the decision, because that has already been put before the House very clearly by other speakers this afternoon and this evening. The trade union movement was waiting for the decision, but not a word came from the Industrial Commission.

On the 18th September, 1964, *The West Australian* was able to announce that a decision was likely to be given in the following week. The newspaper was able to make that announcement, but nobody else knew. The Industrial Commission did not make any statement.

Mr. Jamieson: What happened finally?

Mr. DAVIES: The honourable member for Beeloo asks a very good question. Although it had taken over a month for the hearing of the basic wage case: although there was constant liaison between Trades Hall and the officer of the court; and although many people were anxiously waiting for the decision, the Industrial Commission took this course of action: At 4.45 p.m. on Monday, the 21st September, a member of its staff rang the

office of the Trades and Labour Council and announced that the decision would be given at 9 a.m. the following morning. This phone call came through at 4.45 p.m. on the Monday, and the decision was to be given at 9 a.m. the next day.

The advocate of the trade union movement had appeared before the commission for about four weeks, and of course it was not possible to get him over here from Melbourne by 9 o'clock on the Tuesday morning. The commission knew very well where the advocate was at the time. Let us see who was next in line to appear before the commission to receive the decision; he was the secretary of the Trades and Labour Council (Mr. Coleman). But where was he? Everyone knew he was attending an interstate conference of the A.C.T.U. in Sydney; and the Industrial Commission knew that, because a report had appeared in the newspapers over the weekend. It was common knowledge that he was out of the State, and that he could not get back in time.

It was very obvious that the time chosen for delivery of the judgment was decided on, firstly, because the two people to whom I have referred were out of the State. I think the message from the commission to the office of the Trades and Labour Council was left as late as possible in the day, because it was known that after 5 p.m. it would be very difficult to get in touch with the various sections of the trade union movement to spread the word around.

The intention of the commission to deliver its decision was not made in any radio or television news bulletin; nor did it appear in the *Daily News*—not even in the Stop Press section. Neither did it appear in the morning newspaper.

In fact, in the court list which appeared in *The West Australian* of the 22nd September no mention was made of the intention of the commission to deliver its decision, because this was the court list—

> *Industrial Commission:* At 9 a.m. before the Commission in court session: Lake View and Star Ltd. v. A.W.U. and others—applications to amend various awards and agreements; declaration under part VII;—for judgment.

There was no mention in there that the basic wage decision was to be given.

The Industrial Commission altered the hearing of the Lake View and Star case from 9 a.m. to 9.30 a.m., and it brought on the basic wage decision at 9 a.m. I am told by members of trade unions who attend the court regularly that the commission does not usually start its sitting before 9.30 a.m. In this case the principal officers of the trade union movement were out of the State, and that fact was known. There was no public announcement of the decision being made; it was left to the last moment to advise the Trades and Labour Council; the intention of the commission to give its decision did not appear in the published court list; and the case was brought on for hearing earlier than is usual.

Why was the commission trying to hide its intention? Why did it not want the people to know? Was it afraid its decision would be so unpopular that there would be a demonstration? When the decision was given, why was it not given in the old Arbitration Court building, where all the proceedings had taken place, instead of the No. 4 or the No. 5 court? In the old Arbitration Court building there is accommodation for 40 to 50 persons; but in the No. 4 or No. 5 court there is room only for about 16 people. Did the commission not know that eventually its decision would have to be made public? Did the commission not want anyone to hear the decision, and was it ashamed of its decision? It certainly looks that way.

The tactics of the commission have left a great deal to be desired. I say that is another reason why we should not place all the faith in the Industrial Commission which the Minister for Labour suggests we should place. The whole affair, from the beginning to the end of the hearing, was distasteful, and I think the final action of the commission was the most distasteful of all.

Mr. Court: What makes you so suspicious of the court following a procedure like that? There does not seem to be anything untoward in that. It is a public document.

Mr. DAVIES: It is the most important decision that has yet been given; so why did not the Industrial Commission announce it in order that interested parties could go along? Why select a time when the advocate and the secretary of the Trades and Labour Council were out of the State?

Mr. Bovell: If they were so interested they should not have been out of the State.

Mr. DAVIES: If it knew it was going to give its decision at 9 o'clock in the morning, why did it wait until a quarter to 5 on the previous night to announce its intention? I cannot understand its logic; and it certainly makes me suspicious.

Mr. Court: I think it is just your suspicious mind and the way you approach most things in this House.

The SPEAKER (Mr. Hearman): Order! The honourable member for Victoria Park will continue.

Mr. DAVIES: Why was it not even announced in the court list? As the Minister has said, it is going to be a public document eventually. Why did the commission not advise those people who were interested? I would have gone down to hear

the decision; and a number of my colleagues, and certainly a great many of the trade union secretaries, would have been there to hear it. All these things make me suspicious, and I think I am entitled to be.

Mr. D. G. May: It was loaded.

Mr. DAVIES: Why hold the hearing in No. 5 court where accommodation is limited? The actions of the commission were deliberate and distasteful. As I said previously, the motion is hardly adequate to cover my feelings on the Government's attempts to interfere in this case, and to cover my own personal feelings as to the way the whole thing was handled.

The suggestion has been made that we are going to be far better off because there are still quarterly adjustments to the basic wage to come. The fact that 2s. 9d. was lost for some six weeks does not appear to be important. It certainly makes the 3s. 10d. look silly. We will watch with a great deal of interest the attitude of the commission on quarterly adjustments. We made a number of forecasts in connection with the establishment of the Industrial Commission; and I will make a forecast that basic wage adjustments will continue until after the next elections; and if there is no change of Government, shortly after that, cost-of-living adjustments to the basic wage will be discontinued unless there is a recession and a marked drop in wages.

I make this forecast, and I will be delighted if I am still here after the next elections and some honourable member quotes to me the fact that I have been wrong. However, I am quite certain, that, judging by the antics of the court up to the present time, I will be completely right in my forecast; just as we forecast during the last session of Parliament some of the things that would happen under the Industrial Commission. I support the motion.

MR. O'NEIL (East Melville) [9.14 p.m.]: I listened with great interest to the Leader of the Opposition when introducing the motion standing in his name; and I listened also with great interest to the Minister for Labour in reply. I endeavoured to see what examples, firstly, the Leader of the Opposition would give with regard to some of the warnings that were supposed to have been made or were made when the Arbitration Court was altered into an Industrial Commission; and also to find out what false assurances were made by the Government during the passage of that legislation last year. I did not hear from the Leader of the Opposition one specific instance of any assurance given that could now be regarded as false.

I did not hear very much either from other honourable members who contributed to the debate, but listened carefully to find out which assurances given were now to be regarded as false. Whilst discussing what other honourable members contributed, the honourable member for Victoria Park indicated that I have never been a member of a union. He said, "I suppose you have never been a member of a union." I have been an active member for a number of years of the union that cares for my profession. I served on its branches in an active capacity, and acted as delegate to annual conferences.

Mr. Rowberry: What has that to do with the motion?

Mr. O'NEIL: It has to do with what the honourable member for Victoria Park said. It is a good union because it is not subject to political affiliation.

Mr. Moir: It does not have to appear before the Arbitration Court.

Mr. O'NEIL: But it is a union of workers and is a good union. While on the subject of good unions, I had occasion to meet a young man who was a member of a union and he was required, by order of the committee of management, to appear before that union because he did not pay whatever union subscriptions were due last quarter. He received a letter from the union ordering him to appear before the committee of management and to attend personally. He received another letter stating, "Because under rule so-and-so you failed to appear before the committee you are fined £5." In my presence he rang the union secretary and asked if he could get a copy of the union rules so he could read the one quoted in the letter. He asked if it could be posted to him and the secretary said, "No, come and see me and talk the matter over with me."

This is the justice in this union: If he does not pay within the next fortnight, he will not only be subject to a fine but will be struck from the record of the union and be out of work. In my presence he rang the union and was told by the union official to present himself to receive the rules.

Mr. Oldfield: Is the constitution of the L.C.L. available?

Mr. O'NEIL: I will let you have one free.

Mr. Oldfield: I have been trying to get one for 10 years.

Mr. Hawke: That would be too expensive.

Mr. O'NEIL: I do not pretend to be an authority on industrial arbitration, but I listened with great interest to the amendments to the provisions of the legislation last year; and I had certain duties to perform in my official capacity as Whip. Whilst I might have been referred to as Schicklgruber O'Neil, and other nasty names, I will say that honourable members—recognising it was my responsibility to gag the debate at certain times and do other things that normally appeared a

little obnoxious—not once criticised my action outside the Chamber, and for this I am grateful.

After such an acrimonious debate last year, I thought I would endeavour to find out whether the new system of industrial arbitration was going to be effective and whether there would be an improvement. I have listened carefully, and read various reports so that I could find out whether there was any dissatisfaction with the new system; and, quite honestly, I have not found anyone who has made any serious objection to the new system as it exists. As a matter of fact, I have a very close neighbour and friend, who, during the course of this particular debate last year, was requested by the official of his union to absent himself from work so that he could come up to Parliament House and hear what was going on. To this I had no objection, but he listened to some haranguing outside in the car park and I noticed during the next two days that he did not speak to me.

His wife and my wife are quite good friends and see one another two or three times a week, so the subject was broached by my wife as to why her husband had not taken the opportunity of talking to me as he usually did. The answer was that he felt the Government was doing what he was told in the car park, and that he would be put into such a position that he would be in penury as a result. He heard some of the explanations regarding the 40-hour week being extended over periods of weekends and after-hours work; and as he was a shift worker he would only be paid for a 40-hour week whether he worked day and night. These things worried him. After another few days had elapsed, I finally had a talk with this fellow.

Mr. Rowberry interjected.

Mr. O'NEIL: Let me finish! I spoke to him, showed him the provisions of the amending legislation, and some of the debate, and I am quite happy to say that he has realised at last that all these dangers spoken about have not come to pass.

Mr. D. G. May: Have you spoken to him recently about the retrospectivity?

Mr. O'NEIL: Yes. He is prepared to accept the decision of an arbitrator selected by his own union. Now honourable members know what union he is in. However, he is prepared to accept the decision, recognising that the Government allowed free selection of the arbitrator.

The Leader of the Opposition asked why Mr. Flanagan was not included in the Commission when it was deciding the basic wage issue. I ask why Mr. Flanagan, the workers' representative, was not selected to act as an arbitrator in the retrospectivity case.

Mr. Davies: Who said he was the union's representative?

Mr. O'NEIL: He has a union background.

Mr. Davies: So has Schnaars.

Several honourable members interjected.

Mr. O'NEIL: So have I. To what are honourable members objecting? They have referred to some of these commissioners as "individuals" in a derogatory sense. I do not know whether they refer to one, or some, or all of them. However to get back to the motion. No-one has quoted from the first annual report of the Chief Industrial Commissioner. I presume all members of the Opposition have read it, and I presume, too, that because of their attitude to him they might also regard his report as a pack of lies. However, statistical information cannot be denied, and I believe that some of the points raised in the report are quite interesting.

I can remember that during the debate last year accusations were made and it was very strongly stated that the unions did not want to have a bar of a certifying solicitor. It was stated that it would be an additional expense to consult him before their rules were presented for ratification. I would like to quote the following regarding the certifying solicitor:—

> Mr. K. Olney was appointed certifying solicitor under section 60 (3). He has fully co-operated with the Commission, and with unions seeking advice on the alteration or registration of rules. Reports made to me by unions seeking registration or alteration of rules indicate this service is fully appreciated as an inexpensive method of obtaining sound legal advice on the proper drafting of rules.

So much for one of the flags flown by the Opposition during the debate last year.

Mr. Davies: It was free of charge under the old Act.

Mr. O'NEIL: The unions have advised the Chief Industrial Commissioner that they are perfectly satisfied with the inexpensive method.

Mr. Davies: I would like to see it in writing.

Mr. O'NEIL: Here it is.

Mr. Davies: From the unions.

Mr. O'NEIL: See the certifying solicitor.

Mr. Davies: I will make inquiries.

Mr. O'NEIL: If the honourable member for Victoria Park has to make inquiries, he could not have read the report or he would have seen it. He is supposed to be an industrial expert and interested in it, and yet he has not taken the trouble to read the first annual report.

Mr. Davies: I have been trying for the last three weeks to work out the decision of the basic wage. I bet you have not!

Mr. O'NEIL: The court has the task of working it out and it has done so. I am prepared to abide by its decision.

Mr. Jamieson interjected.

Mr. O'NEIL: The member for Beeloo can present his facts to the court and ask it to reopen the case. He can make an appeal.

Mr. Davies: I bet you have not read the decision about which you are speaking now.

Mr. O'NEIL: On this matter of requesting the commission to make a decision on the basic wage, it is a wonder to me that in the light of what appears in this report, action has not been taken since 1950 to appeal.

Mr. Davies: They were all good decisions before the court was abolished.

Mr. O'NEIL: The following is another extract from the report:—

> On the 16th June, 1964, the Commission received a request from the Trades and Labour Council of Western Australia, made on behalf of a majority of registered unions of workers, for the consideration and determination of a basic wage in accordance with the provisions of section 123 of the Industrial Arbitration Act . . .

It goes on to relate some of the history, but we had quite enough of that from the honourable member for Victoria Park. It is significant to read the final paragraph as follows:—

> This is the first occasion since 1950 that a request has been made for a review of the basic wage.

It is astounding to me that if there was such great concern about the disparity in the basic wage, some other application had not been made to the previous court for some consideration.

Mr. Davies: By whom?

Mr. O'NEIL: We were also told of the dire things the employers were going to do to workers because of the penalties provisions of the new legislation. It is interesting to find out what has happened, who has taken action against whom, and with what result. The following is a further quotation from the report:—

> Proceedings in which parties successfully sought the application of the penal provisions of the Act were all taken before Industrial Magistrates and totalled 71 as follows:—
>
> By industrial unions of workers against employers 45
> Resulting in—
> Fines £389; Costs £75 17s. 2d.
>
> By industrial unions of workers against workers 26
> Resulting in—
> Fines £76; Costs £10.
>
> By employers or industrial unions of employers against unions of workers .... Nil

There is then a note as follows:—

> Note: The charges brought against workers were in respect of union membership.

Who has used the penalty provisions of this legislation?

Mr. Davies: You amaze me!

Mr. O'NEIL: The honourable member for Victoria Park ought to be amazed! We were told the employers would grind the workers into the dust.

Mr. Davies: You get up to talk about a motion and you have no background of arbitration.

Mr. O'NEIL: The honourable member for Victoria Park has not read the report, on his own admission.

Mr. Court: You have not read the report.

Mr. Davies: We are discussing the basic wage today.

Several honourable members interjected.

Mr. O'NEIL: To finalise, the Minister made reference to outstanding cases. He said that at the time the Industrial Commission came into being there were 158 cases outstanding. Actually he was wrong because there were 153. I do not want to read the whole quotation, but suffice to say that in this State there are no cases outstanding other than those immediately before the court.

There is one other point to which I would like to refer before resuming my seat. I think the Minister took the Leader of the Opposition to task for referring to a gentleman whose name has recently appeared in the Press with regard to some financial disability. Subsequently the Leader of the Opposition stated, by way of interjection, that he was not criticising the man as an individual, but simply his political philosophy.

While the Leader of the Opposition was speaking, despite the fact that he did not mention the man's name, I made a note of what he said, and although it might not be exactly as *Hansard* reports, it will be similar. He said by interjection that he only disagreed with his political philosophy. However, when he was talking about the Employers Federation he referred to the vicious, avaricious members of the Employers Federation such as the individual to whom he had recenty referred.

Mr. Hawke: That is right.

Mr. O'NEIL: On reflection the Leader of the Opposition must realise that he did cast a personal reflection on this person. If *Hansard* proves I am wrong, I will be only too ready to apologise.

Mr. Hawke: Not in relation to the person's financial difficulties.

Mr. O'NEIL: It might not have been, but that was the inference I gathered. As honourable members have realised, I do not intend to support the motion moved by the Leader of the Opposition.

Mr. Davies: You have not talked about it!

MR. JAMIESON (Beeloo) [9.30 p.m.]: Seeing that the Minister for Industrial Development is a full bottle on the procedures which were supposed to have been adopted at the hearing of the case before the commissioners, it will be interesting to read from their booklet, which he claims he has read and knows all about, to show members the procedures which were set out to be adopted.

I intend to do just that for the edification of the Minister, who either cannot read or did not read it. It is obvious that his statement, by interjection earlier this evening, was a lot of nonsense. The booklet reads as follows:—

> At the preliminary hearing, those present were informed that the procedure to be followed during the hearing was to be that prescribed by the regulations to the Industrial Arbitration Act (regulation 83).
>
> Mr. Hawke, on behalf of the majority of industrial unions of workers (hereinafter called the applicants) was to open, followed by Mr. Sawyer of the Clerks' Union. Mr. Wilson would then, as intervener, present material on behalf of the Crown and, finally, Mr. Robinson would submit the employers' views. The inquiry would then conclude, subject to all or any of the parties being requested by the Commission to address it on the facts adduced.
>
> Subregulation (8) of regulation 83 provides—
>
> > The Commision may request either party at the close of the case to address it on the facts adduced. No concluding addresses shall otherwise be made.
>
> Mr. Hawke sought a reply as of right notwithstanding this subregulation. He desired that right in respect "to the extent that the employers have raised issues relevant to the points that have been made by the applicant unions which still require clarification."
>
> The Commission advised that, "if deemed necessary the Commission will allow both parties to address on certain aspects" and that it could be left to the regulations and the Commission "to see that the interests of every party are not prejudiced in that reply" and then "the case will not conclude before all parties have been given every opportunity to advance whatever they want to advance."
>
> At the conclusion of the employers' case, the Commission requested Mr. Hawke to indicate the matters upon which he felt further submissions were necessary, in order that it could consider whether or not those matters properly fell within the intention of the Commission outlined at the preliminary hearing. Mr. Hawke again sought an unrestricted right of reply but subject to certain conditions. Mr. Robinson objected to the grant of such a right pointing out that it would entitle him to make further general submissions to which Mr. Hawke replied:—
>
> "If I, in my reply introduce, by way of explanation or exposition of a fallacy as I see it, new material, then there is given to Mr. Robinson the right to address himself in a limited way only to new material which is put in.
>
> "I concede readily that if I was to do that—to, as it were, expose what I see as a fallacy—then it would only be equitable that the employer should have the right in respect of new material, which I put in, to make a comment upon it. I think this would only be fair and I certainly would not argue against that but there is no right of another argument to Mr. Robinson."
>
> The Commission then granted Mr. Hawke a right of reply in the following terms:—

I draw the Minister's earnest attention to this. Continuing—

> Mr. Hawke would be given the opportunity to make further submissions, subject to the restrictions suggested by him—
>
> (a) that those submissions be completed on Monday morning; and
>
> (b) that those submissions do not involve re-argument of the applicants' case.

It is very clear the commissioners gave an indication that they would hear the address on matters which had been raised. They went back on their promise to the parties involved in this particular case. When it came to the time, they said, "No, we shan't do it. Submit in writing any further arguments that you want to put forward."

Had they intended to adopt this procedure in the first place, they would have called for submissions in writing on the other points at issue, when the arguments of all parties had been put forward. But the commission did not do that.

Mr. Court: Permission to put submissions in writing was a very effective substitute because of the special arrangements, the special circumstances.

Mr. JAMIESON: Of course it was a substitute. The Minister said that in this booklet it clearly defined what the procedure was; and I said that he did not know what he was talking about, and he still does not know.

Mr. Court: I still think they honoured their promise and gave him the right to reply.

Mr. JAMIESON: I have made my point. They complied by altering their promise. We have now heard everything! We already know how much value to put on a comment made by the Minister.

It is interesting to deal with the statement of the Minister for Labour when he said that the quarterly adjustments to the basic wage had not been interfered with or suspended. We must go back to a report which appeared in *The West Australian* on the 22nd July, 1964. The heading is as follows:—

COMMISSION MAY DELAY ACTION OVER C.O.L. RISE

If decided it would be taken in conjunction with submissions that were being made to the court. If no action had been taken for an adjustment to the basic wage, I submit that the workers of this State would have been better off financially than they would have been after a long court hearing. If the commission had granted an automatic adjustment of 2s. 9d.—which is 1s. 1d. less than the ultimate given—it would have been given on the 22nd July, or perhaps a day or two earlier, and it would have applied from the next pay period. The workers would have been receiving that amount all the time that this case was before the commission.

Figures for the next quarter are due out within a day or two; and they will show another rise. When does the basic wage apply from? From the first pay period in October. It does not take much mental arithmetic to work out how much worse off the workers are for going to the Industrial Commission in an endeavour to get an improvement in the basic wage. They are worse off than if they had never gone. Financially they are 11s. 3d. behind, when we see the new figures which will come out in a few days. The figure will be in the vicinity of 3s. 6d.

That is the situation. By going to the Industrial Commission the workers have found themselves worse off. They know they are worse off. Why should they be worse off? Let us examine some of the submissions that were made; submissions which were placed before the commission for the consideration of the commissioners, which should have been done, and which is normally done in any court.

Some of the important submissions were introduced by Mr. Robinson. There are hundreds of pages here with figures on them. There is a table setting out the value of the net reduction, illustrating that the overall growth of Western Australia's economy is not as high as that for the rest of Australia. A summary of the total is set out below. The figures refer to industry in Western Australia in 1949-50 compared with the rest of Australia. Primary production per head of mean population amounted to £121. The figure for factory production is £47 16s. The figure per head for total production is £168 16s. In 1962-63 the primary production figure had jumped from £121 per head to £167 18s. per head, and the factory production had jumped from £47 16s. to £141 11s. That is a total of £309 per head as compared with £168 16s., which showed an increase over that time of 83 per cent. of production value in this State as against Australia, which over the same period—according to Robinson's figures—showed an increase of 97.6 per cent. compared with 83.3 per cent. in this State.

Mr. Hawke, on behalf of the employees, was not prepared to accept that advocate's submission. This approach was challenged by Mr. Hawke on the ground that the figures should also be deflated so that the above total for 1949-50 would read £168 16s. per head and the total for 1962-63 would be £210 12s., which would be an increase of 24.8 per cent. as compared with the Australian average of £175 14s. for 1949-50 and £218 17s. for 1962-63. The increase in percentage was 24.6. The increase advantage in this State was .2 per cent.

Whatever comes out of those figures, I want to make sure that this House records the fact that during the course of this gallop, this leap forward, this great progressive movement, and all the rest of it in this State, when the basic wage was being paid in excess of that applying to employees under Federal awards, these figures applied.

Those are the hard, cold facts. If the economy of the State was able to make the progress that it did in that period and pay the increases in the Federal basic wage, why cannot it afford to continue to pay? When I look at the general conclusions I wonder exactly why the commission came to the decision which it did. The following will be found among its conclusions:—

> Since 1949-50 the Western Australian growth has exceeded that for Australia in some sectors but this greater growth has been dampened down with a high percentage of the work force

in this State employed in tertiary industry, so that growth has not exceeded that for Australia.

The assumption was that whatever growth took place in the work force, we were all in together. Right through the conclusions reference is made to the various aspects and submissions which clearly indicate that there is an increase in production right throughout the manufacturing industry. Surely it is not just the employers who should receive the benefits! Surely the responsibility is on the Industrial Commission to see that the citizens of this State receive an equitable advancement if one is to be made! Surely the commission is not there to see that one section gets the increase!

If we are to have prosperity, do not let us have a caste of untouchables and a caste of Nedlands and Swan River foreshore dwellers, because that will not get us anywhere in the ultimate progress of this State. We will deflate and slip back to the horse and buggy days when there was no equality; no basis of real arbitration; no basis where an equitable wage was paid for work done.

I think it is abundantly clear that the employers' representative, the Government's representative, and the employees' representative should decide this issue. The Minister for Industrial Development, and other Ministers, are always on the band waggon of how much progress the State has made. If the State is going to progress then its wage level has to increase. At the moment the State has the lowest wage level in Australia; it is about £2 10s. below the average. We want the money in the community. We want it spent, and we need the turnover because money paid to the workers will make more money.

The profits made by employers sometimes go to pay dividends to shareholders who do not live in Australia, or Western Australia, and so it becomes dead money. It is no good to the super mart owner or the general storekeeper. It is of little value at all once it goes into dead hands of foreign shareholders. The value has gone so far as this State is concerned.

It is no use thinking that that is prosperity. We could bump the profit rate to twice the figure it is at present, but if the money does not remain in the State the people will remain paupers. To have prosperity we must circulate the money: and when that money stops circulating, prosperity ceases.

That is what the Ministers need to get into their heads: the more money they can keep circulating in this State the better it will be. Whether we be behind or in front of the other States or the Federal basic wage does not matter.

The Premier will tell us that we will be penalised by the Grants Commission, but I have yet to see it. The Grants Commission takes it away on the one hand and gives it back on the other, and if the Premier analyses the reports of the Grants Commission he will see that that is what happens.

Mr. Brand: You cannot get away from the hard, cold fact that we are penalised, if that is the right word. We have a favourable level.

Mr. JAMIESON: Yes; the Government has a favourable level. I understand that some of the other States do not get treated so well; such as Tasmania. But what you lose on the swinging boats, you get back on the merry-go-round. You never miss out.

The SPEAKER (Mr. Hearman): Order! The honourable member had better get back to the motion.

Mr. JAMIESON: I think it would be advisable. The economy of the State is vital, and the amount of money kept in circulation is most vital. It is most vital to improve the average standing of the people in this State if we are going to get overall progress. However, it would appear that some of the Ministers in this Government—if not all of them—are content to think that so long as an increase in profit and prosperity is shown by book keeping, then it is so. They are not interested whether the butcher's bill is paid or the doctor's bill is paid, or the other bills which come in on the average wage earner are paid. They are not interested in that so long as they can show by figures that the industrial might of the State has increased, with increased profits going into foreign projects, started in this State.

The general conclusions of the commission are worth noting, because at first it thought that £15 10s. per week would be the right and proper wage. Finally, of course, it adjusted the amount to £15 8s. The amount set by Commissioner Cort was £15 10s. It would appear that when the commissioners finally got to making a decision they arrived at three different amounts. They put them all in a hat and everyone had a dip. When they got an amount they wrote something to try to justify the figure that had been pulled out of the hat. That must have been so because there seems to be no rhyme or reason why the figures were applied in the way they were in the judgment. The commissioners were unable clearly to indicate within the pages and pages of the report the reason why they differed on the final amount by only a few shillings.

The Minister for Labour said he would never interfere. He has always taken that line—that he would never interefere with the commission. I was a member of a deputation when representations were made to him, and the suggestion was put forward that the Government request the commission to live up to its undertakings given at the start of the case when it said it would hear final submissions. The

Minister's claim then was, "I won't interfere. I will never interfere. I never have and I never will." If he never has and he never will, I do not know what one would call the Minister's original announcement that the State would agree to a basic wage of £15 8s.! That was judging the case before it ever came to court!

Returning to my original theme, the workers would have been a darned sight better off had they never gone to the Industrial Commission but simply waited for the normal adjustment; because the Minister said it would have been applied.

Mr. Fletcher: They were dragooned.

Mr. JAMIESON: Yes; as my colleague says, they were dragooned into the position and they had to go through with it. I do not know whether it is the employers' endeavour to get rid of union funds by insisting they should indulge in these long legal discourses and shooting forays, and the unions having to bring the top advocate from the Eastern States to put forward a case on their behalf, but that seems to be the position.

Getting back to the Eastern States advocate for a moment, I would suggest the very reason the commission did not hear him any further was that on so many occasions, as one can see by reference to the Press cuttings, he was scoring off the commissioners on the various questions that were put to him, and they were not game to hear him any more.

Mr. Oldfield: That's right.

Mr. JAMIESON: That is what they were up to.

Mr. Graham: It is right.

Mr. JAMIESON: They were afraid they might have been shown up by him in the light of what they were doing. They were not able to handle the position which they were supposed to handle.

Mr. Graham: Stooges for the Government, that's all.

Mr. Oldfield: After they had been told not to bring in any more than 3s. 10d.

Mr. JAMIESON: My colleague, the honourable member for Victoria Park, dealt with the final announcement, and it was a shocking way of announcing anything so important. Months before the case started there was one statement after another by the commissioners as to when the case was likely to start, what would be done, the procedures to be followed, and a dozen and one other items like that.

Once an inquiry is started surely the object is for a report to be made; and surely, too, that report should be delivered publicly and the fact that it is to be delivered should be announced in the Press! Surely there should have been a statement that at 9 a.m. on such-and-such a date the decision of the Industrial Commission on the basic wage case would be delivered; instead of saying that a decision in Case No. 7 before the Industrial Commission will be given at 9 a.m. on such-and-such a date. That is just too ridiculous! In fact, there was a shut-out by the Press; but, despite what some members have said, I understand there was a disclosure on the A.B.C.'s. 11 o'clock news that the judgment would be delivered the next day. But, of course, not everybody listens to the 11 o'clock news on the A.B.C.

Despite the fact that this had been a newsworthy case, and pages and pages of the newspaper had been devoted to it during the course of the hearing, and during the preliminary skirmishes, the fact that the judgment was to be delivered did not even rate a mention, though the Press knew that it would be given.

Surely the Press has some responsibility to the community at large! Not all of the papers are sold in Nedlands, or to people who live along the river. A number happen to be sold in Beeloo, in Victoria Park, on the goldfields, and at other places—and that is to the shame of the people on the goldfields because they should refuse to buy it.

Mr. Evans: They do not buy *The West Australian* up there very often.

Mr. Kelly: It is 8d. a copy, anyway.

Mr. JAMIESON: If they do not buy *The West Australian* they are almost as badly off with the one they do have to get, because it is not much better. However, I would say that all in all the handling of the case was a shocking indictment of the Government in the first place for having introduced such a system; and, secondly, on the commission for its shilly-shallying, changes, and running away from the promises it made, as was admitted by the Minister for Industrial Development, and finally for trying to hide the decision it intended to make.

What a shameful thing that was! Also, the commission hid behind a provision in the Act that three members must sit as a court in session; and because there were not three available they were not able to sit finally—or at least that was the excuse. But that is only the decision of Mr. Kelly. As I have said in this House before, Mr. Kelly wrote the guide to this legislation; and, despite the fact that the Act is very clear in another direction, Mr. Kelly said that the commission in court session must always consist of three commissioners. The Act states "at least three"; and on an important issue like this the whole four of them should have sat. However, we know the reason why that was not done.

There is a fault, or a flaw, in the Act as it stands, because a part of the old Industrial Arbitration Act still remains to the effect that the decision shall be a majority one, and Mr. Kelly was afraid

that there would not be a majority decision. There is no provision, as there is in the Federal Act, whereby in the case of a tie, or a deadlock, the decision of the chairman shall prevail. That is what should be done and the Act, in that regard, should be tidied up. However, I would not expect to see an amendment introduced this year; it is a bit close to the elections, and if the Minister introduced a little amendment like that we might stir up the trade union movement!

That is the unsavoury state of affairs in which we find ourselves today, and that is why I think there was every justification for the Leader of the Opposition moving the motion he did this afternoon asking that the House express its dismay and disgust at the shocking decision of the Industrial Commission in awarding a miserably inadequate adjustment of the State basic wage, and so on. I have much pleasure in supporting the motion. I think industrial arbitration in this State went a long way backwards last year when the present Government introduced the amendments to the Act.

In 1900 an attempt was made to do something about industrial arbitration in Western Australia, but it was found that it was not as easy as many people in the Government at the time thought it would be. Consequently they were not able to proclaim the first Act; it had to be amended and another Statute was introduced in 1901. From then onwards the legislation had a rather hectic passage until such time as a court, which was recognised by everybody, was established. Over the years we have had our likes and our dislikes in regard to the chairman of the tribunal but, all in all, the decisions of the court were not so bad. This State prospered under them, as can be seen by the figures used in the submissions to the Industrial Commission on the basic wage case.

The State has prospered, and it is reasonable to assume that in a State which is prospering the wage earners should share in that prosperity and should not be held down to the lowest wage level in the Commonwealth.

MR. O' CONNOR (Mt. Lawley) [10.0 p.m.]: In my opinion the Minister, earlier this evening, very ably dealt with the motion moved by the Leader of the Opposition.

Mr. Graham: You are fooling, of course!

Mr. Jamieson: You have to crawl before you can walk!

Mr. O'CONNOR: The honourable member for Beeloo would know all about crawling, because he has done plenty in his time. I sat quietly and listened to his speech and I expect that he shall do the same for me.

Mr. Jamieson: I might even do that.

Mr. O'CONNOR: Thank you. The motion by the Leader of the Opposition is broken into four parts, as was explained by the mover. After studying them, I do not think I can agree with any one of the four, and therefore I oppose the whole motion.

Mr. Graham: Naturally!

Mr. O'CONNOR: In reply to the honourable member for Balcatta, he has made so many twists in the House this session I think he can aptly be referred to as the member for corkscrew.

Mr. Graham: Funny man!

Mr. O'CONNOR: The honourable member would know all about that, too, because he has endeavoured to be funny on many occasions, but many of us have not considered the remarks made by the honourable member for Balcatta as being very funny at times, particularly when he made attacks on a member of the judiciary.

Mr. Graham: Perfectly justified!

Mr. O'CONNOR: The honourable member for Balcatta in this House inflicted an attack on a member of the judiciary because of the decision he made in a case dealing with a criminal assault on a little girl.

Mr. Graham: And abusing juries.

Mr. O'CONNOR: If we read *Hansard* we would see that the honourable member for Balcatta criticised the judge because he took action and imposed penalties in this case.

Mr. Graham: You will have to do better than this if you want Gerry's job.

Mr. O'CONNOR: Personally I am not asking for that; I want to express my remarks on this motion. The motion put forward by the Leader of the Opposition is as follows:—

> That this House expresses its dismay and disgust at the shocking decision of the Industrial Commission in awarding a miserably inadequate adjustment of the State basic wage.

If this motion were carried by the House, surely it would be an indication to the commission that it had done the wrong thing, because it would amount to bringing political pressure on the commission and controlling it from this House.

Mr. Graham: What did your Government do? The Government told the commission to award an increase in the basic wage of 3s. 10d. a week.

Mr. O'CONNOR: The honourable member for Balcatta will have plenty of opportunity to speak presently. We are used to these attacks from the honourable member for Balcatta, because he does it all the time, and he usually attacks somebody who has no chance of attacking back.

Mr. Graham: Whom, for instance?

Mr. O'CONNOR: Justice Virtue is one. As I have said, we are used to this sort of action on the part of the honourable member for Balcatta, and it is a pity more members of the public are not present in the Chamber to appreciate how he carries on in this House. I will go further and say it is a pity that some of the language used by honourable members is expressed in this House. In the *Weekend News* of Saturday, the 26th September, in an article headed "The Honourable Members" were published some extracts from *Hansard* of what members had to say on the Industrial Arbitration Act Amendment Bill, and I am sure that members of the public were disgusted at the remarks that were made by honourable members in the House at that time.

Mr. Graham: Disgusted with the attitude of the chairman in breaking all the rules!

Mr. O'CONNOR: I would advise the honourable member for Balcatta to remain silent before he puts his foot further in it.

Mr. Graham: Put my foot in your face!

Mr. O'CONNOR: The honourable member is welcome to try that any time he feels game enough.

The SPEAKER (Mr. Hearman): Order!

Mr. O'CONNOR: In regard to granting an increase in the basic wage, I believe the correct procedure is to leave such action in the hands of the Industrial Commission instead of trying to bring political pressure to bear on its decisions by making statements in this House. When making its decision surely the commission takes into consideration, after weighing all the facts and evidence placed before it, what effect a rise of £3 in the basic wage would have on pensioners and people on fixed incomes! As I have said, the commission would have all the facts before it and it would be more capable of making a decision than any honourable member of this House.

Mr. Rowberry interjected.

Mr. O'CONNOR: We will probably hear from the honourable member for Warren later on.

Mr. O'Neil: The honourable member for Douglas Credit!

Mr. Graham: Tell us about profits!

Mr. O'CONNOR: Just because in the past few years I have made a profit in a business I cannot see anything wrong with that. Perhaps the honourable member for Balcatta would like to have a try at it.

Mr. Graham: Unlimited profits are all right, but decent wages are all wrong!

Mr. O'CONNOR: Earlier this evening the Leader of the Opposition referred to a firm that is in financial trouble at the moment. Surely no-one can laugh at this, because this firm has employed many hundreds of men over the past few years, and in view of the fact that these people must be very insecure at the moment we should show some pity towards them. The Leader of the Opposition did say that he did not criticise the man's character, but criticised his politics.

Unfortunately, I have been unable to get a copy of the remarks made by the Leader of the Opposition at this stage, but I think when we do see a duplicate copy of his speech we will find that he made reference to the fact that this fellow was bludging on the community and the State.

Mr. Rowberry: Why don't you wait until you get it?

Mr. O'CONNOR: It will be too late then to refer to it. However, if what I am saying is incorrect I will certainly apologise to the Leader of the Opposition. Further down in the motion before the House the Leader of the Opposition has this to say—

> We also condemn the Government for the false assurances it gave to Parliament at that time.

At that time many people received false assurances from members of the Opposition. Some of the statements that were made in the grounds of Parliament House I feel were far from being correct.

Mr. Jamieson: Repeat some!

Mr. O'CONNOR: The honourable member for East Melville has already repeated one tonight, and those statements certainly did nothing to help people gain some confidence in members of Parliament. However, as I have said, I do not want to speak at length. I merely rose to my feet to express my opposition to the motion that has been moved by the Leader of the Opposition.

Mr. Graham: Chicken! You have just lost your portfolio.

MR. FLETCHER (Fremantle) [10.8 p.m.]: There is very little purpose in my making a contribution to the debate that will have no effect on honourable members sitting on the other side of the House, but nevertheless I want it to be placed on record that I support the motion moved by the Leader of the Opposition. I might mention that it is not an insult to me, but to the people I represent, to see five honourable members sitting on the Government side of the House to hear my speech. Look at this side of the House, Mr. Speaker! Here we are loyal to a man!

Mr. Brand: Look at the front bench of the Opposition side of the House.

Mr. O'Neil: Where is the mover of the motion?

Mr. FLETCHER: I do not find it at all humorous.

Mr. Brand: No; I bet you don't! You want to keep those back benches full before you start to speak.

Mr. FLETCHER: The Premier is merely endeavouring to have his comments recorded in *Hansard*. I asked the Premier to compare the numbers on his side of the House with the numbers on the Opposition side. I want to approach this motion reasonably coolly and I do not want to be sidetracked by honourable members on the other side of the House. I think it is an insult to my intergrity. I said earlier that I support, with enthusiasm, the motion that has been moved by the Leader of the Opposition. The only qualification I have in regard to it is that my worthy Leader has used the word "dismay". I am not dismayed, but extremely disgusted. I am not dismayed because I am not surprised in view of the fact that the commission was rigged for the purpose of bringing down the decision it did. The previous arbitration set-up was destroyed to make possible this inadequate grant that was made by the commission.

I feel that every man who has spoken on this side of the House is justified in his disgust. We knew we had a good case and we had a first-class advocate who possessed irrefutable evidence of the economy of the State to pay. Accordingly we are thoroughly disgusted, and the Leader of the Opposition is justified in moving that we are disgusted, about the miserably inadequate grant that the Industrial Commission made.

For months before this hearing the public was saturated with stories regarding the State's economic progress; and this was done simply because there is an election pending next year. That is the only reason why it was done. We all know that the Government has a favourable Press which tells its story. The Press does not tell our side of the story. Members have only to look at the empty gallery to realise how many people are likely to hear what I have to say tonight.

Mr. Rowberry: We can all hear you.

Mr. FLETCHER: I hope honourable members can hear me.

Mr. Brand: You are pretty safe in Fremantle.

Mr. FLETCHER: That is a very nasty imputation. The Premier is implying that I am playing to the gallery. That is not true. My words will not be recorded other than in *Hansard*. However, my time is running out. After having made his interjection, I see that the Premier is now reading something else and ignoring what I have to say. However, Mr. Speaker, I dare say you will take me to task for asking the Press to support our contention and our disgust at the preferential treatment shown to others.

The second part of the motion reads as follows:—

> We condemn the Government and the Employers' Federation for their combined efforts to undermine wage and salary standards in Western Australia, strongly supported as they have been by some of the individuals the Government recently appointed to the new Industrial Commission.

The fact has been mentioned that the one person who might have been sympathetic to the case of the workers was excluded from the hearing of the case. I do not like using the word "workers," because everybody in Western Australia could be classed as a worker if he really earned and worked for the benefit he obtained. The representative of the trade union movement who could have been of some advantage to our case was conveniently left off the hearing.

I would like to emphasise at this point that that fact was conveniently played down by the Press. I heard the member for East Melville try to justify it.

Mr. O'Neil: I did not try to pustify the court's action, because that is the business of the court.

Mr. FLETCHER: It is very significant that Mr. Commissioner Flanagan was not among the commissioners who considered the case. We find of course that the leading article in the Press of the 23rd September is happy about the position. I am not surprised at this at all. The reference in the rest of the paper of the same date, from which I will presently quote, also sounded a happy note; and I am not very surprised because the findings of the court were very favourable to the interests that the Press represents. There is now no doubt that the Press represents the business community.

We are also disgusted because we saw evidence in the Press to support our vain hopes. We saw preference to vested interests, and faintly hoped that the commissioners could not show the unfair discrimination they did. The Government built up propaganda that was used by a favourable Press. It is most significant to see what happened when the union advocate tried to quote from the Press to support his case. The Press had built up this facade to demonstrate that the economy of Western Australia was sound, because of the efforts of the Government of the day. We find, however, that the moment our advocate tried to quote that as evidence the propaganda very significantly ceased.

The honourable member for East Melville when arguing in opposition took the point that we on this side of the House addressed unionists outside Parliament House and pointed out the dire consequences that would flow from this legislation. The honourable member conveniently overlooked the fact that what we did was completely justified; the very fears we expressed did materialise as is evidenced from the miserly amount that was granted. We told

the unionists that the commissioners would be subject to pressure, and this also is borne out by the miserly amount granted.

In spite of what the honourable member for East Melville said, there are still dangers inherent in the legislation. It still contains penal clauses which are there to be used, and which will inevitably be used if, as the honourable member for Beeloo mentioned, this Government is successful next year and uses its influence to ensure that the commission prevents any future basic wage increases. There is no doubt that those penal clauses are there to be used, irrespective of what the Minister or the honourable member for East Melville might say. There is no doubt, therefore, that we were quite justified in warning the trade union members of the dangers inherent in the Bill that was introduced last year.

Quite apart from all that I have said, there is still the question of the Crimes Act which can be used against union members. Has any honourable member known of the Crimes Act being used against the Employers Federation? Of course not! As I have said, the Press is quite happy about the decision that was made, and this is evidenced in the leading article of the 23rd September. I will read the first part of it and other brief excerpts from it. The first part reads as follows:—

> The W.A. basic wage declared by the Industrial Commission, and now made applicable to the whole of the State, is a consensus of three separate, reasoned decisions by Chief Commissioner Schnaars and Commissioners Kelly and Cort.

There is no reference at all made to Commissioner Flanagan, because he was not there. He was excluded, because he might have been partisan to our case to some extent. The leading article continues—

> The new rate was determined by economic capacity to pay and other matters.

Quite evidently it was not determined as a result of economic matters because the Press previously had shown irrefutably that the economy could stand any excess amount that was paid. The Press, however, is quite delighted that this amount now conforms to the Federal decision which fixed an amount of £15 8s. The State court went through a considerable amount of legal rigmarole and finally arrived at an identical decision. This could have been done without the court sitting, because it was evident that that was the intention prior to the sitting.

It looks to me as if it was just a case of a blind stab being made. The commissioners did not wish to see the true situation; they were without their spectacles and were looking through the wrong end of the binoculars when they saw in the distance the 3s. 10d. for which they settled. They did not want to view the matter in its true perspective.

The comments of the Chief Industrial Commissioner were published in *The West Australian* of the 23rd September, part of which reads—

> Chief Industrial Commissioner S. F. Schnaars said in the Industrial Commission's basic wage judgment that there was no obligation under the Arbitration Act to fix the wage according to the changes in economic capacity.

What then did he base it on—a haphazard guess to arrive at the convenient decision which he made, and which the other commissioners, the Government, and the Employers Federation found to be convenient?

I have shown that the mind of the Chief Industrial Commissioner had already been made up because, prior to the basic wage case being heard, the Minister mentioned a rise of 3s. 10d. Is it not a strange coincidence that he should mention the figure of 3s. 10d. before the decision was given, and the amount of the increase was in fact 3s. 10d.? Is it not also significant that the advocate for the Government agreed to an increase of 3s. 10d. during the hearing, and that was the amount which was awarded in the decision?

It is now evident to me and to many enlightened trade unionists why the Industrial Commission was set up. It was set up to create one Australian wage, with the basic wage of this State following the Federal, and later on with the possibility of doing away with quarterly adjustments. It is clear to me and to many trade unionists why Mr. Justice Nevile was sacked. I use the word advisedly. For the benefit of this House I give one reason why he was sacked, and I quote from pages 2290 and 2291 of Hansard of 1963, from the speech which I made when the Industrial Arbitration Act Amendment Bill was before the House. I said—

> Let me read from the Industrial Gazette, volume 40, page 668, for the half-year ended the 31st December, 1960. The President of the State Arbitration Court (Nevile, J.) in the building trade application, No. 24 of 1958, in clause 8—preference to unionists—had this to say:

I now quote a paragraph of what Mr. Justice Nevile had to say—

> Under the Industrial Arbitration Act, industrial unions, both of workers and employers, have a fundamental part to play. It is undeniable that in practice enforcement of awards is achieved almost entirely by industrial unions of workers. I have never been able to understand why industrial unions of employers have never

thought it part of their function to help prevent unscrupulous employers from consistently committing breaches of the award.

Mr. Justice Neville made that statement, and naturally he was not very popular with the Employers Federation. As a consequence he paid with his head, and the trade unionists of this State are now paying as a result of the sacking of Mr. Justice Neville.

He went on further to say—

> After all, reputable and honest employers must suffer severely from the competition of the less scrupulous employers, and in any case it is one of the objects of most Employers' Associations, registered as industrial unions of employers to advance the standing and repute of employers and the industry concerned.

I believe it was the unscrupulous employers who caused him to be sacked, and who caused the Government to introduce the Industrial Commission.

One would be excused for thinking that I was almost clairvoyant, because what I said in the debate on the Bill last year has come to pass. There were many interjections during my speech, and that proves the Government did not like to hear my words. But my words have been vindicated—the words which I spoke both in this House, and outside when I addressed the trade unionists along the lines on which I am now speaking.

Some people have tried to defend the Chief Industrial Commissioner by saying that he would give an unbiased opinion. Let use see what he receives as a result of his new appointment. On the 7th November, 1963, the honourable member for Balcatta asked the following question in this House:—

> (1) What salary is paid to the present Conciliation Commissioner?
>
> (2) What will be paid to the proposed chief industrial commissioner?
>
> (3) What will be paid to the other proposed industrial commissioners?

Mr. WILD replied:

> (1) Gross annual salary—£4,150.
>
> (2) and (3) This has not yet been considered.

The Chief Industrial Commissioner is paid nearly twice the amount that is paid to parliamentarians. I am not criticising the salary that is paid to parliamentarians, because I find it adequate. But I would like to point out that a great disparity exists between my salary, and a greater disparity exists between the salary of the Chief Industrial Commissioner, and the wage that is paid to the workers to whom he is supposed to mete out justice.

I hope I have made my point: The Chief Industrial Commissioner's salary is £4,150 a year. The honourable member for Balcatta unearthed that information from the Minister for Labour. The Chief Conciliation Commissioner receives that salary.

Mr. O'Neil: What salary?

Mr. FLETCHER: A salary of £4,150. I am trying to indicate to the House that anyone receiving a salary as high as that, is entirely out of touch with the difficulties experienced by people receiving the miserable basic wage that is meted out. He is as far removed from the difficulties of the basic wage earners, as are honourable members opposite. I am still cognisant of the difficulties of the workers on the basic wage, because I lived that way once. That is why I and other members on this side of the House are speaking that way.

I promised earlier to mention the unfair discrimination that exists. This will cause mirth; but, to me, behind it is a tragedy. The heading in the paper is "Burial Fees Jump." I do not think that is funny as there are people on low income brackets who experience economic difficulty in burying their relatives. I draw the attention of the House to the unfair discrimination which is shown in the article in *The Daily News* of the 23rd September, 1964. I also draw the attention of the Premier to this, because he and his Government are responsible. The article is as follows:—

> The State Government has approved a sharp increase in burial fees in the shire of Swan-Guildford.
>
> The new fees mean basic burial costs in the shire have jumped from a minimum of £6 19s. to a minimum of £10.

There is an increase granted without any application to any authority, and yet trade unionists have to confront the industrial commissioners to present their case; and they are hedged in with a lot of legal paraphernalia. Honourable members opposite must know it is unfair—very unfair.

Mr. Dunn: What has that to do with the motion?

Mr. FLETCHER: I will tell the honourable member. The Leader of the Opposition said he was disgusted; and I am expressing my disgust in regard to the disparity that exists between the grant made by the Industrial Commission and the *laisser-faire* that exists in regard to others. In *The Daily News* of the 23rd

September, 1964, there is a heading, "New Fees for Dentists," under which the following appears:—

> A full upper and lower denture will cost at least £40 under the new scale of recommended minimum fees released by the W.A. branch of the Australian Dental Association today.

Further down in this article there are fees for other services rendered by dentists. No wonder there are so many kids in my electorate and in the electorates of other honourable members who are going round with a mouthful of rotten teeth; and their parents cannot afford dentures.

Mr. Craig: You should have supported fluoridation.

Mr. FLETCHER: I know that honourable members on the other side of the House know I am justified in my criticism of the discrimination existing between a privileged section of the community and trade unionists. The Premier knows I am right.

Mr. Brand: I could not say.

Mr. FLETCHER: You do know I am right. Our Federal leader (Mr. Calwell) in the same paper says there is an early threat of inflation. In *The West Australian* of the 23rd September, 1964, our splendid leader is demanding some form of national price control; and he is quite justified in doing it. He says that at the moment there exists a private price control. Need I read any more? This Government in 1959 destroyed the unfair trading legislation that our splendid Government put on the Statute book; and it has allowed the dentists, the undertakers, and others to put up their prices. On the 19th September, 1964, in *The West Australian* there is a heading, "Bread Up." Bread is the staff of life for people on the lower income brackets. Honourable members opposite know that I have a case and that the Leader of the Opposition is justified in moving his motion.

Mr. Rowberry: Why don't they get up and say so?

Mr. FLETCHER: There is another heading, "Miners Have Allowance Cut by 7s. 6d." The court that inflicted 3s. 10d. on them swiped—for want of a better word—7s. 6d. from them. Honourable members on the other side of the House do not want to recognise the case we have submitted. I think I have said enough to support the motion. If I say any more, I will not get a better hearing.

Mr. Brand: The empty benches alongside you are a fair indication of that.

Mr. FLETCHER: There are more honourable members in the House now and I thank the Government Whip for whipping his honourable members in here.

Mr. O'Neil: Thank you very much!

Mr. FLETCHER: Even if they are not extending a courtesy to me, they are extending a courtesy to Parliament and to those they pretend to represent. I think I have put forward a case to show that honourable members on the other side of the House do not represent the people on whose behalf I have spoken tonight. These people have been misled by the propaganda that has been fed to them by a Press that is favourable to the Government.

In the years I have been in Opposition, words have failed to impress honourable members on the other side of the House with the justification of the cause we represent and the justification for them to support the motion moved by the Leader of the Opposition. I commend it to the House and enthusiastically support it.

MR. ROWBERRY (Warren) [10.37 p.m.]: I want to say a few words about this motion before the House, having been tempted and baited by several of the allegations that have been made by the Minister and honourable members on the Government side. First of all, the honourable member for East Melville did not seem to understand very much about the Arbitration Court and the arbitration system's history in this State or he would not have tried to make the points he did. He said there had not been an appeal against a decision of the Arbitration Court from 1950; and this showed he did not understand anything at all about the Arbitration Court in the past.

Mr. H. May: He would not even know where it is.

Mr. ROWBERRY: I always understood there was no appeal from a decision of the Arbitration Court. So the fact that there has been no appeal against a decision from 1950 to 1960 is just a mere statement of fact and should have been understood as such by him.

I also want to say a few words about the miserable, miserably inadequate adjustment of the State basic wage. I would call it, "miser"-ably inadequate. The sum of 3s. 10d. has been bandied about the Chamber by several speakers. In this connection I would advise the Treasurer that the Grants Commission will look kindly on him because of certain facts. The 3s. 10d. contains an amount of 2s. 9d. which would have been given as an adjustment to the basic wage without going to the Industrial Commission; and because of the loss of the 5 per cent. rebate of income tax the recipients of the 3s. 10d. have now been put to a higher bracket and will have to pay more income tax.

It has been computed that because of the 3s. 10d., the wage earner in this State will be 7d. per week better off—14 half pennies better off—and honourable members opposite object to our calling this increase miserably inadequate. The fact is

that the Treasurer will have access to more taxation because of this rise and will therefore be better off instead of worse off. The industrial workers in this State expected something between £1 and £1 5s.; and if they had received this they would have been taken into a still higher bracket of taxation and the Treasurer would have had access to that higher taxation through the Grants Commission. So honourable members can see it works both ways.

I want to say something about the individuals whom the Government recently appointed to the new Industrial Commission. The Minister for Labour told us he tried to model the commission on that existing in the Eastern States. I wonder why he did not do that. If he was endeavouring to do so, why did he not?

I do not want it to be said that I am criticising the members of the Industrial Commission as individuals or offering personal criticism, but the Minister appointed four members of the community who were entirely different in training, educational background, and experience from the members of the commission in the Eastern States, every one of whom has had legal training. Each one of them has had to put in years of training and also years as a practising barrister before being appointed to the bench and then subsequently as a judge of the Arbitration Court. All that training and experience has fitted those gentlemen to assess evidence and not jump to conclusions. They are accustomed to the atmosphere of courts and are well trained in economics.

Can we say the same of the members of our Industrial Commission in this State? With all due deference to them they are not fit or capable persons, in my opinion, to absorb days and days and weeks of pounding from advocates. They have not had the experience nor the training to do so. Therefore I cannot play along with the Minister for Labour when he says he has made an Industrial Commission in this State which is equal to or comparable with the arbitration system in the Eastern States. Nothing could be further from the truth. With all due deference to them, it looks as if they jump to conclusions.

The Minister mentioned a sum of 3s. 10d.; and, by the way, he committed contempt of court in doing so, but he got away with it. It is as well he was not an industrial worker or he might not have got away with it quite so easily. However, he did commit contempt of court by making the pronouncement that the Government assessed the workers of this State despite the leap forward and the great prosperity, as being worth 3s. 10d. per week each. It is good that we get the truth sometimes instead of the newspaper propaganda with which we have been stuffed over the past five or six years.

I agree with the honourable member for Beeloo who said that progress and prosperity must be shared. It is not a question of economics, as the honourable member for East Melville tried to say when he mentioned Douglas social credit. It is a matter of common sense. If prosperity is not shared amongst the people it will soon disappear because we cannot escape the fact that wages are purchasing power and without purchasing power industry is just helpless. Therefore it is absolutely essential to take these factors into consideration. Perhaps if the members of the Industrial Commission had had a few books on the Douglas social credit system, they might have been enlightened as to ordinary economics and common sense.

The honourable member for Mt. Lawley made great play about the consideration of pensioners. The Minister expressed sympathy and feeling for the small industrialist and industries within the State and said that they could probably be driven out of existence if the basic wage went too high, thus increasing costs. Since when have industries ceased to function in this State because of rises in the basic wage? How many industries have ceased to function? How many small industries have been driven out because of rises in the basic wage? Surely the very opposite is the case! It is the lack of purchasing power and the inability of the community to absorb the products of the small industries which drives them out of business.

Where does this purchasing power come from? It comes through the decisions of the Arbitration Court. Therefore the Minister's consideration and sympathy for these people whom he looked steadfastly in the face and told they would have to put up with a great increase in costs because of the compensation legislation he would introduce, is ridiculous. Just fancy!

How many industries in this State have absorbed these rises in the basic wage without increasing their prices? How many industries and employers of labour have refused to pass on the increases in the basic wage, increases which have been justified because of the prices which obtained before the case was taken to the court? I do not think there would be one industry that has honestly attempted to absorb from its profits rises in the basic wage.

The profits prior to the basic wage case being heard are quoted as proof that the economy can bear the increase. There can be no justification whatever for passing on basic wage increases to the public. Therefore the consideration of our friend from Mt. Lawley for the poor pensioner could very well be turned to contempt for those employers who unscrupulously feed these basic wage rises into prices without any justification whatever.

We have been told the 3s. 10d. will bring the State basic wage on a par with the Federal basic wage. How did it come about that the State basic wage got ahead of the Federal basic wage? Because the basic wage is assessed on certain factors of price and certain factors in the cost of living. We will now be called upon to pay for an increased cost of living with a reduced basic wage. It may be said that if the basic wage is kept steady, rises in prices will be prevented; but that is not the case. For one whole year in Australia the basic wage stood still, but did prices stand still? Of course not!

So that disposes of the argument that it is the basic wage rises and the rises in wages and salaries which cause the rises in costs; because industry had been charging these prices to justify the rise in the basic wage prior to the application of the rise, and industry could, if it were honest, absorb the increases in the basic wage without any further increases in prices.

I have said enough to indicate that I support this motion. During the course of the debate references have been made to scurrilous attacks on justices; to scurrilous attacks on magistrates, and suchlike, by a certain honourable member of this Chamber. I do not know if there was any scurrility in the attack. I do not know if you, Mr. Acting Speaker (Mr. Crommelin), would consider the case put forward by the honourable member, who discussed the action of a judge of the Supreme Court in doing certain things, with the action of the Minister for Works who will persist, and has persisted ever since I came into this Chamber, in allying the honourable members on this side of the House with Communists.

The first question which I heard the Minister for Works ask in this House on an opening day was whether the Premier knew that a prominent member of the Labor Party had made a trip to China. That was said on an opening day. The Minister precipitated a mob outburst in the gallery in answer to a question which I asked him, in all humility in fairness, by saying that the unrest in industry and among the workers had been fostered by Communists—implying that we on this side of the House were allied with, or cobbers of—he used the word "cobbers"—Communists.

Let me tell him that he made great play about the peace that obtains in industry in Western Australia. Why does that peace obtain? Because the unions in this State are led by responsible, level-headed, sane, and peaceably-inclined men—that is why! Those men are quite well able to take care of the Communist irresponsibles in the ranks of the unions—quite well able; and I tell the Minister that if there is any peace in industry it is not because of the actions of the employers but because the responsible leaders of unions know that industrial strife leads to more loss for the men whom they represent, and so they act accordingly.

They also have a certain amount of logical thinking-power, and they do not jump to conclusions and make sweeping assertions such as those we have from members of the Government. The Minister says that in his opinion, or "in my opinion", it is so-and-so, without adducing any facts whatever to objectively prove his case. He just makes sweeping allegations and jumps to conclusions like the members of the Industrial Commission.

I started off to draw the attention of the House to the fact that the attack made by an honourable member of this House on a member of the judiciary was not, in fact, scurrilous at all, because it is implied under Standing Orders that these people can be criticised. Section 54 of the Constitution Act—which appears on page 158 of Standing Orders—reads as follows:—

> The commissions of the present Judges of the Supreme Court and of all future Judges thereof shall be, continue, and remain in full force during their good behaviour,

I want honourable members to particularly notice that, because some honourable members in this House seem to think judges cannot be capable of anything but good behaviour. If that were so, why are those words included in this particular section? The section continues—

> notwithstanding the demise of Her Majesty (whom may God long preserve), any law, usage, or practice to the contrary notwithstanding.

The ACTING SPEAKER (Mr. Crommelin): Order! I cannot relate this to the motion. How is the honourable member relating it to the motion?

Mr. ROWBERRY: I am relating it to the motion by saying that during the debate certain honourable members on the Government side—the Minister, the honourable member for East Melville, and the honourable member for Mt. Lawley—made reference to scurrilous attacks made on judges; and I want to point out that it is quite competent for any honourable members to bring before Parliament the conduct of anyone, especially judges; because if it were not so, reference to "good behaviour" would not have been inserted in the section of the Constitution Act which I have just read.

To clear up the matter, section 55 reads as follows:—

> It shall be lawful nevertheless for Her Majesty to remove any such Judge upon the Address of both Houses of the Legislature of the Colony.

Honourable members will therefore see that there is provision made for criticism of judges in this House; otherwise, how

are we going to prove that judges are of good behaviour or otherwise? I make these few remarks in answer to allegations that the attack made by the honourable member for Balcatta—I do not think it was an attack; I think the honourable member was being objective—was a scurrilous one. The honourable member for Balcatta was perfectly within his rights in doing what he did.

MR. TONKIN (Melville—Deputy Leader of the Opposition) [10.58 p.m.]: We hold the view on this side that for some time the Government had been displeased with the decisions of the Arbitration Court and had come to the conclusion that in order to ensure its particular policy was put into operation it would be necessary to destroy the court and set up something else in its place.

We said at the time that that was done deliberately in order that the Government might achieve certain results. We say now that the Government has achieved the results it set out to obtain. It became perfectly obvious, to anybody who gave any thought to the matter at the time, that after the Government had announced it would agree to a 3s. 10d. increase, that would be the limit of any increase granted; and so it was.

What right had the Government to say it would agree or disagree? It was for the commission to say what it thought ought to be the appropriate amount, and the Government would have to agree to it whether it liked it or not. But to come out beforehand—before the case was heard—and say the Government would agree to an increase of 3s. 10d. was to give a direction to the Industrial Commission as to what its finding was expected to be.

Mr. Fletcher: They had to do as they were told.

Mr. TONKIN: As has been said before, by persons in a position to know, it is nothing new for governments to put in charge of industrial tribunals persons who would ensure that the particular Government's policy would be put into operation.

As the honourable member for Victoria Park, the honourable member for Beeloo, and I think the honourable member for Mt. Hawthorn pointed out earlier this evening, the Government was dissatisfied because there was a disparity between the State basic wage and the Commonwealth basic wage; and naturally, because it was so displeased, it would set out to bring them together. But it would not have been so anxious to bring the State basic wage into line with the Federal basic wage if the Federal basic wage had always been in front of the State basic wage.

I can remember some years ago when there was only a half-yearly adjustment in the State basic wage, and, at a time of falling prices and falling wages, the Government of the day was not content with waiting until the six months had expired before the court adjusted the wages downwards. It introduced legislation into Parliament to provide for a quarterly adjustment in order to shorten the period which would have to elapse before the wages, which were ahead of prices, because prices were falling rapidly, could be adjusted to the falling prices. And that has been the policy of anti-Labor governments since the commencement of arbitration—to slow up the process of adjusting wages while prices are dragging wages behind them; but quicken up the process when prices are falling so that wages can be dropped along with prices.

If there is any disagreement with the point of view I have expressed, I find support for it from none other than a man who was a Deputy Premier in a Liberal-Country Party Government, and therefore one who could not be expected to be making a statement which would be favourable to the Labor point of view and unfavourable to his own. I quote from *Hansard* No. 2 of 1957, page 2114, The Honourable Sir Charles Latham, who at one time, when I first came into this House, was Leader of the Country Party, and had been Deputy Premier in the Mitchell-Latham Government. Sir Charles Latham had this to say—

> I will tell the honourable member all about the Arbitration Court in this State. That system nearly approaches the methods that are adopted in America. What happens when there is a change of Government? Is not the president of the Arbitration Court elevated to the judiciary if the Government considers that he is unsatisfactory? Is not that done?
>
> That having been done, matters go sailing along according to the policy of the Government. When a change of Government again occurs, it is not long before there is also a change in the presidency of the Arbitration Court. Why is that practice followed? It is to give effect to the policy of the Government of the day. I am not charging one side any more than the other.

What do you think of that, Mr. Acting Speaker (Mr. Crommelin), coming from a member who was a Minister and a Deputy Premier in a coalition Government similar to the one which is now in charge of the Treasury bench in Western Australia? A man speaking from his own experience in executive government saying deliberately that changes are made in the Arbitration Court in order to ensure that the policy of the particular government in office is put into operation. That is what we said was the Government's intention when the Industrial Arbitration Act Amendment Bill was before the House

last session, and the Arbitration Court was destroyed and in its place was put an Industrial Commission because the policy of the then existing Arbitration Court was not the policy which suited the Government. It wanted to change the policy so it attained that objective by destroying the court and setting up this commission which would do its bidding.

In order that there would be no mistake about what the Government wanted in this connection, before the basic wage case was heard the Minister indicated what result the Government wanted, and it got that result to the very penny. The Government, in effect, told the commission, "The Government's policy is an increase of 3s. 10d."; and in due course that was the commission's decision, carried out for the very purpose for which it was established. So why be foolish about it and try to indicate there was no such intention?

Look at the changes which have taken place in the presidency of the Arbitration Court in Western Australia over the years! If anyone has any doubt whether the Government was displeased or not with the decisions of the court previously all one need do is to read the columns of the daily Press at the time to see frequent references to the fact that there should be no disparity in the wage, State and Federal, and that quarterly adjustments in wages should not be made. The Government, as the court was then constituted, could not see that its particular policy was put into effect. So what did it do? Precisely as Sir Charles Latham said governments had done previously. It got rid of the existing court and put an Industrial Commission in its place.

It is most significant that at the first real test of the impartiality of that commission it makes a decision which is exactly the decision the Government wanted. What a remarkable coincidence, if it was not deliberate: that the Government should guess to the very penny the amount of increase in the wage it was adjusting!

The Minister talked about the unions having the ball at their feet. He said they had the opportunity to prove their point. What he did not say was that all unions had the cards stacked against them. It would not have mattered what evidence they had produced, or what advocacy they had, because the Government had told the commission the decision it wanted, and there would have been very few people in the community, after that statement was made, who had not made up their minds on what the decision would be. I said immediately, "That is the decision." I was not present in the court and I did not hear any evidence from either side, but the very morning I read that statement in *The West Australian* I said, "That will be the decision of the commission," and I have no doubt that the majority of honourable members in this House said the same thing, no matter which side of the Chamber they sit on.

Of course, the commission was constituted for that very purpose; namely, to meet the will of the Government. It was constituted to ensure that the Government's policy was implemented, in precisely the same way as Sir Charles Latham had told the Legislative Council some seven years before. Is there any reason why we should not take the attitude we have when we know that that is the true and real situation? We would be recreant to our trust if we allowed this sort of thing to happen without registering the strongest possible protest on behalf of the great mass of workers who suffer so severely from an adverse judgment. Why, in this increase of 3s. 10d., the major portion of it was a quarterly adjustment which had been withheld in the period, so there was scant recognition of the vital factors relating to the capacity of industry to pay, and the needs of the people.

What makes one so concerned about the matter is that one picks up the newspaper and reads of the large percentages of profits which are made from time to time by various companies. It is all right to push up prices and increase profits, but when the worker asks for an improvement in his standard of living so that he shall be able to participate in this increased prosperity which we are told is existent, it is a horse of a different colour.

He is told that the economy cannot stand an increase in wages; that businesses will fold up. I had a remarkable experience some years ago whilst attending a committee of an organisation with which I was associated. On that committee there happened to be, as the treasurer, a man who worked in one of the biggest establishments in Perth. This committee was endeavouring to arrange what fee it should charge for a particular service it was going to give, and the treasurer gave this advice to the committee. He said, "There is likely to be an increase in the basic wage, so in the price we are going to charge we should make provision for it. The firm I am associated with takes into consideration two basic wage increases that we anticipate."

That was the method upon which his firm operated. It took into consideration two basic wage increases so that it would always be one ahead. If I were to mention the name of that firm there would not be one honourable member of this House who would not get a great shock. This man occupied a high position in that firm, which was one of the largest firms in Western Australia, and that is what he told the committee. Just imagine! The workers who had to buy the commodity from this firm had to use their wages to provide a

price to this firm which deliberately included two possible basic wage rises which had not taken place. Just where would we be if many more firms did the same thing?

So the worker has a constant struggle to get what we regard as basic wage justice, and opposed to him are employers such as the one I have mentioned who look after themselves by anticipating rises in the basic wage and making adequate provision for them; and that is the policy which this Government supports.

The change in the arbitration system was effected to enable the Government to ensure that that policy could be put into operation. I strongly support the motion moved by the Leader of the Opposition.

Debate adjourned, on motion by Mr. Court (Minister for Industrial Development).

House adjourned at 11.18 p.m.

Legislative Assembly

Thursday, the 8th October, 1964

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