three years' imprisonment should be implemented under the Police Act. The Police Act, however, is concerned essentially with possession, rather than supply. Further, certain categories of persons—pharmacists, doctors, dentists, and veterinarians—are already authorised under section 23 of the Poisons Act both to possess and to supply these drugs. The existing penalty for unlawful supply under the Poisons Act is $100.

In the opinion of the Parliamentary Draftsman, while it is appropriate to deal with the illegal possession of these drugs within the Police Act, it would be more appropriate to deal with the unlawful supply of them under the Poisons Act. The Minister for Police agrees in this regard, as does the Poisons Advisory Committee.

The amendment to increase the penalty for the unlawful sale or supply of drugs of addiction and specified drugs to $1,500 or three years' imprisonment will bring the Poisons Act into line with the penalties under the Police Act for illegal possession of these drugs.

Certain categories of persons—for example, doctors, dentists, veterinarians, and pharmacists—are authorised under the Poisons Act to procure, possess, or prescribe drugs of addiction. From time to time in the past, circumstances have arisen which have justified the withdrawal of this authority for specified periods. Legal advice on the matter is that there is no power within the Act to withdraw this authority. The matter was considered by the Poisons Advisory Committee and it is its recommendation that provision be made to enable the Commissioner of Public Health, when necessary, to impose such conditions, limitations, or restrictions, for such period or periods as he considers necessary, to restrict these persons in manufacturing, possessing, using, supplying, selling, or prescribing for others any or all drugs of addiction or specified drugs. Clause 6 of the Bill has been inserted for this purpose.

The necessity to acquire authority for the control of hallucinogenic and other dangerous drugs is indicated in the matter of "specified drugs" previously mentioned. Supplementary powers are essential if these drugs are to be effectively controlled. To attempt to do so by special regulations for each particular substance among the many in the seventh schedule already, and others which are bound to come forward in the future, would involve complicated administrative machinery and result in a comparatively inflexible series of separate regulations which would present considerable administrative problems. It is therefore proposed to deal with the problem in a flexible manner to enable the Commissioner of Public Health to impose particular restrictions for particular circumstances. This will be done by providing that substances in the seventh schedule to the Act may not be sold, supplied, used, or possessed except by special permission of the commissioner and in accordance with such conditions, limitations, and restrictions as he imposes. The Poisons Advisory Committee has also recommended this provision.

I commend the Bill to the House.

Debate adjourned, on motion by Mr. Davies.

ADJOURNMENT OF THE HOUSE: SPECIAL

MR. BRAND (Greenough—Premier) [5.42 p.m.]: I move—

> That the House at its rising adjourn until Tuesday, the 1st October.

Question put and passed.

House adjourned at 5.43 p.m.

Legislative Council

Tuesday, the 1st October, 1968

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

ACTS (11): ASSENT

Message from the Lieutenant-Governor and Administrator received and read notifying assent to the following Acts:—

1. Cremation Act Amendment Act.
2. Coal Miners' Welfare Act Amendment Act.
3. Rural and Industries Bank Act Amendment Act.
4. Dried Fruits Act Amendment Act.
5. Road and Air Transport Commission Act Amendment Act.
6. Artificial Breeding Board Act Amendment Act.
7. Commonwealth and State Housing Agreement Act Amendment Act.
8. State Trading Concerns Act Amendment Act.
9. Geraldton Port Authority Act.
10. Esperance Port Authority Act.
11. Liquid Petroleum Gas Act Amendment Act.

MEDICAL TERMINATION OF PREGNANCY BILL

Rejection: Petition

THE HON. J. DOLAN (South-East Metropolitan [4.35 p.m.]: I desire to present a petition from the residents of Western Australia praying for the rejection of the Medical Termination of Pregnancy Bill, 1968. There are 27,589 signatures attached to it, and the petition bears the Clerk's certificate that it conforms to the Standing Orders. I move—

> That the petition be received and read and ordered to be laid on the Table of the House.

Question put and passed.

THE HON. J. DOLAN (South-East Metropolitan) [4.36 p.m.]: The petition reads as follows:—

To—

The Legislative Council of the Parliament of Western Australia.

We the undersigned residents of Western Australia hereby humbly petition the Honourable Members of the Legislative Council of Western Australia to do all within their power to reject the Medical Termination of Pregnancy Bill 1968.

The main grounds of our objection are that your petitioners are deeply concerned that from the moment of conception, when a baby begins to live in its mother's womb, any direct intervention to take away its life is a violation of its right to live. It is felt that those who have the responsibility to govern this State should protect the rights of innocent individuals, particularly the helpless; and that the unborn child is the most innocent and the most helpless and most in need of the protection of our laws, whenever its life is in danger for whatever reason.

AND your petitioners will ever pray that their humble and earnest petition may be acceded to.

The petition was tabled.

QUESTIONS (3): WITHOUT NOTICE

CANNING-ARMADALE CORRIDOR

Papers

1. The Hon. J. DOLAN asked the President:

   Are the papers No. 156 dealing with the Canning-Armadale corridor, under the Metropolitan Region Town Planning Scheme, properly before the House in consideration of the requirements in section 32 of the Metropolitan Region Town Planning Scheme Act, as it appears that the requirements of sections 31 and 32 of the Act have not been properly complied with?

   The PRESIDENT replied:

   Mr. Dolan advised me that he would ask this question and this has enabled me to give it careful study.

   He wishes to know whether the papers as tabled are in conformity with the requirements of the Metropolitan Region Town Planning Scheme Act.

   I feel it is not within my province to rule whether they conform to the requirements of this Act, as this is a matter for legal determination as distinct from a procedural determination. Therefore, the papers as presented by the Minister will repose on the Table.

KIMBERLEY ELECTION

Tabling of Papers

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

   Will the Minister table the report and all relevant documents in connection with the inquiry into incidents at Gogo Station during the general election?

   The Hon. A. F. GRIFFITH replied:

   A question in relation to this matter has been asked by the Leader of the Opposition in the Legislative Assembly; that question being: Would I make available—by laying it upon the Table of the House—a copy of the police report and investigaton which took place in connection with the Kimberley election?

   On the Thursday prior to the week's adjournment I answered that question by saying that the Chief Electoral Officer had just received the report that day, and I had not had an opportunity to study it; that I would study it and advise the honourable member further.

   In view of the precedent of that question in the Legislative Assembly, I think I am under an obligation to make the papers available to the Leader of the Opposition in that House first, but I will obtain a copy for Mr. Strickland.

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

   Could I ask a further question of the Minister for Mines?

   The PRESIDENT: So long as the honourable member does not proceed to debate the issue.

   The Hon. H. C. STRICKLAND: Can I take it for granted that the Minister will not table all relevant documents?

   The Hon. A. F. GRIFFITH replied:

   I said I would make a copy of the police report available to the honourable member. If he likes it placed on the Table of the House that can be done. This, however, does not necessarily include all relevant papers.

QUESTIONS (5): ON NOTICE

MAIN ROADS

Funds: Grants to Local Authorities

1. The Hon. R. H. C. STUBBS asked the Minister for Local Government:

   (1) How many local authorities in Western Australia received main road grants in each of the last three years?

   (2) Which are the local authorities concerned?

(3) What were the amounts in each case?

(4) What formula is used to arrive at the amount of the grant to local authorities?

(5) What other factors are considered when arriving at the amount of allocation?

The Hon. L. A. LOGAN replied:

(1) All local authorities in Western Australia receive road grants either from the Central Road Trust Fund or from the Main Roads Department programme.

(2) Answered by (1).

(3)—

	Central Road Trust Fund	General, Specific and Maintenance	Total
	$	$	$
1965–66	3,869,350	3,385,903	7,255,253
1966–67	5,695,198	3,630,228	9,325,426
1967–68	7,208,299	3,891,428	11,099,727
	$16,772,847	$10,907,559	$27,680,406

(4) No set formula is used. Central Road Trust Fund grants are based on collections of motor vehicle license fees in each year in excess of the 1958-59 base year amounts and matching grants. General allocations are fairly standard amounts, generally $6,000 to $8,000, which are paid to country local authorities to assist in their road works programmes. Specific allocations are made to various roads according to road needs on a local authority priority basis. The amounts vary according to many factors which include traffic usage and nature of the road, as well as developmental road needs in special areas, the magnitude of the works involved, the capacity of the local authorities to undertake works from their own resources, and the assessment of relative priorities having regard to the overall availability of road finances. A maintenance allocation is made to country shires for developmental roads. Where school bus routes exist the mileage of routes is used as the basis, while in more remote areas a general maintenance grant is based on the mileage of roads other than main and important secondary roads within a shire.

(5) Answered by (4).

Works: South-East Province

2. The Hon. R. H. C. STUBBS asked the Minister for Mines:

In each of the Shires of Kulin, Kondinin, Narembeen, Merredin, Westonia, Yilgarn, Coolgardie, Kalgoorlie, and Dundas, and the Town Councils of Kalgoorlie and Boulder, what works will be carried out, and what will be the cost of such, in the year 1968-69 by—

(a) the Main Roads Department;

(b) the local authorities with main roads financial grants?

The Hon. A. F. GRIFFITH replied:

(a) and (b) I ask that the schedule of information be taken as read. I have been requested to draw the attention of the honourable member to the fact that answers to questions of this type involve a considerable amount of work by the Main Roads Department and ordinarily such information can be readily made available to members on private inquiry direct to the department. This would obviate the necessity of having to go through the formalities required in replying to a parliamentary question. I have been asked to draw the attention of the honourable member to this state of affairs.

The PRESIDENT: Will the honourable member request that these papers be tabled as distinct from being taken as read?

The Hon. A. F. GRIFFITH: I have been accustomed to asking that papers be taken as read.

The PRESIDENT: If the schedule is taken as read it will appear in the Minutes of the Proceedings; whereas if it is tabled it will not so appear. This will save a lot of printing.

The Hon. A. F. GRIFFITH: I take it the honourable member who asked the question will require the answer to appear in *Hansard*. I can see no value in the department answering the question, which has involved quite an amount of work—five foolscap pages—if that answer is not recorded.

The PRESIDENT: It will involve a tremendous amount of work in regard to the Minutes if your procedure is adopted.

The Hon. A. F. GRIFFITH: A tremendous amount of work has already been caused because the member asked the question. With due respect to *Hansard*, I cannot see any reason for the schedule not being recorded properly in the proceedings. I therefore request that the schedule be taken as read.

The PRESIDENT: Very well. It will be taken as read.

MAIN ROADS DEPARTMENT
DETAILS OF WORKS TO BE CARRIED OUT IN 1968-69
VARIOUS LOCAL AUTHORITIES
EXPENDITURE BY MAIN ROADS DEPARTMENT AND LOCAL AUTHORITIES

Road	Work	Estimated Expenditure, 1968-69		Total Estimated Cost
		Main Roads Department	Local Authority	
SHIRE OF KULIN—		$	$	$
Williams-Kondinin	Sealing 0.85M.	3,600	....	3,600
Williams-Kondinin	Maintenance	4,500	....	4,500
Kondinin-Carmady-Newdegate	Construct 1M.	3,000	....	3,000
Kondinin-Carmady-Newdegate	Maintenance	....	1,100	1,100
Kulin-Lake Grace	Gravel and Prime 4.4M.	20,000	....	20,000
Kulin-Lake Grace	Maintenance	....	900	900
Corrigin-Kulin-Pingaring	Sealing 4.85M.	11,700	....	11,700
Corrigin-Kulin-Pingaring	Construction	....	9,000	9,000
Jilakin-Holt Rock	Construction, Jilakin Lake Section	....	9,000	9,000
Jilakin-Holt Rock	Construction, Pingaring-Hodgsons Section	30,000	....	30,000
New Settlement Roads	Kulin East Area	....	10,000	10,000
Contributory Bitumen Scheme		7,330	....	7,330
General Allocation	Construction	....	8,000	8,000
Various	Maintenance	....	9,410	9,410
		80,130	47,410	127,540
Central Road Trust Fund		....	25,420	25,420
		80,130	72,830	152,960
SHIRE OF KONDININ—				
Armadale-Kondinin	Maintenance	1,700	....	1,700
Williams-Kondinin	Maintenance	1,100	....	1,100
Kondinin-Carmady-Newdegate	Recondition, Gravel and Prime 4.8M.	24,500	....	24,500
Kondinin-Carmady-Newdegate	Improve Flood Crossings	3,000	....	3,000
Kondinin-Carmady-Newdegate	Reseal 3.0M.	6,600	....	6,600
Kondinin-Carmady-Newdegate	Seal Sections	1,000	....	1,000
Kondinin-Carmady-Newdegate	Maintenance	....	4,300	4,300
Hyden North	Construction	....	10,000	10,000
Kondinin Lake	Construction	....	6,000	6,000
New Settlement Roads	Hyden, North-east Area	....	5,000	5,000
New Settlement Roads	Hyden South Area	....	5,000	5,000
New Settlement Roads	Hyden North Area	....	400	400
Contributory Bitumen Scheme		9,000	....	9,000
General Allocation	Construction	....	11,000	11,000
Various	Maintenance	....	11,450	11,450
		46,900	53,150	100,050
Central Road Trust Fund		....	30,980	30,980
		46,900	84,130	131,030
SHIRE OF NAREMBEEN—				
Bruce Rock-Narembeen	Maintenance	600	....	600
Bruce Rock-Narembeen	Enrichment 0.4M.	200	....	200
Merredin-Narembeen	Maintenance	....	750	750
Crampthorne	Construction	....	3,000	3,000
Mt. Walker-Hyden	Construction	....	4,000	4,000
Narembeen-Corrigin	Construction	....	4,000	4,000
Narembeen-Mt. Walker	Flood Crossings	7,000	....	7,000
Contributory Bitumen Scheme		8,000	....	8,000
General Allocation	Construction	....	12,000	12,000
Various	Maintenance	....	11,030	11,030
		15,800	34,780	50,580
Central Road Trust Fund		....	32,595	32,595
		15,800	67,375	83,175

Road	Work	Estimated Expenditure, 1968-69 Main Roads Department $	Local Authority $	Total Estimated Cost $
SHIRE OF MERREDIN—				
Goomalling-Merredin	Maintenance	2,700	....	2,700
Great Eastern Highway	Reseal 1.8M.	4,500	....	4,500
Great Eastern Highway	Seal 4.7M. (part cost)	5,000	....	5,000
Great Eastern Highway	Construct and Prime 3.65M.	61,300	....	61,300
Great Eastern Highway	Construct Bridge 159.8M.	22,000	....	22,000
Great Eastern Highway	Construct Bridge 154M.	18,000	....	18,000
Great Eastern Highway	Maintenance	8,000	....	8,000
York-Bruce Rock-Merredin	Enrichment	1,200	....	1,200
York-Bruce Rock-Merredin	Maintenance	1,600	....	1,600
Doodlakine-Bruce Rock	Construct 3.9M.	12,000	....	12,000
Doodlakine-Bruce Rock	Maintenance	....	200	200
Merredin-Narembeen	Maintenance	....	950	950
Hardmans	Construction	....	5,000	5,000
Neeming	Construction	....	7,500	7,500
Contributory Bitumen Scheme		....	10,000	10,000
General Allocation	Construction	....	8,000	8,000
Various	Maintenance	....	7,570	7,570
		136,300	39,220	175,520
Central Road Trust Fund		....	66,643	66,643
		136,300	105,863	242,163
SHIRE OF WESTONIA—				
Great Eastern Highway	Seal 0.4M.	1,400	....	1,400
Great Eastern Highway	Guardrailing (Walgoolan Overpass)	11,000	....	11,000
Great Eastern Highway	Maintenance	2,700	....	2,700
Wyalkatchem-Southern Cross	Construct 4M. and Prime 1.5M.	10,500	....	10,500
Wyalkatchem-Southern Cross	Construction	....	6,000	6,000
Wyalkatchem-Southern Cross	Maintenance	....	900	900
Barnett-Waddel's	Construction	....	5,000	5,000
Daddow's	Construction	....	3,000	3,000
Walgoolan-Warralakin	Construct Flood Crossings	3,000	....	3,000
General Allocation	Construction	....	6,000	6,000
Various	Maintenance	....	2,310	2,310
New Settlement Areas	Warralakin North Area	....	1,500	1,500
		28,600	24,710	53,310
Central Road Trust Fund		....	19,519	19,519
		28,600	44,229	72,829
SHIRE OF YILGARN—				
Great Eastern Highway	Seal Widening 63.45M. and Seal 0.5M.	40,700	....	40,700
Great Eastern Highway	Guardrailing Overpass, Moorine Rock	10,000	....	10,000
Great Eastern Highway	Widen and Prime 31.3M.	143,000	....	143,000
Great Eastern Highway	Maintenance	15,600	....	15,600
Wyalkatchem-Southern Cross	Seal 0.85M.	1,800	....	1,800
Wyalkatchem-Southern Cross	Maintenance	....	1,400	1,400
North Bodallin	Construction	....	6,000	6,000
South Moorine	Construction	....	6,000	6,000
South Nulla	Construction	....	3,000	3,000
Contributory Bitumen Scheme	Construction	6,710	....	6,710
General Allocation	Construction	....	8,000	8,000
Various	Maintenance	....	4,040	4,040
New Settlement Areas	Moorine South Area	8,000	....	8,000
		225,810	28,440	254,250
Central Road Trust Fund		....	40,330	40,330
		225,810	68,770	294,580

Road	Work	Estimated Expenditure, 1968–69 Main Roads Department	Local Authority	Total Estimated Cost
SHIRE OF COOLGARDIE—		$	$	$
Coolgardie-Esperance	Reconstruct, Widen and Prime 12M.	104,000	....	104,000
Coolgardie-Esperance	Maintenance	15,000	....	15,000
Great Eastern Highway	Widen and Prime 18M.	80,000	....	80,000
Great Eastern Highway	Shoulder and Drainage Maintenance	..	5,000	5,000
Great Eastern Highway	Maintenance	13,500	....	13,500
Boulder-Kambalda	Seal 2.4M.	6,200	....	6,200
Coolgardie-North-west	Formation Improvements	....	7,000	7,000
Coolgardie - Victoria Rocks - Hyden	Formation Improvements	....	7,000	7,000
Kambalda-Widgiemooltha	Seal 12.5M.	33,000	....	33,000
Widgiemooltha-Salt Lake	Formation Improvements	....	3,000	3,000
General Allocation	Construction	....	7,000	7,000
Various	Maintenance	..	1,120	1,120
		251,700	30,120	281,820
Central Road Trust Fund	... .	....	22,129	22,129
		251,700	52,249	303,949
SHIRE OF KALGOORLIE—				
Great Eastern Highway	Maintenance	1,100	....	1,100
Kalgoorlie-Wiluna	Maintenance	4,000	....	4,000
Boulder-Kambalda	Construct and Sheet 20M.	10,500	....	10,500
Boulder-Kambalda	Construct and Prime 20M. ...	140,000	....	140,000
Boulder-Kambalda	Additional Funds	30,000	....	30,000
Monger	Formation Improvements	....	4,000	4,000
Trans Access	Formation Improvements	....	11,000	11,000
Yarri	Formation Improvements	....	2,000	2,000
Various	Construct Grids	....	2,500	2,500
General Allocation	Construction	....	8,000	8,000
Various	Maintenance	....	5,980	5,980
		185,600	33,480	219,080
Central Road Trust Fund	....	....	70,318	70,318
		185,600	103,798	289,398
SHIRE OF DUNDAS—				
Coolgardie-Esperance	Widen Causeway Gravel Sheet 1M.	10,000	....	10,000
Coolgardie-Esperance	Reconstruct and Prime 1.5M., Widen and Prime 1.5M.	45,000	....	45,000
Coolgardie Esperance	Reseal 3.1M.	11,800	....	11,800
Coolgardie-Esperance	Maintenance	18,900	....	18,900
Eyre Highway	Reconstruct and Prime 0.6M.	9,500	....	9,500
Eyre Highway	Seal 0.6M.	2,400	....	2,400
Eyre Highway	Construct and Prime 350–412M.	600,000	....	600,000
Eyre Highway	Seal 350–412M.	300,000	....	300,000
Eyre Highway	Guardrailing Madura Pass	21,000	....	21,000
Eyre Highway	Construct and Gravel Sheet 406–451.8M.	370,000	....	370,000
Eyre Highway	Construct Eucla Pass	65,000	....	65,000
Eyre Highway	Maintenance	70,000	.	70,000
Circle Valley East	Formation Improvements	....	4,000	4,000
Circle Valley West	Formation Improvements	....	2,000	2,000
Salmon Gums East	Formation Improvements	..	3,000	3,000
Salmon Gums West	Formation Improvements	..	2,000	2,000
New Settlement Areas ...	Salmon Gums East Area ...	10,000	....	10,000
General Allocation	Construction	.	7,000	7,000
Various	Maintenance	.	4,650	4,650
		1,533,600	22,650	1,556,250
Central Road Trust Fund	... .		22,841	22,841
		1,533,600	45,491	1,579,091

Road	Work	Estimated Expenditure, 1968–69 Main Roads Department	Local Authority	Total Estimated Cost
		$	$	$
TOWN OF KALGOORLIE—				
Great Eastern Highway	Reseal 0.3M. (32 ft. wide)	1,500	....	1,500
Great Eastern Highway	Maintenance	400	....	400
		1,900	....	1,900
Central Road Trust Fund	....	....	66,666	66,666
		1,900	66,666	68,566
TOWN OF BOULDER—				
Boulder-Kambalda	Construct and Prime 1.45M.	18,000	....	18,000
Central Road Trust Fund	....	....	40,026	40,026
		18,000	40,026	58,026
Totals—				
Detailed Works	....	2,524,340	313,960	2,838,300
Central Road Trust Fund	....	....	437,467	437,467
		2,524,340	751,427	3,275,767

METROPOLITAN REGION SCHEME

Amendment

3. The Hon. J. DOLAN asked the Minister for Town Planning:

In connection with the amendment to the Metropolitan Region Scheme tabled in the House on the 10th September, will the Minister inform the House—

(a) when the scheme, whether with or without modifications, is to be published in the *Government Gazette;* and

(b) where, and at what times, the maps, plans, and diagrams are open for public inspection;

as provided in section 32 (1) (a) of the Metropolitan Region Town Planning Scheme Act?

The Hon. L. A. LOGAN replied:

(a) The gazette notice was published on Tuesday, the 10th September, in *Government Gazette* No. 86.

(b) At the office of the Town Planning Department, 22 St. George's Terrace, Perth, between the hours of 8.30 a.m. and 5 p.m. Monday to Friday.

EDUCATION

Allowances for Married Teachers

4. The Hon R. F. CLAUGHTON asked the Minister for Mines:

(1) Is the Minister aware that subregulation (5) of regulation 196 of the Education Act regulations only allows payment of an allowance to a married male student if he—

(a) is married at the time of acceptance for a course of training at a teachers' college;

(b) is over 21 years of age and has successfully completed three years of tertiary training; and

(c) was over 23 years of age at the beginning of the year in which he commenced training?

(2) As the Government has recognised in the Housing Advances (Contracts with Infants) Bill now before the House, that more people between the ages of 18 and 21 years are marrying and are able to accept responsibilities such as a housing loan contract, will consideration be given to further easing or removing the disability contained in regulation 196 on student teachers who desire to marry while still at a teachers' college?

The Hon. A. F. GRIFFITH replied:

(1) Yes.

(2) No, as it is not considered that subregulation (5) of regulation 196 conflicts with the terms of the Housing Advances (Contracts with Infants) Bill now before the House.

WATER SUPPLIES

Nickel Refinery, Kwinana

5. The Hon. R. H. C. STUBBS asked the Minister for Mines:

What is the estimated quantity of water that will be required daily for the nickel refinery at Kwinana of—

(a) fresh water; and

(b) sea water for cooling purposes?

The Hon. A. F. GRIFFITH replied:

(a) Between 800,000 and 900,000 gallons for the initial plant.

(b) Nil for the initial plant.

METROPOLITAN REGION TOWN PLANNING SCHEME ACT AMENDMENT BILL

Second Reading

Debate resumed from the 17th September.

THE HON. I. G. MEDCALF (Metropolitan) [4.57 p.m.]: I wish to say a few words about this Bill because I believe there are some important principles at stake. I am of the opinion these principles can, with the best intentions in the world, all too often be overlooked. I propose to refer to the three Acts which at present cover the rights of a subject to compensation; namely, the Town Planning and Development Act, the Metropolitan Region Town Planning Scheme Act, and the Public Works Act.

Before doing so, I wish briefly to state that the principles I am referring to are, firstly, that town planning has now become an accepted part of our society and our social order. The Town Planning and Development Act was passed in 1928—40 years ago—and it contains some provisions which must have been regarded as fairly enlightened in those days for the orderly development of towns and cities in Western Australia. That being so, as town planning has now been accepted as one of the elements which we have in our social order, we must accept that it is a community responsibility to pay the cost of town planning.

This brings me to the second principle: That if it is a community responsibility to pay the cost, then we should, as a society, accept the cost; and, anyone who is deprived of his land, or who has a right to compensation as a result of the activities of the town planning authorities, should be adequately compensated. I am sure these principles will be accepted by most thinking people; and I feel certain that every member in this Chamber would agree that as we must have accepted the first principle—that town planning is part of our social order—then we must accept the second principle that any person who is deprived of his legitimate property, should receive adequate compensation because of the sacrifice he is required to make in order to achieve that social order.

With that introduction, I would like now to refer to some of the provisions of the Town Planning and Development Act. I mention these three Acts because I believe members will agree that the other two Acts I have mentioned—the Town Planning and Development Act and the Public Works Act—are inextricably interwoven with the Bill now before the House.

The Town Planning and Development Act provides in section 6 that a town planning scheme may be made in accordance with the Act with respect to any land with the general object of developing and improving any such land to the best possible advantage.

Various other references are contained in section 6, relating to the things a town planning scheme can embrace. The section also refers to the purposes, provisions, and powers contained in the first schedule.

The first schedule to this Act sets out in some detail the matters which may be dealt with under the provisions of a town planning scheme. I will not go into those details because I am sure they are well known to members. However, they include such matters as streets, parks, gardens, public conveniences, subdivisions of land generally, and other similar matters relating to town planning.

Section 11 of the Town Planning and Development Act—with which we are more concerned under this present Bill—sets out the provisions for compensation, and states that any person whose land is injuriously affected by a town planning scheme shall, if he makes a claim within six months, be entitled to obtain compensation. There are various other matters contained in the section which do not concern us at the moment, but subsection (4) states that any question as to whether any land or property is injuriously affected—and the amount and manner of payment of compensation, etc.—shall be determined by arbitration in accordance with the Arbitration Act of 1895, unless the parties agree on some other method of determination.

Section 12 of the Act goes on to make certain other references to the subject of compensation, and restricts quite considerably the number of cases in which compensation can be claimed. Nevertheless, sections 11 and 12 deal with compensation, and both sections contain subsections referring to questions being determined by arbitration unless the parties agree on some other method of determination.

Section 13 of the Act should be referred to in this connection, because it is rather interesting. Section 13 states that the responsible authority—and I might say that the responsible authority is defined as being the local authority—may, for the

purpose of a town planning scheme, in the name and on behalf of such authority—

(a) purchase any land comprised in such scheme from any person who may be willing to sell the same; or

(b) with the consent of the Governor, take compulsorily, under and subject to the Public Works Act, 1902-1966, any land comprised in such scheme . . .

Subsection (2) of section 13 states that when land is taken compulsorily then certain sections of the Public Works Act do not apply. Those sections which do not apply deal with the necessity to give notice of intention to resume land, as a prerequisite to the resumption. However, the bulk of the Act does apply. I will come back to that section later.

I will now refer to the Metropolitan Region Town Planning Scheme Act, 1959. This Act, of course, as members are well aware, sets up the Metropolitan Region Planning Authority. Section 25 of the Act lays down the functions of the authority which, in broad terms, are to formulate a metropolitan region scheme, to present the scheme, to administer the Act, to keep it under review, and to make regulations dealing with first schedule matters of the Town Planning and Development Act, that is, the general provisions of town planning schemes.

Section 30 of this Act states that the authority shall make the Metropolitan Region Scheme in respect of the whole, or any part, of the land in the metropolitan region for the purposes of section 6 of the Town Planning and Development Act. Here again we come back to the Town Planning and Development Act, so it is quite apparent that these two Acts are inextricably interwoven, and in order to carry out the purpose of one Act, the other Act has to be referred to constantly.

Section 36 of the Metropolitan Region Town Planning Scheme Act, which the present Bill proposes to amend, states that for the purpose of applying the provisions of sections 11 and 12 of the Town Planning and Development Act—that is the first Act I mentioned—to the provisions of the scheme, the former provisions will be read and construed as if the Metropolitan Region Planning Authority were the responsibile or local authority in sections 11 and 12, wherever referred to in those sections. In other words, section 36 substitutes, for the purposes of the Metropolitan Region Town Planning Scheme Act, the Metropolitan Region Planning Authority for the responsible or local authority. This is for the purposes of sections 11 and 12, but section 36 does not say anything about section 13. However, for the purposes of sections 11 and 12 the Metropolitan Region Planning Authority is the responsible authority.

Subsection (2) of section 36 states that the scheme may provide that where compensation for injurious affection is claimed as a result of the operations of the provisions of section 12 of the Town Planning and Development Act, the authority may, at its option, elect to acquire the land so affected instead of paying compensation. In other words, if the authority is faced with a *bona fide* claim for compensation because a person's land has been injuriously affected as a result of a town planning scheme, instead of paying compensation the authority may acquire the land. The power to acquire is contained in section 36 (2) of the Act.

The Minister, in his second reading speech, stated as follows:—

> Paragraph (a) of clause 3 is designed to amplify the provisions of section 36 of the Act, which provide for the Metropolitan Region Planning Authority to elect to buy property in lieu of paying compensation for injurious affection when an application to develop land has been refused, or approved subject to conditions that are unacceptable to the owner. The present provisions do not set out how the purchase price is to be arrived at if the owner and the authority cannot agree on a figure.

Those were the Minister's remarks, and they are quite correct. The present provisions in the Act do not set out the conditions, and the authority has been forced to rely on reaching agreement in such cases where it elects to acquire the land rather than pay compensation. The authority has to reach agreement with the owner of the land, because it has no present power compulsorily to acquire the land in that situation.

The authority does not have any present power because the land which it would require would not be required for a public work, under the Public Works Act. Were this land required for a public work, there would be no difficulty. Land required for the purposes of a particular town planning scheme is not required for a public work and, therefore, the Minister's proposition is, indeed, correct.

Proposed new subsections (2a) and (2b), contained in the Bill, provide that the predicament in which the authority finds itself shall be cured, where the parties cannot agree on a price. Proposed subsection (2b) states that where land is acquired, the value shall be determined by arbitration, or some other agreed method, without regard to any decrease or increase attributable to the scheme.

I would have thought that this situation could have been cured fairly simply by amending section 13 of the Town Planning and Development Act to provide that the responsible authority—referred to in section 13—shall be the Metropolitan Region Planning Authority. I would like, just once

again, to refer to section 13 of the Town Planning and Development Act, and I ask members to bear this in mind.

Section 13 states that the responsible authority may, for the purposes of a town planning scheme, purchase any land from a willing vendor, or take the land compulsorily, with the consent of the Governor, under the Public Works Act. It seems to me that all that is required, in order to achieve the purposes of the authority, is to provide an amendment whereby the responsible authority, under section 13 of the Act, is held to be the authority under the Metropolitan Region Town Planning Scheme Act, exactly as was done when section 36 was amended in 1963. At that time it was provided that the authority could be the responsible authority for the purposes of sections 11 and 12 of the Town Planning and Development Act. If the authority were made the responsible authority for the purposes of section 13 also, then it seems to me it would have the right to purchase land and, with the consent of the Governor, to take the land compulsorily in accordance with the provisions of the Public Works Act.

I can see no reason for that not being done; that would seem to me to be the simple way out, and the entire amendment could be confined to three or four lines. However, that is not what we have before us.

I would like briefly to refer to the provisions of the Public Works Act which make it appear to me to be more desirable that we should stick to the provisions of that Act rather than import other methods to determine the value of land in circumstances such as this.

As members will be well aware, the Public Works Act applies only to public works which are outlined in the Act. That Act contains a number of very interesting provisions, which have been drafted into it over a long period of time. The Act lays down the procedure for taking land, and one particular provision, to which I draw the attention of the House, is contained in section 29. That section provides that where land, which has been compulsorily resumed, is not required for the particular public work for which it was resumed, it is to be sold by public auction or by private contract, but before this is done the last owner of the land—or the last person entitled to the land before the resumption—is to be granted, under certain conditions, an option to repurchase the land. The price which is to be paid is the original compensation price plus the value of improvements which the Crown has put on it.

So on fairly just terms an original owner is enabled to get his land back if it subsequently appears the land is not required for the original purpose for which it was resumed. This is perfectly fair, because if the land is not required for the original purpose why should the original owner not have the opportunity to buy his land back?

There are a number of other interesting provisions, but I will not go into all the details, because I fear I would be covering ground which does not require covering. However, I would like to mention that the Public Works Act contains a fairly strict time limit whereunder each event must take place in definite sequence. For instance, a claim for compensation must be made within six months. The responsible authority then has 90 days in which to examine the claim and, in effect, the wording in the Act states that as soon as possible thereafter the authority shall make an offer of settlement. The claimant then has a further 60 days in which to consider the offer of settlement and reject it if he does not wish to accept it. There is a final time limit of 120 days if no offer is made, whereupon the claimant has the right to take the matter to court.

Section 47A of the Act lays it down that if the offer is rejected the matter can be determined by agreement; by an action for compensation; or by reference to a compensation court. Leaving aside the question of agreement, there are the two other methods, one of which is an action for compensation which may be commenced in any court of competent jurisdiction. This means the court which is competent to determine the amount at stake, that is to say, a local court or the Supreme Court. Alternatively, the case may be commenced in the Compensation Court which consists of a president and two assessors, or a single assessor if the parties agree.

The Hon. L. A. Logan: The president can be a judge of the Supreme Court.

The Hon. I. G. MEDCALF: That is correct; or, he may be a magistrate if the matter of compensation is below $1,000. The important point is that section 63 and the following sections lay down the method of determining the compensation to be paid by the compensation court, or by any other court, under this Act. These sections provide that, in assessing how much compensation is to be paid—I mention this because I feel the matter was touched on by a number of members in the remarks they made earlier when they referred to the hardships people suffered when their land was compulsorily acquired—certain elements are to be taken into account.

Firstly, there is the value of the land; that is, the court's assessment based on the value of the land in its unimproved state, plus the improvements on the land at the date of the gazettal of the resumption notice. Secondly, there is the loss or damage sustained by the claimant as a result of his removal expenses; his disruption and the reinstatement of his business; the discontinuance of any building

works he may have started on the land; the payment of fees to architects or surveyors; and any other facts which the court considers just to include in the claim.

The second element is a fairly important one. It covers most of the heads of damage which are generally known to people in this position, and then there is the last one that is thrown in—any other facts which the court considers just to come within the scope of the claim.

The Hon. R. Thompson: Have you any idea of the number of cases that come before the court annually?

The Hon. I. G. MEDCALF: I could not answer that question, but I do not think the number is very great.

The Hon. R. Thompson: There are virtually none.

The Hon. I. G. MEDCALF: I do not know what that proves. The third element is that which is sustained by severance or injurious affection. Here we return to the question of injurious affection, and it also throws in the other question of severance; such as where land is dissected by a road, thus leaving it in two parts. The next element is an additional amount of up to 10 per cent. which may be awarded where there is compulsory resumption; and, finally, rents or profits which the claimant is deprived of, or interest in lieu.

There are one or two provisions with which I will not deal, such as the assessment of rates and taxes and minor matters which ensure that a claimant should receive adequate compensation. On the subject of fees and costs, under this Act costs are awarded in the discretion of the compensation court, or of the court, which means they would normally be awarded to the successful party. Comments have been made about arbitration as if it were a benefit to people to have the right of arbitration; that is, as if it would thereby save them costs. This may be so where the arbitration is by a single arbitrator who perhaps is a Government officer appointed for that purpose, or where he holds some other position which disentitles him to charge fees for his services; that is, the arbitrator is a public servant or is deputed by the Government, or by his office, to act in the capacity of referee or arbitrator.

However, if professional members are engaged on arbitration the costs, as is well known, are usually substantially more than they are in a normal court case. The reason is quite simple; that is, although the same people are usually involved, the parties may have their legal advisers in either type of case. In arbitration, however, the unsuccessful party is liable for the costs of the court or the costs of the arbitrator. On the other hand, in a normal court case the court is provided by the Government, or the State.

So in the case of arbitration, the unsuccessful party not only could become liable for his own costs, and the costs of the other party, but also for the arbitrator's costs. In a court, however, he is never liable for the costs of the court; that is, the judge or the magistrate, the ushers, and the people who take down the evidence. This is all provided by the State, as we know from long experience.

Therefore we should bear in mind that it is a very doubtful advantage, ever, to confer upon people this "privilege" of arbitration. I want to state this now, because quite frequently we hear references to this question of helping people by allowing them to have arbitrators. In legal circles it is well known that the cost of arbitration is normally greater than the cost of a legitimate court case.

Having mentioned that, I would like to go back to reiterate the two principles I mentioned at the outset. The first is that town planning is a community responsibility which, although we still occasionally hear voices crying out against it, we must accept as part of our social order.

We all have different ideas on how far town planning goes, how far it should go, and its effect on different sections of the community; but as the Town Planning and Development Act has been in operation for 40 years, and in view of what has happened since, we must accept now, I believe, that town planning is a community responsibility. Therefore, the second principle applies; namely, we must fairly compensate those who, in the interests of the community, are required to give up their property. They do not give it up voluntarily. They are required to give it up because of a scheme which is for the benefit of the community, and they must be adequately compensated.

Already the Metropolitan Region Town Planning Scheme Act has cut down considerably the rights to compensation. Had the Act, when it was first proclaimed, simply brought in all the provisions of the Public Works Act, it would not have been necessary for me to have made that comment, but a scrutiny of the Metropolitan Region Town Planning Scheme Act indicates that already the rights of compensation are severely restricted. People may have their views about the Public Works Act; about arbitration; about the cost of going to court, or anything else, but let us not get away from the principle that people should be fairly compensated on compulsory deprivation of their property.

I am quite certain that not one political party represented in this House would subscribe to any other view, nor, I feel, would any member. It comes right back to the Australian idea of fair play—if something is taken away from an individual, something should be given back in return;

some reasonable and adequate compensation. It is not always possible to compensate people really adequately, but an attempt should be made to assess a person's loss in some adequate financial terms.

So I again mention that section 63 of the Public Works Act lays down fairly, evidently, and obviously, all the various matters which should be taken into account when considering compensation. Those provisions are already incorporated in the Public Works Act.

The Hon. H. C. Strickland: It does not lay down the values.

The Hon. I. G. MEDCALF: It refers to be a figure which should reflect the value, because that is the first element referred to in section 63; that is, the value of the land and the improvements.

The Hon. H. C. Strickland: It does not say who shall value the land.

The Hon. I. G. MEDCALF: Section 63 provides that the principles laid down in that section are the ones that shall be adopted by the court, a compensation court, or any other competent court of jurisdiction, in determining the amount of compensation.

As members of this Chamber, I feel we should be concerned that we fully understand the Bill. This legislation is extremely complex, as I have endeavoured to point out, and I am certain that this is very well known to other members. The three Acts are quite inextricably interwoven, and it is most difficult to separate them into their separate parts. The study of one Bill is difficult enough for the average person without having three separate measures constantly referring to the Metropolitan Region Town Planning Scheme Act, and to its amendments, because they are not reprinted; and then to any other references which happen to crop up. As members of Parliament, therefore, we must view the situation as being a very difficult one.

We have heard Mr. Ron Thompson say it is difficult for the average lawyer, and I firmly believe that is so. If it is difficult for the very few lawyers who handle these matters, as the honourable member said, then how much more difficult is it for the average member of the public to understand this complex question?

Without casting any reflection on the Minister, I would like to say that the codification of these Acts is a step that should be taken at a fairly early date. That is to say, we should no longer be content with a piece of legislation that is really a thing of shreds and patches. The time should come fairly soon when the authority should attempt to gather together all the various bits and pieces from everywhere and produce some decent code which anyone can understand. We are accustomed to hearing the Commonwealth Government criticised for putting up with the Income Tax Assessment Act and all its ramifications and not doing very much about it. I feel the same could be said of the authority or, at least, of the town planning authorities.

It is a matter of prime importance to the community for us to produce a code, and to have a new look at this matter. I do not suggest that we should merely consolidate the existing laws and put them into one volume, because this would not achieve anything except, perhaps, to make it easier to find the information required.

We should have a look at the principle involved and endeavour to get down to the question of adequate compensation in accordance with our normal Australian notions of justice and fair play. We should try to compensate, adequately, people who suffer a compulsory loss of their property as a result of the community's desire to have orderly town planning.

THE HON. H. C. STRICKLAND (North) [5.31 p.m.]: I have very little to say on this matter, though once again I would like to draw the attention of the Minister and of the Government to my views concerning valuations.

No rule is set down in any of the Acts dealing with town planning schemes and public works, though there is a system—as Mr. Medcalf has just informed us—under which the disputant will be paid in the case of a compulsory acquisition by the authority. The matter can go to arbitration under the Public Works Act, or it can be dealt with at common law.

Because of the costs involved at common law, in 99 cases out of 100 people are afraid to take any such matters to court. After all, the Government is spending public money, and if one's dispute is with the Government the case can be taken from one court to another until one is broke and loses all the value one might otherwise receive.

The other alternative is to appoint arbitrators. In the case of a single property a reasonable valuation can be decided by an independent arbitrator in conference with the Government arbitrator. I know of cases, however, where disputants did not actually take the case to arbitration, but engaged sworn valuers to value the property; one valuer was engaged for the victims—if I might call them that—and the other for the Government.

The particular case I have in mind concerns three valuers who valued the property in question. One valuation was made before the resumption took place, and this valuation was twice as much as that arrived at by the Government valuer. The victim's valuer arrived at an amount between the two. There was an overall

difference of 30 per cent. between the valuations arrived at by the two later valuers.

I might point out that the values were arrived at by two old established firms which had been valuing properties for years. Accordingly, I feel that the process of arriving at a fair value is inadequate, and I would again suggest to the Government that a special court be set up to deal with these cases at the expense of the Government.

I can assure members it is very difficult to arrive at a satisfactory valuation. I have just referred to the case of two long-standing firms of valuers whose values showed a disparity of 30 per cent. If a disputant were not satisfied with such valuations he could take the matter to the special court I have suggested, which could then deal with cases which arose under the Metropolitan Region Town Planning Scheme where properties adjoined one another.

We know it is necessary for properties to be acquired for future development. The Minister has told us that town planning will go on forever, which, of course, means that resumptions will also continue forever. If disputants cannot agree to the values set by the arbitrators they should be bound to accept the values set by the special court which would have a set of values to work on.

It may be said that there are sets of values available now. For instance, there are values set by the Taxation Department and by the local authorities, but I would say without fear of contradiction that no landowner would consider his taxation valuation, or that of the local authority, to be based on the true value of his land.

The Hon. L. A. Logan: Except when he has to pay rates.

The Hon. H. C. STRICKLAND: We know that such valuations are well below the current market value, but these are the values set on properties which are resumed. The Minister has told us that on more than one occasion; indeed, he amended the Act to provide for that aspect.

The establishment of a special court would save a great deal of ill-feeling and ill-will between public servants and the owners of land. The Minister and the Government, of course, do not enter into the matter—it is one between a public servant and a landowner defending his right, because he feels he is being deprived of a fair current market value for his land.

Accordingly, the Government should give a good deal of thought to setting up a special court, because it would be something from which people could obtain satisfaction, knowing that the current valuation had been placed upon their land.

THE HON. J. DOLAN (South-East Metropolitan) [5.39 p.m.]: I was very interested in the remarks made by Mr. Medcalf when he referred to the fact that there ought to be some cheap way for people to secure a determination on the valuation of their property when they take the matter to arbitration. This is a most intricate matter.

I would like, again, to refer to a case which I raised some years ago concerning a man named Arthur Bush, of Bickley Road, Maddington. Arthur Bush was a dairy farmer with a herd of stud Jersey cattle. He was making an excellent living from his occupation, but lo and behold, his land was resumed in a most peculiar way. A railway line was put through the centre of it, and his farm, which had been an economic unit and of a size to give him a good return, was divided into two parts.

In order to make use of the land on the other side of the railway line it was necessary for him to take his cows half a mile down the road—a road which was used by large trucks carting metal from the hills. These trucks would rattle along on the way to their destination. This affected his dairy cows, which are temperamental and very easily upset. The question of having to drive his cows across to his land on the other side of the railway posed a tremendous problem.

Eventually Mr. Bush decided he was fighting a losing battle and felt he would be wise to change his vocation and find some other way to use his land. He then started to rear pigs and poultry to supplement his income. After trying all kinds of methods to reach a solution with the department he found he was getting nowhere. By that I mean he could not establish, at least to the department's satisfaction, that he had been injuriously affected. In other words he had to discard a profession in which he was skilled, and in which he had spent a lifetime, and try to take on something new. He refused the compensation that was offered, and as a result he has still not received any compensation at all.

I do not propose to take sides in this matter, but from the owner's point of view he always feels he is offered $10,000 to $20,000 less than he should get, and the officer who is doing the valuation for the resuming authority naturally tries to keep the value down as low as he can.

I would be keenly interested to find the Solomon who could determine the extent of injurious affection suffered by this man. There have been occasions when I have had to arbitrate between children at school who considered they had been injuriously affected.

The Hon. L. A. Logan: You mean as a result of a black eye?

The Hon. J. DOLAN: One must be very careful in such matters, because it is easy to give a wrong decision. I always felt the utmost sympathy, however, for the child who considered he had been injuriously affected.

I have no fixed views so far as the Bill is concerned; but, like Mr. Medcalf, I feel the time has arrived for us to have a good look at this matter, to see whether we cannot establish a basis where the individual concerned not only feels he is being given a fair go but, to a certain extent, knows he is.

If we can develop confidence, not only in the people who have their land resumed, but in the public generally, it will be of great benefit both to the people of the State and to the Government.

THE HON. L. A. LOGAN (Upper West—Minister for Town Planning) [5.44 p.m.]: I would like to thank those members who have contributed to the debate on this Bill. Some of their remarks, however, have covered a very vast scope, particularly when we consider that all the Bill seeks to do is to amend sections 36 and 36B of the principal Act. That is all it seeks to do.

I have, however, noted and given consideration to all the speeches and the suggestions that have been made, some of which have merit while others have not.

As Mr. Medcalf has pointed out, the amendment contained in the Bill is an extension of subsection (2) of section 36, because there is no procedure or date laid down.

I would very much like to congratulate Mr. White for the speech he made on this measure the other night. His speech showed that he had done a great deal of research into the matter, and he was absolutely right in all he said.

In his contribution to the debate Mr. Griffiths made one or two very good points, but he then went on to spoil what he had said by dealing with what the authority would, and would not, do. At this stage I should tell the House about the members of the Metropolitan Region Planning Authority, so that we will know who are the persons administering the Act.

The chairman, Mr. M. E. Hamer, was the manager of an insurance company in the city. He had also been the chairman and a member of the Perth Road Board. Then there is Mr. W. P. Calnon, who is the Mayor of the Midland Town Council, and who I believe is a successful businessman. Mr. A. C. Curlewis, who is the Deputy Mayor of the City of Perth, is another member of the authority. Another member is Mr. J. J. Sowden, the Deputy Mayor of the City of Fremantle.

The Hon. R. Thompson: He was.

The Hon. L. A. LOGAN: Other members of the authority include Mr. A. A. Mills, the President of the Gosnells Shire Council; and Mr. J. Rice, who recently replaced Mr. E. G. Smith—a former Mayor of the Mosman Town Council. I understand that Mr. Rice is a businessman of some ability, and is a member of the Perth Shire Council. Another member is Mr. E. P. O'Callaghan, the Manager of Ready Mixed Concrete. Other members include Mr. J. E. Knox, the Director-General of Transport; Mr. R. M. Hillman, the Chief Engineer of the Metropolitan Water Supply, Sewerage and Drainage Board; and Mr. D. H. Aitken, the Commissioner of Main Roads.

The Surveyor-General, Mr. H. Camm, was a member of the authority, but his position has now become vacant as a result of his retirement. Another member of the authority is Mr. J. E. Lloyd, the Town Planning Commissioner. The secretary of the authority is Mr. K. G. Hide; and Mr. D. J. Collins, a town planner, is the liaison officer representing the department on the authority. Mr. Collins has replaced the Clerk of the Parliaments (Mr. John Roberts) as the Brigadier commanding the C.M.F. in Western Australia.

I read out that list of members of the authority to enable the members of this House to become aware of the people who are responsible for the administration of the Act. Before anyone accuses the authority of doing things which it should not do, he should stop to think.

In his speech Mr. Griffiths said no time limit was laid down in respect of the amendments in the Bill. He went on to say—

> It can be assumed that at the end of the 12 months pressure will be applied to the person concerned to accept arbitration.

Further on he said—

> By establishing, once and for all, the date at which the valuation will be assessed, it is in the interests of the authority to prolong the transactions as long as possible.

He cannot have it both ways; he cannot say that the authority will force a person to accept arbitration within 12 months, and also that the authority will drag a case on and on. The honourable member also said—

> Under these circumstances the authority can value the land at half of what it is prepared to pay.

In saying that he is not only accusing the authority, but also the land valuation officers who carry out all the valuations for the authority. The authority does not carry out any valuations itself; the officers of the Public Works Department do this work for it. Whether the authority is

dealing with injurious affection or a straightout resumption, the same officers carry out the valuations.

The point was raised by Mr. Medcalf as to why use could not be made of section 13 of the Town Planning and Development Act. This might sound easy, but it presents problems. This is the section which most local authorities use in adopting minor town planning schemes in cases where a certain area of land might have been badly subdivided—areas with large and small blocks, without open spaces, without proper planning, and without drainage. To implement a minor town planning scheme plan of this nature it is necessary to have a blanket cover over the right of resumption.

If such a procedure were adopted in this case it would deny a person of his rights, if he wanted to string the proceedings along and if he did not want resumption immediately. Quite a few owners string the proceedings along. If section 13 of the Act is applied to such cases then the right of resumption will be available, but the right of the individual will be taken away.

The Hon I. G. Medcalf: That applies now. If a person acquires land, he cannot string the proceedings along.

The Hon. L. A. LOGAN: Owners string the proceedings along quite frequently; they do that for their own benefit, because they know land values are rising. I dealt with one case last week in which a valuer, and a prominent one, put in a valuation after a period of two years. However, the valuation he placed on the property at the present time is on an entirely different basis from what it was under the resumption procedure of a few years ago. I guarantee this person has been given four times the original value, because of the different set-up and the different method of assessment.

The Hon. I. G. Medcalf: That is purely a fortuitous circumstance, and it could work the other way.

The Hon. L. A. LOGAN: It could, but that is not likely in view of the rising prices. The three principles enunciated by Mr. Medcalf cannot be objected to, and I am sure everyone agrees they are correct. I have talked about the land resumption provisions under the Public Works Act, and I still contend that what I have said is perfectly correct. We are dealing with two separate issues; one is compulsory resumption, and the other is partly compulsory resumption. This leaves room for manoeuvring.

Because there was no procedure or date laid down in the Act, and because of the administrative difficulties that have arisen, the department has suggested that the Act be amended. That is all we are trying to do in the Bill—to write into the Act the language which has been in the Town Planning and Development Act since 1928; the language which has been used in controlling the metropolitan region from 1959 to 1963; the language which has been used in the scheme approved by this Parliament in 1963; and the language used in the country interim development orders scheme which was approved in 1965. In doing that, it seems strange that we should be accused of doing things which we ought not to do.

Perhaps I should tell members of some of the things which we have been accused of doing. In one lot of objections I received by way of deputation the following appears:—

> The objections to the Bill are—
>
> (i) That it sets a dangerous precedent which could permit socialism.

I do not know how anyone can draw that inference from the proposed amendment to section 36. It continues—

> (ii) That its procedures are contrary to the rule of law for—
>
> (a) It gives no access to the courts.

When it is laid down in the Bill that the individual has the right to arbitration—that, after all, is a court proceeding—how can it be said that a person has no right of approach to the court? Continuing—

> (b) It is held in camera.
>
> (c) Its results are never made public.
>
> (d) It makes no provision for appeals.

If a person goes to arbitration he is safeguarded against those suggestions. As far as the claim of secrecy is concerned, the judgments given in arbitration are made known to the appellants. Very often some people do not want outsiders to know their business.

The Hon. R. Thompson: Did that deputation represent an outside body?

The Hon. L. A. LOGAN: I thought it was.

The Hon. R. Thompson: Tell us who were the persons concerned.

The Hon. L. A. LOGAN: I cannot tell the honourable member that. I feel it incumbent on me to reply to a letter which I received from the Chamber of Commerce. I did not intend to reply to it until such time as it had been given to the Press. At that time I thought it misrepresented the position, and I regarded it as my duty to send a copy to every member of Parliament. Every member has now received a copy of the letter with my comments. It says—

> This Bill represents one more attempt by the Government to whittle away the remaining rights of landowners.

Here we are endeavouring to write into the Act a provision to give the right to the individual—if he does not agree, and cannot find means to arrive at an agreement—to go to arbitration. The rights of the individual are not being taken away when he is given the right to go to arbitration.

The Hon. R. Thompson: We might be able to debate this in Committee.

The Hon. L. A. LOGAN: Members generally are aware of what I have said, and they have had plenty of opportunity to consider my remarks. Of the other amendments in the Bill, one seeks to make certain that compensation is not paid twice, and that when compensation is paid the new owner, or a future owner, will be aware that compensation has been paid, because of the existence of a *caveat*.

The last amendment provides that where a valuation court deals with a valuation, and a sale has not taken place between two parties, after a period of 12 months they can apply for a review of the valuation. Under the existing provisions of the Act the decision is final, but it was not intended that it should be.

In dealing with valuations generally, I see every deal which goes through the Metropolitan Region Town Planning Authority, because I have to approve all sales of $10,000 and over. I do not think that today any purchases are made under that figure. I go through the files to see when the negotiations started, and what transpired in the meantime; to ascertain the valuation made by the owner; and to ascertain the valuation made by the land resumption officers. Then I look to see what the final result was. I can say without fear of contradiction that 98 per cent. of the people concerned have received a very good deal.

In one case last week a certain client wrote to the authority requesting it to purchase his property. The authority did not want it. This is a piece of land with an orchard on part of it. However, the authority decided to purchase the property, and asked the owner to put a price on it. The owner's price was $12,500; but the valuation made by the land resumption officer was $18,750. The decision of the authority was to pay the owner a price of $18,750. This has happened not only in this instance, but on quite a number of occasions where the valuation of the owner was lower than the valuation of the department. I have said this in the House before: My instructions to the authority are that where it is possible that an owner does not realise the true value of his land, then the authority should pay the true value.

I can assure members that as far as the valuations are concerned, they are very fair. The land resumption officers repeatedly report that as it is 12 months or so since negotiations took place, the valuation then made is now out of date. They then suggest that an increased figure be paid.

The Hon. R. Thompson: You will have to agree to the Kwinana payments.

The Hon. L. A. LOGAN: For which?

The Hon. R. Thompson: The Kwinana scheme.

The Hon. L. A. LOGAN: Yes.

The Hon. R. Thompson: You are the controlling Minister on those.

The Hon. L. A. LOGAN: Yes. I gave some figures to prove that those concerned are being well paid, and some of them are being more than well paid.

Let us get back to the expenses of an arbitration court. It is the community, not Parliament, which must pay all the expenses of an arbitration court, or whatever it might be, which Mr. Strickland wants. I think Mr. Willesee also raised this matter. When we have an individual who wants $70,000 for land for which he paid $1,200 six years ago, and for which the valuation is $36,000 plus 10 per cent., I do not see why the community should pay for the expenses which he incurs with the compensation court. I'm hanged if I do!

The Hon. R. Thompson: What about the little home owner who has no money and cannot go to court, and requires—

The Hon. L. A. LOGAN: Let me say that not on one occasion, but on more than one occasion—possibly I should not say this—the authority has offered to pay the costs of arbitration for such a person if the arbitration was desired. I do not want everyone to know this because they will be chasing the authority.

The Hon. R. Thompson: They will know it now, because it will be in *Hansard*.

The Hon. L. A. LOGAN: The authority has offered to pay the costs of arbitration if the individual wanted it. I do not think anything could be fairer than that.

The Hon. R. Thompson: If that is general, it is good.

The Hon. L. A. LOGAN: At the moment we are dealing with a firm which is claiming something like $750,000 more than we think the claim ought to be. I do not believe that the community, out of the regional tax, should pay this firm's costs. However, if we stipulate that the costs must be paid, the costs must be paid in every case. I do not think the community should have to pay everyone's costs, particularly when some outlandish claim is made.

Very often the difference between the valuation of the owner and the valuation of the land resumption officer is very small. In those cases the authority, because it realises that when the 10 per cent. is added it brings the two figures closer still, will pay the owner the amount he

claims. This goes on all the time, and the cases which have gone to arbitration and the compensation court have been very few because the owner and the authority, through the land resumption officers, have been able to come to an amicable agreement. Not too many go to court.

The Hon. R. Thompson: Because they cannot afford to.

The Hon. L. A. LOGAN: Not because they cannot afford to, but because they are satisfied.

I am a little concerned that if we tried to adopt Mr. Medcalf's suggestion, and we applied the whole of the Public Works Act to this particular aspect, then we would force the authority into issuing resumption orders on all properties, when the individual would much prefer to keep his land for the time being and take the chance of getting a better value at a later stage. I do not think we should take that option from the individual. At the moment I would much rather allow him to use part of the provisions of the Public Works Act; for instance, sections 50 to 62. I am quite prepared to include those provisions in this Bill.

The Hon. I. G. Medcalf: Why not all of the requisite provisions of the Public Works Act?

The Hon. L. A. LOGAN: Because at the moment we are using the whole of the Act for compulsory resumptions; I do not want that to apply in these other cases. If we could work out some other way, without using the compulsory acquisition provisions, I would be in complete agreement. We may be able to do this.

Because it will be necessary to place amendments on the notice paper to allow members to study them, I suggest we complete the second reading stage today and take the Committee stage at the next sitting. I think I can say we will tie the regional authority down to a certain date after the application is made for injurious affection. We can stipulate a certain date for fixing a value and, if this is not done, then we can provide that certain actions can be taken by the individual, and possibly the provisions covering the compensation court could apply.

I have been trying to work out the difference between a compensation court and an arbitration court, but I have not been able to do so. Under the Arbitration Act, a Supreme Court judge is provided for, and there is the right to have a single arbitrator, an umpire, or three arbitrators.

The Hon. I. G. Medcalf: That is the compensation court.

The Hon. L. A. LOGAN: No. This is in the Arbitration Act. I have it written down here. The fees can be fixed by—

The Hon. I. G. Medcalf: You do not have a judge under the Arbitration Act.

The Hon. L. A. LOGAN: No, but it is under the Supreme Court. There is provision for a single judge, an umpire, or three arbitrators.

The Hon. I. G. Medcalf: Not a judge.

The Hon. L. A. LOGAN: The fees are fixed by the Master of the Supreme Court and the arbitrator or the umpire is entitled to fees which are fixed by the master, and the costs are left to the discretion of the umpire.

The Hon. I. G. Medcalf: It costs you more that way than any other way.

The Hon. L. A. LOGAN: In the Compensation Court we have the president, who is a judge of the Supreme Court if the value is over $1,000, with two assessors if necessary. The assessors are entitled to fees which are fixed by the president; that is, the judge of the court. The costs for the compensation court are taxed by the taxing officer of the Supreme Court. When we read these provisions, we find there is not a great deal of difference; but I am told by those who know, that the cost of arbitration is much greater than the cost involved in a compensation court.

The Hon. I. G. Medcalf: You do not mention the third method, which is a judge or magistrate alone. That is under the court of competent jurisdiction and does not cost anything except the costs of the other party, if you lose.

The Hon. L. A. LOGAN: I have not heard of that one before.

The Hon. I. G. Medcalf: It is under the Public Works Act.

The Hon. L. A. LOGAN: I can have a look at that one, too. If we stipulate rules, as Mr. Strickland has asked—

The Hon. I. G. Medcalf: It is section 63.

The Hon. L. A. LOGAN: That applies to compulsory resumption and I do not want that included. However, we can look at that aspect. I commend the Bill to the House.

Question put and passed.

Bill read a second time.

Sitting suspended from 6.8 to 7.30 p.m.

BILLS (2): RETURNED

1. Medical Act Amendment Bill.
2. Trustees Act Amendment Bill.

Bills returned from the Assembly without amendment.

POLICE ACT AMENDMENT BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by The Hon. G. C. MacKinnon (Minister for Health), read a first time.

NURSES BILL

Second Reading

Debate resumed from the 12th September.

THE HON. W. F. WILLESEE (North-East Metropolitan—Leader of the Opposition) [7.33 p.m.]: The legislation presently on the Statute book, which this Bill will supersede, was before Parliament for the first time in 1921. Subject to amendments in the course of time the legislation has operated since 1921 as a registration measure for nursing.

The basic criticism of the existing legislation, as explained by the Minister when he introduced the Bill, is that the administration of the Act has been carried on within the Public Health Department. Criticism came from the nursing profession itself, because the existing legislation was considered inadequate and limited in its horizons.

The prime function of the legislation before us will be in the educational field of nursing. I believe the measure tends to introduce the advanced techniques which have been applied in other countries over the years and which are now considered up-to-date methods. The tendency will be to obtain better results from the people who enter the profession in the future.

As it is, there is no doubt that nurses work hard and work very long hours. In addition they work for many years in order to qualify and obtain certificates in their profession. I understand that initially it is necessary to do three years' training at a classified hospital. It is always a very high class hospital which is used as a training establishment. At the end of three years, the nurses obtain their first certificate.

To be a staff nurse, further graduation is required, and, after the three years mentioned previously, further training ensues. A midwifery course in itself takes a year's training and further examinations are imposed upon the trainee. A second certificate is issued at this level.

To qualify as a third-certificate nurse, it is necessary to include midwifery training. Very often, therefore, it would take five years or longer for a nurse to qualify for a third certificate which is the top point of training in the profession.

Mr. President, it would not be proper for me to touch upon the emoluments of the profession; suffice to say that in my opinion it is one of the most underpaid of all professions and I hope that to some degree this aspect will be taken care of in the future.

The measure proposes, as its base, what has been laid down in the existing legislation, and much of the material has been taken from the existing legislation and put into this measure. I think it will be a step forward if we approach the Bill on the basis of establishing the nursing profession at its highest level—in keeping with its present level—in differentiating between the various methods by which nursing can be undertaken, and writing these things into the legislation.

As a matter of fact, it is interesting to read the pledge which nurses make at graduation ceremonies in schools of nursing. It is based on the international code of nursing ethics. The words are these—

> I acknowledge that the special training I have received has prepared me as a responsible member of the Community.
>
> I Promise to care for the sick with all the skill I possess, no matter what their race, creed, colour, politics or social status, sparing no effort to conserve life, alleviate pain and promote health.
>
> I Promise to respect at all times the dignity of the patients in my charge.
>
> I Promise to hold in confidence all personal information entrusted to me.
>
> I Promise to keep my knowledge and skill at the professional level and to give the highest standard of nursing care to my patients.
>
> I Promise to carry out intelligently and loyally medical instructions given to me.
>
> I Promise that my personal life shall at all times bring credit to my profession.
>
> I Promise to share in the responsibility of other professions AND citizens for promoting health locally, nationally and internationally.

There could be no higher beginning to a profession than is represented by those words. It can be truthfully said that the nurses in the profession have, over the years, lived up to all the things to which they pledge themselves; for, indeed, theirs is a life of dedication and it is a life which very few people are capable of following, because it is a calling, and only certain people are capable of accepting that call and carrying it through a lifetime.

I have read the details of the Bill and from my observations I would say it would be well worth while putting the legislation on the Statute book and giving it a trial.

I wish to raise one or two small queries. The first one relates to the position of employing staff in the country, where there is a shortage of registered nurses. Perhaps a married person who has been a nurse is asked by the authorities to step in and help in an emergency. I note that registration of such a person would be limited to two weeks. If there is a fee for registration, I do not know what it would be or whether it would be heavy. However, two weeks is not a sufficient

time for the purposes which may be involved in such a situation. The person who comes forward in an emergency is merely there to help and may assist for 10 weeks, or 12 weeks, or perhaps six months. However, basically, the person intends to go back to her home and family. In my opinion the registration fee should be waived in such a case.

There are, of course, instances in country towns where married nurses practise their profession, and of course they would come under the provisions of the Act. I also wonder why the measure will take so long to be promulgated. The Minister advised the date would be the 1st January, 1970, but the legislation is before us now, in October, 1968. As the legislation seems to be straightforward and as similar legislation has been on the Statute book since 1921, it seems to me unreasonable that so much time should elapse before the promulgation of the measure.

One further small point is in connection with the word "she." Nowadays we have male nurses as well as female nurses. However, the people who are associated with the legislation seem quite happy, even with that small detail.

I shall conclude by reading an extract from a book entitled *One Hundred Years of Army Nursing*, by Major-General John Hay Beith, C.B.E., M.C. This extract is to be found on page XI of the foreword and it reads as follows:—

> Thus they are remembered and recorded in rock and stone, in glass and parchment for all time; but the real memorial is in the appreciation, esteem and gratitude of the armies they served so well and in the hearts of so many of their fellow countrymen who owe their lives to their courage and devotion and who carry with them for ever memories of their care and skill in every theatre of war. Those of us who worked with them for a lifetime, in peace and war, in defeat and victory, at home and abroad, knew them, not as heroines which many of them were, but as highly skilled, courageous, conscientious colleagues, reliable and undefeatable, equal to all emergencies, on duty always.

THE HON. J. G. HISLOP (Metropolitan) [7.47 p.m.]: There are several provisions in this Bill that rather astonish me. I suppose I am growing old.

The Hon. F. R. H. Lavery: Aren't we all?

The Hon. J. G. HISLOP: That is true; but there are many things about the Bill I would like to understand. Let me take the first provision. It reads—

> (1) The Board shall consist of fifteen members namely—
>
> (a) two persons appointed on the recommendation of the Minister, one of whom nominated by the Minister at the time he makes the recommendation, shall be appointed the chairman;
>
> (b) the Director of Mental Health Services under the Mental Health Act, 1962, or his nominee;
>
> (c) two persons who are medical practitioners within the meaning of the Medical Act, 1894, appointed on the recommendation of the Council of the body known as the Australian Medical Association (W.A. Branch);
>
> (d) a person who is registered as a general nurse appointed on the recommendation of the Minister;
>
> (e) a person who is a specialist in general education appointed on the recommendation of the Nurses Registration Board established under the repealed Act, in the case of the first appointment and in the case of any subsequent appointment, on the recommendation of the Board;

That provision indicates that out of the 15 members of the board, seven shall be appointed by the Minister; and that number constitutes almost half the board. The next paragraph which interests me is paragraph (f) of the same clause; and in addition to the persons to whom I have just referred the following is to be appointed:—

> (f) a person who is the matron of a general hospital situated within twenty-five miles of the General Post Office, Perth at which persons are trained as general nurses, appointed on the recommendation of the Council of the Federation;

and from there on all members are appointed on the recommendation of the council of the federation. Paragraph (f), to which I just referred, is rather extraordinary, because the matron concerned could quite easily be stationed at Osborne Park and she might have been recommended by friends of hers.

The Hon. N. E. Baxter: Or she might be at Fremantle.

The Hon. J. G. HISLOP: Or maybe at Royal Perth, St. John of God, or the S.C.G.H. Matrons have gone through the whole process of learning nursing and some heed should be paid to what they have to say. To appoint only one matron, and that person could be employed at any hospital within 25 miles of the G.P.O., is quite wrong in my view.

The next provision also seems to me to require further thought. It refers to a person who is registered as a general nurse. What is a general nurse? There is no indication in the Bill as to what is meant by the term, "a general nurse." The paragraph in question reads—

> (g) a person who is registered as a general nurse and who is an educator engaged in the teaching of nurses in a general hospital at which persons are trained as general nurses, appointed on the recommendation of the Council of the Federation;

Then follows paragraph (h) which reads as follows:—

> (h) two persons who are registered as general nurses and who are practising as such in a hospital at which persons are trained as nurses, appointed on the recommendation of the Council of the Federation;

Paragraphs (i), (j), and (k) read—

> (i) two persons who are registered as general nurses appointed on the recommendation of the Council of the Federation, who shall represent the community health services;
>
> (j) a person who is registered as a midwifery nurse, appointed on the recommendation of the Council of the Federation; and
>
> (k) a person who is registered as a mental health nurse appointed on the recommendation of the body known as the Psychiatric Nurses' Association.

Matrons of hospitals have great experience in the work and to me this Bill seems to be a slight slur on them. I think it was always intended that a matron should be there to keep a watchful eye on girls during their training, and to make sure that the work of the hospital ran smoothly. If anything new is introduced it is the job of the matron to organise her hospital to ensure that that work is carried out properly.

Whether I am all wrong in my thoughts on the Bill I do not know, but it leaves me with the feeling that not much respect is being shown for a matron. I might be old, but in my day we had a very high regard for our matrons and I think we should still have that high regard.

There are many good clauses in the Bill which will help in the training of nurses, but I would like some explanation from the Minister as regards clause 20 on page 14, where it states—

> (1) A person who—
>
> (a) completed the prescribed course of training, passed the prescribed examinations and attained the prescribed age for registration in respect of a branch of nursing to which section 19 refers;
>
> (b) has paid the appropriate prescribed fee;
>
> (c) is, in the opinion of the Board of good character and reputation;
>
> (d) is of sound health or of such a state of health that no danger would be involved to the patients whom she attends,
>
> may be registered in accordance with this section as a nurse in that branch of nursing, and if that person possesses the necessary qualifications for any other branch of nursing, she may be registered in respect of that other branch.

That seems to imply that the reverse could be the case, and if the board said that she was not in sound health, or had not completed the prescribed course to the board's satisfaction she might be delegated to some lower branch of training.

I have the feeling that the Bill will set up an organisation prescribed by the Public Health Department and the council of the federation, and it seems to me that there will be no great gap which can be filled by the matrons. Personally I would not have approved of a measure of this type; but, as I said previously, I may be quite wrong. As a matron is a person who is appointed to take charge of the nursing staff of the hospital she should have greater representation on the board. Matrons have undertaken a very skilled course and the matons at the Royal Perth Hospital, the Princess Margaret Hospital, and the S.C.G.H. are very capable persons and they add very much to the profession of nursing. I would hate to think that people who have charge of organisations such as that are represented by only one appointment made on the recommendation of the council of the federation.

If I can be shown that no real disability will be suffered by the passing of the Bill I will agree to it; but at the moment I am rather hurt that anybody in an organisation such as the Public Health Department can, out of 15 members of a board, provide for only one matron when the whole of the legislation deals with the nursing profession, and that one matron could come from any hospital within 25 miles of the G.P.O. I think the Bill needs some further explanation.

The Hon. G. C. Mackinnon: You will get it.

THE HON. R. F. CLAUGHTON (North Metropolitan) [7.58 p.m.]: It gives me a great deal of pleasure to support the Bill, and as an ex-member of another profession, let me say it is a pleasure to see some other craft gaining control of its own organisation. From what the Minister has told us the provisions of the Bill will give the nursing profession autonomy.

It is interesting to look at what a profession should be and in this regard I would like to list some of the qualifications which one body regards as necessary for recognition as a profession. This list is taken from *The W.A. Teachers' Journal.* Teachers as a group also are interested in their own profession. The article is headed, "Teaching—A Profession?" and it is written by K. C. Hamilton. He lists five major criteria as follows:—

1. A body of knowledge at tertiary level involving principles.
2. The involvement of some form of altruistic service.
3. Organisation of, and by, its own members in a corporate body or institution.
4. A code of ethics (accepted by every member).
5. Recognition by society as being a profession.

The third item on that list refers to the organisation of, and by, its own members in a corporate body or institution; and we were told by the Minister that this Bill provides for that for the nursing profession. Therefore, in that regard I believe the House can have no quarrel with the measure.

I am very pleased to see that Dr. Hislop retains his interest in the composition of boards. I think it is wise we do see they are properly managed. On going through the composition of this board, I cannot find anything with which to quarrel. The Minister in charge of the Bill may reassure us on this point.

A profession should be recognised by society; and I think the nursing profession has suffered a little in this regard for the reason that the nurses themselves have to spend long hours doing menial tasks. They have also had to be satisfied with low wages. It has been said elsewhere that groups of women are rather loath to take industrial action. I think from the reports of the case before the Industrial Commission, the nursing profession here has shown it cannot be accused of apathy; and the commissioner in charge of the case commented on the good attendance of the nurses at the hearings. I hope the case that is being considered at the moment will result in higher wages being paid to nurses.

If members had followed the reports in the Press they would have noted what nurses have to put up with. For instance, cases were mentioned where a theatre sister would have to remain scrubbed-up on duty for up to 11 hours at a time.

I spoke to the nurses association about the Bill and was assured the association is quite happy with the provisions contained therein. There is only one point about which the association was concerned and this is in connection with clause 13 which mentions the funds of the board.

The Hon. G. C. MacKinnon: What clause?

The Hon. R. F. CLAUGHTON: Clause 16. I feel the association need not worry; but it is concerned that the board might not be financed from the costs of registration and that nurses might be called upon in some other way to supply funds to run the board. With those remarks I support the Bill.

THE HON. E. C. HOUSE (South) [8.3 p.m.]: I, too, am very pleased to see this Bill before the Chamber. It is doubtful whether there is any other profession that has earned such high respect from the public generally over a long period of years as has the nursing profession. Most of us, at some time or other, have spent time in hospital and have a high regard for the hard work they do and the conscientious way in which the sisters and nurses approach their work.

I feel there should be some concern in regard to the wastage that is taking place amongst the trainees at the various hospitals throughout the State. There must be some reason for this over and above the low rate which they are paid. I think that most girls who really want to take up nursing are not particularly concerned whether they are receiving as much pay as a typist or an office girl. If they are that way inclined, they enter the profession regardless, and would continue in that profession.

The application form sets out the standard which is required. It states that certain subjects must be obtained at Junior level, yet we find that, in the main, to gain entrance to and training at a hospital in the city, the Leaving Certificate is insisted on. If girls have not the Leaving Certificate, they have to go through a period—it is called maturity from Junior standard—of about 12 to 18 months engaged in other activities.

I know we are losing some very fine would-be trainee nurses because of this, especially in the country. A lot depends on the number of children in a family because of the high cost of sending children away until they reach Leaving standard. This presents quite a problem, especially in these days with the depression that is sweeping the farming world.

I think consideration should be given to selection, and that it should not necessarily be on a purely academic basis. After all, some people pass examinations as a matter of chance; and a lot depends on the application which is made towards the examinations. Many who have not passed examinations could take up nursing and study within the particular field in a hospital.

I think it is true that many students who are debarred from attending the University because they have failed to matriculate, turn to nursing as a way out. These girls are chosen ahead of some who have gone to Junior standard and want to be nurses. In many cases nursing was not their first choice, but because they have passed their Leaving, they are given preference over students who would probably make better nurses in the long run. I pass on this thought because I am sure the Minister will agree that the wastage rate is very high.

The other point I wish to mention is in regard to the position of the nurses who train at Princess Margaret Hospital. They do three years at that hospital and then have to do another six months at a general hospital. They then sit for the same examination as those trainees who have been at a general hospital for three years. If they pass, they are on an equal basis with those trainees who have been at the general hospital. They are then given a certificate which is recognised only within the Commonwealth. It is not recognised outside Australia. If they want to go further, they have to do an extra 12 months' training, which means a total training period of 4½ years in order to obtain the same certificate as those who have trained at a general hospital for only three years. They all sit for the same examination.

I think the nurses who go to Princess Margaret Hospital to care for children deserve every encouragement, as the job they are doing is very worthy. It is not possible to have all trained personnel at Princess Margaret Hospital and trainees are needed, but they are penalised because they have elected to go to that hospital.

I cannot see why, having passed the same examination, they should not receive the same recognition if they go outside Australia. I support the Bill.

THE HON. V. J. FERRY (South-West) [8.10 p.m.]: I rise to support the Bill and would like to express my opinion that the measure as presented to us appears to represent a good attempt to put the nursing profession on a proper basis. I realise this Bill is a complete rewrite of the Nurses Registration Act; and I believe many worthy clauses have been included in the Bill in the light of experience as applied to the medical and nursing professions of Western Australia.

The Bill contains many clauses covering a wide range of activities. One of these fields, which was touched upon by the Minister when he made his second reading speech, is that of education in the nursing profession. The Minister remarked that the Bill would enable the board to follow advanced techniques so that we may secure the best possible results from recruits in the profession. I feel all members will agree that this is a most desirable goal to have.

At this stage, I would like to compliment the education section of the Public Health Department, which deals with the training of nurses, for the work that it is doing. It has been my privilege to see something of the work that is being done and also to talk with some of the staff and, in fact, to see some of the buildings in which this work is carried on. In my view it is quite apparent that the education section will need to be given greater prominence and support if we desire the nursing profession in this State to reach a higher plane of proficiency so that better medical service will be given to the patients throughout all of our hospitals.

I was very impressed by the way in which this problem is being approached, but I did come away with the feeling that the section is in urgent need of more tutors and more scope in which to train nurses in the various courses.

We hear a lot of talk about the wastage of trainees in the nursing profession. I think it is true that in any profession there is a certain wastage of personnel. However, I cannot but feel that the wastage in the nursing profession need not be as great as it is today. I believe a lot can be done to encourage nurses to continue in this profession once they start their career.

One of the problems which will have to be overcome in order to encourage nurses with their training so that they will stay in the profession for perhaps a greater number of years than some of them do, is that which requires them to start training in a part of their course which is not related in any way to the practical side of their duties.

For example, a nurse could be studying a section of pediatric treatment, but in actual physical fact be assigned to a men's surgery ward. This, to my way of thinking, does not create efficiency in nursing, and it does not allow a trainee nurse to put into practice what she is learning in theory. If I were placed in this situation I would feel somewhat frustrated.

I believe that where possible trainee nurses must be allowed—and this is indeed difficult, I acknowledge—to relate what they are learning to what they are applying in the wards of a hospital. This would also lead to the most desirable situation of having trainees serving for a longer period in the various sections of a

hospital, rather than to transfer them week by week—or even daily—from one section to another.

Many of us are aware that in any office, factory, or hospital, time and motion studies reveal many misapplications of ability. If a nurse's training duties can be related to a desirable situation, where she is in a good frame of mind by being accustomed to the section in which she is working, or being familiar with the requirements and treatments of the doctors who serve a particular area: if she is accustomed to being guided by tutor sisters, or senior staff—knowing them personally and that sort of thing—I believe nurses will be trained quicker and more efficiently, and be far happier.

There is provision in this Bill to encourage nurses from other countries to be accepted by the board. This, of course, is nothing new, but the provision is contained in the Bill, and I am led to believe that the number of nurses coming forward from other countries and offering themselves for nursing duties in Western Australia is not insignificant.

This is a very good provision and we should be giving as much encouragement as possible to nurses from other countries who may be qualified and acceptable, by our standards as laid down by the board, in our Western Australian hospitals.

There is also a provision in the Bill covering nurses who may be called in to cope with a particular emergency. I cannot let this opportunity pass without referring to the sterling services given throughout the State by so many married trained nurses. I do not know what the actual figure would be, but it would be interesting to know. There are many trained sisters and nurses throughout the State who are, in fact, by their attendance at hospitals maintaining medical services in many country districts.

The Hon. J. Heitman: A lot of them do not have the Leaving Certificate, either.

The Hon. V. J. FERRY: Many of them are practical and efficient nurses, and very reliable and responsible people. I am very grateful to those who come forward at very short notice, at times, and I might also say at considerable inconvenience to their husbands and families. Many have children, and there is an increased burden on the home front. However, we do have these people who are dedicated enough to come forward and do extremely heavy and arduous work in many hospitals; and I say again, had it not been for so many trained nurses coming forward to help, we would not have the services we enjoy throughout the State today. I commend those people very sincerely.

It is somewhat of a paradox that in this day and age, with so many advances being made in medical science, we have a situation where we have an increasing need for medical care. When we cast our minds back to the early days of the medical profession, and the nursing profession, we realise that there were many plagues besetting people throughout the various countries of the world. With the advancement of medical knowledge, and with better nursing facilities, we have developed vaccines and established better services. Sterilisation has been introduced and antibiotics have been developed to combat many diseases.

Many of the earlier diseases were associated with filth from the environment in which people lived. There were many fevers and Dr. Hislop would be more able to expound in that field. However, I do want to mention it. Through the advancement of medical science and nursing care the number of people suffering from the serious ailments and diseases of earlier times has lessened until we have come down to a hard core of illnesses. One would think that with this continuing advancement conditions would improve. However, with the present way of life throughout the world, and the general advancement in so many fields, additional problems have been brought into the medical field.

With modern medical care people survive longer. Many people are living today with a less sound constitution than was the case with their forbears, and we encourage and assist them to live well into old age. This, of course, means we have more people in the higher age group who have to be cared for.

On the other hand, through scientific advancement we have invented motorcars and other machines—not only for use on the road but also in the industrial field—and this sort of advancement in the scientific arena has brought with it a high degree of stress. Stress, of course, can be very serious because it brings many mental complications. Also, there can be physical stress as well, and violence occasioned by accident, and that sort of thing.

So we do have this expansion of the need for medical care, on the one hand, and the advancement of medical science enabling people to live longer than was the case in former years. On the other hand, we are creating a need for more medical care by our scientific advancement and the invention and use of machines, bringing stress and accidents.

I feel that this Bill sets out to place the nursing profession in this State on an appropriate basis. The measure will set up a board so that our nursing profession may be placed, perhaps, on a more sound basis than it has been in the past. I am of the opinion that the Bill will be accepted, generally, by all associated with it. I believe some members have expressed publicly reservations about some sections. However, in general, it is a worth-while Bill and it deserves support in principle.

THE HON. F. R. H. LAVERY (South Metropolitan) [8.25 p.m.]: I rise to support the Bill, and I would like to draw the attention of the Minister to what I believe is a matter which is worrying the nursing profession as a whole. I feel sure the Minister would know about this problem, and he may be able to give me some details when replying to the debate.

I refer to the matter of nurses coming off night shift and having to attend lectures, and even take examinations from time to time while working in the hospitals. I think every member in the Chamber would admit that a nurse, while on duty, is on her feet all the time. Because of the shortage of nurses and the overcrowding in our hospitals today, a nurse has a full-time job while working. In other walks of life, when a person has to attend an examination, he has time to do a little study. However, a nurse—after having breakfast—must attend lectures and, even on the same day, take examinations.

I am sure the Minister knows quite a lot about this subject. When I was in hospital in Adelaide, and in Singapore, exactly the same thing applied to the nurses there. As far as I am concerned the standard of nursing in Western Australia is no different from what it is in Adelaide and Singapore.

THE HON. G. C. MacKINNON (Lower West—Minister for Health) [8.28 p.m.]: I would like to thank members for their comments on the Bill. It is obvious that they hold the nurses—members of the profession—in high regard and that is understandable. They do a very valuable job, and I would agree with those who mentioned the matter that they are probably being underpaid.

I have said publicly that back in March I offered a proposition to the nurses which would have given them a salary increase totalling $640,000 a year. However, the members of the profession did not see fit to accept a consent agreement, and so the case has gone to court. I personally believed then, and I still do, that there was room for agreement, with one or two areas in which discussion could have taken place. The nurses could have received this extra money since last April, and from my point of view I think it is a pity it was not done in the way I have mentioned.

Again I say that my regard for nurses is very high and I am not pleased even with the purely formal "MacKinnon v. the nurses," as the case appears to be. However, that is by the way and, although brought up tonight, has nothing to do with this Bill.

A number of matters have been raised on which I would like to comment. In his speech, Mr. Willesee queried temporary registration, referred to in clause 41 on page 28 of the Bill. This provision allows a woman to be called in and to fill a position as a nurse with fee or reward for a period of two weeks without her being registered. At the end of two weeks the governing body—which may be a secretary, or a board—advises the registration board that such a woman is working in a temporary capacity for a period longer than two weeks, and she is then registered. She is exempt from the provisions of clauses 40 and 41, which provide a penalty against a person who works for a fee or reward when she is not registered.

This provision was inserted in the measure so that hospitals may be able to call upon nurses not at present employed for a period longer than two weeks, because normally within that time it would be possible to obtain a nurse from the emergency nursing service. This has been a very successful innovation in this State. A register is kept of those girls who agree, on the payment of a bonus at the end of 12 months, to serve wherever they are called upon to go during the 12 months. For example, a nurse on the register could be called upon to pack her bag immediately to travel to Broome and then, a month later, she could be asked to serve at Esperance. As I have said, this emergency service has been a great innovation and has worked very successfully during the two years it has been in operation.

I trust that explains the situation to Mr. Willesee. If it has not, he could raise the matter again when we are discussing clause 41 in the Committee stage. Mr. Willesee also asked why the proclamation of the Bill should be so belated. The registration of nurses has been going along nicely for a number of years. New regulations have had to be framed and new organisations have had to be set up. I will deal with some of those in a moment. I did say the proclamation of this Act could take place in 1970, but it is possible it could be proclaimed before that date.

I would point out to members, however, that the people responsible for this Bill have said that it could be another two years before the legislation is proclaimed, and it must be borne in mind that nurses must still continue to carry out their duties day after day, apart from working out the details of this legislation; but, nevertheless, the Act could be proclaimed before 1970. We merely took the view it is always better to be on the safe side.

As I have said, the registration board is operating quite well and the Bill will effect an improvement. Therefore, there is no urgent need for the Act to be proclaimed almost immediately.

Doctor Hislop has professed himself to be hurt. That makes two of us, because having known Dr. Hislop for some years, and having learnt quite a deal from him since my introduction to this House, I thought he would have known me a little

better than his remarks would indicate. So I am a little hurt. I thought I made it quite clear that the purpose of the measure is not to keep the registration board within the Public Health Department, but to remove it from the department. In other words, to allow the Nurses Registration Board to operate as an autonomous body in the same way as other boards operate, and to remove it from the umbrella—if one might call it that—of the Public Health Department.

The Bill has not been worked out by the Public Health Department but, in the main, by the nurses, and this means, of course, as one would naturally expect it to mean, it has been worked out, in the main, by the heads of the profession who are the matrons of the metropolitan hospitals. These women take a leading part in all aspects of nursing administration and these are the women who are responsible for the introduction of this legislation and who accepted the responsibility without demur. Whilst I do not know the matrons of hospitals in other capital cities of Australia, I do know all the matrons in charge of the major hospitals around the metropolitan area of Perth, and if any other State has better matrons than we have here it is particularly blessed; because we have a very fine group of ladies in charge of our major metropolitan hospitals. These are the women who have considered the provisions of this Bill and that is why it has taken so long to bring forward.

Dr. Hislop dealt with the appointment of the members of the board. Somebody has to appoint them, and when one examines the personnel of the board, the appointments are virtually automatic. For example, there is the Director of Mental Health Services or his nominee, so that appointment is virtually automatic. One would want someone on the board to represent the managerial side of the Mental Health Services and all the other medical services. Again, another nominee is a person who is to be appointed on the recommendation of the council of the Federation of Nurses. I cannot say that this should not be the body to make the recommendation, because, at the present time, I think the president of the federation is Matron Leworthy, and the immediate past President is Matron Anstey.

These are women of high repute and the council—as indeed is the whole federation—is a very august body. I can assure members they need have no fear or doubt about any nominee or appointee to the registration board recommended by these two women, because they are very jealous of it. Dr. Hislop mentioned it could be a matron from Osborne Park who could be recommended, but I cannot appreciate the point he is making. I am trying to remember the name of the matron at Osborne Park Hospital. I can picture her in my mind's eye, and I could almost describe her. I am fairly certain she came from Collie to Osborne Park.

The Hon. J. Dolan: Not Sister Daly?

The Hon. G. C. MacKINNON: Yes, Sister Daly; that is her name. Mr. Dolan obviously knows her.

The Hon. J. DOLAN: She trained my daughter at Fremantle Hospital. I was quite happy with her.

The Hon. F. R. H. Lavery: She was the tutor sister at Fremantle Hospital for a number of years.

The Hon. G. C. MacKINNON: Yes, she is a very capable woman. I am not saying that she is the person who is the matron of Osborne Park Hospital, but if she is, there would be no need to worry if she were recommended as a nominee to the registration board.

It is wrong to suggest that this is, in effect, a Public Health Department Bill, because this is a measure which, perhaps more than most others, has been worked out by the people who will be affected by the provisions; that is, by the members of the nursing profession themselves. As I have said, we are in fact removing the registration board from virtually being a branch of the Public Health Department. to make it an autonomous body and to bring it into line with other paramedical boards.

Dr. Hislop, or some other member, referred to the increase in nurses' registration fees. Their fees will, of course, increase quite drastically.

The Hon. J. G. Hislop: They pay $2 now.

The Hon. G. C. MacKINNON: They pay 10c now. I was most interested a short time ago, when speaking to a nurse who has recently come to this State from America to work here as a nurse, to learn that in her home State she paid a registration fee of $100. This is a little different from the fee of 10c charged in this State. This must, of course, be increased to something nearer the fees charged by other boards for registration. However, nurses will not pay as high a fee as members of other boards pay because they do not have the numbers. The fee will be used for the administration of the board only, because the educational commitments will be paid for by the Public Health Department. I hope that answers the query raised by Dr. Hislop.

Mr. House referred to wastage in the nursing profession. There is a simple reason for most of the wastage. During their training period we have, up to date, been unable to instill in them any idea other than that they ought to get married and raise families.

The Hon. E. C. House: I was not talking about wastage through marriage.

The Hon. G. C. MacKINNON: Marriage does indeed cause a great deal of wastage within the profession, but there are other reasons. For example, some girls find that they cannot cope; they cannot handle the somewhat traumatic experience which comes about through nursing. I think all members will understand that when a girl is first thrust into a situation which involves both life and death, it quite often occurs that some girls cannot accept it. In such circumstances we must expect some wastage. Another reason for wastage within the profession is that nurses are often presented with opportunities whereby they can earn better pay and work under better conditions.

For example, I feel sure that shift work has some effect on the percentage of wastage among nurses. There are very few occupations filled by women today which entail shift work. In the general course of events within the nursing profession, it is not perhaps appreciated by the average person that shift work entails a great loss of social freedom. Whilst most matrons of our large metropolitan hospitals are most sympathetic and co-operative in regard to a girl who wishes to attend a ball, or some special party, it is not always possible for a nurse, for example, to say that on the 9th November, which happens to be a Saturday, she will be able to attend a ball with her boyfriend, because on that particular date she does not know whether she will be rostered for night duty. This of course, is an inhibiting factor in the nursing profession which can be understood and which, indeed, may cause some of the wastage.

Mr. House also mentioned the standards that are set for girls who wish to enter the nursing profession. He is quite correct when he states that there is some confusion in regard to these standards. Many people believe that a girl has to hold a Leaving Certificate, or an equivalent certificate before she can become eligible to train as a nurse. In fact, a girl need not hold the Junior Certificate, but she must have passed certain subjects at Junior level. Such conditions, of course, apply to practically any job. The standard set is a minimum, and if it is the Fremantle Hospital, the Sir Charles Gairdner Hospital, the Princess Margaret Hospital, or the Government School of Nursing that is calling for applicants, if a sufficient number with high qualifications apply, I suppose it is only natural that they would be appointed before any others.

The appointment of girls with high qualifications would apply particularly to those who are admitted in the new year, because the University examinations have not long been held. Quite often, in the middle of the year, a girl with lower qualifications can be admitted as a trainee nurse. Whilst it is a shame in many ways to have such a condition, it is natural enough, because the matron of any hospital is only trying to maintain her standard, and even to improve it, as she is very jealous of the standard of girls who have already passed through her hands.

The Hon. E. C. House: It is not only a question of the academic standard; the girls are often told to leave and seek employment elsewhere to gain maturity.

The Hon. G. C. MacKINNON: So that we may cut down on the wastage percentage of the girls within the profession, last year we instituted a cadet nursing scheme which has met with some success. It was not greeted with universal approbation by the matrons of all hospitals, but nevertheless they concurred sufficiently in it for the purpose of giving it a trial. We believe this scheme may stem some of the wastage to which Mr. House has referred. Under this scheme should a girl be too young to become a trainee nurse, and she has passed through her first year at high school but does not wish to continue any further with her school education, she can work in a hospital as a cadet nurse at trainee rates. When she reaches the age of 17½ years she can then commence her normal training.

There is a great deal to be said for maturity in a girl who follows the nursing profession. A girl is perhaps better off by remaining at school and gaining higher qualifications before she decides to enter the profession. Of course, it is sometimes forgotten that there is a tremendous number of nursing grades. Those members who have spoken have mentioned only the divisions within one grade; they have not referred to the nursing assistant or the nursing aide, and continuing on from there until a girl becomes a certified nurse. It is firmly believed that within the next few years there will be developing a new type of nurse. For want of a better term she may be referred to as a technician nurse. These will be girls who will require a high education so that they may handle very complex machines which are becoming more and more part and parcel of modern medicine.

These types of nurses will, of course, be almost of the University graduate class, and I should imagine a matriculation certificate will be essential before they can commence training.

The Hon. E. C. House: I am not suggesting they do not need a higher standard, but that a lot of them are bright and do not go on with their education for other reasons.

The Hon. G. C. MacKINNON: We are working now for closer co-operation with the Education Department in order to gear the school curriculum in certain courses towards nursing so that the fourth or perhaps even the fifth-year student will be

given a bias towards nursing, and those who elect to take up nursing will be encouraged to do so by means of bursaries, and so on.

When Mr. Ferry referred to the educational system I take it he was referring to Miss Bailey and her officers. We would expect Miss Bailey to be the nominee of the education branch, and she would only work on the question of education, leaving the Public Health Department and part of the Nurses Registration Board to become autonomous.

I am delighted that Mr. Ferry said those few words about the education section, because in its own quiet way it has done a tremendous amount of work; it has been most efficacious in gradually changing the curriculum of nursing to be more patient-oriented than disease-oriented.

One other matter Mr. House mentioned was the Princess Margaret Hospital and the international acceptance of its certificate. This is similar to the query raised the other day when I was discussing the Medical Act Amendment Bill, which dealt with doctors.

There is only one hospital in Western Australia from which a trainee is accepted on a reciprocal basis with most other countries of the world. This is because we have only one general hospital at the moment which handles everything, and this happens to be Fremantle.

This is a problem which is felt throughout Australia. For example, Royal Perth has no midwifery section; and the King Edward Memorial Hospital trained nurse has no surgical experience—at least there would be no male surgical cases, anyway.

The manner in which this is overcome from the point of view of international acceptance is that the girls do time in another hospital, but this is outside the control of any Government in Australia.

The Hon. E. C. House: I have been given to understand that not even the children's hospital is recognised overseas.

The Hon. G. C. MacKINNON: I would be surprised if that were so, but I shall check it. This has been laid down by the world-wide organisation for nurses as being acceptable in the U.K., or whichever country it happens to be. It is understandable, because we would not accept a girl at, say, the King Edward Memorial Hospital, whose only certificate was perhaps that of a psychiatric nurse in Scotland, or something of that nature. The training would not be suitable. I think most of the points raised by Mr. Ferry have been dealt with. He did refer to the question of teaching. As far as I know we are endeavouring to accomplish most of what he has suggested. As far as possible the nurses take their theory along with their practical work.

This now brings me to the query raised by Mr. Lavery. The difficulty with this is that there are a number of trainee nurses, and it is not easy to find a time at which a nurse does not come off night duty and fit this into the roster. The difficulty is one of rostering. A lecture may be arranged for Tuesday and there may be a girl who is coming off duty on that day; but when this was first arranged it is possible she was scheduled to come off on Monday, and she might have made arrangements for a friend to take her duty because she wanted to go to a party, or something of that nature. Anyone who has had anything to do with rostering will appreciate the difficulty involved.

Mr. Lavery said he came across this difficulty in Singapore, in Adelaide, and in Perth. If the problem is possible of solution, it will be solved. The trouble is that the girls get a little bit out of camber as a result of sickness, and for other personal reasons, which means, of course, that the whole roster is thrown out. Efforts are made to ensure this does not happen, but it cannot always be avoided. I thank members for their comments and I commend the Bill to the House.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (The Hon. N. E. Baxter) in the Chair; The Hon. G. C. MacKinnon (Minister for Health) in charge of the Bill.

Clauses 1 to 5 put and passed.

Clause 6: Interpretation—

The Hon. F. J. S. WISE: I do not want to be considered too fastidious in matters of expression in drafting the Bill and I appreciate the attempt made by the Minister to overcome the difficulty of referring to two classes, yet implying or stating the one gender.

Members will see from page 210 of our Standing Orders that the Interpretation Act specifically states that every word of the masculine gender shall be considered as including the feminine gender. It does not, however, state that every word of the feminine gender shall include the masculine gender. Considering the number of male nurses we now have, and always will have, it would have been better to have stated both the words and said "he or she."

When the Bill becomes law we will have the unfortunate situation of all male nurses being referred to in the law as "she." There is already difficulty in that when a male nurse qualifies and performs the duties of a sister he is known as, and called, sister. I do not know how we can overcome that. There are many references made to nurses in the Act, and I think the words "he or she" would be more appropriate and better applied.

The Hon. G. C. MacKINNON: I have no argument with Mr. Wise. This is possibly a matter of opinion. Perhaps we could have used the word "nurses," and it is possible this will be done at some future date when the Act is again amended. There is a male matron in the Mt. Hawthorn Hospital. This is however, a female profession, and the measure was looked upon as a girls' Bill. I am told that in the United States and Canada a registered nurse gets very indignant if referred to as sister, because this is a term which is applied to a religious order. They are known as registered nurses. A better expression might have been "registered nurse," but let us get the Bill through and bring down another amendment at some future date.

Clause put and passed.

Clauses 7 to 15 put and passed.

Clause 16: Funds of the Board—

The Hon. W. F. WILLESEE: The last part of the clause provides that each report of the Auditor-General on his audit of the accounts of the board shall be sent to the Minister. Will these reports be tabled in Parliament, or will they merely be sent to the Minister?

The Hon. G. C. MacKINNON: I would hazard a guess that these reports would be sent to the Minister. If it is thought to be desirable, or if a request is made, I will be prepared to table them. I see no reason why they should not be tabled; once such a practice is established it becomes the precedent and the practice will continue.

The Hon. F. J. S. Wise: The reference to the Auditor-General will mean that these reports will be mentioned in his annual report.

The Hon. W. F. WILLESEE: The explanation given by the Minister satisfies me. If a request is made we can assume that these reports will be tabled; or if the Minister thinks they should be tabled then he will table them.

Clause put and passed.

Clause 17: Superannuation of officers and employees of Board—

The Hon. W. F. WILLESEE: I understand this provision relates only to the direct employees of the board, so there will be a superannuation benefit available to the clerical staff and those associated with the board. I assume that the nursing profession will have a separate superannuation scheme.

The Hon. G. C. MacKINNON: Nurses might not work for a particular hospital long enough. They have to be registered and they might work in a private hospital. They are not all employees of the Government. They might work in this State for only a while, because traditionally these people are fairly mobile in their vocation. They move as and when they decide to do so. They generally have a private contract with a hospital, whether it is run by the Government or a board, or is a private hospital. Unless the hospital has a superannuation fund these people are not covered.

Clause put and passed.

Clauses 18 and 19 put and passed.

Clause 20: Registration of Nurse—

The Hon. V. J. FERRY: Could the Minister tell us what redress has a member who is deregistered by the board? Would that person have a right to appeal, and if so, to whom?

The Hon. G. C. MacKINNON: That is provided for in clause 21.

Clause put and passed.

Clauses 21 to 29 put and passed.

Clause 30: Constitution of disciplinary committee and powers thereof—

The Hon. W. F. WILLESEE: This clause deals with the power of the board to constitute a committee for taking disciplinary action against one of its members. Is there a right of appeal against a decision which has been ratified by the board?

The Hon. G. C. MacKINNON: This concerns disciplinary matters that arise within the registration board itself. There are certain aspects which are deemed to be purely disciplinary matters within the board. If a member is aggrieved by a decision to remove his name from the register then he will have the right of appeal to a local court. Clause 33 gives a right of appeal.

The Hon. W. F. WILLESEE: I have a doubt as to whether the provision in clause 33 applies to decisions which have been ratified by the board. Under both clauses 30 and 33 the right of appeal is limited. The Minister seems to be of the opinion that there is a complete right of appeal.

The Hon. G. C. MacKINNON: If the disciplinary action of the board goes as far as a refusal or a suspension of registration, or deregistration, then there is a right of appeal. If the action of the disciplinary committee is a recommendation for a pecuniary penalty, or for a severe reprimand, and such decision is confirmed by the board, then there is no right of appeal. There is a right of appeal when there is a cessation of the person's ability to earn a living in the profession, such as deregistration.

The Hon. W. F. Willesee: The pecuniary effect could be quite severe.

The Hon. G. C. MacKINNON: There is a maximum of $100.

Clause put and passed.

Clauses 31 to 43 put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

EDUCATION ACT AMENDMENT BILL

Second Reading

Debate resumed from the 19th September.

THE HON. R. F. CLAUGHTON (North Metropolitan) [9.12 p.m.]: This Bill to amend the Education Act contains five provisions. They are a textbook subsidy of $5 for students in the first three years of high school, and $10 for those in the fourth and fifth years; a subsidy for reference books for matriculation students in the fourth and fifth years; a library book subsidy for pupils in all schools; a $20 subsidy to students in non-Government schools; and a provision dealing with compulsory attendance in a Government or an efficient school.

These provisions coincide largely with the policy of the Australian Labor Party, and therefore I have no hesitation in supporting them. To deal with the matters in their order, first of all in respect of textbooks the Minister said it was a device to relieve some of the burden placed on the parents. It is interesting to relate this aspect to the English education element in which there is a very strong independent school system—the schools which are mostly run by churches in that country. These schools do provide the books free of cost to the students; and this was done even as early as the end of the last century. Since the English Government decided to take over the education system by making grants through the local councils, this policy has been continued.

Under the English education system, all textbooks are provided free. Although the provision in the Bill goes some way towards this end, I believe we should eventually achieve the same position in our own school system. This principle has been criticised occasionally by people who say that things which are provided free are not treated with respect. I do not think that is a valid criticism because from the child's point of view, it makes no difference whether the books are provided by the Government or by the parent; they are still free to the child. The only thing, of course, may be that the parents will exert more pressure on the child to look after the books if they have had to pay for them. However, I do not think we can, merely for this reason, condemn a child to go without books simply because the parents are rather hard up for money. I would like textbooks eventually to be provided in this State free of cost.

On a previous occasion when I was discussing education, the Minister, in reply, had some difficulty in differentiating between my remarks, and the remarks I quoted from other sources. I hope that on this occasion the same thing will not occur and my remarks will not be attributed to some organisation.

The second provision in the Bill deals with the issue of matriculation textbooks to fourth and fifth-year students. A great deal of discussion has taken place on the separation of the State school system from external examinations. How far this should go is perhaps still largely a matter for debate and probably it will continue for a long time to come. However, obviously under the present system where the student still sits for the Leaving Certificate this subsidy will relieve the burden on the parents, and it is to be applauded for that reason.

The first two provisions apply more particularly to the non-Government schools. When the Minister was speaking of the library book subsidies, he referred also to the assistance given to parents generally. He said—

> Increased library book subsidies were also promised to all schools, in addition to the extension of the subsidy system to the purchase of a wide range of teaching aids and equipment.

This is intended to relieve the parents and citizens' associations of some of the cost of providing such things for the schools. The amount of this assistance is again a matter for discussion, especially in regard to the adequacy of the support given by the Government. With regard to library books, particularly, estimates have been supplied as to what finance schools should be provided with for the books. I have a cutting here which indicates a rather large amount, and this perhaps is beyond the means of any Government. I cannot lay my hands on it at the moment. The Australian average, in this report, is said to be around 37c, but the ideal figure, according to the article I have, is between $3 and $6 per child.

The PRESIDENT: Order! Will the honourable member please speak up? It is very difficult to hear him.

The Hon. R. F. CLAUGHTON: Thank you, Mr. President, for reminding me. I repeat that the assistance for library books for Australian schools is said to average 37c, but the ideal is thought to be more in the range of $3 to $6 per child. I cannot at the moment lay my hands on the article to give the source of the quote. However, it indicates that even though we might feel this is an ideal, we still have a long way to go in this State.

In his policy speech the Premier indicated that aid in this connection would amount to about 40c per child. This information was published in the Press on the 1st March. I am having a lot of trouble with my papers tonight and again

I cannot lay my hands on the cutting. Therefore I cannot substantiate the date. However, no doubt members are familiar with what the Premier promised.

To get back to the Bill, the amount which is being provided is not indicated. We are left to guess exactly what the amount will be and the Premier's earlier statement is the only indication we have at the moment. There is no doubt that the parents and citizens' associations will welcome whatever assistance is given.

In this regard I would hope that the Education Department, or the Minister responsible would urge the department, to let the parents and citizens' associations know a little more effectively what assistance is available to them. There seems to be some lack of knowledge in this regard. In my earlier speech, to which I have referred, I said that the parents and citizens' associations were buying many items. We were told that the department provided subsidies for these things. If this is so it indicates a lack of communication between the Education Department and the parents and citizens' associations concerned. I am not sure what steps the department takes to let the associations know what they are entitled to receive. Questions have been asked in another place and a list has been requested to indicate the subsidies allowed. However, as far as I know, this has not been forthcoming and as yet parents and citizens' associations do not know how much they are entitled to receive.

Here again, perhaps I could repeat a previous suggestion I made. As we know, the assistance for library books should help parents and citizens' associations to supply the other essential requirements for schools. If members have had any experience of what library books cost, they will know that they do not cost $100 or even $200. It costs $1,000 or more in one year for a reasonable supply of library books to be placed on the shelves. Besides the necessity to supply the basic number per child, there is also the associated cost of maintaining the supply. I have suggested previously that it would help if the department gave consideration to allowing the shire councils to take over the management of the school sports grounds, and we were told the department did not consider this to be a good move. However, I feel the suggestion deserves a little more than this summary dismissal.

The fourth provision in the Bill is for a subsidy to independent schools, or rather non-Government or efficient schools. This term "efficient" is included in the Bill, but we are not told in what way schools should be efficient or how this efficiency is determined. I have a feeling that efficiency is determined simply by the degree that students are able to regurgitate the syllabus as approved by the State Education Department. I also wonder whether this test of efficiency in schools is applied to the department's own schools?

The Hon. G. C. MacKinnon: An efficient school is a classification by the Education Department of which you were until recently a member. It is a technical classification and is determined by the inspector, not on the regurgitation by the pupils but on the facilities available.

The Hon. R. F. CLAUGHTON: That is what I am questioning. On what basis is this efficiency determined? We are told that by increasing the subsidy from $10 to $20 some attempt is being made to relieve the burden on the parents who prefer to send their children to these schools. We are told that the costs at these schools are increasing because of the necessity to employ lay teachers. It seems to me that if some attempt were made to supply these lay teachers to the independent schools, this would be a more logical way to relieve the situation in this regard. If the directors of the bodies controlling these independent or efficient schools have to employ teachers who are not trained—I have heard that in some cases they utilise the services of parents who have no training at all— this surely cannot help to make them efficient schools in any sense at all.

The Hon. G. C. MacKinnon: I think you are getting mixed up with the dictionary meaning and the defined meaning in the Act.

The Hon. R. F. CLAUGHTON: I have read the definition in the Act.

The Hon. G. C. MacKinnon: It does not sound like it.

The Hon. R. F. CLAUGHTON: The definition of "efficient" is "a school certified by the Minister as being efficient for the purposes of this Act." It is nothing more than that.

The Hon. A. F. Griffith: You can hardly say you do not know what an efficient school is.

The Hon. R. F. CLAUGHTON: Perhaps the Minister will enlighten us later on.

The Hon. G. C. MacKinnon: You ought to be able to enlighten me, because you have been a member of the Education Department. I have not.

The DEPUTY PRESIDENT: Order!

The Hon. R. F. CLAUGHTON: The Minister is quite right; I have been a member of the Education Department. I have raised this matter, because I think the meaning we put on "efficient" in this sense will help us to examine the basis of our educational system. There are other qualities which education should provide besides academic excellence which, of course, is to be encouraged by all means. However, that is only one side of the pupil which has to be developed. There are

other aspects to the child which are equally important and which I think are neglected in schools. I think the education should include intellectual and physical development, and also be concerned with the social and moral development of the child. To my mind our schools over-emphasise intellectual development at the expense of other aspects which I have mentioned.

Earlier on I was talking about the subsidy of $20 to independent schools and I referred to the statement by the Minister that this was an endeavour to assist the schools because of the difficulty they were experiencing in the employment of lay teachers.

Among the matters of policy which have been suggested for possible adoption by the present Government is that of an autonomous teachers' college; that is, one separated from the Education Department. When I spoke earlier I mentioned some of the qualities for which we should look when we determine whether a set of people belong to a profession or not. One of those was that they should have their own separate organisation. The teachers in this State do not have this.

The teachers in non-Government schools have a union and there is a union which takes in only the teachers employed by the Education Department. To lift the efficiency of teaching, or if one likes, the professional qualities of teachers, the development of an autonomous body for teachers, in the same way as we saw approved for nurses earlier this evening, would be a move in the right direction. The State School Teachers' Union has had a motion on its conference agenda, and it was approved, that the conference look at the matter of registration although it did not approve a move towards autonomy.

This does not mean that we should not examine the possibility of taking the matter further. The idea has been put forward from other sources which I could quote, but I will not do so at this stage. If we had such a body which would register and oversee the qualifications of teachers, this would assist education in the non-Government school system. I should imagine it would be frowned upon to use parents, or untrained people, in these schools. Surely this is one concern we should have! After all, the Minister in his speech said that we should be concerned that all children in our community have equal opportunity to get a good education. I am paraphrasing the Minister's words, because that is not exactly how he expressed it.

I am not saying this is a matter we could afford to take up now, but at some future time if the Government supported teachers directly, and paid them directly to teach in non-Government schools, I am sure it would help raise the standard of education generally.

When I was studying the Bill and considering what I should say, I felt that obviously a great deal could be said about education, but I decided to limit my remarks.

The Hon. A. F. Griffith: Terribly limited!

The Hon. R. F. CLAUGHTON: I move to the last point in the Bill which deals with the section relating to compulsory attendance at a non-Government or an efficient school. This was not covered in the Minister's second reading speech in this House, but it was dealt with in another place. The reason given was that it would enable the Government to control or force the parents of some rather difficult aborigines into line. It seems that whatever the Government does to encourage these people to send their children to school, they have found some excuse or method to put themselves beyond the reach of the native welfare officers who are trying to help them.

I have looked at the Department of Native Welfare reports and it would seem to me that this deals with the provision of hostels where children of aboriginal families can be looked after while attending schools in centres where these are available. I was quite impressed with the work the Department of Native Welfare and the Education Department are doing in this respect. However, I have heard that there may be some limitation on the ability of parents to maintain contact with their children, and there may only be a few weeks in the year when the child is able to return to the parents. If this is the case, perhaps the reluctance of the aborigines to allow their children to experience this sort of thing can be appreciated. I hope I am wrong in this conclusion.

I would like to draw attention to one clause in the Bill which seems rather awkward. I refer to clause 5 and I wonder whether it could be rephrased in Committee? Clause 5 of the amending Bill reads in part—

> . . . the amounts specified in that subsection in respect of those scholars, for the purpose of assisting those scholars in the purchase of text books required by those scholars for their studies at those efficient schools.

The repetition of "those scholars" seems to me to be quite unnecessary, and perhaps we could amend it to something in line with the following:—

> . . . of those scholars for the purpose of assisting them in the purchase of text books if they require them for their studies at those efficient schools.

Perhaps we could have a look at this again in the Committee stage. I support the Bill.

THE HON. V. J. FERRY (South-West) [9.41 p.m.]: I have no wish to weary the House on this Bill, because I believe it is an obvious one with much merit. However,

I do wish to mention just one point; namely, it is a further attempt by the present Government to assist the children and the people of Western Australia through the medium of education. This is a further extension of the work that has been going on progressively over many years.

Just to illustrate that point very quickly, I can mention that some 20 years ago out of its total financial resources this State was spending one-twelfth on education. Consequently 20 years ago one-twelfth of its total financial resources was spent in the education field. Some 10 years ago, when another Government held the Treasury benches in this State, the ratio was one-eighth of all financial resources; today it is down to one-fifth.

We need not apologise at all for our contribution in the education field in this State.

The Hon. N. McNeill: You mean up to one-fifth?

The Hon. V. J. FERRY: I acknowledge the correction of the honourable member. The proportion has increased steadily and I say quite adamantly that this is a determined continuation of the policy of a progressive Government. I congratulate it for bringing in this Bill which contains a number of provisions which were outlined by the Premier in his policy speech prior to the last election. I support the Bill.

THE HON. G. C. MacKINNON (Lower West—Minister for Health) [9.44 p.m.]: I thank members for their comments. The best I can do to help Mr. Claughton is to refer him to section 32B which might help him in regard to the meaning of an efficient school. It states—

> The Minister shall cause the school in respect of which application for registration under subsection (1) of section thirty-two A of this Act has been made to be visited by a Superintendent of Education for the purpose of inspecting the school or the scholars attending the school, if upon inspection the school is found to be efficient as to the instruction given the Minister shall certify the school to be efficient for the purposes of this Act and shall cause the school to be included in the register of efficient schools.

Mr. Claughton made one other comment with reference to the lack of information for parents and citizens' associations. I am tremendously surprised at this remark, because I have had the impression that it is members of Parliament who keep most of the parents and citizens' associations informed, and in my experience they do a pretty efficient job of it. They attend P. & C. meetings and keep the associations well informed of what they can and cannot get.

The main burden of the honourable member's comments—and I suppose this applies to everything—was that although the provisions of the Bill are good more money should be provided. That is probably so, and maybe we will get there in time, although I suppose that is not strictly correct because I doubt whether we will ever reach the ultimate where we have everything we want. However, I thank members for their support of the Bill.

Question put and passed.

Bill read a second time.

In Committee

The Deputy Chairman of Committees (The Hon. F. R. H. Lavery) in the Chair; The Hon. G. C. MacKinnon (Minister for Health) in charge of the Bill.

Clauses 1 to 4 put and passed.

Clause 5: Section 9D added—

The Hon. R. F. CLAUGHTON: I move an amendment—

> Page 3, line 2—Delete the words, "those scholars" and substitute the word "them".

The Hon. G. C. MacKINNON: The clause might sound a little clumsy but its purpose is clear—that certain things are to be carried out. To some extent it is a matter of opinion as to how this should be expressed. It is possible one drafting officer might choose a different phraseology from another. The important thing is that the purport of the legislation should be absolutely clear, and I maintain the wording of this clause meets that requirement. It leaves no room for doubt. I trust the Committee will not agree with the amendment.

Amendment put and negatived.

Clause put and passed.

Clause 6 put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

CHILD WELFARE ACT AMENDMENT BILL

Second Reading

Debate resumed from the 19th September.

THE HON. J. DOLAN (South-East Metropolitan) [9.54 p.m.]: In supporting the Bill I take the opportunity, first of all, to pay a tribute to the work of the present Director of Child Welfare (Mr. Jim McCall), who is due to retire in about six weeks' time. I have had a long acquaintance with Mr. McCall, from the time when we were together at the teachers' college. I had the greatest respect for him then,

and as the years passed that respect has grown, particularly since he occupied his present position in the department.

Mr. McCall has not only brought to the department considerable skill in administration, but he has also brought to it a humanitarian outlook which is most necessary for anyone holding that position. I hope that Mr. McCall will have a very long and healthy retirement. Of course, he has set a great standard for his successor to live up to; and whoever his successor might be I am sure he will carry the best wishes of us all. It is a department for which I have the greatest admiration. Of all the Government departments I have dealt with, none has given me more pleasure and satisfaction than the Child Welfare Department.

I do not know whether this Bill is the swan song of Mr. McCall. It represents an attempt to get rid of redundancies, to simplify procedures and to improve the Act generally. I will not go into the Bill in detail, but I would like to mention a few of the sections in the Act which the Bills seeks to repeal, so that members may see the purpose of the proposals to repeal. In clause 2 it is proposed to repeal section 9 of the Act.

Section 9 relates to boarding-out committees which in past years served a very useful function by finding boarding and foster homes for wards. Those responsibilities have now become part of the duties which are required of officers of the Child Welfare Department, and of family welfare officers. Consequently the boarding-out committees are no longer needed.

In the introduction of the second reading the Minister took the opportunity to pay a tribute to one who has worked very long on these committees; I refer to Mrs Fuhrmann, a lady for whom I have the greatest respect, and one who has done a wonderful job. It is fitting that the Minister should refer to the wonderful service she has given, when he told us that the boarding-out committees were no longer needed.

In clause 2 it is the intention of the department to provide assistance for children who are not wards of the State. Very often some parents find difficulty in controlling their children. If they have the opportunity to talk over their problems with an officer of the Child Welfare Department, and if they accept that officer's advice, they are well on the way to preventing such children from becoming delinquents. It is a wise provision in the Act to give the department the opportunity to deal with problem children, whether or not they are wards of the State. I feel it is always better to prevent delinquency, than to wait until it eventuates before trying to apply a remedy.

In the next clause the intention is to clarify the constitution of the court, and this is also a desirable provision. I have one query to raise with the Minister: Where he refers to the court which shall comprise a special magistrate sitting alone, or with one or two members, there is nothing in the definitions in the Act to indicate who such members are. Are they justices of the peace or people appointed by the department? I am sure the Minister will give me the information I require. Whoever the members are I feel sure the constitution of the court will be all right.

The Hon. A. F. Griffith: It is provided for in the principal Act.

The Hon. J. DOLAN: I could not see it. I notice, too, that provision is being made for summary fines for traffic offences by juvenile offenders. I think this is desirable. In his second reading speech I think the Minister said that it was not unusual for a father and son to go to two different courts for the same sort of traffic offence only to find that one of them has got off lighter than the other.

The Hon. F. J. S. Wise: The father will pay for both.

The Hon. J. DOLAN: Probably. I will come to that point in just a moment. I notice, too, the Bill substitutes the word "uncontrolled" for the phrase "incorrigible and uncontrollable." Many people today who are skilled in child welfare work do not think there are uncontrollable boys. I remember the late Brother Keaney who, I suppose, was one of the great instructors of youth and skilled in the ways of caring for youth. He said there was no such thing as a bad boy. I could go along with him. I believe that every boy has some good in him and if one can find out what it is, one can bring it out. If this is done, one is well on the way to making a good citizen out of a bad boy.

Once the court has been established, provision is made for substituting the word "court" for the word "magistrate." That occurs in a number of places and it is in order.

There is one particular point to which I hope the Minister will refer in his reply. In clause 8 reference is made to new section 20C where subject to the succeeding provisions of this section, a court constituted of, or comprising, a special magistrate who is a stipendiary magistrate has exclusive jurisdiction to exercise the powers conferred upon justices in respect of a complaint of assaulting a child, and so on. I would like the Minister to clarify whether that means exactly what it says—whether it is the exclusive prerogative of a special magistrate, or would that power rest with a court which is constituted of two members? The way I read it, it would not. Only the magistrate has this special power.

I refer also to clause 11 under which two new paragraphs are added which state it is possible to impose on a child a fine not

exceeding $500. When I saw that amount I thought it seemed terrific. Despite the Minister's statement that young people of today have quite a considerable sum of money at their command, I would say that in lots of cases where this fine might possibly be inflicted, it would still fall on the parent to pay it.

The Hon. F. J. S. Wise: What age?

The Hon. J. DOLAN: Under 18 years. I consider we place too much stress on a penalty of this nature acting as a deterrent. We have reached the stage where we should give serious consideration to making the punishment fit the crime.

The Hon. A. F. Griffith: Would you elucidate that statement?

The Hon. J. DOLAN: I would not have made the statement unless I thought someone would interject and give me the opportunity to suggest something which I think would deter these young fellows from stepping out of line. I suppose there is nothing a young fellow hates more than having his liberty curtailed. If I were a young fellow one of the greatest punishments that could be given to me would be for me to have to report over three or four week-ends to the local police station. I would prefer to have my license taken from me for six months. In those circumstances I might run the risk and try to break the law, but if I were to be given a punishment which prevented me from driving my car from 8 p.m. to 8 a.m., and be confined to my house for two or three months, that punishment would hurt me more than saying that I could not drive a car for six months.

I think a young fellow would really hate to be deprived of doing certain things to which he was accustomed.

The Hon. A. F. Griffith: When a young fellow has possession of someone's $3,000 or $4,000 motorcar and smashes it, what punishment do you think fits that crime?

The Hon. F. R. H. Lavery: A fine of $500 would not fit it.

The Hon. J. DOLAN: No.

The Hon. A. F. Griffith: I thought you might be able to tell us.

The Hon. J. DOLAN: No; but I feel there are many cases where fining according to the law does not have the desired effect. These fellows become constant offenders. In the last week or so I read in the paper where a magistrate referred to a chap having a terrible record. I think he had committed 15 or 16 offences in connection with motorcars over a period of a couple of years. Considerable thought should be given to circumstances like that; and some of these things could be worked out in advance. Where there is a certain charge against youths, there are certain suitable punishments which would fit the offences. If this practice were followed I think it would give a young fellow cause to think twice about stepping out of line, particularly if he knew his liberty was to be curtailed. Particularly would this be the case if a young chap in the week-end was keen on riding a board in the surf, or something like that. If he knows he will be deprived of his liberty in this connection it will deter him from stepping out of line.

The Hon. A. F. Griffith: I wish you could find a solution to the unlawful possession of motor vehicles.

The Hon. J. DOLAN: The Minister is making it difficult for me by posing these extraordinary cases.

The Hon. A. F. Griffith: I am pointing out something that really worries us.

The Hon. J. DOLAN: No matter what is done to these lads, they will continue to steal other people's valuable property.

The PRESIDENT: Order!

The Hon. F. J. S. Wise: Does the Minister think a fine of $500 meets the position?

The PRESIDENT: Order! Will the honourable member continue his speech.

The Hon. J. DOLAN: I am waiting for the noise to subside. I have thrown in some suggestions because of what is proposed in the Bill. The measure provides for certain fines and I am suggesting there could be substitutes for those. I think it is something to which we might give consideration. I am sure if this were given sufficient consideration we could find some way of punishing these fellows apart from the penalty suggested in the measure.

I am delighted to see the Bill proposes to bring into line the licensing of the use of children under 16 in the preparation and presentation of advertising material and so on for TV, radio, and stage shows, newspapers, etc.

Generally speaking I believe the Bill is a good one in that it tidies up the situation which exists. I would conclude on this note: In his second reading speech the Minister mentioned that under the new court system it was hoped to spare children of immature years—I would not call it the indignity; but very often it is a fear that they have of going into a court, particularly in regard to some of the cases which must be heard. These cases are to be provided for, but at the same time the Bill is not overlooking the fact that a person accused has certain rights and privileges. If he does not wish to be dealt with summarily by the magistrate, and so on, he has that alternative of electing to go before a judge and jury.

I go along with all the provisions in the Bill to which I give my full support.

THE HON. L. A. LOGAN (Upper West—Minister for Child Welfare) [10.11 p.m.]: I thank Mr. Dolan for his comments on the Bill. Clause 4 deals with section 19 which, at the moment, reads—

> No Children's Court shall be competent to exercise its jurisdiction unless there be present the special magistrate or at least two members.

All we are trying to do is to provide that it might be a magistrate on his own, a magistrate and one member, or just two members.

The Hon. J. Dolan: Who are to be the members?

The Hon. L. A. LOGAN: In the metropolitan area they will be women justices for this purpose. In the country they could be women or men justices, according to the recommendations made from time to time to us for the appointments of children's court members.

The Hon. J. Dolan: Thank you.

The Hon. L. A. LOGAN: There is a variety in the country, but in the metropolitan area women justices always do the job. Clause 8 refers to exclusive jurisdiction. Under the Act at present there is a choice of the special magistrate or a jury. The provision in the Bill merely takes the jurisdiction from the jury and gives it to the special magistrate.

Another point dealt with by the honourable member referred to the $500. I quite agree that I do not know what we must do to stop some of these crimes being committed. However, we must bear in mind that it is only a maximum and I do not think for one moment that any children's court magistrate would, in the first place, impose a fine of $500. However, the amount could be increased up to this figure if necessary. We must also bear in mind that today some boys just under 18 are taking home pay packets which are bigger than their father's.

The Hon. J. Dolan: They probably would not be offenders.

The Hon. L. A. LOGAN: The pay packet is not often bigger, but it sometimes does happen.

The Hon. J. Dolan: But generally they are not the fellows who go before the court.

The Hon. L. A. LOGAN: Not necessarily; but, believe it or not, a lot of these crimes are now being committed by boys from very good homes. The pattern has entirely changed from what it used to be. Delinquents previously did come from slum areas, but, unfortunately, this does not apply today.

I think at this stage it might be pertinent for me to refer to the sermon preached on Sunday morning by my rector because it was a very good one and referred to this point. He said that when a child loses faith in its parents it turns to delinquency. I think he is right. We hear a lot about our modern world, but the sooner we get back to the old-established practice of a bit more family life, the quicker will some of our problems start to disappear. I am sure the rector is right. Once a child loses faith in its parents, it has nothing to live up to and it starts to wander. This is the beginning of delinquency.

I believe these amendments will assist the department in the wonderful work it is doing. I am glad Mr. Dolan referred to the director (Mr. McCall). I believe he has done a wonderful job as director, and has been able to raise the status of the department in the community. Previously when it was known a person was a ward of the State, or had anything to do with the Child Welfare Department, that person was treated as one with whom one should not be associated. However, this situation has entirely changed, and I would say the status of the department, as mentioned by Mr. Dolan, stands very high, and this is the way it ought to be.

The Hon. J. Dolan: That is right.

The Hon. L. A. LOGAN: Each of the officers—and we have some particularly good ones these days—is trained in the humanities, and this is the approach each one of them takes, from the director down. I am sure that this situation is being achieved because of his guidance and direction. For this reason I am very glad the tribute has been paid to him.

Tomorrow I will have been Mr. McCall's Minister for 9½ years. We have got on particularly well. We have, of course, had our differences of opinion, but we have been able to discuss our problems. I have sometimes suggested to him that he is a bit hard, and at other times I have suggested he has been too soft. However, I think I can say that, generally speaking, he has been right. As I have said, we have been able to discuss our problems and have both become better informed as a result. With those remarks, I commend the Bill to the House.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

House adjourned at 10.19 p.m.