EXAMINATION PAPERS

Tenders for Printing

8. Mr. HEAL asked the Premier:

This afternoon I asked the Premier the following in question No. 1A (b) on the notice paper:—

If so, what were the quotes from—

(i) Government Printer?

(ii) successful tenderer?

I cannot find his answer to that part of my question. It is possible it has been overlooked. Will the Premier undertake to supply me with that information?

Mr. BRAND replied:

I will refer the hon. member's query for further investigation.

ADDRESS-IN-REPLY

Seventh Day

Debate resumed from the previous day.

MR. GUTHRIE (Subiaco) [5.7]: Might I, in common with other members, add my congratulations to you, Sir, on your evelation to the Chair? As you know, you and I have been associated over a long while, and it does give me great personal pleasure to take my seat at a time when you have the honour of presiding over the House. I sincerely trust your tenure of office will be a very pleasant and happy one. I would like to thank the Leader of the Opposition for his congratulations to the new members. I appreciate that he is unable to give his political congratulations, but I thank him for his kindly thought.

I represent a very old-established community which has not a great number of problems. It does not want a great number of schools; in fact, it is getting to the stage where the schools are too big for its requirements, and it is slowly having them fleeced away. It does not have other major problems. Those that exist I have taken up with the Ministers concerned; and they are, at the moment, under consideration. Accordingly, I do not intend to embarrass the Ministers concerned by referring to the matters with which they are dealing.

There is one matter, however, which is of general interest, and to which I would like to pay some attention. It has caused a lot of difficulty over a long period of years—and extreme difficulty to the public at large. I refer to the trouble the public have in trying to trace regulations and proclamations, and all quasi legislation, that is passed under the authority of an Act of Parliament. The Commonwealth publishes, every year, a volume known as the Commonwealth Statutory Rules. This is indexed, and it is possible to turn up all regulations which are in force, and which have the force of law.

Unfortunately, however, that is not so in this State. I appreciate that with regard to the Commonwealth, the regulations and by-laws are passed by the Government itself; whereas in this State they are passed by local governing authorities and various other boards and statutory authorities.

No doubt, if they were all got together in one volume it would make an immense tome. But I think that perhaps a start could be made by publishing an index of regulations and by-laws very much along the lines of the index that appears at the back of our statutes. Members in this House might well recall some years ago that the predecessor of the member for East Perth caused quite considerable confusion to the Melville Road Board when he exercised his right by presenting 1s. and demanding a copy of every regulation and by-law that had been passed. There was some trouble about it, and I think the Act was amended.

That is the problem with which we find ourselves faced. Quite often one has to go to the particular authority itself to ask it what the law is in its district, and sometimes it is not possible or practicable to do so. There was a case some 10 to 12 years ago in which I was personally involved. We made three requests to the local governing department, and we were told that the Sussex Road Board—as it then existed—had not passed a certain proclamation under the Road Districts Act. Subsequently it turned out that it had. That led to a great deal of expense being incurred, and a great deal of time being wasted, because there was no record in Perth that the proclamation in question had been passed.

I would like the Government to draw the matter to the attention of the Attorney-General, to see whether this fault cannot be corrected for the general benefit of the community. After all, if laws are in force, they should be readily and easily available. That is all I wish to say on that point.

Seeing that this House somewhat graciously—or ungraciously, depending on how one looks at it—adjourned over the last week for the legal convention, I suppose I should make some remark as to the great benefit that accrued both to the State and to the community as a result of it. The first benefit derived is one which is very dear to the heart of the Premier; namely, that of tourism. About 300 visitors came to this State, and they were all very impressed indeed with what they saw.

They were graced by magnificent weather; and even though we tried to tell them that it was not the normal type of weather for the third week in July, they still think that it was wonderful; and no doubt they will go back to their respective States and tell others that the best time to visit Perth is in mid-July. If they do so, however, they might not be so well off in the future. They did, nevertheless, enjoy themselves. As a Perth resident one does not have to visit hotels in this State to see what facilities are available. On this occasion, however, I had to do so in order to entertain our guests.

I must say that I was amazed at the improvement in the general standard of the hotels in the metropolitan area over the last ten years. My impression, and that of the visitors, was that we should have no fear that we cannot provide all the necessary facilities for visitors in the metropolitan area.

It may be of interest to the Minister for Railways to know that the 80-odd visitors who went on the Reso tour were extremely impressed; they considered it was one of the finest holidays they had had. They were also very impressed by the service they received from the railway officials who manned the train. Indeed, so impressed were they that they took the hat around and made a present of £40 to the train crew.

It may interest the member for Albany to know that before these people left they expressed distinct disappointment that the Reso tour did not include Albany. It was amazing to meet the number of people from the Eastern States who had heard of Albany; and we were extremely glad to know that that was so. When they returned, however, they were not interested in Albany so much; they thought that the Bunbury area was "tops." However, that is enough by way of facetiousness. Two lessons arose out of this convention.

One was the restatement of the basic functions of the legal profession in the community, and the other was the necessity for law reform. I will deal with these two subjects separately, taking first of all the basic purpose of the legal profession. Let me digress for a moment. When I talk of the legal profession, I mean the profession as a whole—the judiciary, the bar, and the solicitors; the entire profession—not merely those who practise law in private work and in Government departments.

It was stated—first of all, I think, by His Excellency the Governor, and also by Sir Edward Pearce, in the most inspiring address that some members had the pleasure of hearing in Winthrop Hall—that the purpose of the profession is the protection of the principle of ensuring that justice is meted out to all and sundry. These principles have been built up over centuries by the development of what is known as the common law of England, going back to the days—as was said by one of the speakers: I think Sir Edward Pearce—of the Magna Carta.

There has been a modern tendency, and one to be deplored, to turn back on those centuries of development and to start to create some of the things that in the days of Henry the Eighth and earlier monarchs were completely swept away. I refer in particular to the modern tendency to establish administrative tribunals which are not courts of law. They are not very often presided over by men who are trained in the administration of justice; and these men are not even required to administer the law with what we are proud to call British justice. These tribunals are very often presided over by laymen, and they very often meet in camera. I would like to point out that this meeting in camera is a very dangerous thing. It is removing one of the bulwarks of the British system of justice.

The first purpose of a court meeting in public is, as has been so often stated—and very clearly by the Chief Justice of Australia—that not only must justice be done, but justice must appear to be done. That is not lip service. In other words, Her Majesty the Queen's subjects are entitled to visit her courts and see justice is carried out in accordance with her law.

If a court meets in public, the witnesses who go before it are required to give their evidence in public in the presence of the Press. When they go into the witness box they know full well that anybody can listen to them and the Press may report them. That has the distinct effect of making them stick to the straight line of truth. There is no doubt about it. If they meet in camera; and no Press is present; and nobody is there to hear what they say, there could be a tendency towards perjury being committed. Consequently, this Parliament should remember that fact when it has before it legislation which provides that courts and tribunals may meet in private.

Another tendency in modern legislation is to provide that counsel shall not be entitled to appear: I mean members of the legal profession. It must be remembered that members of the profession are specifically trained in court procedure and in the administration of justice. They are trained in the art of examination and of cross-examination; and if evidence is to be tested to its full, it stands to reason that any witness should be prepared to stand up to the acid test of a skilled cross-examination. If that is not allowed, justice can often go astray.

Another thing in legislation that I equally deplore, is the provision that court procedure may be ignored by a court; and furthermore that even the rules of evidence may be ignored. The rules of evidence in this State are governed by the Evidence Act of 1906, but that is only a codification of the law. The rules of evidence were part of the common law many centuries before this State passed its Evidence Act. All we did in this Parliament in 1906 was to codify these rules and embody them in a statute. They were developed by judges after many centuries of experience.

I will give one small instance where the abandonment of the rules of evidence permits hearsay. It means that anyone in the community may repeat what somebody else has told him and that person can say, "I do not know whether it is true or not"; and if cross-examined can say, on being

cross-examined, "I can only repeat what I was told. I cannot swear to what has happened."

That is one of the essential advantages of keeping to the rules of evidence. If I remember correctly, the Workers' Compensation Act has such provisions; and there are many other statutes which provide that courts or tribunals are not bound by the rules of evidence or the laws of court procedure.

One of the papers at the convention by Mr. Whitlam, a member of the Federal Parliament, raised this question of administrative tribunals. He stated that successive Commonwealth Governments in 58 years have successfully built up 50 administrative tribunals. He did not say so at the conference, but I do know that many members of the Federal Parliament are seriously considering a separate Commonwealth judiciary. They are trying to do away with these tribunals in order to get back to the court to ensure that justice is maintained.

To give an analogy, I would mention an incident which I experienced some years ago of a Commonwealth tribunal acting under the National Health Act. It was a committee set up under the National Health Act, and a certain professional man in this city was summoned to appear before that tribunal to answer certain charges laid against him. The punishment that could be inflicted upon him would be to remove his right to practise, so far as the National Health Act was concerned.

Because this offence occurred under the Commonwealth Health Act, he appeared before a tribunal presided over by members of the medical profession. I visited the Commonwealth Health Department and asked if he would be entitled to be represented by counsel. The answer given to me was, "no," and when the summons was actually served it bore the note in the handwriting of the chairman of the tribunal, "You will not be allowed to be represented by counsel, and you will not be allowed to be accompanied by any person."

This is not justice; and it is dangerous, because tribunals could have an inexperienced chairman, and the person before the tribunal could become tongue-tied through nervousness. This particular man was convicted by that tribunal and was compelled to answer its questions, and the Commonwealth was not required to prove its case.

It was a matter of the onus of proof, of which we heard so much some years ago. That sort of thing could happen; and I remind members that we must not put the clock back to the dark ages, and create Star Chamber courts. This is not a solitary complaint; it is the modern tendency.

I will now turn to another subject arising out of the administration of justice in this State and the basic principles of protecting the subject and the liberty of the subject. We must make sure that we always have an independent judiciary—a judiciary which is imbued with a spirit of fighting for the rights of the individual. I cannot help but comment that in this State today 60 per cent. of the judges of the Supreme Court are men who have served in the service of the Crown for a long while. In many cases they have had little experience in private practice. That is something which we should think about, because we will create in this community what I might term a pet judiciary if we are not careful.

The Crown Law Department today receives students straight from university. It trains them and promotes them to high office in the service of the Crown without their ever having practised outside a Government department. In fact, under the provisions of the Legal Practitioners Act, these men are not even entitled to go into private practice until they have served in a lawyer's office for 12 months. However, they unfortunately obtain high positions in the service of the Crown and can even sit on the Supreme Court bench. That could be dangerous in a corporate state; and when we reach that stage, we might have to go to the Government for our defence counsel and prosecuting counsel.

We have read of these things happening in Europe, and I urge the Government to make sure that appointments to the judiciary in future are made from men with long experience in fighting for the liberty of the people. I cast no aspersions on the present members on the bench. I do not want it to be thought that I am attacking them: I am attacking what I consider to be a dangerous principle, which is slowly developing in this State. I can say with complete confidence that it has not happened in any other State in the Commonwealth of Australia.

I wish now to turn briefly to the service which the legal profession is giving to Western Australia today. When one considers its part in protecting the rights of the individual, I regret to say that its service is an extremely poor one, and it is steadily getting worse. In this State, there are only 215 lawyers as against, I think, 2,500 in the city of Sydney. Twenty-five years ago there were between Perth and Kalgoorlie, five lawyers practising at Northam; there were two at Kellerberrin; two at Merredin; and two at Southern Cross. Today, there are three at Northam, and there is not another lawyer until Kalgoorlie. I think there might be one occasionally at Kellerberrin and one occasionally at Merredin.

In the north between Perth and Geraldton there are no lawyers, whereas there used to be practitioners at Mullewa, Moora, Dalwallinu, and Carnamah. There are now no lawyers practising north of Geraldton. There used to be lawyers there, but there

are none now. Members may say that this is not a matter of great concern, but I would point out that in a magistrate's court in any of these areas, a person is posed with the problem of defending himself or of obtaining legal representation from Perth.

Some two or three years ago only three people graduated in law from the University of Western Australia, and only one went into private practice; whereas in prewar days the output was something like eight or nine each year. Members might ask, "Why?" I could quote a variety of reasons, one of which is that this profession involves a lot of hard work, and there is little money in it. The average income of a lawyer in Western Australia—leaving out men who are elderly, and young men coming up—is less than £2,000 per year.

That is what people expect a lawyer to try to live on; and it is no wonder that parents decide that it is not worth it. I do not suggest that there are no lawyers who earn more than that; but the average lawyer in this city is earning less than £2,000 per year. That has been reported on by the Commissioner of Taxation on more than one occasion. The situation is that there will be fewer and fewer members of the profession available; fewer and fewer people available to defend those who may be arraigned by the State for some offence, either large or small.

To turn now to another aspect of the administration of justice in this State, I would point out that one-half of the population of Western Australia today gets one brand of justice; and the other half, another brand. The people who live in the metropolitan area, if unfortunate enough to be arraigned for any indictable offence, can rest assured that they will receive trial by judge and jury; but the other half of Western Australia has very little chance of such trial by judge and jury, unless the case is brought to the metropolitan area and heard in Perth. Failing that, such people are invariably tried by magistrates holding the commission of the Supreme Court.

In country areas we have the ridiculous situation of a magistrate, who has never practised at all in the criminal jurisdiction, presiding over a trial and being expected to direct a jury correctly and to deal with the case according to the basic principles of law. It has always been a basic statement of British law that every man will be tried by a judge and jury if he so wishes; and that applies to half the population of this State, but not to the other half.

This question calls for some consideration by the Government, as to whether steps should be taken to ensure that the provisions of the Supreme Court Act, with regard to judges going on circuit, are enforced; or whether we should introduce into this State a provision, as they have in the other States, for country courts, thus enabling the full jurisdiction to go to all parts of the State and not merely to one small portion of it.

So much for the basic principles of law and the protection of the individual which arose, as I said, from the considerations of the recent legal convention. I will now turn to the subject of law reform. Some two years ago, at a legal convention held in the Eastern States, there was a paper prepared by Professor Shatwell—I think—of the Melbourne University, and on this occasion Dr. Goodhart, the master of the University College, Oxford, presented a paper criticising Professor Shatwell's paper; and out of that arose a discussion from which it became obvious that law reform in the British Commonwealth is dealt with on a somewhat haphazard basis.

In this State we have no statutory law reform committee at all, but in the other States, and in Great Britain apparently, there are governmental committees which are presided over by a judge or by the Attorney-General, with representatives of the legal profession and of the law school. In this State the only law reform work and research undertaken is done by a voluntary committee of the Law Society. That society is a non-political body, and does not concern itself at all with matters that might have any political aspects or political bias. The net result is that the only matters which come before that committee are such as might be said to be innocuous from the political point of view.

I would suggest, for the consideration of this House and of the Government, that it is time that Parliament took a hand in this matter and that we should, perhaps through this House, set up something in the nature of a law reform committee, upon which people representing the University —for their value in research—and the Crown Law Department, and the legal profession should sit. On that committee also should sit, I feel, lay members of Parliament, who could advise that body on the political aspects and expediency of any particular matter that came before it.

I feel that it is a duty of Parliament to do that. I was somewhat astounded the other day, when in the law library at the Supreme Court, to find that there was an officer going through the statutes to determine those that should be repealed—an officer without a great deal of experience—and what he could achieve I would not know, because it would seem to me to be a task for a committee of experienced people.

To give an example of how we lag behind the rest of the world in the question of law reform generally, I would point out that in dealing with the powers of trustees we have to rely largely on a statute passed in 1873 and known as Lord Cranworth's Act; notwithstanding the fact that that Act was repealed in England in 1881

and replaced by the Conveyancing Act, which in turn was repealed in 1925 and replaced by the Law of Property Act. In spite of that, we still boggle on with an Act passed 86 years ago, which was recognised in England eight years later as being antiquated. Those are the sorts of things which could be investigated by such a committee.

Another subject in which we could lead the world, if we wished to do so—because judges throughout the British Commonwealth have made many suggestions that it should be the subject of legislative action, although no Parliament has ever taken it up—is the question of injuries to users of the road when a motor vehicle or any other vehicle collides with domestic animals on the road. I know that some of the farmer members of this House might be horrified at the thought of the present position being changed; but it is a fact that if a motor vehicle comes around a blind corner of the road and runs into a cow, the occupants of the vehicle being killed, there is no cause of action whatsoever against the farmer who allowed the cow to stray on to the road. The question of negligence does not arise and there is just no cause of action at all.

I realise the difficulty of proving negligence, but I feel that it is wrong that such people should be left entirely without remedies. If I had a pet tiger in my home and let it out on the road and it caused any damage, that would be a horse of a different colour, or a tiger of a different colour, because the tiger is deemed, from its nature, to be fierce, and I would be responsible for what it might do if it escaped. But I am not responsible for my horse, unless it is a horse that is known to be naturally vicious or dangerous.

It is also somewhat noteworthy that the law of the land goes to this extent: that if my cow escapes to my neighbour's field and eats his cauliflowers I can be liable; but if it is responsible for the death of people on the road, I am not liable; and that is the sort of thing which I think should be investigated. That is the type of thing where a voluntary, non-political committee would not take action, because it would appreciate that any action would meet with some opposition from agriculturists. Consequently a committee with a political bias would be necessary to investigate such a subject. That is all I wish to say about the legal convention and any lessons which we learned and which could be of benefit to the community at large from the legal point of view.

I wish now to turn to a different subject; that of juveniles and juvenile delinquency; and I feel that this question presents two types of problems. Firstly, we have the actual delinquents—children who are at present delinquents—and secondly, we have the potential delinquents—ordinary children who may become delinquents. Let me deal first with the actual delinquents, because they are reaching somewhat alarming figures. I, in common, no doubt, with most other members in this House, listened with considerable interest to the policy speech of the then Premier and present Leader of the Opposition, back in March; and I think I am correct in saying that he stated that the children of today were very different from their predecessors. At that stage I agreed with him in that regard, and during the course of my own election campaign I repeated that statement.

Since that time, however, I have had opportunity of studying a white paper produced by the Secretary of State for Home Affairs in England, and presented to the Parliament of Westminster in February of this year. It is entitled "Penal Practice in a Changing Society with aspects of future development in England and Wales." It deals largely with the penal laws, prisons, etc., but it has, as appendix A, a very startling graph which shows that, in the years from 1938 to 1957, there has been a steady increase in the number of indictable offences committed by the community, with the exception of the hardened criminals—the class of 30 years of age and over.

The figures for all other classes have increased considerably, and the worst offenders—I will pause here for a moment, to state that these are figures for indictable offences which, if committed by adults, could be tried only before a superior court, by a judge and jury, and could not be dealt with by magistrates. They do not include figures for offences such as staying away from school, riding bikes on the footpath, and things of that nature, but consist of offences which come under the Criminal Code.

The greatest category of criminal offenders in Great Britain today consists of children between the ages of 14 and 17 years. The second greatest class, until recently, were the children between 8 and 14 years of age. The third class, until recently, and now the second class, is youths between 17 and 21 years of age. Then we come to the class of between 21 and 30 years and, a very bad last, adults over the age of 30 years.

There are 10 times as many indictable offences committed in England today by children between 14 and 17 years of age as are committed by adults over the age of 30. In other words, the good old Bill Sykes, and Dr. Crippen and company are being left behind in the crime race by the children; and particularly in regard to serious offences. That makes me wonder. We are proposing in this State, as I understand it, to commence to adopt the system of dealing with delinquents which has been in force in England for something like 10 years or more. We are starting to establish a Borstal Institute, such as they have there; and that system has produced this alarming increase in the figures which I have quoted.

I would suggest to the Government that it is time now to pause and make sure that we are following the right track. It is useless for us just to string along 10 years behind England, if results are not being obtained there. I am told—but I have not any means of checking it—that those alarming increases in the figures are probably also borne out by statistics in this State. However, I have not seen any such statistics and so I cannot say with certainty what the position is.

What is to be done about the actual delinquents is something which I do not know; but I must say, without wishing to appear callous, that I feel that those who have got to the stage of being criminals are in a different category and there is not a great deal which can be done about them. However, I think there is a great deal which we can do about the potential delinquent—the child who today is an ordinary child, but one who might become a delinquent. There has been a deal of research done into this subject and sometimes I wonder whether it is research of the right order.

I sometimes wonder, where a broken home produces a delinquent whether, by going to look at broken homes, we would be on the right track. I wonder whether we would pick up anything by research on broken homes, or whether we would not get better results by looking into happy homes and trying to discover why they are happy homes, and then comparing them with the unhappy homes. I wonder whether in that way we might not get a more exact result.

The same can be said for investigations into homes where both Mum and Dad go out to work. If the research is centred around and made into homes that have proved to be a failure and where both parents go out to work; or if the investigations are made into a series of homes where there has been trouble, and then those investigations are turned upon a series of homes where there has been complete success in the family life; and if we compare the results of those investigations one against the other and pick the distinction, then I feel that we will get something more definite and accurate from the findings.

It is somewhat noteworthy that many writers these days say that lack of parental control, with the weakening of the prestige of the father in the home and the mother going out to work, are the chief causes of the development of delinquency. Therefore, it would seem that any move towards an improvement in this situation must include the education of the parent; must include some system whereby the parents can be helped to solve their problems.

However, it will have to be borne in mind that of the 24 hours in a day, the average young child spends about 14 in bed, and about half the remainder of that time he spends at school; and the other half, at home. Consequently, the school influence cannot be ignored or under-estimated. In fact, it can, with some value, be over-emphasised. I feel that for many years in this State, we have made a great mistake in not developing to a greater extent the sports grounds in our primary schools.

As I understand the position, successive Governments have been willing to provide sports grounds for secondary schools and high schools, but they have never accepted the proposition that they should provide sports grounds for primary schools.

The position has been that if the members of parents and citizens' associations are willing to take off their coats and work to establish such a sports ground the department will subsidise their efforts with some financial assistance; but in many cases there is not enough ground on which to establish sporting facilities in primary schools. Therefore, if our educational policy is to keep pace with our policy on child welfare, one of the first steps that we will have to take is to grant primary schools sufficient ground on which to develop and establish suitable sports grounds.

The Subiaco Central School, which has been in existence over 50 years, has ample ground; but, even today, it has not a football playing field. The Thomas Street State school—as the member for West Perth well knows—has now no ground at all on which to provide playing facilities; but even when it did have some, there was no playing field within the precincts of that school. There was no provision for a sports ground within the boundary of the school premises where inter-school competitions could be held between various players, with their own school-fellows looking on.

If this had been possible, it would have encouraged the school children to stay longer at school after lessons had finished in order to take part in various sports and would have proved beneficial, especially to those children whose parents were not at home when they finished school. Their engaging in various sports would have kept them occupied in a healthy activity.

Therefore, if the Government made greater provision of sports grounds in the various primary schools it would do more towards lessening child delinquency than if we continue along the road we have been following. The day may not be far distant when the annual expenditure on child welfare in this State will exceed £1,000,000 if we do not, in some way or other, endeavour to arrest the drift.

In the view of many experts and writers on this subject, there is great value in the establishment of youth centres for the prevention of child delinquency. I have always had great doubts about this point of view. I have always felt that the establishment of youth centres relieves the parents of some of their responsibility; it gives them an opportunity to send their children to the youth centres and not to

worry about them. Nevertheless, people who are more expert than I am on this subject, place great reliance on the value of youth centres.

One of the great weaknesses of youth centres that are established today is that too many people in the one community are trying to establish too many centres, and there are too few instructors available to run them; too many people paddling in the one pond. To me, it would seem that one of the answers to the problem would be for someone in each suburb to take the lead in an endeavour to bring together all the organisations connected with youth and try to establish one decent youth centre.

I would think that the people who should be asked to come together for that purpose would be representatives of local authorities, the churches, the police, and any other interested youth body. Ordinary citizens and headmasters of schools could also be approached with the object of trying to establish one decent youth centre with sufficient instructors and sufficient children. I have had considerable experience in dealing with youths, both through Legacy and through various church organisations with which I have been associated. In my opinion the first great problem that has to be overcome is to get sufficient youths to make a centre a success; and, having done that, to recruit sufficient instructors.

There are not enough enthusiasts to go around to run all the youth organisations we are trying to establish in this community. I would strongly urge individual members of Parliament to convene meetings in their electorates with the object of trying to foster a community interest in one decent organisation to do the job properly. If we do that, we will start to go forward. As long as we have people who say, "We will not let our children go to the Police Boys' Club" because they do not approve of that organisation; or other people who say they will not let their children attend a youth club run by a church because of their religious bias, we will never have success with our youth organisations. With the exception of the Police Boys' Clubs they will all fail; and even many of the Police Boys' Clubs have to struggle. This could be avoided if all these youth clubs were welded into one great organisation.

The answer to many of the suggestions I have put forward tonight undoubtedly will be, "There is a lack of money." That is true. However, I feel that in this State and in the other States of the Commonwealth there is a greater basic principle at stake than the granting of more money by the Commonwealth Government. In my view we have drifted away from the basic principles of federation and the reason why the federation was established.

It must be remembered that the federal system of Australia is totally different from that of the United States of America. The federal system of that country emerged from war; central government came first, and the federation came afterwards. However, in Australia the six responsible States established themselves first, and then established the Commonwealth; and we have reached the stage now where we have a responsible and a sovereign Commonwealth Government.

However, I query whether we have responsible government and sovereign government in the State. To my mind it is entirely wrong that the Commonwealth should be able to determine what the States should spend. It is obvious that the Commonwealth can do everything well because it has more money than it needs. Yet the States have to go short. That is one of the great problems that face any Government and Australia as a whole.

It is no use producing a formula on the break-up of figures. A formula based on basic functions and basic powers has to be worked out, whereby the Commonwealth is compelled to live within a reasonable income with the States and the States are also compelled to live within their fair shares by exercising responsible government.

It may be thought that I have rambled all over the place in my speech tonight. Up to a point that is so; but I tie those subjects together in one proposition that I now put to the House. I feel that greater use could be made of members of Parliament to investigate many of these problems. There could be parliamentary committees formed—preferably all-party parliamentary committees. I completely reject any thought of a parliamentary committee being formed which would sit in judgment on the day-to-day actions of the Government. That would be entirely wrong. We often read in the Press of what happens in regard to such committees that sit in judgment on the United States Congress.

I would suggest that, arising out of the matters I have mentioned tonight, a parliamentary committee on law reform would be one that could well be established. It would be of immense value to the members of the committee, and it would mean that when Bills came before this House for its consideration there would be members who had sat on that particular committee who were expert on the particular problem.

I would also suggest the formation of a second committee to inquire into the problems of youth and education and to think on long-range terms; to indulge in the necessary research and the collecting of the required information, so that when these problems come before the House there will be enough members well acquainted with the subject; and, furthermore, they could submit to the Government long-range plans which might be accepted or rejected by it.

Finally, I think it would be quite in place if something in the nature of a constitutional committee were formed to see if it

is possible to work out constitutional amendments which would return the States to their proper place in the sun instead of their being subservient to the Commonwealth as they are rapidly becoming today.

I apologise for having talked so long and for having been so verbose. I did not intend to talk about the law convention that was held in Perth because I did not think that Parliament was going to adjourn; but I thought that Parliament having done that I should give the House the benefits of the lessons I have learned. I thank the House for its consideration.

MR. NULSEN (Eyre) [5.57]: Firstly, I congratulate you, Mr. Speaker, on assuming the very high office that you now hold; and I am certain that you will treat members impartially and justly. I have already noticed that, to date, you have been most impartial, and also extremely lenient; and I think that you should be commended for adopting such an attitude. It creates in members a little more confidence, and I am sure that they feel they are not being bullied by the occupant of the Speaker's Chair.

I also want to take this opportunity to thank sincerely all those officers with whom I have worked as a Minister in past years. In the first instance I offer my thanks to the officers of the Crown Law Department, because they have always been extremely co-operative, from the Crown Solicitor right down to those officers who are on the lower rungs of the ladder. I pay a tribute to the Under Secretary of the Crown Law Department because he came to that department quite green. It is a coincidence that his name is Green, but I wish to say that he has done a splendid job. He has taken a keen interest in the activities of the department and he has travelled all over the State to see at first hand the problems with which he has to deal. Although he was not my first choice for the position, I readily admit that he has performed his duties in an excellent manner.

I would also like the House to know that Mr. Shillington, the Commissioner of Titles, is a very able and silent worker. He seems to have the respect of all those with whom he works; not only the Minister and his fellow officers, but also the public generally. The Registrar of Titles (Mr. Buchanan) is an extremely fine officer.

Regarding the Electoral Department, some members of Parliament—and many people outside—think that the Chief Electoral Officer has very little to do. In fact, he has a very great responsibility, and his duties are not easy. He has to put up with abuse from some people who do not understand the law. They have accused him of incompetence. Of course, we always find such types of people. Mr. Wheeler, an officer of this department, is also very capable.

The Public Trust Office is a "baby" of mine in which I have taken a very keen interest. It had been suggested that the Public Trustee should be a legal practitioner, but I did not agree. In consequence, Mr. Glynn was appointed, and he has carried out his duties very ably. Mr. Glover, his assistant, is also very capable, as is the legal adviser attached to the department. They are all very obliging.

I recommend people, wanting wills to be made out, to approach the Public Trust Office. No fee is charged for the making of a will, and people will find that this office is just as efficient as any similar private organisation.

Mr. Tonkin: The Government will possibly close that office down and hand it over to private enterprise.

Mr. Brand: You said that. I did not.

Mr. Tonkin: It is a wonder the Government has not made a start in this direction.

Mr. NULSEN: I hope the Government will not close down that office. I would be very disturbed if it did. Regarding the Licensing Court, I was glad to hear the comments of the member for Subiaco, who said that the hotels in this State compare very favourably with those in the Eastern States. In this State I have found that the hotels in the country compare very favourably with those in the metropolitan area. The two in Norseman are equivalent in standard to a number of hotels in the city. All in all, the Licensing Court has performed its functions admirably.

Mr. Wauhop, the ex-chairman of the Licensing Court, took a very keen interest in his work, for which he is to be commended. The present chairman (Mr. Hunt) is also very keenly interested in his work, and often he travels around the State on inspections of the hotels. Being a businessman, he finds, at times, that it is difficult to enforce the licensing laws, because some hotels are not in a position financially to comply with all the requirements. But, wherever possible, the licensing law is enforced. Consequently no complaint can be made against the Licensing Court. Mr. McEwan, the secretary of that Court, is a very able officer, and I want to compliment him on the fine work he does, and on his patience.

A very important department is the Public Health Department. I have worked with its officers for many years, and I must express my thanks to them for their co-operation in carrying out all the duties of that important organisation. Dr. Henzell, the Commissioner of Health, is a very capable and hard worker, and this State is fortunate in having his services. One cannot find many people who are more obliging than Mr. Devereux, the Under Secretary of the Public Health Department. He is a valuable officer holding an important position. Another officer, Mr. H. R. Smith, is in charge of the