

Queensland



Parliamentary Debates
[Hansard]

Legislative Council

TUESDAY, 10 NOVEMBER 1896

Electronic reproduction of original hardcopy

LEGISLATIVE COUNCIL.

TUESDAY, 10 NOVEMBER, 1896.

The PRESIDING CHAIRMAN took the chair at half-past 3 o'clock.

APPROPRIATION BILL No. 3.

ASSENT.

The PRESIDING CHAIRMAN announced the receipt of a message from the Governor intimating that the Royal assent had been given to this Bill.

DREDGING THE NARROWS.

Plans of the proposed cutting at the Narrows, between Gladstone and Keppel Bay, agreed to by the Assembly, were received by message and laid on the table.

STATISTICAL RETURNS BILL.

SECOND READING.

The POSTMASTER-GENERAL: This is a Bill intended to facilitate the collection of statistical information. Our present system of collecting statistics is an annual one. It is quite evident that in many departments of industry in the colony the returns from these annual statistics come too late to be of any practical assistance or benefit. In other places we see periodical returns made showing, let us say, the quantity of cereals or other crops under cultivation, and the quantity of produce from those crops from time to time accurately ascertained and reported. There can be no doubt that the possession of reliable information on those details, coming at an opportune time, is of very great advantage indeed to all those who are concerned in the industries affected. If hon. gentlemen will take one article of produce—say, that of maize—by way of illustration, they will find that at present it is almost impossible to ascertain whether the supply of maize in the colony is adequate to the requirements of the colony, more especially of the Northern districts, whither large quantities are periodically sent. In consequence of this uncertainty, at times prices go up abnormally high, and at other times they go very much lower than they ought to go. This uncertainty affects greatly the price which the producer ought to get for his produce. Many other similar illustrations might be given. The desire is to anticipate, as far as possible, each

season the quantity of each particular class of produce which is grown and which will be required, so that consumers will be able to know whether there will be sufficient for their requirements available in the markets of the colony, or whether they will have to send out of the colony for their supplies.

The Hon. P. PERKINS: They are importing maize from New South Wales now.

The POSTMASTER-GENERAL: Maize is often imported from New South Wales when it is held in the hands of farmers here who do not know, and have no means of knowing, whether the price they are offered is a fair or reasonable price under the circumstances, which ought to be known in the colony. In a time of scarcity it is of great advantage to consumers to know that there will be a shortage, so that they may have an opportunity of making provision in due time by the importation of what they require to supplement the local deficiency. On the other hand, in seasons when there has been a very large surplus quantity produced above the probable requirements, it is equally a great advantage to the producers to know that there is an over-production. They will then be able to take steps for the conversion of their produce into some other form of marketable commodity. This Bill gives the Registrar-General power, from time to time, to acquire information from any particular persons he chooses; they are to give the details according to forms to be approved by the Governor in Council. Of course if the powers sought to be given were abused, the Bill might cause inconvenience; but in view of the object sought, and the manner in which similar measures have worked elsewhere, and the beneficial results derived therefrom, I trust the House will give its endorsement to the measure. I move that the Bill be now read a second time.

The Hon. C. H. BUZACOTT: Every member of the House who has given any attention to the importance of public statistical information will give the Government credit for their desire to introduce a measure which will enable statistics to be collected with more system and more accuracy than is at present possible. What may be called the science of statistics is a modern development. In England it did not begin, so far as the Government were concerned, until 1832; but since that time it has gone on developing, and now the Board of Trade has a statistical department, whose business it is to collect and publish annually most valuable returns with respect to trade and various other matters of public interest. In America the science has been carried to a very important extent. There and in some of the Continental countries they obtain far greater, more accurate, and more useful information than in England. They not only obtain the information and publish it, but they publish comparative tables and analyses. The returns are dealt with not only from an arithmetical point of view, but also from a geometrical point of view. An arithmetical average may be perfectly accurate as a matter of figures, but it may convey the most false impression to the reader. The only thing one can regret is that this question has not been dealt with long before in Australia, and especially in Queensland. To show what a waste of labour, of paper, and of money is involved in the unsystematic and unscientific collection of statistics, I may quote a remark made by Mr. Robert Giffen, one of the most eminent statisticians of the age. He informed the Official Statistics Committee in 1881 that no less than 1,000 pages of superfluous matter were printed in the population statistics of the United Kingdom, and that the want of uniformity rendered the voluminous returns of small value for comparative purposes. Another witness before the

same committee—Mr. Lack, the librarian of the House of Commons—spoke to much the same effect and dilated on the importance of the comparative method to arrive at the economic significance of the figures. In order to make comparisons the returns must be accurate. In Australia attention has been frequently called to the matter. So long ago as 1873, at an inter-colonial conference, it was determined that it was desirable to have uniform statistics prepared, and at a conference of Government statisticians at Hobart in 1875 it was recommended to compel public officers connected with either the central Government or the local authorities, and public companies and institutions, to render accurate statistics to the Government under a penalty. The compulsory recommendation has not borne much fruit, except with regard to certain matters in which accurate returns were required for purposes of taxation. In only one colony has a general compulsory law been enacted, and that is Tasmania. In several colonies, in respect of the five-yearly or ten-yearly census returns, a penalty has been imposed upon persons for refusing or wilfully neglecting to send in the returns they were asked to supply. This is a matter which is of very close interest to every person in the colony. You cannot exaggerate the importance of getting public statistics relating to the affairs of government and the industry and commerce of the country. But often the demand for statistics presses very closely upon the social life of the community, and there is a danger that it will invade the sanctity of private life. Those of us who have lived in England know what exasperation was caused some years ago when the particulars under the ten-years Census Acts were first demanded. The strongest objection was taken to the religious requirement. It was held by a large number of persons that the authorities had no right to compel any man to divulge his religious belief, and the objection was taken to such an extent that the demand became practically nugatory. In New South Wales the Census Act of 1890 recognised this sentiment so strongly that a proviso was inserted to the effect that "it shall not be compulsory on the part of any person to state the nature of the religious faith, if any, professed by such person." And there are other matters which may be held to have an important bearing on public affairs but which people will be disposed to regard as an invasion of the sanctity of private life; therefore it is imperative, I think, that Parliament, as the guardian of the rights and liberties of the people, should take very good care, when it empowers officials to procure information, to impose safeguards against what I may call improper curiosity. Although information of this kind may be required by Government officials in perfect good faith, being considered necessary for the purpose of demonstrating some particular feature of the social or moral condition of the people, I think hon. gentlemen will perceive that when a Bill is introduced requiring persons to furnish information under a penalty of £10 for default, the legislature is bound to demand that some indication should be given in the statute as to the particular kind of information that will be required, and that some guarantee should be afforded to the subject that he will not be compelled to disclose affairs which are his private property. I have already pointed out on high authority that statistics, if not accurate, are not only misleading and valueless, but are often calculated to do harm and cause legislation to be passed which is not justified by the actual circumstances of the case; and now I will show what has happened in this colony. The Treasurer, two years ago, found that the method of valuing the imports by the Custom-house was

to take the invoice values of the commodities at the places from which they were imported; and he held that the information we required was what the imports cost the people, including freight, insurance, and other expenses. He therefore directed the Customs authorities to alter their mode of valuation, and I think his instructions were to add an amount roughly assumed to average about 10 per cent. to the invoice value of the imports. What has been the effect of that? According to the returns shown by the Treasurer's Statement, the imports into Queensland for 1895 exceeded the imports of the previous year by slightly over £1,000,000. I have gone into this matter, and as far as I can make out from the information given to me by a high official—it was impossible to obtain the exact amount—about £750,000 of the £1,000,000 added to our imports was due to the altered mode of valuation by the Customs. I do not complain of the alteration; I agree that it was a proper alteration. It was not made until the other colonies had been communicated with in order to bring about the adoption of a uniform method, and as the other colonies could not be got to agree the Treasurer decided that their refusal to agree was no excuse for Queensland collecting inaccurate statistics. But what I complain of is that these tables showing the increase in our imports do not contain a footnote pointing out how the increase has been arrived at. I have seen it stated in the southern papers that the imports of Queensland show the remarkable increase of £1,000,000 sterling, or 20 per cent., on the previous year's imports. Really there has not been that increase; therefore the information is misleading. In another matter also I will show the importance of a more accurate mode of preparing statistics. The other colonies have what are called re-exports. Sydney receives commodities for Brisbane, enters them amongst her imports, and re-enters them amongst her exports. The effect of this is to unduly swell the trade returns of Sydney, and by comparison to unduly depress the trade returns of Queensland ports. The same thing occurs at Melbourne, and at Adelaide more or less. Mr. Coghlan has pointed out this inaccuracy, and in his most valuable work, "The Seven Colonies of Australasia," has endeavoured to ascertain as nearly as possible the value of the re-exports and deduct them from the New South Wales and Victorian trade returns. It is therefore obvious that the first condition of collecting statistics is that they should be accurate; and I hail with the greatest pleasure any attempt to introduce an improved system into this colony. Now, the question arises whether the Bill before the House is one calculated to meet the public requirements in this respect. I have studied it with care, and I think it asks Parliament to confer upon the Registrar-General, acting with the approval of the Governor in Council, powers for obtaining information from the subject which are not given to any Government or any officials in the Anglo-Saxon world except in the little colony of Tasmania. That colony, two years after the meeting of statisticians in 1875, passed a Bill chiefly dealing with municipalities and public institutions, and imposing a penalty upon officers responsible for the returns if they failed to send in those returns completely and accurately filled in within the time prescribed by the Registrar-General. In Victoria there is a similar provision in the Local Government Act in relation to the returns required from municipalities and shires; but, as far as I know, there is no provision of the kind in any other statute in that colony. In New South Wales there is no compulsion, and a friend of mine who recently had an interview with Mr. Coghlan tells me that Mr. Coghlan informed him that

the returns asked for were in nearly all instances voluntarily sent, and there was no compulsory legislation about it. The only compulsory legislation in the mother colony is with regard to the collection of the census returns. Under our last Census Act the Registrar-General was empowered to require certain information relating to the commercial, industrial, and social progress of the people; but the lines on which he was to proceed were laid down in schedules to the Act. In those schedules each item of information which the Government were entitled to require was set forth in the most comprehensive and detailed way. What the Bill now before the House aims at is not to make an exceptional return or to collect statistics for the purpose of a census, but to keep up a constant succession of returns, monthly, quarterly, or annually, as the Registrar-General, with the approval of the Governor in Council, may in his wisdom desire. Not only does this Bill adopt the method pursued in Tasmania, but I find that it is composed almost entirely of clauses cut out of the Tasmanian Act. I maintain that this subject is worthy of far more careful and elaborate treatment than it has received, and that the passing of such a measure as this in its present inchoate, tautological, and absurd state would be an invasion of the rights and privileges of the people of Queensland. I will just refer to the clauses—not in detail, but, as I intend to give notice of rather important amendments, I think it is due to the House to be informed to some extent of what I propose. I may mention that clauses 2 and 3 are surplusage; they are both sufficiently provided for by the Acts Shortening Act. Clause 4, however, is the main clause of this Bill and the most objectionable. I cannot explain it to the House without asking permission to read it, as follows:—

“For the purpose of collecting and publishing statistical information for public purposes, the Registrar-General may prepare and deliver to such persons as he sees fit such forms and in such manner as he deems necessary, the same having been first approved of by the Governor in Council, for procuring such information as aforesaid, in order that such forms may be filled up by such persons and returned to him, and such forms shall specify the nature of the information required by the Registrar-General, and such persons shall within one calendar month after the delivery of such forms fill up, or cause to be filled up, the same with such information, to the best of their knowledge, information, and belief.”

There is an example of tautology, intricacy, and ambiguity. I presume that what the author of the clause meant to convey was that no form could be issued demanding information from a subject until it had received the approval of the Governor in Council; but the clause does not say so. Then the forms are to be returned to “him.” Does that mean the Governor in Council or the Registrar-General? With regard to the concluding portion of the clause, what was wanted was not only that the forms should be filled up but that they should be returned. That, however, is not stated; but the following clause imposes a penalty on any person who refuses or wilfully neglects to fill up a form, inserts a false statement in a form, or refuses or wilfully neglects to return the same within a month. That matter of returning the form should be the most important part of the enacting clause, the enacting clause being the preceding one. All that is required is that a person shall fill up the forms; it says nothing about returning them. The penal clause is a very long and ambiguous one. I should like to call the attention of the House to the fact that the penalty is added on to subsection 3, as if it were intended to apply only to that subsection. The concluding paragraph of the clause is ambiguous, to say the least of it. Clauses 6, 7, and 8 are equally unsatisfactory, but I need not weary the

House by dwelling upon them. The first paragraph of clause 10 is a very extraordinary one. It provides that—

“The production of a certificate under the hand of the Registrar-General stating the contents of any letter and the date thereof shall be *prima facie* evidence of the contents of such letter and of the receipt thereof by the defendant.”

This is about the most singular enactment I ever came across. Of course it should read that the production of a certificate under the hand of the Registrar-General stating the contents of any letter addressed to the defendant, and the date on which the letter was posted or otherwise delivered, shall be *prima facie* evidence. To say that the mere putting in of a letter shall be evidence of its delivery is absurd. I will not detain the House longer. I have given the subject a great deal of thought, and I am earnestly desirous to promote the object the Government have in view, but I have come to the conclusion that the House ought not to pass the Bill in the form in which it is presented to-day. Having arrived at that conclusion, I asked myself, What should we do with the Bill? Should we reject it on the second reading? I felt very reluctant even to suggest such a procedure to the House, although from what has recently transpired it would appear that our liberty to read a Bill a second time and then make important alterations in it has been questioned. I hope, however, if the House determines to pass the second reading, that it will accept the amendments, or some of them, which I hold in my hand, but which I will not trouble the House with now. I may say in a few words that they supply the deficiencies of the Bill. They remove its crudities and ambiguities, and make it what I believe hon. members will consider, on careful reflection, a most valuable measure. I hope, therefore, the Postmaster-General will be disposed to depart from the practice he has followed on previous occasions and be willing to give serious consideration to the suggestions I intend to submit for the amendment of the Bill, and making it a really valuable measure for obtaining public statistical information. I repeat that I am doing this in a most friendly spirit to the Government. I regret that I should have to suggest amendments, but I contend that if the other House, in its haste, sends us measures in a crude state, it is our duty to so amend them that they will carry out the objects they are intended to attain. I will ask to have my amendments printed and circulated, and I hope the Postmaster-General will allow the committal of the Bill to stand over until, say, this day week. We have no important business before us, and I do not think it is necessary for the House to sit to-morrow. If he would be kind enough to give the House time for reflection and examination of this important question—the momentousness of which is in no way indicated by this small Bill—many of us would feel grateful to him.

The Hon. G. W. GRAY: I agree with a great deal that has fallen from the Hon. Mr. Buzcott. The Bill proposes to give a great deal too much power to the Registrar-General. The forms, I suppose, will be similar to those issued in the other colonies. If they are, and if the Registrar-General is unable to get the information required, it will be the fault of the office. In any case, I think the forms required should be scheduled in the Act. To be compelled to give the Registrar-General whatever information he may demand is going a little bit too far. It is all very well to say that the forms must be approved by the Governor in Council, but we know that if the Registrar-General asks for information on certain forms it will be approved. Information that is now asked for, in connection with manufacturing industries, is apt to leak

out. A case came under my own knowledge recently where information was divulged which certainly ought not to have been. I would also point out that returns asked for by the Registrar-General are repeated through the Custom-house, and this gives a great deal of unnecessary trouble to manufacturers and others. I am, therefore, disposed to support the Hon. Mr. Buzacott in his contention that the Bill gives too much power to the Registrar-General, and I hope it will be considerably amended in committee.

The HON. A. C. GREGORY: The Bill does not appear to me to require any further information than it is now the practice to furnish in the other colonies. It is very important that people should no longer be allowed to fill up the returns with all sorts of nonsense and rubbish, and omit to give any real returns at all. If statistical returns are to be of any use they must be carefully collected and fairly accurate. Complete accuracy is, of course, in many cases impossible, but we can get quite sufficiently near it for all ordinary purposes. In that respect the Bill will be useful, although it is quite possible to administer it in such a way as to create a vast amount of inconvenience. But we must remember that the forms are to be approved by the Governor in Council, who are not likely to sanction anything unreasonable. It is very important that the returns should be published promptly, and at frequent intervals, instead of being made up at the end of the year and issued months after all their immediate interest has vanished. One great object should be to ascertain the state of the various crops, so that merchants may know at an early date whether imports will be required or not. Those special returns, I presume, will be published at the earliest possible moment. There need be no fear, I think, that the Government are going to be absurd and nonsensical with regard to compelling returns which will be of no use. Therefore the second reading of this Bill may safely be passed. There may be some minor alterations proposed in committee. But those are details, and I am only speaking now of the general principles of the measure. It is very desirable that our returns should be as accurate as possible, and that they should be published at those periods of the year when they will be most useful.

The HON. J. C. HEUSSLER: There is no doubt the Bill confers great power on the Registrar-General, and I am glad that such is the case, especially as whatever he does under it must be authorised by the Governor in Council. We may rest assured that he will not be allowed to ask for anything unreasonable. I, for my part, have the fullest confidence in their discretion. It would be a difficult matter to print in a schedule all the forms that may be required, as they must vary from time to time. I fail to see what mysteries there may be that we should be afraid to divulge. The Hon. Mr. Buzacott referred to religious returns in the census papers. Why should a man be afraid to let the world know to what church he belongs? We express our opinions in our common conversation without the slightest hesitation. Reference has been made to the unreliableness of statistical information. That is quite correct; nothing can be more misleading than a mass of undigested statistics. With regard to the alterations made in the Customs returns, to which allusion has been made, I quite agree with them. The hon. gentleman maintained that invoices from abroad should not be taken by themselves, but that 10 per cent. for freight and interest should be added. That would be just as fallacious as if you took the imports alone, because the cost of importing one article may be 5 per cent., and of another 150 or 200 per cent. of its value. With

regard to the time of collecting returns, I may inform the House that on the Continent they are mostly collected monthly, and are issued monthly, quarterly, and annually, the yearly issue giving a great deal of information throwing light upon the significance of the statistics. It has been said that not sufficient information in that respect is given, and I must say that something more might be done to make these statistics clear. For the rest, I agree with the Hon. Mr. Gregory that this Bill, with a few small amendments, will be sufficient; and I shall support the second reading.

The HON. A. H. BARLOW: My hon. colleague agrees with me that this Bill is susceptible of improvement in committee, and I think we are indebted to the Hon. Mr. Buzacott for his criticism. A Minister in charge of a large department cannot find time to scrutinise every word of a Bill. I regret that this Bill passed through the other House in its present state, and I may say that any verbal alterations such as the hon. gentleman suggests will be accepted.

Question put and passed; and committal of the Bill made an order for to-morrow.

The House adjourned at twenty-seven minutes to 5 o'clock.