Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

THURSDAY, 12 MARCH 1964

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Mr. SPEAKER (Hon. D. E. Nicholson, Murrumba) read prayers and took the chair at 11 a.m.

QUESTIONS

SOCIAL SERVICE BENEFITS IN AUSTRALIA.—Mr. Murray, pursuant to notice, asked The Minister for Education,—

(1) Has his attention been drawn to a statement on page 42 of *Our Pacific Neighbours* by Professor Norman Harper of Melbourne University, a book currently being studied by our Senior year students, which says in effect that most of the Social Service benefits being enjoyed by Australians were introduced by a Labor Government during the last war?

(2) Will he outline the true facts to the House and indicate what action he will take to correct this misleading information?

Answers:—

(1) "No, but I am pleased that the Honourable Member has drawn my attention to the gross inaccuracies on page 42 of the book which deals with Social Services. It says, *inter alia*—"Most of the Social Service benefits were introduced during the last war by the Labor Government: child endowment and hospital benefits, 1941; maternity allowances and widows' pensions, 1943; and sickness and unemployment benefits, 1945."

(2) "It is a malicious untruth for the Professor to state that generally most of the benefits were introduced by Labor and specifically to claim that Labor introduced child endowment when the facts are otherwise. Over 70 per cent. of the money paid today in social services is as a result of legislation introduced by a non-Labor Government. When Labor left office in 1949 an amount of £81,000,000 was paid for social services, whereas an estimated £439,000,000 will be paid this financial year. The two costliest social service benefits, old age pensions and child endowment, were both introduced by non-Labor Governments. Besides, a most comprehensive hospital and medical benefits scheme was also introduced by the late Sir Earle Page on behalf of the Menzies Government in 1953. A full and correct list of the social service benefits is as follows: Introduction of Social Service benefits in Australia—Age Pensions, introduced by non-Labor Government, 1909; Child Endowment (other than first child), non-Labor Government, 1941; Child Endowment (for first child), non-Labor Government, 1950; Commonwealth Rehabilitation Service, Labor Government, 1948; Funeral Benefit, Labor Government, 1943; Invalid Pension, Labor Government, 1910; Maternity Allowance, Labor Government, 1912; Sickness Benefit, Special Benefit, Unemployment Benefit, Labor Government, 1945; Supplementary Assistance, non-Labor Government, 1958; Widows Pension, Labor Government, 1942; Wives and children's allowances for pensioners who are invalids, Labor Government, 1943; Aged Persons Homes Act, non-Labor Government, 1954; Disabled Persons' Accommodation Act, non-Labor Government, 1963; Elimination of discrimination against Aborigines, non-Labor Government, 1959; Student Endowment, non-Labor Government, 1964. I intend to draw the attention of the University to the inaccuracies in Professor Harper's book and will see that all history teachers receive a circular based on the table I quoted. Before doing so, I will give the Opposition the Opportunity to object to any part of the statement which they deem to be inaccurate."

APPLICATIONS FOR SITES, MT. GRAVATT AND HOLLAND PARK SHOPPING CENTRES.—Mr. Newton, pursuant to notice, asked The Minister for Works,—

Has the Queensland Housing Commission received any further enquiries from business people in relation to the following shopping centres for sites (*a*) Kingsway Street, Mount Gravatt, (*b*) Badminton Street, Mount Gravatt East, and (*c*) Seville Road, Holland Park?

Answer:—

"(*a*) No. (*b*) Yes. (*c*) No."

HOURS OF OPERATION OF TOTALISATOR AGENCIES.—Mr. Duggan, pursuant to notice, asked The Treasurer,—

(1) Does the Government approve of the proposed action of the Totalisator Administration Board in extending its hours of operation from 5 p.m. until 8 p.m. on Friday, April 24 next?

(2) If so, what is the justification for giving the board the right to amend trading hours to suit its convenience when such authority is denied to other businesses in the community?

(3) If the answer to Question (1) is in the negative, will the Government issue instructions to the board to conform to the normal trading hours to 5 p.m.?

Answer:—

(1 to 3) "The Government has made it clear that, under the present concept of Anzac Day observance, T.A.B. Agencies must not operate on that day. As on a previous occasion, the T.A.B. proposes to open on the previous evening. This is not a breach of the Factories and Shops Act or any industrial award, which have no application to a T.A.B. Agency insofar as opening and closing hours are concerned. Apart from that, my Government sees no reason why it should play into the hands of the illicit S.P. bookmakers by creating the very situation in which they would flourish. Racing will take place in the Southern States, and Queensland people will bet. To deny a legal opportunity merely induces many people to break the law."

NEW SUPREME COURT AND COURT HOUSE, TOWNSVILLE.—Mr. Aikens, pursuant to notice, asked The Minister for Justice,—

Has any decision been reached with regard to the erection of a "Hall of Justice" or similar building in Townsville to replace the present dilapidated Supreme Court building and the obsolescent Court House and, if so, will he inform the House as fully as possible on the matter?

Answer:—

"No. Detailed departmental reports on several aspects for the purpose of assisting in selecting the future site or sites for the replacement buildings are now being obtained."

SUPREME COURT JUDGES.—Mr. Aikens, pursuant to notice, asked The Minister for Justice,—

(1) For what period did the Supreme Court Judges cease work during the recent Christmas vacation?

(2) Did Mr. Justice Gibbs work as Royal Commissioner during any part of his vacation and, if so, for what period or periods?

(3) Will he be paid overtime or granted extra leave for working during these periods and, if not, what recompense, if any, will be made to him for so doing?

Answers:—

(1) "The Court vacation for the year 1963-1964 commenced on Monday, December 23, 1963 and ended on Friday, February 14, 1964. During that time, however, Judges of the Supreme Court were engaged for a period in Criminal work and hearing Chamber applications and in writing reserved judgments."

(2) "Mr. Justice Gibbs worked as a Royal Commissioner during the whole of the vacation except for a period of three weeks including the Christmas and New Year holidays."

(3) "During the course of the year, Mr. Justice Gibbs will take leave for working during that period."

NON-COMMISSIONED POLICE OFFICERS, AYR.—Mr. Coburn, pursuant to notice, asked The Minister for Labour and Industry,—

(1) What are the classifications of the non-commissioned police officers at Ayr and on what basis were these classifications determined?

(2) Are non-commissioned police officers of higher classifications attached to towns of comparable size to Ayr and, if so, for what reason?

Answers:—

(1) "Clause 4 of the Police Award—State provides for the classification of Police Stations and their positions in the Force, which entail the control and superintendence of subordinates. It provides also that the Commissioner of Police shall have the right to depart from the strict letter of any arrangement, when the conditions in the judgment of the Commissioner of Police necessitate such departure. Due consideration is given by him, when assessing ths classification of Police Stations, to the provisions of the Award, and also

to the particular requirements of the town or centre, and to the surrounding Police Division. The non-Commissioned Police Officers at Ayr are one Senior Sergeant, one Sergeant 2/C, and one Detective Sergeant 2/C. These classifications are based upon the provisions of the Police Award and the particular requirements of the township of Ayr and surrounding Police Division."

(2) "It is not practicable to determine the classifications of Police required in one town by the comparison of that town's requirements with those of other towns of similar size. The principal factors requiring consideration are shown in the concluding sentence of the answer to Question (1). However, the position is continually under review, and appropriate action will be taken by the Commissioner to vary the present position if and when it is considered such action is warranted."

INSPECTION OF BUTCHERS' SHOPS, BRISBANE.—Mr. Melloy, pursuant to notice, asked The Minister for Primary Industries,—

(1) How many registered butchers' shops are there in the Greater Brisbane area?

(2) How many slaughtering inspectors are engaged in the inspection of these shops?

(3) What are the regular inspection periods?

(4) How many prosecutions have been launched against the proprietors of these shops in the five-year period ended December 31, 1963?

(5) How many of these prosecutions resulted in convictions?

Answers:—

(1) "There are 632 registered butchers' shops in the Greater Brisbane area."

(2) "Staff engaged in the inspection of these shops comprise one Senior Inspector and three Division I Inspectors full time and two Division II Inspectors on a part-time basis."

(3) "Inspections are usually made at fortnightly intervals but frequently are made more often."

(4) "Fourteen prosecutions have been launched since November, 1959. Seven of these were for using newspaper for wrapping meat, five were for the carriage of meat in vehicles not registered for meat delivery, one was for faulty shop hygiene, and one for failure to obey the order of an Inspector relating to the use of unregistered premises."

(5) "All prosecutions were successful."

ASSISTANCE TO YOUTH ORGANIZATIONS.—Mr. Newton, pursuant to notice, asked The Premier,—

Is he aware of the request made by Mr. G. A. Hall, Chairman of the Greater Brisbane youth clubs, as reported in *The Courier-Mail* of March 9, 1964, particularly to the recommendations which would assist youth organizations? If so, what consideration, if any, does he intend to give to these recommendations?

Answer:—

"The welfare of the youth of Queensland has been, since 1957, in sympathetic and capable hands. Any reasonable representations made to the Government through the appropriate channels for an advancement in the conditions obtaining before our Government's assumption of office will receive every consideration. It should be borne in mind that the Government's objective in regard to improving the welfare of our young people is presently directed mainly towards those children in the more tender age groups. The bulk of our financial allocation for youth welfare is initially being channelled in this particular direction, but our ultimate aim is to provide safe, secure and sound social conditions for every young Queenslander."

SPEED LIMITS ON OLD CLEVELAND ROAD, BELMONT.—Mr. Newton, pursuant to notice, asked The Minister for Mines,—

(1) Has the engineering survey been completed by the Main Roads Department in relation to speed-zoning Old Cleveland Road from Creek Road to Capalaba township?

(2) If so, has any recommendation been made to install speed limit signs in Old Cleveland Road between Creek Road and Mount Petrie Road, thus reducing the speed of motorists passing by the Belmont State School and township?

Answers:—

(1) "Yes."

(2) "Details of the survey are being examined with a view to determining the desirable speed limits."

STAFFING OF POLICE STATIONS, BELMONT-CAPALABA AREA.—Mr. Newton, pursuant to notice, asked The Minister for Labour and Industry,—

In view of the Police Commissioner's statement, contained in a letter dated July 31, 1963, to me from the then Minister for Police, that a Police Station would not be built in Creek Road, Carina, has the staffing of adjacent stations and general plan of police development been carried out so as to give adequate protection and service to the general public from

Belmont tram terminus to Capalaba, which area in the past has been the responsibility of several police districts?

Answer:—

"The general plan of development and staffing of Police Stations in the area is still under review. Due consideration will be given to increasing Police strength at the Stations concerned, when additional personnel are available for the purpose."

BAUXITE MINED AT WEIPA.—Mr. Graham, pursuant to notice, asked The Minister for Mines,—

(1) What was the total tonnage of bauxite mined from the Weipa deposits in 1960, 1961, 1962 and 1963?

(2) To what countries was the bauxite shipped and what were the respective tonnages shipped to each country?

(3) What amount of royalty was received by the Government during the same period?

Answers:—

(1) "Bauxite mined: 1960, 30,000 tons; 1961, 10,478 tons; 1962, 20,759 tons; 1963, 285,330 tons."

(2) "Shipments: 1960, Nil; 1961, 30,627 tons to Japan, 9,851 tons to Bell Bay; 1962, 12,289 tons to Bell Bay, 6,470 tons to Europe; 1963, 71,594 tons to Bell Bay, 33,582 tons to Europe, 98,439 tons to Japan."

(3) Royalties: 1960, Nil; 1961, £1,012; 1962, £469; 1963, £5,090."

PSYCHIATRIC BLOCK AND CHILD GUIDANCE CLINIC, TOWNSVILLE.—Mr. Tucker, pursuant to notice, asked The Minister for Health,—

In view of his statement as reported in *The Courier-Mail* of March 11, 1964, that plans for a £700,000 psychiatric block and child guidance clinic in Townsville are now on the drawing-board, when will these facilities be available to Northern citizens?

Answer:—

"I am informed that the sketch plans will be completed within a week after which there will be considerable work involved in preparing the Working Drawings, Specifications and Bill of Quantities. I am anxious to commence this work at the earliest possible date and provided there are no unforeseen delays it is anticipated the job will be completed within approximately three years. The sketch plans will make provision in new buildings for 81 Adult psychiatric beds, 32 beds for Child Welfare and Guidance Clinic patients and 60 beds for a Children's Hospital, together with all necessary ancillary services for these sections including Outpatients and Day Hospital facilities."

DEPARTMENTAL CHARGES AGAINST DETECTIVE HALLAHAN.—Mr. Bennett, pursuant to notice, asked The Minister for Labour and Industry,—

(1) Is an investigation presently being conducted into the alleged suppression of evidence by the Crown at the Hallahan Inquiry conducted by Mr. Mark Hoare Q.C.?

(2) If suppression of evidence is proved, what action does he propose to take?

Answers:—

(1) "No. If the Honourable Member is referring to the fact that Campbell was was not called at the investigation, then it was because, to use the words and adopt the view of The Honourable Mr. Acting Justice Lucas as he then was, 'what was done amounted on the respondent's own evidence to a fraud on the Court.' The respondent, of course, was Hallahan. The whole of the evidence given by Hallahan before the Full Court was tendered in evidence at the investigation by Mr. Hoare."

(2) "See Answer to Question (1)."

14. LEGALISING OF PIN-BALL MACHINES.—Mr. Bennett, pursuant to notice, asked The Minister for Justice,—

(1) Does he intend to legalize pin-ball machines and other machines of chance for installation in clubs and other places, as are poker machines in New South Wales?

(2) Has he given certain individuals, clubs and organizations an assurance that the machines will be legalized?

Answers:—

(1) "No."

(2) "No."

RADIO TRANSCEIVER ON PILOT LAUNCH "BOYNE".—Mr. Davies for Mr. Hanson, pursuant to notice, asked The Treasurer,—

Under Section 138 of the Queensland Marine Act, where provision is made for radio-telegraph and radio-telephone installations for transmitting and receiving messages in sea-going ships, why has the Queensland Government pilot launch, *Boyne,* stationed at Gladstone and used by the harbour master no such installations?

Answer:—

"This is one of the ill-equipped relics which we inherited from the previous Government. All pilot vessels including the *Boyne* are being equipped with radio transceivers which have been purchased."

IRRIGATION SCHEME IN TUMOULIN AREA.—Mr. Willis-Smith, pursuant to notice, asked The Minister for Local Government,—

Further to my Question on November 7, 1963, concerning an irrigation scheme in Tumoulin area, has the survey been completed and is it his intention to implement this scheme in the near future?

Answer:—

"The investigation is not yet complete. A considerable amount of work has still to be done before a complete assessment of the proposal will be possible."

RENTAL REBATES TO GOVERNMENT EMPLOYEES IN REMOTE AREAS.—Mr. Wallis-Smith, pursuant to notice, asked The Minister for Works,—

(1) In view of the high cost of providing Queensland Housing Commission homes in remote parts of the State, will he give consideration to granting a rebate of rental, particularly to compulsorily-transferred Government employees, which will make its rental charges comparable with those charged for similar homes in the metropolitan and provincial areas?

(2) If this is not practicable, will he consider recommending to the Treasurer the granting of a special subsidy to semi-Governmental bodies who are obliged to provide accommodation for key personnel in remote areas?

Answers:—

(1) "The 1945 Housing Agreement contains provision for rental rebates based on family income and such provision is applied to all persons eligible therefor who occupy houses constructed under that Agreement. The 1956 and 1961 Agreements do not contain any provisions for rental rebates and the respective tenants are required to pay economic rents. The Commission endeavours to keep rentals, particularly in the remoter parts of the State, as low as possible, but a special concession cannot be given to a particular class of tenant on the ground that his employment makes him subject to compulsory transfer. It must not be overlooked that district allowances are paid under most awards in recognition of higher living costs, which necessarily include rents, in comparison with costs in metropolitan and provincial areas."

(2) "Subsidies to semi-governmental bodies do not come within the scope of my Department, and this would be a matter for approach to the Treasury by the bodies concerned."

COOKTOWN WATER SUPPLY.—Mr. Adair, pursuant to notice, asked the Minister for Local Government.—

As Cooktown, one of the earliest settled and most important towns in Queensland, is without a town water supply and for three months of the year residents are forced to pay for the cartage of water from Council-owned wells, will he take up with the Administration of the Cook Shire the urgent necessity for the implementation of a suitable reticulated water supply for the town?

Answer:—

"The Honourable Member is aware that the matter of a reticulated water supply for Cooktown has received consideration from time to time. I will again give further consideration to the matter."

THURSDAY ISLAND WATER SUPPLY.—Mr. Adair, pursuant to notice, asked The Minister for Local Government,—

As an increased water supply for Thursday Island is an urgent necessity, what plans are in hand for the extension of the present scheme?

Answer:—

"I desire to inform the Honourable Member that arrangements are being made to investigate possible underground sources of water to augmentate the existing supply. There is no shortage of water on the Island at present."

TRANSPORT CONCESSIONS TO PENSIONERS.—Mr. Bromley, pursuant to notice, asked The Minister for Labour and Industry,—

In view of the fact that pensioners receive concessions on rail trips, will he give consideration to arranging for the granting of similar concessions to pensioners on buses and other transport that are or will be operating in the areas where railway lines have been and will be closed?

Answer:—

"The concessions presently granted to pensioners by the Government are in respect of Government-controlled transport. The question regarding concessions to pensioners on any other means of transport, which do not come under the control of the Government, is not one for consideration by the Government, but by the persons who will be operating the transport provided in those areas."

PAPERS

The following papers were laid on the table:—

Orders in Council under—

The Fisheries Acts, 1957 to 1962.

The Abattoirs Acts, 1930 to 1958.

The Stock Acts, 1915 to 1960.

Regulations under—

The Hospitals Acts, 1936 to 1962.

The Poultry Industry Acts, 1946 to 1959.

The Slaughtering Acts, 1951 to 1958.

The Stock Acts, 1915 to 1960.

ELECTRICAL WORKERS AND CONTRACTORS ACT AMENDMENT BILL

INITIATION

Hon. A. W. MUNRO (Toowong—Minister for Industrial Development): I move—

"That the House will, at its present sitting, resolve itself into a Committee of the Whole to consider introducing a Bill to amend the Electrical Workers and Contractors Act of 1962, in certain particulars."

Motion agreed to.

MINERAL RESOURCES (ADJACENT SUBMARINE AREAS) BILL

INITIATION

Hon. J. BJELKE-PETERSEN (Barambah—Minister for Works and Housing): I move—

"That the House will, at its present sitting, resolve itself into a Committee of the Whole to consider introducing a Bill to make provision with respect to the exploration and exploitation of the sea-bed and sub-soil of the submarine areas adjacent to the State of Queensland and its dependencies."

Motion agreed to.

GAS ACTS AMENDMENT BILL

INITIATION

Hon. J. BJELKE-PETERSEN (Barambah—Minister for Works and Housing): I move—

"That the House will, at its present sitting, resolve itself into a Committee of the Whole to consider introducing a Bill to amend the Gas Acts, 1916 to 1952, in certain particulars."

Motion agreed to.

CHURCHES OF CHRIST, SCIENTIST, INCORPORATION BILL

INITIATION

Hon. P. R. DELAMOTHE (Bowen—Minister for Justice) (11.28 a.m.): I move—

"That leave be given to introduce a Bill to incorporate certain Churches of Christ, Scientist, and to provide for the incorporation of other Churches of Christ, Scientist, in the State of Queensland, and for other purposes; and that so much of the Standing Orders relating to private Bills be suspended so as to enable the said Bill to be introduced and passed through all its stages as if it were a public Bill."

This Bill has been requested by representatives of Churches of Christ, Scientist, in Queensland. It makes provision for the incorporation of their churches in Queensland for the purpose of more effectively regulating their trusts and other business matters and for the general conduct of the affairs of their churches.

The Bill is of course, by accepted parliamentary rules of procedure, classified as a private Bill. While the Standing Orders of our Legislative Assembly provide for the introduction and passage of private Bills as such, I am advised that this has not been done for some 40 years. The practice over that period has been for the Government of the day, when satisfied that a citizen or a group of citizens has justifiable cause for requiring a private Bill, to have the measure dealt with as if it were a public Bill. This practice has the advantages that the procedure involved is simpler and is also familiar to hon. members.

Over the years quite a number of Bills have been passed on behalf of various religious denominations. According to the statutes index there are about 38 in all and, besides the one of which I am now speaking, there is notice on the business sheet of another, which is awaiting certain action by the authorities of the church concerned before introduction in the House.

Adherents of the Churches of Christ, Scientist, are adherents of the religious body or denomination which accepts and holds the principles, faith and doctrines known as Christian Science. The particular tenets of the denomination are set out in a Schedule to the Bill.

The denomination originated in Boston, United States of America, its foundress being Mary Baker Eddy. Christian Science is now an established religious denomination in North America, England and Australia.

Under its principles of church organisation, each church is a separate entity.

It is, of course, possible for the denomination's churches to be incorporated under the Religious, Educational and Charitable Institutions Act, and in fact four of its churches are already incorporated under that Act. They are the First, Second and Third Churches of Christ, Scientist, Brisbane, and the First Church of Christ, Scientist, Toowoomba.

However, the representatives in Queensland have found that the Religious, Educational and Charitable Institutions Act does not provide a method of incorporation which is adapted to the requirements of their church organisation. Consequently these representatives have requested the Government to give them their own special Act.

The request when first made was based on the Victorian Churches of Christ, Scientist, Act, 1958, which was passed on 5 November, 1958. But, in the interval since the request was made, three other States have granted this denomination its own special Act.

These three States are:—

New South Wales—the Churches of Christ, Scientist, Incorporation Act, 1962, operative as from 1 December, 1962;

South Australia—the Churches of Christ Scientist, Incorporation Act, 1963, passed on 28 November, 1963;

Western Australia—the Churches of Christ, Scientist, Incorporation Act, 1961, assented to on 20 October, 1961.

The request for this legislation has been considered by the Solicitor-General, who has advised that in his opinion there is no objection to granting the Bill as requested.

The Bill provides for the incorporation of two classes of churches. Firstly, there are the already existing churches that I have already mentioned—three in Brisbane and one in Toowoomba. The second class are churches that may be formed by the denomination in future.

The four existing churches are incorporated by the Bill. Procedural rules are laid down for future incorporation.

Briefly, these are that the new church must have been in existence for at least six months; its bona fides must be vouched for by the Mother Church in Boston; and three-quarters of the members must vote for incorporation at a special meeting.

Proof of compliance with the rules as to incorporation must be furnished to the Registrar of Companies and Commercial Acts. When this is done, the Governor in Council has discretionary power to grant incorporation. When incorporated, a church may make by-laws and rules regulating admission to its membership, the election, conduct and duties of its officers, the keeping of accounts and records, the safeguarding of its property and other matters which are its concern.

As respects property, the Bill gives to the Church wide powers to deal with its assets, but it must observe any trusts subject to which any property is donated to it.

Summed up, the Bill in general terms accords with the type of legislation that it is the long-established practice of this Parliament to grant to recognised and established religious denominations.

As far as it contains provisions that differ from other Acts of its type, the differences arise because of differing tenets and different methods of church organisation and for no other reason.

I commend the Bill accordingly.

Mr. DUGGAN (Toowoomba West—Leader of the Opposition) (11.35 a.m.): I do not want my calling "Not formal" to be construed as opposition to the introduction of the Bill and its passage through all stages as a public Bill. However, if it is considered sufficiently important to introduce a Bill of this kind, I think it is desirable that Parliament be informed of the reason why, and how it will affect generally those covered by its provisions.

Although this church in Queensland may not be one with a very large number of adherents, its members are dedicated men and women who work hard and, in addition to their spiritual duties and responsibilities, have accepted some very wide humanitarian responsibilities in the provision of such things as homes for elderly people. I commend the very good job they have done.

I inform the Minister that the Opposition is completely satisfied that there is justification for the introduction of the Bill, and the occasion affords an opportunity for commenting on the general work of this particular church group.

As this is the thirty-eighth Bill of the same kind that has been introduced, I am led to wonder whether some general formulation of principles could not be made to apply when these applications are made. Surely it should not be beyond the capacity of the department and its draftsmen to evolve a general set of principles which, if observed in their entirety, would obviate the need to introduce separate Bills. The passage of Bills costs quite a lot of money. People have to see the Under Secretary; he sends a memo to the Minister; it is then taken to Cabinet, following which it goes to the Parliamentary Draftsman. After that, there is the expense of printing, the time taken up in Parliament, the recording of speeches, and the cost of embodying the legislation in the statutes. No doubt the cost is not great compared with the total cost of preparing legislation, but it must amount to something not insignificant when multiplied by, so far, 38.

General conditions should be laid down, and then it would be open to hon. members to point out any reason why they should not be followed. If any member had the feeling that the Bill was defective in some way, consideration could then be given to withdrawing or amending it. I do not suppose that I am the first person to think of this and there may be good reasons why it cannot be done, but it seems to me that it would be a good thing if it could be done. Where money is appropriated by Parliament the Legislature should, of course, be consulted, and I do not want to deprive hon. members of the right to deliberate fully on such matters. To consider the position in other fields, if a person requires a house from the Housing Commission a private Bill is not introduced simply because he is a Catholic, an Anglican, or a Seventh Day Adventist. He conforms, or he does not, to the requirements laid down.

I think that perhaps this matter could be looked at to see whether some legislative provision could be made to enable people to conform strictly to the requirements considered desirable in the public interest without our having of necessity to discuss these matters individually from time to time. That is something that I throw in for consideration at a later stage.

I do not propose to say anything further on the Bill. The Minister has acceded to the request of this church for what is given to other denominations. For those

reasons, I indicate that the Opposition fully supports the Minister in the action he is taking.

Hon. P. R. DELAMOTHE (Bowen—Minister for Justice) (11.40 a.m.), in reply: To reply briefly to the Leader of the Opposition, I might say that I am in full agreement with the proposal that he has outlined. As a matter of fact, action has been taken to consider the possibility of implementing it. The difficulty, of course, is that churches differ in their make-up, and it is not easy, therefore, to draft a sort of machinery Bill to cover them all. In this particular case, the Church of Christ, Scientist, is organised on completely different lines from most other churches, in that each church is an independent entity. It presented a particular problem that could be solved only by bringing down a separate Bill. However, I think it will be a very good thing when legislation can be brought down under which incorporation can be granted without the need to bring down a separate Bill.

Motion (Dr. Delamothe) agreed to.

FIRST READING

Bill presented and, on motion of Dr. Delamothe, read a first time.

JUSTICES ACTS AMENDMENT BILL

INITIATION IN COMMITTEE

(Mr. Gaven, South Coast, in the chair)

Hon. P. R. DELAMOTHE (Bowen—Minister for Justice) (11.44 a.m.): I move—

"That a Bill be introduced to provide for the exercise of the jurisdiction of justices under the Justices Acts, 1886 to 1963, in a magistrate's court, to amend the said Acts in certain particulars, and for other purposes."

The Justices Acts, 1886 to 1963, may be said, for the present purposes, mainly to prescribe the powers and duties of justices of the peace (including stipendiary magistrates) in both judicial and administrative spheres and, amongst other things, to set forth the procedures and practices of justices sitting as courts of petty sessions before which complaints of simple offences and breaches of duty are heard and determined.

Our Justices Act of 1886 embodied in one Act of Parliament provisions which before then were to be found in a group of Imperial Acts commonly known as Jervis's Acts, after Sir John Jervis at whose instance, as Attorney-General of England, they were passed.

Since 1886 the original Act has been amended from time to time but it might be noted that during that period it has been reviewed generally only once—in 1949—when the principle statutory alterations which resulted from that review related to appeals from the decisions of justices.

The Bill that was introduced in this Chamber last year to legalise the acceptance in these lower courts—subject to compliance with a certain prescribed procedure—of pleas of guilty in writing focused attention on omissions from a modern viewpoint in sections other than the appeal sections in those Acts.

Hon. members will recall that I had to introduce a special Bill last year to deal with pleas of guilty in writing because, although the practice had been accepted as normal procedure for a long period, suddenly it was discovered that there was no provision in the Justices Acts to cover it.

Before the introduction of the 1963 Bill these defects in the Acts had been recognised, and a committee consisting of Mr. L. Skinner (Under Secretary, Department of Justice), Mr. J. Moore (Chief Stipendiary Magistrate), Mr. L. Murray (Assistant Parliamentary Draftsman) and Mr. R. Matthews (Assistant Under Secretary, Department of Justice) had been appointed by the then Minister for Justice, Hon. A. W. Munro, to generally review these Acts. Included in the proposed measure is the result of that committee's deliberations.

It is not proposed to repeal the old Acts but only to amend them in order to preserve the well-known and still useful textbook on those Acts by the late William Kennedy Abbott Allen, B.A., Barrister-at-Law.

Practically no amendment is suggested in the field covered by the 1949 committee.

It is proposed to change the existing name of courts of petty sessions to that of magistrates courts—a change that has already occurred in England and New Zealand.

In Queensland a court of petty sessions is loosely called such name as police court, summons court, traffic court, and so on. The magistrates courts by that name now have a civil jurisdiction and it is suggested that these courts be also given the jurisdiction now possessed by courts of petty sessions. As regards name, the lower courts are thus proposed to be placed on the same basis as the Supreme and the District Courts—having both a civil and criminal jurisdiction. However, there is no suggestion in any way of increasing the jurisdiction of the lower courts. The proposed Bill will also remove any doubts as to whether two or more of these lower courts may be held at any one place.

The interesting point there, as hon. members probably know, is that particularly in the country a C.P.S. district is laid down and usually one town within that district is named as the place at which courts of petty sessions are to be held. There are other areas containing two or three large towns and it is laid down that each of those large towns is a place for the holding of courts of petty sessions. That has been done in the past apparently without real power to do so. The Bill tidies up a deficiency which has never been questioned, but could be.

Mr. Duggan: Couldn't you give power to somebody, the magistrate or the under-secretary——

Dr. DELAMOTHE: With the court of petty sessions it is tied to a particular locality. In practice that rule is departed from and other places are laid down. We are just regularising what has been the practice.

The proposed Bill will clarify the offences and alter the penalties for contempts committed in the face of the court from a penalty not exceeding £25 and, in default of immediate payment, to imprisonment for a period not exceeding two months to the more sensible basis of a liability to be imprisoned for a period not exceeding 14 days, or a fine not exceeding £50, and in default of immediate payment to imprisonment for a period not exceeding 14 days. It was two months under the old Act.

Penalties for similar offences in the District Courts at present are imprisonment for a time not exceeding one month or to a fine not exceeding £50, and in default of payment to imprisonment for a time not exceeding 14 days. In the magistrates courts at present, in their civil jurisdiction, imprisonment is limited to 14 days. It will be 14 days overall.

The section of the Act relating to contempts was last amended in 1949. The proposed amendments will thus place contempts committed in the face of the lower courts on a reasonably comparable basis with those at present operating in both the District Courts and the present magistrates courts.

With the exception of those cases where a person is arrested without warrant, and where a charge is laid with the approval of the defendant in court, it has been suggested that all proceedings be required to be commenced by a written complaint. This is the practice at present invariably adopted, although in the past complaints could be made orally. In future all complaints must be made in writing except where persons are arrested without warrant or where the defendant who is brought to the court approves of the proceedings going on immediately.

It is proposed that a complaint, and a copy of the summons, if any, be lodged with the clerk of the court before the hearing is proceeded with. Hon. members will appreciate that it is in the interests of justice that the clerk of the court have cognisance of the commencement of all proceedings in his court's district. At present it is possible for a justice of the peace to hear a charge without the clerk of the court ever knowing anything about it. We have tidied that point up.

The clerk of the court is the officer who keeps the court's records, while the courts themselves are constituted by various persons who may be a stipendiary magistrate in the larger centres, and two or more justices of the peace in small country towns.

It is necessary by reason of the short accommodation position which has arisen from time to time that the lower courts be held in more than one building, so that it is not intended to alter the present law that a lower court might be held in any building at any place appointed for holding courts, such as in the case of Brisbane. There are courts all over Brisbane, which could present a problem; that will be regularised. It is thus lawful at present for two or more justices of the peace to hear a complaint in any building in the city of Brisbane and the appointed clerk of the court could have no cognisance of the hearing. The amendment will cure this, and in those exceptions where a person is arrested without warrant, and where a charge is made with the approval of the defendant while in court, it is suggested that it be mandatory that those charges be entered in the bench record book, which is part of the court's records kept by the clerk of the court.

The practice of extending the dates of hearing of unserved summonses will be recognised, but the justices who may do this will be limited to the clerk of the court or some justice authorised in that behalf by the clerk of the court. In other words, every justice of the peace will not be extending time all over the State, and we must remember that there are several thousand justices.

The general principle of a complaint for a simple offence being limited to one matter only will be continued, but the exceptions to the rule will be clarified to accord with the principles that are applicable to criminal proceedings. It is proposed that the lower courts, at their discretion, may order that costs of, and occasioned by, an adjournment in a complaint of a simple offence or breach of duty be paid by any party to any other party as to the justices may appear just. This will cure injustices which now arise from time to time. It is also proposed to allow courts to award costs on dismissal of these complaints for want of jurisdiction. The power to award these costs is not at present held by the lower courts, and this has caused injustice at times.

The present practice of extending a cash watchhouse bail where the defendant appears but the hearing is adjourned is to be recognised. A person who has been arrested for a simple offence and allowed out of the watchhouse on a small cash bail may appear before the court on the day following his arrest and plead "Not guilty" to the charge. He has done everything that could be expected of a defendant. When the hearing has been adjourned to another date the practice often has been to retain this cash as security for his appearance at the time and place to which the hearing is adjourned. There has been no legal authority for doing this; we are providing the legal authority for it.

Where bail is allowed a defendant upon his entering into a recognisance by himself and his sureties it is proposed to allow the sureties to enter into their recognisances before different justices, who may be other than the justice taking the defendant's recognisances. That is being done because sureties may live at different places. It is unfair to bring a man down from Windorah to Brisbane so that he may enter into a recognisance. He will be allowed to do that before the nearest justice. This provision will expedite the entering into of recognisances as well as meeting the convenience of sureties.

It is proposed to give lawful recognition to the bench record book, which has been in use over the years and in which is entered particulars of the charge and the determination of the court.

It is also proposed to give jurisdiction to courts in certain districts to hear and determine, with certain safeguards, cases of simple offences in, or on, or in relation to, moving vehicles or vessels (including aircraft) where it is not certain in which court's district the offence was committed.

At present the law requires the hearing and determination of a complaint of a simple offence by a court of petty sessions at a place appointed for holding such courts within the district in which the offence was committed or, if the offence is committed outside the district but within 20 miles of the boundary thereof, at a place appointed for holding such courts either within that district or within the district in which the offence was committed.

Hon. members will appreciate that, in relation to moving vehicles such as motor-cars, near boundaries of districts, and offences on or in relation to aircraft, it cannot be stated with certainty in which district the offence occurred.

In the case of offences in relation to moving vehicles and aircraft, it is proposed to give jurisdiction to a court at any place within a district through or over which or any part of which such vehicle or aircraft passed in the course of its journey, and, with the object of avoiding any injustice to any party, to allow the court, where it considers that the hearing could more conveniently take place in another place in Queensland, to adjourn the hearing to such other place before any evidence is adduced.

It is proposed also to adapt to modern conditions the prescribed scales of imprisonment, but only as regards the maximum amounts of the fines in default of payment of which the prescribed maximum periods for imprisonment may be imposed. For example, at present for a fine less than 10s., in default of payment imprisonment not exceeding seven days may be imposed; for not less than 10s. but less than £1, 14 days, and so on.

The suggested alterations, in these examples, are: where the fine does not exceed £5, seven days, and where it exceeds £5 but does not exceed £25, 14 days. That is quite a big change.

It is proposed to extend the time for appealing to a single judge from a decision of justices from seven days to 28 days. The Crown itself has found seven days too short a period for this procedure.

It is also proposed to remove some obsolete provisions from the Act and to clarify in a small measure other provisions relating to the practice and procedure of these lower courts.

During the passage of the Bill I will endeavour to supply any further information that any hon. member may desire as to the objects of any provision in the Bill.

I commend the measure to hon. members.

Mr. DUGGAN (Toowoomba West—Leader of the Opposition) (12.3 p.m.): Quite frankly, unless one has had some experience in the courts one finds it rather difficult to follow the various points that have been made by the Minister, though I did attempt to write down some of them. Obviously the opportunity has been taken on this occasion to review very thoroughly the operations of the Justices Act and to embody in the Bill what is thought to be desirable in the light of experience.

The Minister pointed out that, until today, only once since 1886 has there been a review of the legislation, and it is quite apparent that the absence of any action along these lines has been responsible for the quite long recital by him of irregularities or practices that have been permitted to grow up and that, for the sake of convenience and in common sense no doubt, have been followed although they have not had the effect of law. He has recited many instances of that type and it seems to be very sensible that this opportunity should be taken to improve the position.

The Minister has indicated that these changes in the legislation are being brought about largely in accordance with the recommendations in the report of the committee advising him and comprising: Mr. Skinner, the Under Secretary for Justice; Mr. Matthews, the Assistant Under Secretary; Mr. Moore, Stipendiary Magistrate; and Mr. Murray, Assistant Parliamentary Draftsman. I should think they would be an excellent committee. They are all men with a good deal of practical experience in the field covered by their recommendations.

I sometimes feel that it is a matter for regret that parliamentarians are not permitted to peruse some of these reports. I should think a report of this kind would not be party-political in character but purely a departmental report. I suppose that the members of the committee pointed out sound reasons why these things should

be done. I feel that discussions in Parliament could perhaps be shortened if we were able to see some of these recommendations and follow the reasons for the proposals. There may be honest differences of opinion on the desirability of some of them, but it seems to me as a layman that in the main the recommendations are sensible.

The first note that I have refers to the bringing in of a system under which all these various courts, such as the Court of Petty Sessions and the Traffic Court, will come under the title of Magistrates Court. That is probably desirable. It is coming rather close to something that I have always approved of, which is the obtaining of some measure of uniformity in this matter. It seems to me that this will assist to bring about the imposition of penalties consistent with those accepted by recent legislation as desirable in other jurisdictions. That is a sensible move.

It was difficult to make notes of all these matters, as the Minister spoke softly, although clearly. Perhaps he thinks a soft answer turns away wrath. The Bill appears to be logically presented. I should like to go through it to see whether it contains any major departures from principles already laid down. One thing that I noticed, for instance, is the extending of the time of appeal from seven to 28 days. I consider that to be desirable. The refunding of bail where a defendant has observed all the conditions is desirable, too.

The provision concerning the hearing of prosecutions for traffic offences at any place is sensible. It would be foolish to require a person who lives in Cairns and who commits a traffic breach whilst on holiday in Brisbane to return to Brisbane to defend it. Nor would I like to see a Brisbane person who committed an offence in Cairns put to the expense of having to travel to Cairns for the hearing of the case. I think the purpose of the provision is to help the defendant rather than the Crown, and no doubt it will work both ways. This is a very commendable step forward.

I made lengthy notes, but I do not intend to detain the Committee at this stage. I have a good deal of confidence in the members of the committee that the Minister mentioned. They are sensible and practical men and I am sure that they would not have made these recommendations without feeling that they were justified. The reasons seemed to be logically presented by the Minister. There may be one or two principles that need examination, and, having done that, we will then know whether we regard them as desirable. At this stage I do not feel that the Bill is likely to cause a great deal of controversy or have any strong political reprecussions outside.

It is a desirable Bill because it will make the operations of justice flow a little smoother. It removes some anachronisms that have been permitted to remain in the Act, and will make for its sensible application to the requirements of the times in which we live. The methods of hearing, acceptance of pleas, and recognition of just penalties seem to me to streamline in some respects the hearings of these cases and permit them to be deal with expeditiously with injustice to no-one.

There is one other point in which I was interested. It seems to me to be extraordinarily silly that two J.P.'s, quite independently of the clerk of the court or any other officer of the court, can hear a case and make a determination, but apparently that can happen. There was a case in Victoria recently—I cannot recall the exact details of it—in which the Attorney-General appealed against the decision of two justices of the peace on the ground that one of them was an interested party. I think one of the justices was the owner of a garage and he heard a case in which a person was charged with committing a theft from a garage. Although he was not directly involved, he had lost some goods from his garage, and it was thought probable that he had a strong feeling that they had been taken by the person who appeared before him. This caused the Attorney-General to exercise his right of appeal. As I said, I am not familiar with all the details and I may have the story the wrong way round, but I know there was a rumpus in Victoria about justices of the peace.

Generally speaking, we do not find that justices are required to sit on many cases, but I think it would be desirable, for the guidance of justices of the peace, to have uniform penalties for common offences. An experienced magistrate is able to observe the demeanour of the witness, sift and weigh the evidence, and take into account all the attendant circumstances when applying a penalty. But I do not think that an inexperienced justice of the peace in a remote area has quite the same opportunity to balance the scales fairly and justly betwen the various people who appear before him. Very often he has to live in the same community as the people who are parties to the action. He might think, "I don't want to blot my copybook, because I have to live with them." A magistrate would not be affected in the same way.

This appears to be a very sincere and earnest attempt on the part of the officers concerned to assist the Minister with advice, and I think that, in spite of views that we might hold on one or two provisions of the Bill, the proposed amendments appear to be timely. We are prepared to examine them and give them our support if we think they meet the requirements of present-day justice. My first reaction is that they do.

Mr. WALSH (Bundaberg) (12.13 p.m.): The proposal to appoint a committee to examine this Act, which was first introduced in 1886, to see whether adjustments could be made in the machinery for the administration of justice in Queensland was a good

one. The men appointed to the committee have had considerable experience in dealing with legal matters and should be well qualified to make submissions to the Minister on alterations that may be necessary.

However, I do not know whether this examination goes far enough. I should like the Government to have an investigation made into all phases of authority for the administering of justice. I was amazed recently when I read a report in the Press that three persons who had been charged with having been under the influence of liquor in charge of motor vehicles had been dealt with departmentally and each fined £5.

Mr. Aikens: By the Commissioner of Police.

Mr. WALSH: Up to the present time I have not mentioned departments, individuals, or anything of that sort.

Mr. Aikens: I thought I would help you.

Mr. WALSH: I do not need the hon. member's assistance. I can make my own speech without any assistance from the hon. member for Townsville South. As a matter of fact, the hon. member exaggerates so much that we disbelieve much of what he says.

Mr. Aikens: I want you to open the little black book.

Mr. WALSH: I want people to understand that what I am saying is relevant to the administration of justice and relevant also to the particular phase that the Minister has put before the Committee.

No doubt the particular authority under which the action to which I refer was taken is contained in a manual giving the department authority, with the approval of the Governor in Council, to issue regulations, by-laws, and so on. But in these days, when the average citizen is charged before a magistrates court or a criminal court, as the case may be, for like offences, I think it is a bit odd that we should have anywhere within the structure of Government a department dealing with offences that are normally dealt with in recognised courts of authority. A department exercising that power, in effect, virtually cuts one section off from the rest of the community. One may as well argue that there should be within the Public Service a particular authority with power to deal with any public servant who has been found in charge of a motor vehicle under the influence of liquor. One may just as well argue that this Parliament should deal with any parliamentarian who is found in charge of a motor vehicle under the influence of liquor. How silly can we get in these matters! People outside want to understand that they are not the only ones who are to be dealt with before properly constituted courts.

Mr. Aikens: The only way a member of Parliament could be dealt with then would be if he was under the influence of liquor in charge of a motor vehicle and drove it into this Chamber.

Mr. WALSH: I understand that a member of Parliament, as and when he is caught, will go before a magistrates court or the Supreme Court as anybody else would. I should like the Minister to convey the suggestion to the Government that although in the days of the horse and buggy these particular by-laws, regulations—call them what you like—may have been all right, they are now out of date. Many things that are operating within the administration of departments should be looked at and the laws as they apply to the community at large should apply also within departments.

The question of whether or not a magistrates court will be any different because it is called a magistrates court instead of a traffic court is open. I should imagine that over the years it would have saved the typing of thousands of letters and words if, instead of having to record that so-and-so was dealt with in a traffic court or some other court, it had been sufficient to say he had been dealt with in the magistrates court.

I should like now to make a suggestion to the Minister. I know we have frequently listened to suggestions that the strength of the judiciary should be increased because of the increased volume of work judges are called upon to perform. To my mind, they have gone a long way since this Government came to power. I think there are now something of the order of 17 judges, which represents a substantial increase in number. We have seen from time to time statistics showing the number of appeals in relation to population—so many per hundred, or so many per thousand, as the case may be. Would it not be a good idea if somebody would get out a set of figures to show how many magistrates are now administering courts of justice in this State compared with, say, 25 years ago, or, if you like, further back, and having regard to the increase in population and the scope now for committing offences to a greater extent because of the difference in our society and our manner of living? I think those matters might be examined to see whether or not we cannot give the magistrate some relief instead of leaving it to periodical Press blasts about the number of cases held up because there are not enough magistrates to deal with them.

While I am on that, may I convey to the Minister a suggestion which, I know, was advanced in the time of previous Governments but was not seriously explored. I think the Minister read out this morning that the magistrates court was constituted either by a magistrate, a clerk of petty sessions acting as a justice of the peace, or any other justice of the peace. I have held this opinion for a long time and have given expression to it before. We all know that there are thousands of J.P.s in this State.

Mainly their duties are to witness signatures of parties making declarations on oath, or something of that nature. At the same time we must realise that we are placing in the hands of every one of these people the right to sit on the bench to try some person, admittedly within certain limits. I am not being facetious when I say that in the Police Force there are many men who, because they have applied themselves to a study of the law, have proved by the manner in which they have presented their cases in court as prosecutors that they are a long way ahead of many legal men. I am not now making any suggestion about any hon. members in the Chamber. I think they would agree that they have come across cases where police officers, as prosecutors, have been able to quote authorities and the law very extensively, because they had applied themselves to a study of the law. A police officer acting in this capacity can get into the position where he becomes an adviser to the two justices of the peace sitting on the bench in a locality remote from a provincial city. The local guardian of the law can thus find himself in the position of advising the justices on the bench about the nature of the penalties to be inflicted because they do not know much about it. That is another pretty loose method in the administration of justice.

However, I emphasise the other point very strongly: the Government must have a look at all the by-laws and regulations operating in this State away from the magistrates and other courts—boards or departmental authorities, as distinct from the constituted courts, which seek to deal with offences against the law. I think it is a very serious position and warrants immediate examination by the Government.

Mr. AIKENS (Townsville South) (12.23 p.m.): What I am about to say I consider to be the opinion of 99·9 per cent. of the people of Queensland. It concerns magistrates and one of the more common offences that magistrates are called upon to deal with. I refer to drunken driving. I am not going to enlarge the scope of the debate or transgress Standing Orders, but I am going to say that the public of Queensland are concerned—indeed, I think I can say they are alarmed—at the way drunk-driving cases are heard and determined in many of the magistrates courts. It would appear from a casual observation and a reading of the Press reports of these cases that if you have a barrister to defend you in a drunk-driving case the odds are that you will be found not guilty and discharged.

Mr. Walsh: Do you think that Dan Casey should be struck off the barristers' roll?

Mr. AIKENS: I am not suggesting anything about Dan Casey's being struck off the barristers' roll. I have a pretty high opinion of Dan Casey. I could mention some of the cases he has appeared in. I know that the Government of which the hon. member for Bundaberg was a member offered him an appointment to the Supreme Court bench, which he rejected. That is to his credit. But it is abundantly true that many magistrates, fortunately not all of them, appear to be overawed by the appearance of a barrister in court representing a defendant.

Although there may have been many cases that aroused considerable concern among the people, I think that the pinnacle of public discontent and public concern was reached with two cases that occurred right here in Brisbane—the Malcolm McColm case and the Ken Spanner case. People everywhere are saying, "How could a magistrate, with the knowledge of the law that he is supposed to possess, possibly find either of those two men not guilty?" I will admit I have not read the depositions in either case.

Mr. Bennett interjected.

Mr. AIKENS: I do not want to deal with the hon. member for South Brisbane because I do not want to mention the case of Kafkaloudis, who had a block of flats at 49 Boundary Street. However, I will if he provokes me. He is the man who claims to be a champion of the processes of law and an upholder of the law.

The Press reports of the McColm case made it abundantly clear to everybody—even on the examination that was made of McColm by the Government Medical Officer—that he was drunk in charge of a car, and it would appear also that the magistrate who tried the case turned himself inside out and went up every little legal highway and byway to find some little quibble, or excuse, under which he could dismiss the charge against McColm.

The same thing occurred in the Spanner case. He is a man who is employed in the Crown Law Office. He was drunk, and right in the middle of a main street, he stalled his car and piled up a queue of cars behind him. In my opinion, the magistrate again appeared to go up every legal highway and byway to find a legal excuse for Spanner and discharge him.

Mr. Walsh: The Crown could appeal.

Mr. AIKENS: The Crown could not appeal. It was not a question of the Crown appealing. The Crown has no right of appeal because the magistrate found him not guilty. It was not a question of appealing against inadequacy of punishment; it was a question of the magistrate finding the man not guilty and consequently the Crown could do no more about it.

Mr. Bennett: You are talking rubbish.

Mr. AIKENS: I am not talking rubbish.

Mr. Bennett: You do not even know the Justices Act.

Mr. AIKENS: I may not know the Justices Act but I do know what the ordinary man, woman and child thinks of the administration of justice by many magistrates in drink-driving cases. It would appear that if you have a barrister in the court to represent you on a drink-driving charge the odds are you will get off, but if you defend yourself you do not appear to have Buckley's chance.

I now wish to draw attention to the very good work done by some magistrates in dealing with the awful toll of the road and the punishments inflicted on dangerous drivers. I contrast their sentences, if I may, with some of the shockingly inadequate sentences inflicted by District and Supreme Court judges. Only recently in Brisbane a magistrate fined two motor cyclists, one £75, and the other £80, and suspended their licences for 12 months. They had careered madly up a street, endangering their own lives and the lives of everybody else on the road, although they did not hit anybody or anything. If anything, the punishment in those cases was a little mild but it was reasonable. On the other hand, we recently had in Townsville, the case of Santo Sorbello, who was brought before the District Court on a charge of doing grievous bodily harm. The evidence showed that he was racing along at 70 miles an hour, on the wrong side of the road, went into a dip, and out of it, crashed into a woman driving along sedately in the opposite direction, put her into hospital for several months, and crippled her for life. He was found guilty by the jury of dangerous driving and, believe it or not, Judge Cormack fined him a measly £30 and suspended his licence for three months.

I congratulate magistrates who are at least playing their part reasonably well to reduce the awful toll of the road. I know, too, that they work in constant fear of appeals being lodged against their decisions, or against sentences imposed by them. Over the years I have spoken to several magistrates about certain cases they have dealt with, and they have referred me to certain decisions handed down by the Court of Criminal Appeal and the Full Court. They have said, "We should like to impose harsher sentences and for offences involving the driving of motor-cars we would like to suspend driving licences for much longer periods. But if we do, it is quite possible that the defendant might take the case on appeal to a higher court." And once an appeal against a magistrate's punishment goes before a Supreme Court judge, Mr. Gaven, it is guineas to a gooseberry that the Supreme Court judge will reduce the sentence or other punishment. I cannot deal with that matter on this Bill—I hope to have an opportunity to deal with the attitude of Supreme Court judges and the toll of the road on the second reading of the Criminal Code Amendment Bill—but that is the fear in the minds of most of the magistrates to whom I have spoken. They feel it is useless for them to inflict adequate punishments on dangerous drivers, reckless drivers, drunken drivers, even those who cause bodily harm or death, because they say, "If we impose an adequate punishment and it goes to a Supreme Court judge, or later on even to the Full Court or the Court of Criminal Appeal, it is guineas to gooseberries that the Supreme Court will reduce the sentence."

I want to pay my tribute to some of those magistrates. We have a couple in Townsville at the present time—and we have just lost one who was particularly good in that regard —who are playing, as far as their fear of appeal to a higher tribunal allows them, a noble part in attempting to reduce the toll of the road.

We had a case in Townsville recently. These are things that the average man and woman cannot understand unless you explain to them just what the set-up is. It was the case of a young man 21 years of age who appeared before a magistrate charged with dangerous driving. He had driven recklessly and dangerously. He had side-swiped a couple of cars. When the police caught up with him he said, "Oh, I was in a hurry to get home. I did not wait for you fellows to question me." When he was brought before the magistrate the prosecuting police officer said, "Although this man is only 21 years of age, he has a long list of traffic convictions." The magistrate fined him £30 and suspended his licence for three months. I want to know what a man like that is doing with a licence at all. I have not had a talk with the magistrate on this matter— I am rather loth to have it—but I am sure that, if I did, he would tell me that the only reason he did not inflict a higher monetary penalty and the only reason he did not suspend that man's licence for a longer period was the fear that if he did so this driver, who was fairly well connected (his family is, at any rate) would have gone to a Supreme Court judge and had the fine and the suspension of the licence reduced to what the judges consider to be a satisfactory penalty for this offence.

Mr. Walsh: Did you say the Supreme Court, or the Queensland Club?

Mr. AIKENS: I am dealing very seriously with what I consider to be a very serious matter and I am not going to be diverted from it. If I were in my usual truculent mood, I could have said something about the hon. member for South Brisbane which at least would have made him hang his head in shame. However, I am dealing seriously with what I regard as a serious matter and I do not want to be led astray by any irrelevance.

The hon. member for Bundaberg raised a very good point. It is not very often that he does so but he raised one on this matter and I helped him out.

Mr. Walsh: It shows you are not listening at other times.

Mr. AIKENS: I helped him out. We know, of course, the tendency of the hon. member for Bundaberg to make round-and-round-the-mulberry-bush statements. Usually he has the little black book and says, "It is all here in the little black book." But we never get a chance to find out what is in the little black book. I am beginning to think there is nothing in the little black book at all.

Mr. Walsh: It doesn't exist, of course.

Mr. AIKENS: He raised the very pertinent question of a report of an appeal against the dismissal of a policeman who was represented by the hon. member for South Brisbane. The hon. member for South Brisbane made a statement in court, which was reported, correctly or otherwise, in the Brisbane Press, that policemen who were found drunk in charge of a car were not brought before the magistrates court and fined as the ordinary citizen is fined, and did not have their licences suspended as the licence of an ordinary citizen is suspended, but were taken before the Commissioner of Police, who, compassionately or otherwise, fines them a miserable £5 and does not suspend their licence for any period at all. I agree wholeheartedly with the hon. member for Bundaberg. I cannot see why any special provision should be made for a policeman, or any other employee of the Crown. If he commits an offence, he should be brought before a court, whether it be the magistrates court or the Supreme Court, and the Government should see that a policeman, or any other public servant, is treated in the same way as an ordinary citizen.

I do not want to embarrass you, Mr. Gaven, but I am sure you will remember the case of a policeman who was charged with rape at New Farm. He was going to be dealt with departmentally. Possibly he would have been fined a "fiver"! I brought up that matter in the House and, as a result, the policeman was sent to trial, as he should have been in the first place.

The hon. member for Bundaberg raised another important point. He said that since this Government came to power judges of the Supreme and District Courts have almost trebled in numbers. Judges in Queensland today appear to be four bob a dozen. In reply to my question this morning referring to Mr. Justice Gibbs, the Minister for Justice said that judges spend the long Christmas recess of about 10 to 14 weeks going through judgments and reserved decisions. I invite the Minister to tell us some of the reserved judgments and some of the actual work done by the judges of the Supreme Court of Queensland during the recent Christmas recess. As I understand it from my sources of information, which are usually very sound, the moment the court doors are closed in the middle of December they are bolted and that is the last seen of the judges till the end of February or the beginning of March.

Mr. Walsh: That is not right, because there were criminal trials during January.

Mr. Bennett: That is when you were at Magnetic Island sun-baking on the beach there.

Mr. AIKENS: To be quite candid, I would cut a pretty good figure if I went sun-bathing anywhere. Wherever I have gone, I have never let down the four tyres of a car just because it was parked where I was supposed to park, as the hon. member for South Brisbane did at the Inns of Court.

Mr. Bennett: That is completely untrue. He is a liar.

The TEMPORARY CHAIRMAN (Mr. Gaven): Order! I ask the hon. member for South Brisbane to withdraw that remark.

Mr. Bennett: In this case I really meant what I said but, in deference to you, Mr. Gaven, I will withdraw the remark and ask the hon. member for Townsville South to withdraw the statement that he made. Like many of his statements, it is untrue.

The TEMPORARY CHAIRMAN: The hon. member for Townsville South.

Mr. AIKENS: I will leave it to the tenants of the Inns of Court to say whether or not it is true.

Judges and magistrates are not analogous because a judge does only judicial work. Moreover, he does only the work that he wants to. As I have said on previous occasions, there is no power or authority vested in the Chief Justice, Parliament, the Premier, the Minister for Justice, or anyone else, to compel a judge to work if he does not want to.

The TEMPORARY CHAIRMAN: Order! The hon. member is departing from the principles of the Bill before the Chamber. I ask him to return to them.

Mr. AIKENS: I was dealing with the matter raised by the hon. member for Bundaberg.

The TEMPORARY CHAIRMAN: Order! I am not interested in the hon. member for Bundaberg; I am interested in the Bill before the Chamber, and I ask the hon. member to refrain from dealing any further with any other matter.

Mr. AIKENS: I will do that, Mr. Gaven, because I was finished with it in any case.

In addition to doing the bench work that his position entails, a magistrate has to be a jack-of-all-trades. He has to do his office work, at times he has to be a coroner, and at election times has to be a returning officer. As a matter of fact, the magistrates that I know, particularly those at Townsville, have a more multifarious and greater variety of jobs than have the traditional policemen out in the back country. They have to be everything from jackeroos to

judges. There is no analogy whatever between judges and magistrates. I think it might be a very good idea if the suggestion of the hon. member for Bundaberg were carried a little further and the Minister for Justice told us when he proposes to increase the number of magistrates who are available for purely bench work.

There is one other matter that I should like to raise. It has been a favourite hobby-horse of mine over the years, and I think I have been thrown out of the Parliamentary Dining Room 11 times for raising it. A Mr. Ashfield—if he is the man that I know, he used to be C.P.S. at Townsville—sitting as a coroner in the coroners court, was reported in the daily Press as having chased a witness out of the coroners court because he was not wearing a coat. He said the witness was improperly dressed and that everyone who came into his court had to wear a coat. If that Press report is correct, it is about time that our magistrates and coroners faced up to the fact that Queensland is a tropical country. If members of this Parliament can wander all over Parliament House without a coat on, except when they come into the Chamber when Parliament is in session, if Ministers of the Crown can have their photograph taken and published on the front page of a big Sunday newspaper not only with no coat on but in shirt and shorts, with their skinny shanks showing, in long socks and over-sized pointed shoes, and can go into their ministerial offices dressed like that—they are not physical paragons, Mr. Gaven, any of them—surely to goodness a witness should be able to attend and give evidence in a coroners court, or in any other court for that matter, dressed in that way in this tropical country in the middle of summer. The Minister for Justice, as a true-blue northerner—I almost gave him the real accolade of the Northland and referred to him as a fly-blown northerner, but very few of use can aspire to that title—knows that in the northern supreme courts, district courts and magistrates courts, judges or magistrates will invite not only members of the jury but also anyone else wishing to take his coat off to do so. Time and time again I have been assured that barristers have appeared before judges of the supreme court in the North wearing their gown over a pair of shorts. I think it is time that magistrates and justices paid attention to the climate of this country. I was amazed to read that a coroner had ordered a man from his court because he was not wearing a coat. I do not know whether the Minister for Justice has any jurisdiction in the matter; if he has, I hope he will look into my suggestion.

Mr. BENNETT (South Brisbane) (12.43 p.m.): I wish to make some submissions in this debate, but I agree with my Leader that, generally speaking, the proposed amendments are desirable.

The Justices Act has been a busy Act over the years and has played an important part in the administration of justice in Queensland. Because it is a busy Act, and because it deals with varying circumstances, no doubt it requires amendments from time to time, mainly of a procedural nature, to deal with changes in customs brought about by the attitude of different generations to particular circumstances. If circumstances demand a change, I believe that changes are very desirable provided they do not interfere with the fundamental principles of law.

There are some aspects of the existing Act that, in my opinion, still require correction or amendment. I could mention several, but time will not permit me to deal with all of them. One anomaly—to my way of thinking, it has been a glaring anomaly over the years—relates to the granting of bail in certain circumstances. As we all well know, magistrates constituting, as they did, courts of petty sessions, sat to hear committal proceedings on offences that were indictable offences under the Criminal Code. Normally, with some exceptions—there are exceptions, in that they are deemed to be dealt with summarily if they are not dealt with by a higher court—indictable offences must be dealt with by courts higher than the magistrates court or the court of petty sessions. They deal merely with what might be termed the preliminary investigation in order to determine whether or not there is a case with sufficient evidence to put the defendant on trial. I believe that in that respect the Act requires tidying up because there are magistrates who are under a misapprehension so far as criminal proceedings are concerned. I do not wish to deride or castigate magistrates or, as did the hon. member for Townsville South, suggest they are timorous or lacking in courage or character. I think his remarks are a shocking indictment on the magistracy and that they do not deserve the odious commentary he made upon their characters.

There are magistrates who are of the opinion that because a man is charged with an indictable offence and criminal proceedings are commenced, their sole duty is to commit him for trial, independent of the evidence forthcoming. Certainly he should not be committed for trial if there is no prima-facie evidence against him. I think most magistrates would agree with that statement, but some magistrates say that if there is some prima-facie evidence he should automatically be put upon his trial, whereas, although it is not expressly written into the Act, the true spirit of the Act and the authorities is that if, in fact, the magistrate is of the belief or opinion that no jury would convict, in spite of the fact that there is prima-facie evidence available, he should not commit that person for trial.

The reasons are obvious and logical. First of all, if there is no possibility that an accused person will be convicted, why should

he be subjected to the expense of a long, arduous trial, quite apart from the anxiety and mental anguish occasioned to himself, his wife, and family? Secondly, from the Crown's point of view, why should the State be subjected to a costly criminal trial when the result is a foregone conclusion? They are expensive. There is, as it were, an allocation of the judge's salary to that particular trial, and the cost of employing jurors and the Crown Law officers concerned.

I believe that that section should be amended to make it quite clear in statutory form that no accused should be put upon his trial unless the magistrate is firmly of the belief that there is a possibility of conviction by a jury. Also, in criminal proceedings, the Act says in Section 116—leaving out parts of it—

> "When a person charged with any crime or misdemeanour is committed for trial, the justices who have signed the warrant for his commitment may admit such defendant to bail."

In other words, if after the preliminary proceedings there is a case for committal, and if the defendant pleads not guilty, he is either committed for trial or alternatively allowed bail pending his trial.

The magistrates correctly interpret that section as meaning that he can be allowed bail in his own bond and does not require a surety. On the other hand, Section 113—it is a long section so I will precis it—says—

> "If the defendant admits guilt the magistrate may commit him to bail upon his entering into a recognisance for such surety or sureties as in the opinion of the stipendiary magistrate will be sufficient to ensure his appearance at the time and place when and where he is to be sentenced for the offence."

The anomaly to which I draw the Minister's attention lies in the fact—and I speak from years of experience in personal practice in relation to this particular matter—that you never advise a client to plead guilty at that stage even though it is abundantly clear that he is guilty, or that he wants to plead guilty, because of the fact that magistrates interpret that section—possibly quite rightly—to mean that if you plead guilty, when you are committed for sentence you must have a surety. There are many people who are unable to find suitable sureties and, therefore, have to spend the intervening period in prison; that is, the period from their committal by a magistrate to the time of their sentence by a judge. When they are eventually dealt with by the judge for the normal offences—leaving the more serious offences out of consideration—they could be put on a £50 bond, they could be fined a comparatively small amount, they could be discharged on their own recognisance or, if they are young people, they could be put on probation. In the meantime, before they are brought up for sentence, they could spend anything between three and six weeks in gaol, which would be at least six times the penalty they would normally get when dealt with at the hearing of the plea of guilty. If a client or a defendant who cannot get a surety wishes to plead guilty, in order to avoid that embarrassing position he is advised, no doubt with good reason, to plead not guilty at that stage so that he will not have to find a surety, and therefore will not have to go to gaol pending the hearing of his plea of guilty and for the imposition of his sentence. The position should be clarified. If a man is satisfied that he is guilty and, rather than put the State to the expense of a trial, wants to plead guilty, why should he be put to the disadvantage and embarrassment of having to find a surety or, alternatively, to stay in gaol if he does not find a surety? Naturally he will plead not guilty to avoid that situation. Although one is going to have a conviction and the other is not, for the purposes of bail I feel that there is little difference between the man who pleads guilty and awaits his sentence in a higher court and the man who pleads not guilty and asks to be put upon his trial. The purpose of having bail is to ensure that a man will appear at the specified date for his trial hearing. So the principle underlying the granting of bail lies not in the seriousness of the offence, except in relation to major crimes such as murder and treason, but in whether or not the offender or the accused is likely to appear in court when required. If the police cannot satisfy a magistrate that there is a likelihood of a man's absconding, then obviously he is entitled to bail. If a person is entitled to bail on his own recognisance because he pleads not guilty, that same person surely should be entitled to bail if he pleads guilty, because the only question is whether or not he will appear for sentence.

There is another question I raise about the operation of the magistrates court and the court of petty sessions. I have mentioned this matter before. The previous Minister, in a grandstanding fashion, took up the time of Parliament to introduce a specific Bill to make provision for the use in all courts of mechanical devices for the recording of evidence. What do we find? Although that Bill became an Act and is now law—it has been law for some time—not one court to speak of uses a mechanical device in the recording of evidence. Certainly the Licensing Commission uses it but it did so before the Act became operative. I do not know of any court that uses it and I move around the courts fairly regularly. I do not know of any magistrates court or court of petty sessions that has made use of a mechanical device except for the purpose of experiment.

We should approach this problem in a practical fashion. The Act at present makes provision for the taking of depositions. I have mentioned this matter previously also. We have an army of depositions clerks.

Mr. Smith: That was mentioned long before you came here.

Mr. BENNETT: Will the hon. member speak up if he wants me to hear him?

Mr. Smith: It was mentioned long before you came to this Chamber.

Mr. BENNETT: I know it has been the pet hobby-horse of the hon. member for Windsor, but he has not been expressing the belief, opinion, and desire of the majority of practising legal men. He has taken it upon his own shoulders to advocate the introduction of that provision and, having succeeded in getting it introduced, apparently the Minister has since been convinced that the proposal of the hon. member for Windsor is completely unsatisfactory and impracticable, and that is why it has not been implemented properly, or at all.

Mr. Smith: What about Barwick in the High Court?

Mr. BENNETT: I normally refer to him as Sir Garfield Barwick but if the hon. member wants to call him "Barwick"—one of his colleagues, a member of the same party—I suppose he is entitled to do so.

The point I am making is that the army of depositions clerks in the courts for many years have performed a Herculean task in the recording of evidence. They are skilled on the typewriter; they have an understanding of the fundamental principles of law; they work in close co-operation with the magistrates; but, in spite of all that—and this is not said in any derogatory fashion about them—because of the slow and antiquated typewriting system used for this purpose they delay court hearings. In spite of skill, facility and co-operation, no human being can sit at a typewriter and type flat out all day without losing his powers of concentration. He must be given certain periods of relaxation otherwise it is inhuman; it would be slave labour. Therefore, to my way of thinking, the system of having depositions clerks is outmoded and antiquated. However, I do not think they should be supplanted by mechanical devices.

History has proved—and the operation of the Supreme Court and the District Court has clearly proved—that shorthand-writers are the answer to the special problems of accuracy and the time factor. Many students doing the Senior examination each year leave school as skilled shorthand-writers, yet their skill is not being employed by the Government. It is all very well for the Government to claim that these mechanical devices are difficult to get. I hope they continue to be difficult to get and that the Government never gets them. Anyway, that is only a plausible excuse. No-one can tell me that skilled shorthand-writers are hard to get unless the skilled shorthand-writers are reluctant to enter the Public Service of this State because of the unnecessary outbursts of the hon. member for Windsor and others who have frightened them away to other States and to the Commonwealth Parliament, believing that in this State shorthand-writers will be replaced by mechanical devices. We are losing good shorthand-writers because of that fear. If we clearly indicated to these people who are skilled in this field—male and female alike; I include both, because there are female shorthand-writers who are just as speedy as male writers—that we intended to build up the staff of shorthand-writers in this State we would prevent their making applications to go to other States and we would encourage them to improve their skill and their speed when they are going through school, thus qualifying themselves for perhaps one of the most important tasks in that sphere, or avocation, that could be conceived.

Let us adopt a practical approach; for one reason or another, we have not been getting mechanical devices. Perhaps the Minister can tell us why we are not getting shorthand-writers, who would speed up the operations of our courts. Where now it takes one full day to hear a case, it could be done in half a day with shorthand-writers.

Before I leave the point I have been making about the recording of evidence I refer to Section 77 of the Justices Act, which reads—

> "The depositions of the witnesses shall be reduced to writing, and shall be read over to and signed respectively by the witnesses, and shall be signed also by the justices."

That means that, after the long and tedious procedure of getting those depositions taken down on the typewriter, they have to be read back to all witnesses, including intelligent witnesses who have been reading their own documents, papers and books for years. Actually it is an insult to their intelligence, this time-wasting section of the Act which says that, irrespective of the standard of intelligence of the witness, his evidence still has to be read back to him. Many barristers, of course, and many magistrates adopt a practical attitude and waive that provision of the Act by consenting to have the witness read his own deposition, and I think legal provision should be made for that to be done, because I do know that on one occasion, unfairly, after a magistrate had allowed that efficient procedure to be followed, it was queried in a higher court because of the tactics of certain people involved who took advantage of the decency of the magistrate in endeavouring to expedite the proceedings.

My time is running short but I wish to correct some absolutely erroneous impressions given in this Chamber and apparently accepted by those on the front Government bench without equivocation and without query. They were words expressed by the hon. member for Townsville South, who gulps out edicts in this Chamber like a bulldog trying to swallow a sirloin steak that is too big for him. Take his remarks,

for instance, about two defendants on drunken driving charges—Mr. Malcolm McColm and Mr. Ken Spanner. Incidentally, he has not even got his facts straight. He referred to Mr. Spanner as Keith Spanner. Both accused on those drink-driving charges. were acquitted, or found not guilty, and properly so, by the magistrates who heard the evidence. I venture to say, and I am quite definite, that the member has not heard the evidence, has not read it, and does not know anything about the facts, but he chooses to vilify the magistracy because it suits his own iniquitous purpose.

In relation to Malcolm McColm, the evidence that was given by the police was unsatisfactory to say the least and the magistrate so found, to the extent that he had a reasonable doubt. It has been a principle in our criminal law throughout its entire history in the British-speaking world, that a man has to be proved guilty, that the onus of proof is on the Crown and that the proof has to be beyond resonable doubt, and it will be a sorry day when any Government removes that obligation from the Crown. If the police evidence is unsatisfactory or does not convince the magistrate beyond reasonable doubt that he should convict, a conviction should not be recorded.

I next refer, briefly, to the case of Mr. Ken Spanner, an officer of the Crown Law Office. Incidentally, Mr. Gaven, I know quite specifically that perhaps more than the usual endeavours were made by the Crown in his case to secure a conviction. But certain well-known principles have been laid down by the Full Court and when a man perhaps behaves abnormally for reasons other than the consumption of alcohol—for instance, through infirmity or sickness—that man is entitled to the benefit of the doubt. And that happened in the case of Ken Spanner.

We also heard the judges—distinguished judges of the Supreme Court of Queensland —vilified by the hon. member for Townsville South and I was amazed that, while he was vilifying those Supreme Court judges, the Minister for Transport sat in the Chamber and laughed in a "hyenaesque" manner making it clear to my trained ears that he regularly suffers from hysterics.

Mr. Chalk: I was never a chicken or a dingo—neither of them!

The TEMPORARY CHAIRMAN (Mr. Gaven): Order! I ask the hon. gentleman to withdrawn that remark. It is unparliamentary.

Mr. Chalk: If it is applicable to the hon. member, I withdraw it.

Mr. BENNETT: I do not regard too seriously the comments made by the hon. member for Townsville South, but when they are endorsed by the attitude and demeanour of Cabinet Ministers sitting on the front bench the situation is becoming alarming. I exhort the Minister for Justice to do something to preserve the prestige of the judiciary and uphold respect for the operations of the law, and let us know quite clearly the attitude of Ministers to these persistent attacks on the judiciary by the idle member for Townsville South who does not know how to tell the truth.

He referred also to the Malcolm McColm case. This does not apply to all policemen, but let me assure the hon. member that there are policemen who will enter the witness box and lie like the hon. member for Townsville South. In these cases magistrates have to determine who is telling the truth and who it not.

The TEMPORARY CHAIRMAN (Mr. Gaven): Order! I ask the hon. member to withdraw the word "lie".

Mr. BENNETT: For the purpose of preserving decorum in this Chamber, I withdraw that word and say that they engage in malicious untruths like the hon. member for Townsville South. It is a pity that those responsible for bringing a judicial attitude to the statute law of Queensland should be undermined in the way in which they were.

I do not think for one moment that any magistrate is afraid of appeals. I believe that they apply themselves judicially and honestly to their tasks, in keeping with the highest code of integrity. I feel that Queensland has been particularly fortunate over the years in the integrity of its judiciary and its magistracy. I challenge any hon. member to name one whose integrity could be queried.

Again the hon. member for Townsville South was hopelessly in error when he said that the Crown has no right of appeal. The Justices Act has been on the Statute Book of Queensland since 1886, but he does not yet know its provisions. He has been here now for quite a number of years but has not yet read the Act. Appeals by the Crown are made regularly if there is dissatisfaction with decisions of magistrates. In the Malcolm McColm case and the Ken Spanner case the Crown had the right to appeal if it was thought that the magistrate was wrong in either law or fact. No appeal was made in either case. Certainly these people were defended by a skilled barrister. I do not think he overawed the magistrate, but apparently, by his outstanding skill and efficiency, he was able to render valuable assistance. Barristers appear regularly in the magistrates court, but not in all matters.

(Time expired.)

Mr. SMITH (Windsor) (2.23 p.m.): In speaking to the measure before the Chamber I do not wish to touch upon the principles outlined in any great detail, save to agree with the earlier speakers that it is necessary from time to time to revise procedures and to bring up to date statute law which is, with the passage of time, found to be cumbersome or deficient in some respect.

I do, however, submit that it is appropriate when considering an amendment of the Justices Acts to consider the courts in which complaints are heard under it, namely, the magistrates courts, and the manner and way in which evidence can be recorded in them. It was very interesting to hear the previous speaker attempt to deride mechanical means of recording evidence. Possibly the derision that he attempts to bring to bear springs from ignorance of the facility of the recording of evidence by mechanical means. I do not know that he has had any experience of it; probably he has not.

Mr. Bennett: The only place that one can get experience is in the Licensing Commission.

Mr. SMITH: That is not so. The High Court of Australia uses mechanical means of recording evidence, and the hon. member, if he had cared to, could have had experience in that court.

Other courts use mechanical means of recording evidence, and in the Commonwealth sphere particularly, mechanical recording of evidence is well regarded. Sir Garfield Barwick, during his time as Attorney-General of the Commonwealth of Australia, made sure that the High Court was one of the courts so provided. In addition, the armed services use this method of recording evidence in courts-martial. Here I speak not as somebody who has read about it, but as somebody who has in fact taken part in courts-martial using this particular method of recording evidence; so I speak from first-hand knowledge and with experience of it running over a number of years.

I draw the hon. member's attention to the fact that in Victoria a mechanical system has been in vogue for many years, and, to let him know the full scope of that system of recording, I will read an extract from a letter that I read previously in this Chamber but which I do not expect he would have either heard or read. The letter is dated 9 November, 1961, so when any particular number of years is mentioned in it, another 2½ years should be added. It says—

"We commenced recording in the Supreme Court of Victoria approximately seven years ago, when a special Act was passed by the Victorian Government to legalise transcript produced by mechanical means, and as at present we cover all Supreme Courts and Courts of General Sessions when on circuit.

"While in Melbourne we cover all civil jurisdictions of the Supreme Court. All these Courts are provided with a daily running transcript, with the exception of General Sessions and Undefended Divorce, where the proceedings are only recorded, and transcribed later if required. In addition to these jurisdictions, we are from time to time required to record the proceedings at Petty Sessions Committal Hearings and Coroners' Inquiries.

"From your own personal experience, you are aware that we are also under contract to the Commonwealth of Australia to record and transcribe all courts-martial of the R.A.A.F. throughout the whole of the Commonwealth."

The letter then sets out the system that they utilise—

"Our method of operation is broadly this—in Melbourne we have all the 26 Courts permanently wired in order that we can set up in any Court at short notice, and from these Courts we have private landlines to our office situated three blocks away where we record all the proceedings and the tape recordings are passed on to the typists who transcribe immediately."

I break off there to point out to the hon. member for South Brisbane that if mechanical recording of evidence is not satisfactory, then since 1954 the State of Victoria, which has in its courts cases of considerable magnitude—I would go so far as to say of greater magnitude than those heard in courts in Queensland——

Mr. Bennett: I don't agree with you there.

Mr. SMITH: They have had the opportunity——

Mr. Bennett interjected.

The TEMPORARY CHAIRMAN (Mr. Gaven): Order!

Mr. Bennett: I am sorry, Mr. Gaven.

Mr. SMITH: The hon. member's claim is a lot of rot, because it must be admitted that cases of greater magnitude have been heard in the courts in Victoria than have been heard in Queensland courts.

This measure was introduced in Victoria by Mr. Rylah, supported by Mr. Reid, one a practising solicitor, the other a practising barrister, men of greater experience, both in years and volume, than the hon. member. I think it must be conceded by all persons, irrespective of their State bias, their loyalty, or any other attribute that they may possess, that over the years Victoria has found satisfaction in the system, and, as Judge Advocate for the Air Force, I myself have found the system acceptable. Evidence in courts-martial is just as important to the serving member as is the evidence in courts of petty sessions, the District Court, or the Criminal Court, to the particular defendant.

Mr. Bennett: They get rough justice there.

Mr. SMITH: No, we do not give them rough justice. If, on the next occasion of hostilities, the hon. member for South

Brisbane comes before us on a charge of common assault, or any other charge, we will give him the justice he deserves.

I go on to point out that there is a provision in the Victorian set-up to avoid some of the off-handed criticisms of mechanical recording. The letter continues—

"In conjunction with the recording taken in our office, for the typists to type from, we make an additional two recordings of the evidence; one in our office, which is the copy we file away for a set period of time; and the third recording is taken in the Court room itself. There are two reasons for this recording made in the Court, one being to guard against any failure in the line between the Court and our office; the other reason being to enable us to play back any evidence that may be required by the Court."

It is a system of which, as the letter indicates, I have had personal experience, and my experience of it commends it to me. I know there is opposition to it; I think we can take it that the hon. member for South Brisbane is opposed to it but I have shown quite clearly that his opposition springs from ignorance rather than knowledge.

Mr. Bennett: Can you tell us why the Government does not implement your idea?

Mr. SMITH: I am not, nor have I ever presumed to be, spokesman for the Government. I am speaking on this matter on my own behalf. If I had been a spokesman for the Government, perhaps members on the other side would have been happier than they are today about certain measures.

In Queensland, I sincerely hope that we will have the courts permanently wired. If the opposition is very great in this State it must spring from ignorance of the systems involved. Anyone who has used them, as I have over the years, and Sir Garfield Barwick, who has put them into Commonwealth courts—and they have also been installed in Victoria—must be satisfied with them.

Mr. Bennett: Where have you used them?

Mr. SMITH: In the Air Force.

Mr. Bennett: You were only appointed Judge Advocate last year.

Mr. SMITH: I will read the letter again in a moment. That is where this member is such a nuisance in this Chamber. He either does not listen or, if he does, he hears and does not understand. I will read this part again and point out that the letter is dated 9 November, 1961. For the benefit of the hon. member, I tell him that today is 12 March, 1964, and, for his benefit, I find that is a lapse of time of some 2½ years, give or take a little. This letter says—

"From your own personal experience, you are aware that we are also under contract to the Commonwealth of Australia to record and transcribe all Courts Martial of the R.A.A.F. throughout the whole of the Commonwealth."

The letter writer, on 9 November, 1961, was referring to my knowledge and acquaintance of the system. That is 2½ years ago. I now ask the hon. member for South Brisbane to rest assured that I have had experience of it running into years.

A Government Member: Ask him to apologise.

Mr. SMITH: I do not expect him to apologise. I am making this slight repetition to point out to the Chamber, which I hope contains people who listen and take some interest, the experience I have had in this matter. When we build, as we undoubtedly will, new magistrates courts and other courts in which justice will be implemented, I hope that permanent wiring will be provided and mechanical recording provided for. We will then see a saving of time in our courts.

One other matter that my learned friend referred to was the question of bail. He made quite reasonable points in that regard.

Mr. Bennett: I am converting you at last.

Mr. SMITH: The hon. member is not converting me at last. The point about bail is that the principles which dictate the granting of bail do require consideration to be given not only to the sentencing of the person who pleads guilty but also to the magnitude of the offence. Some of the sections make it quite clear that magistrates cannot grant bail for certain offences.

Mr. Bennett: I pointed that out.

Mr. SMITH: The hon. member pointed out one section, but it was the wrong one.

I am not quarrelling with the hon. member's general submissions on bail, but I submit that there are times when even though a person has pleaded guilty it would be desirable to have the recognisance or surety of somebody other than the man himself.

Mr. Bennett: I do not think it should be mandatory.

Mr. SMITH: That is the point. It should not be bail on the defendant's own recognisance. It should be discretionary—bail on his own recognisance or bail or sureties when such sureties are required. As it is now, it must be bail with surety. That, I think, is undesirable.

I do quarrel with the hon. member's definition of "prima-facie case" when he was talking about magistrates being prone to commit unnecessarily. A prima-facie case has to be made out. To avoid any possible conflict or any mistake in my explanation of "prima-facie case" I propose to read two parts of Kennedy Allen's well-known book which, fortunately for the legal profession, has been preserved in this State by these amendments. The first part talks about the

committal of the defendant. In his notes on Section 108, Kennedy Allen says this about "The Evidence"—

"The section does not say that the justices must commit the accused if he completely answers the charge before them. Construed in connexion with s. 112, post, it should be read as providing that if, upon the conclusion of the case, the justices, having heard the evidence (which expression here seems to include the evidence, if any, adduced by and on behalf of the defendant), are of the opinion that it is not sufficient to put the accused upon his trial, they ought to discharge him."

In conclusion, let me simply give the definition of "prima facie" as set out in the glossary in Kennedy Allen's book—

"Prima facie: On the first appearance. A prima facie case is one in which the evidence for the prosecution, if believed and unexplained, is sufficient to support a verdict of 'Guilty'. Prima facie evidence is evidence on which the court is at liberty to act if it is not contradicted."

So I submit that with that explanation in mind the times and the occasions on which magistrates should commit are not synonymous with the times my learned friend suggested. There is a wider scope for committal and the scope for committal is set out quite clearly both in Section 108 and in the explanation of "prima facie".

Hon. P. R. DELAMOTHE (Bowen—Minister for Justice) (2.39 p.m.), in reply: I pay tribute to the hon. members who have spoken. They have advanced several interesting points, a few of which I consider it necessary to answer. I was chided that I did not interrupt speakers with explanations. I think it is more important that I should listen to what they say, rather than enter into an argument while they are speaking. I get my chance now.

The Leader of the Opposition spoke about making available to hon. members generally certain reports on which legislation is based. That suggestion has merit. I will have a close look at it with a view to making it possible in certain cases such as this one. Another point he raised concerned the imposition of common penalties by justices of the peace. When he is sworn, every justice of the peace is issued with a book called "Justices of the Peace" which has been prepared by the association. It is only a small book but it contains valuable information. The use of J.P.'s as justices is getting rarer and rarer because, generally speaking, stipendiary magistrates are now available in almost every centre of the State. They have circuits. The cases are arranged for them to hear and, if it is a matter of extreme urgency, with modern transport they can get to remote areas of their district.

The use of J.P.'s as justices on the bench is quite a rare occurrence now and I cannot recall their ever sitting in my own area except in a very rare case, such as one of being drunk and disorderly, when the magistrate was away and the C.P.S. was not available. The same situation applies all over Queensland because stipendiary magistrates today are not appointed to one district only. They have jurisdiction over the whole of the State, as do J.P.'s. They are appointed stipendiary magistrates and J.P.'s for Queensland and not for the districts of, say, Roma or Hughenden. In the country an S.M. has a circuit listed. On Tuesday he will be here, on Wednesday there, and on Thursday somewhere else.

The hon. member for Bundaberg raised some interesting points. He suggested that all phases of the departmental administration of penalties should be investigated. I believe that to be right. Just as legislation has to be modernised, so do departmental regulations dealing with discipline; they will be looked at and brought up to date. He asked, too, for a comparison between the increasing number of stipendiary magistrates, and the increasing duties and increasing population. In Brisbane, in the last five years there has been an increase in the number of S.M.'s, and in the country, at Townsville, there has been in increase of one.

Mr. Bennett: You still require more here.

Dr. DELAMOTHE: While agreeing that there will be an increasing necessity for more, accommodation has been our limiting factor. Shortly, however, we will be moving out and using the courthouses which were established in nearer areas such as Sandgate, Petrie, Cleveland and Inala. By using those courts our accommodation problem will be alleviated, and that will enable us to make more appointments.

Mr. Walsh: Don't you agree that an increase of only four, compared with the number of cases listed in the magistrates courts, is very small?

Dr. DELAMOTHE: No. I get a monthly return of lagging cases and it is not very great. It is not sufficiently large at the end of each month to indicate that more than a small increase is needed at the present time.

Mr. Walsh: The law was amended to enable pleas of guilty to be accepted to reduce congestion in the court.

Dr. DELAMOTHE: That is because somebody found a weakness in the law. That is why we have barristers.

The hon. member for Townsville South raised one or two matters. I do not think stipendiary magistrates are overawed by anybody—not the ones I know. He raised the matter of varying sentences. I am arranging a seminar for magistrates over a period of two weeks in August—a seminar by magistrates for magistrates. Prepared papers will be read on points that have been the subject of public criticism and there will be discussion groups. That move will go far

towards getting some general uniformity of approach by magistrates. I propose to bring down as close to half of them as I can in August and the other half in six months' time. I believe that will do a lot of good. It is a complete innovation; I do not think it has ever happened before; and I am looking for great results from it.

Mr. Walsh: So as to confuse the issue, invite a few barristers to that seminar.

Dr. DELAMOTHE: Oh, yes. In fact, I am seriously thinking of making it open to the public.

I should hate to think, as was suggested by the hon. member for Townsville South, that any stipendiary magistrate ever reached a judgment with one "eye" on his fear of the members of a higher court. I do not think any stipendiary magistrate walks in fear. I think they do an extremely good job, in many cases under great hardship, and I believe that, generally speaking, they are worthy of the greatest praise.

I believe, too, that criticism of the judiciary for what they do in the way of imposing sentences is to be greatly deprecated. Sometimes because people do not agree personally with a verdict in a particular case, unworthy motives for reaching the decision are imputed to those set apart to hear these cases. I am quite sure that, if there were any general feeling that a particular member of the judiciary arrived at his decisions otherwise than on the full weight of what was presented before him, there would be a very quick move to supplant him. The fact that that has never occurred is a sufficient pointer to the respect paid them and the honesty with which they work.

The hon. member for South Brisbane raised a couple of interesting points. I am sure that he and the hon. member for Windsor will both be very pleased to know that one of the amending provisions in the Bill has to do with the granting of bail without sureties. The new section 45 of the Act will give a discretionary power to stipendiary magistrates to grant bail with or without sureties in the particular type of case mentioned, so I am able to say that we anticipated that one.

Regarding the little by-play on the difference of opinion on the recording of evidence, I should like to tell the Committee that tenders have been called for the supply of this equipment. We have been trying it out in the Licensing Commission. We propose putting it in the Coroner's Court as soon as the supply is available and then. in the light of our experience in Queensland, gradually providing the facility in the other courts.

The hon. member for South Brisbane said that he personally thought shorthand-writers were preferable and were the better answer. I am very pleased to know that he has several good shorthand-writers in cold storage, because the Chief Reporter upstairs, having listened to the hon. member for South Brisbane, sent me a note to say that he has vacancies for four competent shorthand-writers who can write at 170 words a minute and that they could start work tomorrow morning if available.

Mr. Bennett: I know a girl who obtained an "A" in shorthand, an "A" in typewriting, and an "A" in English, but she cannot get in there at the moment.

Dr. DELAMOTHE: If she can do 170 words a minute she can start tomorrow morning; there are vacancies for four. The Chief Reporter has informed me that those openings exist, and I would not impute anything of an improper nature to his making that statement. If he made it, it is an honest statement.

I think that that covers all the points of interest that were raised. If there are others, they can be debated at the second-reading stage.

Motion (Dr. Delamothe) agreed to.

Resolution reported.

First Reading

Bill presented and, on motion of Dr. Delamothe, read a first time.

FORESTRY ACT AMENDMENT BILL

Initiation in Committee

(The Chairman of Committees, Mr. Hooper, Greenslopes, in the chair)

Hon. H. RICHTER (Somerset—Minister for Local Government and Conservation) (2.53 p.m.): I move—

"That a Bill be introduced to amend the Forestry Act of 1959, in certain particulars."

Hon. members will no doubt recall that towards the end of 1959 the first comprehensive Forestry Bill for this State was passed by the House and assented to on 22 December, 1959.

That Bill, which is known as the Forestry Act of 1959, provided for forest reservations, the management, silvicultural treatment, and protection of State forests, and the sale and disposal of forest products and quarry material on State forests, timber reserves, and other Crown lands. It also made provision for the management of national parks and scenic areas. The Bill filled a long-felt want and gave to the Department of Forestry the necessary legislative provision to cover its varied activities.

The 1959 Act has worked very well. However, administration over the past four years has shown the need for certain amendments, and these are covered in the Forestry Act Amendment Bill of 1964, a short Bill of 19 clauses, which I am submitting for the consideration of hon. members.

Let me say at this stage that I appreciate that forestry is only one form of land use and that, when submitting any legislation of

this nature, other authorities controlling and directing land use, such as the Land Administration Commission, the Department of Mines, and the Department of Primary Industries, should be consulted and their views obtained to ensure that there is no conflict. I can assure hon. members that the proposed amendments, where they affect the Land Administration Commission, the Department of Mines, or the Department of Primary Industries, have been discussed with those authorities and all are in agreement.

Turning to the Bill itself, there is nothing of a contentious nature in it. There are some amended definitions that will facilitate administration of the principal Act. Earth and soil have been brought in under the definition of quarry materials, and this will allow permits to be granted for the removal of such material from Crown areas.

There is provision for the amalgamation of national parks and scenic areas which, although not contiguous, could more appropriately be administered as one unit.

Mr. Lloyd: In what way?

Mr. RICHTER: In particular, this will permit the amalgamation of a number of small scenic areas, such as islands in the same general vicinity, as one unit. We are trying to amalgamate small scenic areas here and there into one unit instead of making each one a special scenic reserve.

Mr. Newton: Islands adjoining one another?

Mr. RICHTER: Islands that are in the same vicinity.

There is provision for the Governor in Council to exclude roads required for public use from forestry reserves. This is necessary to permit proper action when essential access to or through the areas concerned is involved.

Some technical weaknesses in regard to the granting of special leases on forestry reserves and occupation licences on timber reserves are being corrected. Quite a number of these provisions have been made necessary because of the consolidation of the Land Act.

Provision is being made for the granting of permits for apiary sites on national parks and scenic areas. This gives legislative authority for what is the present practice. It is very important that this should be legalised.

Mr. O'Donnell: Under the old Act, it was stated that they were not to be there.

Mr. RICHTER: That is so.

The main amendment deals with Section 47 of the principal Act. This is the section that lays down the procedure to be observed when dealing with the sale of forest products or quarry material from a Crown holding or forest products from a lease under the Mining Acts.

This procedure has proved cumbersome, particularly in respect of small individual sales. The amendment provides for the Land Administration Commission and the Department of Mines to fix a value up to which sales may be made without further reference to them. This will eliminate the necessity of referring each individual small sale to those departments, both of which are fully in agreement with this procedure.

Mr. Lloyd: Do you mean to say that if I had a bit of forest on my lease from the Department of Lands that would bring it under Department of Forestry administration?

Mr. RICHTER: No. The matter of administration does not come into it. It is purely in the sale of these products. Every time you take a load of soil, permission has to be obtained from either the Department of Lands or the Department of Mines. It is proposed that we fix a figure, whatever it may be, and you get a permit to sell up to that amount. At the present time, for every individual sale, even for a load of soil, you have to go either to the Department of Lands or the Department of Mines for permission.

Mr. Lloyd: That is on a forest block?

Mr. RICHTER: Yes, any forest block where forest products are vested in the Crown.

A somewhat similar procedure is being brought in for the issue of licences on Crown holdings.

The powers of the Conservator of Forests to recover costs of fighting fires threatening forest reserves or of fires on the reserves, where such fires have been illegaly lit, have been strengthened.

Also, a clear-cut procedure has been laid down which will allow the Conservator of Forests to deal with the wild stock and brumby problem on forest reserves.

Where forest products have been interfered with without authority, provision is made for the Conservator of Forests to sell the forest products and apply the proceeds towards reduction of the value demanded of the offender.

These are very simple amendments. I do not think they are in any way controversial. It is merely a tidying-up Bill and I do not propose to take any further time of the Committee. I will leave over any further details of the Bill until the second reading.

Mr. DUGGAN (Toowoomba West—Leader of the Opposition) (3.3 p.m.): Like the Minister, I do not propose at this stage to take up very much time. I gather from his explanation of the Bill that, in the main, the amendments are largely machinery or have been designed for the purpose of facilitating the smooth administration of certain matters, mainly of a routine kind, within the Department of Forestry.

In view of the fact that the Minister indicated that this is an amendment of a very comprehensive Act that was introduced in 1959, I hope the Government will not, in view of the relative unimportance of this amendment, overlook its overall obligations to prosecute a very vigorous reforestation policy throughout the State.

The volume of timber imports into this country is immense; the provision of adequate conditions would get rid of much of that. Sawmills in many parts of the State are closing and, generally speaking, I do not think the timber industry is one of which we should be particularly proud. There has not been enough forward planning in an effort to make Australia almost self-sufficient in these matters.

I could make quite an important speech on these points but I do not propose to take up time in that direction. I simply want to place on record that I am concerned—as are all members of the Opposition—with the general situation in the timber industry. We think that there is an opportunity here for very valuable work to be done by trained officers of the department and I am quite certain that they could do all of this, provided, of course, they got the requisite finance for these various projects.

Unless we tackle this problem energetically in the next few years, within 15 or 20 years we will be in an extremely difficult position. I saw some figures the other day to be effect that in 1970 or 1975 we will be importing almost £200,000,000 worth of timber a year. That seems an astronomical figure. From the Minister's explanation—and I have no occasion to doubt what he has said about the proposed amendments—there would seem to be only one provision that might offer scope for some discussion. That is the proposed amendment to Section 47 dealing with the sale of forestry products. The only point I should like to be clear on at this stage is, whatever the amount specified in the Bill is, whether it is the Land Administration Commission that gives the initial approval. We have to be very careful that we do not, through the Department of Lands, surrender any Crown land. If it is necessary to get a permit on every occasion it is sought to purchase a truckload of soil, clay or other material of that kind, the value of the product to the Crown should not be wasted in correspondence and the time of officers in granting approval. When an application is made for material up to the value of £X it should be stated whether the Land Administration Commission and the Department of Mines have given the necessary approval for that volume of goods or products to be taken without further application to the department. If that point is made clear I think it will avoid much unnecessary discussion. There may be merit in avoiding the cause of delays in the circumstances the Minister has indicated. No doubt such is the case. At this stage I do not think there is anything further I can say on that point.

If the aggregation of scenic reserves is to be along the lines mentioned by the Minister I see no harm in it. It could be a convenient way of administering this matter. I should imagine that when these amalgamations have been effected there will be a definition and description of them so that if you want to deal with a particular section you will know how to identify that portion of the total area. Frankly, I cannot see very much to quarrel with in that provision.

From what the Minister has said about the Bill there seems to be no reason to argue with what is proposed unless we like to open up a general discussion on forestry. I do not think any hon. members on this side would want to do that, other than to make passing reference on this occasion because we have many other Bills to consider. The Opposition Whip tells me that we do not have any further speakers at this stage. It is rather a narrow debate and most of the provisions seem to be worthwhile.

Motion (Mr. Richter) agreed to.

Resolution reported.

First Reading

Bill presented and, on motion of Mr. Richter, read a first time.

PRISONS ACT AMENDMENT BILL

Initiation in Committee

(Mr. Hodges, Gympie, in the chair)

Hon. H. W. NOBLE (Yeronga—Minister for Health) (3.10 p.m.): I move—

> "That a Bill be introduced to amend the Prisons Act of 1958, in certain particulars."

Broadly speaking, the purpose of the Bill is to provide the necessary statutory authority to facilitate the establishment and management of a security patients hospital at Wacol. As the management of this, and any other security patients hospital which might be established in the future, will be under the control of the Comptroller-General of Prisons, it is appropriate that the necessary statutory authority should be provided under the Prisons Act rather than under the Mental Health Act. It will be appreciated that the legislation will need to provide not only for the establishment and means of administration of this new type of hospital, but also for the making of regulations to deal with the treatment, recovery in the event of escape, and discharge of security patients.

One of the very important principles of the Bill concerns the detention in a security patients hospital of a person whose sentence inflicted by the court may expire but who,

because of his mental condition, must necessarily be kept in hospital in the interests both of himself and of the community at large.

I have no doubt that hon. members will agree as to the necessity to provide for the continued segregation, for as long as may be necessary in the public interest, of persons, who, because of mental illness, are a danger or a potential danger to themselves and to the public.

It is fundamental, of course, that the rights of the individual must be carefully safeguarded in these matters.

The Bill provides that in any case in which it appears to the Comptroller-General of Prisons that it will be necessary, for the reasons I have outlined, to detain a person in a security patients hospital after the expiration of his sentence, the onus shall be on the Comptroller-General to take certain steps prior to the date on which the sentence expires. The procedure to be adopted to detain a person beyond sentence will be for two medical practitioners to certify that continued detention is necessary. If there is a difference of opinion, a judicial investigation by a District Court judge, assisted by medical opinion, will be undertaken, and unless the processes of law as laid down by the Bill are completed in any particular instance, the Comptroller-General will have no more right to detain the patient concerned in a security patients hospital after expiration of his sentence than he has so to detain a normal prisoner under ordinary circumstances.

A further safeguard of the rights of the individual will be the establishment of a security patients review tribunal to which any security patient or his agent will have the right of appeal against detention beyond the date on which the patient's sentence expires.

Further amending provisions in the Bill are designed to provide the necessary statutory authority for the transfer to a security patients hospital of prisoners who are mentally ill; to enable any place to be declared a security patients hospital and generally to enable security patients to be cared for and treated by the Comptroller-General of Prisons, and to be discharged, released on probation, or granted leave of absence under conditions which may be prescribed to cover the circumstances of any particular case.

A new provision in the Bill extends the regulation-making powers of the Governor in Council in respect of the discharge, release on probation or leave of absence of any person detained pursuant to Section 647 of the Criminal Code or Section 18 of the Criminal Law Amendment Act of 1945. These sections deal respectively with those acquitted of an offence on the grounds of being of unsound mind at the time of the offence and those found to be incapable of exercising proper control over their sexual instincts. In these cases the offenders may be ordered to be kept in strict custody until Her Majesty's pleasure is known, but under the existing legislation there is no provision for the granting of conditional discharge, release on probation or leave of absence to such persons. There being no such provision, there cannot, of course, be any provision for their apprehension for a breach of conditions of discharge. The amending Bill seeks to rectify these matters. You could have a prisoner in gaol today who is unable to control his sexual instincts, who could be allowed out on a conditional discharge provided he took, say certain medicine which might control his sexual aberrations.

Mr. Duggan: If he suffered from aberrations in that direction, wouldn't there be a disinclination on his part to take the corrective medicine?

Dr. NOBLE: He would have to take it. He would be on parole and on that condition.

Mr. Duggan: I should think anybody on probation who suffered from feelings of that sort would like to stimulate them rather than suppress them.

Dr. NOBLE: No; once they take these things they lose the desire. The hon. gentleman may rest assured that, before any prisoner would be released, absolute care would be taken to ensure that he would not be a danger to the community when he got out. There are certain cases in which it is felt that a conditional release could be given. However, because we cannot release them now with conditions attached, they have either to be kept in gaol or given a total discharge.

Mr. Duggan: There might be a lot of merit in what you say, but I think you chose a rather unfortunate illustration.

Dr. NOBLE: I am not proposing that this particular prisoner be released, but there is the case of Carter, who is in gaol at the present time. He cannot be released on conditions. He may be at some future date. At the present time the only way he can be released is totally. That is just an example of the reason for the introduction of the provision.

A further new provision concerns the arrest of an ordinary prisoner or a security patient who has escaped from a prison or from legal custody. The purpose of this is to ensure that the prosecution of the offence of escaping shall be undertaken under the Prisons Act rather than under The Vagrants, Gaming, and Other Offences Act or the Criminal Code, and to strengthen the provisions of the Prisons Act by giving a prison officer as well as a police officer power to arrest for such an offence without a warrant other than the Act itself.

The means of ensuring that an escapee is dealt with under the Prisons Act is the provision that he be returned to the custody

of the Comptroller-General of Prisons, who is already authorised to institute proceedings against the offender under the Prisons Act.

This will ensure that such an escapee will not avoid an additional penalty for the offence of escaping, as the Prisons Act provides for such additional penalty to be cumulative with any existing sentences the prisoner might be serving or be liable to serve. It has happened, as a result of proceedings under the other Acts I have mentioned, that a penalty imposed for escaping has become concurrent with an existing sentence and, in effect, no additional penalty has been suffered.

Dealing with the rehabilitative side, I consider it desirable to empower the Comptroller-General of Prisons to permit a prisoner, during the last weeks of his sentence, to be absent on leave from prison for a short period to enable him to interview prospective employers or to make such other arrangements as may contribute towards his rehabilitation and re-entry into social life after discharge. There is provision for pre-discharge leave in both the Victorian and New Zealand legislation, and I feel that this has much to commend it. The proposed Bill will make provision accordingly.

At 30 June, 1953 there were 570 prisoners in confinement in this State. In the interval of 10 years to 30 June, 1963, the prison population had grown to 946, an increase of 66 per cent. Whereas during the year 1953 a total of 2,451 convicted prisoners passed through prisons in this State, the figure for the year 1963 had grown to 4,224, an increase of 72 per cent. I quote these figures in order to give hon. members some idea of the mounting need for increased prison accommodation, services, and facilities generally.

Unfortunately our predecessors in office appear to have regarded prisons as the Cinderella department of the State, and little, if anything, was done by the previous administration to speed up the provision of additional prison accommodation in order to keep pace with the increase in the number of offenders, which is an unfortunate corollary of an expanding population.

When this Government took office in August 1957, the Brisbane prison, with normal sleeping accommodation for 450 men, was housing a daily average of 514 male prisoners. As many as 551 men had been confined in this prison at one time in normal accommodation for 450. In his annual report for the year ended 30 June, 1958, the Comptroller-General of Prisons had this to say—

"In the main prisons there is an acute shortage of accommodation, resulting in serious overcrowding causing difficulties in administration, as well as hindering a positive approach to rehabilitative training . . .

"The continued increase in prison population gives much cause for concern to the administration . . .

"I feel that far too many men are kept in bastille-type prisons with little positive training . . ."

In short, there was, and still is, disquieting overcrowding in our prisons. This in itself is sufficient cause for concern, but overcrowding has not been the only result of shortage of prison accommodation. It has meant that the very desirable classification and segregation of prisoners according to age groups, offence, etc., could not be attempted.

Perhaps more serious from the point of view of prisoner rehabilitation has been the fact that lack of space, particularly at the Brisbane prison, has made it virtually impossible to provide useful and active employment for more than a relatively small number of prisoners. I say without fear of contradiction that there is nothing more soul destroying for prisoners than to be condemned to sit in continued idleness.

It should be mentioned here that these things have not been the fault of the Comptroller-General of Prisons (Mr. Kerr), who, as I previously indicated, for years and years had been pressing for more accommodation. Thanks largely to Mr. Kerr's foresight, an area of land at Wacol was acquired some years ago as a prison reserve.

Upon accession to office the present Government instructed the Comptroller-General to submit proposals for the establishment of a medium-security prison at Wacol. This project, which eventually will house 240 prisoners, is now nearing completion. One hundred and thirty-five cells have now been occupied, and the medium-security prison at Wacol is already a reality.

Mr. Sherrington: When was that land acquired?

Dr. NOBLE: It does not matter when it was acquired. The Labour Government would not do anything with it.

In the meantime, extensions to the Townsville prison have also been put in hand.

During the last few years the facilities at prisons have been improved. At the Brisbane prison, wood-working and metal-working shops have been provided with first-class equipment and tools of trade. A new kitchen and laundry have been set up, with modern equipment. An up-to-date dairy has been developed at Wacol, including facilities for pasteurising the milk produced by a large good-quality dairy herd. Over 10,000 gallons of milk a month are produced at Wacol.

A building to house modern workshops and a bakery is almost completed at this same prison.

Thus, we have endeavoured not only to provide some of the additional accommodation so urgently needed to relieve the existing overcrowding, but also, within the limits imposed by lack of space, to provide

some measure of worth-while occupation for prisoners. However, not enough can be achieved by what may be regarded as conventional means, and the plain fact is that if we had to rely on a normal building expansion programme it would be quite impossible to provide, within the foreseeable future, adequate suitable accommodation as well as classification and segregation of prisoners; nor could we set up the necessary facilities for a significant programme of training in worth-while occupations. In other words, what we have been able to achieve during the last few years will not make up for the lag in building from which the Prisons Department suffered during preceding decades, let alone keep pace with modern developments in penology and provide for future requirements.

The solution to the problem, of course, is to use the work of constructing prison buildings as a means of providing prisoners with basic training in building methods under the direction of experienced artisans. This has been done with outstanding success in New South Wales, where, using a construction force of prisoners working under the direction of tradesmen prison officers, new accommodation for no fewer than 700 prisoners has been provided in recent years. In addition to what has been accomplished already in this manner by the New South Wales prison authorities, new building construction in hand at the State Penitentiary at Long Bay, near Sydney, will provide, by the same means, a new Remand and Trials Holding Section with planned accommodation for 336 unconvicted persons.

This building policy was instituted by the New South Wales Government some years ago, since when many prison buildings have been erected at the various penal settlements throughout the State, apart from those at Long Bay to which I have referred already. During a visit to New South Wales last year I inspected some of this work at the invitation of the Minister for Justice (Hon. N. J. Mannix, M.L.A.), who was extremely proud of what had been achieved under the prisoner-workman scheme, both by way of providing a programme of training and rehabilitation of prisoners, which has had most beneficial results, and as a means of achieving a maximum of building construction with the funds available to his department.

It has been decided to follow a similar pattern in Queensland, and our proposed scheme will serve a twofold purpose. Firstly—and this is probably the most important consideration—it will be a means of providing worth-while occupational therapy and training for prisoners who would otherwise spend their time in idleness. It will provide training in building methods as a means towards equipping the prisoner with some knowledge that will be useful to him after his discharge from prison.

It will enable the greatest possible use to be made of the funds available for prison-building projects, because the savings effected will enable more buildings to be constructed with the money allocated for prison expansion. This will undoubtedly lead to a much-needed improvement in the deplorably overcrowded conditions existing in our prisons today. The scheme will have no noticeable effect on employment in the building industry, because the loan funds saved will be allocated to other essential public works projects.

There is ample justification for implementing a prisoner-training scheme by this means. As I said earlier, during recent years there has been an average of 5,400 admissions to prisons in Queensland each year, and the daily average number of prisoners in custody during last financial year was 928. However, during the three years from 1 July, 1960, to 30 June, 1963, because of overcrowding in our prisons, only 172 prisoners were afforded the opportunity of undertaking educational and trade-training courses. That is a very poor record. One of the failings of the prison system in Queensland has been that all too few prisoners have had this chance of improving themselves, and something must be done about this in the interests of the prisoners themselves and of society generally.

A factor which must be taken into account in considering the building of prison accommodation by prison labour is that, excluding capital expenditure by the Department of Works on the various prison establishments in the State (which for the two years to 30 June, 1963, exceeded £214,500) the gross cost to the public purse of maintaining an unproductive prisoner serving a sentence of over six months, and of paying social service benefits and children's allowances to his wife and, say, three children, can amount to £23 5s. a week (excluding child endowment). It is surely not unreasonable to expect some return to the community for this outlay of public money.

One of the most gratifying aspects which has come to light in considering the proposals I have outlined has been the enthusiasm of the prisoners to learn a skill and be given an opportunity of doing some constructive work. Many prisoners have made requests to the Comptroller-General to be allowed to attend classes being conducted in basic building methods, and to be included in the working parties when construction work commences. This, of course, was not unexpected, since one of the fundamental virtues of the scheme is that, as I said earlier, it will take the prisoner from enforced idleness and give him a constructive task to perform. Prisoners who work on construction projects will be credited with gratuities payable on discharge.

Mr. Newton: At award rates?

Dr. NOBLE: They are already paid at award rates by our keeping them there. Can't the hon. member get that into his thick skull?

It is felt that this will be a means of assisting them during the difficult period between their discharge and their absorption into employment. I have already referred to our proposals for pre-discharge leave for prisoners to enable them to interview prospective employers.

The first project we should undertake under the building scheme in the Brisbane area is the erection of the proposed security patients hospital on the prison reserve at Wacol. At present, criminally insane persons, including those held in custody under Section 647 of the Criminal Code and Section 18 of the Criminal Law Amendment Act of 1945, as well as any who may become mentally ill while under sentence, are housed in special hospitals (previously known as mental hospitals)—mostly at the Ipswich Special Hospital. I am convinced that our first task in overcoming the accommodation problem should be to see that these prisoners are housed and treated in a special unit administered by the Comptroller-General of Prisons with the help of specialist services made available by the Director of Psychiatric Services.

The reasons for my conviction are threefold—firstly, the housing of the criminally insane in special hospitals makes it virtually impossible to segregate them entirely from other mentally-ill patients requiring restrictive custody; secondly, the accommodation available in a special hospital cannot be such as will provide adequate security parallel with the necessary rehabilitative therapies; thirdly, these patients should be cared for by staff specially trained in security measures as well as in the care of the mentally ill.

At the same time, I envisage a further extension of scholastic courses—in the prisons generally, I mean—the aim of which will be to assist as many prisoners as possible to take their places in commercial and technical occupations after discharge from prison.

I would mention here that at present one prisoner is taking a university correspondence course in commerce and economics, and, at his present rate of progress, should graduate. Another prisoner still under sentence has already graduated as a bachelor of economics. Many others are taking courses from the Technical Correspondence School and the Secondary Correspondence School.

On the trade-training side, I have requested the Comptroller-General of Prisons to explore the possibility of arranging with the Apprenticeship Committee for time spent learning a trade in prison to be credited towards completion of apprenticeship. That is done overseas. I saw this in England. It might well be that arrangements could be made for youths to undergo apprenticeship training in prison and be discharged as fully-fledged journeymen with the enhanced prospects of future gainful employment which such qualifications would bestow.

Recreational amenities have not and will not be neglected. Playing fields are already in use at Wacol Medium Security Prison, and a sporting area is at present under construction by prison labour on land adjacent to the Brisbane Prison. I might mention that Tattersall's Cricket Club is going up there to play against the prisoners on Sunday next.

In conjunction with my officers, I am at present giving consideration to the establishment of a juvenile prison which will be specially designed and equipped to accommodate and train young offenders.

In my opinion such a prison is warranted, as under the present prison set-up it is difficult to confine young persons apart from the older and more seasoned prisoners. A juvenile prison would ensure that young first offenders would not become further criminally inclined through contact with hardened criminals. In accordance with modern thought, this institution will be a complete unit in itself and not associated with any other prison establishment.

The need is recognised for a prison in Central Queensland. The present structure could not be regarded as a prison; it is merely a gaol. It is attached to the Rockhampton Police Station, with a police officer as superintendent. Its facilities are restricted and there is no scope for training for rehabilitation purposes. I have requested my officers to investigate the acquisition of a suitable site for the establishment of a medium security prison near Rockhampton where selected prisoners could be confined. I think we have that site now.

Prisoners' aid societies—one at Brisbane and another at Townsville—are being assisted by the Government by way of a grant in the work of helping to re-establish discharged prisoners and of providing assistance to their families.

From the foregoing and their own observations hon. members will recognise the need to provide additional prison accommodation as quickly as possible. This purpose is to be the immediate aim of the Department of Prisons, and a policy to establish improved services and facilities for the benefit of prisoners and the community alike will be followed.

Mr. DUGGAN (Toowoomba West—Leader of the Opposition) (3.37 p.m.): The Bill has some features which are to be strongly commended; it has some features which require very close examination before an expression of opinion can be made one way or the other. There are some other aspects of the Bill which, at this stage, probably call for strong condemnation.

First of all, I want to place on record that we on this side would be in full accord with any steps taken to effect the proper rehabilitation of prisoners. We also want to see implemented a scheme that embodies the latest ideas on rehabilitation.

But the Minister spoiled what could have been a reasonable speech from his point of view by becoming unnecessarily provocative in his attack on the Labour Party for its alleged failure to deal with the problem of prisoner accommodation. The authority the Minister used—I presume he used it because it was the most appropriate authority to buttress his case—was what the Comptroller-General of Prisons said in 1958. If this was a matter of such tremendous urgency in 1958 why wait until midway through 1964 to implement this decision? It is all very well for the Minister to say that somebody should be castigated. I am not blaming this Government for it, but the fact is, as revealed by Queensland Pocket Year Book, that the number of prisoners per 100,000 of the population has risen greatly since this Government has been in power. I do not blame the Government's political policy for the fact that there are more prisoners. All I am saying is that the need for prisoner accommodation has been accelerated since this Government came into office, so the Minister cannot throw that at the Labour Government. After a great deal of painful pressure from the hon. member for Salisbury, the Minister eventually admitted that the land at Wacol had been acquired in anticipation of the need to introduce new methods in the rehabilitation of prisoners. I do not recall the date, but I recall very clearly the then Attorney-General, Hon. W. Power, bringing forward a Cabinet submission for the acquisition of land at Wacol because of the acknowledgement by the Cabinet at that time of the inability to provide these rehabilitation facilities at the Brisbane gaol.

I am in complete accord with what the Minister had to say about the unsuitability of the Brisbane gaol. After castigating the previous Government for permitting these bastille conditions to prevail, as he said, he then gleefully enumerated to the Committee all that has been spent at the gaol in the last few years. In other words, he has concentrated further activity in the provision of workshops, and so on, within the confines of the gaol. He cannot have it both ways. If it was thought that this rehabilitation was necessary, why didn't he go elsewhere?

So far as I could follow the Minister's submissions, I am in complete accord with the steps he proposes to take to establish a security patients hospital at Wacol, the measures he intends to apply to the promulgation of regulations, and the authority he proposes to give to the Comptroller-General of Prisons in looking after these people. I agree also with the provision of a tribunal to deal with appeals that some prisoners may wish to exercise if they think the decisions of the controlling authorities are unreasonable or unfair.

Dr. Noble: That will apply only to persons whose sentences have expired.

Mr. DUGGAN: That is right. We agree with what is proposed.

I am also in agreement with the statement that nobody would wish to see discharged from an institution people who constitute a menace or a danger to the public. The Crown has an obligation to see that people who have committed a misdemeanour are given an appropriate sentence and, if their premature discharge constitutes a measure of danger to the public it should be prevented by all means. I am in complete agreement with that provision.

I am not altogether happy with the illustration used by the Minister of a person who may want to give expression to his sexual desires. He will be released on the understanding that he agrees to take sedatory tablets for the complaint. I do not want to be facetious, obscene, or vulgar, but I gather from the advertisements that, so far as people who are not in hospital are concerned, they are anxious to take pills that will increase, rather than decrease, that particular desire. I should think the people who are likely to engage in sex acts would be the very ones on whom we should impose very strict conditions of parole. I am concerned about the damage that may be done to women and children if they are prematurely released.

Dr. Noble: This would apply more to homosexuals.

Mr. DUGGAN: The Minister did not say that. In any case, that is not a practice I should like to encourage. I do not think that the Minister has helped his submissions very much by changing his grounds. I should hate to think that the only contribution made by the Minister to the problem of homosexuality was to subdue their intentions somewhat. I do not know that I am very happy about either of the Minister's illustrations.

There cannot be any serious quarrel with any attempt by the authorities to provide ways and means whereby anybody who has fallen foul of the law and paid the penalty for it should be given the opportunity to rehabilitate himself and take his place in society as a citizen prepared to accept the full responsibility of citizenship, and by his conduct deserve the approbation of decent people in the community. I think everyone will welcome any measure designed for the purpose of effecting the rehabilitation of those who, at some stage in their life, have fallen foul of the law.

I come now to the question of how this aim is to be realised. I think the Minister said that there had been an increase of 72 per cent. in the number of prisoners.

If he wants to make this a party-political matter I do not think there is any other period with a comparable percentage increase. The figures he chose to bring forward to strengthen the urgency of his case for the provision of facilities appear rather bad from a political point of view, particularly when he slanders us for not doing certain things and then quotes such figures to justify the provision of funds and facilities. That is a rather queer type of logic and it does not really impress me.

If the programme has become so pressing at this stage that the Minister thinks he should dispense with conventional methods of building and employ prison labour at the institution, I think we should have a very good look at it.

Hon. members may have noted that, when the Minister for Transport was introducing a Bill, he employed various inflections in his voice which could not be captured in "Hansard". He did that when he wanted to focus attention on alleged misdemeanours by Western Transport Pty. Ltd. Today the Minister, by using that technique of raising his voice and then deepening it somewhat, applauded the New South Wales Government for following this practice. When it suits the Minister or other members of the Government in anything they want to do, they say it is modelled on the lines of New South Wales legislation and so endeavour to remove any grounds for complaint by us. They suggest, "The New South Wales Labour Government has done this and therefore it would be very disloyal of you to criticise it." But what if we came up with the suggestion that workers in Queensland should be given four weeks' annual leave because the New South Wales Government has conceded four weeks' leave to its Public Service? The Minister would shake his head and say it was a terrible thing. In that direction, and in many other directions, the Government do not want to follow New South Wales but, because it suits them, they say this is done in New South Wales. I am going to say what so many Government spokesmen have said over the years—I am not concerned with what anybody outside Queensland does in this matter. We will judge it simply on whether it is a good idea or a bad one.

My inquiries have elicited the information —and I do not say this dogmatically because it could be wrong—that there are two qualified bricklayers who are prisoners at Her Majesty's Prison, Brisbane, at present. If the Minister intends to embark on a costly programme at Wacol with two qualified tradesmen, where do we go from there? Are we to wait for some years until other prisoners acquire the degree of skill necessary to enable them to operate as qualified tradesmen, or are they to be used very shortly? Judging from the tenor of the Minister's remarks, I should say they will be used very shortly.

Dr. Noble: They are doing the earth work at Wacol now.

Mr. DUGGAN: I do not know that that requires a great deal of skill.

Dr. Noble: My word it does!

Mr. DUGGAN: In recent weeks 270 Works Department employees have been displaced and, according to information conveyed to us, as soon as the council elections are over, that number will be increased to 400. So there will be 400 building workers who could be employed profitably on some construction works in the community but, under the guise of effective rehabilitation, prison labour is to be used at Wacol.

What is the policy of the Government? On the one hand we keep hearing about the need to improve standards. The Minister has introduced Bill after Bill to increase the qualifying standards for pharmacists and specialists and other people. I have no particular quarrel with that but I point out that the pattern has been to improve the standards of examinations and other professional qualifications of certain groups that operate under the general supervision of his department. And he is only one Minister who has been adopting that attitude. Other Ministers keep talking of standards, too. We find a very strong pressure exercised by the Master Builders' Association for the registration of building contractors, and their plea for receiving increased sympathetic consideration from the Government has been solely on the basis of an improvement in the standards of home-building.

Who will be embraced in this training scheme at Wacol? Will it be the long-term prisoners—men who can do a five-year course and pass the prescribed examinations and satisfy the Apprenticeship Committee that they are sufficiently trained to justify their being issued with a certificate that they are competent tradesmen? What will happen with the short-term prisoners—the men sentenced to two years, or nine months, or six months, or something of the kind? Prisoners with the longest sentences would be those guilty of the more serious offences in the community. They are likely to be the only ones who will enjoy the benefit of a rehabilitation course fitting them to function in the community as fully-qualified tradesmen on the expiration of their sentence.

There may be justification for giving credit to a person who has completed some training under supervision in a syllabus laid down by the Apprenticeship Committee, particularly if he is under 21 years of age. Assuming that we are in agreement on training facilities, which we are not, if a person is released at the age of 30, 35, or 40 after having completed, say, two years' training, who is going to pay him the difference between what he would be entitled to and what would have to be paid to an apprentice at a comparable stage of training? Obviously it would be unreasonable to expect any employer to subsidise such a person. He would say, "You have only the skill of a

second-year apprentice, so I am not going to pay you a tradesman's wage. You have not the skill of a person who has served five years of apprenticeship." What is to be the quality of the work done at Wacol if it is to be carried out by unskilled labour?

There is a grave shortage of skilled personnel in Australia today, and one of the worst offenders is the Government. In the last year that I was a Minister, the Railway Department took on 57 apprentices. Last year I think the figure was three. Certainly there were none at Willowburn. The figures show a tremendous disparity except in the case of plumbers, in which trade the Government may be able to point to a reasonable intake of apprentices by the Department of Works. The Government, however, has little to be proud of in the overall picture of apprentice training.

We now have the spectacle of the Minister for Industrial Development saying that one of his reasons for going overseas is to try to attract skilled labour to Queensland. There is an admission that there is a shortage of tradesmen. The Government has been in office for six years, and at the end of the fifth year no adequate provision was made for the training of apprentices.

So serious has this position become that there has been at Commonwealth level a conference held between the masters builders and the relevant trade unions to see if some training scheme could be evolved that was acceptable to employers, apprenticeship boards, and the unions. Such an agreement has been reached in certain respects. In some trades lads with Senior or Junior passes will have their periods of training reduced from five years to four. Other discussions are proceeding now.

If the Minister wants to avoid real trouble with the industrial unions, I suggest strongly that he should state that he has had a discussion with the Apprenticeship Committee and is prepared to participate in a scheme acceptable to all parties. The Minister has his constitutional right to adopt, amend, or reject any proposal, but before he proceeds with this venture I think that he should do something along the lines suggested to see if some arrangement can be made to rectify the position.

There are at present 12 carpenters at the Brisbane General Hospital. Two have been withdrawn to give instruction at the Brisbane prison. So far as I know, they are being paid the same rate of pay and do not receive anything extra at the prison. If they are to be employed as instructors, why can they not be paid a loading equivalent to that paid to manual-training teachers in schools? This has not been done.

Dr. Noble: Yes, it has been done. They do get a loading.

Mr. DUGGAN: Yes, but it is not comparable with that paid to manual-training instructors. The work at the gaol would be just as difficult as the work in schools, and probably more so because children gravitate to practical classes in schools because they desire to do that sort of work. Because of family environment, the fact that their fathers may be tradesmen, or because they have demonstrated some skill with their hands at an early age, they voluntarily join this type of class. Consequently, there would be a greater readiness on their part to learn these skills. The very fact that the people at the gaol are seniors and are not skilled in any trade shows that they had little or no desire to learn a trade; so I think the job of teaching them would be at least as onerous as the job of manual-training teachers in schools.

To revert to the position at the Brisbane General Hospital, 12 carpenters are employed there. In addition to doing general maintenance work, they make cupboards, drawers, tables, and things of that sort, and I understand that that work is to be transferred to some of the inmates at the Brisbane gaol. This means that, in an attempt to effect rehabilitation of prisoners, work will be taken from people who have been doing it for some time. Where is the line of demarcation and division to be drawn? A carpenter at the Brisbane General Hospital who has committed no misdemeanour, who has not come into conflict with the law, and who, no doubt, has family responsibilities, will probably be deprived of employment and a man who has broken the law in some way will be given preference. If there is to be any differentiation, it should not be to the detriment of tradesmen. As lads, they have become apprenticed instead of taking jobs in other callings where wages are higher—apprentices' wages are lower than those paid to many lads of a comparable age—and have gone to school at night and equipped themselves for a particular trade. After they have made those sacrifices, and although they have not come into conflict with the law, they have to face the possibility of dismissal from their jobs to make way for trainees in gaols.

There are some aspects of the Bill that are highly commendable. I do not think that anyone who wishes to see steps taken to provide for the rehabilitation of prisoners will cavil at the Minister's intentions in this regard. However, we are entitled to scrutinise very carefully the ways and means by which rehabilitation is to be effected. I object very strongly to the employment of prison labour on work which should be done by tradesmen in the construction of these buildings. I think that the appropriate way to construct these buildings is to use members of the building trades, whether the work is done by day labour or by private contractors on a tender basis, and the Government should not endeavour to do it on the cheap. The whole tenor of the Government's policy over the years has been that it does not want to do things on the cheap, but I think it is trying to get something on

the cheap in this instance. As I say, I voice a very strong condemnation of this proposal. I think that the quality of the work, particularly in the initial stages, is likely to suffer in comparison with that done by skilled tradesmen, and I do not think that work should be diverted from tradesmen because of an increase in the number of prisoners in our gaols. We have 200 people employed in the laundry at the Brisbane General Hospital, and the Government has installed expensive laundry equipment at the Brisbane gaol to enable laundry work to be done there. I do not think rehabilitation should be carried out in that way.

The Bill is like the curate's egg—it is good in parts. The good parts are good; the bad parts are bad. We commend the Minister for the good things and condemn him for the bad things in the rehabilitation programme that he has outlined.

Mr. DAVIES (Maryborough) (3.56 p.m.): It is a pity that the Minister has seen fit to introduce a vicious political note into the debate. The first part of his speech was of the type that we like to hear from a Minister; we believe that it was sincere. As the Leader of the Opposition said, when we see the Bill we probably will be willing to commend most of the provisions explained by the Minister in the first part of his speech. But unfortunately he cannot resist the opportunity of endeavouring to score off his political opponents. As I said, it is most unfortunate that that note has been introduced into the debate.

Our Leader has set out very clearly rational reasons for the Opposition's attitude in opposing the use of prison labour on construction work. At the risk of repetition, I wish to emphasise some of the points put forward by our Leader. One of the most important points for the Minister's consideration is that he is custodian of public funds made available to his department, and that money must not be spent on construction work that one could expect to be substandard.

The Minister proposes to build permanent buildings with inexperienced labour. We cannot afford to have constructions that are not guaranteed as the work of skilled labour. The majority of prisoners are serving sentences for periods of time less than necessary to train a tradesman. Our party is not opposed to a rehabilitation scheme for prisoners. The development of such a scheme is undoubtedly difficult, particularly if the welfare of the man who has not broken the law is to be safeguarded.

Times have changed since the first gaol was established at the Moreton Bay settlement in the 1820's. We have no desire to see treatment similar to that which was meted out in those days. The first Brisbane prison was established in 1824 at Humpybong when the "Amity" arrived with a number of convicts from Sydney. We all know the treatment they received and I am not going to expand on it and the conditions that operated generally. At Wickham Terrace prisoners were used to operate the mill and work in the production of foodstuffs for the settlement.

St. Helena prison was established in 1886. The Minister speaks as if his ideas on rehabilitation plans for prisoners are something new. In those days at St. Helena there was gardening and cane-growing, and workshops for manufacturing clothing and footwear and most of the utensils for the prison. Mats were made there and used in Government departments. There were about 300 prisoners there. In about 1927 this prison was closed.

Stewart's Creek penal establishment was born in 1893. An interesting point is that in 1958 the previous Minister in charge of prisons, in introducing a Bill, remarked that the Australian Labour Party was building a "modern workshop," he called it, whatever it might be called today.

It was the Labour Party that started the first honour farm at Palen Creek in 1934, and the Numinbah prison farm, in the Nerang Valley, was established in 1940.

It was realised that one of the best ways to develop healthier bodies and minds, if possible by rehabilitation plans, was by working prisoners out in the open as was done in the Nerang Valley. They need exercise and some useful occupation and there is no better way of achieving that than getting men such as there are in prisons close to the soil. There is good evidence of that in the work done by the Labour Government at Stuart Gaol in Townsville. I have had one or two opportunities of visiting the Townsville Show, and seeing the produce and animals exhibited, and the championships won, by the prisoners in this prison. It is an excellent occupation, out in the open air, and these men certainly must have benefited as a result of being in that environment and by being brought so close to the soil.

All decent people desire that everything possible should be done to assist gaol inmates to re-establish themselves as good citizens, but in planning such schemes there should be consultations with unions representing the workers outside, rehabilitation officers, and other stable organisations concerned with this problem and representative of citizens who have not offended against the law.

I believe that some steps have been taken in the Commonwealth sphere along those lines. If that is so the Minister might be able to give us that information. All decent people are interested in the rehabilitation of prisoners. It is an enormous problem associated with educational facilities, one that interests all decent people. It is a pity that the Government does not show the same concern for young people under 21 who have not broken the law but cannot obtain work.

They should be trained for some trade. Many of them have passed the Junior examination. Even in Maryborough there are 300 women out of work, 90 per cent of them being under 21 years of age. The position is worse in most other cities. As the Leader of the Opposition pointed out, 231 men have been dismissed from the Department of Works. Either after this session closes or possibly when the council elections are over we expect the number to rise to 400.

These are very serious matters. We cannot find plumbers in our area for housing and sewerage extension schemes. If the same consideration had been shown by the Government over the years it has been in office for extending technical training opportunities in this State instead of waiting until 1964 for grants from the Commonwealth Government——

The TEMPORARY CHAIRMAN (Mr. Hodges): Order!

Mr. DAVIES: It is all linked up with this problem of training within the gaols. It would be much better if the Government concentrated on providing the necessary work for these people outside.

It is reported that the Minister intends to have a laundry built at Wacol and that all hospital laundry work will be done at Wacol. There are 200 employed in laundry work at the Brisbane General Hospital and large numbers at other hospitals. Are these law-abiding citizens to be sacked as a result of the employment of prison labour? These are people who have obeyed the law, and every consideration should be shown to them.

This is a very complicated issue. If the Minister has not adequate buildings for the rehabilitation of prisoners, apart from the extension of opportunities on prison farms, then let up-to-date rehabilitation buildings be constructed on proper lines with skilled labour, and fitted with the most up-to-date equipment where prisoners can exercise and develop whatever potential skills they might have in an effort to rehabilitate themselves.

There is also a strong suspicion in union circles that the Minister desires to use the training of prisoners as a lead to the establishment of some form of adult apprenticeship training scheme for unskilled adults. The Minister knows the views of unions generally on the proposal. As there are plans in Government circles for a revision of the Queensland apprenticeship system—no doubt there is great need for it—any changes that may be made should be linked with whatever ideas the Minister has on the training of prisoners. Of course, that would have to be with prisoners serving long sentences because it takes several years at least to teach anyone a trade. But any change should be made only after exhaustive research in collaboration with the industrial unions.

Before the Minister starts training apprentices within the gaol walls, it is pertinent to ask him at this stage if he has given thought to the matters raised by the Leader of the Opposition and by me. Has the Department of Works set an example? Does it employ the full number of apprentices?

We know some Government members are anxious to establish prison camps. Some time ago the hon. member for Merthyr advocated the employment of prisoners in clearing and subdividing land and erecting fences. He said they could be used to help open up the country ready for future development so that when the State was prepared to release the land the settlers would not have to break their hearts in the first 10 years of hard work on the land. The settlers would not have to break their hearts; the prisoners' hearts would be broken. He then suggested the establishment of prison camps in the brigalow country. Is that the line of thought that is forcing the Minister's hand? We can see the dangers ahead when there are unemployed in this country to do this work.

The Minister made several remarks about what should have been done by the Labour Party. I have proved that the Labour Party established the honour system at Palen Creek and, with the money available, encouraged this practical work in the open on the farm at Stuart. We must remember that there was a second world war, and for years after it there was difficulty in obtaining labour and material. We should also remember that the Labour Government did a better job in providing accommodation and school rooms in the primary schools than this Government is doing in the secondary schools.

THE TEMPORARY CHAIRMAN: Order! I ask the hon. member to keep to the Bill.

Mr. DAVIES: We provided the land on which the new gaol is to be established. Our party did everything possible with the moneys available at the time.

THE TEMPORARY CHAIRMAN: Order!

Mr. DAVIES: I am trying to illustrate that the Minister was wrong when he attacked us. He said we had not done certain things and emphasised how much this Government has done. It has done most in the showy places, where the public see it. But in the Forestry Department——

THE TEMPORARY CHAIRMAN: Order! I ask the hon. member to confine his remarks to the Bill. I think the hon. member has made his point.

Mr. DAVIES: I am pleased, Mr. Hodges, to hear you say I have made my point, because I think it is very important. I will let other members of the Opposition deal with the further matters to which we strongly object.

Mr. MELLOY (Nudgee) (4.13 p.m.): As the Leader of the Opposition has pointed out, this Bill is like the curate's egg, good in parts and bad in others. In the parts where it is good, it is fairly good. But in those parts where it is bad, it stinks.

There are several points I am pleased to see included in the measure, particularly the provision dealing with the parole of Queen's-pleasure prisoners. This will provide an opportunity for those who are presently held as Queen's-pleasure prisoners and who would constitute something of a risk to the community if they were discharged unrestrictedly. The provision to allow these prisoners out on parole is a step in the right direction. It may accelerate their eventual complete discharge because it will play quite a considerable part in their rehabilitation and restoration.

I am also pleased to see the provision concerning mentally retarded prisoners whose terms have expired. They come in a category similar to those held at the Queen's pleasure who constitute a risk to the community if discharged on the completion of their term of imprisonment. I hope the Minister is not going to be too harsh in his restrictions on those prisoners whose term has been completed and who are being held. I think he will have to use wise judgment.

Dr. Noble: There are all sorts of safeguards to protect people.

Mr. MELLOY: Having completed their terms, they are justly entitled to discharge, and I think it will call for very wise administration by the department to ensure that they are not unduly detained after completion of their prescribed term of imprisonment.

The principle of granting pre-discharge leave is a good one but I do not think one week will be of much use. If the week is designed to give prisoners about to be discharged an opportunity to secure employment, to interview employers, I think they will be up against it because the time is not long enough.

Dr. Noble: We are appointing two welfare officers who will go around looking for jobs for those prisoners; they will take them along and introduce them to the employers.

Mr. MELLOY: That week will be for the purpose of previously-arranged interviews?

Dr. Noble: Applications are now being called for the welfare officers.

Mr. MELLOY: I have dealt with the good points in the Bill. The rest of it envisages nothing more than a large prison-labour force.

Dr. Noble: Actually that is not in the Bill. I just explained what we were going to do in that field.

Mr. MELLOY: It certainly indicates the intention of the Government.

Dr. Noble: Oh, we are doing it, yes.

Mr. MELLOY: Let me put it this way: the Bill as outlined by the Minister, as regards the use of prison labour, certainly envisages the use of a tremendous prison-labour force, using prisoners sentenced to any term, from a month to 15 years. They will all be used as long as they are in a reasonable state of health.

Mr. Graham: Breaking down labour conditions.

Mr. MELLOY: Which they certainly will. There are very important questions to be answered about the training of these prisoners. The Government will have to give consideration to the type of prisoner who will be trained, irrespective of his length of sentence. You cannot train an habitual drunkard, no matter what you do with him. Train him and then send him out and he will only be a frustration to himself. You cannot expect employers to employ him. His record will become known to prospective employers and they will not employ a potential drunkard even if he has been trained for a trade. Similarly, the record of a prisoner convicted of stealing large sums of money could become known. Even if he had been trained in a particular calling while in prison, the average employer could not be expected to employ him, and would not employ him, in any responsible position.

Dr. Noble: Do you know that in New Zealand prisoners are trained as waiters and, when they are released from gaol, they take on jobs as waiters in hotels, and not one of those waiters has ever been back in prison for any misdemeanour.

THE TEMPORARY CHAIRMAN (Mr. Hodges): Order!

Dr. Noble: I would say, through you, Mr. Hodges, that a waiter would have a position of trust.

Mr. MELLOY: Through you, Mr. Hodges, let me say it would depend largely on the nature of the crime committed by that person whether he would be accepted when he came out of his training.

THE TEMPORARY CHAIRMAN (Mr. Hodges): Order! I warn the hon. member that he is not obliged to listen to, or to take notice of, interjections. I should like him to continue with his speech.

Mr. MELLOY: I appreciate that. At the same time, I am not being destructive and if the Minister has anything for the enlightenment of the Committee I am prepared to listen to it, with your consent, or through you. If you wish me to confine my remarks to you, Mr. Hodges, I shall do so.

The other point that concerns members of the Opposition is the period of training that these men will receive. The Government will not be doing the right thing for prisoners by giving them six months to two years' training and sending them out expecting them to compete with tradesmen who have gone

through the full apprenticeship period. The unions cannot be expected to accept men who have been trained in this manner, and I doubt whether union membership will be given to people who have not fulfilled the conditions of apprenticeship training.

Mr. Houghton: That is not a fact. What are the qualifications of carpenters?

Mr. MELLOY: I am not an experienced carpenter and do not know them. I still maintain, however, that there is the risk of these trainees not being accepted by the unions when there are available sufficient tradesmen who have been through the full period of apprenticeship. The training given in gaol would in those cases therefore be wasted.

If these people are trained for a shorter period and are accepted as tradesmen, it is only reasonable to assume that their work will not be up to the standard of that of a fully-trained craftsman. Their acceptance by employers could lead to a lowering of work standards. It is not beyond some employers to accept men with lower standards of training at lower rates of wages. This has been done by some employers who accept a lower standard of work from men who sign for the full amount of wages and accept lesser amounts. That has happened frequently in all trades, and I believe that it could happen when these partially-trained men are available. Under normal circumstances, they could not compete with fully-trained workmen.

Another point to consider is the period during which prisoners will be given this training. During the year ended 30 June, 1962, the total number of prisoners was 3,847. Of that number 2,627 were serving sentences of less than six months and 3,612 were in prison for less than five years. Very few would be eligible for a full term of training in gaol comparable with that received by apprentices outside. There are 57 life sentences being served, which leaves 116 prisoners in Queensland who could reasonably be expected to take part in any scheme that would provide adequate training in gaol.

The Government is a little ahead of itself in this matter. There are many factors to be considered before embarking on such a training scheme. I believe that these men will not be trained adequately and will face tremendous difficulties in endeavouring to fit themselves into the trades in which they have been trained. Not only will they become an embarrassment to the trades, they will also be nuisances to themselves because they will not be able to find employment in their particular calling. This could in some cases lead to a reversion to their former mode of life, and much would actually be lost through the training scheme.

The Government's proposal to use prison labour on various construction jobs is viewed with great concern by Queensland unions. As the Leader of the Opposition said, over 230 members of the building trades employed by the Department of Works were dismissed during February. If that labour is available, there is absolutely no point in using prison labour. If we reached the stage when all available labour was absorbed, no workers in the building trades were unemployed, and no employees of the Department of Works were being dismissed, perhaps we could consider using any other labour that was available. But while carpenters, bricklayers, plumbers, electricians and labourers are unemployed, there is no justification for using prison labour on Government construction projects.

I understand that virtually all the work done at Wacol so far has been done by prison labour. If that is so, it must have had some bearing on the amount of labour, particularly unskilled labour, that is available in the community today. Had the proposal to use prison labour extensively been put into effect earlier, perhaps even the few men who have been employed at Wacol would not have been employed there. A similar argument will apply to any work carried out in future under Government supervision.

The training of men in prison will also have an effect on the apprenticeship system. The number of apprenticeships available to young lads leaving school will be reduced. The position is serious now, and if trainees leave gaol after spending a couple of years there and come on to the labour market as semi-skilled tradesman and do another three years under an employer outside to complete their training—I do not know what scheme the Minister will suggest—that will have an effect on the prospects of young lads leaving school. A move has been made recently to make more apprenticeships available for young people, but it will come to naught if the proposal suggested by the Minister in this Bill is adopted.

The Opposition is opposed to the employment of prison labour on work that is now being done at hospitals and other Government institutions. The Leader of the Opposition mentioned laundry work and said that about 200 people are employed in the laundries at the Brisbane General Hospital and the Princess Alexandra Hospital. If the laundry work for the hospitals is done at Wacol, many people working in the laundries at those two hospitals will be retrenched.

Another matter that we are concerned about is this: when work on construction jobs is done by prison labourers, what will be the Government's attitude to the observance of various industrial provisions, particularly those relating to safety? This matter will be dealt with at greater length by other speakers, but let me say at this stage that I believe it is essential that work on ordinary construction jobs be carried out under the strict supervision of industrial inspectors. I do not know whether the

Minister intends to allow scaffolding inspectors particularly onto these construction jobs where work is being carried out by the prison labour force.

The Leader of the Opposition has already mentioned the fact that 12 carpenters are employed at the Brisbane General Hospital building tables, cupboards, and articles of that nature, and also that one skilled man from the hospital has been seconded to the gaol for the purpose of instructing trainee prisoners in wood-machine work.

Dr. Noble: No.

Mr. MELLOY: A man has been sent from the General Hospital?

Dr. Noble: No. The only person appointed as prison officer was the assistant electrician at the Princess Alexandra Hospital. He has gone to Boggo Road.

Mr. MELLOY: Is he the only one?

Dr. Noble: As far as I know

Mr. MELLOY: The Leader of the Opposition made the point, on this instruction in the gaol, that they were being paid a loading for the work they were doing as instructors, but our information is that they are paid the rate of tradesmen with a loading and not the rate of manual training instructors, as they are entitled to be. They are there solely as instructors and it is our contention that they should be paid the same rates as manual training instructors at the Technical College.

We realise the necessity to train these prisoners and inmates of the gaol. I have visited Boggo Road. I have also visited Pentridge, in Victoria, and Long Bay, in New South Wales, and have had the opportunity of seeing what is done at those places. On my visit to Boggo Road it depressed me to see men with nothing to do. They were padding around exercise yards on concrete floors and between concrete walls. If this is to be an institution for the rehabilitation of prisoners, obviously they will pay off their debt to society by their incarceration over a period, but while they are in this gaol, if they are subjected to repressive confinement it will have the effect of making them more inclined to pursue a criminal life when they get outside. They will be building up resentment against the authorities while being confined in these gaols.

Dr. Noble: There is nothing more soul-destroying than idleness. I quite agree with you.

Mr. MELLOY: That is why the Opposition gives support to any scheme that will occupy the time of these men profitably, provided it is formulated and carried out in conjunction with the apprenticeship authorities and the unions to ensure that there is no encroachment on the work of bona-fide union labour when these men leave gaol.

We appreciate the fact that these men must be gainfully employed for the good of their mental outlook. I saw one group of men in the South who were engaged in putting beads on frames. They did that, I think, for six hours a day. That would kill anybody. They sit there all day just threading beads on a frame.

Dr. Noble: I agree with everything you say.

Mr. MELLOY: We must have something constructive for the mental attitude. We reject outright, however, the proposal of the Government to use prison labour on construction work of any kind normally done by union labour.

Mr. Aikens: Where would you draw the line of demarcation?

Dr. Noble interjected.

Mr. MELLOY: I am saying that if you are going to train men you should use them purely in a training capacity. You could spend an hour a day on one particular item, training a man to do it properly. But if you simply use his training period as a means of producing goods at a cheap labour rate we will not have it. It is a different thing if you are using them as labourers in, say, line production. You could train them to do a certain amount of processing work, which is not a trade, and perhaps that would not interfere with the outside labour or affect employment. We feel that any action taken to train these men to a degree must affect the employment of the fully-trained tradesmen outside the gaol. Before any move is made to effect improvements in the training of prisoners, as I said, under a scheme approved by the Apprenticeship Committee and the unions, the matter to consider is space——

Mr. Murray: What about the professional man, say, a dentist?

Mr. MELLOY: You had better talk to the Minister about that.

The TEMPORARY CHAIRMAN (Mr. Hodges): Order!

Mr. MELLOY: I do not want to be side-tracked at this stage. I have a lot to say.

The matter to be considered before this or any other scheme of this nature is put into operation is space at the gaol. This is a very serious matter that I am going to discuss now.

(Time expired.)

The TEMPORARY CHAIRMAN: Order! I remind hon. members that the Chair will not tolerate tedious repetition. I draw attention to Standing Order 141.

Mr. BROMLEY (Norman) (4.38 p.m.): Are you trying to tell me before I start to speak what I am going to say?

The TEMPORARY CHAIRMAN: Order! I remind the hon. member of the Standing Orders of the Legislative Assembly. I am

not trying to tell him what he should say. I am drawing his attention to the rules and orders of this Parliament, and I advise him to abide by them.

Mr. BROMLEY: I always obey the rulings of the Chairman of Committees, but everybody in this Parliament has the right to express his views, irrespective of whether it is tedious repetition or not. I had intended to deal with many of the points already raised but because I have heard them stated I will not proceed with them. I do have a few things to say, nevertheless, that could perhaps encourage the Minister——

Dr. Noble: We look forward to hearing you.

Mr. BROMLEY: I know the Minister does because I believe he is pretty genuine in a lot of things he does in attempting to help people in this world today. But with this piece of legislation I believe that the Treasurer and the Minister for Health got together and one of them said, "We will have a bit of a yarn about this and see how much money we can save by the introduction of this cut-price convict labour. We have to get extra money." The Minister himself has said it. It has been reported in the Press. When the Treasurer introduced the T.A.B. legislation and the Minister for Justice introduced amendments to the liquor laws those two Ministers said, "We are going to get more money for the Government."

I refer to an article that appeared in "The Sunday Mail" of 10 November, 1963. It boosts my argument about the Government's desire to save money. It says that the Government will save between £100,000 and £200,000 under this cheap-labour scheme. I believe that we should save money, but we should do it the right way. We should not save it by employing these people at a cheap rate. I believe firstly in full employment for all the honest and decent people in the community.

I wholeheartedly oppose this legislation in part; not completely, because I believe that the Minister means well in one or two clauses. Firstly as a trade unionist, and secondly as a member of Parliament, I wholeheartedly oppose the legislation because I do not believe that anyone, irrespective of whether he is inside or outside prison, should scab on his mates and work for under-award conditions.

A Government Member: That is not a nice word.

Mr. BROMLEY: It may not be a nice word but it is a word that has gone right through the Labour movement and the trade-union movement, and they know what it means when they use it.

I do not deny the right of any prisoner to rehabilitation because I believe these people should be rehabilitated to make their way in the world upon their discharge from prison.

Dr. Noble: Tell me how you would rehabilitate them.

Mr. BROMLEY: I will get onto that later on and tell the Minister how they can be rehabilitated.

Dr. Noble: I should like to hear it.

Mr. BROMLEY: I will do it now. If the Government had any humane instincts at all in the rehabilitation of prisoners, when preparing the Budget it would say, "We will make so much more money available for welfare officers and parole and probation officers."

Dr. Noble: We have all those.

Mr. BROMLEY: But we need more of them. On several occasions I have appealed to the Government to do the right thing and appoint more. I believe that we should help these people by employing more officers, and providing more money for better workshops and trade instructors in the gaols.

Dr. Noble: What would we make in the workshops?

Mr. BROMLEY: How many trades are carried on in workshops? There are scores of trades that can be taught with better workshops.

Dr. Noble: Make things and break them up again?

Mr. BROMLEY: One way to rehabilitate prisoners is to make jobs available for them upon discharge. The Government should be responsible for that. After all, through the laws of the land the Government puts them in gaol. If they were taught a trade —not just used as cheap convict labour— it would let them take their proper places in society upon discharge.

Dr. Noble: How can you teach them bricklaying if they do not do bricklaying?

Mr. BROMLEY: If who doesn't do bricklaying?

Dr. Noble: How can you teach a prisoner a trade is he is not allowed to build something?

Mr. BROMLEY: The idea is to provide more money for more trade shops, and more workshops, to teach them trades so that upon discharge they may take their proper place in the world. I do not wish to be side-tracked by telling the Minister how to do these things. I have other matters to get on with and I want to get onto them. Other speakers too, wish to put forward their views.

By this method trade unionists and the trade unions would accept a good programme of penal reform. As a good trade unionist, with my association in the trade-union movement I fought for years for better conditions and I helped establish those better conditions and the principles of trade-unionism, as the Minister well

knows. I just cannot sit idly by and let the Bill go through without voicing my objection to it. Perhaps the Government and the Minister believe in this cut-price convict labour and he is introducing the legislation so that he can save this tremendous sum of money, but the principle is what matters.

Dr. Noble: You don't believe that.

Mr. BROMLEY: I do believe it. I really do. As the previous speaker said, only recently so many workers were discharged from the Department of Works. Included in that number were 109 carpenters. Whatever the Government, Parliament should first of all provide work in trades or in other avocations for honest workers. A person who has been convicted of a crime and has served his time in prison is entitled to come out and face the world with head held high; but our primary duty is to provide work for the unemployed. The building industry employs approximately 20,000 people and they should be given the first priority.

As a matter of fact, the Minister's proposal is a complete repudiation of assurances he gave some time ago to the trade-union movement that the construction of public buildings would not be carried out by convict labour. The Minister will remember that; he cannot deny it.

Dr. Noble: Did I say that?

Mr. BROMLEY: Yes.

Dr. Noble: No, I didn't say that.

Mr. BROMLEY: The Minister might have said it in a consultation with one of his patients in his surgery.

Dr. NOBLE: I rise to a point of order. The hon. member has got his facts completely wrong. I have had the prison service under my control for only 14 or 15 months, during which time I have not said anything of that nature, and previously it did not concern me.

The TEMPORARY CHAIRMAN (Mr. Hodges): Order! The hon. member for Norman.

Mr. BROMLEY: I will accept the Minister's denial. Perhaps I was wrong. But the previous Minister said it. He told a trade-union deputation that all work on public buildings would be undertaken under relevant award wages and conditions and not with convict labour. Unfortunately that Minister no longer has this portfolio and we have the present Minister about-facing in this regard. I believe the correct attitude for a Government is to say in its Caucus meeting, "One Minister said this. When we shuffle our Ministers around we should not go back on any earlier promises." I regret that the Minister has decided to introduce the legislation.

Dr. NOBLE: I rise to a point of order. The hon. member is saying that my predecessor in this office made very definite statements in this regard. I do not know if that is particularly truthful. I want to make that point clear to the Committee.

Mr. BROMLEY: The Minister said in introducing the Bill that all in New South Wales were in favour of the operation of this scheme. He said that this includes the unions. However, it does not include the prisoners. People of the cloth who visit prisons down there tell me that the prisoners are not happy about the scheme.

Dr. Noble: They are very keen about it.

Mr. BROMLEY: They might be keen, but they are not happy, for the simple reason that in New South Wales the prisoners receive only a measly 10s. a week. I do not know what the Minister has in mind here. How could anybody be happy doing hard forced work in prison for only 10s. a week? They might be keen, but they are not happy. The Minister is joking, I am sure.

The Minister said that the unions in New South Wales were happy. The unions insist that the prisoners do not do any work at all outside the gaol. Under this proposed legislation prisoners are to build a new gaol, for a start. They will be working outside the gaol.

Dr. Noble: They built a new gaol in New South Wales.

Mr. BROMLEY: They built a gaol within a gaol. It was an extension.

Dr. Noble: They worked outside the prison walls at Long Bay, and they built a separate gaol——

The TEMPORARY CHAIRMAN (Mr. Hodges): Order! I hope the Minister will refrain from interjecting and enable the hon. member to continue his speech and address his remarks to the Chair.

Mr. BROMLEY: Thank you, Mr. Hodges. for rebuking the Minister.

At the moment, I think there are approximately 20 carpenters at Boggo Road gaol. Is that right?

Dr. Noble: Yes, about that.

The TEMPORARY CHAIRMAN: Order! I ask the hon. member to address his remarks to the Chair.

Mr. BROMLEY: I shall address the Chair, but I want to get the Minister to acquiesce in some of the things I say. I did not want him to turn his back, as he did before, to talk to hon. members on the back bench.

There are approximately 20 carpenters in the gaol. I suppose the Minister will have a consultation with the Minister in charge of the Police Department and say, "We have not enough tradesmen there. We have only carpenters, no brickies, and not many plasterers, so we will scout about where these tradesmen get around in their cars and arrest them and have them put in gaol. In that way we will get cheap labour.

Where we had 20 carpenters we will soon have 40, and the same will happen with other tradesmen." I think that that angle will need to be closely watched; we do not want to see the gaol intake of tradesmen boosted.

I stand to be corrected here, but I think the Minister said that the average number of prisoners in gaol on any one day was 928. How many of that number would be qualified tradesmen, or men who have had two or three years' experience in a trade? How would the prison labour that the Minister is so keen about help them to further their studies of whatever they may be doing in the building industry? It would be interesting to find out how many of these people are juniors.

I believe that the Minister's suggestion about helping juniors in their apprenticeship is a very good one. If they have completed two years of their apprenticeship and are then sent to gaol for six, 12, or 18 months, they will be able to continue their apprenticeship and have that period counted as part of it.

The Minister said that there is overcrowding in the gaols and that conditions are deplorable. People have been saying that for years, and I have seen articles in the Press stating that conditions are deplorable. According to an article in "The Sunday Mail" of 10 November, 1963, there have been 5,400 admissions to prisons in Queensland each year since the Government took office. That is a large number of people, and I believe that probation officers should be appointed. When probation officers work with people who have been discharged from prison, those people tell their friends about the probation officers and say, "They are doing their best for us." In my opinion, the number of crimes committed in Brisbane would be reduced if more probation officers were employed.

Although I agree with certain provisions contained in the proposed Bill, I repeat that I oppose very strongly legislation that will result in cut-price convict labour.

Mr. NEWTON (Belmont) (4.57 p.m.): As did other members on this side of the Chamber, I listened with a great deal of interest to the first part of the Minister's introductory speech. I thought that he made some good points till he came to those relating to the butchering that is to be done to the building industry in Queensland by him and by the Government.

I make my position quite clear. As a member of the Opposition and a member of the Australian Labour Party, I have a duty to protect the people in my electorate. In the main, they are working people who have brought children into the world and who are endeavouring to give them an education that will enable them to find employment through the apprenticeship system. Therefore, I am very much opposed to the section of the Bill relating to the carrying out of building work by prison labour.

Dr. Noble: It is not in the Bill, but I have opened it up.

Mr. NEWTON: The Minister has opened it up all right; there is no doubt about that. I am not opposed to the training of prisoners as long as that training does not put another person out of a job. I think it should be made clear that members of the Opposition have no objection to the principle of training prisoners, but we cannot agree to their being trained if it means that the bread and butter of a tradesman who has made many sacrifices in order to become qualified is taken away. There is no question about that, as I shall prove as I proceed.

It is also to be hoped that the Minister and the Government, which no doubt has given approval for the introduction of the Bill, have taken into consideration that members of the Opposition, as members of Parliament, have been asked to support the intake of migrants into Queensland. The largest intake of migrants to this State at the present time would be migrants who could be employed in the building industry. No-one can deny that; it is a well-known fact.

Mr. Hughes interjected.

Mr. NEWTON: I will tell the hon. member about that later on if he wants to throw that one in.

It is all very well for the Government to flood the building trade in the difficult periods through which the trade goes at various times, but I suggest that the Minister and his Government also have a look at the number of displaced personnel from the railways who have been placed in the building industry outside since this Government came to power. Since I came here in 1960 I have asked time and time again what was going to be done with persons displaced from the railway workshops and in most instances the Government expects them to be absorbed by the building industry. The Government apparently expects this industry to keep on absorbing large numbers of workmen displaced from other fields. The same thing has been happening in regard to the Department of Irrigation and Water Supply and other Government departments where building tradesmen were employed by the hundreds, giving great service to this State. With the curtailment of finance allocated to these various departments building tradesmen are displaced and the industry outside is expected to absorb them.

I do not want to repeat what has been said about what happened in the Department of Works. It is not the first occasion on which it has happened in this department since this Government came to office. In addition, it is a well-known fact in Government departments today that when building tradesmen retire or leave of their own accord no replacements are made. No member of the Government can deny that because it is true. That is what is going on.

What will be the position of young men leaving school and seeking employment in this State? I have informed this Chamber previously, and I remind them again, that 22,000 children leave school each year. I myself have seven children, three of whom are at present going through this stage. I can assure hon. members that, as a trade unionist and a member of the Opposition in this Parliament, I am very concerned at what will happen to them if this Government remains in power. No encouragement is given by this Government to young lads to take up an apprenticeship in the building industry—and let me remind hon. members that every year when the school term is completed thousands of children seek apprenticeships in this industry.

Mr. Hughes: The Department of Works has taken on more apprentices than anyone else.

Mr. NEWTON: If the hon. member wants his head cut off he could not have interjected at a better time. I will tell him what has happened since this Government came to office: fewer and fewer apprentices have been taken on by Government departments year after year. It is only in respect of this year and last year that it can be said they took on one or two more than usual.

What I am concerned about in a scheme to allow prison labour to enter the building industry is that there will be no encouragement for our lads to take out apprenticeships in this industry. They do not know when, at any time during their apprenticeships, they may be without security in their jobs. I could have agreed with the Minister had he said, "We are going to introduce a scheme of this nature into the orphanages. We will give them manual training. Instead of sending them out on a farm for four years, whether they like it or not, we will endeavour to place them in the building industry or some other industry." That would have been a far better proposal.

Dr. Noble: That happened under Labour, not under this Government.

Mr. NEWTON: Don't tell me it is not happening today. I know it is happening!

I must agree with what the Minister is suggesting about teenagers. What he is going to do to help apprentices to complete their time while in prison is a very good step. If that matter is put up to the building trade group of unions I am certain they will meet the Minister on it. It will be doing a great service to those teenagers. It would mean that they would lose no time in their apprenticeship while in gaol.

Apart from these teenagers, I do not want the Minister to try to tell me that all who are convicted and sent to gaol have not got a trade. That is utter nonsense. In the building industry we have a fair idea at the present moment of how many carpenters, bricklayers, plasterers, plumbers and members of other trades allied with the building industry are in gaol. There would be men in there with other trade qualifications—the metal trade and trades allied to it, men who have served their time as vehicle builders, men with clerical qualifications, and men in many other fields who have served apprenticeships and become tradesmen. Simply because the Minister and his Government want to build prisons by prison labour, why should all these people have to change their trade? If the Government wants to do something to make sure that all these people keep up with their trades, why does it not set the machinery in motion in order to cater for them instead of taking away the bread and butter of members of the building industry outside the gaol?

It has been said that at the present time the building industry in Queensland is booming. Of course it is. As a carpenter and as a State organiser for the Building Workers' Industrial Union I have seen these booms before. But what happens? We have recessions. We had one in 1952; we had one in 1956; we had another in 1961. During those periods building trade workers throughout the State were sacked, not in hundreds but in thousands. Men in industries allied to the building industry were dismissed also. How long does it take the building industry to get back onto its feet after it gets an injection of finance? Not six months—it is 18 months before it is anywhere near back onto its feet. Yet Government members try to make it look as if the building industry is prosperous, not for one year but for year after year. That is not so. Even now with what is happening with the private banks again we can see a credit squeeze being applied which once again will affect the building industry throughout Australia.

I have a few comments to make associated with the Department of Works concerning matters that have not yet been referred to. Under the present Government, and the previous Government, most of the work done in prisons, either new work or maintenance, was carried out by employees of the Department of Works, which has done a great job for the State. Its activities, however, will be curtailed by this Bill. Wherever a building job is going on builders' labourers are required and the department has played a very important part in relieving seasonal unemployment for six months in every year. Now, any work to be done in future in gaols, by way of maintenance or new construction, is to be taken away from the Department of Works and this avenue for placing unemployed seasonal workers will no longer be available.

I am concerned about the training of prisoners to carry out construction on building sites, whether at Wacol, in Central Queensland, where there is a further idea to build a gaol, or at Townsville. What will happen should one of these poor people lose his life, or a limb, or suffer some percentage of disability?

Dr. Noble: At the present time we will pay full compensation for an injury at the Brisbane gaol.

Mr. NEWTON: It is very pleasant to hear that. I think that is a very important point.

Dr. Noble: That has been going on for years.

Mr. NEWTON: I did not know. I have never been in there so I could not know.

I am concerned, too, about whether the scaffolding regulations will apply in this instance as they do to outside industry.

Dr. Noble: All safety regulations will apply.

Mr. NEWTON: That is another matter that must be investigated

Dr. Noble: They have every possible safety device in the workshop at present.

Mr. NEWTON: Will outside people be allowed to go inside to see if these provisions are carried out?

Dr. Noble: No, you cannot go into the prison area. If Gerry Dawson went into a prison there would be a mutiny.

Mr. NEWTON: There we have it. It is all very well for the Minister to say they are carrying out these things. At least I kept my part of the debate on a high plane. I make it clear to the Minister, to the Government, and to hon. members on this side of the Chamber, that what I am saying today I am saying as the member for Belmont, not as a trade unionist, and not on behalf of Mr. Dawson. He is quite capable of putting his own case, as he has already, and the Minister knows it.

In introducing the Bill the Minister pointed out how much it costs to keep a prisoner in gaol. He led us to believe that the State was carrying the full burden of this cost. When I listened to some of the items making up the cost I realised that part of them were the responsibility of the Federal Government.

I remind the Minister and the Government that public money used in this State must be used so that the fullest benefit is obtained from it. I say this because the type of building suggested by the Minister is one that will be built with public money.

There is no question about it that, if the Bill is passed, other similar construction will take place. Let me tell the Minister and the Government that buildings of this nature call for the best tradesmen in the State if they are to do the job expected of them. I remind the Government—and we know it from the time we were in office—that any building of this nature, comprising in the main brick or concrete work, calls for the best of tradesmen because it is very different from the construction of an ordinary house or timber building. We have found, too, that it has taken some of the best-skilled men in the State to control these jobs.

On behalf of the Opposition, I make it quite clear to the Minister that we will not sit idly by and see public money used to erect substandard buildings, whether a hospital, a kitchen, a laundry or anything else. As an Opposition we have a responsibility and a stake in the matter.

In introducing the Bill the Minister said that prisoners suffer many hardships because they have nothing to do in their prison life. I don't know; I went to the Dutton Park school for many years and I used to see prisoners working on the vegetable farm and doing other types of work at the gaol.

Some prisoners in gaol are suffering stress and strain and they will not be helped by this proposal. It may be their first time in prison. They may have committed only a minor offence, but often a heavier sentence is imposed for a minor offence than for a more serious one. There is no doubt that many prisoners suffer from a sense of injustice and I do not think endeavouring to teach them a trade would overcome their problem.

As a State organiser of the Amalgamated Society of Carpenters and Joiners I have seen some very good training schemes put into operation in various Government departments; I have seen where people either have been taught a trade or have learnt a trade and they have been taught to make things; but they have not taken away another man's job. That is the most important point to consider on this aspect of the Bill.

I appeal to the Minister and to the Government to give careful consideration to all that I have said and to avoid doing anything that might kill the building industry or affect the livelihood of those men who are members of trade unions, who have served their apprenticeships, whether they were apprentices or post-war trainees. Do not take away from them their right to earn a living in this State and to raise their families, which they are entitled to do because they have made sacrifices to become tradesmen.

Mr. TUCKER (Townsville North) (5.20 p.m.): I support other members of the Opposition who have already spoken on this matter, and say that the hon. member for Belmont has put our case very well indeed. I am completely opposed to the use of convict labour.

When the Minister claims that this is a rehabilitation scheme, I cannot believe in my mind that he is being truthful. I think the idea is to save money, and that the other talk about rehabilitation of prisoners is merely a smokescreen.

The real truth is that he intends to spend the smallest amount of money possible in getting a large amount of building work done in prisons. If he can get away with it, I suppose he will feel that he has achieved

something. I do not think that the Government can vilify hon members on this side because we oppose this action. We have advanced reasons why we believe there to be something wrong with the use of convict labour. I believe that every responsible and reasonable member of the Government should take home and digest the points that we have raised, as they are good ones.

I have been asked by the unions in Townsville affiliated with the Trades and Labour Council to register their protest at the use of this labour, and I do so accordingly today. I believe that all of these unions in Townsville are very keen on the rehabilitation of prisoners. I think everybody is. I shall speak a little further on that matter soon, and in the meantime I register this protest. The unions said to me, "If this is forced through the House, as we suppose it will be if the Government continues to use its weight of numbers, at least these prisoners should be paid award wages whilst working." The Minister will say, "We pay more than that to keep them." But that is an argument that I do not accept.

The Minister claims that this is aimed at rehabilitating prisoners. What will happen when he has finished this work at Wacol? Is he going to continue building somewhere else with prison labour in an endeavour to continue this method of rehabilitation? I do not believe that he will. When the buildings needed are completed, everything will lapse and the people supposedly being rehabilitated will return to their dungeons. I reject the Minister's claim and refuse to believe that this is a genuine rehabilitation scheme.

I believe rehabilitation to be a very necessary thing, and I think the Minister is sincere on this subject. I go regularly to the gaol at Stuart to see the inmates. I think it behoves me as a member of Parliament to do so, and I do not think that I should receive any kudos for it. I find it a soul-destroying place, with prisoners sitting or standing about with nothing to do. If the Minister was very keen on rehabilitation and was worried about it as he claims to be, he would already have done something at Townsville. There is a shortage of equipment in the carpentry shop. There is a carpentry shop, a tinsmithing shop, and a mattress shop, but they have absolutely no equipment. The whole thing is virtually dead. I concede that the Minister has been in charge of prisons for only 15 months, but if the Government had been serious about rehabilitation there would have been some improvement in the facilities at Stuart before this. I speak about the gaol at Stuart because I know it: I do not know much about the gaols in the Brisbane area.

Dr. Noble: We have just started a farm up there employing 100 men.

Mr. TUCKER: I shall deal with that point later. There is a lack of equipment in the workshops.

Dr. Noble: There is, but it will be overcome.

Mr. TUCKER: Money should be allocated to at least get the workshops started. It is a reflection on the Government that that has not been done.

I do not believe that the use of prison labour to erect buildings is a genuine attempt by the Government at rehabilitation, because it has not extended itself in the field of rehabilitation, particularly at Stuart. The Government might say that it was the same under Labour Governments. Even God cannot change what has gone before, so I do not intend to go back over the years. I may have a hand in shaping the future, but nothing can be done about what happened 10 years ago. I have seen what has happened at Stuart in the last four years, and I have been very worried about it. Any improvement that has been effected there has been brought about by the Prisoners' Aid Society. It is doing a remarkably good job, but it cannot cope with the situation with which it is faced at Stuart. There is an urgent need for the appointment of a welfare officer at Stuart.

Dr. Noble: I agree with you.

Mr. TUCKER: It is not the first time that I have raised this matter in the Chamber. I have asked for such an appointment about four or five times before. The fact that no welfare officer has been appointed is another indication that the Government is not interested in acting on suggestions that are made to it. A welfare officer may be appointed next month, or next year; we have not got one yet.

Dr. Noble: I think there are advertisements in the newspapers now for welfare officers.

Mr. TUCKER: I hope that is correct, because I want to see a welfare officer appointed to Townsville.

Dr. Noble: They are needed up there.

Mr. TUCKER: I should say that such an officer could assist the rehabilitation of prisoners by organising educational lectures in the prison. I am a member of the Prisoners' Aid Society, and I know that the Board of Adult Education is not in a position at present to organise lectures at the gaol at Stuart. A welfare officer might be able to get lectures started.

The Minister spoke of letting prisoners out a week before they were due to be discharged to enable them to interview a prospective employer. If we had a welfare officer in the North, possibly arrangements could be made to find work for men when they come out of prison. I do not know what the position is in Brisbane, but one of the big difficulties in the North is that frequently a man who is discharged has nothing to do and nowhere to go. I know, because one of the first things he does is go to a phone box and ring Ernie Harding

or myself, tell us that he has not got very much money, and then ask us to find him a job.

A man trained as a welfare officer could find these positions better than the men coming out of gaol. The Minister has said that he will give a week's leave before the end of the term to enable prisoners to find employment. The welfare officer could go to a prospective employer and arrange everything and when the prisoner comes out he will have something to do and somewhere to go immediately. He will not be idle and thus will not fall into bad company and find himself back in gaol within a week or a month. I believe that is a crying need up there.

I think Mr. Sochon is a very sympathetic and competent officer. I know him very well, because he was in charge of Stuart Gaol. He was a very competent officer but we have lost him to the South. I learned much about rehabilitation from him. I believe he has a wide knowledge of the subject and of the treatment of prisoners. He is an asset to the Prisons Department. Much of his knowledge has been gleaned from overseas. He has been in various other prisons and has travelled widely. He is a very good man on rehabilitation with many progressive ideas on prisons and prisoners.

The Minister mentioned a moment ago how the farm at Stuart began. We have the projects with pigs and cattle and also with general farming. I wish the hon. member for Clayfield would speak to the Minister later. It puts me off when he talks to the Minister like that. He does not understand that I want to make certain requests of the Minister, and he is distracting his attention. Through you, Mr. Hooper, I ask the Minister for his attention.

The farm community at Stuart has been set up outside the prison and it aids rehabilitation tremendously. The fact that we have an irrigation plant there now has also aided the prisoners.

Dr. Noble: They are going to build a dam there, too.

Mr. TUCKER: All those things will aid rehabilitation, but if the Government really wishes to assist the rehabilitation of prisoners I think it should be given right from the start of the term. I make no reflection on the officers at present in charge of the prisoners, but there is a tremendous turnover of warders and they are the people who have the most to do with the men. One chap will go out to the gaol and take a job for two or three weeks, or two months, or a year. In the meantime he looks around for something else and, when he gets it, away he goes. Someone else goes out, gets a hat and coat, and becomes a warder. Such men are not trained as warders in the true sense of the word.

There is an urgent need for the training of young men in the Prisons Department—for training them in psychology and in the rehabilitation and handling of men. Anyone who knows anything about the management of men and how it has to be learned over a long period knows what I mean. We all know that one does not learn these things in two months, particularly when it comes to dealing with men and really looking after them. As I say, there is an urgent need for training young men in this department so that eventually they can aid the whole of the prison service with their ideas and thoughts. They will eventually become the leaders as the older men move out. If the Minister is concerned with rehabilitation he should give consideration to the training of these men in dealing with prisoners, particularly from the psychological point of view.

The Minister spoke today about a security patients hospital. I thought a new era had dawned for prisons until I realised that he was talking about the mentally-ill, not the ones I wanted to talk of. I believe that there is an urgent need for the medical and psychiatric treatment of persons committed for certain offences. I have here numerous letters from one man up there. I am not going to argue his case as to whether he is guilty or not guilty, but there is one point I want to read from one of his letters. He said—

> "I've been brought up to believe that if any man rapes he must be mentally defective. If this is true then why isn't some treatment given to cure this illness, medically or psychiatrically, not that I'm asking for treatment, but simply stating a fact, that this isn't done, which means that a man who spends numerous years shut up builds up a high degree of bitterness towards society who had him put away, plus his defective tendencies, must present a greater danger to society on his release. But does the law or society care or do anything to prevent this danger from being released upon them? No! All they worry about is that if he commits another crime (a crime which they could've prevented) he is arrested, tried, and sent to gaol again, but can the blame be put on this man when he is given no treatment for his physical defectiveness? Thus comes forth my opinion that society and law encourage crime instead of preventing it. They say, 'Prevention is better than cure.' I disagree. Especially in sex offences I say, 'Cure would bring prevention'."

Mr. Aikens interjected.

Mr. TUCKER: Those are the thoughts of that man. He is entitled to think that way. It is all very well for the hon. member for Townsville South to interject that way. That man is out there and he has put his thoughts into words. To a certain degree I agree with him. We put men like this

behind bars—men convicted of something like this must be defective in some way—and incarcerate them for a certain number of years, but apparently at the present time we do nothing about trying to treat them. They should be treated psychiatrically and medically. That is a crying need. If we are to have hospitals for mentally-ill people, some sort of hospital should be set up with the idea of trying to treat and help such people as this man. Do not forget that ultimately the gates are opened and these people are spewed back into society. Nothing has been done to treat them in any way. If the same crime is committed again the same thing happens. Possibly we would not save the man but we might save those on whom he would commit the offence. That is something to be remembered.

I believe that there is need for further segregation within the gaol. The Minister has said today that certain building is going on at Stuart and certain extra accommodation will be provided. I am happy to hear that that is being done. I have been in some of the dormitories where the door is shut at night-time. There are three or four beds one above the other, with 12 men in a small room. We have to face this problem: a number of warders have spoken to me about the incidence of homosexuality in prisons. It is bad. I am pleased to see that we are getting extra accommodation, which I hope will eliminate what I believe must be dens of iniquity. The door is shut and you cannot look in. A dozen or so men are shut up in a little room.

There is a tremendous need to do something. If the Government is concerned about rehabilitation, I believe in first things first. If it is concerned with rehabilitation its concern should be reflected in efforts on behalf of the people I have mentioned. I do not think it has been. For that reason I do not believe what the Minister claims about rehabilitation under this scheme at Wacol. I will not be so hard on him in these matters because he is only new in the saddle; he might have done something if he had had more time.

I repeat that if the Government was concerned about rehabilitation of prisoners its concern would have been reflected in its efforts, but I do not see anything to prove it. After all, the Government has been in office seven years. It is no good saying that we were in office in 1957, because seven years is a long time and there should be some reflection of the Government's concern. But there has not been. I am very concerned about this question of rehabilitation of prisoners at Wacol and I am definitely against the proposal to use convict labour.

Mr. AIKENS (Townsville South) (5.41 p.m.): I am somewhat puzzled by the fact that it was not until the present Government announced it was going to follow the lines set by the New South Wales Labour Government and use prisoners in the building industry that any opposition arose from the trade-union movement. Let us look at the prisons. The hon. member for Townsville North says, "Let us look at the Townsville prison," which is typical of all the prisons in the State. If one goes to the Townsville prison one sees what has been operating for many years. Prisoners are employed as bakers, pastry-cooks and laundrymen. They can be seen employed as station hands with the cattle and on the milking machines. They are employed driving trucks, driving motor-cars, and driving bulldozers. In fact, they can be seen employed on every job that is done by trade unionists outside.

Mr. Graham: Within the prisons.

Mr. AIKENS: Yes, within the prisons, and outside, in the prison grounds.

Mr. Graham: You are stretching the bow.

Mr. AIKENS: No, I am not. I am saying within the confines of the prison grounds they are doing this work and there has never been any objection from the trade-union movement about it. Are we then to assume that those in the building industry are the only trade unionists in the State? If we are to object to building industry unionists only being utilised within the prisons then let us be honest about it and object to everyone being utilised within the prisons who is doing a job done by any trade unionists outside. For goodness sake let us be honest and consistent. We cannot make fish of one and flesh of another.

When the hon. member for Nudgee was speaking I asked him where would he draw the line of demarcation. If he objects to carpenters, builders' labourers, and stonemasons being employed within the prison he must also object to every other man employed within the prison who is doing any job at all that is done outside by a trade unionist. He must be consistent about it.

As to the remarks of the hon. member for Townsville North, there are many people interested in the rehabilitation of prisoners. Let me make my position perfectly clear. I believe, and I have said in this Chamber and on the public platform, on more than one occasion, that there are two types of prisoners: namely, those who are worth our effort to try to save them and make something of them, and those who are absolutely worthless and on whom we should not waste any time.

Mr. Tucker: You would have to find out.

Mr. AIKENS: That is usually found out by the prison authorities. It can usually be determined by their prison records. I will admit that, very fortunately, proportionately few are worthless and are not worth any effort to save them. But when they get out of prison—and I feel sure every other member of Parliament has had the same

experience as I have had—it is the worthless few who are always on your back telling you a long, pitiful tale and trying to get you to do something for them.

A very fine part is being played at Stuart prison, and, I understand, at other prisons, by various concert organisations and others. The choral society of which I have the honour to be patron goes out and gives concerts at Stuart prison and various other musical groups go out and give concerts. Various sporting bodies go along and play sporting fixtures with the prisoners. They are all helping at least the decent prisoner to realise that he is not completely forgotten once he goes into gaol.

Let us have a look at this line of demarcation. The hon. member for Mackay interjected that all this work should be confined to within the prison. I am not going back to the Labour Government for the purpose of being critical, but I can remember, a few years ago, when there was a fine vegetable garden at Stuart prison and vegetables from that garden were supplied to the hospital and to many Government institutions in Townsville, including the orphanage. When they had a surplus, which they almost invariably did, they used to supply huge quantities of vegetables to some of the boarding schools in Townsville irrespective of denomination. They had so many that they could not use them all. As I see it at the present time, not very much is being done in the Stuart prison about the establishment of a garden, although I understand it is well under way.

Dr. Noble: One hundred acres.

Mr AIKENS: I commend the Minister on that. I know he has a few good men on the warders' staff at Stuart who are quite capable of looking after the garden and managing it. But there again, if it is argued that no tradesmen should be employed doing any work at Stuart, that no unionist inside should be allowed to do any work that could be done by an outside unionist, what about the army of men who are going to work in that garden? Are we going to debar them from working in it, the same as it has been suggested here that we should debar men from working as carpenters and bricklayers and stonemasons? Should we draw the line of demarcation there and say, "No, you must not go outside the prison walls. You must not work in the garden. You must not produce vegetables for the hospital and the orphanage and the crippled children and the subnormal children and the various other organisations because, if you do, you are going to do gardeners who are unionists out of a job."?

Mr. Duggan: Did you hear any Opposition speaker advocating that we oppose that?

Mr. AIKENS: No. I am glad the Leader of the Opposition has come into the Chamber. I regret that he was not here to hear the speeches of some of his members because

I am sure that, as a man of political experience, he would have asked the same question as I have been asking all along, by interjection and in my speech—"Where will you draw the line of demarcation?" Now that the Leader of the Opposition is here, I will pose the problem again, with your concurrence, Mr. Hooper. The great argument today is that no-one should be employed as a carpenter in a prison, that no-one should be employed as a bricklayer in a prison, or as a stonemason, or perhaps as a plumber, but there has been no objection from the trade-union movement down the years to other types of employee being used inside the prison despite the fact that they might be doing men outside out of a job. Where will the line of demarcation be drawn?

Mr. Duggan: I would say, in general terms, a tradesman.

Mr. AIKENS: Then the Leader of the Opposition would suggest that if we have a carpenter inside the gaol or a bricklayer or a stonemason, doing time, if I may use the vernacular, he cannot be used in his own particular calling but he can be used in some other calling. He can be used as a baker or as a butcher or as a station-hand or as a tractor-driver or as a motor-driver or in any other calling than the one in which he was trained and in which he is qualified. Doesn't his own argument look ridiculous?

Mr. Duggan: What would you do with a company director?

Mr. AIKENS: If I can judge from some of the company directors I know, particularly some of the company directors up in Townsville, he could be put in charge of the crown-and-anchor game. That would be a fitting occupation for him.

There will be a huge garden, for which I commend the Minister. Men will be employed on fertilising and driving trucks, bulldozers, and ploughs, and doing everything that trade unionists are employed to do outside prisons, and the only objection is to the doing of something covered by the building trades group.

I am deeply concerned about a statement made in a pamphlet issued by the Department of Justice. It states, word for word—

> "In Queensland prisons today punishment is made not to suit the crime but to suit the prisoner."

The only interpretation that I, as an ordinary layman, can place on that is that we are going to have social snobbery in the punishment that is meted out to prisoners.

Mr. Bennett: Who made that statement?

Mr. AIKENS: It is in a pamphlet issued by the Department of Justice. I am sure that the hon. member for South Brisbane has one because it was circulated to all hon. members. I can place only one interpretation on it. If a prisoner happens to be the illegitimate son of a belted earl, or

went to the right school or attended the right church, even though he may be in gaol for committing a most heinous offence and is a vicious criminal, the punishment that he will receive will be made to suit him.

The CHAIRMAN: Order! I remind the hon. member that there is nothing in the Bill dealing with punishment. I ask him to keep to the contents of the Bill.

Mr. AIKENS: I shall leave that subject by saying that if he were a waterside worker, railwayman, or meatworker, he would be out digging ditches and building cesspits. Anyone belonging to the right social order would have punishment made to fit him.

I do not know if there is much need to worry about the employment of tradesmen or any other people in prisons, because one has only to look at the operations of the Parole Board since it was established to know that if the Government continues with the policy that it has put into effect since it came to office in 1957 there will shortly be no criminals at all in gaol. It is quite possible that they might be filled with decent, responsible, respectable citizens, as the policy of the Parole Board is to release criminals faster than judges can put them in. First priority for release goes to the "sexos," who seem to be the ones favoured by the Parole Board. After them come the most vicious and dangerous criminals. With the Parole Board in operation, there will soon be no prisoners at all in gaol.

I should say that the two hon. members who have just entered the Chamber are models of sartorial elegance. That is a nice phrase to apply to them. I suppose they have been picking up a few bob as male models to supplement their earnings.

I have always been, and will continue to be, of the opinion that we hear far too much psychological mush in the treatment of prisoners. There are far too many "jelly bellies" in the community, and far too many Ministers and back-bench members of the Government who, despite their paralysing sartorial display, are prepared to listen to the "jelly-bellied" phychologists on the treatment of prisoners.

Mr. Murray: I wish we could have the hon. members in "Hansard"!

Mr. AIKENS: I wish we could have them photographed. As you know, Mr. Hooper, it is not often that I am more or less knocked off my feet. My flow of oratory has been suddenly stopped, and I must admit that when I turned round a moment ago and saw those two apparitions entering the Chamber I did not know what was happening. Is there a Scotsman in the audience? Is it Hallow'een? Is there some festival going on that we do not know anything about? Are they perhaps parading a new style of uniform for the prisoners?

The CHAIRMAN: Order!

Mr. AIKENS: If they are, Mr. Hooper, let me commend them for their exhibition.

There is, as I say—I honestly believe it—a little bit of insincerity, or should I say insecurity—I will not use the word "hypocrisy"—in the arguments advanced by many members of the Opposition. I remember that all this furore about the trade-union movement being opposed to the use of prisoners on work in gaols arose only when the Minister in charge of prisons announced in this Chamber and in the Press that he was going to use prisoners in the building industry. I understand that at the prison at Stuart, in addition to the extensive alterations, renovations and additions that have been made there recently, a laundry block and another block are to be added. I understand that Works Department carpenters are going to build the framework and do the actual foundation structural work and that the rest of the work that can be safely entrusted to prisoners will be done by the prisoners. If there is any objection to that—I concede that anyone who wishes to object to it has a right to do so—how can there fail to be objection to men on the prison farm driving tractors, driving trucks, herding cattle, operating milking machines, carting the milk, driving 5, 6, 7 or 8 miles to town on the prison truck with a load of vegetables, doing the work usually done by transport workers or men covered by an A.W.U. award, and so on? How can hon. members opposite object to one and not to the other?

Mr. Tucker: Don't you think that this may be the thin end of the wedge? We might find them employed by M. R. Hornibrook on a construction job.

Mr. AIKENS: That could be so. The hon. member made a very good point. He asked this question: when the prisoners have finished building the gaol at Wacol and there are no more gaols to be built, where are they going to be used? I have not had an opportunity of conferring with trade-union organisations, but the moment prisoners were used outside the confines of the prison growing vegetables, digging ditches, or doing any work at all, I would be up in arms against that.

Dr. Noble: So would I.

Mr. AIKENS: I am happy to have the Minister's assurance that they will be confined to work in the gaols. Let us be honest about it. Let members of the Opposition and members of the trade-union movement examine their consciences and come forward and make a plain, simple statement as to where and when they are going to draw the line of demarcation.

Mr. Newton: In other words, you say that men should not have been employed by the Department of Works building new prisons and carrying out other work?

Mr. AIKENS: I am not making a statement one way or the other. I am asking you.

The CHAIRMAN: Order!

Mr. AIKENS: I am asking the hon. member and other members of the Opposition to be honest and to draw a definite line of demarcation between the work that prisoners can do inside the gaol that is done by trade unionists outside and the work that prisoners cannot do inside the gaol that is done by trade unionists outside.

Mr. Tucker: Don't you think that a conference between the Minister and the trade unions might help to solve this problem?

Mr. AIKENS: I believe that they should be taken into conference—my word I do! I think that would be the quickest way to solve the problem. Let the Minister meet representatives of the trade unions and say, "All right, if you are going to object to this man doing this work, you must object to this man doing this work and this man doing this work. You cannot have a line of demarcation wandering all over the place like the electoral boundary between Townsville North and Townsville South."

Mr. SHERRINGTON (Salisbury) (7.15 p.m.): I want to indicate quite early that, like other members of the Opposition, I am completely in accord with certain provisions contained in the measure. One, of course, is the principle that is being introduced to allow a prisoner leave of absence to make arrangements for his re-entry into the civilian life of the community. Provision will be made for pre-discharge leave to assist these prisoners to enter civilian life more smoothly. That is a very laudable provision. It follows a practice adopted under the prison system in England, an account of which is contained in a booklet I have here entitled "The Treatment of Offenders in Britain." It says—

> "Home leave (allowing five days clear at home) is extensively granted, towards the end of their sentence, to all star prisoners with sentences of two years and over and other prisoners serving sentences of two years and over in regional and corrective training prisons to enable them to make family adjustments and to make contacts with potential employers."

I feel that, in this measure before the Committee, the Minister has patterned his legislation on that system, which is adopted in English prisons.

It is interesting to learn also that under the English prison system specially selected men amongst those sentenced to preventive detention and to long-term imprisonment are allowed to work in ordinary civilian jobs out of prison as free men during the last six months of their sentences. There is much to recommend the provision for making smooth prisoners' re-entry into civil life. That is one of the good features of the Bill

The establishing of juvenile prisons so that young prisoners are completely divorced from contact with hardened criminals is also a laudable effort, but if the scheme of rehabilitation was applied wholly and solely to juvenile prisons to cater for the young person who has a broken apprenticeship as a result of some crime he has committed and who subsequently has been confined to prison, the measure might have been worth while. However, if one makes a study of recent legislation introduced into this Chamber it will be found that members of the Opposition are justified in viewing with strong suspicion the measure the Minister has introduced. It will simply provide cheap labour for the construction of certain prison buildings.

We saw recently the Minister for Mines endeavouring to reintroduce juvenile labour into the mines. Any fair-minded person could reasonably interpret a measure such as that as being directed towards the employment of cheap labour. In introducing this measure the Minister said that the savings that would be effected by the employment of this labour could be used in other directions.

Mr. Ramsden: What is wrong with that?

Mr. SHERRINGTON: Is it any wonder that this is following the pattern by which the Government wishes to see cheap labour, no matter what form it might take, introduced into Queensland?

Mr. Hughes interjected.

Mr. SHERRINGTON: The hon. member for Kurilpa wants to introduce the old argument of what the Labour Government is doing in New South Wales. The Leader of the Opposition quite adequately covered that point when he said that when hon. members on this side point out that the Labour Government in New South Wales has been in the forefront in providing four weeks annual leave, members of this Government hold up their hands in horror and say that it is not desirable. I will not make any further comment on that subject. It is quite evident that the hon. member for Kurilpa was not in the Chamber when the Leader of the Opposition made that statement.

Government Members interjected.

Mr. SHERRINGTON: The Minister for Education was one who vehemently denied the workers of Queensland three weeks' annual leave as far back as 1957.

Mr. Pizzey: You would say anything.

Mr. SHERRINGTON: I do not know of any social reform sponsored by the Labour Government that the Government of today did not oppose.

Mr. Hanlon: It is a pity that the Minister for Education could not do as good for the school children here as the Minister in New South Wales is doing.

Mr. SHERRINGTON: That is true. It is a pity that the Minister for Education was not a little more educated.

The principal involved in this Bill is not as the hon. member for Townsvillle South, in his usual attack on the trade unions and the A.L.P., set out. He said that the trade unions suddenly were opposed to the use of tradesmen within the prisons. That is not the problem on this occasion. The principle at stake is that this Government wants to train unskilled men to do the skilled work of tradesmen at a very cheap price. It is not a matter of tradesmen being required to do tradesmen's work, but of trying to make use of unskilled labour so that great savings will be effected for the Government purse. That has been made completely evident by the recent dismissal from the Works Department force.

Mr. Windsor: You should never suggest that; some of them get £22 a week.

Mr. SHERRINGTON: I am glad that the hon. member for Ithaca has at last awoken from his slumbers. I intend to deal with that point before I finish.

I fail to understand what this proposal can achieve other than to provide cheap labour. It certainly will not be of any benefit to the short-term offender. As far as the long-term offender is concerned, how is the Minister going to overcome the industrial laws of this State to guarantee that if these men are trained in a trade or profession they will be acceptable in industry as journeymen? I see it as other hon. members on this side see it—it is merely a matter of saving money for the Government. As I said earlier, the Minister quite openly admitted that because in his introductory speech he referred to the great savings that would be effected. He said that prisoners performing this work would be credited with gratuities but he gave us no information about the amount they would receive; he gave no indication that it would be comparable with the wage paid to tradesmen outside.

The Minister spoke also of the munificence extended to dependants of persons who have been convicted and sentenced to terms of imprisonment. On my information the only assistance offered by the State Government to the wives of prisoners is aid under the State Children Act. I do not know of any other contribution that the State makes for the maintenance of prisoners' dependants. If there is any other avenue of finance available to these persons I shall be only too grateful to learn of it. On a number of occasions I have been requested to assist prisoners' wives because they have found things very difficult, particularly when a family is involved.

Mr. Ramsden: The Commonwealth gives aid after six months.

Mr. SHERRINGTON: The hon. member says that the Commonwealth Government gives aid after six months. What do they do in the six months? Live on free air? Do not let any hon. member, particularly the Minister for Health, try to convey the impression that the Government looks after the dependants of these people.

Mr. Smith: Don't you think that the man who commits a crime should think about his family before he commits it?

Mr. SHERRINGTON: The hon. member for Windsor has said that a man who commits a crime should first think of his family. The only contribution I have heard from him to assist these people was a suggestion to give them legal aid on the time-payment plan. That is his only contribution.

During the war years, when this country was desperately short of tradesmen, a dilutee scheme was introduced providing for a certain number of personnel to be trained in the various trades and, as the result of a mutual agreement with the trade unions, the people so trained relinquished their occupations on the cessation of hostilities.

Mr. Smith interjected.

The CHAIRMAN: Order!

Mr. SHERRINGTON: I appreciate your efforts, Mr. Hooper, to bring a little sanity into the Chamber. I only regret that the Bill does not provide for the rehabilitation of delinquent members on the Government benches.

As to the rehabilitation of prisoners, irrespective of what crime a person has committed he is a human being and every human being is entitled to consideration. It is not so much a matter of trying to train a prisoner for a particular trade or industry. After all, a large proportion of adults who commit crimes against the State have a trade or profession, but we must ensure that, after they have discharged their debt to society, we assist them to return to civilian life. One of the first steps to take is to ensure that employment is available for them.

Mr. Smith: Would a journeyman housebreaker be able to get a certificate after five years?

Mr. SHERRINGTON: If I could guarantee to get the hon. member five years I would immediately take steps to do so. I am trying to make a sensible contribution and I certainly do not want to be distracted by imbeciles.

The CHAIRMAN: Order!

Mr. SHERRINGTON: I was developing the theme before I was so rudely interrupted——

The CHAIRMAN: Order! I suggest to the hon. member for Salisbury that the term used by him is an offensive one in this Chamber and I ask him to withdraw it.

Mr. SHERRINGTON: If you consider it offensive, Mr. Hooper, I will certainly be happy to withdraw it, but I do not think you can blame me for gaining that impression.

The CHAIRMAN: Order!

Mr. SHERRINGTON: One of the important things is to ensure that discharged prisoners can obtain employment. Unfortunately, a discharged prisoner, although he has paid his debt to society, is not always acceptable. In my files I have a letter from a meat company in Brisbane declaring as its policy that it will not employ any person who has been convicted of theft I could understand its attitude if the theft had been committed at its own works—possibly there would be justification for it then—but I cannot excuse the thinking that a person who, through some misfortune, committed a theft, and who then discharged his debt to society, should be penalised for the rest of his life, particularly by employers who have adopted such an attitude.

We must remember that the Minister for Transport made it quite clear the other day that he would not employ in the Railway Department anyone who had been convicted of theft.

So we must look at the problem of rehabilitating prisoners in the light that a place has to be found for them in society. That is why I feel that the all-important consideration, if we are to be fair dinkum about it, is not so much training them for a trade or profession as ensuring that jobs will be made available to them on their re-entry into civilian life.

Let me cite another example of how society turns its back on an ex-prisoner. Some two years ago a constituent approached me and said he had had great difficulty in obtaining employment because he had served a term of imprisonment. I asked him, "What seems to be the difficulty?" He said, "I have the qualifications, but as soon as I mention that I have just served a term of imprisonment I am politely shown the door." I suggested to him that it might not pay to be quite so honest and to say nothing about his imprisonment. But he said, "I find there, too, that it doesn't do you much good because sooner or later it comes to the employer's notice and, once he knows about it, you are immediately faced with dismissal." So I should like to know from the Minister: if he does train these people, can he ensure their re-entry into civilian employment?

Mr. Ramsden: Can you guarantee that the unions will let them in?

Mr. SHERRINGTON: In answer to the hon. member for Merthyr, I think that one of the things that started the controversy over the use of cheap labour in prisons is the way in which the Minister rode roughshod over the trade-union movement. He had no desire to seek the opinions of responsible union officials. I have no doubt that if he had gone to them and said, "These people are a problem and we want to assist them," they would have co-operated.

Mr. Smith: Why won't they now?

Mr. SHERRINGTON: Because, as I have said, the Minister rode roughshod over them. He did not seek their co-operation or advice.

Mr. Smith: What about the poor unfortunate that you are concerned about?

Mr. SHERRINGTON: I assure the hon. member for Windsor that I am extremely sorry for him. The difficulty is the way in which the Minister rode roughshod over the unions. He failed to seek their co-operation or advice.

This afternoon the hon. member for Belmont, who is a man with a wealth of industrial experience as a former union organiser, made very good and very reasonable submissions, and the Minister immediately lowered the tone of the debate by implying that he was a stooge of Gerry Dawson. Is it any wonder that the trade unions are up in arms on this question? I have no doubt that if the unions had been asked to advise and assist the Government on this problem, the Minister would have received the utmost consideration from them.

My experience over the years has been that trade-union officials are interested in this problem because, after all, many prisoners are members of trade unions, or have been at some stage. I only hope that the Minister can convince the Committee that, having trained these personnel, he will be able to place them in employment and thus answer some of the criticism of his Bill. So far as I am concerned, this suggestion of rehabilitation has been introduced merely to provide cheap labour for the building of prisons.

Mr. MURRAY (Clayfield) (7.38 p.m.): I should like to commend the Minister on the introduction of this Bill. It is an enlightened, sensible, and much overdue piece of legislation.

We have heard some extraordinary arguments from the Opposition. Hon. members opposite have been shedding crocodile tears over these prisoners who are going to be "sacrificed", and who are going to be "forced convict labour". Here is an opportunity for the State, within the department administered by the Minister for Health, to effect sensible savings at a time when, without any shadow of doubt, we are stamping round the country looking for tradesmen. The hon. member for Belmont said this afternoon that the economy is booming. We know that. He warned us that slumps occur—of course they do—but the fact is that he told us the economy was booming.

Here is an example of a Minister effecting savings within his department. Opposition members get up in the Chamber day after

day and scream for more money for this, that, or some other purpose. I do not know where they expect it all to come from.

Opposition Members interjected.

The CHAIRMAN: Order!

Mr. MURRAY: They are getting a little bit touchy, Mr. Hooper. When a Minister effects a saving he should be commended. We should not hear any of this nonsense about exploiting men.

Mr. Bromley: Do you write "Our Strange Past" under the nom de plume of George Blaikie?

Mr. MURRAY: Hon. members opposite live in the past; they cling to things such as the Eureka Stockade. That is what is destroying them and will continue to destroy them. They must cast aside the silly thinking that keeps them in the past.

This is enlightened legislation, and I admire and respect the Minister for introducing it. It is long overdue. Members of the Opposition have put forward some very curious arguments and have contradicted themselves time and time again. An hon. member on this side of the Chamber asked the Leader of the Opposition what the line of demarcation should be, and the Leader of the Opposition said he would apply it to tradesmen. He thought that was about where it should be—tradesmen. What did the hon. member for Belmont say? Where does he fit into the picture? What about the builders' labourers? Are not the offsiders to the tradesmen going to be prisoners? That would be only right, and the Leader of the Opposition would admit that right away. Where does the hon. member for Belmont stand in regard to builders' labourers?

Opposition members interjected.

The CHAIRMAN: Order!

Mr. MURRAY: One can destroy their argument all along the line. Employed in various sections of the prison, as we all know, are men in a great range of occupations. We have the librarian, the baker, and a hundred and one other men doing particular jobs. One could say with equal justification that somebody from outside should be employed to do that work.

What has happened is this: Dawson has said, "You will take a stand on this." There is no doubt about that. He has cracked the whip up at the "Kremlin" and said, "You will take a stand on this matter," in a fit of pique because he says he was not consulted or brought into conference by the Minister. This is just childish stuff-and-nonsense.

Opposition Members interjected.

The CHAIRMAN: Order! I should like to remind hon. members on both sides of the Chamber that they either have had or will have the opportunity to speak in this debate. I ask them to allow the hon. member for Clayfield to put forward his views.

Mr. MURRAY: Thank you very much, Mr. Hooper. That is a great help.

The hon. member for Townsville North would be the first to encourage at the prison at Stuart the type of activities that were mentioned.

Mr. Tucker: Not at all.

Mr. MURRAY: Does the hon. member say now that he would not encourage farming activities such as the growing of crops or dairying? That is most extraordinary. If hon. members opposite adopt that argument, they must follow it to its logical conclusion and say that they want the prisoners to be idle and rot away doing nothing. That would be quite unbearable in this day and age. All this shows how mixed up they are and I keep to what I said, namely, that Dawson has cracked the whip and said, "Object to this; follow the Kremlin line and object." They have done that time and again. Unfortunately for them the Leader of the Opposition had a common-sense approach, that is, if there was one from the other side. He said he would draw the line at tradesmen; but that leaves this great army of other fellows, the builders' labourers, affected. The hon. member for Belmont is in a spot because he is putting the builders' labourers out of a job while the Leader of the Opposition is drawing the line at tradesmen.

Hon. members opposite stand up in their places, speaker after speaker, and follow this spurious line. I seem to be paying the hon. member for Belmont a lot of attention but I think it was he who said that the great danger in having a Government of our political colour was that the building workers would be out of work, that the building industry would slump. Traditionally, of course, the building industry is an industry of variation. If one studies the graph of its history it will be seen that that has always been so. It is like the price of wool. But do Opposition members complain about that?

Mr. Ewan: They would not know.

Mr. MURRAY: Of course they would not.

As I say, it is like the price of wool; it follows a very difficult pattern. It is nonsense to say that the employment situation is going to be bad because this Government is in office here and a Government of the same colour is in power in the Federal sphere. Let me remind these gentlemen that never in Australia's history have we had a period—and we have had it since 1949—during which we have kept the percentage of unemployed in the total work force so low for such a long time. Hon. members know this.

Mr. Newton: Queensland's figures are high.

Mr. MURRAY: I know Queensland's figures are high, for a special reason. They always have been. I repeat, never have we had it so good. A former Labour member for Parkes in the Commonwealth Parliament said that they were quite satisfied with a rate of 5 per cent.—and he was a good solid Left Wing member.

Mr. Davies: That is not correct.

Mr. MURRAY: It is correct. They were used to it. It was quite acceptable to the community. But what have we had? Since 1949 we have had the rate under 3 per cent within the Commonwealth. Those figures cannot be disputed.

Mr. Newton: Are you satisfied with that?

Mr. MURRAY: No-one is ever satisfied while there is one man unemployed. But let us face the practical facts. To keep the figures as low as that has been not only an extraordinary situation and a remarkable achievement by Governments of our political colour, but it has also been the envy of most other countries in the world in which unemployment runs to very high figures—and they are used to it.

So I say that the arguments of hon. members opposite in this matter are cockeyed and they know it. They are arguing because they have been told to push a line, and there it goes. I should like to hear no more of this business because they know that there never has been and never will be an intention by any Government to employ a convict force keeping other men out of work. They know perfectly well that sane people in the community do not do things like that. It is a political argument; it is not common sense and does not hold water. The public will never be deceived by that type of argument.

Mr. BENNETT (South Brisbane) (7.50 p.m.): I do not intend to engage in tedious repetition as might be suggested if I argued at length about whether or not prisoners should be employed on construction work in prisons. That point has been effectively dealt with by previous speakers on this side, so effectively that, despite a great reluctance on the part of Government members to speak it has dragged them to their feet to endeavour to defend their weakened stand. No doubt there will be more speakers on the Government side endeavouring to defend the Minister's decision because the Government is embarrassed with the position in which it finds itself. No doubt further Government speakers will follow me because of that embarrassment.

I was rather surprised that the hon. member for Clayfield followed the cheap tactics normally expected from the hon. member for Ashgrove when he spoke about directions and following a certain line, and so on. I thought the hon. member for Clayfield was capable of speaking on a higher level. I did not expect such tactics from him. In spite of the fact that he has two followers in his satorial elegance, I am afraid that he will probably end up with the hon. member for Ashgrove as his only real comrade.

Fundamentally, anyway, there is this great difference in the analogies that have been drawn by Government speakers about the work that is presently being carried out and which has been carried out over the years by prison employees. They have, in effect, been employed on routine work concerned with the administration and running of the prison—purely routine administrative prison work. The proposal now is to employ them under a different heading—on capital expenditure or capital construction, which has previously been done by the Department of Works. It represents a radical departure from the principle that has been followed by Governments in Queensland over a long number of years. It was quite a sensible analogy drawn by way of interjection by the hon. member for Townsville North when he referred to training them to be doctors. Is it the Minister's intention to have somebody trained as a doctor? I am not talking about a doctor that may be in prison, but according to the Minister's suggestion we could train one of the prisoners to be the prison doctor. Is that part of the Minister's proposal?

Government Members interjected

Mr. BENNETT: According to the precedent that is being set, and according to the procedure being adopted by the Government, I suppose they will appoint Mr. Hally to be the official solicitor for the prisoners at Boggo Road.

Dr. Noble: We will put you in the same cell with him.

Mr. BENNETT: If I were put in the same cell with him no doubt we would be able to discuss all the peccadilloes the Minister committed for so long, but because he has been a member of the Government he has been able to avoid the consequences. The Minister made a statement that he would conduct surgical surveys; he said that they should be conducted, but after he became Minister he was subject to directions from the B.M.A., and he obeyed those directions.

Dr. Noble interjected.

Mr. BENNETT: If the Minister interrupts he will have to put up with the consequences. Why does he not tell us what he saw when he went to the National?

THE CHAIRMAN: Order!

Mr. BENNETT: The previous speaker, and other Government speakers, have followed a particular line especially in relation to the hon. member for Belmont. Because he previously earned his livelihood as a reputable member of a trade union they have tried to

smear and belittle him on all occasions when he has made a well-reasoned and well-constructed speech in this Chamber. I heartily disagree with Mr. Gerry Dawson's politics but I share the opinion of a Supreme Court judge who has discussed him with me on many occasions. At one time this judge was President of the Industrial Court. He said that Gerry Dawson was one of the most competent advocates to appear before him and that no other advocate in the industrial field could hold a candle to him. Let us not deride the efforts of a man of his calibre in the industrial world and the union field.

The president and the secretary of the building trades group approached the Minister. He was prepared to entertain them, irrespective of their political background, until they requested better conditions for the men they were representing in the industrial field. Immediately they insisted on proper working conditions they were peremptorily dismissed from the Minister's office. He was not worried about their politics but about their attempt to better the conditions of the workers they were representing.

Dr. Noble: You have a wonderful imagination; you have displayed it so many times.

Mr. BENNETT: I warned the Minister——

Dr. Noble: Your warnings do not mean a thing in Queensland these days.

Mr. BENNETT: Neither do the Minister's operations, or the drugs he dishes out.

I dismiss this subject with one more observation. Under the present set-up, in the State and Federal spheres, the man who has been so much maligned as the one working with the hon. member for Belmont in his union activities recently came through a court-controlled ballot and retained his position. That indicates that he has the respect of his union members, irrespective of their politics. When we are dealing with industrial affairs let us not cloud the issue by dragging in the old red herring which is the last weapon of defence, and usually the only weapon of defence, that the Minister has.

I readily concede that previous speakers from this side of the Chamber are considerably more competent to deal with this subject, but I wished to relate my observations to the derision of the Government.

The prison service is crying out for reform. Perhaps it may be a good thing that the Ministerial portfolio has been transferred from the Minister for Justice to the Minister for Health. He will be given the opportunity to prove his capacity in this field.

Mr. Hughes: He is doing a good job, too.

Mr. BENNETT: He has not done it in the other aspects of his portfolio. I hope he will do a good job in this one. I am afraid Jack Aboud is considerably disappointed that he ever became campaign director for the Minister.

There is one matter in particular that I think requires attention. It occurred in the last two or three weeks when a girl in Townsville was committed to gaol for contempt of court by the District Court judge, Judge Cormack. Incidentally, I admire the courage of the girl. The prisoner concerned was on a charge of unlawful carnal knowledge and obviously the girl realised that she was just as much responsible as he was and did not wish to give evidence against the boy. I do not know why the Crown insisted on proceeding with the prosecution. I think they are terribly unfair when they do that sort of thing. In any case, after an expensive trial when the girl does not wish to have the boy convicted, the boy is invariably placed upon a bond, so there is a lot of expense to the State without any great improvement. In this case the girl realised that she was equally responsible.

THE CHAIRMAN: Order! I trust that the hon. member will connect his remarks with the Bill.

Mr. BENNETT: The point I wish to make is that she was committed to gaol for three weeks for contempt of court. That 16-year-old girl was flown from Townsville to Brisbane at the State's expense and kept here at a Salvation Army institution. Incidentally, it is one of the best institutions she could stay at in Brisbane. But why it became necessary to drag her all the way down here from Townsville, to bring her down by plane with a police escort, to go to all that expense for a comparatively simple offence in the circumstances, I fail to understand. I sincerely hope the Minister will make suitable arrangements for such girls, if they are ever committed to prison in the future—and I sincerely hope they will not be—to be looked after in similar institutions in their own city or town. I think it was a shocking decision for the Minister who was responsible.

As we are dealing with the rehabilitation of prisoners, I propose to read Section 13 of the Prisons Act, which provides—

> "(1) The Under Secretary may, upon the recommendation of the Comptroller-General, authorise any minister of religion or accredited representative of any religious denomination to be a chaplain to any prison.
>
> (2) Every chaplain shall have and exercise with respect to the prison in relation to which he is authorised as such all such privileges and duties as are prescribed by the regulations."

That is all very well so far as it goes, but the regulations severely and strictly curtail the activities of prison chaplains. I know that the Comptroller-General does his best to assist these men in the carrying out of their work so far as he is able to under the existing regulations. I know that in his spare time, in his hours away from his official duties, he does much to assist prison chaplains in their work, but the regulations

as presently prescribed severely curtail those activities. I believe that, under that section, the Government should make regulations providing for prison chaplains of all denominations, who so desire, anyway, to live on the prison premises, if necessary, to be paid by the Prisons Department and, if they so desire, to spend their full time working in the prison and in co-operation with the Comptroller-General.

I agree with the hon. member for Salisbury, who in effect said these prisoners are men with body and soul, which should not be jettisoned by society. We are not doing enough to encourage them to rehabilitate themselves, as has been expressed so often, and to lift their ambitions to a higher level. I say without equivocation that in its treatment of chaplains in prisons Queensland is the worst State in Australia. Western Australia for one pays its prison chaplains and gives them every facility to live in the prison, if necessary, and to co-operate with the prison authorities.

It is highly desirable for a prisoner to have access to his chaplain at any hour of the day or night. If his conscience is troubling him, or if he is disturbed by his past or is anxious about his future, he should have the opportunity to see his chaplain at any time of the night, particularly when he might be tossing and turning in bed troubled about his situation.

Periodic visits by chaplains are totally inadequate. My information is that unless a prisoner specifically requests the attendance of a particular chaplain, that chaplain has no right, as of right, to approach him. Chaplains should be allowed free movement throughout any section of the prison at any time so that their presence will be a fortification to those serving time. This would help chaplains to win the respect and friendship of those who perhaps otherwise would fail to confide in them. If prison chaplains were given carte blanche to do as they please, no doubt in co-operation with the Comptroller-General himself, I believe that we would resurrect the body and soul of many more prisoners than we do now.

Mr. Smith: You cannot resurrect the body; it is only the soul.

Mr. BENNETT: I would not like to have to resurrect the brains of the hon. member for Windsor. That would be very difficult.

I also feel that the welfare officers should be attached to the office of the Public Curator. Certainly there is now a system whereby the Public Curator administers the estates, if any, of prisoners. Provision should be made for these officers to be not merely administrators of estates during the term of imprisonment but also welfare officers looking after prisoners' pecuniary accumulations as well as their future welfare. They could seek to guide the destinies of prisoners in the interests that they may have outside the gaol.

Mr. Smith: Would you offer that same service to law-abiding citizens?

Mr. BENNETT: I imagine that law-abiding citizens would not require such a service. I would offer it to the hon. member for Windsor because he needs a lot of help. Most parliamentarians, and people in affluent positions like the hon. member for Windsor, normally can look after their own interests and do not need the assistance of welfare officers.

Mr. Smith: Now answer the question that I asked you.

Mr. BENNETT: I do not intend to be cross-examined at this stage. If I am to be cross-examined, I should like it to be by an expert, not a preliminary boy.

Provision should also be made for some system of adult education for prisoners. Although they have offended society by the crimes that they have committed, many have high intellectual capacities. As a matter of fact, the nature and implementation of the crimes that they have committed prove that some have intelligence far above average. To employ their mental capacities they could be offered a system of adult education by sending officers from the Department of Education to conduct regular evening classes. This would assist them not only to employ their spare time profitably but also to exercise their mental abilities.

Mr. Smith: What about the brutal bashers over there?

Mr. BENNETT: I do not think they should be jettisoned, either. If there is a chance to rehabilitate them and retrieve them from the invidious position in which they have found themselves, that should be done. The Comptroller-General is a man of far greater perspicacity than the hon. member for Windsor and he would know from his years of experience which prisoners might benefit by treatment and which are hopeless. It will be found that the vast majority are capable of improvement.

To be quite frank—and this is not an aspersion against the prison authorities—I think it is barbaric to incarcerate prisoners in their cells at about 4.30 p.m. each day. My opinion, gained from speaking to a countless number of prisoners, is that that is the worst aspect of prison life.

Mr. Hughes: It is not a holiday.

Mr. BENNETT: Government Members seem to have the wrong idea of the reasons for imprisonment. There are two fundamental reasons for it. Imprisonment is not imposed so that society, like Shylock, can get its pound of flesh or take some sadistic pleasure from having men cooped up like animals, or so that people may get some enjoyment from knowing that a person they dislike will be out of society for several years. It is imposed firstly to protect society, to put behind prison bars those who cannot

be trusted to live among their fellow men until their way of life is corrected. Secondly, it is imposed as a deterrent to others who may be likely to commit similar offences. As I said, the purpose of imprisonment is not to take a pound of flesh. The hon. member for Windsor and the hon. member for Kurilpa well know the expression—I do not like using it for fear of appearing to be a hypocrite; I will use it colloquially—as certain people have good reason to know, we are all fortunate that we are not in there ourselves.

(Government laughter.)

The CHAIRMAN: Order!

Mr. BENNETT: If we have the good fortune, firstly, not to be tempted to commit these offences, or, secondly, not to be prosecuted or charged if we do commit them, or, thirdly, not to be discovered, let us not deride those who are unfortunate enough to be in prison. I do not intend to name any one, but Government members have derided me and put up a case for sending drunken drivers to gaol. If a policeman stood outside Parliament House after the House adjourned, he would catch half a dozen Government members every night.

Honourable Members interjected.

Mr. BENNETT: I should hate to see some of the doctors who are advocating breathalyser tests take a test themselves.

The CHAIRMAN: Order!

Mr. BENNETT: As I said earlier, I believe that the locking up of prisoners at 4.30 each afternoon is one of the most tragic aspects of prison life. That is where we are striking a savage blow against any prospect of rehabilitating the average long-term prisoner. It is too long for any man to be left in a small cell, particularly a man who has not been trained to employ his mind profitably. There are those who cannot read and understand literature, which could keep other men gainfully occupied. They sit there pining for the life they have lost and wondering whether they will ever achieve happiness in the future. I believe that something should be done to educate them. Let us send Adult Education officers to the prisons—they would be only too pleased to go—to teach these men something. Even if we do not teach them anything that they can use in their avocation when they leave gaol, it may give them a better understanding of life and make them better able to face up to life's difficulties.

(Time expired.)

Mr. HUGHES (Kurilpa) (8.14 p.m.): The Bill provides an enlightened approach to the treatment and rehabilitation of prisoners. I was rather amazed and concerned when members of the Australian Labour Party indicated that they preferred to have prisoners kept in idleness and degradation.

Mr. Davies: That is not true.

Mr. HUGHES: It seems to be an idiosyncrasy of certain members opposite to deny obvious truths and to talk the type of bilge we have heard this evening.

Mr. Davies: Horribly cheap.

Mr. HUGHES: That is a word upon which hon. members opposite seem to seize—"cheap". We have heard much talk this evening about cheap labour, and it is about time members opposite blew themselves out objecting and began to listen to members on this side who have an understanding, a feeling of righteousness, and a wish to help those who are paying their debt to society. We do not wish simply to put them behind brick and mortar and iron bars. This Bill provides the necessary essentials for rehabilitation and is a twentieth-century approach to a problem that has existed for many years. I believe that the Government will, by this Bill, do far more for prisoners than the prisoners will do for the Government or the public.

A Government Member: They won't come out broke, either.

Mr. HUGHES: That is true, and that is a very relevant point when thinking about the rehabilitation of a prisoner.

We must remember, too, the cost to the public to keep each prisoner in prison, the drain on the public purse. That money could be put to better use.

Every day we hear requests from members on both sides of the Chamber for money to be spent in their electorates on the development of projects that cost money. To my way of thinking this State could far better use those thousands of pounds on some of these projects. It could be used to better purpose for hospitals and schools and other public pursuits than in prisons, where there is very little to see for the expense.

I believe that this Bill will serve a dual purpose. When we speak about the cost we must remember that the cost of prisons is becoming an increasingly heavy drain on the public purse. As the Minister said, in 1953 the prison population was 570, and by 1963 it had increased to 946, with the passage through the prisons in Queensland in 1963 of 4,224. There is a need for increased accommodation and services in prisons. There are many reasons for this. First, the State has a greatly increased population; secondly, there seems to be less regard for the law and citizens' rights, together with a lowering of social standards and values. I am not here to debate these matters, but I suggest that two factors that have been very prominent over the years are the shortage of prison accommodation and the drain on the public purse. The passage of the Bill will result in an alleviation of both.

There are, of course, many other factors, and I think it is worth while delving into the history of the matter. In 1958 the Comptroller-General of Prisons said there was an acute shortage of accommodation with resultant serious overcrowding. This in its turn, by chain reaction, was causing difficulties of administration. This, with other deficiencies, was a legacy of Labour rule and shows the ineptitude of Labour Governments and their administration. Much money has been spent on prisons by this Government—one has only to read the list of recently opened establishments to realise this—but it will take time to overcome the backlog. These are some of the many matters that have caused hardship to the administration and thrown additional strain on the public purse. The report of the Comptroller-General of Prisons in that regard is very disquieting.

I think such conditions generate rather a volatile atmosphere in prison. Idleness and overcrowding can do nothing but breed a rebellious spirit, which is not conducive to rehabilitating a person so that he may be enabled to resume his place in society. The hon. member for South Brisbane said that prisons were a place in which persons were to be kept for two reasons, and I interjected that a prison was not a holiday home. Of course, there must be discipline.

Mr. Bennett interjected.

Mr. HUGHES: The hon. member is advancing the very reason why he should support this Bill. By the very passage of this Bill we will be giving a man an opportunity to rehabilitate himself, not only physically but mentally as well. It will mean that prisons will not be overcrowded and prisoners will not be spending their time in idleness. They will be given an opportunity to rehabilitate themselves so that they will be more readily acceptable to society. We have read accounts recently of rebellions and loss of life in prisons in the United States of America. We read of the holocaust which caused loss of life by overcrowding. Surely no hon. member with any realistic attitude would prefer to have such a state of affairs.

This Bill will enable the Government to provide space, facilities, means of occupation and rehabilitation. It will also provide another worth-while factor, the segregation of young people and certain offenders. It will allow for the segregation of young offenders from hardened criminals or criminals with the type of character which might rub off onto the person who is not so offensive in his manner. While it is late in the day to take such a step, it is not too late, but every Minister has to take his cut of the financial cake for the various works and services under his control, and only a certain amount can be allotted to prisons. The slice of the financial cake being handed out to a department must be broken up as economically as possible. If we are able to obtain better services, facilities and accommodation for prisoners and rehabilitate them to a way of life which is productive to the community, remembering that we have an obligation not only to the prisoner but also to the State and the community in general, surely it is something which should be lauded not only by the prisoners but by the populace as a whole. It is more than surprising to hear hon. members opposite voicing opposition and showing their resentment so vehemently.

Mr. Wallace: I do not think you listened to the speakers. Opposition speakers have made a very fine contribution, and the Minister agrees.

Mr. HUGHES: Many of the speakers have made very good points, but they have been obsessed by one thing—this talk of cheap labour—forgetting all the other desirable facets of the Bill. They are so obsessed with this one thing that they cannot see clearly the real benefit that will accrue, both to the prisoner and the public. I have been in the Chamber all the time and have listened to the whole of the debate. I heard the Leader of the Opposition say that this principle could be extended to making tables, chairs, etc. What is wrong with that? Is it not a fallacious form of reasoning to make such a statement when the Leader of the Opposition as a Minister, and subsequent to the loss of his portfolio, has condoned the fact that prisoners make their own shoes and clothes, as well as mail-bags and other items which go out to the outside trade? They do make things that go to the outside trade. They also make their own bread, and conduct their own dairy, even to the extent of pasteurising the milk. I will not go into this subject at length; it was adequately dealt with by the hon. member for Townsville South, who advanced very capable arguments.

Mr. Davies: A Government that supports the extension of a pool of unemployed is dangerous.

Mr. HUGHES: The hon. member for Maryborough has said that inasmuch as the measure could create a pool of unemployment it is dangerous. That is a fallacious form of reasoning.

Mr. DAVIES: I rise to a point of order. The hon. member has misrepresented me. I said that under government by a party which supports and endeavours to create a pool of unemployed, any extension of such trade practice as mentioned by the hon. member is a positive danger.

Mr. HUGHES: We all know what the hon. member said. We heard him, and we accept what he said. He said that this Bill could provide an extension of a pool of unemployed, and that is what the Opposition objects to. I might say that the hon. member for South Brisbane, who with his party members claims to be the workers' friend, was a member of the Labour council when it sacked 2,000 men. They blew out the brains of the City Council.

Mr. BENNETT: I rise to a point of order. Normally I am not very thin-skinned but I like people to deal in the truth. That statement is hopelessly untruthful and I ask the hon. member to withdraw the remark. He knows it to be untruthful. He was a member of the council at the time and he endorsed everything that the Labour council did.

Mr. HUGHES: If it is untruthful the number may have been 1,999. I was not a member of the Labour council at the time. I would not be associated with a Labour council. I can only say, "Ask the men who were sacked and ask their families." There was never such a strong vote for the Liberal Government in the State and Federal spheres as there has been since then. The people know they have been betrayed by the Labour Party throughout the State and that its friendship with the workers has been blown aside. The grand image of the "old" Labour has been destroyed by the Labour Party itself.

While we are dealing with rehabilitation, where is this matter of mateship? People who could have been personal friends of some members of the Opposition today, by some action of their own could have landed themselves in gaol, but what will Opposition members do? Will they throw them into durance vile without hope? They have no thought for the family or any desire to help a man to rehabilitate himself to take his place in society. That is the sort of mateship extended by members of the Labour Party to their workmates. I do not want any part of it, nor do the bulk of the population, as is shown in the ballot box. People do not want them. Opposition members will remain on the Opposition benches until they readjust their thinking. We know they are on the run, and have been since the hon. member for Clayfield pointed out a few home truths. Their woolly thinking certainly needs readjustment. I hope that when the Minister replies to many of these matters members of the A.L.P. will change their thinking. This programme is to help provide adequate accommodation for the foreseeable future to overcome a lag which goes back to the difficulties left by Labour.

An Opposition Member: That is not true.

Mr. HUGHES: Of course it is.

Mr. Hanlon interjected.

Mr. HUGHES: We have been flat out providing school accommodation, new police stations, new court buildings, and renovating buildings because people were falling through rotten verandahs, and Parliament House was falling down around our ears.

Opposition Members interjected.

The TEMPORARY CHAIRMAN (Mr. Tooth): Order! I ask hon. members on both sides of the Chamber not to engage in arguments. Pertinent interjections will be permitted, but arguments will not. I ask the hon. member to return to the Bill.

Mr. HUGHES: Now that the Opposition members have heard a few home truths I will come back to the kernel of the Bill. If ever there was a measure they should support it is this one. Its worth has been proved by history and by their colleagues in New South Wales. In that State a well-ordered and positive programme of building expansion has been conducted in the Prisons Department and we must give credit where it is due. In this case the New South Wales Minister, Mr. Mannix, deserves credit for the programme. I cannot see why members of the same party here should not be prepared to align themselves with a policy that has proved so successful. The Bill could well be expressed as one that will provide relief from idleness and a mental exhilaration through occupation. In my view it can be regarded only as a worthwhile programme of training.

The hon. member for Salisbury, with many of his colleagues, spoke about cheap labour. They seem to be obsessed with the idea. What will the scheme mean? Will it do nothing but provide cheap labour? What store do the hon. member and his colleagues set on rehabilitation, on a man's mental outlook and on his future security? In the same breath the hon. member condemns what his colleagues in another Parliament are doing.

This proposal will enable the public purse to be used to the fullest extent and the best possible advantage. We must remember that each prisoner costs the State up to £23 5s. a week and any way in which that cost can be clipped will be appreciated by the public.

Under the proposed scheme a prisoner will learn a trade and will also be given leave to enable him to interview prospective employers and make arrangements for his re-entry into society. As the hon. member for Roma reminds me, the prisoner will also earn certain gratuities. I am all for the Bill.

I suggest that youthful miscreants should be made to make good their damage to public property. Perhaps adult male prisoners should be confined to works associated with gaols but, as distinct from that, there is this other problem in society today. Youthful offenders in particular who have been sentenced should be forced to make good any damage they have done to public property. We read of young people going on a rampage of destruction in Redcliffe and other places. I should like to see working parties of these young miscreants, who have so little regard for values in society and the rights of the citizen, going out under proper supervision and making good that damage to public property.

Mr. Newton: That is the policy of your party?

Mr. HUGHES: No. I am suggesting this personally. They should be taught some regard for the private citizen and his rights. While a youth who takes a car may be charged with the unlawful use of it, the owner gets his vehicle back in a damaged condition and has to meet the cost of repair. What does he get as balm for his worry? What about the person whose garden is trampled? What about the person whose fence is torn down? What about the person whose house is spattered with paint? I could go on and on. In my view it could well be extended to cover situations whereby, under control and direction, at specific times and places, working parties of these young offenders make good such damage. I will not expand on that suggestion because it is probably a little outside the Bill.

In conclusion, I ask the Minister to comment upon the subject of the payment of compensation for accidents. We know there are ways of compensating. The hon. member for Townsville South mentioned a case in which payment of £250 was made as compensation for personal injury. I think it was the loss of part of a finger. It will readily be realised that in any rehabilitation training scheme of the type envisaged there is always the possibility of accident and it is as well to recognise that some compensation should be payable. I should like the Minister to give further consideration to those points.

Mr. Davies: Will you allow the scaffolding inspectors to go there at any time?

Mr. HUGHES: The hon. member for Maryborough might be in there sooner than a scaffolding inspector.

I should like the Minister to inform the Committee of the arrangements made for qualified tradesmen, supervisors, and instructors. I think it safe to assume that some arrangements have been made, and the Committee and the public would appreciate knowing what they are. What protection is there for these people if prisoners became obstreperous or disobedient? Will the supervisor or instructor have the powers of a prisons officer, or will he simply be a civilian? What of charges arising if there is such defiance? If these people are trained to take their place in society as tradesmen, will they have on discharge sufficient gratuity or loans granted to obtain tools of trade to equip themselves?

Knowledge gained in theoretical and practical trade training will equip a prisoner to apply for and receive a union ticket. Will there be any certificates of competency issued to the prisoners? Will the form of training and the length of time of training be such as to release a prisoner as a qualified tradesman? There are men serving long sentences who could be trained and fully qualified on discharge.

I suggest that Opposition members give consideration in their thinking to some of these points. I ask the hon. member for Belmont and the union if the building industry is to be the preserve of a chosen few. Does a quota system operate on the intake of members to this union? If prisoners are educated in trade practice and theory to the stage where they are qualified tradesmen, will they be accepted by the union on discharge? Is the hon. member opposed to the acceptance of those who have paid their debt to society? Answering that interjection, and to go for a moment outside the realms of possibility to the ridiculous, I would say that if a prisoner qualified as a chemist, he would be entitled to follow that calling. After all, there are men training and studying in prison for examinations.

Let us rehabilitate these men and let them be accepted completely. If we are to do a job, let us not do it by halves. In this respect, members of the Labour Party and the unions have their responsibilities also. Will the union of carpenters and joiners and other similar trade unions accept discharged prisoners and issue them unconditionally with union tickets? As responsible citizens, they must produce some answers. They have their obligations to do something for the rehabilitation of men who have paid their debt to society.

I should like to hear the attitude of the unions to men who have trained in a trade and wish to take their places in society. We can do so much; will they play their part? If they will grasp the nettle as we have, not only the men concerned but the State and the public purse will benefit, and all will see not only now but in the years to come the benefit of this wise legislation.

Mr. RAMSDEN (Merthyr) (8.39 p.m.): I should like to make my contribution to this debate.

An Opposition Member: Are you supporting the Bill?

Mr. RAMSDEN: To answer that interjection—yes, I am.

It is time for some clear thinking on this question. (Opposition laughter.) I wish hon. members opposite would not jump to conclusions; I was going to say that it is time that some clear thinking was brought to the question by members on the Opposition benches. I say that mainly because of the contribution of the hon member for South Brisbane. He told us for what reasons imprisonment was imposed. He mentioned two reasons, with which I agree. In the first place, a person who commits an offence is imprisoned for the protection of society. Secondly, he is imprisoned as a deterrent to others, showing that the same path cannot be followed with impunity. He immediately went on to give us an example of what prison life should be. It may protect society, but, on the other hand, I do not think it would act as a deterrent, because he wanted to make it so lush and privileged that prisoners were not to do any work.

Apparently they were to be kept in idle luxury, so that many of their friends outside would say, "If this is the life the State provides, I will take it too."

Mr. Davies: How ridiculous can you get?

Mr. RAMSDEN: I do not know how ridiculous hon. members opposite can get.

Mr. Bennett: You could not have been listening if you think that is what I meant.

Mr. RAMSDEN: I tried not to listen, but I had to.

Because of the two reasons for imprisonment to which I referred earlier, I agree wholeheartedly with what the hon. member for Kurilpa said about the treatment of young miscreants who do not make good the damage they do to public and private property. I should like to see an amendment brought down—I do not know whether it could be brought down under this Act or whether it would have to be brought down under the Criminal Code—to provide that young miscreants who occupy themselves in damaging public and private property could attend to their jobs during the week and lose their freedom at the week-ends. That might provide a deterrent to the hooliganism that is so rife today.

Mr. Davies: How many week-ends would you make them serve?

Mr. RAMSDEN: I am not a legal expert. I have no doubt that if the hon. member for South Brisbane had anything to do with it they would be kept for only a few week-ends.

Mr. Bennett: I have faith in human nature.

Mr. RAMSDEN: The difference in opinion is amazing. On the one hand, the hon. member for Maryborough is upholding the youthful miscreants who may do hundreds of pounds worth of damage and saying that they deserve only a couple of weeks; on the other hand, the hon. member for South Brisbane is saying that he has faith in human nature, although he has not shown much of it lately.

The hon. member for South Brisbane, in postulating his argument, asked whether the wages paid to these prisoners would be comparable with those paid outside. I ask: why should they be? If people are imprisoned as a deterrent to others, why should they expect to be paid the same profitable rates as are paid to people outside who have not committed an offence?

I think it was the hon. member for Salisbury who bemoaned the fact that the State did not give the family of the criminal enough to live on. It is the responsibility of every man who has a wife and family to maintain to think of the effect on them if he breaks the law and defies society and convention.

Mr. Hanlon: You want to punish his family in addition to punishing him.

Mr. RAMSDEN: Not at all. I say very strongly that the ordinary wage-plug who has a wife and children of his own is being taxed to meet the responsibilities of someone who has not faced them himself.

Mr. Hanlon: Who is going to look after his family? The Commonwealth Government will not give his family anything until he has been in gaol for six months.

Mr. RAMSDEN: Of course not.

Mr. Davies: What are they going to do in the meantime?

Mr. RAMSDEN: If hon. members opposite had had as much experience in welfare work as I have, they would not come into this.

The next point we heard a great deal about is that under the Bill the Minister will effect considerable savings. Of course he will. I do not think that is something we have to throw out in the wind. Surely to heavens we are not asked to run a penal service which will eat into the public funds when we can save money by utilising those who are in prison. How childish can we get, when the hon. member for Salisbury says that if the Minister had asked the trade-union movement, they would have helped him, they would have got behind him; but because he did not they are going to sulk in a corner and refuse to do anything about it.

I should like to congratulate the Minister. I did not know before that he was a winged Pegasus. He had attributed to him an amazing feat. He rode roughshed over the unions and then showed his feathers!

The hon. member for Salisbury also came in and said, "We want savings, but"—and here tears rolled down his cheeks—"we don't want savings at the cost of human suffering." My God, he was pathetic! If a prisoner is asked to work it is human suffering, but if a trade unionist does the same work at award wages it is honourable labour. How silly can we get!

In the past, the most soul-destroying part of prison life has been the fact that prisoners have been kept in gaol with no material benefit from their labour. With very few exceptions it has been a case of work for work's sake to fill in the day. It is very similar to what I saw in a p.o.w. camp in New Guinea where Japanese were kept at one stage. Because there was nothing else for them to do they moved a pile of rocks from one end to the other, and when they got them there they moved them back.

That is typical and symbolical of the kind of labour that has been taking place in our penal services in the past. The hon. member for South Brisbane referred to it as routine work. He talked about it as being administrative work. Surely sewing mail-bags, making boots, baking pastry, is not routine work.

Mr. Davies: Don't forget about the brigalow.

Mr. RAMSDEN: I will come back to the brigalow. The whole thing depends entirely on the union attitude to the men when they come out of gaol. I should like to ask, as has been asked by other speakers on this side, whether the trade unions themselves are prepared to assimilate these people into their ranks.

Mr. Newton: The Minister should have consulted the unions on their views before he introduced this Bill; he could then have answered that question.

Mr. RAMSDEN: As I said before, the unions are saying, "If the Minister had not ridden roughshod over us we would have helped, but now we will sulk in our corner." Are the principles right or not? The unions can either pull their weight and carry out their responsibilities or they can hide in their sulkiness and say, "The Minister did not consult us." I cannot see any difference between these people and the baker or the pastrycook or the tailor. When the pastrycook and the baker come out of gaol they are accepted by the unions as sufficiently trained to be given a union ticket in civilian life. Tailors have come out of gaol—people who knew nothing about tailoring before they went in—and opened their own businesses as tailors and employed union labour. And the unions were glad to let them employ it! What on earth is the difference between that and these other people who will be trained as bricklayers, stonemasons, plasterers or anything else in the building trade under this new approach to the labour problem in gaols? It really is a wonder that we can accept what the hon. member for South Brisbane says——

Mr. Bennett: You are reading from Smithy's notes now.

Mr. RAMSDEN: No. The hon. member can hold them. It is amazing that we find a barrister of the Supreme Court of Queensland coming into this Parliament and criticising the fact that the Crown proceeded with a case even though the girl concerned did not wish to prosecute. The girl was under the age of consent. He made this criticism when he himself knows that the criminal law demands that the case go on whether she wants it to or not.

Mr. BENNETT: I rise to a point of order. I heard recently from the Commissioner of Police wherein he said that the Government had given him a wide discretion to determine whether or not a prosecution should proceed. That would have been an admirable case in which he could have exercised his discretion.

The TEMPORARY CHAIRMAN (Mr. Tooth): Order! I must warn the hon. member to respect the Chair when order is called. A point of order must be taken on the speech being made by an hon. member. It is not an occasion upon which to introduce extraneous matters.

Mr. BENNETT: My point of order is that the hon. member was not correct when he said that the Criminal Code says that a prosecution must go on. We have been told by the Commissioner that he has a discretion——

The TEMPORARY CHAIRMAN: Order! The hon. member has made his point.

Mr. RAMSDEN: If we cannot accept the hon. member's advice on legal matters I fail to see how we can follow his advice on the matters before the Chamber at the moment.

Mr. Bennett: It is a pity you didn't follow my advice on the Transport Act.

Mr. RAMSDEN: We may have been in a bigger mess, too.

The TEMPORARY CHAIRMAN: Order!

Mr. RAMSDEN: It was suggested that a welfare officer should be appointed to look after these people. I think it was the hon. member for South Brisbane again who made the point that the welfare officer should be attached to the Public Curator's office. The Public Curator, of course, would then use him in administering the affairs either of the prisoner or of the prisoner's family—I am not certain of that.

Mr. Bennett: He administers the prisoner's estate now.

Mr. RAMSDEN: The thing that rather amazed me was that when the hon. member was asked by the hon. member for Windsor whether he would extend the same privilege to a free citizen, someone who had no broken the law, he refused to answer.

Mr. Bennett: I did not.

Mr. RAMSDEN: He did not exactly refuse. He said, "I refuse to be cross-examined. If I am going to be cross-examined I will be cross-examined by an expert." He had his chance to be cross-examined by an expert recently in another place but he would not take take it.

I should like to come back now to the hon. member for Maryborough, who intermittently has been chipping in with the word "brigalow." Some four years ago in this Chamber I made a speech which brought a lot of catcalls from the Opposition and caused a certain amount of heartburning on my side of the Chamber, and even brought some hisses, when I urged the use of prison labour for the clearing of brigalow scrub country as an alternative to building a gaol at a cost of millions of pounds.

Mr. Davies: You had Siberia in mind, or something.

Mr. RAMSDEN: Siberia does not come into my political philosophy but I am sure the hon member knows about it. I stand by what I said. I still think I said the right thing, although others think I did not.

An Opposition Member: What did you say?

Mr. RAMSDEN: The hon. member should ask the hon. member for Maryborough, who quoted it at some length this afternoon. I ask the hon. member, who rose in righteous indignation and condemned me for what I said, where he and his protests were when the Chifley Government had hundreds and hundreds of Italian prisoners of war working on exactly the same things?

Opposition Members interjected.

Mr. RAMSDEN: Opposition members say they were prisoners of war and we could do anything with them; that is Labour's attitude. All hon. members opposite who have criticised this Bill should sit down and do a little soul-searching because of their attitude in the past when they were in office and also for the way that prison labour was used under a Federal Labour Government during war-time. We have nothing to be ashamed of in that direction.

Hon. H. W. NOBLE (Yeronga—Minister for Health) (8.57 p.m.), in reply: We have been debating this Bill for almost four hours, and for the greater part of that time, with a few exceptions, the provisions of the Bill have not been dealt with.

Mr. Bennett: We haven't got the Bill.

Dr. NOBLE: I know, but I opened up the debate fairly widely. I spoke about this very humane project to give work to idle hands and again give hope to souls who, as the hon. member for South Brisbane said, are incarcerated in cells without any work to do. We are giving them some hope for the future.

All the opposition has been based on the ground that we should not use prison labour for building purposes for the fear that by so doing we will displace building tradesmen in the community. Throughout the debate one Opposition member after another said that there was a boom in the building industry at present. Everyone must admit that last year there was a £20,000,000 increase in building in Queensland compared with the previous year. Because there is a building boom at present there is no unemployment in the building industry anywhere in the State. I have enough faith in this State's future to believe that we will not have another recession here as long as I am in this Parliament, and for many years to come, and I hope there will never be another recession. I promise now that while I am Minister for Health controlling the portfolio of prisons, if a recession comes about and there is real unemployment in the building industry we will have a second look at what we are doing with this prison labour. But let us keep our feet on the ground. In our building project at Wacol, and at other prisons, we will spend about £150,000 a year on buildings with prison labour out of a total building programme in the State of some £100,000,000. That is only a drop in the bucket and to hear hon. members becoming excited, almost hysterical, about this matter is very hard to believe.

There were complaints that this Government has sacked people from the Department of Works. When we took office, 1,700 men were employed in the department on day labour. At present it employs 3,000 building and other tradesmen. So much for that argument.

The Leader of the Opposition asked me the number of prisoners being trained in the gaol. We have about 20 carpenters there at present who are prisoners and quite a number of bricklayers, plasterers and the like. We have classes going on in which some 24 bricklayers are being trained. They are being trained by highly competent tradesmen, who are paid at the rate of the manual trade teacher in schools, not those in technical colleges. Their salaries start at some £1,375 a year and go up with increments to about £1,500 a year.

As I said earlier in the debate, the prisoners over there are keen to learn. These trade teachers have told me that they have found a greater aptitude for learning among them than in the younger persons outside. They want to learn.

I agree with the hon. member for South Brisbane that it is almost inhuman to keep prisoners locked up in their cells, sometimes three to a cell. A dormitory over there has some 100 prisoners in it; normally it would take about 40. They are in double-decker bunks, one prisoner sleeping over the other. They are locked up from 4.30 in the afternoon till 6.30 in the morning. I agree that it is not altogether humane and that is why we are determined to provide proper accommodation for them. We are not ashamed of this proposal. We are proud of it and we intend to go ahead with it. We are doing something for those people who, because of their anti-social acts, are serving a term of imprisonment; we are helping to rehabilitate them during their term of imprisonment.

There is nothing worse than idleness. Continued idleness can break a man's soul. A recent television programme portrayed the imprisonment of the Cardinal of Hungary. The authorities kept him in complete idleness in a cell for three months and broke his spirit. That is all you have to do to any man—lock him up and give him nothing to do—and you will break his spirit. We are not going to let that happen in our prison.

The Leader of the Opposition chided me for saying that Labour had not done much. I was only telling the truth. I said that under Labour the prisons had been grossly overcrowded. Already we have 120 more cells at Wacol occupied. These are part of the medium security prison being built by the Works Department. At the pace of building by prison labour people will be

surprised at the rate at which the new hospital will go up. Already the ground work is being done. Within 18 months we will have a 200-bed prisoner-built hospital at Wacol.

It has been said that the buildings there will probably be substandard. I can assure the Committee that they will not be. They will be erected under an architect's supervision; we will have a clerk of works in control; and there will be trained supervisors working on the job to see that the building, when it does go up, is a good one. All safety measures will be taken.

I should like some members of the Opposition to go across to Boggo Road and have a look at the workshops, inspect the woodworking shop, the metal-working shop, the tailoring shop, the bakehouse and the laundry. They will see that we have provided for those who work within the prison workshops all safety measures and all equipment necessary for them to do a good job. When I became Minister I went over there and saw this wonderful woodworking shop with possibly every type of equipment for the manufacture of good furniture, and all they were making was easels for kindergartens. I asked some of the prisoners, "Do you get much satisfaction from making these? Can you take any pride in the work?" and I was told that it was so simple that it was not giving them any sense of achievement. They did not use those words but that is what they meant. They were not getting any feeling of achievement out of the work that they were doing. I said to Mr. Kerr, "These men are going to make proper furniture," and they are doing it now. They are furnishing Boys' Town and the old people's home at Mt. Gravatt. Representatives of the furniture manufacturers and retailers and the union secretary were in to see me the other day. By the time they left, they had agreed that this was a good project and they were well behind it.

The hon. member for Belmont, who was a union organiser and who is the advocate for the building workers' union, stressed, to my delight, that there was no unemployment at present. I again reassure him that if there is a recession we will have a second look at this matter. Strangely enough, he was worried about migrants. I thought we wanted them. He is afraid that they will flood the labour market. We need migrants. If we are to keep this country, it must be populated. He mentioned young children under the care of the State Children Department being sent to farms. That is a thing of the past. There are at present some mentally-defective children who, because no occupations could be found for them in ordinary industry, have gone out to help on farms. These days more and more welfare officers are becoming available in the State Children Department to supervise these children and see that they get a fair go. Any child under the care of this department who shows aptitude can go right through to the University and into any profession he might desire.

Mr. Newton: Can you name any industry that they have been placed in after the age of 14?

Dr. NOBLE: Yes. They are placed very well these days. The State Children Department is now run very well. I can assure the hon. member of that.

There was some talk of what was going to happen when the building programme finished. We are so far behind in it that it will take 10 years to overcome the lag. By that time Brisbane will have a population approaching 1,000,000 and, with those extra numbers, more prison accommodation will be needed. I should think that it will be at least 10 years before we can hope to overtake the lag. When it is overtaken, we will have sufficient accommodation to properly care for and rehabilitate prisoners. One reason why prisoners cannot be rehabilitated at Boggo Road is the lack of room. For security and safety reasons it is necessery to lock up prisoners at 4.30 p.m. I was at a prison at Bathurst in New South Wales that was erected by prison labour. On the second floor was a common room where in the evenings prisoners could, if they desired, play table tennis and games of a similar nature. There was a good library also. They were taken out in groups at hourly intervals and all had to be back in their cells at 9.30 p.m. That is what is needed here.

In the South, because plenty of room is available, teachers are brought in at night and paid for giving instruction to prisoners. Quite a number of young people are attending school at night-time. Some of those who have come up against the law have done so because they never had a chance in life. They had not been properly taught and might not have been educated beyond about our 4th-grade standard. With proper accommodation and plenty of room, the objective of the Government is to have teachers going to the gaol and giving these people a chance in life whilst they are in the care of the Prisons Department.

The speech of the hon. member for Townsville North was one of the best made today. He approached the problem in a very realistic manner. I agree with him that there is a need for good prison officers. There was a time when we could not get them because of the poor salary that was paid by the Labour Government. I do not say this because I am a member of the Liberal Party and hon. members opposite are members of the Australian Labour Party; I say it because it is a fact. When Labour Governments were in office, the highest salary a prisoner officer could get—this would be for a chief officer—was about £1,000-odd a

year, and an ordinary officer was paid about £720 a year. They now start on about £1,000 a year and go up to £1,400 a year. With overtime and penalty rates that we have given them, I should say that almost every prison officer at Boggo Road takes home in his pay packet, before tax, about £1,300 a year.

Mr. Duggan: That is not particularly spectacular when compared with other movements.

Dr. NOBLE: It is a big improvement.

I agree with the hon. member for Townsville North that these officers should be worth training. A proposal will go to Cabinet on Monday, and I do not think I am divulging anything that I should not when I say that we are going to put a training school for prison officers alongside the security hospital at Wacol. It will be used not only for training prison officers but also for other training courses that the Public Service Commissioner might wish to inaugurate for public servants. It will be run entirely by the prisoners. They will be taught the art of catering; they will be taught to be waiters, and so on; and we hope that quite a few of them will find remunerative employment for themselves when they are discharged.

Mr. Duggan: There might be quite a lot of merit in that proposal.

Dr. NOBLE: The hon. member for Townsville North asked about welfare officers. Applications are now being called for welfare officers—I think they are with the Public Service Commissioner at present—and Townsville will get one of those welfare officers when the appointments are made.

The hon. member spoke also about the old workshop and the old laundry at the prison at Stuart. I agree that it is a dreadful workshop, but we cannot be held responsible for it. When I went there and saw it I said, "Something will have to be done about that." Plans have now been completed for a new workshop and a new laundry at Stuart. The laundry will be built by the Department of Works because we think the job is too technical for prisoners, but the main structure of the workshop will be erected by the Department of Works and the prisoners will do the remainder of the work—filling in with bricks, and so on. As the hon. member knows, prisoners are now building a punishment block, and I will pass round photographs showing the first buildings being erected at Stuart.

The hon. member for Salisbury, the hon. member for Kurilpa and the hon. member for Merthyr said something to this effect: why send some people to prison? An amendment to the Criminal Code and the Justices Act will be required, but there is a possibility that we will build a hostel or prison-type accommodation. We cannot do it now because we have not the space, but we may be able to do it later. As hon. members know, it is quite common for a father to dodge paying maintenance by going to prison. He could go to a hostel such as this, go to work during the day, and pay board at the hostel. There would be a case, too, as the hon. member for Merthyr said, for making young people who have offended against society go to the hostel and work in the daytime and go back to the hostel each night. We are looking at the question, and I know that the Minister for Justice is very keen on the idea.

I come now to the remarks of the hon. member for South Brisbane. When he speaks in this Chamber—I say this in all seriousness —I sometimes wonder who he thinks he is. He gets up and says, "Don't you say any more. I am warning you what I will say against you." I have often watched him, and I feel that he might be an early schizophrenic. In fact, I say here in all seriousness that he should think about getting medical advice.

Mr. BENNETT: I rise to a point of order. I resent the doctor's prostituting the medical profession in this fashion, and I ask him to withdraw that remark and apologise.

Dr. NOBLE: In accordance with the customs of this Chamber, I will do so.

Mr. BENNETT: As you demanded of me the other night, Mr. Hooper, I ask that the remark be withdrawn without qualification.

The CHAIRMAN: Order! The Minister has withdrawn his statement.

Dr. NOBLE: The hon. member spoke about the chaplains at the gaol. I believe they do quite a good job and they are, in fact, encouraged to go to the gaol. Although we do not pay them as some places do, there may be a case for the employment of some full-time chaplains. Hon. members may remember that we did institute the appointment of chaplains at Goodna and that might be extended right throughout the hospital services and gaols when finance becomes available. I am assured by the Comptroller-General that chaplains can, without interference, visit a prisoner who is prepared to see them. For security and safety reasons, chaplains are not permitted to wander through workshops or exercise yards at will. Many prisoners do not want to see the chaplain and it could lead to violence. Under the set-up at the present time, all prisoners are taken from shops or yards to see the chaplain.

Motion (Dr. Noble) agreed to.

Resolution reported.

FIRST READING

Bill presented and, on motion of Dr. Noble, read a first time.

HOSPITALS ACTS AMENDMENT BILL

INITIATION IN COMMITTEE

(The Chairman of Committees, Mr. Hooper, Greenslopes, in the chair)

Hon. H. W. NOBLE (Yeronga—Minister for Health) (9.19 p.m.): I move—

"That a Bill be introduced to amend the Hospitals Acts, 1936 to 1962, in certain particulars."

The first amendment contained in the Bill relates to the appointment of medical superintendents, medical officers and matrons of hospitals. The existing section of the Act provides that no appointment shall be made by a board of a medical superintendent or medical officer to any hospital until the board or committee concerned has by advertisement in some newspaper called applications for such vacancy, and has submitted all applications received by it for such appointment to the Director-General of Health and Medical Services for investigation by him and has received from him a report of his investigation.

There is no legal obligation on any hospitals board to observe the report of the Director-General, and it could appoint a person shown by investigation to be most unsuitable.

The section of the Act as it now stands does not require that applications for the position of matron of any hospital be screened by the department. However, in view of their importance, it is considered desirable that special provision be made also in respect to the matrons.

The principal officers of the hospital who are charged under the Act and Regulations with the administration and management of the hospital are the medical superintendent, the matron and the secretary. The secretaries of hospitals boards are public servants and their appointments are subject to the recommendation of the Public Service Commissioner. Much care should also be exercised to ensure that only the most suitable persons are appointed to the positions of medical superintendent and matron.

The amendment provides that the approval of the Director-General must be obtained by a hospitals board before it appoints a medical superintendent, medical officer or matron to any hospital under its control. Where there is more than one suitable applicant for any position, the hospitals board will be advised accordingly by the Director-General and given a panel of the names of all suitable applicants from which the board will have the right to choose an appointee.

The powers conferred on the Director-General by this Bill will be exercised in the interests of the public, whose interests are best served by the appointment of the best available applicants.

The existing provision in the principal Act provides also that where the hospital concerned is a hospital approved for the training of university students, the Director-General in making his investigation and preparing his report shall be assisted by two representatives each of the Senate of the University of Queensland and of the governing body of such hospital. In view of the amendment proposed in this Bill that the appointee must be a person approved by the Director-General, a consequential amendment of the relevant section of the principal Act becomes necessary and the words "in determining whether or not he will approve any person for an appointment to which this section applies under this section" have been substituted for the words "in making his investigation and preparing his report."

As mentioned in the Government's policy speech, it is proposed to appoint a Director of Dental Services in Queensland, and that he shall hold his office under the Public Service Acts, and be subject to the Director-General of Health and Medical Services, in a similar manner to the Director of Psychiatric Services. It is also proposed to appoint such other officers as are required to assist him to carry out his duties.

The Director of Dental Services will be charged with the responsibility of the general supervision and control of dental clinics and dental hospitals controlled by hospitals boards, and of dental services provided by any Government department.

He will be required to make recommendations in respect to—

The organisation and co-ordination of all dental services;

The provision of plant, equipment, furniture, drugs and supplies for the dental clinics, dental hospitals and other dental services;

The provision of new dental clinics, dental hospitals and new dental services;

The plans for new buildings for dental clinics or dental hospitals and for extensions or alterations to existing buildings.

Mr. Tucker: That will be distinct as from the hospitals board?

Dr. NOBLE: Yes. It is more or less a specialised business.

Because of the expansion of dental services and the need for the most efficient administration and co-ordination of these services, it is most desirable that a special section be created within my department for its administration.

It is provided in the amendment that every appointee as dentist or dental mechanic in a dental clinic or dental hospital under the control of a board shall be a person approved by the Director of Dental Services in Queensland.

Mr. Melloy: In all clinics throughout the State?

Dr. NOBLE: Yes. This is a provision similar to that relating to the appointment of medical superintendents, medical officers,

and matrons, to ensure that all applications for the positions are thoroughly investigated before they are appointed to these important positions. Where there is more than one suitable applicant, the hospitals board will be furnished with a list of the names of all suitable applicants, and the matter of choice will rest with the hospitals board.

At the present time, the positions of dentists in dental clinics have been filled either by the appointment of holders of State social service fellowships in dentistry, which are arranged through my department, or as a result of advertisements by hospitals boards. There has been no obligation on hospitals boards to submit the applications to this department for investigation.

The Director of Dental Services will have an overall supervision of dental services and will act in an advisory capacity to the hospitals boards, and it is not intended to interfere with the present arrangement whereby hospitals boards control the general administration and financial requirements of dental clinics or dental hospitals.

A central accounting bureau was established during 1959 for the North Brisbane and South Brisbane Hospitals Boards, and since that date has included also the more recently constituted Chermside and Redcliffe Hospitals Boards. The bureau was established following an investigation conducted by officers of this department, the North Brisbane Hospitals Board and the Public Service Commissioner's Department. This committee reported that an examination of the accounting work of the North Brisbane and South Brisbane Hospitals indicated that the work would be handled more economically and efficiently by a central accounting bureau for both hospitals, and that the accounts branch then existing at the North Brisbane Hospital could, with practically no alteration, become the central accounting bureau for both hospitals boards. It is now proposed to place this accounting bureau on a legal basis and a provision accordingly has been included in the Bill.

As the central accounting bureau is responsible for the accounting work of the four existing hospitals boards in the Brisbane and Redcliffe areas, the work involved is very great, and it is considered most desirable that the position of officer in charge be made subject to the Public Service Acts in a manner similar to secretaries of hospitals boards, and that any appointment to such position be made by the Governor in Council in pursuance of the provisions of those Acts. Provision to this effect has been made in the Bill, and also that the officer appointed will be deemed to be an officer of my department.

It is also provided that officers other than the officer in charge may be appointed by the North Brisbane Hospitals Board or any other board in respect whereof the bureau is established for the time being. It is provided that any such appointee shall be an employee of the board by which he is appointed, but that if any dispute arises regarding any such appointment the matter shall be determined by the Minister. The person who is appointed officer in charge of the central accounting bureau shall be immediately responsible to the secretary of the hospitals board.

As the Act now stands, it is required that the deputy chairman of a hospitals board shall act as chairman during any temporary absence of the chairman from the hospitals district. This has created the undesirable situation where the chairman, by virtue of such provision, is unable to exercise the duties and responsibilities of his office whenever he is absent from the hospitals district. For example, Mr. Fanning, who is the chairman of our hospitals boards, must live in one hospital district in the metropolitan area, but because of the Act he is not legally entitled to be chairman of the other hospitals boards. I mention also the Chermside hospitals district, which consists only of the reserve on which the hospital is erected. Under the existing provision, the chairman should not undertake the duties of chairman unless he is actually on the hospital reserve. The amendment contained in the Bill omits any reference to the chairman's absence from the district, but provides that the deputy chairman may act as chairman when so requested by the chairman, or at any time that the chairman is unable to exercise his office as such by reason of illness, absence or other cause.

The Act requires a hospitals board to keep minutes of all the proceedings of the board, and of every committee appointed by the board, and that such minute books shall be open to inspection or for the making of any copy or extract by any inhabitant of the district, and imposes a penalty not exceeding £5 on the board's secretary if he fails to permit such inspections, etc. The Bill includes an amendment that the minutes of committee meetings or meetings of the board sitting as a committee of the whole shall not be open to inspection.

Mr. Bromley: Are they to be secret meetings?

Dr. NOBLE: All committee meetings are a close secret. When the board holds an open meeting it will allow the Press in and there will be no restriction; but when a board, or a committee of a board, goes into committee, it must necessarily, for proper government of the hospital, be more or less privileged to the committee. If this is not done the whole purpose of a board's going into committee to discuss matters of a confidential or controversial nature would be defeated.

Following the division of the Brisbane and South Coast Hospitals Board into the North Brisbane and South Brisbane Hospitals Boards, and the transfer of officers to the South Brisbane Hospitals Board, it became a matter of concern to the clerical staffs employed by these separate boards that

injustices could occur if the officers employed by the two hospitals boards were not eligible to apply for positions involving promotion with each board.

The amending Act of 1962 included a section ensuring that these officers were eligible for appointment to either board and preserving all their seniority rights. Since the 1962 amendment, the Chermside Hospitals Board and the Redcliffe Hospitals Board have been created, and other hospitals boards could be constituted in the near future within the metropolitan area.

Representations have been made by the union concerned to have the rights of these officers extended to include employment with any board situated within the area comprising the city of Brisbane and the city of Redcliffe. The Bill contains an amendment to give effect to this request.

The Act provides that money shall be paid out of a hospitals board's general trust and loan funds only by cheques signed by the secretary and countersigned by the chairman or any two members of the board authorised by it for the time being to sign cheques. In the case of the metropolitan hospitals boards, the number of cheques that the secretary is required to sign is so great that it absorbs a very significant portion of his working hours to the exclusion of his more important duties of management and supervision. There are senior officers employed by these boards who could attend to the signing of cheques in lieu of the secretary, particularly as such cheques are countersigned. An amending provision has been included in the Bill to enable the Minister, on the recommendation of the Auditor-General, to authorise some other person or persons to sign cheques drawn on the hospitals board's accounts in lieu of the secretary whenever it is considered desirable to do so.

Mr. DUGGAN (Toowoomba West—Leader of the Opposition) (9.33 p.m.): From what the Minister has indicated to the Committee, there appear to be some very desirable reforms contemplated in the measure.

I have no personal disagreement with the principle that the qualifications of a medical superintendent, or indeed a medical officer, should be subject to the recommendation of the Director-General of Health, despite the fact that some medical officers in Queensland have in recent years expressed the opinion that it is rather difficult for them if they elect to remain in the province of hospitals boards work and they in some way fall foul of the Director-General of Health of the day, whoever he might be. I am not going to canvass that very much because I do not know the merits or the demerits of the argument but I have heard on more than one occasion of opinions being expressed by medical officers that if in some way they have come into collision with the Director-General of Health it is rather difficult and sometimes embarrassing for them. After all, the Director-General of Health is appointed to exercise a general superintendence over the work that is committed to him under the various statutes and, without entering into any discusion on the merits or demerits of the matter, I think he would wish to see that the right decision was arrived at. Knowing Dr. Fryberg as I do, I think he would approach his various responsibilities in that frame of mind. I think it is essential that there be a very close scrutiny of the qualifications of medical superintendents because today our hospitals are very important institutions. Board districts necessitate the building of quite expensive hospitals. With one or two notable exceptions, the facilities provided in public hospitals more than match the standard aplying in most private hospitals, because the resources of the State are greater than those available to the people conducting private hospitals. That trend is seen in many places. In Toowoomba there is at present, from memory, only one private hospital; when I first entered Parliament, there were at least six. Most were controlled by doctors in the city who referred their patients to them.

As time went by, the people could see that private hospitals were not able to provide the sterilisation and other expensive equipment required in modern hospitals, and consequently they tended to gravitate to the public or intermediate sections of public hospitals. I think that that trend will continue except in the case of highly-specialised hospitals such as the Mater, St. Martin's, St. Helen's, and the Holy Spirit, which have established very fine reputations. There are probably other hospitals that I have not mentioned doing equally fine work. Because of the dedication of the Sisters running these hospitals, the money that would ordinarily be needed to pay the salaries of nursing staff is able to be used for the provision of equipment that enables them to match in some degree the facilities in public hospitals. There will always be those wanting the particular type of service that a private hospital can give.

Because of the growth of public hospitals, the number of persons for whom they cater, the very expensive equipment needed, and the degree of specialisation apparent today, it is essential that the very best men available be recruited for public hospitals. I think it most necessary that there be one central authority—in this case, the Director-General of Health—to classify and evaluate the qualifications of doctors and submit the names of those whom he considers fit to undertake this important position of medical superintendent. From my fairly restricted knowledge of these matters, it seems to me that there has been in the last 10 to 15 years a general improvement in the professional qualifications of superintendents. In many cases they have been ambitious young men who have undertaken post-graduate training and become Fellows of the Royal

College of Physicians or Fellows of the Royal College of Surgeons. They have been very outstanding men in their profession.

After having gained a good deal of experience in public hospitals, some have gone into private practice. I know that in Toowoomba there was one medical superintendent for very many years, but there have been quite a number of changes in recent times. Each one has received considerable praise from patients, other medical men at the hospital, and the staff generally. My only regret is that we have not been able to retain them in the service.

The position may have been different if we had had a Commonwealth hospitals scheme which I think will come in the course of time along the lines of the British medical scheme. The Labour Party in the Federal sphere believes that there could well be an extension of this service. I do not want to canvass this subject to any extent tonight. I think that it will come in due course and, when it does, it will provide an added incentive to brilliant young fellows to remain in the service and make it their careers. I know one medical officer in an important position at the Brisbane General Hospital who indicated to me quite definitely that if he thought there was to be any change in this direction he would abandon any thought of entering private practice. I think that if a high salary were payable, many dedicated men would be quite content to work in this capacity in public hospitals. Not everybody wants to work in a practice with four or five others.

I think the Minister will agree that the lot of the doctor in private practice has improved in recent years because of the establishment of clinics which permits him to have certain nights and week-ends off. There is also a growing tendency to dissuade people from seeking advice and professional attendance outside the usual working hours.

As a young man, I lived with an aunt of mine in Toowoomba. Dr. T. P. Connolly was the doctor who looked after the aunt with whom I lived, and, because of her condition, it was quite a regular occurrence for me to go round and get him out at 2 o'clock or 3 o'clock in the morning. He would come without the slightest hesitation. Today we find a little more difficulty in getting that service unless the case is really urgent. I think there is a good deal of merit in the Minister's proposal.

I will not mention the particular place because it would only direct attention to the name of the person concerned, but a number of years ago I came upon a small hospital where the doctor in charge had quite a number of degrees. I thought it was extraordinary that a person with those qualifications should have accepted a position in such a place. On making inquiries, I found that he had a background of drug addiction, and so on—I do not know whether or not he was trying to rehabilitate himself—and that information may not have been known to an idependent hospital board a thousand miles away from Brisbane. The doctor may have been able to cure himself of his addiction; but if he had a predisposition to it, the Director-General of Health would have that information, and if he thought the doctor would be exposed to some risk or temptation in a particular area, he would be able, very wisely, to remove his name from a panel submitted to a hospitals board. I think there is a good deal of merit in this proposal. It may even extend to medical officers, although I think that the majority of medical officers appointed by hospital boards are young graduates who go there for experience and then drift out into private practice in due course.

I do not want to be cynical about this or impute improper motives, but I am not really convinced at this stage that there is justification for the inclusion of matrons in this proposal. I think there is a little more in this than meets the eye. A matron passes prescribed tests, Admittedly, in her own sphere she has responsibilities no less important than those carried by the medical superintendent. She is responsible for the discipline of the nurses, and in many hospitals she is responsible for the training of the student nurses. Very often she is an inspiration to them. I do not want to particularise—if I do particularise, I include many other noble women in this profession—but I think the Minister will agree with me that Matron Fountain in Toowoomba is a wonderful person.

Dr. Noble: A very wonderful person.

Mr. DUGGAN: The Minister might be able to mention many others, but I think everybody respects her personal qualities and has a deep affection for her. She is a great inspiration to everybody, and rarely have I met a person who combines so many attributes in such a high degree as does Matron Fountain.

I do not want to embark upon a debate on the Herberton Hospital inquiry, but I think it was an unnecessary expenditure of public funds. Indeed, if more decisive action had been taken in the first place by the Minister or the Director-General of Health, I think it would have obviated all the publicity and financial loss that followed the recommendations contained in the report of Mr. Kearney, the Stipendiary Magistrate, who was Chairman, Dr. Hickey, who represented the medical profession, and the lady representing the nurses, whose name I forget. I do not intend to canvass the merits or demerits of the situation, other than to say that I have been informed that one of the central figures in that inquiry is now matron of a very important hospital in the State, and I can say quite emphatically from the information conveyed to me that not only the superintendent and the staff but also the nurses, the patients, and the public of the district are completely happy with her services.

Apparently she has been able to secure a position that is to her liking and is working to the complete satisfaction of the interests that she serves. I have a feeling, however, that if someone does come into conflict with authority this might be a convenient provision to have. All I need say on this point, without in any way judging the case —because people more competent than I had the opportunity of examining the evidence that was submitted at that very protracted hearing; they made certain recommendations and I am not going to discuss in any way the strength or weakness of their recommendations—is that, obviously it was a conflict of personalities rather than a question of determining the professional competence of the main participants. It became obvious also that the main participants were strong-willed people and, if a strong-willed individual comes into conflict with authority the result can be disastrous. The Government could hound such a person. I am not suggesting that that is being done but it is capable of being done and I am not so sure in regard to this provision as it relates to matrons that the Government is not arming itself with powers to cope with a situation that could occur in the future, with real disservice to matrons generally.

I may not be prepared, after I hear the Minister's explanation on this matter, to accept it. After we, as a party, have had an opportunity of examining the Bill and seeing these provisions, and after we have examined some of their implications, I may make amended observations on the matter. Frankly, I accept from the Minister the explanation on that provision with a considerable amount of reservation. We have to be very careful in these matters to see that the authority and power of the State is not exercised and used in such a way that it might ruin the career of some person in the community.

As I say, I think there might be general justification for this provision in regard to superintendents. I will go so far as to include the medical officer. There may be justification for the provision in regard to him also but——

Dr. Noble: It is never taken on personalities.

Mr. DUGGAN: I say it could well happen as I mentioned. I do not want to bring in the officers of the Minister's department. I have a high regard for Dr. Fryberg. I do not come into contact with him frequently. I have probably had much more to do with Dr. Johnson over the years than I have with Dr. Fryberg. It is not that I have any personal reasons, but I have had occasion perhaps not to worry the Director-General with some minor matters and, in an administrative sense, perhaps, I have come in contact more with Dr. Johnson. But I think everyone will agree that what I say about Dr. Johnson will apply likewise to Dr. Fryberg. Dr. Johnson is an extremely courteous and competent officer and, I think, a very valuable officer in the department. I would be very reluctant to form any opinion that he was exercising any authority that may be given to him in any absolute or dictatorial fashion or that he would show any bias against anybody.

As I say, my remarks about Dr. Johnson apply also to Dr. Fryberg. I have had personal association with Dr. Johnson, which leads me to say that very sincerely and genuinely. I feel that if this provision is there there could be a matron—and indeed I also include medical officer and superintendent—whose name is removed from the panel of names submitted to a hospitals board. I do not think it is unreasonable to say that in that case there could be some wrong done to such person in this very important profession. After all, it is a form of punishment. A person may apply for a job but his name may not reach the hospitals board—whether it be superintendent, junior medical officer, or matron. It is generally known who the applicants are. Indeed, in some cases it could well be that a person may make some inquiries from local people and say, "I live in Cairns"—I mention Cairns merely as an illustration—"and I should like to go to Toowoomba. What is the house at the hospital like? What is the climate like in winter-time? Is it rigorous? My wife is subject to attacks of asthma." He makes some enquiries. It becomes known that he, or in the case of a matron, she, is interested in applying for a particular position. If when the local hospitals board is going through the names, that particular name does not appear, the person concerned could come to the conclusion that there was some reflection on his or her professional competency.

I do not think that I am stressing this point unreasonably or unfairly when I make that observation. In all cases where the Public Service is involved, if a person is subject to some form of punishment a right of appeal is given, and I think in this case there should be some right of appeal against the decision of the Director-General, even though it may be given in complete good faith. However well-disposed he may be, or however high his integrity, I do not think it is a good thing that we should give such very strong powers to any individual and not give the right of appeal to the person who might be affected by some judgment that could be made in good faith. I am not directing these remarks to the present Minister for Health. What I am saying could apply to me or anybody else who happened to be the Minister for Health. We all form our likes and dislikes. It is not unusual for that to happen. To my pleasant surprise I have noticed that some doctors in remote parts of the State have become very interested in the A.L.P. I do not want to introduce party politics. I know

some very strong Liberal supporters, too, among doctors. I welcome the infusion of this professional talent into our ranks. The Labour Party should welcome these people in these days because of increased education and improvement in general knowledge. We should see to it that our party programme and policy provide for the requirements of these new times in which we are living.

It could be that an unreasonable Minister with perhaps some bias against a person because of his outspokenness in some way would leave that person's name off the list. If he appealed to the Director-General or Minister he might get the formal reply, "For reasons which need not be divulged and which do not necessarily reflect on your professional competence your name has not been submitted. It is not to be construed that you will be omitted in any future application." The Minister has not shaken his head—perhaps he does not want to. That sort of thing is done. It is very difficult. It is like opening an oyster shell with your fingernails. It is pretty difficult to get the oyster out but you know very well that there is some reason for these decisions other than the one revealed. I should like to deal with this point again at the second-reading stage.

In the other instances the Minister mentioned, there is probably a good deal of merit behind the recommendations. The decision to have a central accounting bureau appeals to me as a very necessary and desirable step. With the data processing equipment, computers, business management, office equipment and other means available I think it is desirable that we should have a centralised system that will give the information that is required so frequently, and so quickly. Without elaborating on reasons why it should be done I approve of that recommendation.

I think it is also necessary and suitable that the person appointed to this position should be subject to the Public Service Act. Hospital secretaries are included. That is desirable for many reasons, not only because of prestige, status and salary but to have some uniformity and some method of disciplining if it is required.

The point about the deputy chairman is a reasonable one. It seems to be merely one of these legalities that someone has found somewhere along the road, and I approve of the proposal.

I should like to look into the question of the minutes. I can recall that some time ago there was a newspaper controversy when one newspaper took umbrage because it did not have access to the minutes of one of the hospitals boards. At this stage I am not familiar with the whole of that case but I agree with the Minister that there may well be circumstances when it is necessary to go into camera and I do not believe that anyone has a right to those minutes any more than with other organisations which elect to go into committee or camera. While there is some merit in the general proposal I do not want the Minister to think that I am committed to it.

The opportunity of advancement in the service and the new hospitals services is also desirable. Having the cheques signed by a person nominated by the Auditor-General is also desirable.

I am also delighted to learn of the decision to create a separate department of dental services within the department. I hope the Minister does not charge me with having a personal preference. The present superintendent is Mr. Hoole and I do not know any man who is more dedicated than he. I am only sorry that he has had a bad time with his health. I have a high regard for his diligence, enthusiasm, and professional competence. He is certainly a dedicated officer and, with some of his assistants, he has worked himself into the ground. I think it would be fitting recompense for his outstanding service to the State if he was given the opportunity to be head of the new department. I believe that at present much of his work is frustrated to some degree by his having to go through the various offices because his is not a separate department. If he had direct access to the Minister I think it would be to the Minister's advantage as well as to the advantage of the dental services.

Dr. Noble: He has a tremendous amount to do.

Mr. DUGGAN: I know that. I have known him personally for a number of years and I regard him as a personal friend. However, I do not want it to be taken that I am saying this because of my personal friendship. Several people have drawn my attention to his professional qualifications. I know the extent to which he goes to clinics, and overseas visitors have commented very favourably upon him. I think that in view of this distinguished service it might be fitting if the Minister could express some sentiments about Mr. Hoole.

As to the provision concerning matrons, possibly I may have some reservation; as to the minutes of hospitals boards, there may be a good deal of merit but I reserve the right to change our views on that. Generally, the Minister has given some convincing reasons why the changes should be made

Mr. MELLOY (Nudgee) (9.58 p.m.): I wish to make a few comments on this legislation. I shall deal briefly with the arrangements associated with the Director-General of Medical Services. It appears to me that some of these proposals are a result of the situation that arose at Herberton. I think the Minister lost control of the situation and that he could have dealt with it much more expeditiously than he did. I think his move to include matrons in the provisions relating to the Director-General is designed more or

less to keep a finger on them in future, although this proposal will perhaps help to obviate the situation that arose at Herberton. For that reason it may be a good idea. I agree with the Leader of the Opposition that the inclusion of the matron is not altogether desirable, but, as I have said, I think it is the result of the blow-up at Herberton.

I wish to make a few comments about the appointment of medical personnel to hospitals. In some of the country hospitals the procedure is the same as with board secretaries. On our visit to the country last year, or the year before, we found in a couple of hospitals that the secretary of the board had been there for 30 years, and I think in one place the matron had been there for 30 years, too. From what we saw it was perfectly obvious that the secretary of the board had been there for 30 years and I think he had been there for 10 years too long. I do not think it is desirable to sink any staff in one position too long. I suppose this would apply to the medical superintendents and the medical officers of various hospitals also. If they are left too long in one place they become cobwebby in the mind and that is not in the best interests of the hospitals.

Apart from that, they do not gain as much experience as they might. A medical man who is left too long in a remote country hospital becomes fed up. He misses out on the company and discussions of his fellow medical practitioners. So it is a good thing to switch all staff associated with hospitals at regular intervals. That was the particular impression I gained from discussions with this secretary and matron; they had both been too long in their jobs.

As to the Director of Dental Services—I welcome any move that will put the dental services of the State on a sounder basis. I do not think our dental services are adequate or that they cover sufficient ground. I have the greatest respect for all our dental officers. They do a tremendous job, and anybody who needs dental attention is unfortunate if he cannot attend a dental clinic. We would get better service there than from a private practitioner. There is a tendency for private practitioners to get as many people through as they can. You get an appointment this week and another in about three months' time. There is a tendency to have a great turnover of work and that must affect the efficiency of the work. You do not have that with dental hospitals and dental clinics. There is not the financial urgency or the monetary urge. The dental clinics are concerned only with the quality of their work and my experience is that they do an excellent job.

Mr. Pizzey: That would be true of 90 per cent. of the private dentists as well.

Mr. MELLOY: I do not think so. I have been associated with the dental profession for about 30 years. I have known many dentists and worked with quite a number of them. I know their attitude of mind to their patients and I know the importance they place on L.S.D. Probably it applies to every other trade or profession to some degree, but in dentistry particularly it is most important that we have people who are imbued with the necessity of restoring dental health to the people irrespective of the financial return. Dental clinics have not that financial interest and you really get the work done. Many private dentists are not so imbued.

Mr. Chinchen: You have the right of choice, of course. The right of choice is a wonderful thing.

Mr. MELLOY: Yes, but even if you have the choice you do not know one dentist from another.

Mr. Chinchen: It won't take you long to find out.

Mr. MELLOY: Perhaps not, but it might cost you plenty and probably lose you a few teeth.

As for the appointment of a Director of Dental Services, I note the Leader of the Opposition's remarks about Mr. Hoole, whom I also have known for about 35 years. I also know the work that he has put into dentistry.

I want to ask the Minister whether the Director of Dental Services will also exercise control over the school dental services. Will he control the whole lot, and will this mean that they will be taken from the control of the Department of Education?

Dr. Noble: They are not under it now. He will be responsible for co-ordinating all the work within schools. They are under the control of my department now, but they work within the schools.

Mr. MELLOY: He will be responsible for all the dental services operated by the Government?

Dr. Noble: Yes.

Mr. MELLOY: So far as hospitals boards are concerned, what will be the line of demarcation? Once he authorises the appointment of any staff, does the board assume responsibility or does he retain it?

Dr. Noble: He will have a general power of supervision, but the board will be the administrating body.

Mr. MELLOY: That brings me to another point. He has the power to appoint staff. Does he also have the power to dismiss staff? Is he concerned in the dismissal of staff?

Dr. Noble: No. That will still be a matter for the board.

Mr. MELLOY: I was going to refer to the matter of appeals with which the Leader of the Opposition has already dealt.

I think the accounting bureau will be welcomed by the office staffs of all the boards. This is a very progressive step and will lead to smoother functioning of the financial affairs of hospitals boards.

That minutes of committes set up by boards are not to be available to the public is something that gives rise to a certain amount of concern, although I understand that minutes of board meetings will be available.

Dr. Noble: Minutes of board meetings will be, but then they may go into committee because of the confidential nature of the business.

Mr. MELLOY: Yes, I understand that. It could lead to the setting up of quite a number of committees,, when we would have the spectacle of the board's business being conducted by a number of committees rather than by the board.

Dr. Noble: No, that is done everywhere. It is the usual practice.

Mr. MELLOY: If that is so, have the minutes of the committee meetings previously been available?

Dr. Noble: There is a weakness in the Act, and they could have been inspected had it been known.

Mr. MELLOY: That is not desirable?

Dr. Noble: That is not desirable.

Mr. MELLOY: Those are the only comments that I have to make on the Bill at this stage. I reserve any further remarks till I have seen it.

Mr. TUCKER (Townsville North) (10.8 p.m.): I wish to reinforce the arguments the Leader of the Opposition this evening on the matter of the right of appeal. I understood the Minister to say that the decision would rest with the Director-General when it concerned hospital superintendents, matrons, and medical officers. I am completely against this.

Dr. Noble: If there is a panel of names and the Director-General knows nothing to the detriment of any person on it—there is no drug addict or anything like that—he will send the panel to the board and they will make a selection from it.

Mr. TUCKER: It sounds all very well to talk about drug addicts. There could, however, be other things to cause the deletion of a man's name from the panel, and he has no way of finding out why. I do not like to see the whole matter left in the hands of the Director-General. I am in no way disrespectful to the Director-General when I say this, because I think that the right of appeal could also be a protection for him. After all, a right of appeal satisfies the appellant and protects the Director-General. I think that that is a major point. I am against this provision. I think it is wrong, and I stand here this evening to say so.

I have brought up here before the case of Dr. Geoff Bradfield in Townsville, and I do it again now. He won a State medical scholarship and eventually found himself at Julia Creek. His wife was ill out there. He asked for a transfer but could not get it, and finally he bought out his bond. After he left Queensland, he did post-graduate work in England and became a specialist in gynaecology and obstetrics. We wanted him in Townsville as a part-time specialist. I think the Minister knows that we needed a man with this ability as a consultant at the Townsville Hospital. We could not get him, so I came to see the Minister about the matter. However, the buck was passed from the Minister to the board, and it went backwards and forwards. As the Leader of the Opposition said earlier, it was like an oyster—one could not get it open. I could not find out why the man could not go there. There were those who said that, because Geoff Bradfield had bought himself out of his bond, Dr. Fryberg had stated he would not be in the race of getting a job in Queensland while he was Director-General. Those are not my words; they are the words that were bandied about at the time. Eventually Geoff. Bradfield left and went to Tasmania, and I do not think this should have been allowed to happen. I do not know whether or not those words were said, but people came to me and said—I say this openly but not disrespectfully—that Geoff. Bradfield was a very fine man and a wonderful specialist but "If Abe Fryberg gets his knife into you, you are gone." That is what I was told.

I can see many difficulties in not having a right of appeal. Immediately anything such as that is said, it reflects upon the Director-General. If a particular applicant cannot find out why his name has been taken off the list and one of his friends says, "Abe Fryberg has got his knife into you," that is where it stands. I cannot see what arguments the Government can advance against what I am saying. Why should there not be a right of appeal? Why should not the matter be brought out into the open? If the Director-General thinks a person is incompetent, let him say so. When I was a member of the Public Service, if a person appealed against an appointment and somebody thought he was incompetent, he got up and said so, and the person pulled his head in. I cannot see why a right of appeal should not be given. I say, without any desire to cast reflections, that when things are said and a doctor does not get a job for which he is an applicant, a provision giving a right of appeal would provide protection for both the Director-General and the applicant.

Hon. H. W. NOBLE (Yeronga—Minister for Health) (10.14 p.m.), in reply: There seem to be two points of dispute relative to the provisions that I outlined in my introductory remarks. The first is whether the

Director-General should investigate and report on people who apply for a position as medical superintendent, and the second is whether there should be a right of appeal.

The hon. member for Townsville North mentioned the case of Dr. Bradfield at Townsville. I do not know anything about his professional ability, but I should say that he would be a very good professional obstetrician. However, when an applicant for a fellowship is interviewed in the first place—I do not know whether this is written into the contract—he is told that if he is given a fellowship he will be expected to serve the full term of the contract. It is much more difficult to get out of the bond now because it is for a much higher sum, but in earlier years fellowship holders were able to buy themselves out of the bond after they had got their qualifications at the expense of the State. They were paid a sum of money for their keep for the term of their fellowship and, through the financial aid of the State, they became medical officers. The State does this for one reason, namely, to secure sufficient trained medical officers, young men, to go into the vast areas of this State where there are no medical officers, and they are told that very definitely at their interview. I have an idea it is now written into the contract. I would not be certain about that, but the A.M.A. saw me about it. They know very definitely when they take on a fellowship that if they ever break it they cannot expect to get any sort of a position with the Government. They have to buy their way out. One objective of the fellowship is to provide medical officers for hospitals where we cannot otherwise get them.

What is more, a fellow is given every chance. On graduation he does a year at a teaching hospital or a base hospital, then he goes out and serves two or three years—mostly three—in a country hospital, and then, like most other medical officers, we ask him at the end of that period of four years, "Do you want to specialise?" If he does we bring him down to a base hospital and give him a registrar's job where he has every opportunity—opportunities that are not offered to those who are not fellows. But we recognise that he has to go to the outback into the small hospitals, often not to his liking, to serve an area where we cannot get doctors, and as a reward we bring him down and give him the opportunity to specialise.

If he breaks his bond and so deprives the State of the right to service its small hospitals, I see no reason why we should say to him afterwards, "We are going to make you as a medical officer by giving you another job on our hospital staff." To become a part-time medical officer at any of our base or teaching hospitals is the makings of a medical officer. He becomes known to the public. He becomes known for his work. He gets paid during the term of his early days at the hospital when he may need the money and is given an opportunity himself. As I say, these officers become well known and find it much easier later to acquire a very lucrative private practice.

Mr. Bennett: Were you ever on the part-time staff?

Dr. NOBLE: I was on the part-time staff at the Mater Hospital for 17 years.

Every case is looked at very carefully. There has been another case of a very brilliant graduate at the university who came to see me. I said, "I think you are foolish; you have only a couple of years to go and you will do remarkably well." As a matter of fact, he is doing well now because he is very bright. But he has not been given a job on our hospital staff because of that. It is a tremendous advantage to a medical officer to get a part-time position. As I say, he becomes pretty well assured of success in the profession.

An Opposition Member: How did Dr. Milton get away?

Dr. NOBLE: We sent him overseas. We wanted some young person to go overseas. He had his term in the country. We wanted someone to go overseas and specialise in the field of alcoholism. We are paying his full fares while he is away.

I do not think hon. members opposite are justified in worrying about this right of appeal. It has never been there. If a person has something against him professionally and the Director-General knows it—whether it be medical officer, superintendent, or matron—I think it is very wise in such case that he be not appointed because it could well lead to all sorts of trouble. I never come into these things unless it comes from one of my people, or someone else. I have the power to inquire into it. Whenever anyone brings it to my notice, I do. I know the background. Ever since I have been Minister, Dr. Fryberg has never put the wrong foot forward in these matters. If he made a mistake we would talk it over, and I am quite certain the position would be rectified.

Apart from that the Bill has been well received, and I commend it to the Committee.

Motion (Dr. Noble) agreed to.

Resolution reported.

FIRST READING

Bill presented and, on motion of Dr. Noble, read a first time.

PHYSIOTHERAPISTS BILL

INITIATION IN COMMITTEE

(Mr. Hodges, Gympie, in the chair)

Hon. H. W. NOBLE (Yeronga—Minister for Health) (10.23 p.m.): I move—

"That a Bill be introduced to consolidate and amend the law relating to the practice of physiotherapy."

This is a Bill relating to the practice of physiotherapy in Queensland, and its principal purpose is to remove registration of physiotherapists from the Nurses and Masseurs Registration Board.

This Bill is being presented in conjunction with the Nurses Act of 1964, and it is essential that the registration of nurses and physiotherapists should be continued even though separate boards may be created. Thus, persons currently registered as masseurs in the Nurses and Masseurs Registration Acts, 1928 to 1948, will continue to be registered as physiotherapists when the board legislation is proclaimed.

In Queensland there are only about 240 registered physiotherapists, and they are rather lost in the large number of nurses now registered by the Nurses and Masseurs Registration Board. The interests, duties, functions and qualifications of nurses and physiotherapists have grown further and further apart, until there is little in common between them today, except that they both work with sick and disabled people.

Physiotherapy is taught at tertiary level and the work the physiotherapist performs is quite specialised and is becoming more so every year.

The Queensland branch of the Australian Physiotherapy Association has requested that physiotherapists be permitted to have their own board. They are willing to pay for it and they point out that every other State in Australia has its own Physiotherapists' Board.

I feel that there is considerable merit in the claims of the association, and this is the principal reason for introducing the measure.

This Bill does not contain anything controversial. It simply sets up machinery necessary for the creation of a physiotherapists' board of seven members, and it will have powers rather similar to those of other registration boards. The Government will nominate four members and the Physiotherapy Association will nominate three.

Provision has been made for the Register of Masseurs, established under the Nurses and Masseurs Registration Acts, 1928 to 1948, to be taken over as the Register of Physiotherapists by the newly-constituted board, together with a proportion of the funds of the dissolved board.

Mr. Melloy: How many masseurs would there be?

Dr. NOBLE: They are university-trained physiotherapists.

Mr. Melloy: Are there any other masseurs?

Dr. NOBLE: They do not come under the physiotherapy Act.

The Bill also provides for the protection of the terms "physiotherapy" and "physiotherapist" in the same way as the present Nurses and Masseurs Registration Act protects the terms "masseur" and "massage."

Mr. MELLOY (Nudgee) (10.27 p.m.): Apparently the measure is only a formal one to provide for the separation of nurses and physiotherapists. I do not think the Opposition has any objection to it and therefore we do not propose to offer any criticism of it at this stage. We will further consider the matter when we see the Bill.

Motion (Dr. Noble) agreed to.

Resolution reported.

First Reading

Bill presented and, on motion of Dr. Noble, read a first time.

NURSES BILL

Initiation in Committee

(The Chairman of Committees, Mr. Hooper, Greenslopes, in the chair)

Hon. H. W. NOBLE (Yeronga—Minister for Health) (10.29 p.m.): I move—

"That a Bill be introduced to consolidate and amend the law relating to the nursing profession."

This Bill consolidates the law concerning nurses in Queensland. There are three reasons for its introduction. The first reason, as I have stated in the debate on the previous Bill, is that the Physiotherapists' Association in Queensland requested the Government to give the physiotherapists their own board. That is to be done by the previous Bill, which has passed through the introductory stage.

The second reason is that the Queensland branch of the Royal Australian Nursing Federation has made repeated representations that the composition of the present Nurses and Masseurs Registration Board be changed in order to give greater representation to trained nurses. The Bill provides for six of the nine members to be registered nurses.

The third reason is that the Act has had only three minor amendments since its introduction in 1928. The opportunity has therefore been taken to consolidate the legislation concerning nursing into a modern Act.

The Bill is divided into several parts. The first part deals with the dissolution of the present Nurses and Masseurs Registration Board and establishes machinery for the transfer of registration of nurses and physiotherapists and for transfer of funds and assets.

The second part deals with the administration of the Act and with the functions of the board. The new board will be called the Nurses Board of Queensland and it will have nine members. Two of these will be medical practitioners nominated by the Minister; three will be registered nurses nominated by the Minister; one will be an

education officer nominated by the Director-General of Education; and three will be registered nurses nominated by an association or associations recognised as representative of nursing. Part II deals also with the appointing of officers, as it may be necessary at a later date to make separate appointments for the administration of the nurses Board.

The third part deals with the register and the conditions under which nurses can be registered, the payment of licence and other fees, and with disciplinary action to be taken by the board where this is considered necessary.

The fourth part deals with the enrolment of nursing aides. This century has witnessed considerable growth in the hospitalisation of children and adults with chronic diseases or disabilities, and the treatment of many of these patients does not call for such a broad nursing education programme as has been provided for the student nurse. On the other hand, it is essential that these patients should be treated as human beings by people who are interested in their welfare. This phenomenon has created the need for a new type of nurse called the nursing aide.

All other States have courses of training for nursing aides, and it is appropriate that nursing aides should have a minimum standard of training in Queensland also.

The nursing aides will work only when under the supervision of registered nurses.

Mr. MELLOY (Nudgee) (10.33 p.m.): The Minister has given three reasons for the introduction of the measure. Firstly, he wishes to separate the nurses from the physiotherapists and masseurs. Secondly, he wants to accede in some degree to requests from the nurses' association for separate control for their profession. Apparently he has not given much regard to the request of the nurses for a new board to control their profession. The Bill does provide some evidence of a little progress in the control of the nursing profession but many more matters could have been covered, and covered more adequately, had there been greater representation by the nurses themselves. Their desire was for a much larger board than the one the Minister is providing by the Bill. I think they are really entitled to it because of the way their profession is presently controlled. Florence Nightingale would turn over in her grave if she saw some of the restrictions and some of the conditions imposed on nurses nowadays. It is certainly a noble profession, but I do not think that the Minister has the right to regard himself as a Caesar and the girls as slaves.

I want to bring to the notice of the Committee provisions that the nurses themselves wanted included in the Bill. As the Minister stated, one of the reasons for bringing it down was the request by the nurses for the setting up of a Nurses Registration Board satisfactory to them. For the information of the Committee, I shall give details of the constitution of similar boards throughout Australia showing the representations on them of the nursing profession. This is the only State with a minority of nurses on the board.

Dr. Noble: It will be a majority now.

Mr. MELLOY: They will have six out of nine. That is desirable from the nurses' point of view. I understood the Minister to say that three would be nominated by the nurses' association and three by the Government. This will go a long way towards meeting the wishes of the nurses.

It is a fact that over the years the boards in the various States have had a majority representation for nurses. I think it will still be of interest to the Committee if I state the composition of the boards in other States. Victoria has a rather large board, with 17 nurses, two doctors, nine others, and a registrar who is a registered nurse. In New South Wales there are nine nurses, three doctors, and five others. In Western Australia there are eight nurses, four doctors, and one other. In Tasmania there are five nurses, four doctors, and a registrar who is also a registered nurse. The nurses' representation in South Australia is not so great; here there are three nurses, one doctor, and three others.

Although the nurses desired in their draft constitution greater representation and a larger board than this, I feel that they will be satisfied now that they have six nurses on the board. I think that this will go a long way in reducing the agitation of the nurses for some time past over the constitution of the board. I think it very important that the nursing profession be given every encouragement to control its own affairs to a great extent. Nobody knows better than the nurses themselves the conditions under which they work.

I think it most desirable that encouragement be given to young women to join the nursing profession. A check of "The Courier-Mail" of last Saturday revealed advertisements for six matrons, 37 sisters, five assistants-in-nursing, and three student nurses. This gives some indication of the need for additional nurses in Queensland.

I think the shortage has been caused to a great degree by the large wastage during the period of training. Figures that I have here show that the total enrolments of student nurses at the various hospitals in the State for 1962 amounted to 3,333. The wastage during that period was 231 in the first year, 178 in second year, 80 in third year, and 48 in fourth year. These figures are quite high. I feel that much encouragement has to be given to young people to enter the nursing service.

The nurses themselves have various complaints about the administration of their profession in this State. Among them is the

fact that sacrifices are demanded of student nurses when going through their courses. In most cases they are away from home, and in many cases they are restricted to the hospital grounds in their off-duty period. In fact, I have been informed that student nurses coming off night duty are not allowed to leave their room. They come off duty at 6.30 a.m. and are then more or less restricted to their quarters till 3 o'clock in the afternoon. I do not know whether in special circumstances they are allowed to go out to lunch.

Dr. Noble: Do you not think that is a fairly wise provision?

Mr. MELLOY: Provided it is used judiciously. I understand that they cannot even leave their quarters to go to the dining-room for a meal, but I am told that they can get a meal after 3.30 p.m. In spite of this, they can be called out at 11 o'clock or 11.30 in the morning to attend lectures. If it is necessary to confine them to their rooms so they may recover after being on night duty, I do not think it is fair that they should be called out for lectures. That is my information; the Minister may have further information on the point.

Another matter about which nurses are concerned is the training and lecturing in some country hospitals. They believe that some hospitals are not adequate training hospitals because of a shortage of trainees and because of differences of opinion as to who shall give the lectures to the nurses. I think that question was raised during the Herberton Hospital inquiry and nurses who gave evidence said that they did not get the necessary lectures at the hospital.

The time spent in attending lectures is another thing about which the nursing profession is concerned. My information is that in Queensland 148 hours' lecturing is given over a four-year period, apart from any study that is done during rest periods or when nurses are off duty. This does not compare very favourably with the lecturing time in other hospitals in Australia or in other countries.

For the information of hon. members, I shall give the lecturing hours in the various Australian States and in several other countries. Nurses have gone to considerable trouble to get this information. In Victoria, in contrast to the 148 hours in Queensland over a four-year period, lectures extend over 116 hours in a three-year course. In New South Wales lectures comprise 242 hours in a four-year course, in South Australia 370 hours in a three-year course, and in Tasmania 317 hours in a three-year course. The figure for Tasmania does not include lectures required for which no minimum hours are set. In Canada, again in contrast to Queensland's 148 hours in four years, British Columbia has 1,000 hours in three years, and Alberta, Ontario, New Brunswick, Manitoba and Saskatchewan all have hours in excess of 700 in three-year courses. In New Zealand, which is very nurse-conscious, lectures extend over 536 hours in the three-year course, and in the United States of America the hours vary from 600 up to 1,080 in 2½ years. If it is essential for those girls to be given those hours of tuition and lecturing, I think it is essential that they should be given an almost equivalent number of hours in Queensland. We give them only 148 hours over the four-year course.

Another point over which there is some dissatisfaction is that in many cases lectures given to the girls are over their heads, particularly in the small training centres. I have been informed that some of the terms that are used in the examinations are just words to many of these young girls; they have not the practical experience of the work implied by the terms and they only know them from a book. They have never been given the opportunity of furthering their knowledge of the matters dealt with in the lectures.

Mr. Hughes: Do you think that, because of this, our nurses may be less efficient than, say, New Zealand nurses?

Mr. MELLOY: I think they must be. I think nurses in the smaller hospitals should be given periods at base hospitals in addition to their training at the small country hospitals. That would bring them up to date and give them a greater variety of experience in training. It must necessarily follow that in a small hospital there is not the variety of hospital work done that is done in base hospitals, and the nurses in those small hospitals do not get the same experience as those in base hospitals.

I am also advised that insufficient use is made of the Chermside hospital. I understand there are specialties there that would be of great advantage to nurses in their training in heart, psychiatry, and backward children, but there are no trainee nurses at Chermside hospital. I understand the only training that is done there is for assistants-in-nursing. The feeling is that greater use should be made of the Chermside hospital in the training of these nurses.

I do not want to speak at length. There are other speakers to follow me, so I will reserve any further comments and criticism of the Bill until the second-reading stage.

Mr. DUGGAN (Toowoomba West—Leader of the Opposition) (10.48 p.m.): I want to apologise to the Minister for not being here for his introduction. I always like to pay the Ministers the courtesy, when I am handling a particular matter, of being present for their introduction and also for their reply. Indeed, I have followed that practice rigidly over a long period of time. Whenever I have departed from it I have been unavoidably absent, or the expression of our views on a particular Bill has been left to the Deputy Leader or to a nominated member of the Opposition.

We have developed in recent times a practice of deputing responsibility to the chairmen of our various committees and I informed the hon. member for Nudgee, who is chairman of our Health Committee, that he could elaborate our views on this Bill.

My main purpose in speaking now is to indicate to the Minister, the Chamber, and to the public and members of the Nurses' Federation—in case it may be misconstrued that we do not regard this as an important measure—that we recognise that nurses are playing a tremendously important role in the community.

I have been the recipient of some correspondence from Mr. Holmes, who has also been in telephonic communication with me, and who also sent other representatives of the federation to place certain views before us, and, no doubt, before the Minister. That indicates the sincere desire on their part to see that their views are known, as they have been expressed, intelligently and at length.

I must confess until my recent hospitalisation I had not had much contact with the nursing profession. It was my first time in a hospital as a patient and it was not altogether a pleasant experience. But it did bring me into contact with the nursing side. Prior to that my association with nurses was confined to the opportunity of joining with them at their graduation ceremonies and various annual balls. It was always a source of regret to me that I was not a more accomplished dancer. When I went to nurses' balls and found such an arresting array of beauty I regretted that I did not have an opportunity to get to know them a little better. At one occasion at a nurses' function the president of the local nurses' association got me into a very embarrassing position when she asked me to express an opinion on her age. I did not know whether to take off 10 years because of her beauty or add 10 years because of her brains.

The nursing profession is one that has been growing in importance and stature in recent years. Following the termination of hostilities there was great difficulty in manning our hospitals. Undoubtedly their conditions were not sufficiently good to attract the number of young girls required in this very important profession. Over the years, however, there have been marked improvements in their conditions. That has been brought about firstly by the recognition on the part of Governments and hospital administrators of the need to make conditions more attractive, and also because of the activities of their organisation in bringing before the attention of responsible authorities the need for some reform. One of the most notable features in recent years has been the extent to which nurses, after graduating, like many other young women today, have seized the opportunity to travel interstate and overseas. A person with the proper nursing certificates finds no difficulty in getting employment if she leaves Queensland. That greatly broadens her outlook on life. Because nurses have these opportunities that are denied some less fortunate people it compensates them to some degree for their arduous years of training. I am glad to see that happening.

The hon. member for Nudgee very accurately pointed out in his survey that what nurses are seeking from the Minister is not something motivated by self-consideration, but a sincere desire to improve the status of the profession and to see that the public as well as the nurses themselves benefit from these reforms. The hon. member for Nudgee has done a very fine job in expressing some general views on this subject. I am indebted to him personally for the time he has made available in interviewing these various people. I am indebted also to the people who have been kind enough to make their services, knowledge and information available to him.

My main purpose in rising is to indicate to the Minister that I regret that I was not here when he introduced the Bill and to assure him that I appreciate the importance of this measure and am fully aware of the very valuable work that the nurses do.

Mr. TUCKER (Townsville North) (10.54 p.m.): I rise because I am not very happy with the Minister's reply on a matter that I took up with him concerning a student nurse. I wish to read the reply I received from the Minister after referring the matter to him some few weeks ago. After reading the Minister's letter I shall make some comments on it.

The letter says—

"Dear Mr. Tucker,

I refer again to your letter of the 31st January in regard to Miss X who was a student nurse at Townsville General Hospital and would advise that I have had the matters mentioned in your letter investigated by the Senior Health Officer of my Department.

The Investigating Officer has reported that he considers that both Dr. Marendy and Dr. Halberstater could have been correct in their assessment of Nurse X's condition as Dr. Halberstater saw her the day after Dr. Marendy had advised Nurse X that he should report again if the arm became too painful and also that Matron Wanchap endeavoured to have Nurse X reconsider her decision to resign. It was unnecessary for the girl to resign to obtain further medical attention.

I would advise also that I have been informed by the Townsville Hospitals Board that the resignation of Nurse X has been accepted by it.

Yours faithfully,

H. W. NOBLE."

I realise that the Minister sent an investigating officer to Townsville but, after all, he is the Minister in charge of this department, and I want to speak on behalf of this young student nurse.

She had worked in the Townsville General Hospital for almost 12 months. She was a decent girl, just like many others in the nursing profession. On one of her week-ends off she got a poisoned arm and the infection turned into a boil or a carbuncle. She went back to the hospital during her days off and showed it to the doctor mentioned, and I believe she received some treatment. Eventually she returned to work in the middle of the week, after her days off, and her arm was very painful. She reported to the doctor again and showed him her arm and said, "I feel I am incapable of working because my arm is very sore. I have to work in the geriatrics ward, where the work is probably harder than in the normal wards, and I think you may perhaps allow me a few days off for my arm." The doctor looked at it and said, "No, go back to work." I am only a layman and I would not know, but I think I can tell when somebody's arm is very sore. One does not have to be a doctor to look at these things and know. The girl protested to the doctor and then went to the matron and again protested that she could not work. She came to see me later with her father. She is not the type of girl who would try to sneak out of work, although I understand that at times there are nurses who do. Of course, they represent only a very small minority. She is a decent, straightforward girl who was prepared to work, and did work well for about 12 months while she was at the Townsville General Hospital. If the matron had been worth her salt she should have stuck up for the girl and said, "I do not think she is capable of working," doctor or no doctor. Apparently the doctor told the girl she had to work and she had no alternative but to resign. The Minister said she did not have to resign but I should like to know what she could do. She was told to return to work and if she had not action would have been immediately taken against her.

After all, she is only a young girl. On her parents' advice she resigned from the Townsville hospital and there and then smashed her career. She came to see me that afternoon at 3 o'clock. I looked at the arm. I admit I am not a doctor but I could see that it was painful and that it was indeed bad. If I had been a bit smarter I would have sent her straight down to the Government Medical Officer but I did not think about that until the next day. She went to Dr. Halberstater the next day. He asked her why she had left it so late to come and see him when the arm was obviously very painful. He lanced it there and then and gave her a certificate for five days off work.

The Minister said in his letter that both Dr. Marendy and Dr. Halberstater could have been right. I do not know who he thinks I am but I will not swallow that, nor will I swallow what the fellow said who was sent to Townsville to inquire into the matter. I know he telephoned the girl's father and said, "I understand these things. I think you have them on the spot." He buttered up these people and then played up to the hospitals board as some of these fellows do. He then came back and said, "There is merit on this side and merit on that side, but they have accepted her resignation and there is nothing more they can do about it." There is nothing more I can do. Although she was dedicated to her career, it was smashed there and then.

Mr. Hughes: Isn't it up to the student nurse to ask for re-consideration?

Mr. TUCKER: I want to know whom she could appeal to. The hon. member does not know.

Mr. Hughes: No.

Mr. TUCKER: I want to know who looks after the interests of these young girls and whom they can appeal to. In some of these cases the doctor is virtually God Almighty if he says, "You have to go back to work." She is not like some of us who have a union to go to when we think we are being badly done by. When the doctor said she had to go back to work she had to go back to work or do something about it. No-one can tell me that this infection moved so quickly overnight, although I suppose that some infections might. It was just as bad on the Wednesday afternoon when I saw it at 3.30 as it was the next morning. Possibly it had got a little worse. There was no doubt at that stage that anybody with a little of the milk of human kindness in him would have said to the girl, "Take this time off." The Minister said in the letter that I read that she could have obtained further medical care. I suppose she could have. But she had gone to that doctor. Remember, Mr. Hooper, she is 17 years of age and she probably has not got the front that you and I have. (Laughter.) I do not use the term in the sense that the ludicrous hon. members opposite put on it; I speak of it in the ordinary sense, and I hope that we in this Parliament can speak of it in that way. I cannot be expected to look to the low minds of those who sit on the benches opposite.

Probably if she had been an older woman she would have gone to the doctor again and said, "I am sick and I want something done about it." But she was a young girl and I cannot see how she is protected by any union. I think there should be that protection in such instances. I do not say that in a harsh way, but I say it very definitely. This girl's career has been ruined because the doctor lacked the milk of human

kindness. Probably if she had gone to the present Minister she would have done all right; he would have given her a week off or something like that; but this doctor said, "No, go back to work." And she had to go back or resign. As far as I can see, there was no alternative.

Therefore I ask the Minister to ensure that, when something like this happens, the staff or student nurses, or all nurses if they come under the Bill together, have some right of appeal to somebody.

I am not pushing the same barrow that I pushed about 15 minutes ago. Nevertheless, I think they should have somebody to go to for an alternative opinion before having to take the step this girl took. There should be some means within the legislation whereby a girl, and her parents who advise her, could go to someone else. One doctor should not have the right to make a final determination. Our compensation Acts and other Acts provide for a right of appeal or another opinion, but not in this case. There is no way these people can get a square deal if they feel they have been unfairly treated.

It is true that there may be a tiny number the matron has to crack down on because they may try to get out from under or slip away. That goes on in every sphere of activity. But this particular girl worked hard. Irrespective of what might be said, I speak for her because I have known her family for a very long time and I know she is decent and straight. She felt that she could not work, especially in the geriatric ward, and the doctor had said she had to go back to work and that was that. She referred it to her mother and she said that, rather than go back and perhaps risk more infection, she should resign. I bring the matter to the notice of the Minister because I feel very strongly about it and I think there should be provision for an alternative opinion.

Mr. Mann interjected.

Mr. TUCKER: The Minister sent an investigating officer up but I do not think he did very much. I know he went up and telephoned the girl's father and said certain things, and I know he saw the board. He obviously did not want to rock the boat because the girl had resigned. I will guarantee that he thought in his own mind, "Why rock the boat now she has gone? Let us make it a closed chapter."

It is not a closed chapter so far is I am concerned. I do not believe that it should be, and I raise it this evening to hear what the Minister has to say. In all fairness, I think that the man should have gone out and seen the girl in an attempt to effect some reconciliation. I do not think that she would like to go back under the people who obviously had been the cause of her having to resign. I would not like to do that myself. She would probably have

lasted only another week, anyhow, when she would again brush against those who had caused her resignation. I bring this matter up and register my protest.

Mr. MURRAY (Clayfield) (11.6 p.m.): I shall not detain the Committee more than a few moments. The Minister will recall that I spoke to him about non-medical nursing practised by the Church of Christ, Scientist. The Minister will recall that the Bill suggested by the Royal Nursing Federation proposed to bring them within its ambit. Can the Minister give an assurance that this Bill will not allow of the registration of those trained for and practising non-medical nursing?

Hon. H. W. NOBLE (Yeronga—Minister for Health) (11.7 p.m.), in reply: In reply to the hon. member for Clayfield, they cannot be registered.

I thank hon. members for the way in which the Bill has been received. I suppose I speak for all members when I say that I have a high regard for the nursing profession and the great work done by those in it.

I am rather tired at the moment and cannot recall just now the case referred to by the hon. member for Townsville North. However, I shall be in Townsville about June and will be pleased to look into it. Does this girl want to go nursing again?

Mr. Tucker: I shall most certainly accept your invitation if they are prepared to come.

Dr. NOBLE: If she wants to come, I shall see her and have a look into the case. Dr. Patrick went up and did the investigation, and I am told that when the lass went in to see the doctor she had a small infection.

Mr. Tucker: If that was a small one, I would hate to have a big one.

Dr. NOBLE: I can go only on what I am told. I do not know whether the hon. member regards the Deputy Superintendent at Townsville as being incompetent.

Mr. Tucker: If he thought it was a small infection, I am prepared to say he is.

Dr. NOBLE: I do not think he is. He saw her and did not consider that she should go off duty at the time. He gave her some penicillin tablets to take. However, I will see her and speak to her. Apparently she rang her mother who rang her father, and other reasons were then given for her resignation. I believe she saw the hon. member for Townsville North the following day, and he said that he would take her to see Dr. Halberstater.

Mr. Tucker: I suggested she go round to him.

Dr. NOBLE: She went to see the hon. member the next day, and he suggested she go to see Dr. Halberstater.

Mr. Tucker: She saw him the same day.

Dr. NOBLE: She tendered her resignation to the board. When it came before them they had received nothing from her and the resignation was accepted. If she had returned to the hospital on the day on which Dr. Halberstater saw her, no doubt she would then have been put off duty and would have received further treatment. I shall have a look at the case if the hon. member brings it to my notice when I am in Townsville.

There has been a lot of controversy about the right of appeal of student nurses. This is not an easy thing to do. Boards are composed of sensible people, usually chaired in country areas by stipendiary magistrates. They are men versed in the taking of evidence and the assessing of the rights and wrongs of cases coming before them. I was assured in conversation only the other day that these boards look very closely at all cases that come before them involving dismissals of nursing staff.

Mr. Tucker: Just to make it clear, I think she made a big mistake in resigning. I think she should have come to me before she resigned.

Dr. NOBLE: Perhaps she was ill-advised in the first place, and just rushed in.

There are about 300 nurses at the Townsville hospital, and this throws a very heavy responsibility on the matron. She is responsible for the training of the nurses; she is responsible for their morals. She is, in fact, in loco parentis, which is a tremendous responsibility, and she has to have complete discipline. I should hate to try to run a nurses' home. I think it would be one of the most difficult jobs that anyone could take on.

There was another case in Townsville—I shall not mention the girl's name—about which the Nursing Federation came to see me recently in connection with the right of appeal. After reading the transcript of evidence, I said that in my opinion the girl had correctly been dismissed from the hospital.

The federation said that the girl was on the 10 o'clock duty, which meant that she came off duty at 10 o'clock. It is a rule at the Townsville Hospital—I take it that this applies at a number of other hospitals—that girls who are on duty till 10 o'clock have no right to a late pass, that is, from 10 o'clock to 12 o'clock. Most of them are only kids, and I think it is a wise rule. This girl got a pass from one of the senior sisters, but the matron found out that she had it and told her that she had to go and see the sister and give the pass back. I cannot remember whether the girl went back to see the sister, but she did go out and was caught coming back. The matron discovered this, and eventually the girl was asked to leave the employ of the Townsville Hospitals Board.

I was told, firstly, that, with the exception of periods of duty, she was confined to her room for ten days before the hearing of her appeal and that she was also so confined for 18 hours prior to going before the board when her case was heard. Secondly, I was told that she was given no food except what other nurses gave her during this period of 18 hours, and, thirdly, that a young girl such as this was likely to be tongue-tied and frightened when appearing before the board to state her case.

When I heard these allegations, I said, "Why didn't she tell the board these things? What is the truth of the matter?" I wanted to know for certain whether what the federation told me was true. The case had been taken to the Supreme Court by the federation and the legal fees must have been fairly high. My secretary rang the secretary of the hospitals board, who said that—

(a) No instruction that the girl be confined to her room was given as suggested and, in fact, she had not been so confined unless she chose to be of her own volition;

(b) there was no truth in the suggestion that she was left without food so far as the hospital was concerned and she would have been free at all times to attend at the dining room for meals as did the other trainees; and

(c) in actual fact she was not "tongue-tied" but spoke up to the board quite well at the hearing of the appeal.

Then I heard something else and I said, "The chairman of the board, Mr. Dillon, the stipendiary magistrate, is a very highly respected man. If he said something, it would be true. He would not prevaricate on these matters." Mr. Dillon is on holidays at present, so I sent my Under Secretary and my private secretary out to interview him and ask him about the case.

A further suggestion made to me by the deputation was that this girl desired to leave because it was the occasion of her mother's birthday. In fact, she was actually out with a man on the evening in question. This man spoke to the chairman, who invited him to attend the board meeting when the girl's case was heard, but he did not do so.

At the hearing of the appeal the girl admitted she had been out with the man referred to and admitted also that although in her reply to the charge made against her she had claimed that her boy friend from Brisbane had come up and she wanted to go out with him, this was not true and she had only met the man casually and for the first time the day before.

She told tales to her parents and probably other tales to the federation. When questioned by the chairman, she admitted that the truth was that she was determined to go to the party in defiance of the lawful instruction of the matron that she must obey the standing rules of the hospital under which, as she was on duty until 10 p.m., she was prohibited from being given leave that evening. In other words, she knew quite well she should not have gone out, but despite

the rules of the hospital she went out. Those rules are made in all seriousness for the safety of the girls themselves, and when you go into the facts of these cases you get quite a different picture.

I have very great faith in what Mr. Dillon told me because he is a highly-respected and reputable magistrate. When the deputation mentioned other things the other day I said, "I always like you to put in writing and bring to me any serious complaint you may have, or any matter about which you are worried." I assure the Committee that any such complaint that is made to me will be examined very carefully to discover the rights or wrongs, and I will rectify the wrongs if there are any.

So far as the case in Townsville is concerned, I will probably be in Townsville in June and I will have a talk with the girl concerned.

There has not been much other criticism. The hon. member for Nudgee mentioned girls on night duty having to go to lectures the following day. I do not know whether that is a fact but I will look at it. I may say that the Nurses' Board has charge of the curriculum for nurses in this State. The nurses will have representation from their own federation. There will be three highly-respected nurses on it. Meetings are being held at present throughout all the States of Australia to try to bring the curriculum to some form of uniformity and there may be some changes in it in the future.

I believe that in England now they will register trainees only at hospitals with about 280 beds. Any girl who trains at a hospital under that size has to do extra training over the other side if she goes over on a working holiday. We are having a look at this training problem. It is not an easy one to overcome but we are going to make a genuine attempt to do something about it.

Chermside cannot be a general training school for trainee nurses because it is a specialist hospital dealing with a small number of types of cases. I may say that I did not mention this point as it was not in my notes, but one of the provisions of the Bill is for registration to be possible when these girls obtain a special in such things as T.B. nursing and psychiatric nursing. They can register for those and get a diploma or whatever it might be.

The Leader of the Opposition said that he was sorry that he was not here when the Bill was introduced. I realise that as Leader of the Opposition he has one of the toughest jobs in Parliament. He has to speak on almost every Bill, and I realise how difficult that must be. When I heard the hon. member for Townsville South trying to compare salaries the other day I thought how much the Leader of the Opposition deserves every penny he gets.

I thank hon. members for the way they have received the Bill.

Motion (Dr. Noble) agreed to.

Resolution reported.

FIRST READING

Bill presented and, on motion of Dr. Noble, read a first time.

The House adjourned at 11.23 p.m.