almost indestructible. It also has the advantage of preventing licence frauds whereby people get their friends or neighbours to go for licence tests for them for some reason or other, and then have the licence issued in the name of the applicant rather than the name of the person who was tested. In this case, a photograph is taken when the licence is issued. Another advantage is that it can be used voluntarily for identity purposes. It could also help in identifying accident victims, although I hope it would not be used for that purpose in too many cases. The licence is made so that it cannot be tampered with.

This form of licence has many advantages over the flimsy piece of paper that drivers in Victoria get these days, which is supposed to last three years.

The PRESIDENT (the Hon. W. G. Fry)—Order! Mr Chamberlain is getting to the stage of making a second-reading speech on this matter. What is the matter that the honorable member wishes to raise?

The Hon. B. A. CHAMBERLAIN—I ask the Government to consider this matter again and to give favourable consideration to transforming the present licences into this form.

The Hon. F. J. GRANTER (Minister of Water Supply)—Mr Grimwade raised a matter concerning two families in the Seymour area who have occupied Housing Commission homes for thirty years and twenty-six years, respectively, and have now applied to purchase their homes. Their applications have been rejected by the Housing Commission.

The short answer is that they should have made the application many years ago. However, that is no consolation to the families who have probably cared for these homes very well. I take the view that some consideration should be given to them, and I shall take up the matter with the Minister of Housing.

The Hon. A. J. HUNT (Minister of Education)—Mr Chamberlain showed me the Californian licence earlier this evening and I must say that I was impressed by it. It is small; it is convenient; it fits easily into a wallet and provides ready identification. I am impressed with it and I shall indicate that to the Chief Secretary and the Minister of Transport. I shall also refer a copy of Mr Chamberlain's remarks to them.

I suggest that, if Mr Chamberlain wishes to pursue the matter, it would be desirable for him to show the document to both the Chief Secretary and the Minister of Transport. He may get some further action.

The motion was agreed to.

The House adjourned at 11.52 p.m. until Tuesday, 26 June.

QUESTION ON NOTICE

SCHOOLS IN DOUTTA GALLA PROVINCE

(Question No. 54)

The Hon. B. A. CHAMBERLAIN (Western Province) asked the Minister of Education:

What is the number of high, technical and primary schools, respectively, in Doutta Galla Province?

The Hon. A. J. HUNT (Minister of Education)—The answer is:

The number of departmental schools in the province is as follows:

<table>
<thead>
<tr>
<th>Type of School</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary schools</td>
<td>55</td>
</tr>
<tr>
<td>High schools</td>
<td>15</td>
</tr>
<tr>
<td>Technical schools</td>
<td>5</td>
</tr>
<tr>
<td>Central school</td>
<td>1</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>76</strong></td>
</tr>
</tbody>
</table>

Legislative Assembly

Wednesday, 20 June 1979

The SPEAKER (the Hon. S. J. Plowman) took the chair at 2.7 p.m. and read the prayer.
ROYAL COMMISSION INTO LAND TRANSACTIONS

Mr WILKES (Leader of the Opposition)—Will the Premier give an assurance that, if at any time during the Royal Commission into Housing Commission land transactions the commissioner requests an extension of time beyond the proposed completion date of 31 December 1979, as was circulated today, such an extension will be granted?

Mr HAMER (Premier)—I presume the Leader of the Opposition is referring to a possible request from the Royal Commission itself?

Mr Wilkes—Yes.

Mr HAMER—Naturally, if such a request were made it would be considered.

Mr Roper—Considered?

Mr HAMER—Of course. I remind honorable members that during a previous inquiry Sir Gregory Gowans requested an extension of time, which was agreed to. I have no reason for believing that if the Royal Commission considers it requires a little more time its request would not also be granted. I am sure honorable members would also agree that it is wise and prudent to ask for a report within a certain time, rather than to leave the period indefinite.

HOUSING COMMISSION BUILDING RECOMMENDATIONS

Mr ROSS-EDWARDS (Leader of the National Party)—Has the attention of the Minister of Housing been drawn to a Commonwealth inquiry into housing costs which made 36 recommendations aimed at reducing the cost of housing and, if so, does the honorable gentleman intend to consider those recommendations in Housing Commission buildings in Victoria?

Mr DIXON (Minister of Housing)—The answer is, “Yes”.

TECHNICAL AND FURTHER EDUCATION

Mr A. T. EVANS (Ballarat North)—Is the Assistant Minister of Education considering drastic cutbacks in continuing education as currently practised to allow for the more costly expansion of this type of education through the technical and further education colleges?

Mr LACY (Assistant Minister of Education)—The simple answer to the question is, “No”. Although the provision of adult and continuing education throughout Victoria is constantly under review, there is a recognition on the part of the Government of the vital contribution that is played by local communities in the provision of adult and continuing education.

Mr WILTON (Broadmeadows)—On a point of order, I ask whether the Minister is prepared to table the document from which he is reading.

The SPEAKER (the Hon. S. J. Plowman)—Can the Minister advise me whether he is quoting from a public document?

Mr Lacy—They are just notes.

The SPEAKER—There is no point of order.

Mr WILTON (Broadmeadows)—On a point of order, Mr Speaker, if the honorable gentleman is not quoting from a State document, is he quoting from a private paper? In a ruling given by you in this House recently, I think you made it clear to all honorable members that unless they are prepared to table a document from which they are quoting they should refrain from quoting from such documents.

The SPEAKER (the Hon. S. J. Plowman)—There is no point of order. The Minister was asked whether he was quoting from a public document and his answer was that he was quoting from notes and not from a document.

Mr LACY (Assistant Minister of Education)—Although it is recognized that the TAFE colleges form an important
part in the provision of continuing education in the State, the Government recognizes that they are not the sole providers of this form of education.

The Government will continue to keep under review the part played by various continuing education committees and the TAFE colleges.

ROYAL COMMISSION INTO LAND TRANSACTIONS

Mr FORDHAM (Footscray)—I ask the Premier: Were any, and, if so, what, consultations held with the police investigators appointed by the Government prior to the Government deciding that the deadline of 31 December 1979 would be set for the Royal Commission?

If no consultations were held with the police investigators, will their advice be sought as to what is in fact a reasonable time for the Royal Commission to undertake this important responsibility?

Mr HAMER (Premier)—The setting of terms of reference for the Royal Commission has nothing whatever to do with the police, and the police investigation in any case is a separate matter. It is not proposed to consult with the police in any way as to what is a suitable date by which to ask the Royal Commission to report.

The Government considers that a six or seven-month period should be sufficient for an inquiry of this sort and that is why the time has been set.

SCHOOL COUNCILS

Mr WHITING (Mildura)—Can the Assistant Minister of Education give the House any indication of the reason for the further deferral of the gazettal of the new school councils throughout the State?

Mr LACY (Assistant Minister of Education)—I ask the honorable member to put the question on notice.

SUNDAY FOOTBALL

Mr COLLINS (Noble Park)—My question, directed to the Minister for Youth, Sport and Recreation, follows a question I asked him last week in relation to the Government's stated policy of opposing the introduction by the Victorian Football League of Australian Rules football on Sundays and also the stated opposition to such a move by the players themselves within their union movement. Can the Minister inform the House of the accuracy of reports in today's Age?

The SPEAKER (the Hon. S. J. Plowman)—The honorable member may not ask about the accuracy of a newspaper report. I ask him to reframe his question.

Mr COLLINS—Is it a fact that the statement contained in today's Age sporting column that the Government is likely to give the nod to such an application is accurate?

The SPEAKER—Order! The honorable member is still asking whether a newspaper report is accurate. I suggest that the honorable member try once more, otherwise he will lose the call.

Mr COLLINS—Is it a fact that the Government will give approval to the Victorian Football League for Sunday football to be played in three trial matches this season? Finally, is it a fact that Mr Rafferty is no longer the Chief Secretary?

Mr DIXON (Minister for Youth, Sport and Recreation)—The honorable member knows as well as I do that, if an application is made by the league, it will be considered in the first instance by the Minister for Police and Emergency Services. Presumably, the Minister will draw the application to the attention of Cabinet and the Parliamentary Liberal Party will then make a decision in those circumstances. I have answered the second part of the honorable gentleman's question in answering the first part.

ROYAL COMMISSION INTO LAND TRANSACTIONS

Mr CATHIE (Carrum)—Will the Minister of Housing table a list of all Housing Commission land purchases that will be inquired into by the Royal Commission? Will the Minister also insert appropriate advertisements in the daily newspapers so that interested members of the public may be encouraged to provide to that commission any information or knowledge that they may have?
Mr DIXON (Minister of Housing)—
The answer to the first question is, "No". The answer to the second question is that the responsibility for the Royal Commission will be in the hands of the Royal Commissioners.

MOTOR REGISTRATION CONCESSIONS

Mr COX (Mitcham)—Can the Treasurer tell the House when the new provision will be introduced granting motor registration concessions to pensioners and which groups of pensioners will be eligible to apply for the concession?

Mr THOMPSON (Treasurer)—An early statement will be made about the date of operation of the concession. The Premier has previously stated that pensioners who will qualify for the concession are those who at present qualify for rate concessions and persons holding similar qualifications to those who qualify for rate concessions.

CHILD ADOPTIONS

Mr HANN (Rodney)—Can the Minister for Community Welfare Services advise the House whether he has been able to review the 150-kilometre radius for adoptions, and if so, what are the categories that are now applied?

Mr JONA (Minister for Community Welfare Services)—I have been reviewing the whole question of adoptions and particularly the 150-kilometre barrier that currently applies to applications for adoption of children with special needs coming from people living beyond that distance. As from 1 July next, the 150-kilometre barrier will no longer apply in respect of applications for children with special needs. From that date all applications will be considered on the basis of assessment of the applicants, the suitability of the children who are available and the provision of support services that are necessary for the welfare of the child.

The honorable member has referred also to other categories. The House will recall that, in 1975, applications were called from applicants for adoption of children up to two years of age. At that time no distinction was made between metropolitan and country applicants. Within the next two or three months, I am proposing to reopen a further section of the general category and to seek applications from people within Victoria for adoption of children in the four to seven years of age group. When this publicity programme is undertaken it will be made quite clear that people from all parts of Victoria, whether from the country or from the metropolitan area, will have an equal opportunity to be assessed in exactly the same way.

I should mention the programme which covers children with special needs. That programme was launched in 1978 and is still proceeding. In calling for any further applications under that programme covering children with special needs, the assessment will also be carried out on the basis of making no distinction between country and metropolitan applicants.

The same situation applies to applications from anybody within Victoria for inter-country adoptions, that is, the adoption of children from overseas countries. The current situation is that no distinction is made in the assessment of those applicants, between country and metropolitan applicants, and that procedure will continue.

HOUSING COMMISSION LAND HOLDINGS

Mr AMOS (Morwell)—Can the Minister of Housing advise whether the value of current unused land holdings of the Housing Commission exceeds $200 million? Will the Minister take steps to inform the House of the location, dimension and cost of all such unused land holdings of the Housing Commission?

Mr DIXON (Minister of Housing)—
In answering the first part of the question, I indicate that I do not know whether that figure is accurate. I inform honorable members that before this sessional period is concluded I will be making an announcement which will relate directly to the second part of the question. As the announcement proceeds it will become obvious that all relevant information will become available to honorable members as well as to the people of Victoria.
INDUSTRIAL RELATIONS

Mr WEIDEMAN (Frankston)—Has the attention of the Minister of Labour and Industry been drawn to an article which appeared in the Age this morning referring to industrial relations? I ask the honorable gentleman whether the Government is prepared to discuss the suggestion of the Prime Minister that all industrial relations be handed over to the Federal Government for a trial period of three years, in view of the industrial unrest which exists in this and other States?

Mr RAMSAY (Minister of Labour and Industry)—The Government is most concerned to ensure that the very best industrial relations are maintained, not only within Victoria but also throughout the Commonwealth and with this end in view, it is prepared to have discussions with any interested group which can put forward ideas to improve the present system.

Before the recent State election the Premier announced that the Government would establish a State industrial commission in Victoria and plans for this are at present under way. The proposed commission would in no way stop or interfere with the present system under the Federal Government.

The Government would be interested to discuss not only the question of the transfer of powers but also the whole range of responsibility in the industrial relations sphere, indeed the very structure of the Arbitration Commission as presently constituted, because changes may be needed there just as much in the transfer of powers between one Government and another.

I repeat that the Government is concerned to achieve the very best industrial relations in the community and to a large extent this depends on the integrity and calibre of the leaders of both union and employer organizations involved in the industrial relations field.

HOUSING COMMISSION LAND PURCHASES

Mr ROPER (Brunswick)—I ask the Minister of Housing: As the transaction between the Housing Commission and Mr Silberg of Damian Builders in Carlton has not been included in the terms of reference for the Royal Commission, what are the results to date of the investigation commenced by the Minister last week and will he now table the files?

Mr DIXON (Minister of Housing)—That investigation is still proceeding.

SUNDAY FOOTBALL

Mr COLEMAN (Syndal)—As the Minister for Youth, Sport and Recreation has previously demonstrated a capacity to hold consultations with various bodies prior to making decisions, is he prepared to hold consultations with municipalities prior to making an announcement about Sunday football?

Mr DIXON (Minister for Youth, Sport and Recreation)—The views of municipalities are most important in the consideration of this issue and, indeed, many municipalities have already contacted me directly to express their views. Many of them seem to be sympathetic to the views expressed by the Victorian Football Association. The best way that that consultation could take place would be if it were organized through the Municipal Association of Victoria, and I will take steps to organize that.

MENTAL HEALTH INSTITUTIONS

Mr CAIN (Bundoora)—I ask the Treasurer, in view of the critical staff shortage at Plenty Mental Hospital in particular and other mental health institutions, and having regard to the strong representations made to him by the Health Commission seeking additional money for the employment of staff, when he will break his somewhat stoic silence and indicate what additional funds will be made available for urgently needed staff in those hospitals.

Mr THOMPSON (Treasurer)—I had not realized that there had been any silence, let alone a stoic one, but I will discuss the matter with my colleague, the competent Minister of Health, and a reply will be given to that hospital soon.
INCOME TAX REIMBURSEMENTS TO LOCAL GOVERNMENT

Mr JASPER (Murray Valley)—Has the Premier made representations to the Federal Government on behalf of municipalities to raise the percentage rebate to the municipalities from personal income tax from 1.52 per cent to 2 per cent? If so, what has been the result of those representations, and does the honorable gentleman intend to raise the matter at the Premiers Conference?

Mr HAMER (Premier)—The honorable member will recall that the original proposals for municipalities to have a share of personal income tax as a contribution by the taxpayer in general to relieve the ratepayer from carrying the whole burden of municipal expenditure came from the Victorian Government, and, as I well recall it, it was first put by me to a meeting of Ministers of local government from all around Australia and accepted as a principle. Therefore the Victorian Government was pleased when it became part of the policy of the present Federal Government several years ago.

At the first Premiers Conference after the Federal election in 1975 the Victorian Government, represented by the Deputy Premier and me, asked the Federal Government whether it would fix the figure at 2 per cent of personal income tax receipts for municipal government on the basis that this was the figure which the Municipal Association of Victoria had suggested. From that and prolonged discussions which followed arose the present figure of 1.52 per cent, divided according to a certain formula amongst the States for distribution by their State grants commissions.

At each meeting since then Victoria has requested the Federal Government to increase the share to 2 per cent, which was our original proposal. It will be noticed that it is part of the policy of the Federal Government at present to do just that—increase it to 2 per cent—during the life of this Federal Parliament.

The honorable member can be assured that at the Premiers Conference later this month we will be asking the Federal Government to increase the figure to the original 2 per cent, since it is now part of its policy.

GOOD NEIGHBOUR COUNCIL

Mr WILLIAMS (Doncaster)—Has the Minister of Immigration and Ethnic Affairs yet had time to evaluate the views of Mr Frank Galbally on the Good Neighbour Council, and, if so, what conclusion has he arrived at?

Mr WOOD (Minister of Immigration and Ethnic Affairs)—The report known as the Galbally Report on Post-war Migration was submitted to the Federal Government. It was accepted practically in toto by the Federal Government, and although it provided for greater initiative to assist migrants, it spelled the doom or caused the cessation of the Good Neighbour Council. This Government and my Ministry, in recognizing the work of the good neighbour volunteers who are part of the Good Neighbour Council, have agreed to provide a co-ordinator-administrator to further the works of these 150 active volunteers who do magnificent work to assist migrants throughout the State. As of 1 July this co-ordinator-administrator will be stationed at the Ministry and will be charged with assisting to continue and increase the wonderful works of the Good Neighbour Council. It is a worth-while cause and I am sure all honorable members will appreciate the efforts of these people to assist migrants to settle in this country.

FREE TRANSPORT FOR WAR VETERANS

Mr CRABB (Knox)—Does the Premier recall during the election campaign promising first world war and Boer war veterans that they would be able to travel on public transport free of charge and is it a fact that that promise has not yet been honoured? What steps is the Premier taking to fulfill that promise and what are the reasons for the delay?

Mr HAMER (Premier)—I do not accept that there has been any delay. It
was a policy matter and it will be implemented. Most undertakings of that kind are carried out at the time of the forthcoming Budget and I have no doubt that the honorable member will be satisfied when he hears the contents of the Budget.

CORE-PLUS SCHOOLS

Mr RICHARDSON (Forest Hill)—I ask the Assistant Minister of Education whether the adoption of the core-plus concept in school buildings is likely to result in the provision of school accommodation at a cost less than that of traditional school buildings but without any reduction in the standard of education.

Mr LACY (Assistant Minister of Education)—The implementation of the core-plus policy has certainly resulted in a reduction in the cost of school buildings being constructed by the Public Works Department through the Building Operations Division. More importantly, it has enabled a long-term reduction in costs because it allows for the relocation of elements of the building when a drop in pupil enrolment ensues.

The fact is fairly well known, that there are literally hundreds of school class-rooms locked up in permanent buildings. The core-plus policy was designed to ensure that that sort of condition did not prevail long-term in the State.

As far as the quality of the relocatable section of the core-plus is concerned, which I understand the question of the honorable member is directed towards, my experience from discussing this matter with teachers, students and parents is that the quality of the relocatable —

Mr FORDHAM (Footscray)—There are enough in Footscray.

Mr LACY—There are more relocatable class-rooms in the electorate of Warrandyte than in the electorate of the honorable member opposite, and I assure the honorable member that the quality of the fittings and of the construction and of the internal furnishings is better than, if not equal to, the quality provided elsewhere in the State.

QUEEN VICTORIA MEDICAL CENTRE

Mr MATHEWS (Oakleigh)—Has the Minister of Health yet received a report on the feasibility study on Government initiative for the American investor-owned private hospital at the Queen Victoria Hospital site at Clayton, announced by the former Assistant Minister of Health last September? If this is the case, what recommendations were set out in the report? If not, when is the report expected?

Mr BORTHWICK (Minister of Health)—I am not fully familiar with what the honorable member for Oakleigh is talking about when he refers to a report. I did not realize that the previous Minister had suggested that he was getting a report. I will investigate that matter. I understood that the company involved made a submission to the Queen Victoria Memorial Hospital board of management.

Mr Mathews—A feasibility study was announced.

Mr BORTHWICK—I understood that the company made a suggestion to the board of management which, in turn, said to me—since I became Minister—that it would be prepared to go along with those suggestions on the understanding that the Government would immediately enter into a contract for the building of the public section of the hospital. The study—I did not know that it was called a study—was that they might build that section of the hospital that is now known as the Jessie McPherson Hospital, which is the private wing of the hospital, and that the board would accept the proposal provided that the Government immediately entered into a contract for the public sector of that building. The Government is not in a position to do that.

Mr Fordham—What did you tell the board?

Mr BORTHWICK—I advised the board of that situation at a deputation two days ago. Present indications are that the public section of the hospital will proceed immediately—as soon as work on the extensions of the Austin Hospital are completed.
Mr Mathews—What happened to the feasibility study?

Mr BORTHWICK—I just indicated to the honorable member that I was not aware of the feasibility study and that I would inquire about that.

ALCOA OF AUSTRALIA LTD

Mr McINNES (Gippsland South)—With respect to a decision by Alcoa of Australia Ltd to establish an alumina smelter at Portland, can the Premier advise whether any study was carried out to establish comparative costs of providing State Electricity Commission power to Portland as against the cost of dredging at Port Welshpool of a deep seaport closer to a readily available supply of power?

Mr HAMER (Premier)—I am not aware of any comparative costs with respect to Port Welshpool. I do not know whether Port Welshpool was ever considered by the company as a possible site, much as I regret that, because I believe that Port Welshpool offers possibilities for the future.

Mr McInnes—The company did consider Port Welshpool.

Mr HAMER—I am not answering on behalf of the company but on behalf of the Government: I am not aware of any such study.

ILLEGAL TAPE RECORDINGS

Mr EDMUNDS (Ascot Vale)—The Minister for Police and Emergency Services will be aware of the incident involving a policeman who interviewed a member of Parliament and who secretly and illegally tape-recorded that conversation. Can the Minister advise the House what action the Government has taken to raise this matter with the Chief Commissioner of Police to ensure that conversations with citizens, whether they be members of Parliament or anyone else, are not secretly and illegally tape-recorded?

Mr THOMPSON (Minister for Police and Emergency Services)—I will discuss the matter with the Chief Commissioner of Police and take it up with the honorable member.

CONSTRUCTION SAFETY BILL

Mr RAMSAY (Minister of Labour and Industry), by leave, moved for leave to bring in a Bill to re-enact with amendments the law relating to the use of scaffolding and certain machinery, and the safety of workmen engaged in building and construction work, to amend the Labour and Industry Act 1958 and for other purposes.

The motion was agreed to.

The Bill was brought in and read a first time.

STATE ELECTRICITY COMMISSION (MORWELL LAND COMPENSATION) BILL

Mr BALFOUR (Minister for Minerals and Energy) moved for leave to bring in a Bill to amend the State Electricity Commission Act 1958 to make provision with respect to the compensation payable for land in the vicinity of Morwell and for other purposes.

The motion was agreed to.

The Bill was brought in and read a first time.

PAPER

The following paper, pursuant to the direction of an Act of Parliament, was laid upon the table by the Clerk:


IllegaL tape recordings

Mr EDMUNDS (Ascot Vale)—The Minister for Police and Emergency Services will be aware of the incident involving a policeman who interviewed a member of Parliament and who secretly and illegally tape-recorded that conversation. Can the Minister advise the House what action the Government has taken to raise this matter with the Chief Commissioner of Police to ensure that conversations with citizens, whether they be members of Parliament or anyone else, are not secretly and illegally tape-recorded?

Mr THOMPSON (Minister for Police and Emergency Services)—I will discuss the matter with the Chief Commissioner of Police and take it up with the honorable member.

Mr BALFOUR (Minister for Minerals and Energy)—I move:

That the Bill be printed and, by leave, the second reading be made an Order of the Day for later this day.

Mr AMOS (Morwell)—As the Minister has asked for leave to make the second reading later this day, I wonder whether he could explain the Bill a little more to the House.

Mr BALFOUR (Minister for Minerals and Energy) (By leave)—I sought leave to make the second-reading speech later today because there is some urgency about the Bill. The amendment to section 23 (2) will enable the commission to continue to purchase land under an interim development order. Hardship cases have been presented to us.
It has been brought to my attention that since the interim development order the Government has not been able to proceed as previously. The order is holding up negotiations with a number of people. I will be very pleased to see the honorable member later today and explain the whole Bill to him.

The motion was agreed to.

CIVIL LIBERTIES

Mr WILKES (Leader of the Opposition)—I move:

That this House expresses its grave concern at the assault on civil liberties involved in the laying of charges against trade unionists in Western Australia carrying out their normal duties and calls on the Government, in the interests of defending democratic freedoms and thereby helping to create a climate of industrial harmony, to prevail upon the Western Australian Government to repeal those sections of the Western Australian Police Act 1892-1976 under which the charges were laid and to make such action retrospective.

The SPEAKER (the Hon. S. J. Plowman)—Is the motion seconded?

Mr EDMUNDS (Ascot Vale)—Yes, I second the motion.

Mr WILKES (Leader of the Opposition)—Tomorrow, in Victoria, 200,000 workers will be on strike. I do not know whether that is a shame or not. If the honorable member who interjects considers the situation he will find that a broad section of the Australian community supports the move by unionists to have a bad law repealed, and that that broad section of the community is supported by every prominent newspaper of this State; if the newspapers are not supporting the stoppage, they are supporting the proposition that it is a bad law and that it should be repealed.

Mr Maclellan—Will you go on strike tomorrow?

Mr WILKES—Will the Minister go on strike? I will be here telling his Government what it ought to be doing to prevent what is going to happen. One would think from the interjections from the backward back-bench of the Liberal Party that they are the only people who do not understand what the stoppage is all about and what happened in the far north-west of Western Australia that brought about the present situation. One would think on listening to the interjections that the members of the back-bench of the Liberal Party regard the Pilbara as something down in Bourke Street. They would be well advised to familiarize themselves with the provisions of the legislation that ought to be repealed and repealed retrospectively.

There are simple propositions which would alleviate the turmoil that will exist tomorrow right across this country. It is simply a matter of advising the West Australian Government that it ought to repeal the Act, and prevailing upon it to do so and to make the repeal retrospective. If those sort of assurances were given, even at the last minute, even at the twenty-third hour, what is to take place tomorrow might be averted. Unfortunately, for the past week there has been nothing but silence from this Government; not a chirp out of the Premier or the Minister of Labour and Industry as to what should or should not happen. There has been no suggestion from them that they should approach the West Australian Government to prevent what is to happen tomorrow. In other words, they are prepared to acquiesce in the position that exists in Western Australia today. Do they know the ramifications?

The SPEAKER (the Hon. S. J. Plowman)—I advise honorable members that on a motion of this type there is no time limit. Each member will have an opportunity to make a contribution, if he so wishes. I would like to hear the Leader of the Opposition without interruption.

Mr WILKES—Individual workers will be taking collective action tomorrow because the fundamental liberties that they are used to in this country are threatened. There is no doubt about the reason for the industrial dispute.

When one examines the ramifications of the law, one can understand the anger that has been expressed, not only by trade unionists but also by every leading newspaper in the land and by a very broad section of the Australian
community. Under such circumstances, it is essential that this House and this Government make their positions abundantly clear. We have not heard from the Government or from the Premier, who have remained silent on the issue.

Mr Kennett—You will have to put up or shut up.

Mr WILKES—Today would be the time for the honorable member for Burwood to prevail on the back-bench and front-bench members of the Government party to do something about the situation before it is too late. This Government could have demonstrated its concern for the fact that individual freedoms are being eroded and for the chaos that will be caused tomorrow. It could have demonstrated that concern last week but, in the absence of that, one can only conclude that the Government is not interested in what is happening in Western Australia.

This morning, on a popular Australian Broadcasting Commission programme, the Premier of this State could not be contacted, even though the other Premiers could express a view about the petulance of the Prime Minister in offering to take over these laws from the States. With the exception of the Premier of Victoria—and no one knows what the Victorian Government's attitude is—the Prime Minister received a resounding "No" from all the Premiers interviewed.

The basic issues are straightforward. In November 1976, the West Australian Government introduced the Police Act (Amendment) Bill. It introduced the Bill at about 11.30 p.m. and rushed it through with indecent haste, but we are accustomed to that sort of attitude being displayed by this Government. I see that members of the Government party are laughing. That is typical of their attitude to one of the greatest infringements of liberty that has ever been perpetrated by a Government in this country. I presume they are also laughing and smiling about the problems that will arise as a result of the action taken by the West Australian Government. The provisions of the Act are—

Mr Coleman—What about the New South Wales Act?

The SPEAKER (the Hon. S. J. Plowman)—Order! Honorable members from the Government side of the House will be contributing to this debate. I will endeavour to afford them the same protection as that afforded the Leader of the Opposition. I ask them to cease interjecting. They will have adequate opportunities for putting forward their points of view as strongly as they wish.

Mr WILKES—Thank you, Mr Speaker. This behaviour clearly demonstrates the lack of concern felt by the backward back-benchers on the Government side of the House for this serious situation.

Mr CRELLIN (Sandringham)—I raise a point of order. Mr Speaker, I seek your clarification about whether it is appropriate to debate in this Parliament the legislation enacted by another Parliament.

Mr SIMMONDS (Reservoir)—On the point of order, Sir, as you have already accepted the motion, the raising of the point of order is a reflection on the Chair.

The SPEAKER (the Hon. S. J. Plowman)—Order! The motion is in order and, therefore, debate that is relevant to the motion before the Chair is in order. Reference to legislation currently being considered by this Parliament would not be in order but reference to legislation enacted in other Parliaments in the context of the motion is in order.

Mr WILKES (Leader of the Opposition)—I shall make only a brief reference to the West Australian legislation and I shall leave it to those honorable members who are intelligent to make up their own minds about its ramifications and the extent to which it can be applied. It provides, inter alia:

Any person or body who or which proposes to conduct or organize any procession, meeting or assembly in any street, thoroughfare or public place shall make prior application in writing to the Commissioner of Police for his permission so to do.

For the purposes of this section—"Assembly" means a coming together of three or more persons for the common purpose of thereby making known to the public their views in relation to any matter.

Therefore, three people coming together in any part of Western Australia for the
purpose of making their views known to any number of people are liable to be proceeded against under the Act, which continues:

"Meeting" means a meeting of three or more persons held for the purpose of the discussion of matters of public interest—

We know that three or more persons cannot address a meeting of three or more persons in a public place for the purpose of expressing their views on any subject. The provisions continue:

... or for the purpose of the expression of views on such matters, which the public or any section of the public are invited or permitted to attend whether on payment or otherwise.

There is no doubt about what these provisions mean. A wide construction could be placed on this legislation. For instance, members of the Salvation Army, unless they obtained a permit, would be in breach of the Act if they held a street-corner meeting; a politician who wanted to hold a meeting with two other persons would be in breach of the Act if he expressed a view without obtaining a permit; three or more persons celebrating in a park on New Year's Eve who expressed views in that celebration would be in breach of the Act; or a meeting of half a dozen responsible members of the Liberal Party in a park would be in breach of the Act if those members expressed the views of the Liberal Party.

Under these conditions, trade unionists cannot go about their normal business. Trade union officials cannot consult and report to meetings or to members of their unions on what should or should not be done or on the approach to their claims or log of claims that has been taken by a Government. In other words, it inhibits the free movement of trade union officers or members in the normal course of their union activities.

The Universal Declaration of Human Rights, approved by the General Assembly of the United Nations in Paris in 1948, unequivocally sets out basic freedoms. Of course, Victoria does not have a bill of rights and perhaps the Government would be well advised to consider such a proposition. Article 19 of the declaration states:

Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

There is a whole range of frontiers embedded in the legislation which honorable members are now discussing and which ought to be repealed retrospectively. Article 20 asserts:

Everyone has the right to freedom of peaceful assembly and peaceful association.

Is there anything wrong with that? The West Australian legislation blatantly contravenes that proposition. In 1948 another basic set of freedoms was outlined by the International Labour Organization Convention No. 87. Article 11 of that convention provides:

Each member of the International Labour Organization for which this convention is in force undertakes to take all necessary and appropriate measures to ensure that workers and employers may exercise freely the right to organize.

The International Labor Organization accepts that. Again, the West Australian legislation contravenes the basic principle of freedom.

If what this Act means and how it contravenes civil liberties are not clear to the Liberal Party members, I shall go one step further. From 1976 until these current cases, this legislation was never invoked.

Mr B. J. Evans—Because people applied for a permit.

Mr WILKES—Rubbish! Mr Fraser and Mr Hayden said that the Act could have been used on other occasions in Western Australia. It is of no use saying that there were not any excuses for the West Australian Government to invoke the regulation or the Act at any time it wanted.

Honorable members from both Houses of the Victorian Parliament who attended the Constitutional Convention in Perth could have been regarded as being in breach of the Act on a number of occasions because meetings of more than three people were held in public places and views were expressed to more than three people. That highlights
the stupidity of the legislation. Yet no action has been taken until now. Instead, action was taken when a group of trade unionists in the far north of the State were going about their normal union business of calling meetings to report to their members on one or two matters which have been under discussion by the Federal council of that union. They were arrested for doing their duty.

If the legislation is to be applied in this way in future, no union meeting could be held without police permission. That is not what freedom of expression is about. Trade union leaders could not report to their members without receiving permission from the police. Who will accept that proposition? I suggest that only the Liberal Government in Victoria would do so.

Mr Macellnan—You would not get it from a left wing trade union.

Mr WILKES—The Minister of Transport, who was previously the Minister of Labour and Industry—he did not do a bad job—ought to understand the misnomer of quoting right wing or left wing unions. Unions are there to do a job for the people they represent. It is all very well for the Minister or his Government to single out unions and say that a certain union is doing this for a particular purpose. Under this legislation, the union leaders could not even put to their members a recommendation to end a strike.

The Premier's secret ballot proposal would not get off the ground in Western Australia because a meeting could not be held in the first place unless permission were obtained from the police. It is all very well for honorable members to say, "Rubbish". I invite them to tell me how the Premier's proposition, which was put up at election time, could work under the restrictions of the West Australian Act. It could not be done. I do not wish to debate the stupidity of the proposal to apply secret ballots in the way the Premier suggested as we will have the opportunity of doing that when the relevant Bill is introduced.

The charges laid against the trade unions in this case are part of a process by the West Australian Government to create a situation of industrial unrest, and naturally the trade union movement and all Australians who are concerned about freedom have responded to this attack. Editorials and leading articles have appeared in the newspapers referring to the stupidity of the legislation. The fact that the Premier of Western Australia, Sir Charles Court, is in Israel, and Mr Fraser has not been able to prevail upon anyone——

Mr Macellnan—He is at Eildon.

Mr WILKES—I do not know where he is. He should be in Western Australia doing something about this matter.

The most direct response has been the action called by the Victorian Trades Hall Council and the Australian Council of Trade Unions. We have heard nothing from this Government.

The action I mentioned at the beginning of my remarks will have an economic cost for every Victorian and every Australian. However, it is a cost which must be weighed against the cost to the people and to democracy if action of the type proposed under the West Australian legislation is allowed to take place. If situations such as those that have arisen in Western Australia are not allowed to occur in future, the cost will be worth while. There is still time to end what will take place tomorrow.

Like many members of this House, I spent some of my life fighting against Governments which did not believe in the basic freedoms of speech and assembly. Other people like myself have expressed this belief in the newspapers. They will not stand idle and allow these basic freedoms to be trampled upon. It appears that the Government is prepared to stand by idly.

On 13 June, last week, the honorable member for Reservoir asked the Premier to discuss the situation with the West Australian Premier. The Premier replied:

I have no knowledge of the legislation under which action was taken in Western Australia, nor do I have any knowledge of the circumstances in which the arrest occurred or of the
alleged offence. As the matter is before the court, the honorable member is entirely premature in making a judgment of his own.

It would be premature for any member of this House to make a judgment as to whether or not an offence has been committed. It is not a question of whether an offence has been committed, but of whether the law is in the best interests of every citizen of this State. The Premier went on to say:

I certainly do not propose to communicate with the Premier of Western Australia on this matter.

That was the attitude of the Premier. Mr Fraser is compelled to take a different attitude and, if Mr Street were in the country, he would be prepared to take action simply because of the weight of public opinion which has been expressed through the media.

The honorable member for Reservoir again raised the matter with the Premier during the debate on the motion for the adjournment of the sitting later the same day. The Premier stated:

The honorable member for Reservoir suggested that a strike by unionists in Victoria was possible and that this would require some representations from the Victorian Government to the West Australian Government to interfere in the course of justice in that State. The Premier then reiterated his earlier statement when he said:

I told the honorable member earlier that I had no intention of taking that action. A strike like this by people in Victoria called out on a matter that does not concern them—that indicates the attitude of the Premier—

can be of no benefit to them and, on the contrary, could only cause loss of wages, hardship and inconvenience to many. Rather, it would justify action by himself and other people with some interest in the union movement to bring the leadership to its senses.

The Premier has sufficient influence with leaders of Governments in this country to be able to take that action himself. He has sufficient influence to be able to give guarantees to the trade union movement, to give them some assurance and some hope that he is prepared to take this matter up in the interests of the chaos that it will cause.

If the Premier were able to seek from the Premier or Deputy Premier of Western Australia assurances that the legislation would be repealed and the repeal made retrospective, that would be the end of the matter. Why does the Premier not make those representations? Why does he not try? He has made no effort to do so. All he has done is to say that he does not want to interfere. He did not know that the strike was possible and he did not seem to realize that the developments in Western Australia were of concern not only to Victorian trade unionists but also to all Australians.

As for the Premier's comment about bringing the unions to their senses, I am sure the honorable gentleman would not like me to detail all the occasions when members of the Labor Party have had to move in to sort out the industrial mess his Government has created in Victoria. Instead of appealing to us, the Premier should be using his influence with his colleague, Sir Charles Court.

Mr Maclellan—You are in favour of the Newport project now.

Mr WILKES—That is right. I have never varied my position.

Mr Maclellan—Haven't you?

Mr WILKES—If the Minister cares to debate that matter on another day, I am prepared to accommodate him. The West Australian Government should immediately have the charges against those unionists withdrawn and that would save Australia millions of dollars in lost wages and lost production tomorrow. The West Australian Government should repeal the legislation and make the repeal retrospective. That is all we are asking the Premier of that State to do. Such action would avert any industrial action and go a long way towards creating a climate of industrial peace and harmony, not only in Western Australia.

It would prove conclusively that matters of this type can be tackled by a responsible Government. Time is short, I realize, but I remind honorable members that the legislation was introduced into the West Australian Parliament at about midnight; it was introduced quickly and insufficient time was allowed for debate on it. Be that as it
may, there is nothing we can do about the legislation which is already on the statute-book in Western Australia.

Mr Maclellan—Have you written to the West Australian Government?

Mr Wilkes—The West Australian Government is not likely to take any notice of me when it has ignored the proposals put to it by the Prime Minister and other responsible people, but not the Premier of Victoria. The legislation could be repealed as quickly as it was introduced. The Premier should get his head out of the sand and do something about the matter. He should contact the Acting Premier of Western Australia, as the Premier of that State is in Israel, and if necessary, he should contact the Premier in Israel and point out that there are ways and means of overcoming this problem. He should do everything he can to persuade the West Australian Government to change its course. What is to happen tomorrow will not be the end of this matter if something is not done to repeal this legislation.

Mr Crellin—What do you suggest?

Mr Wilkes—I suggest that sanity should prevail at all levels. The situation is that in the far north of Western Australia a number of unionists wanted to address a meeting behind the Totalizator Agency Board agency in a remote part of the Pilbara and a law was invoked when it has never been previously invoked. For what purpose? To create industrial unrest and for no other purpose. It could not serve any other purpose. I commend to members of the Liberal Party editorials in the newspapers that will enlighten them on the effect of this law. Because of what I have said, and because other honorable members want to speak on this important issue that is facing this State and Australia, I commend the motion.

Mr MacLeckan (Minister of Transport)—What is missing from the 28 minutes speech of the Leader of the Opposition, in presenting the case for the Labor Party on the motion, is some really sincere back-up of the remarks and words that he used. By interjection I asked if he had a copy of any letter that he had written to Western Australia. Of course, he did not say that he had not written to Western Australia, but he went off on a diatribe and said that they would not take any notice even if he had written. The fact is that the legislation of which he spoke has been on the statute-book for a couple of years, and the principle of which he spoke is so important that in that time he has done nothing to make his views known to the West Australian Government.

Mr Crabb—Can’t you read the newspapers?

Mr MacLeckan—The very thing that he said about the Victorian Government is true of himself. For all his fight and fury, he has not found the time to sit down, dictate a letter, sign it and send it off to Western Australia in order to show his sincerity in the matter. I daresay the same could be said of other members of the Opposition; if each one of them were asked to produce a copy of a letter that he has written to the West Australian Government or the Premier of that State, he could not do so.

Let me place on the record some of the background of this matter before the whole thing goes off the rails. Hammersley’s total workforce of 2500 has been on strike since 24 May because the company rejected a log of claims which included, among other things, a request for a 40 per cent wage increase. The Leader of the Opposition made no mention of that. This information comes from a newspaper advertisement in the Australian of 19 June 1979. If any honorable member wants a copy, he can obtain it from the Library. A compulsory conference was held in Perth on 7 June and was to have resumed at Karratha on 11 June. On the morning of that day, a union representative went to the police station—this is important—and inquired about a permit.

That is an interesting point. It was not an innocent thing. It was not as if they did not know. It was not as if three
Salvation Army members who happened to be union officials wandered into the desert of Western Australia and unknowingly committed some offence. These people went to the police station and inquired about a permit. Those are the facts of the matter. What happened after that? The union representative was told that a written application was needed, but he did not make one. There is a nice surprise for us. The Leader of the Opposition was asked if he had written. His answer was full of words, fire and fury, but he put no pen to paper and the union made no application.

Despite warnings from senior police then and at the meeting, the unions went ahead with the meeting and march which resulted in the disruption of the conference. This, it seems, was the objective of the whole thing—the disruption of the compulsory conference. Time and again we hear from the Opposition about its dedication to wage-fixing tribunals, arbitration, conciliation, conferring, getting around the table and talking to one another. We hear that ad nauseam from members of the Labor Party. But when it comes to a compulsory conference within the arbitration system, held in the locality of the dispute—which gives it a lot more meaning—this union broke into a knowing defiance of the law. A union representative had been to the police station, but the unions went ahead with the meeting and march which resulted in the disruption of the conference.

The next part of this advertisement goes on to say that the police arrested those who spoke at the meeting in open defiance of a law they knew very well. The unions have made no comment on why they wanted to disrupt the conference, which was trying to settle the dispute. It is interesting that they have apparently decided to make no comment on that particular aspect. The advertisement inserted by the West Australian Government goes on to discuss the law. It says that there is nothing remarkable about the West Australian law. Opinions may vary on whether there is anything remarkable about it.

Mr Fordham—Do you think it is a good law?

Mr Maclellan—The Deputy Leader of the Opposition asks me whether I think it is a good law or a bad law. It is a West Australian law, not a Victorian law. The advertisement goes on to say that since 1 March 1977 a total of 553 applications have been made for public meetings, assemblies and marches, and only two have been refused.

The Leader of the Opposition said that this law was entirely unacceptable in terms of international conventions. He mentioned the rights of citizens flowing from International Labour Organization conventions. Yet, 553 applications have been made and only two have been refused. Then the advertisement goes on to say that it is not difficult to get a permit. The fact is that there are several areas of dispute between groups within our community. One illustration is the situation in the United Kingdom.

Mr Fogarty—What about the Catholics and Protestants in Northern Ireland?

Mr Maclellan—If the honorable member were to get into his place he might be able to interject about the troubles between Catholics and Protestants in Ireland. I think we all know about that. We all know that it is absolutely unsatisfactory to have two groups marching down the road, defying each other and looking for a fight, whether they are Catholics and Protestants in Northern Ireland or the extreme right in the form of Great Britain’s National Front, confronting coloured residents of that land and trying to disrupt the British general elections.

From time to time there is a need to push one’s democratic rights in order to express one’s view, but it should not be done without a sense of responsibility and consideration for the needs of others who might also need to use the streets.

I suggest that there would not be a member of this House who did not see rings of British “bobbies” standing around schools trying to protect members of the National Front while they
conducted a political meeting with other people throwing stones, abuse and everything else. That episode was a serious affront to anybody who is concerned with democracy.

Obviously even the British Parliament, the citadel of preserving freedom of expression, has had to have street march laws to try to bring some sense into the situation. This, of course, is a street march law and applications are made to the chief constable, as the honorable member for Brunswick does not know but should know before he interjects. Applications are normally made to the police and the reason applications are made for permits to have these marches on the streets is to avoid street clashes between conflicting groups.

The meeting referred to by the Leader of the Opposition was not an innocent meeting of unionists seeking to express their democratic views; it was a meeting determined to have a march and just as determined to sabotage a compulsory conference which had been called by the arbitration and conciliation authorities to try to resolve a dispute. As honorable members know from the advertisements placed in newspapers by the West Australian Government, the dispute was over a claim for a 40 per cent wage rise, a not insignificant claim in terms of economic strategies, responsibilities and wage indexation and all the other principles honorable members hear emanating from the mouths of members of the Labor Party, until its annual conference tells the members that they are on the wrong tram and have to change their minds.

The Labor Party is now against wage indexation and if I have understood it correctly, its representative, the Honorable W. A. Landeryou, has suggested that the union movement was sold a pup by the Labor Prime Minister over the introduction of the wage indexation principle, a principle which has been governing wage indexation cases in conciliation and arbitration commissions in all States and the Commonwealth, whether a Labor, Liberal or National Party Government is in power. The principles have applied throughout this great nation of ours.

In the case in Western Australia, there is a wage claim for a 40 per cent increase. There was to be a compulsory conference between the parties held on the site in the relevant area. There was also a union group determined to sabotage the conference by marching on it and making sure that the parties could not get around the conference table to discuss the dispute.

This situation needs to be made clear, as the Leader of the Opposition was way off beam when he referred to an innocent meeting which resulted in two or three union officials being pounced upon by big, burly West Australian police and dragged off screaming about their democratic liberties.

All honorable members know that if anybody in the trade union movement wishes to exercise a democratic liberty by putting forward a contrary view, the first word that is used by the union hierarchy is "scab". If a unionist went to a meeting to exercise his democratic views, heaven help him, he would be thrown out of the union and blackballed. He would be subjected to pressure for as long as he expressed a contrary view, because the unions have a system under which they like to hear themselves uttering their own stupid slogans. Members of the Labor Party come to Parliament mouthing words about individual liberties, rights and privileges, but they do so in the context of saying—as was once written by that great writer of 1984—when the freedom of the pigs is covered, all citizens are equal but some are more equal than others. Woe betide the minority groups in the trade union movement because belonging to one of those groups is the way to discover real liberty. There is no liberty in some sections of the trade union movement.

Why have a street march to disrupt the compulsory conference? Why afterwards go to the police station to inquire about a permit? Why suddenly, like the Leader of the Opposition, did they have writer’s cramp, paralysis?
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Why did they not write to the Premier of Western Australia? Why did they not write out an application for a permit to hold a street march? Why did they not in good conscience apply for a permit to use the street for a demonstration or an expression of opinion—that is really the nub and core of the situation.

What the Leader of the Opposition has put before the Parliament is not even half the truth. It is an invention of his own imagination about splendid and idealistic unions battling against weak and uncompromising employers and a State that negates the rights of its residents. The facts are that 553 Western Australian groups found they were able to apply for and receive a permit. Up to date only two applicants had not received a permit. The Opposition is trying to ignore the facts. It is hoping that they will go away and that everybody will believe that it was an expression of democratic expediency.

The Leader of the Opposition did not say that individual unionists in Victoria have been given little chance to decide whether or not they want to go on strike tomorrow. I do not suppose there is one member of the Opposition who would believe unionists in Victoria have a free choice on whether they go on strike tomorrow. They have been told to go on strike and woe betide anyone who does not. There will be splendid unanimity in this new democracy which members of the Opposition preach and practise on that side of the House. The reality of the situation is that they say one thing knowing the facts to be different—in other words they state less than half the truth.

The sad thing is that members of the Opposition do not believe they can have any influence on events; that is the sadness, they really do not believe. Have any of its members sincerely and intentionally written a letter to the Premier or the Acting Premier of Western Australia? Opposition members just dismiss that suggestion and claim that it would have no impact—they will not listen to it. I suggest if I asked individual members of the Opposition whether they had written a letter, the answer I would receive would be "No". The reality is that Opposition members really believe what has been put to the House today. One cannot help but wonder why not one member of the Opposition can lay on the table of this Parliament a genuine letter written to the Premier of Western Australia expressing the views that have today been put to the House—honorable members know what is the situation. I should be delighted if the honorable member for Knox or any other honorable member of the Opposition could indicate to me that he has overcome writer's cramp and could produce such a letter, without doing it now and pretending it was written earlier. I know honorable members can rely on the situation not to be thus. Opposition members claim that citizens are equal but some are more equal than others.

There is a process for changing a law, just as there is a process for making a law. Surely that is important. Why should 553 people apply for permits and yet some people be different and exempt from applying for permits? Why have a law for one and a different law for another? Why did unionists, and particularly trade union leaders, claim that the law applied to others and not to them?

That is not to say laws are not to be criticized and changed. Indeed, if honorable members want to know the view of the Victorian Government on these laws, then they should look at the laws in Victoria. I can remember working on a piece of legislation, which went through this House, about outsiders occupying Government offices, when that was the fashion—thankfully it soon went out of vogue. These people were occupying Government offices and even assaulting or pushing around the caretakers of the buildings and the Government had to take action before anybody got hurt. The law which was introduced was a sensible and responsible measure to meet the then situation and that law is still on the statute-book of this State.

I do not doubt that action may arise in the future where the law may have
to be reinforced, but at the same time we should ensure in this State that people have the right to express their opinions. People in Western Australia also have meetings and the principle of holding meetings is very precious, but when members of the Opposition mouthed the words that they really believed in individual rights and individual liberties and the expression of opinions, honorable members know that it is the truth only in so far as it does not apply to the trade union movement. Honorable members know that the Opposition comes and informs this House of the story but its members lack influence or justification for the attitude which they have expressed in this Parliament.

Mr ROSS-EDWARDS (Leader of the National Party)—The argument in this debate is not whether a law is a good law or a bad law—that is not what we are debating. Nevertheless, the argument all over Australia is about whether it is a good law or a bad law. The reason that it is likely that an Australia-wide strike will occur tomorrow is that the people have been making up their own minds whether it is a good law or a bad law. Those are the cold, hard facts.

Where I will no doubt disagree with the Opposition is that although a law is a bad law, I submit that no person is justified in refusing to abide by it. Mr Simmonds—Other people took that view.

Mr ROSS-EDWARDS—One hears this argument not only in this Chamber of Parliament but elsewhere; self-righteous people stand up and say, “This is a bad law; I do not have to obey it”. If we are all going to make up our minds individually on what is a good or a bad law, the country will finish up as an anarchy.

Of course, there are bad laws on the statute-book in Australia; they are bad in my mind and perhaps in the minds of the people. In effect, the Minister of Transport said that if a person believes that a law is bad, particularly in the State of Victoria, he has an obligation to try to change that law but not to disobey it. The dispute in Western Australia arose as the result of an industrial dispute, and later a law was disobeyed by certain unionists. This is basically the concern of the West Australian Government, which is the sovereign power as far as the legislation is concerned. Any advice that the Premier of Victoria or any other State Premier could or may try to give to the Premier of Western Australia would not be welcomed. Whether it came from a Liberal or Labor Premier it would be advice from another Premier. If the Leader of the Opposition were Premier of Victoria, would he take notice of Sir Charles Court from Western Australia if he started to give him advice? Would he take notice of the Honorable Joh Bjelke-Petersen if he told him what he should do? Of course he would not take any notice. The Premier of Victoria has enough on his plate running the State without trying to interfere in the internal problems of interstate Governments, whether of a Labor, Liberal or National Party regime. The legislation in question was passed by both Houses of the Western Australian Parliament.

Mr Simmonds—Have you read the debate?

Mr ROSS-EDWARDS—No, I have not, but I know the measure was passed by both Houses of Parliament. Therefore the honorable member for Reservoir must agree that it is the law of Western Australia—there is no question about it. He does not like it, but he has to admit it grudgingly.

Mr Cathie—A thoroughly bad law.

Mr ROSS-EDWARDS—That is a matter of opinion and the honorable member is probably quite right in saying that, but it is still a legal law of Western Australia. It would be quite wrong for the Government of Western Australia to give the police any political direction to withdraw the charges. Once the law is established and the police act under it and fulfil all the legal requirements and regulations, it would be quite wrong for the political power in that State to say, “Withdraw those charges”.
Mr Simmonds—If there was a law to abolish the National Party, would you pass it?

Mr Cain (to Mr Simmonds)—They would change it and make it retrospective.

Mr ROSS-EDWARDS—We have been talking time and time again in this House about retrospective laws and how bad they are, and I have been supported in that view and time again by the Opposition because the Government of Victoria has made retrospective laws.

Mr Cain—You change the law.

Mr ROSS-EDWARDS—If that were going to be done, it should have been done previously. It was not done, and what the Opposition is suggesting is that because union muscle is being used, it should be done now.

Mr Cain—The law has been used selectively.

Mr ROSS-EDWARDS—I have no reason to believe it has been used selectively. What I and members of the National Party and most Victorians are concerned about is the cost of this nationwide stoppage to all Australia.

Mr Simmonds—The principle means nothing to you?

Mr ROSS-EDWARDS—There is no question of principle at stake. The only basic matter is that regardless of whether this is a bad law, it is the law of the land and it must be accepted. The West Australian Government should get rid of it, if possible, as quickly as possible.

If the West Australian Parliament saw fit to change the law, the magistrate involved may well decide to adjourn the case and take no action. I would go along with that, but the trade union movement is not helping the situation by having a confrontation at this stage. It will not succeed by doing it in that way. That is my forecast, and I am certain that I am right.

This is a case of unionism gone mad. It is not in the best interests of the State or the nation. I can only join with those other thousands of people who at the last moment appeal to the union movement to reconsider its position. There is some sympathy across Australia for the people in Western Australia who were arrested under the law as it stands, but it is the law of the land, and the way the union movement is handling it is wrong. Its action is not in the best interests of those who have been charged, and the strike which is proposed will not help the case.

A matter that repeatedly comes before Parliament is that of individuals deciding what is a good law and what is a bad law. That is not for the individual to decide. The law is there; there are ways set down by which laws can be changed, and those methods should be used.

Mr SIMMONDS (Reservoir)—Mr Speaker, I speak from this position at the table because the Clerks have indicated to me that it is in accordance with the protocol of the Chamber that I should do so.

The SPEAKER (the Hon. S. J. Plowman)—It is agreed to by the Leader of the Opposition.

Mr SIMMONDS—Thank you, Sir. The Opposition expresses its concern that the Premier, who last week was not interested, has just re-entered the Chamber to display some interest in a situation where the whole of Australia is in turmoil because of the application of a philosophy on the right of assembly in the State of Western Australia. The issue arises because the trade union movement, in the course of conducting its affairs through its national officers in a dispute in the State of Western Australia, became involved in a discussion. It was an assembly of unionists to discuss an issue which is of concern to them. Arising from this discussion the officials concerned felt the hand of the law on their shoulders, not at the meeting place, not at the scene of the supposed crime, but at an airport after completing a day’s work and travelling back to their base; they were apprehended by the police and told that they were
arrested in circumstances which can only be described as parallel to those that existed in Nazi Germany in the 1930s.

The philosophy behind the legislation in Western Australia has caused grave concern to every section of the community; it is not peculiar to the trade union movement. One has only to read the legislation to understand the reason for that. The two important sections of the Bill introduced in 1976 in the West Australian Parliament did not arise fundamentally from questions of administration or of assembly but were as a result of a conference in Melbourne in which the then Federal Minister in charge of customs and the State Ministers in charge of police and health met to concern themselves with legislation relating to drug trafficking and associated drug problems. Tacked on to the legislation in Western Australia that was agreed to at that conference was this legislation to amend the Police Act. The definitions of assembly and meeting were:

"Assembly" means a coming together of three or more persons for the common purpose of thereby making known to the public their views in relation to any matter; and

"Meeting" means a meeting of three or more persons held for the purpose of the discussion of matters of public interest, or for the purpose of the expression of views on such matters, which the public or any section of the public are invited or permitted to attend whether on payment or otherwise.

Assembly does not require an invitation to the public. Assembly means to be discussing something of public interest. In this situation the convenor of the shop stewards involved in the Hamersley iron dispute sought to have a discussion with the national official concerned and with members of the organization involved in the dispute. A meeting was held in the traditional manner, the site used being at the rear of a Totalizator Agency Board agency on a vacant allotment. There could have been no infringement of the rights of other individuals. It was simply a group of people discussing a matter of mutual concern. Arising out of that the national Secretary of the Amalgamated Metal Workers and Shipwrights Union has been arrested and charged on a count which will involve him going to gaol for one month because there is no question that the fines will be paid by the organization or by the member concerned. Jack Marks, the State official concerned, whom I have known for 25 years, who has been a servant of the trade union movement throughout his life and has worked longer hours and more conscientiously than many people in the trade union movement throughout Australia, is in a similar position because of the legislation. On that occasion the Minister of Education in the Court Government had no appreciation of the provisions of the Bill being passed. I invite any honorable member to take the trouble, as I have, to obtain from the Parliamentary Library the second-reading debate of that Bill. The Minister of Health who introduced the measure at 2.28 p.m. read the appropriate clauses and definitions and said:

At a recent meeting in Melbourne, of Commonwealth and State Ministers representing customs, police and health, this problem was discussed at length and all agreed with a proposal that Commonwealth legislation, as it relates to trafficking in drugs, should provide for substantially increased penalties.

The Minister also said:

This Bill contains two important measures, firstly in relation to the conduct or organization of a street procession, meeting or assembly in a public place, and secondly, in respect of penalties for the offence of trafficking in drugs.

When it was pointed out by the Honorable D. W. Coolev that if a dispute occurred on a building site somewhere near Kalamunda, involving perhaps six men working on the site, and they were to have a meeting on the footpath outside the site, that would come within the scope of the legislation, the Minister replied:

Nothing of the sort—it is not in the Bill. The Minister responsible for introducing the Bill into the Legislative Council in Western Australia indicated that circumstances which were a complete replica of the situation that existed in respect of the Hamersley iron dispute were not within the scope of the Bill. He has been proved wrong. The legislation has been used to arrest officials engaged in the normal daily affairs of the trade union. Those officials have
been charged with an offence and the whole of the trade union movement throughout Australia has responded to the proposition by indicating that it will not tolerate it. The employers in this State will not thank this Government or the Court Government for the disruption in production which will take place because of the blind adherence to philosophies which can only be described as akin to those of Nazi Germany. Later in the second-reading debate Mr Cooley said:

I would like that refuted when the Minister replies, because as I interpret the provision, if three or more people assemble in a meeting without the permission of the commissioner they commit an offence against the Act.

The Honorable N. E. Baxter said:

The Bill does not say that at all—you have not read it properly.

He is a National Party member in a coalition Government in Western Australia. If that is the sort of legislation which Victorian electors can expect as a result of a possible coalition in this Chamber of the National Party and the present Liberal Party, it is something to think about.

This legislation has as its base the philosophy that if it can be imposed, it will somehow prevent unionists and perhaps people opposed to uranium mining, people who have conscientious views on a range of issues including the promotion of solar energy and persons in the community who have philosophies or views which could be made public from airing those views. At some time and at some place the hand of the law will be placed on their shoulders and they will be arrested. That proposition is contained in the legislation.

That is the reason why the motion has been moved by the Opposition, to ask that in Victoria there be an appreciation of the contribution this legislation has made to the disruption of our community to date. If the motion moved by the Opposition is carried in this Chamber it will take with it the authority of the Victorian Legislative Assembly to the proposition that the legislation is bad legislation and should be repealed. It will take with it the recommendation to the Western Australian Government that it should consider the proposal to recall Parliament and reconsider the legislation that the appropriate Minister in the Western Australian Government did not consider adequately. That Minister did not foresee that it would be used in the manner in which it has been used, despite the fact that in the second-reading debate it was alleged that the exact replica of the present circumstances could occur.

I turn to a couple of points made by the stand-in for the Minister of Labour and Industry, the Minister of Transport who is perhaps also standing in for the Premier, who wanted the House to write a letter. His knowledge on this matter is confined to the advertisement paid for by the Western Australian Government. The Minister read to the Chamber the advertisement published in the *Australian* on Tuesday, 19 June which contained a number of inaccuracies and one outright lie. It is alleged that there have been 553 applications made in writing for public meetings, assemblies and marches, and that only two have been refused. It was not stated that no unionist had ever applied to hold a work meeting on industrial issues, and that no unionist would ever apply to the Court Government for permission to conduct his own affairs in his own way, in the manner in which the trade union movement has historically and traditionally been accustomed to carrying out its objectives.

No legislation introduced in Western Australia, Victoria or nationally will change the determination of trade unionists and the trade union movement to adhere to that proposition. I was concerned to read in today's press that the Prime Minister, having surveyed the activities of Mr Bjelke-Petersen and Sir Charles Court in other States, has now determined that somehow all this should be brought within his scope. If anyone believes an improvement will result if that situation occurs, they need look only at the industrial relations legislation applying to the Industrial Relations Board. They will then appreciate what such a change will mean.
There is no question that the conspiracy that began in 1976 produced legislation that was designed to intimidate people to become subservient to the Liberal Party and National Party coalition Government. When one looks at the legislation one must make a judgment about whether the Government knew what it was doing, and was deliberate about that, hoping to use it sometime in the future or, as was indicated earlier in the Chamber, it did not know what it was doing and the legislation is doing things that the Government did not appreciate.

If the second alternative is the correct solution, then the Liberal Party and the National Party in this House should vote for this motion. The only alternative is that they knew what they were doing and that it was based on the proposition that maximizing and exploiting the mineral wealth of Western Australia is of prime importance, and the subservience of the trade union movement and the dictates of the national mining and mineral conglomerates throughout the Commonwealth are more important than are the civil liberties of people in Western Australia or in Australia as a whole.

That is the fundamental question, and it will not be resolved in this Chamber; it will be resolved outside this Chamber. The proposition that one can pass laws that will make free men slaves will be resisted. There is no question that the legislation and impact are understood by the trade union movement. Indeed, it is becoming more widely understood by organizations not in any way connected with the trade union movement. In Nazi Germany it was just the Communists, then the Socialists, then the Jews and then the trade unionists who went down the drain. All these actions were preceded by the passing of legislation.

I invite honorable members of the Liberal and National parties, if they believe that such things cannot happen, to read The House that Hitler Built, which was published in 1939, before the outbreak of the second world war. It spelt out clearly the plan that was followed. It was based on a proposition similar to the restriction of the right of assembly and the right of free speech. Whenever Hitler acted against organizations, political parties or movements, he first made laws enabling him to do so. It is a short step from suppressing the freedom of trade unionists to meet and discuss their affairs to banning any political party that is opposed to the Government's point of view. There can be no question that it could become expedient in Western Australia for the Liberal Party to want the National Party to be suppressed, in the interests of preserving its own integrity, and in certain circumstances it could do so.

The fundamental discussion in Australia has not reached that point. What is being discussed is whether a Government has the right to arrest a trade union official, who is paid by union members to carry out his duties and who, because of carrying out those duties as a result of a request to attend employment discussions is later arrested by the State Police and charged with an offence punishable by one month's gaol.

The House should understand how much further this matter has gone in recent days. Ten unionists are now in this situation. The Assistant Minister of Education, a former parson, thinks that I have some inside information about a person who wanted us to write letters. However, I telephoned Western Australia direct to find out the position and was shocked to learn that colleagues of mine were taken to police stations and charged. When they were handed telegrams they took the unprecedented step of reading those telegrams to the people gathered outside the police stations and were then subsequently charged again for the same offence — addressing an unlawful assembly. For those honorable members who believe it cannot happen here, I can tell them that it is happening in Western Australia and, because it is happening there, unionists and others throughout Australia are taking a stand, just as they took a stand over conscription of soldiers for Vietnam, and just as their predecessors took a stand on the exporting of scrap iron to Japan.
They are taking a stand on a fundamental issue of national importance.

They will continue to do so. They will not be intimidated, and they will not respond to Parliamentary laws which are fascist in character, and which they have a responsibility to resist. The proper way to deal with this situation is to repeal bad laws. That can be done by calling together the Parliament that made the laws. When the Government of the State concerned is not prepared to do that, then the Opposition has a responsibility and the Premier has a responsibility to make representations to ensure that that takes place.

If it had taken place last week we may have had the Victorian Premier receiving some credit for doing something to alleviate the situation that will exist tomorrow. We may not have seen the national Cabinet being called together. It is strange that the Prime Minister is sufficiently concerned to call Cabinet together, yet the Premier is not sufficiently concerned to be in the Chamber now. That is a fair reflection on the Government's attitude.

Mr KENNETT (Burwood)—The House listened today to an incredible diatribe by the Opposition. I can understand the honorable member for Bundroa claiming that the matter has not even started. Obviously, the Opposition's diatribe will continue. We have debated a motion moved by the Leader of the Opposition and supported, interestingly, by the honorable member for Reservoir. Basically, the motion is in three parts, and the first part provides:

That this House expresses its grave concern at the assault on civil liberties involved in the laying of charges against trade unionists in Western Australia carrying out their normal duties and calls on the Government . . .

The second part refers to defending democratic freedoms and the third part to creating industrial harmony. Everything that has been said so far by the Opposition seems to negate the three aims that it seeks to achieve by this motion. The address of the Leader of the Opposition lacked lustre and, more importantly, it lacked any sort of conviction whatever. Obviously, the Leader of the Opposition was put up to move this motion by the honorable member for Reservoir, who is known in this place and by the public to be a red-ragger in the real sense of the word.

When people complain that the anti-Socialist forces continue to kick the red can, one has only to hear the comment of the honorable member today that, unionists will not respond to Parliamentary laws to know that the Opposition in this House, with such members as the honorable member for Reservoir, is supporting chaos in the community. I can understand the Opposition being upset. The community will eventually realize what this argument is about and will judge the trade union movement, although many of its members are decent citizens who are being damaged because of the actions of a few.

Unlike the Leader of the Opposition and the honorable member for Reservoir, I do not agree with their interpretation of the facts, and I do not base this on the advertisement in the Australian on Tuesday 19 June. I also have telephoned Western Australia, which is no great feat as the honorable member for Reservoir seemed to indicate. From the evidence before me it seems that this strike has been a tremendous put-up job by leaders of one union to bring about chaos in this community.

It is known that it is not my habit to quote from the press, but on this occasion I wish to refer to an editorial in the Sydney Morning Herald on the strike in New South Wales. The editorial talks about unionism and its strength, and I think it can be applied to this case. It states:

It finds itself defending the self-centred privileged at the top end of trade unionism at the expense of the underprivileged at the bottom end. What a sorry plight of a heroic cause.

It is obvious that the people of this country are being led by very ambitious men and women who have decided to pool their strength to support all unionists, at a severe cost not only to the unionists but to this country. It is a put-up job to bring chaos and havoc. There is no question that the Minister of Transport was correct when he said—and I am not referring to the Australian article but to the National Times, for the week
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ending 23 June—that it was only de­
cided the night before that Mr Car­
michael should address that meeting,
and it was only on the morning of the
actual meeting that the union organ­
izers approached the police for per­
mission to address such a meeting.
That permission would have been
granted if normal procedures had been
adopted, but they were not adopted.
An application form had to be filled
out, but such an application form was
not filled out.

I suggest to the House that what
we see today, and what we will see
tomorrow, are the result of a well­
controlled, long thought out and con­
trived operation of certain members of
a particular union. It has been fully
orchestrated and the effect will be
catastrophic. We are quickly approac­
hing the time in this country when re­
sponsible unionists will act against
the irresponsible, selfish and privileged
actions of other unionists.

This motion suggests that this
House should express its grave con­
cern at the assault on civil liberties.
By whom? It was by a group of five
or six men who set out to break the
law in the first place and who decided
to forfeit their rights. These irrespon­
sible leaders of unionists have now
called a mass strike throughout Aus­
tralia. Is that not an assault on civil
liberties? Is there not a misuse of
power? It is a misuse of power for the
Leader of the Opposition to introduce
such a motion. He has obviously been
instructed to move this motion on be­
half of this now left-wing controlled
Parliamentary Labor Party of Victoria.

The motion is said to be in
the interests of defending democratic
freedoms. Where are the democratic
freedoms these people are talking
about? The Leader of the Opposition
and the honorable member for Reser­
voir advocated support for chaos. They
tried to tell this House and the com­
munity that they should support this
action. The community does not sup­
port this action for a moment; it will
lose a large amount of money. Where
is the support in the community? Why
does the Leader of the Opposition not
have the guts to come out publicly and
say that he will go out on strike to­
morrow and then let him publicly be
responsible for his action. If he went
out on strike tomorrow the community
would condemn him, and his people
would follow him into the wilderness.
It is just not on.

What absolute rot it is for the
Opposition to talk about industrial
harmony. Members of the Opposition
put forward a case based on legislation
in another place, a case based on the
judiciary system in another State, and
suggested quite openly that the Par­
liamentary system should impose itself
upon that judicial system. That system
can be changed if the right channels
are correctly invoked. Tomorrow there
will be recognition throughout the
community that the Leader of the Op­
position is advocating mass chaos,
which his Parliamentary colleagues ob­
viously support. It is barely conceiv­
able that the Leader of the Opposition
and the Labor Party of this State
should give credence to a put-up job
to break a law in this State or any
State which will result in hardship. If
that happens, there never will be a
stage in Victoria when the people will
commit the Government of this State,
the management of its people and its
resources, to the Labor Party.

It is a frightful situation that we
have arrived at when the honorable
member for Reservoir, as the shadow,
shadow, shadow Minister, states that
his party will not respond to Par­
liamentary law. Most unionists will
respond to Parliamentary law, and it
is only the militant union leaders, who,
for their own personal gratification,
seek to break those laws with the
resulting situation we are in today.

We are faced with a contrived set­
up job, by a few men who have been
given power by their colleagues. Those
colleagues did not exercise responsibil­
ity when they elected these people who
are bringing the country to heel for
24 hours. Out of all this, there will
come a time, particularly when one
looks at the industrial actions in New
South Wales, when we will have to
work very quickly to avert the situa-

Mr Kennett
tion that exists in America. I am sure the majority of unionists and their families are sick to death of the irresponsible nature of the few trade unionists who will do nothing but harm to this country tomorrow. If ever there was a black day for Victoria, tomorrow must be it. If ever there was a black day for the people of Victoria concerning where the Opposition, the alternative Government, stands in this State, it must be today when the Leader of the Opposition misused his office in advocating the holding of this strike.

The Opposition stands condemned. The Leader of the Opposition stands condemned. In the first place, he probably did not want to bring this motion before the House, but, having done so, he did not make a case. He stands condemned, because this Parliament has no jurisdiction over Western Australia, and everyone is fully aware, if they were not aware before now, that the honorable member for Reservoir is out to destroy Australia and to restrict the operations of the Parliamentary laws in this country, because he represents the unionists in this State and Western Australia who repeatedly do not respond to Parliamentary law.

Mr WALSH (Albert Park)—It is not too late for this Government to gain some credibility about the strike that is to occur tomorrow. The Government should prevail on its colleagues in Western Australia to repeal the Police Act, and to make the repeal retrospective. Then there will not be the stoppage that is planned throughout this country.

If something is not done to repeal the West Australian legislation, the strike tomorrow will not be the end of the matter. The Executive of the Australian Council of Trade Unions endeavoured yesterday to resolve this issue, and asked the leader of the West Australian Government to back off, or do something about the legislation.

Obviously the West Australian Government is not concerned about the strike that will occur in this country tomorrow. The Trades Hall Council in Western Australia has tried to resolve the situation, but the Acting Premier of that State will not do anything to stop the industrial mess that has been created. The Victorian Government has done nothing to help the situation.

Mr Wilkes—It has done everything to aggravate it.

Mr WALSH—Yes. One can see how interested the Government is in this motion—there is only one Minister in the House.

These trade union officials were only doing their job, as I have been doing for about fourteen years. It would be ridiculous if there was a dispute and trade union leaders were not allowed to hold a meeting outside a factory to tell their members that the dispute was over and that they should go back to work. Some employers will not allow trade union members to enter onto their industrial grounds. How do they then report to their members that a dispute has been resolved? Instead, in Western Australia these trade union members can be arrested and taken away, with industrial chaos following. These are the questions that must be examined with legislation of this type.

I understand that it was all right for the officials to address union members at the back of the Totalizator Agency Board, but when these men went to get on a plane to leave Western Australia—having travelled miles to get there—they were arrested and charged.

In Australia, tomorrow, almost the whole work force will be on strike and will not be producing for this country. This creates problems. The honorable member for Burwood and the Minister of Transport said that the trade union members have no choice. They do have a choice when they elect their representatives to the Trades Hall Council. For nine years I have been returned to office by the members, as they have confidence in me and other officers, to run the organization in their area.

The legislation under attack was first introduced in 1976. What rank and file union members of Western Australia had a say in that legislation?
Mr Wilkes—It was midnight when it was introduced.

Mr Walsh—When the Government went to an election, it did not guarantee trade unionists that they could carry out their duties. Therefore the people have no choice, and these things that are happening in this country today are causing confrontation between the Parliaments and the trade union movement.

It appears that Liberal Governments want only confrontation and will not have consultation. It is about time they started to understand that trade union officials perform their tasks efficiently and are returned to office by their members so that they can represent those members in an extremely important way.

The present situation is becoming reminiscent of the situation in England in 1834, when six people tried to form a trade union movement. They were known as the Tolpuddle Martyrs and they were sentenced to seven years' banishment to the Australian colony. They were honest and sincere men who cared about the underprivileged, and their work was vindicated in 1854 when the trade union movement was on its way.

I have had many conferences with the men who have been arrested and I know that they are efficient and responsible. They are men of honesty and integrity equal to that of any honorable member of this House and they have done their jobs in the interests of the members of their unions. I commend the motion to the House and, if members of the Government party want to regain credibility, they will also support it.

Mr BIRRELL (Geelong West)—Last Thursday, during the grievance debate, I drew attention to the phoney nature of matters being brought before this House in increasing numbers, which do not result from actions we have taken or actions that are taken within our boundaries. Constitutionally, these matters have nothing to do with honorable members of this House. On this occasion we are having a further serve, through a motion dealing with matters that have occurred in another State. That is the basic point that I endeavoured, at some length, to make last Thursday.

I wonder what would happen if the present Opposition were in Government and passed a law that offended the Government of another State, such as the Government in Western Australia, and the Premier of that State were to make an approach to the Victorian Government in the terms of this motion. I should like to know what the reaction of the Wilkes Government would be to a situation such as that.

There is no doubt that the Western Australian law could be regarded as oppressive by some people. I shall come back to that aspect of the situation a little later, but I shall now make some comparisons with the situation that applies in Victoria.

There are two great charters of civilization. One is democracy and the other is the rule of law. They are the pinnacles of the achievement of civilized man in his dealings with his fellow man. What does “democracy” really mean? The word is often used to indicate meanings unrelated to its true, innate meaning. A democracy operates when its citizens are able to elect a group of people who can act corporately to make decisions on their behalf.

Mr Sidiropoulos—That is wrong. The word does not mean that.

Mr BIRRELL—That is the basis of a democracy. A society is acting democratically when it gives the people the right openly to elect their representatives. A democracy is working when that basic premise is seen to be in operation. The decision made in Western Australia was a democratic decision.

Mr Simmonds—How can you have a democratic decision made by a Fascist Government like Court's?

Mr BIRRELL—I wish the honorable member would clean his ears out. He is right off the rails. I am merely pointing out—and no one could deny this—that there is a democracy in Western Australia because that State holds elections every three years at which the people elect representatives every three years at which the people elect representatives who come together periodic-
ally and pass legislation on behalf of the people. That is a democracy and it is what a democracy is meant to be. Through that process of law-making and the making of administrative decisions, the opinions of the majority of the elected representatives are reflected —although sometimes it can be in a rather indirect way.

**Mr B. J. Evans**—The opinions of the majority of everybody.

**Mr BIRRELL**—That is right, the opinions of everybody. The decision this House is now debating was a democratic decision. The other main pillar of civilization is the rule of law. Not many people would argue against that. One of the results of the rule of law is that the weak are protected from the strong. That is not a trite saying because, if one considers the situation, it is obvious that without the protection of the rule of law the strong would trample the weak underfoot.

**Mr B. J. Evans**—The tyranny of the masses.

**Mr BIRRELL**—That is right, it would be the tyranny of the masses. In Uganda recently there was no democracy and everyone saw what happened there. There was no rule of law and 300,000, 400,000 or 500,000 people were butchered.

**Mr Simmonds**—There was no right of free assembly there.

**Mr BIRRELL**—There is no total or absolute right of free assembly anywhere. The rule of law, when properly administered, is a guarantee of the rights of the people, particularly the rights of the weak. We should not underestimate what democracy and the rule of law mean to the citizens of our society.

Honorable members interjecting.

**The SPEAKER (the Hon. S. J. Plowman)**—Order! I suggest that the honorable member makes his own speech and ignores the interjections.

**Mr BIRRELL**—It is interesting that, in connection with meetings in public places and marches, Victoria has adopted many principles similar to those operating in Western Australia, but in this State they are enshrined in local government regulations and by-laws.

Local members of Parliament are well aware that in Geelong at election time—and as we had elections recently one does not have to go too far back in time to be aware of this—we cannot assemble in the streets and hold political meetings. By-laws forbid that. It is not possible for a candidate to go into Moorabool Street, Geelong or Pakington Street, Geelong West and, willy-nilly, hand out parcels of pamphlets and so on.

At election time it is necessary for me, and other candidates, to find a niche that is not on public property but is on private land. I go to places such as the parking areas of supermarkets. I ask the managers of the supermarkets if I can hand out literature on that private land. Normally that permission is given. Members of other parties also utilize that system because they understand that sometimes a restriction is necessary in the interests of the wider community. Candidates in that area have obeyed that by-law for years. I have not observed candidates transgressing it. We have accepted in our own lives the restriction upon which this motion is based. It cannot be gainsaid that in some places on some occasions we surrender some total freedoms.

**Mrs Toner**—You have been in the streets handing out literature without permission.

**Mr BIRRELL**—I cannot answer for the by-laws that exist in all parts of the State. All I am saying is that this situation applies in the electorate which I represent. It illustrates the point that in any civilized society some restrictions are necessary for the benefit of the whole of society.

The word “freedom” has connotations of responsibility that do not apply to the word “licence”. It is obvious that when some people talk about freedom they are really talking about licence, but there is a gap between the two.

The use of the strike weapon on this occasion is without justification. This matter has nothing to do with the conditions of employment of workers. An ephemeral situation has arisen on the north-west coast of Western Australia, 2000 miles away, and half the people
who will be going out on strike tomorrow do not know the details of why they are going on strike. They have picked up a few headlines in the press and that is all they know about it, but they will go out because they are frightened of what will happen if they do not.

The lovely freedom that is being talked about by members of the Opposition does not exist in the operations of the trade union movement. All honorable members know that. We do not need to have it drummed into us. We all know the penalties for being at work when one's union has instructed one to go on strike.

Mr Sidiropoulos—You are a scab if you do not.

Mr BIRRELL—The word "scab" has come to have some very, very low connotations. Somewhere along the line the right to freedom of choice has gone into hiding in the trade union movement. It has virtually disappeared. Members of the Labor Party talk about freedom, but I point out that they should look into a mirror and learn what their colleagues are doing at the industrial level. It is impossible to separate the Labor Party from the trade union movement. They are part and parcel of the same show.

Last week-end members of the Labor Party and representatives of the trade union movement all got together and what appeared in the press was the combined opinion of the political and industrial representatives of the trade union movement, operating democratically.

The proposed strike is an assault on the whole community over a small issue. It is an assault on the community that is entirely without justification. It is an assault on the principles of democracy and it is an assault on the rule of law. It is an assault on the basic rights of people to work and on the basic rights of people to choose to work.

I do not wish to repeat the excellent speech made by the Minister of Transport this afternoon. I believe it is one of the best speeches that has been made in this place for some years.

Mr Crabb—You couldn't have been listening.

Mr BIRRELL—I was listening intently. To use the terms of the honorable member for Burwood, what we have here is a trumped-up case and one does not have to be a genius to know what is behind it.

The motion placed on the Notice Paper for debate this afternoon should never have appeared there. If such a motion is to be placed on a Parliamentary Notice Paper, it should be done in Perth and nowhere else.

Mr WILTON (Broadmeadows)—In supporting the motion, I first wish to make one or two comments on the remarks of the honorable member for Geelong West. I have read a lot of history relating to politics, industry and the labor movement; I have heard many versions of what democracy means and the rule of law, but I do not think I have ever heard a more perverted, twisted version than that presented this afternoon. I do not think the honorable member for Geelong West had any idea of what he was talking about.

Surely any person who claims to be a supporter of democracy and who believes in the articles of the Magna Carta, and who wishes to expound that he is a Christian and believes in the Christian doctrine has a duty to publicly stand up and use whatever forum is available to alert the community to the fact that democracy is under attack.

If we are to accept the arguments of Government speakers this afternoon we can only come to one conclusion, that they are atheists. West Australian law would declare Jesus Christ a criminal because, if we are to take the Bible as an accurate and true record of the birth of Christianity, it reveals that Jesus Christ went amongst the multitude and preached his gospel. He would be declared a criminal and would be put in gaol.

I defend the right of those honorable members who wish to support that belief, but they should not insult my intelligence by trying to palm
themselves off as Christians, believers in democracy or as those who have any regard for the sanctity and freedom of mankind. The dollar is their God and the means of getting it is all they understand.

The honorable member for Sunshine referred to the action taken by the West Australian Government as an attack on democracy. The action was not taken on industrial grounds. Listening to the honorable member for Geelong West I was reminded of a pamphlet written many years ago by a great Australian, a leader in the legal profession. I refer to the first Australian born Governor-General, Sir Isaac Isaacs. He publicly defended the industrial action of the trade union movement at Wollongong in opposing the shipment of iron ore to Japan. He made the point that any man should be prepared to take industrial action and subject his family to the privations of that industrial action, not for industrial gain and not for personal gain, but in the belief of human dignity, in the belief of protecting human life and democracy. That was Sir Isaac’s interpretation of industrial action taken by people, not for any personal gain but in defence of their beliefs. That is what this motion is all about.

As a true unionist, if something had not been done, I would have been on my feet next week demanding to know why my union was not voicing an opinion in this serious situation in Australia today. Responsible trade unions are doing everything in their power to convince the authorities of the errors of their ways. I would be bitterly disappointed if the people of Australia were not prepared to demonstrate their willingness to support those unionists in Western Australia who have suffered at the hands of this inhuman law. It is an undemocratic and unworkable law which will achieve nothing but industrial unrest.

Mr Birrell—It has been working for 30 years.

Mr WILTON—Why does the honorable member for Geelong West publicly support a law that does not allow more than three people to gather in a public place? The honorable member has not explained why he personally believes there is a need for such a law. Is this country under threat?

Mr Birrell—We have it in Geelong.

Mr WILTON—The situation in Geelong provides no justifiable ground for supporting this law. I have not heard any speaker from the Government side of the House give good reasons why it is necessary for a State of the Commonwealth of Australia to enact such a law. Why is the law necessary in Western Australia. Is that State under threat? Are there anarchists roaming the streets of Western Australia? From his interjections it appears that the Deputy Leader of the National Party is an authority on anarchists. Perhaps he can give honorable members the benefit of his expert opinion on the subject as he seems to think it is already here.

Mr Whiting—That is what it is all about.

Mr WILTON—From some of the speeches of members of the National Party one wonders whether, because of their extreme views and unrelenting attitude towards many things within our community, anarchy is not far away. I suggest that the honorable member should look inwardly at his own organization.

It is the responsibility of everyone in Australia to vigorously voice their objections against laws such as those which exist in Western Australia. It was surely obvious to any intelligent person that the actions taken by the West Australian police would precipitate the situation with which we are confronted today. I cannot accept that the officers of the Western Australian police force are so immune to human feeling or reaction that they were not conscious of the end result of their actions. I cannot accept that the West Australian Premier is so stupid or so isolated that he was not aware of the final result of such actions.

It is all very well not to want to do anything or express an opinion on some
situation because it is something which exists thousands of miles away. It was that type of attitude which allowed the Nazis to gain control in Germany. People wanted to run away from making a decision. What was the device on which that infamous organization based its campaign—the very same as that by the West Australian Premier—it was in the interests of defeating Communism. That propaganda was peddled in the 1930s and it is being pedalled again today.

I am prepared to join the honorable member for Noble Park, who is now interjecting, to discuss the issue of dignity, human rights and the right of free speech and assembly.

The DEPUTY SPEAKER (Mr A. T. Evans)—I ask the honorable member to address the Chair.

Mr WILTON—I wish to associate myself with the motion. Not only do I have a responsibility to my colleagues in the trade union movement, but I have a responsibility to my family because, if things like this are allowed to continue, there are people in this country who will use Parliament to deny the common rights of every person in the community.

When we enter Parliament we accept the support of our constituents and take an oath to uphold the laws and serve the people within the Constitution. If we accept the principles of common law, which are based on the Magna Carta, and if we have regard for integrity we have an obligation as members of Parliament to demonstrate to the West Australian Parliament that we do not accept the laws that it has enacted and that those laws should be rejected.

Mr Birrell—You are in Victoria.

Mr WILTON—Does the honorable member for Geelong West want to excuse his attitude, or do nothing, simply because the matter refers to another State?

It has been done to Australia; does the honorable member not have any concern about that? He has no concern whatsoever.

Mr Birrell—Canberra legislates for Australia, not Western Australia.

Mr WILTON—That has been the age-old excuse. Right down through the ages the people who want to opt out, who want to abdicate their responsibilities, have always come up with the excuse, "It does not concern me; it is not my affair. I do not want to get involved, therefore I do not think I should have any responsibility."

If our forefathers had taken that attitude I am sure the honorable member for Geelong West would not be enjoying the lifestyle that he enjoys today, because every freedom that is enjoyed by mankind today throughout those parts of the world where some freedom still exists has been won because men and women have been prepared to stand up and demand that the community, the Parliaments, and the lawmakers recognize that human beings have rights.

The basis on which those rights have been built is freedom of speech, freedom of worship, and freedom of assembly. Without freedom of assembly, there is no freedom of worship nor freedom of speech. That is the basis; this is striking at the very roots of what we consider to be democracy.

I say to members of Parliament today that if they are not prepared to support this motion, they forfeit the right to be considered as supporters of democracy and of the Christian way of life. As I said earlier, if members support this law and consider it reasonable and just, they should remember that under it Jesus Christ would have been arrested and prohibited from doing his work, if we accept that the Bible is a true record.

The House divided on the motion (the Hon. S. J. Plowman in the chair).

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Racing (Financial Provisions) Bill—Received from Assembly and first reading, 5277; second reading, 5303, 6001; Committee, 6009; remaining stages, 6010.

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