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1901-11-07

Senate.

The President took the chair at 2.30 p.m., and read prayers.

PAPER

Senator DRAKE laid upon the table

Despatch from the Secretary of State for the Colonies relating to the conference of delegates on the question of the representation of the colonies in the final Court of Appeal, also resolution of the conference.

Ordered to be printed.

QUESTIONS

POST-OFFICE SORTERS

Senator MCGREGOR

asked the Postmaster-General, upon notice -

Will the Postmaster-General inquire why eight junior sorters were promoted over a large number of senior sorters in the Victorian mail branch notwithstanding the protests of the latter?

Have the senior sorters any redress?

Is the Sorters' Association viewed with disfavour by the department?

Does membership of this association debar members from obtaining promotion ?

Senator DRAKE

- The answers to the honorable member's questions are as follow : -

The Postmaster-General has inquired into this matter and has ascertained that the junior sorters were promoted by the Public Service Board of Victoria previous to the transfer of the Post and Telegraph department to the Commonwealth.

Senior sorters have no immediate redress, as the junior sorters cannot be deprived of the position in which they were placed by the Public Service Board.

The Sorters' Association is not viewed with disfavour by the department.

Membership of this association does not debar members from obtaining promotion.

CUSTOMS REGULATIONS

Senator PULSFORD

asked the Vice-

President of the Executive Council, upon notice -

When will Mib regulations which have been issued under the Customs Act be laid upon the table of the Senate ?

What arrangements do the Government propose in order to insure to the Senate full opportunity of negating any of the regulations within the time allowed by the Act ?

Vice-President of the Executive Council

Senator O'CONNOR

- The answers to the honorable senator's questions are as follow : -

The regulations referred to were laid on the table of the Senate on the 11th of October.

Fifteen sitting days provided by the Customs Act appear to the Government to allow ample opportunity for passing any resolution desired by the Senate.

Senator PULSFORD

- Not if the Government occupy all the time.

IMMIGRATION OF ALIENS

Senator PULSFORD

asked the Vice-President of the Executive Council, upon notice -

Will the Government lay on the table of the Senate, before the second reading of the Immigration Restriction Bill is moved, copies (1) of all correspondence on the subject between the Consul for Japan and the Government ; (2) of any communications on the subject received from the Imperial Government ?

Senator O'CONNOR

- Copies will be made, and any communication not confidential will be laid upon the table of the Senate.

FEDERAL TARIFF

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Senator PULSFORD

asked the Vice-President of the Executive Council, upmt notice -

When do the Government propose to fulfil their promise to lay upon the table of the Senate the various suggestions made to them for duties to be placed on the Federal Tariff, especially those made by the Protectionists' Associations and the Chambers of Manufactures ?

Senator O'CONNOR

- Early next week.

PUBLIC SERVICE BILL

In Committee.- (Consideration resumed from 11th October, vide page 5971.)

Clause 5 -

The commissioner and inspectors shall each be appointed for a term of seven years and shall be eligible for re-appointment.

Upon which Senator De Largie had moved by way of amendment -

That sub-clause(2) be omitted.

Senator DE LARGIE

- This sub-clause has been discussed at considerable length, and I moved for its omission because we have provided in an earlier part of the clause for the appointment of the commissioner. By the omission of the sub-clause we should provide that his appointment should not be for a definite term. It is advisable that he should be appointed on the same terms as any other officer in the public service. I do not see why we should fix upon a particular term, seeing that it is quite an experiment whether he will be a success or not. We ought to go slowly and be in a position to terminate the appointment if we think fit.

Senator GLASSEY

- I do not agree with the proposal to omit the sub-clause, nor do I agree with the suggestion that because this is experimental legislation we should not define the term of engagement of the commissioner and the inspectors. As it is very desirable to procure the services of competent persons to fill these important offices, security of tenure should be provided for. If the services of these officers can be dispensed with at any moment, I am convinced that the Government will not be able to secure the most competent men to fill the offices. But if we stipulate in the Bill that they shall have a fair trial and enjoy some security of tenure, in order that they may be in a position to put the departments into an efficient state, it will afford them an opportunity to display their ability and capacity.

Senator De Largie

- Give all civil servants the same terms of. engagement.

Senator GLASSEY

- I do not place civil servants on the same plane as these officers. The commissioner should not come within the category of civil servants, nor should the inspectors who will be immediately under his supervision. The commissioner will be the head of the civil servants, and will hold the balance between the Parliament on one hand, and the Ministry . on the other. I do not place him in the same category as the head of the Customs or the Postal department. If we desire to secure the services of the most competent man we must provide for security of tenure. The most able man will not offer his services if the appointment is to be of a temporary nature. When a Commissioner for Railways is engaged in a State, he is placed for a term at the head of a number of civil servants, and is given an opportunity to put his department into an efficient state, and to prove his competency to discharge the duties of his office. I hope that the subclause will be retained.

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Senator Sir FREDERICK SARGOOD

- The Parliament has made provision in the Audit Act for the Auditor-General to hold office during good behaviour. The duties of the Public Service Commissioner will be quite as important as those of the Auditor-General, and his appointment should be during good behaviour. But the appointment of the inspectors, who are practically his lieutenants, should be for a term of seven years, as provided in sub-clause (2). I agree with Senator Glassey that the Government will not get a first-class man if he is offered an appointment determinable at pleasure. Unless they do, they had better not make any appointment. We want to secure a man who will discharge these very responsible duties without fear or

favour. He should be absolutely free from political control, so that he can bring an unbiased judgment to bear on all the questions, many of them very difficult ones, which will arise in connexion with the amalgamation of the public services in the six States. The position will be no sinecure, and it is most important that the commissioner should feel that his position is absolutely safe, and that he will have good support in discharging the trust which is reposed in him. In order to test the matter I intend to move - That after the word " commissioner," in subclause (2), the following words be inserted : - " Shall hold his office during good behaviour and shall not be removed therefrom, unless an address praying for such removal shall be presented to the Governor-General by the Senate and the House of Representatives respectively in the same session of Parliament."

That will do in connexion with the Chief Commissioner exactly what we have done in connexion with the Audit Commissioner. It has already been pointed out that in every one of the States the Audit Commissioner is appointed during good behaviour. In some cases the Railways Commissioners have been appointed for a definite time ; but this is such an exceptional position, and the duties of the commissioner will be so exceedingly responsible, that we should surround him with all the protection we can legitimately give to him.

Postmaster-General

Senator DRAKE

. - The speeches which have been delivered by Senators De Largie and Sargood illustrate two extremes. Senator De Largie desires to give to the commissioner no fixed tenure of office at all ; he may be dismissed at any time the same as any other civil servant. But Senator Sargood, realizing the importance of the position that will be occupied by the commissioner, desires that he shall hold his office during good behaviour. The scheme of the Bill provides something midway between those two extremes. It gives the commissioner a tenure of office that we think will be sufficient to insure his independence, and at the same time provides a fixed term when his occupancy of the office will terminate. It seems to me that the scheme of the Bill hits the happy medium. It does not put the commissioner in such a position that he will become an autocrat and will be able to defy every one; whilst at the same time it insures his independence of political or other improper influence. I am quite willing that the division shall be taken on the word " commissioner," but it must be distinctly understood that if the word is struck out with the view of giving effect to the proposition of Senator De Largie, it means that the commissioner, whom we propose to intrust with these important powers, is to have no more security than any other civil servant, and will simply be the creature of the Ministry, who may dismiss him at any time. If the committee desire that the commissioner shall occupy a position of that kind I do not see any reason for going on with the Bill.

Senator BARRETT

- During our previous discussion upon this Bill it was frequently stated that this was experimental legislation. The committee appear to be very evenly divided with regard to the whole measure. Under the circumstances,

I think that the proposal of the Bill is the best, and, consequently, I intend to vote for it. I have been impressed with the argument that the commissioner should have some fixed tenure of office ; but, at the same time, I am not going to the other extreme by making his tenure during good behaviour. Even under the Bill as it stands, if the commissioner is not all that we desire it will be very hard to remove him. There is another reason. It is possible that at a later stage a better man than the first commissioner may be obtained for the position. Taking everything into consideration, it is wiser, at any rate in the case of the first commissioner, to fix the term.

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Senator DOBSON

- I always differ with great regret from anything Senator Sargood suggests. I especially regret it in regard to this Bill, because the subject is one which has exercised his mind for many years, and he has had great experience in connexion with it. But, at the same time, I regard his amendment as a most mischievous one. It means that this commissioner, appointed at a high salary, will practically have a life appointment. Why should we tie our hands ? Is the commissioner appointed to regulate our public service going to be a sort of God Almighty that we are to give him such great power? I am absolutely opposed to the proposal to appoint the commissioner for seven years. I favour Senator De Largie's idea of allowing him to be appointed as any other civil servant is appointed. This experiment is an admittedly, and we

should see to it that it is rightly conducted. From what I know of the number of gentlemen who are always available for such appointments as this, I do not think there will be any difficulty in obtaining a man suitable for the work. Of course, he should get six months' notice if we wish to dispense with him, but if he is to be appointed for any term at all I would not vote for a longer period than three years. Since we last discussed this question, several things have happened. Amongst these has been a conference of the Premiers of the States, which has pointed out to the Government the absolute necessity for economy.. As I understand, the Premiers have very justly and rightly called attention to certain matters in which this Parliament has not been as economical as could have been expected. As this Bill is to cost £8,000 or £10,000 a year, I must continue my steadfast opposition to it. The idea of appointing the commissioner and inspectors for seven years is absolutely preposterous. In the other House, the inspectors have been designated the watch-dogs of the commissioner, and watch-dogs they would be in every sense. They would be on or off the chain just as he liked, and would have to bark or be silent just as he wished. Senator Glassey has spoken as though the commissioner is to organize the whole of our civil service. That is surely an exaggeration. If our civil service is worth a tinker's anathema, and if the chief officers are worthy of their salt, the various Customs offices and Post and Telegraph offices are already organized and working smoothly. No commissioner is needed to organize them. What is wanted is simply to put the civil servants of one State in the employment of the Commonwealth, on a level with those in the other States; to inquire into the merits, ability, length of service, of the whole of the officers, and classify them. But the commissioner cannot do all this work himself, nor can the inspectors do it. Has the Postmaster-General the audacity to suggest that one of the duties of the 'commissioner and inspectors is to be to classify the 11,000 servants in our civil service 1

Senator Drake

- They will get reports from the permanent heads.

Senator DOBSON

- That is exactly what I said in my letter to one of the newspapers, if the Postmaster-General did me the justice of reading it. The Government are going to take this work out of the hands of men who know, and intrust it to men who are absolutely ignorant except so far as they are supplied with the facts by the men who do know. Consequently, our civil service is to be classified on this secondary hearsay evidence, upon which my honorable and learned friend, in his capacity as a lawyer, would not hang a cat. The salaries of officers, their position in the service, and their duties, are to be fixed by men who will simply go round the offices and talk pleasantly to the chief officers, getting a little information out of them. Then they will go to the head accountants, and then to the chief correspondence clerks, and they will be so absolutely mixed-up in what they are told that they will be unable to come to a reasonable conclusion. I am in favour of Senator De Largie's proposal to strike out the subclause altogether ; and I certainly cannot support the idea of allowing the inspectors to be put on a level with the commissioner. That would be absolutely wrong. If we are beaten on this, I desire to make it known that I shall endeavour to get the term of seven years reduced as much as possible, and I shall move accordingly. I intend to support Senator De Largie's amendment, but I should like the Postmaster-General to say whether his idea of managing the Commonwealth service is that the whole of the services in the different States should be classified as one service by this new commissioner and his inspectors.

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Senator PLAYFORD

- The point at issue now is, whether the commissioner and inspectors shall be appointed for a specified term, or during good behaviour. My own opinion is that if we are determined to make such appointments they should be made in the same way as the appointments to the ordinary offices of the civil service. I do not see why these men - especially the inspectors - should be placed upon a plane higher than the heads of the different departments, many of whom will be receiving higher salaries. As to whether they should be appointed for a particular time, my own idea is that they should not. ' This is an experiment, the success of which many of us have extreme doubts about. We know that it will be an exceedingly costly experiment, that it will cost something like £10,000 a year to pay the salaries of these men and the expenses incidental to their offices. We know that if they are appointed for seven years the Commonwealth will have to pay practically £70,000 for the work to be performed by these men, and I say that it will not be worth 70,000 pence when it is done. In addition to that, the work they will have to

perform could be as well performed by heads of departments, under a proper Ministerial head responsible to Parliament. I shall not therefore support a proposal for any fixed term, and certainly seven years is too long altogether. Then comes the question raised by Senator Sargood, as to whether we should not appoint a commissioner during good behaviour, and put him on a par with- the Auditor-General. I admit that Senator Sargood places the inspectors on a different plane, but there is no analogy between the office of this commissioner and that of the Auditor-General. The latter is an office we must have. It is an absolute necessity, and not an experiment. The Auditor-General, in my opinion, holds the highest position a civil servant can hold. He is a check upon Ministers, and stands between Ministers and Parliament, and is responsible only to Parliament. He has to make reports to Parliament on matters affecting the finances of the country. And, after all, finance is the most important matter affecting the government of any country. He is a most important officer, and is rightly placed in the same position as a Judge of the Supreme Court. I cannot, therefore, support Senator Sargood's proposal. Then, there is the other suggestion that these officers should be appointed in the same way as ordinary civil servants, and that is the proper position to take up with respect to them. The Postmaster-General tells us that if we appoint the commissioner in this way he will be simply a creature of the day, responsible to the Ministry, who may turn him out at any moment; Nothing of the sort. I should like to see the Postmaster-General try his hand at turning out any civil servant in that way. There is only one way in which a civil servant, who performs his duty properly can be turned out, and that is by the abolition of his office. Could the present Postmaster-General turn out the Deputy Postmaster-General for the State of Victoria ? If that gentleman did not misconduct himself, could the Postmaster-General abolish his office ? Is he a creature of the day ? Decidedly not. And so it is right through the civil service. We have guarded the civil servants by the laws of the States, and have put it beyond the power of Ministers to dismiss them, unless they misconduct themselves. Where, in the opinion of Ministers, the misconduct of a civil servant is sufficient to warrant his being turned out of the service, the civil servant is given the right to call for a board of inquiry into his case. There is no force in the argument that unless these officers are appointed for a fixed term they will be turned out at any moment, and I shall therefore vote for the amendment of Senator De Largie.

Senator DOBSON(Tasmania).- I forgot to say that Queensland is another colony which is absolutely going back, and putting the public service under Ministerial control again. I mentioned the other day that I had seen in the Queensland Hansard that the Public Service Commissioners were going to be done away with. Senator Glassey informed me that he understood that the Queensland Government were going to adopt the system of one commissioner, but the honorable senator must have been misinformed, for a Bill has since been introduced into the Queensland Legislative Assembly to do away entirely with the Public Service Board. Western Australia, as well as Queensland, is going back upon the Public Service Board system.

Senator Sir FREDERICKSARGOOD (Victoria). - In Victoria we had three Commissioners for Railways, and then for a certain number of years we tried a system of one commissioner. It is now proposed to again revert to the former system. I desire to refer to the statement made by Senator Dobson that it is a mistake to remove from the heads of the department who are supposed to know all the idiosyncrasies of the men under them the responsibility of organising the civil service.

The CHAIRMAN

- That is outside the question of tenure. There has been such a long general discussion of the principles of the Bill that I must now keep honorable senators to the question immediately before the committee.

Senator DRAKE

- I do not intend to allow this to go to a division without saying a few words.

Senator Dobson

- Will the honorable and learned senator tell us something about the classification of the service as one service?

The CHAIRMAN

-I hope the honorable and learned senator will keep to the question of tenure only.

Senator DRAKE

- The amendment to strike out sub-clause (2) involves really the greater part of the Bill. It is one of the most vital principles of the Bill, and I do not think any honorable senator has gone much over the boundary line.

The CHAIRMAN

- That is for me to judge.

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Senator DRAKE

- I express my opinion. The question now is as to what tenure of office this commissioner shall have. During good behaviour might be an unnecessarily long tenure. All legislation of this character is more or less experimental, and at this period of the history of the Commonwealth an opportunity should be given within a reasonable time, which is fixed here at seven years, to reconsider the position we are taking up with regard to the public service. With respect to the remarks which have been made by Senator Dobson on the action taken in other States, I ask whether that is not a fair thing, seeing that the largest departments in the States have been transferred to the Commonwealth, and the Public Service Boards of the States have, to a great extent, been relieved of the work thrown upon them before? We, as a Commonwealth, are really now pursuing the same line of policy as four out of the six different States. They have had Public Service Boards, and have had the control of the officers who have since been transferred to the Commonwealth. It seems to me, therefore, reasonable that the States should now relinquish their Public Service Boards, and that a Public Service Board should be appointed by the Commonwealth.

The CHAIRMAN

- I must now ask the honorable and learned senator to confine himself to the amendment. If I allow this to continue, we shall have second reading speeches all round.

Senator DRAKE

- The amendment is to strike out sub-clause (2) of clause 5 which deals with the tenure that shall be enjoyed by the commissioner, and upon that I think everything depends. If we accept this amendment and allow the commissioner no tenure beyond that enjoyed by ordinary civil servants we shall do what Senator Dobson desires - we shall destroy the Bill.

Senator Staniforth Smith

- We shall be bringing in political influence. ,

Senator DRAKE

- AVe shall certainly be bringing in political influence, and. I may say that in this matter my honorable friend Senator Dobson seems to be most consistent He headed an attack against me . on the ground that political influence was allowed to exist in the Post-office. Yet when the Government ask for the appointment of a Public Service Board, headed by a commissioner with a tenure of office sufficient to prevent him from being subjected to political influence, the honorable and learned senator takes up this position. The question is whether we are to have anything in the shape of a Public Service Board to stand between the service and the Ministry. If so, then some scheme similar to that contained in the Bill must be adopted. The proposal for a seven years' tenure of office is the fairest compromise that could be arrived at. I hope it will be understood distinctly that, in taking a division upon the amendment to omit the words " a commissioner," the proposal is that the commissioner shall enjoy no fixed tenure of office whatever. If the amendment is agreed to it will strike out a vital principle of the Bill, and the measure itself might just as well be dropped.

Senator CHARLESTON

- The concluding remark made by the Postmaster-General materially strengthens the arguments of those who have from the first voted against the appointment of a commissioner. It has been contended from time to time that a commissioner would not be able to render that service to the State which would justify the large expenditure involved in his appointment. Following up that contention, we say that, if appointed, he should stand in the same position as any other civil servant so far as tenure of office is concerned. The Postmaster-General has not attempted to answer the challenge thrown out by Senator Playford when he asked him to say whether he could discharge a public servant.

Senator DRAKE

- Surely the honorable Senator knows1

Senator CHARLESTON

- I know that if we allowed the public service to be controlled by Parliament, as it ought to be, there would be an appeal and inquiry if the Postmaster-General dismissed any one from the service. If the

Postmaster-General's action could not be supported, then he would be held responsible, and his seat in the Ministry would be jeopardized.' If we are to have a large public service it is only fair that Parliament should have full control of it through the agency of its responsible Ministers. We should not vote for the appointment of a commissioner for any long term. The Postmaster-General has just stated that some of the States are dispensing with their Civil Service Board because they have handed over certain departments to the Commonwealth. They have handed over only two departments, and if they find a board unnecessary, why should we appoint a commissioner for a term of seven years ? There will be no equivalent for the expenditure involved.

Senator Drake

- We have taken over two of the largest departments.

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Senator CHARLESTON

- But the Railway departments still remain under the control of the States.

Senator Glassey

- The Railway departments are not under civil service boards.

Senator CHARLESTON

- They are still under the control of the States. Then the Education department, which is a large one, has not been transferred. If we pass this clause we should not fix a term of office for the commissioner. Then, when we find that he is no longer required, we shall be able to abolish the system. If we agree to the proposed tenure of office we shall bind ourselves to a very expensive experimental department. That would be extremely unwise. I am opposed to the clause, but as we have not been able to defeat the Government proposal, I shall try to minimize the evil as much as possible. Therefore I shall vote for the amendment proposed by Senator De Largie.

Senator PULSFORD

- It appears to me that the Senate having decided that there shall be a commissioner, it is bound to follow up that decision by securing that officer against political influence. I can see a very wide distinction between the position of a commissioner and that of the inspectors. Whilst I am distinctly of opinion that the committee ought to insure the security of the commissioner, I think the inspectors should be placed on a footing entirely different. I shall, therefore, vote for a commissioner, but not for the inspectors, and when the matter of the tenure of office comes up, possibly the proposed term of seven years may be slightly reduced.

Senator STEWART

- The Senate having determined to appoint a commissioner, I think, as Senator Pulsford has pointed out, it is in duty bound, to follow up that decision by giving the commissioner some fairly lengthy tenure of office. We propose to appoint a commissioner in order to get rid of the evil of political influence, which has been so rampant in the States that it has brought about a revulsion of feeling.

Senator McGregor

- Not in all the States.

Senator STEWART

- In the majority of them. I am very glad to hear that there is at least one State where the people are such political purists that political influence is unknown. We have the unfortunate fact to face, however, that in the other States politicians have not been above suspicion to the same extent. In the majority of the States political influence in the public service has been so paramount that it has been found absolutely necessary to appoint public service boards to remove even the suspicion of patronage from the Ministry and Members of Parliament of the day. If we do not give the commissioner a certain tenure of office, it will be useless to appoint him. Some honorable senators desire that he shall be placed in the same position as any other member of the service. If the position of the commissioner were not unique, I should agree with them, but his office is different altogether from that of any other civil servant. Other members of the service have their specific duties to attend to, and they do not come into very serious conflict with the public or their fellow servants. A commissioner, however, has to reconcile differences between members of the service. He has to deal with the Ministry of the day, with Members of Parliament, and with every one within the bounds of the Commonwealth.

Senator Dobson

- I should like to know how the commissioner is going to deal with Members of Parliament ?

Senator STEWART

- It is quite possible that some Members of Parliament might be so lost to every sense of honour--

Senator Dobson

- That will not do.

Senator STEWART

- The honorable and learned senator does not think that possible. It is- possible, however, and I have known Members of Parliament descend to remarkable depths of degradation.

Senator Dobson

- Could the honorable senator imagine the commissioner listening to such men 1

Senator STEWART

-- -If a Member of Parliament went to the commissioner, who spurned him as he ought to do, the member might have his revenge by attacking him on the floor of the House.

Senator Dobson

- Oh !

Senator STEWART

- Senator Dobson does not think such a thing could happen.

Senator Barrett

- It might happen if the commissioner had no fixed tenure of office.

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Senator STEWART

- Yes ; there are many men who would do it. If we appoint a commissioner liable to assaults from every point, we should do everything in our power to place him in a position of independence. If we give him security of tenure, and he is worth his salt, it will be the very best thing for the Commonwealth.

Senator MCGREGOR

- And if he was not worth his salt, what would happen ?

Senator STEWART

- He could be suspended at any time under the provisions of this measure. He could be dismissed for failing to perform his duties.

Senator Charleston

- Who is going to prove his competency 1

Senator STEWART

- I cannot enter into all these side issues. I am trying to prove why we should place the commissioner in an independent position. I believe in the system, and, unlike those who do not, I desire it to have a fair trial. Those who are opposed to the system wish to expose the commissioner to attack on every side. Imagine a commissioner who had no fixed tenure of office approached from the political, social, and, perhaps, from the monetary side. Some honorable senators may think these tilings are impossible, but nothing is impossible in this world, and we must provide for every contingency. If we desire good service from 'the commissioner, and a pure and well-conducted civil service, we should secure him from attack. Therefore, I am going to support the Government proposal. Seven years may be too long. I would not object to the term being fixed at five years, as it might act as a spur to the commissioner. It would place him in the same position as a Member of Parliament. If a Member of Parliament, is elected for seven years, he naturally falls into habits of indolence; but if his term of office is shortened by two years, it keeps a whip on his back, and, of course, if lie fails to do his duty, he is rejected when he appeals to his constituents. There is a great difference between a tenure of five years and no tenure at all. A person who is placed in a position of this kind ought to be appointed for a definite term. He may have some schemes in his mind's eye, and therefore he ought to be allowed sufficient time to perfect them, and give them a fair trial. If his tenure of office is uncertain, the probability is that lie will not trouble himself about doing anything, but will keep his eye on Members of Parliament and Ministers of State, and on persons of social influence, and endeavour to get into the good graces >of newspaper proprietors. But with security of tenure he will, if he is a worthy man, direct his attention to the business of his office.

Senator PEARCE

- If Senator Stewart reconsiders his argument, he will find that he is bound to vote for the amendment. If a

Member of Parliament wishes to please his constituents, when he is approaching the end of his term, so the Public Service Commissioner will endeavour to please Members of Parliament when he is approaching the end of his term. He would not escape from political influence at all ; a definite term would act as a direct incentive to political influence. The honorable senator gave the whole case away when he drew a picture of the commissioner being assailed by not only political but social influence. The Minister is subject to political influence, but he is independent of social influence. If we have to choose between a man who is under political influence', but is free from social influence, and a man who is under both political influence and social influence, we should prefer the man who is only under the influence of politicians, because they are responsible to the people. The Postmaster-General is treating us unfairly when he says that if we altered the tenure of office, we shall strike at the whole principle of the Bill. He must recognise that it contains other vital principles than the tenure of office of the commissioner and the inspectors.

Senator DRAKE

- This is the central principle.

Senator PEARCE

- I think that the central principle is the classification of public servants.

Senator DRAKE

- But there must be a commissioner to classify them.

Senator PEARCE

- The Postmaster-General, in saying that we are striking at the central principle of the Bill, is endeavouring to influence our judgment. I protest against that. While I intend to vote for the amendment, I shall support the Minister in getting the Bill passed, because it contains other provisions which are necessary. I cannot see any advantage in fixing the tenure at seven years. I agree with Senator Playford, that we should place the commissioner and the inspectors on exactly the same footing as ordinary public servants. What probability is there of the two Houses removing these officers, or consenting to their removal, unless some question of policy is involved, and they are of opinion that a better system of public service management can be worked out

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Senator DOBSON

- And if so they must go.

Senator PEARCE

- If the two Houses come to that conclusion, the commissioner and inspectors must go. If the appointment is to be for seven years, and Parliament changes its mind before the expiry of that term, the officers will have to be compensated. Did not the Parliament of Victoria, when it wished to dispense with the services of Mr. Speight, Railway Commissioner, have to compensate him to the tune of £5,000 or £8,000 ? What amount of compensation would the Commonwealth have to pay to these officers -if Parliament should decide to abolish the system before the expiry of their term of appointment ? The experiment may be a failure, and we may have to compensate the officers if Parliament should change its 'mind.

Senator GLASSEY(Queensland). - It has been said that this experiment will be an exceedingly costly one. It has also been strongly contended that there should be no commissioner ' at all ; but his appointment has practically been decided upon, and the question now is for what term he should be appointed. If he is to have no security of tenure, we need hardly debate the question of whether he is likely to be influenced politically or not. It is more than likely that he would be so influenced. I hope that the committee will insist that the commissioner shall be appointed for a reasonable term at a fair salary, so that he may be as free as possible from political influence. I fear that otherwise he will not be removed from political influence or social influence. I disagree with those honorable senators who say that the public service- in the States is efficiently organized. Before the last Public Service Commission was appointed in Queensland, there was great room for improvement in its public service.

Senator Charleston

- Is it well organized now ?

Senator GLASSEY

- No : there is still room for improvement. The great reason why I support the provision in the Bill is ' to secure uniform organization throughout the Commonwealth. One of the primary functions of the

commissioner will be to achieve that object. A fair salary and a reasonable term of engagement should command the services of a man of organizing skill and ability, who will put the public services in the States on a uniform footing. If he is worth his salt, he will do far more than save his salary and the cost of the system of management. In the two

Houses of Parliament we have 108 politicians, each of whom may be influenced by his constituents to endeavour to bring a little pressure to bear on the commissioner. If he were appointed from year to year, he would be more than human if he were not influenced to some extent by the pressure which would be brought to bear upon him by the politicians from each State. If the politicians from the different States were loath to act, pressure would be brought to bear upon them. If this commissioner were not secure in his office for a reasonable term, he would be more than human if he were not inclined to lean a little towards the wishes of politicians in order to stand well with them. What we want to do is to reduce political influence to a minimum. I quite agree that we cannot do away with it altogether ; but, by appointing the commissioner in accordance with the provisions of this Bill, we shall be more likely to reduce political influence than by appointing him as an ordinary civil servant and giving him no security of tenure. I agree with the Postmaster-General that the tenure of the commissioner is a vital principle, and that if this provision is excised it will do much to weaken the whole frame-work of the Bill.

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Senator Sir WILLIAM ZEAL

- Honorable senators have forgotten the fact that every civil servant appointed during good behaviour is practically independent of the Government. So long as he carries out his duties in a proper manner no Minister will dare to attack him, or if he does will do so at his peril. Suppose an unworthy man is appointed. Will he not be likely, towards the end of his term, to intrigue with the Government and Members of Parliament for their support for the renewal of his term, and will not that be ten times worse than appointing him during good behaviour ? Why should we attach so much more importance to the commissioner than to other members of the public service? There are public servants in Victoria who have held office during good behaviour during the last twenty years, - and no Government would dare to attack them unless they committed some breach of discipline, or were guilty of some fault in the discharge of the duties of their office. I shall support the proposal for the appointment of the commissioner during good behaviour with no fixed tenure.

Senator Sir JOHN DOWNER

- There is a little misapprehension as to the meaning of appointments during good behaviour. Such appointments are practically for life. We certainly do not want to appoint the commissioner for life. He will not be in the same position as a Judge or as an Auditor-General. An Auditor-General's duties are purely mechanical. He has no discretion to exercise, but has simply to discharge certain fixed duties of a mathematical character. There is no reason why his office should not be subject to the highest tenure, because his duties are invariable. It is the same with a Judge. He does not decide according to variable notions of public feeling, but on abstract considerations of right and wrong as applied to all the circumstances that come before him. But the Commissioner of the Public Service has to exercise a choice between men ; he deals with flesh and blood, and has to see whether men and women are discharging their duties properly. His functions are not judicial, but administrative. To appoint such an officer during good behaviour would be most dangerous. It would be equally dangerous to appoint him during will. Is there not, then, some via media which will be entirely reasonable ? That is the idea of the Bill in fixing seven years as the term of the appointment of the commissioner.

Senator Sir RICHARD BAKER

- Why seven years ?

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Senator Sir JOHN DOWNER

- It might be five or ten, but there should be some considerable time. I quite agree that no office can be established under the Government which will not be subject to some political control. Whether the commissioner is appointed for seven or fourteen years, he will be liable to be influenced by political considerations. But what we have to do is to make the risk of political influence as small as possible. Nearly all officers whose tenure of office is considerable in time are so placed that they may not be subjected to undue pressure from political sources. We want to give the commissioner such a tenure that

a Minister of the Crown can reasonably and properly shelter himself behind that tenure, and say, when influence is brought to bear upon him - " This is not a matter with which I can interfere, because Parliament has deliberately and thoughtfully placed it under the control of an officer occupying an important permanent position." I can quite understand that, for whatever time the officer is appointed, there will be a considerable disposition on his part towards the end of his tenure to use political influence in order that he may retain his office. But if he is appointed for a fixed term, when his time expires there is, as a matter of course, an end to the appointment, and there can be no complaint if he is not re-appointed. The fair medium between appointment during will and appointment during good behaviour is an appointment for a term of years, and seven years is reasonable.

Senator MCGREGOR(South Australia). - I have listened patiently to what has been said, and have come to the conclusion that some honorable senators attach some especial virtue to the term of seven years. Why is this ? Is it because there are seven days in the week, or because there have been seven devils in the heads of the Administrations of Queensland, New South Wales, and Victoria in the past ? Of course I exclude South Australia from any supposition of that kind ! Do honorable senators think that officers who occupy positions in the service to-day would be different if they occupied them for seven years ? Would our worthy Clerk be a different man if his appointment were for seven years ? Would any head of any department in any of the States ? If it is said that he would, it is an admission that he is not honestly carrying out his duties now, and, of course, no honorable senator would say such ' a thing. I can only illustrate my view of the proposal by a parable. A good father had three sons. This good father, in the interests of his three sons, was for seven years going to make them something exalted. He bought a great kite, with seven joints to its tail in the shape of seven inspectors, and he put it up into the air for his children, Jack the postman, Billy the Customs officer, and Tom the soldier, to look at. He said - " Here you have something which is far above these evil political influences that have been destroying your interests in the past. Here you have something far above Ministerial control. Look at it, and admire it, and try to find out if it is going to do you any good. It is going to cost you £10,000 or £12,000 a year." Poor, unfortunate Tom, Bill, and Jack look at it, and they say - " Dear father Government " - or whoever it may be - "it would be far better if you divided the half of the £10,000 or £12,000 to increase our present poor salaries, instead of wasting it in the manner you are doing now, with that kite flying up in the air for seven years." I am against any proposal for seven years, or for two years, or for five minutes, and I shall certainly vote for Senator De Largie's amendment.

Senator HARNEY

- I take it that the gist of the question is how, in the appointment of a commissioner, we can minimise to the greatest extent, the possibility of political influence. Senator Downer has discussed three proposals, one for appointment terminable at will, one for an arbitrary period, and one for life. Clearly, if the appointment is at will, we shall have a temptation to the exercise of political influence.

Senator Playford

- At will means until the office is abolished.

Senator HARNEY

- With all respect to the honorable senator, I understand an appointment at will to be one which may be terminated on notice, or by summary dismissal for misconduct. I take it that such an appointment would be most dangerous in the case of a person holding the high position of Public Service Commissioner, because he would be continually under temptation to win the favorable regard of those in political power. The other position is at the opposite end, namely, appointment during good behaviour. Senator Downer has said that that means for life. It means for life, unless a person has misbehaved himself. The honorable and learned senator contends that that is too long, and he hits upon an intermediary period of seven years. Of course, there is no reason why we should fix arbitrarily upon a term of seven years any more than a term of five or ten years. In my opinion, if we are to avoid political influence, we should make the appointment during good behaviour, and for this reason, that all the dangers attaching to an appointment at will will recur at the end of the different periods of seven years, if we make the office renewable at the close of such a term. I should like Senator Downer to explain the distinction he draws between judicial and administrative officers. Why is the appointment for life in the case of judicial officers ? Is it by reason of the fact that they are administering justice ? It is not; but it is that in the high work they have to do, they may be removed from all political influence ? If we desire that this administrative officer

shall be as far as possible removed from political influence, let us appoint him in the same way as we appoint persons to be judges.

Senator Playford

- The judges were appointed in the first instance for life, to remove them from Royal influence, but they have political influence in the case of the judges in England now. What is the Lord Chancellor ?

Senator HARNEY

- They have political influence in putting the judges on the bench, but once they are there political influence cannot touch them, and as long as they conscientiously perform their duty, they may snap their fingers at Lords and Commons. We want to put the chief of this public service department in the same position.

Senator Charleston

- There is no analogy.

Senator HARNEY

- Where is the distinction ? It is all very well to say that one is a judicial office, and the other an administrative office j but that is no ground of distinction on this issue.

Senator Pearce

- This is a kind of administration that has not yet been tried.

Senator HARNEY

- Then let us experiment under conditions which will enable us to test it in the most efficient manner. Every senator I have heard has said that we want to minimise political influence, and I have no hesitation in saying that we cannot do better than make the appointment one which will place the officer beyond any political control present or apprehended. It is certainly most inconsistent for any one who objects to an appointment at will on the ground that that would subject the officer to too much political influence, to contend that we should make the appointment for a definite term of years and not for life, because that would mean nothing but a recurrence of periods of corruptibility. From all I have heard so far, I am of opinion that this officer should be appointed in the same way as the Auditor-General, during good behaviour.

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Senator FRASER

- I also believe that the appointment should be made in the ordinary way for life, and that that would be better than an appointment for a fixed term. Everything will depend upon the judgment exercised by the Government in making the appointment. If they appoint a good officer, as I hope they will, he will serve the people better, if appointed for life, than if his appointment were for a term of seven years, when he would be more than human if he did not intrigue to secure a renewal of the appointment. The matter of salary is nothing. If the Government appoint a tip-top man, a few hundred pounds in his salary will be neither here nor there. I think the appointment of the commissioner should be during good behaviour, and I shall, therefore, support Senator De Largie's amendment.

Senator DELARGIE (Western Australia). - It seems to me that Senator Harney has missed the point altogether in attaching so much importance to the question of political influence. This is not so much a question of political influence as of whether we should be able to dismiss the commissioner if we found that his services were not required. I hold that experience will prove that the office of commissioner will be as useful as the fifth wheel of a coach. It will be a sinecure, and if we appoint him for a fixed term we shall not be able to dispense with his services before that period expires without compensating him, even if we find that the office is unnecessary. Political influence will go on more or less whether we appoint this officer or not, but in my opinion we shall not need him. Therefore it would be foolish for us to tie ourselves down by appointing him for a fixed term. The suggestion that he should be appointed during good behaviour is also beside the question. When we appoint a commissioner I hope we shall secure the very best man possible. If that suggestion were adopted, however, and we found that, although the gentleman filling the position was performing his work satisfactorily, - we did not require such an officer, we should have to add insult to injury in order to get rid of him. We should have to say, practically, "You have misbehaved yourself ; therefore we are going to dispense with your services." I object to the question of political influence being taken into consideration at the present moment. I have moved my amendment because I feel sure that we shall require neither a commissioner or inspectors, and I do not wish to see

the 'Commonwealth tied down by the appointment of the commissioner for a fixed term.

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Senator KEATING

- In my opinion there is a clear and material difference between the office of such an individual as a judge, and that of the commissioner contemplated by this Bill. In the first place, in selecting a gentleman to occupy a judicial position, we have regard primarily to his possession of certain knowledge. We do not take into consideration to any great extent the individuality of the man himself. The duty that devolves upon him he discharges by reason of the fact that he is acquainted with certain principles governing certain sets of facts that are brought before him. Whatever may be the divergent qualities of certain individuals, they may be equally capable of discharging duties such as these, but in the case of the commissioner who is to be invested with the powers proposed by this Bill, we must have regard to a number of circumstances that do not come into consideration in the appointment of an officer to exercise judicial functions. The commissioner will have not merely judicial, but administrative work to perform. He will have to show initiative. He will have to exercise discretion, and to deal with facts and circumstances, not necessarily by any uniform set of principles that he could apply to each individual case. He will have duties to discharge that will necessitate his taking into consideration in many ways the differences between the very persons to whom he would apply the principles governing him in the administration of his department. The position of the commissioner will be totally different from that of a Judge. We could select six or seven individuals equally competent to discharge judicial functions, and yet not one of them might have the slightest initiative. Not one of them possibly could, in certain circumstances, be trusted to exercise his discretion to advantage. We must have as commissioner a man with a judicial mind, who has the courage of his convictions, and who possesses initiative as well as organizing ability. When we select an individual to occupy a judicial office, we make certain that his legal knowledge is of such a character, and of such an extent, that he is qualified to discharge the duties which devolve upon him, and which do not involve the exercise of too much personal discretion. We can safely appoint such a man for life, or during good behaviour, but if we appoint a commissioner for life, or during good behaviour, and find subsequently that he has not the faculty for organizing sufficiently developed ; that he has not sufficient initiative ; that he is content to remain in the old rut; and that there are other individuals readily obtainable, better qualified to fill the office, we shall not be in a position to retire him and to make a new appointment. The commissioner might behave well, but he might be absolutely incapable -of discharging the duties of the office to the best advantage of the service.

Senator Sir Frederick Sargood

- That is provided for under sub-clause (2).

Senator KEATING

- We are now discussing the question of tenure. Senator Harney raised the point that the commissioner would stand in the same position as a Judge. I do not agree with that view. We might find others better qualified to discharge the duties of a Judge than the man we had appointed. They might be quicker, or more deeply read in the law, and they might be able to apply the principles with which they were acquainted much more readily than the occupant of the office. The man we had appointed might nevertheless be able to discharge the work honestly and faithfully, but want of celerity in the discharge of his duties would be much more vital in the case of a commissioner than in the case of a member of the Supreme Court bench. In the appointment of a commissioner, we have to take into consideration the individual's personality.

Senator Harney

- T - The honorable and learned senator thinks that we should be able to supersede the conscientious but slow commissioner.

Senator KEATING

- Yes that is the difference. If it is recognised that there is a material distinction between the two officers, then we cannot argue by analogy that we should appoint a commissioner during good behaviour. If we appointed a commissioner during good behaviour, we might have an officer who discharged his duties in a perfunctory manner, but who was not guilty of misbehaviour, and we should not be able to supersede him. We have agreed to the appointment of a commissioner. The question has been discussed at great length, and now we have come to the question of tenure. I think it is advisable that the term of office

should be fixed. Whether it is 5, 7, or 10 years is, to me, a matter of comparative detail, but I think we ought to agree to appoint the commissioner for a definite term, in order that he may be nerved up to a proper discharge of his duties to the best of his ability. If he desired to have his term renewed, he would do his duty during the seven years.

Senator Playford

- He would be "kow-towing" to the Ministry during his last six months of office.

Senator KEATING

- It would be absolutely useless for him to do that, unless during the previous six years and six months he had discharged his duties to the best of his ability.

Senator Sir William Zeal

- Supposing that there were five changes of Ministry during his term of office, and that a Ministry favorable to his re-appointment was in power when his term of office expired 1

Senator KEATING

- If there were 55 changes it would make not the slightest difference. If the commissioner came to the Ministry in power when his term expired they would have to take the responsibility of renewing his appointment. If they renewed it simply because he "kow-towed" to them, and regardless of the fact that he had neglected his duty during six years and six months of the term, would Parliament give the Ministry a renewal of their term of office % If, after neglecting his duties for the greater part of his term of office the commissioner "kow-towed" to Senator Zeal just before it expired, and requested him to use his influence to obtain a renewal of it, I am sure that honorable senator would be the first to tell him that his conduct was most reprehensible, and that he would put him out of office at once if he had power to do so.

Senator Charleston

- Would not the commissioner do his duty just as well if appointed from year to year instead of for a fixed term of seven years ?

Senator KEATING

- That is a matter of comparative detail. If we gave him a fixed term of office it would be some inducement to him to do his best. " He would discharge his duties to the best of his ability in order to obtain a renewal of his appointment. It would be unwise to provide for his appointment for life, because a man might be selected for the position who was not fit for it. Further than that, if the commissioner were appointed for life, he would have not the slightest inducement to exercise his ability in the best interests of the service.

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Senator Harney

- Why give an untried man seven years of office ?

Senator KEATING

- We shall have to take an untried man in any case, and it is far better that he should be appointed for seven years than for life.

Senator Harney

- The honorable and learned senator's argument in favour of appointment for seven years would apply with additional force to an appointment at will.

Senator KEATING

- We should provide for the appointment of the commissioner for a definite term in order that we might have an opportunity of testing his work. If he were appointed at will, he might during the first six, nine, or twelve months make one or two mistakes, and a new Ministry coming into power might dismiss him in virtue of their right to dispense with his services at will.

Senator Charleston

- Why should we not appoint him in the same way as the Collector of Customs is appointed 1

Senator KEATING

- I would appoint the commissioner for a definite term, but not for life, because it is certainly an experimental office. We should neither appoint him for life nor for too short a term. An appointment for five, six, or seven years would best meet the case. I intend to vote against the amendment moved by Senator De Largie.

Senator PLAYFORD(South Australia). - Two arguments have been advanced in favour of the appointment of a commissioner for a term of seven years. One is that under the provisions of the Bill it

would be so easy to dispose of an incompetent man at the end of that period. It is also argued that unless there is a seven years' tenure no good man will take the position ; but tenure is a matter of perfect indifference to a good man, if he agrees to accept the office. He will do his duty under any circumstances, and will be safe. In South Australia, departing from our usual practice, we appointed three Railway Commissioners for a term of seven years. During that term we found that it was a mistake to have three commissioners. Towards the end of the term we had an immense amount of intrigue throughout the State to get one of the three men appointed sole commissioner. We had not merely political but press and religious influence brought to bear. It can be imagined that each of the three men was hoping to get the appointment, and each had a considerable amount of influence brought to bear in his favour. If the Public Service Commissioner were appointed for a term we should have the same miserable influence brought to bear to secure his reappointment. Let him be appointed in the same manner as the head of the Postal or the Customs department. He will not be superior to those officers or more worthy of consideration than they are. If those officers are willing to accept office on the ordinary terms, then let the commissioner be appointed under the Public Service Act. If he does his duty properly and his office is not abolished he is appointed practically for life. It will incite him to put forth greater efforts and to justify the existence of his office. If he is appointed for seven years, and does not wish to be re-appointed, he will become indifferent in the discharge of his duties. But if he is appointed in the ordinary way he will have every inducement held out to him to do his work well. I support the "amendment most cordially.

Senator DOBSON(Tasmania).- On the question of tenure I think I can use an argument which will have some weight with honorable senators. Who is the commissioner to be, and is he to come from a State service? Ministers have laid themselves open to criticism quite as much, if not more, with regard to their appointments as in regard to their famous Tariff/ I saw a return the other day, giving the number of officers who had been appointed from outside the State services. Although I admit that Ministers are quite justified in choosing one or two outside men, I think that too many appointments have been made from outside the State services. The Government would have done better if they had had a conference with the State Premiers in the first instance, instead of last week. Before they make any new appointments the Premier of each State ought to be asked if there, are any officers in its service who can be spared to the Commonwealth. Supposing that an officer is appointed from a State service, to the commissionership, he can be appointed with this proviso that if the Parliament revert, as I hope it will, to Ministerial responsibility, and do away with the com-, missioner, he can go back to the place from whence he came.

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Senator Drake

- What is to be done with the man put in his position ?

Senator DOBSON

- I see that there are objections to the suggestion, but the Ministry should try to get over them. They should not make brand-new appointments outside, when there are State officers capable of doing the work, and whose services could be spared. Honorable senators complain that unless the commissioner is given a certain tenure, a man is not likely to leave any position to take the office. Can they deny for a moment that there must be half-a-dozen men in the State services who are capable of acting as commissioner? Any one of these men could be used as commissioner, and if Parliament should do away with the office, he could return to the State service. That would give the States an opportunity of making retrenchment for which they are all crying out.. I assume that if the position were offered to an outsider in a bank, he would want to know the terms of his appointment. He would say - " If you give me a seven years' appointment at £1,500 a year, I will take the position." But if the Government select a man from a State service, they can tell him that if the commissionership is done away with after he has served a year or two, he can go back to the State service.

Senator Harney

- It would narrow the choice.

Senator DOBSON

- It would. The State of Tasmania will be in the severest straits financially unless it makes up its mind to retrench, and unless Ministers here help them to retrench, and, by wisely managing the Commonwealth affairs, carry into effect a policy of retrenchment.

Question - That the words " The commissioner," proposed to be omitted, stand part of the sub-clause -

put. The committee divided -

Ayes 14

Noes 9

Majority 5

Question so resolved in the affirmative.

Amendment negatived.

Senator Sir FREDERICK SARGOOD

- I move -

That after the word "commissioner," the following words be inserted: "shall hold his office during good behaviour, and shall not be removed therefrom unless an address praying for such removal shall be presented to the Governor-General by the Senate and the House of Representatives respectively in the same session of Parliament."

The words of my amendment are identical with the provision in the Audit Act for the appointment of the Auditor-General. It may be just as well to shortly review the duties of the commissioner. Senator Dobson pointed out that the chief officers in the States are much more competent to decide as to the qualifications of officers than any commissioner or inspector can be.

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Senator Lt Col Neild

- -Quite right.

Senator Sir FREDERICKSARGOOD. we must bear in mind that there are the -To a certain extent that is true. But six chief officers, each of whom will deal solely with the officers under him ; and some means will be required to bring their recommendations into line. We may take it for granted that each of them will honestly recommend those officers he knows, and of course he could not speak of the officers in the other five States. A man of great ability, experience, and force of character will be required to deal with the whole of these reports. I unhesitatingly say that no Minister can do it, because as a rule Ministers are not qualified for such positions either by education or experience. That is one reason why we should have one commissioner to receive and deal with the reports of inspectors, who will obtain their information necessarily from the chief officers of the departments, or from personal observation. The commissioner will have to see whether the reports are, in his judgment, satisfactory, whether the work has been fairly distributed, and whether the remuneration is commensurate with the work. Therefore we must have a commissioner. When the commissioner gets a list of the officers, their duties, and respective salaries, and proceeds to make recommendations, we know perfectly well that there will be an outcry on the part of those officers who think they are not sufficiently well treated. Their friends, who side with them, will try to bring pressure to bear. That is a reason why, particularly in the initiation of the scheme, it is necessary that the commissioner should be as far as possible secure in his position. That object cannot be obtained by making his appointment the same as that of any other officer of the service. Not only would it not place him in a sufficiently independent position, but he would have to be amenable to the rules of the public service, and if he committed any offence would have to be tried by such a board as is provided for later on in the Bill. The board will consist of the heads of departments, with a third member elected by the officers of the department concerned. How would it be possible to submit to such a board the actions of the chief commissioner, who is above the whole lot of them? The commissioner must be responsible to Parliament alone. Unquestionably, the commissioner is bound to make enemies, particularly in connexion with the re-arrangement of the departments. By enemies, I mean those who do not agree with his decisions. It may also be found that the scheme of the Bill is a failure from beginning to end. Suppose it is. Then Parliament has exactly the same power to repeal this measure as to pass it. In that case, assuming that the chief commissioner is fully capable, it is not an unreasonable thing, if his office is abolished, to treat him, at all events, as we should treat any other public servant, compensating him for the abolition of his office. Suppose the commissioner is taken from one of the other departments. In that case he gives «p what may be said to be a certainty for life. Upon the abolition of the commissionership he would have to be reinstated in some similar position, which would be very difficult. After a man has left a department for two or three years it is- almost impossible to put him back in the same position as he occupied before, without doing a great amount of injury.

Senator Dobson

- As this legislation is admittedly experimental, the Government ought to make temporary arrangements.

Senator Sir FREDERICK SARGOOD

- Such an arrangement is impossible. It would dis organize the whole of the departments.

Senator Dobson

- The officer in question could go back to the State service if the commissionership were abolished.

Senator Sir FREDERICK SARGOOD

- But that is not sufficient. It would be necessary to put him back in no worse position than he occupied before. If the commissioner were selected from among the present permanent heads of departments he could not possibly be put back without doing an immense amount of injustice to those who had since been discharging the duties.

Senator Dobson

- But does not the honorable senator see that in two or three years men would die or leave the department, and that there would be plenty of room ?

Senator Sir FREDERICK SARGOOD

- That is on the assumption that the man succeeding the person who was appointed commissioner would die, because there is no other position into which the ex- commissioner could be put if his office were abolished. Of course a clerk might die in the meantime, but the commissioner could not be put into such a position as that.

Senator Dobson

- No outside man should be taken for this- work.

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Senator Sir FREDERICK SARGOOD

- I quite agree that it is desirable that both the Commonwealth and the State services should be searched before going outside. That is a sound principle. But assuming that the Government had to go outside the service, they could not expect a man to take a position of this kind without some security of tenure. The first question a business man would ask when offered the position would be - " What is the tenure ? " To appoint a commissioner simply like any other- public servant would be a great mistake, and I venture to say that no suitable man would accept the office on such terms. If, on the other hand, he were appointed for seven years, at the end of that time there would be an immense amount of political wire-pulling to secure his reappointment. We know from experience what has happened in "Victoria in that direction, and Senator Playford has told us what happened in South Australia when it was decided to do away with three commissioners and appoint only one. It may be said that given a permanent appointment, it would be difficult to remove the commissioner if he were found to be unsuitable. The same criticism applies to the Auditor-General. My amendment, however, provides that the Governor-General may at any time suspend the commissioner. I strongly urge, first, that we must have an unmistakably first rate man for this position ; and secondly, that if we want a good man we shall have to pay him well, and give him a good tenure of office in order that he may feel himself to be absolutely above all political influence. I frankly acknowledge that all we can hope to do, is to considerably minimise political influence. The more we minimise it the better.

Senator DRAKE

- I cannot accept this amendment. We have reason to expect that the seven years' tenure of office which the Bill proposes, will enable us to get a good man from the present service. It is undesirable that we should appoint a commissioner for a longer period, in case at the end of the seven years it should be found to be desirable to adopt some other means of public service control. I agree to some extent with Senator Sargood's remarks with regard to placing the commissioner in such a position that he would be above political and social influence, and no doubt by giving him the tenure now proposed we should put him in a stronger position. But as against that, there is the argument that it is not desirable at the present stage, seeing that our legislation is to a great extent experimental, to fix the tenure of office for any period longer than is sufficient to enable us to get a really good man, and at the same time have an opportunity after the lapse of a few years of reconsidering the determination of this Parliament.

Amendment negatived.

Senator DOBSON

- I move -

That the words, "and inspectors," be omitted.

It must be admitted that we should be doing wrong and passing a mischievous law if we allowed the appointment of these six inspectors, or any number of them, to be made in the same manner, and placed them on the same plane, as the commissioner. Words fail me to describe the very high officer that this commissioner is to be. In fact, I fear that the inspectors will be hardly fit to black his boots. But at any rate, the inspectors would be the right hand of the commissioner. They have no power of initiative whatever. They have nothing to do but report. If honorable senators compare their duties with those of the commissioner, they will grant that the Government have made an error in putting them on the same plane as the commissioner. In another place, the Minister for Home Affairs said that three inspectors would be the outside number that would be appointed at first. I believe we shall find that none will be required. The chief officers of the departments will organize and inspect day after day and hour after hour, and these galloping inspectors are not wanted.

Senator DRAKE

- In the first place, the Bill does not propose to put the inspectors on the same level as the commissioner. The last time this clause was under discussion I had to resist an inclination on the part of honorable senators to put the inspectors on the same level as the commissioner. We were then discussing the question of whether the commissioner should have the power to suspend an inspector, or to determine what his duties should be from time to time. The position I then took up was that it was not desirable that the inspectors should be placed upon the same level as the commissioner, and they are not under this Bill.

Senator Dobson

- The Bill provides that the commissioner or any inspector may be appointed for a term of seven years.

Senator DRAKE

- Another clause provides that an inspector may be suspended by the commissioner, and that the commissioner is to lay down from time to time the work to be performed by all inspectors. This distinctly puts the inspectors in a subordinate position to the commissioner, and that is the scheme of the Bill.

Senator Harney

- How can the inspectors be appointed for seven years if their appointment is terminable by the commissioner?

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Senator DRAKE

- They may be suspended by the commissioner, and if they are so suspended an inquiry will be held into their conduct. It is clear that the inspectors occupy a distinctly subordinate position to the commissioner, and yet Senator Dobson justifies the amendment he has now moved on the ground that he does not desire the inspectors to be placed upon the same level as the commissioner. What Senator Dobson desires is that the tenure of office of the inspectors should be inferior to that of the commissioner. That is quite arguable. I am only saying now that I had previously to argue against the desire to put the inspectors in a higher position than they occupy under the Bill at the present time, and to make the commissioner with the inspectors practically a board of four, six, or seven, as the case might be. If honorable senators think it desirable that the tenure of office of the inspectors should be less than is proposed by the Bill that is quite arguable, and it is their right to say so. I am simply pointing out that the last last time I discussed the matter I had to meet arguments of an exactly opposite character.

Senator PULSFORD

- I hope we shall dispose of this matter very quickly. I do not think that there is a feeling anywhere that these inspectors should, as regards tenure, be in exactly the same position as the commissioner. It is useless to discuss now the question of their position as compared with that of the commissioner in respect of other matters. It seems to me that the inspectors should not be appointed for a term of seven years, and I hope the amendment will be carried.

Senator DRAKE

- I wish to say a word before the amendment goes to a division. I am rather surprised to have heard nothing from those honorable senators who previously expressed an opinion that the inspectors should occupy a higher position than they do under the Bill.

Senator PEARCE

- I do not think that is exactly as we put it.

Senator DRAKE

- Several honorable senators desired that the power of suspension in the case of an inspector should be taken away from the commissioner. I pointed out that the effect of that would be to put the inspectors more nearly on a level with the commissioner. I do not know whether it is desired that the inspectors should be reduced to a lower position than is intended under the Bill. They probably will be the representatives of the commissioner in the various States, and it is desirable that they should have some position which will prevent them from being merely the agents of the commissioner, and which will secure to them a certain amount of independence, in order that they may express their opinions fully and freely after having made an inspection of offices in the various States.

Senator Dobson

- We are giving them practically no power under the Bill.

Senator DRAKE

- The present proposal is not to increase their power, but rather to reduce their independence. I have not heard from Senator Dobson or any other honorable senator what term of years is proposed to be substituted for the term provided by the Bill.

Senator Dobson

- I shall move that three years be the term of the commissioner, and that there shall be no fixed term for the inspectors.

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Senator DRAKE

- I presume that if this amendment is carried, the commissioner will be appointed for a term of seven years, and the inspectors for a shorter term. I should very much like to know what subsequent amendments affecting the tenure of office of the inspectors are likely to be proposed.

Senator PEARCE(Western Australia). - The Postmaster-General referred to what fell from Senator Symon and myself regarding the power of the commissioner to suspend an inspector. We took up the position that the commissioner should not have that power, and that it should rest only with the Governor-General. It does not necessarily follow that we were prepared to accept seven years as the term of office of inspectors, and I feel myself free to vote with Senator Dobson. It is said that this amendment will place them in an inferior position to the commissioner, but I never desired that they should be placed in any other position. My desire was that they should not be merely the creatures of the commissioner, as they would be if he had the power to suspend them when they brought in a report with, which he did not agree.

Senator DOBSON(Tasmania). - My position in the matter is very clear. When the time comes, I propose to move that the Commissioner be appointed for three years, the same term as our Agents-General. I propose that the reference to inspectors shall be struck out of this clause, and that those officers shall be appointed from the civil service. My idea is that they should be kept on just as long as they are wanted, and when they are no longer wanted they can go back into the State service again. There is no use in talking of economy if we are not going to practice it, and to take three or four good administrators from a State to act as inspectors, and find them employment again in the State when they are no longer wanted as inspectors seems to me to be perfectly simple.

Senator Drake

- We cannot do it.

Senator DOBSON

- Then I shall continue to oppose this unnecessarily costly Bill. Unless we take some stand, the Ministry can go outside the civil service and appoint these highly paid officers, and as sure as we are here now, we shall have to compensate some of them to get rid of them. The Minister tells us himself that this legislation is experimental. We know that it is, and when we know also that the States are going back on this legislation, why should we tie ourselves by these appointments. At the salaries proposed we can find numbers of capable men in the service, who will be only too glad to undertake what I believe to be impossible duties, because they will not have the knowledge which will enable them to carry out their duties, and it will be impossible to pump that knowledge into them.

Senator DRAKE

- I should like to say another word in reply to the honorable and learned senator's repeated arguments as to what is being done in the States. The States have had Public Service Boards in order to control vast numbers of civil servants. To a very great extent those civil servants have now passed over to the Commonwealth, and it is necessary for us to have a Commonwealth Public Service Board to look after them. Senator Dobson appears to have some fear that these appointments will be made from outside the service. Why should they be? Does not the very fact that Public Service Boards are being discontinued in the States show that it is likely that men well qualified for, and who have been discharging this kind of work previously, will be available for these positions? There does not seem to be the slightest probability of men being appointed from outside the service. When the honorable and learned senator speaks of taking men from the public service, and giving them such appointments as these, and then sending them back to the State service, it seems to me that he must have forgotten a good deal of what he must once have known with regard to administration. In a previous speech the honorable and learned senator said that men were dying every day. Fancy having to wait for a man in a position worth £800 a year to die, in order to put one of these officers back to the 20 i

State service ! Will not every man who is junior to the officer who has died be looking for promotion ? I know that in the administration of the Post and Telegraph department it is almost impossible to put any one into the department except a junior clerk or a messenger, simply because all promotions must be made from the bottom upwards.

Senator Dobson

- Did not the Postmaster-General say that these appointments would be made from within the service ?

Senator DRAKE

- What I said was that there are a number of men in the civil service of the States at the present time, or who were connected with it until recently, who would be available for this work.

Senator Dobson

- If we desired to do away with the system in three years' time, would not the Ministry be able to send these officers back to the State service in which they were employed formerly ?

Senator DRAKE

- When their term of office came to an end they would cease to be in the service of the Commonwealth, and no wrong would be done to them. That is why we propose to fix the term of office. If we took them over as ordinary members of the civil service, we should have to turn them adrift without making any provision for them, when we found that their services were required no longer. To talk of putting them back into the service does not commend itself to my judgment. I think there should be a certain term fixed, in order to enable us to obtain the services of good men. At the end of the term we should be able to reconsider the position, without doing any injustice whatever to the officers. Whether the period of service should be seven years or less is a matter for argument. The Government consider that seven years is a fair term to fix. It would enable them to get the best men, and they would be in a position to reconsider the whole matter at the expiration of that period.

Senator CHARLESTON

- The Postmaster-General has led us to believe that the various Civil Service Boards throughout the States were appointed from the ranks of the civil service, and that now that they have been abolished the members of those boards are going back to their old positions.

Senator Drake

- I did not say that.

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Senator CHARLESTON

- Am I to understand from the Postmaster-General that the gentlemen who, according to his statement, are available for selection as inspectors, are now out of office and waiting appointment ?

Senator DRAKE

- No ; I did not say that. If the honorable senator will allow me, I will explain. In Queensland there are three members of the Public Service Board. Their term of office has come to an end, and I believe it is not proposed to continue the board owing to the fact that the greater number of public servants have been transferred from that State to the Commonwealth. The Postal department, which is the largest of all, as well as the Customs and Defence departments, have been taken over by us. The officers of the Railway

department have never been under the Public Service Board, and therefore the only departments in Queensland remaining to be dealt with by the Public Service Board are the Education department, the department of Home Affairs, the Treasury, the Attorney-General's department, and the Mines and Lands departments. The professional division of the Education department is not under the board, which exercises control only over the clerical division. The other departments which I have named, although important in some respects, do not employ large staffs of officers. The greater number of civil servants are employed in the Postal and Education departments. The latest information which I have received from Queensland is that two members of the Public Service Board retire on pensions, while the remaining member will be appointed a police magistrate in Queensland.

Senator CHARLESTON(South Australia). - I am now in a better position to understand the Postmaster-General's remarks. These inspectors will only be called upon to organize the departments taken over by the Commonwealth, and judging from my knowledge of one of them, they are already in good working order. The inspectors ' will have to classify the service, so that a man may be able to pass from one department to another, and from one State to another, according to seniority. Classification was always necessary, and surely after that work has been accomplished there will be no need for a commissioner and a staff of inspectors. I fail to see any reason why the inspectors should not be taken from the various State services, so that when they are no longer required they may be returned to the State departments. I am informed that the Treasurer requires a certain number of men for the Audit-office, and that he has asked the Premiers of the several States to recommend those suitable for the work, on the understanding that it will be necessary to reduce the number of officers in the Audit-offices of States owing to the fact that two large departments have been taken over by the Commonwealth. There is no reason why the Postmaster-General should not adopt a similar course.

Senator Drake

- What would the honorable senator do with the men who took the places held by the inspectors in the State services during their engagement with the Commonwealth ?

Senator CHARLESTON

- The vacancies would be filled on the understanding that the inspectors would return as soon as they had completed the work of organizing the Commonwealth departments. Surely we do not require to keep eight or ten men constantly employed in organizing the Commonwealth departments, and determining the position to be filled by John Jones and Bill Smith? Surely we can leave something to the heads of the departments ? We have a Secretary to the Postmaster-General and a Deputy Postmaster-General in each State, and they and the officers under them should be able to determine upon the men eligible for promotion. It should be unnecessary to keep a great staff employed in carrying out that work. If we do, then before the Commonwealth has been in existence very long the whole service will be disorganized. Even if we appoint a commissioner 'there is no reason why the men who assist him should not be taken from the respective State services, at the salaries received by them at the time of transfer, and on the understanding that they will be returned to their old positions when their services are -no longer required by the Commonwealth. In that way we should be able to economize. We are continually talking about economy, but at the same time we are going in for extraordinary expenditure. I fail to see how we are to meet it. We shall make the Commonwealth unpopular by this enormous expenditure. I should like to see the word " inspectors " struck out of the clause. 'Let the commissioner select from the civil service of the several States the men best fitted to assist him.

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Senator Drake

- How could we make any saving by allowing the commissioner to appoint the inspectors from the various State departments ?

Senator CHARLESTON

- There are a number of ways in which savings might be effected. While the inspectors were engaged in the work of organizing the Commonwealth departments, the duties formerly discharged by them in the State departments could be carried out by officers appointed temporarily in their stead. Thus fresh appointments would be necessary only at the bottom of the ladder. I see no reason why we should not strike out the word " inspectors," and organize our departments in a way less expensive than that proposed in the Bill.

Senator FRASER

- I think it is utterly wrong to propose to appoint inspectors for a term of years. It would be not only wrong but unbusinesslike to place them on a high pedestal. They should be placed on the same footing as other civil servants, and appointed in the same way. We should be able to return them to their old positions if they prove unsuitable for the work. Surely in the huge departments of the Commonwealth room could be found for an ordinary civil servant receiving even £800 a year?

Senator Drake

- There is no room in the Postal department for a civil servant receiving £800, or even £400 or £200 a year.

Senator Playford

- We do not want to appoint officers at £800 a year. That is an enormous salary.

Senator FRASER

- Surely there is not to be a hard-and-fast rule preventing the transfer of a man from one department to another? If such a rule is to be enforced, it will lead to heavy expenditure. The producer, who has to pay the piper, is already alarmed. I am speaking of what I know. I am not a child in politics ; and I am well acquainted with the interests of the producer. The people are alarmed at the way in which our expenditure is increasing. These inspectors should not be placed on a pedestal, where they would require men to attend upon them. Let them be ordinary members of the civil service, capable of discharging their duty ; and let us conduct our business in a business-like way. Senator Dobson suggests a term of three years. If the commissioner were appointed for three years and the six inspectors for a short term, an agitation would arise which would overwhelm the Government and the Parliament. It is not sensible to follow that course. Let those officers be appointed just as other servants are appointed, and then if they fail to do their duty they will be amenable to the Ministry and to the Parliament. If I were the Minister, I should not go outside the service unless I were absolutely compelled to do so. The public are alarmed at the conduct of the Government in going outside to secure officers. The inspectors should be selected from the postal or other departments. When men are merely transferred from one position to another in the public service, they require no new tenure. The Government can ascertain what public officers are the most likely to succeed, and if a man does not succeed as an inspector, there is no harm in putting him back in his former position. If the Government take men from outside, and place them on a high pedestal, they will court defeat. A public officer would be a fool if he took the position for only a short term, because by his retirement from the public service he would forfeit certain advantages. The Government would have to offer an enormous salary to induce a public servant to resign his office and take the position of inspector, but transfer him from his present position to the inspector ship and no difficulty of that kind can arise.

Senator DRAKE

- If some sort of tenure is not given it will be difficult to induce any public servant to take an inspectorship. The Government cannot take a public officer out of his position for one, two, or three years, and keep it open for him. The position he leaves is taken by another officer, and so on right down to the lowest rung of the ladder. We cannot say after two or three years that 'this officer is not required any longer as an inspector, and that he is to go back to his old position.

Senator Dobson

- Any equivalent position would do.

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Senator DRAKE

- If we ask a public officer to leave an assured position in order to accept an office where his services may be required for only a limited time, we must offer him a fixed tenure. It is very desirable to appoint really good men, because the inspectors will represent the commissioner in the various States. I believe that the Minister for Home Affairs did say that probably, at the start, it would not be necessary to appoint more than three inspectors. But, still, whether three or more are appointed, they will represent the commissioner in the States. The commissioner must of necessity be located at the seat of Government for the greater part of his time. The inspectors will be the eyes and ears of the commissioner ; they will go through the States and see the work which the officers are doing, and report to him. If it is desirable to have a good strong man in the position of commissioner it is equally desirable to have good strong men

as his representatives in the States.

Senator GLASSEY

- It is a bold proposal to dispense with the inspectors. I am disappointed at some honorable senators in not adhering to the tacit understanding which was arrived at when the matter was fully discussed on a previous occasion. Some honorable senators, notably Senator Fraser, have urged that there are good men in the service of each State. I admit that there are, but how can we expect a public officer who is fairly paid and is not overworked to take the position of inspector unless he has some prospect of improving his position, and is guaranteed a reasonable tenure of office? It has been urged by some honorable senators that, irrespective of the necessary qualifications, because a man had held a position in the State service he should be appointed. I do not agree with that contention, because it is just possible that the man might not have been a first-class or valuable officer. It would be manifestly unjust, not only to the State which he had served, but to the whole of the Commonwealth to put such a person in the responsible position of inspector. I do not agree with Senator Drake or Sir William Lyne that three inspectors would be enough. Considering the work which will have to be performed, the time of six inspectors will be fully occupied during the next five or six years.

Question - That the words "and inspectors" proposed to be omitted stand part of the sub-clause - put. The committee divided -

Ayes 10

Noes 14

Majority 4

Question so resolved in the negative.

Amendment agreed to.

Amendment (by Senator Dobson) agreed to-

That the word "each," line 2, be omitted.

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Senator DOBSON

- I move -

That the word "seven" be omitted, with a view to insert in lieu thereof the word "five."

We appoint our Agents-General for three years, and why should this commissioner be appointed for a so much longer term? As this is an experiment, and we wish to see how it works, we shall have a better opportunity at the end of three years of putting an end to it, if it is unsatisfactory, than at the end of seven. However, as it is not likely that I can carry a proposal to reduce the term to three years, I shall be satisfied if it is reduced to five.

Question - That the word "seven," proposed to be omitted, stand part of the subclause - put. The committee divided -

Ayes..... 12

Noes..... 10

Majority 2

Question so resolved in the affirmative. .

Amendment negatived.

Sub-clause agreed to.

Sub-clause (4) -

In the case of the illness, absence, or suspension of the commissioner, or any inspector, the Governor-General may appoint some other person to act as the deputy of such commissioner or inspector during such illness, absence, or suspension, and no longer; and such person shall, during the time for which he acts as such deputy, have all the powers and perform all the duties of such commissioner or inspector.

Senator Sir FREDERICK SARGOOD

- I notice that there is a slight difference between this clause and section 9 of the Audit Act. The word "incapacity" is omitted. I do not know whether the omission is intentional. The Audit Act reads -

In the case of illness, incapacity, absence or suspension.

I simply want to know why the word is omitted. There must have been some reason for inserting it in the Audit Act.

Senator DRAKE

- These Bills are not necessarily copied from one another, and it does not necessarily follow that because a word appears in another measure it should therefore be in this. Unless some reason is given for the insertion of the word in this sub-clause, it would be better to leave it out.

Senator HARNEY

- It occurs to me that the Audit Act is wrong, and this sub-clause right. If a person is ill, some one can be obtained to take his place. The word illness covers both mental and physical illness. If a person is absent, some one can take his place. His place can also be taken if he is suspended. But " incapacity " must refer to incompetency ; and if a person is incompetent he should be suspended.

Sub-clause agreed to.

Sub-clause (6) -

Out of the Consolidated Revenue Fund of the Commonwealth there shall be payable to the commissioner a salary at the rate of fifteen hundred pounds per annum, and to each inspector a salary at the rate of eight hundred pounds per annum ; and the Consolidated Revenue Fund is to the necessary extent hereby appropriated accordingly.

Senator DOBSON

- I desire to test the opinion of the committee with regard to the salary of the commissioner, I do not expect that he will be a paragon of every virtue, but assuming that he is a thoroughly capable man, there is no reason for paying him more than the Judges and Agents-General are paid by some of the States. In Tasmania we pay our two puisne Judges £1,200 a year, and our Agent-General £1,250 a year. In South Australia, they paid the Agent-General £1,500 formerly, and now they call him a general-agent, and have reduced the salary to £1,200.

Senator Harney

- In Western Australia, where the Judges are paid £1,500, the Government cannot find a suitable man to take a Judgeship.

Senator DOBSON

- If the standard is always to be fixed at the highest rate paid in any of the States, it must result in extravagance, which the smaller States never expected that they would be led into. We have to do the fair thing. We want a man who is accustomed to the civil service, who can organize, and is capable of deciding who is the proper person to take the place of any officer who drops out. A salary of £1,200 would be ample. I therefore move -

That the word "fifteen," line 3, be omitted, with a view to insert in lieu thereof the word "twelve."

Senator DRAKE

- It is very easy to argue a matter of salary one way or the other. If, however, we want to get a good man we must be prepared to pay him liberally. It is impossible to draw the line with any exactness. The Government have to the best of their ability fixed upon the salary which they think it is necessary to pay in order to get the best man available. Most honorable members have insisted upon the great importance of this measure in relation to our civil service. What is a saving of £300 a year in such a case ? For the sake of this £300 a year, we may, if the amendment is carried, miss the opportunity of getting the man we want, and may have to take an inferior man. The commissioner by the judicious exercise of his duties may save an amount altogether out of proportion to the saving that would be effected by Senator Dobson's amendment.

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Senator Lt Col NEILD

- I do not understand why we should be asked to pay a salary of £1,500 for this official when the Government consider a salary of £1,000 sufficient for the Auditor-General, whose duties are very much more onerous than those of the Public Service Commissioner. In the case of this official there will still be Cabinet control, while in the case of the Auditor-General there is no such control. It is probably the most independent official position in the Commonwealth, and if £1,000 a year, is sufficient to remunerate the Auditor-General for assuming an office of such grave responsibility, and an uncontrolled office in which it is possible for him to do great good or to cause great injury, I think £1,000 should be a sufficient salary for this office. I quite appreciate Senator Drake's remarks about getting a better man for a better price, but I heard an interjection, with which I sympathized quite as much, as to whether the work to be performed

by this officer was -worth so large a salary as is proposed. I do not wish to see the efficiency of the departments in any way impaired, but if, with a due regard to the public interest, we can> in a number of instances save £300 or £500 a year, the reductions will tot up to a considerable sum. It must be remembered that wherever an unnecessarily large salary is voted if is invariably an excuse for the payment of an equally large, or a- larger, salary in another case at another time, It will be just as easy to quote £1,500- paid to the Public Service Commissioner as- an example to justify similar extravagance in another direction, as it is for me to quote to-day the salary fixed for the- Auditor-General as. a sufficient salary in tins case. We are compelled, as a matter of duty, to see that, while suitable men are obtained and the public interest is protected, we are not reckless, even of an item of £500 in one salary. I shall vote for the amendment.

Senator FRASER

- I should also vote for a lower salary than is proposed here if the appointment were an ordinary one during good behaviour.

Senator Charleston

- What about the Auditor-General ?

Senator FRASER

- In my humble opinion, the position of' the Public Service Commissioner is more important than that of the Auditor-General. The Auditor-General will not have the power of making large savings and great economies in the same way as this Public Service Commissioner. The Auditor-General does not require to have the varied intellectual powers which should be possessed by this commissioner, if the proper man is appointed. I admit, of course, that the office of Auditor-General is an honorable one, but it is largely technical ; and the Public Service Commissioner must be a first-class all round man, or else he will be a failure. I hope the Government will not appoint a man who is likely to turn, out a failure. If, as I hope,, the Public Service Commissioner will be an officer promoted from one of the existing departments, he will naturally hesitate before he will accept such an. appointment at what may be only a slight increase upon the salary he is at present receiving, because this is an appointment for seven years, and at the end of that term the officer may be compelled to retire. Unless we give some inducement in the shape of a reasonable salary I do not see how we can expect to get a thoroughly capable man. I grant that we might get as good a man for £1,000 as we would get for £.1,500, but that is a matter of chance. The position is a very important one, and the officer holding it should, I think, receive £1,500 a year.

Senator Sir William Zeal

- What about Dr. Wollaston in the Customs department ?

Senator FRASER

- He is * first-class man, but this officer will hold a more important office than even Dr. Wollaston. Dr. Wollaston is- an expert in his own line, but this man must be an expert in many lines. He must be a level-headed, able business man all round, or he will not be fit for the position. I am not in favour of high salaries, and I may say that one reason why I shall vote- for- a salary of £1,500 is that I hope the appointment will be in the nature of a transfer from the existing civil service. If I thought the .appointment was going to be given to a person outside I should not vote for this salary. I think it is utterly wrong to appoint men from outside unless it is absolutely necessary, and in this- case I 'do not think it is.

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Senator Sir WILLIAM ZEAL

- I - I shall propose that the salary for this office be £1,000 a year, because I think it is wrong- that the head of one department should get a larger salary than the head of another department. Senator Fraser talked of the great intellectual qualities the officer holding this position would require to possess, but he will only have to attend- to matters which any man of ordinary common sense could deal with. A man in- the position occupied by Dr. Wollaston requires technical knowledge and high powers of administration, and in my judgment the position occupied by that gentleman is infinitely more difficult than that of the Public Service Commissioner. Honorable members have talked of the great risk these officers will be incurring if they are transferred from an existing department to one of these offices, but I should like to - know what the risk is. The Postmaster-General has, in his opinion, transferred from Queensland an estimable and competent man to be the official head of his department. What chance is there of. Mr. Scott being removed from his position? What chance is there of Dr. Wollaston being removed from the

position he occupies ?

Senator FRASER

- Remember that the appointment is for seven, years.

Senator Sir WILLIAM ZEAL

- That makes no difference. The Government are not going to appoint a 'fool to this office, but I assume that after looking all round the service they will select the man best fitted for the office. This man will run no risk of losing his appointment, and if there is any risk it is only such as Senator Fraser and myself have often had to face. Senator Harney referred to the Judges in Western Australia, and told us that competent men could not be got for the salary paid: Let me tell the honorable and learned senator that in Canada the Chief Justice only gets £1,650. I have not heard that he is an inferior man. The salary does not determine the capacity of an officer.

Senator GLASSEY

- It is desirable that honorable senators should keep in view the great question of economy.

Senator Sir Frederick Sargood

- True economy.

Senator GLASSEY

- That is so. I believe in economy, but I believe in true economy, as Senator Sargood has suggested. The question here is whether it would be true economy to pay £1,000, £1,200, or £1,500 a year. The great thing to be considered is to fix a salary, and lay down conditions with regard to the appointment which will induce a first-class man to take the position. Can we induce a first class man to take the position at £1,000 or £1,200 a year? I have no hesitation in saying that in my opinion this will be- the most important office in the Commonwealth outside the judicial offices. I regard the position of the Auditor-General as one of very great importance, and with Senator Playford I tried to have the salary of that officer increased from £1,000 to £1,500 a year in order to induce a first-class man, to take the position. Still I do not place the Auditor-General and the Public Service Commissioner on the same plane. I think it will be true economy to pay a first class salary for this position, to secure the services of the best man available, whether in, or out of the public service. It must be remembered that this officer will be over Dr. Wollaston and Mr. Scott, and over the department also of the Auditor-General. He will be over the whole of the departments of the public service of the Commonwealth.

Senator Charleston

- He will be over Parliament.

Senator GLASSEY

- No, he can have no power over Parliament - in the language of William Pitt, Parliament is omnipotent. But he will exercise control over all the departments. The Comptroller of Customs Wollaston, receives a salary of £1,200 a year, and surely we could not expect him to pay proper respect to a public service commissioner who received only £1,000 a year. If we fix the salary of the commissioner at £1,000 a year, we shall have a subordinate officer receiving a salary of £200 per annum in excess of that amount. The subordinate officer would naturally consider that his status was higher than that of his chief! What respect could Dr. Wollaston, or Mr. Scott of the Postal department, and other officers receiving an equally high salary, show to an officer appointed over them who received a lower remuneration. It would be true economy to give a first-class salary, and obtain the services of a first-class man. I should be loath to see any civil servant occupy this position. I hope the most capable man will be secured for it, and that the salary will be fixed at £1,500 a year.

Senator CHARLESTON

- When the question of the appointment of Auditor-General was before the committee we were told by the Postmaster-General that a salary of £1,000 a year was quite sufficient for the office, and that a good man could be secured to do the work for that remuneration.

Senator Drake

- I said I believed that the Government would, be able to secure a good man for the office at £1,000 a year.

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Senator CHARLESTON

- Yes, and that because the Government could obtain a good man at that salary, it was unnecessary to

pay more. If a capable man can be secured for the office of Auditor-General at £1,000 per annum, we should be able to obtain a competent commissioner at the same salary. We have a perfect right to say that a good man can be obtained for this office at the salary I have named, in view of the fact that the Postmaster-General has told us that a capable officer can be secured for appointment as Auditor-General at a salary of £1,000 per annum. To make any comparison between the duties and responsibilities of the Public Service Commissioner, and those of the Comptroller of Customs, requires a tremendous stretch of the imagination. The one has simply to see that men are promoted according to seniority and ability, while the other has to deal with a thousand and one most intricate and difficult matters relating to the Customs. Far more ability is requisite to supervise the work of the Customs department than to perform the duties of the Civil Service Commissioner. That officer will have the assistance of all the heads of departments. Practically he will be able to do nothing without their advice. How would it be possible for him to know whether John Jones, in a branch of the service in Western Australia, was more eligible for promotion than Bill Smith. He must depend entirely upon the reports which he receives from his officers, and deal with those reports according to certain principles. The Comptroller of Customs, however, has to decide far more difficult matters. He has to determine what goods are subject to composite duties, what are liable to fixed duties, and many other difficult questions.

Senator Drake

- Has he no one to assist him ?

Senator CHARLESTON

- Yes ; but he has to possess far more technical knowledge than is required for the office of Public Service Commissioner. The commissioner will require little technical knowledge. He will have simply to organize the departments.

Senator Harney

- Will not that require the highest knowledge ?

Senator CHARLESTON

- Of course it will require a wide knowledge of men, and character, and method to organize any great department. Take our railway works, for example. Our chief mechanical engineer, we will say, receives £1,000 a year. He has to organize that department, and he has to possess also the technical knowledge necessary to enable him to design a locomotive, and to keep his department in a state of efficiency. He has to be able to produce the best possible results at the lowest cost. The management of such a department requires a great amount of technical skill, and yet we are able to obtain a man to take charge of it for £1,000 a year. The Public Service Commissioner, however, will have simply to decide, on the reports of his officers, the way in which appointments shall be made. We cannot, in justice to those who have been appointed secretaries of departments at £1,000 a year, give him a salary of £1,500 per annum. It is absurd to say that he will be superior to the Comptroller of Customs, for example. Would he dare to interfere with a decision given by Dr. Wollaston as to what rate of duty should be paid in respect of certain articles? Certainly not. He is superior only in the sense that if Dr. Wollaston decided that John Jones should be promoted in his department, whereas the commissioner considered that Bill Smith was entitled to promotion, his determination would be final. Dr. Wollaston's duties are infinitely greater than those of the Public Service Commissioner, and if the latter interfered with him chaos would reign in the department. If it is decided that the salary of the commissioner shall be £1,500 a year, I shall certainly do my utmost to have the Auditor-General's salary raised to the same amount.

Senator Glassey

- Hear, hear. The Auditor-General's salary is too low.

Senator CHARLESTON

- That is my opinion. But when the Government say that a suitable man can be obtained at that rate of remuneration I am justified in asserting that £1,000 per annum is a salary sufficient for the Public Service Commissioner. Therefore, I shall support the amendment to be moved by Senator Zeal.

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Senator DRAKE

- The arguments against this salary, which have been based on the provision in the Audit Act, are very weak indeed. Senator Charleston told us first of all that the representatives of the Government had said that the Government expected that under the provision of the Audit Act they would, for a salary of £1,000

a year, be able to get a capable officer, and therefore he is of opinion that for that salary we can get a capable Public Service Commissioner. He went on to argue that we are saying the same thing. We are saying something very different, and the action taken by the Government and by the Senate in regard to the Audit Act is certainly not enough to lead us to suppose that we can get a capable Public Service Commissioner for less than the salary proposed in this Bill. The honorable senator has forgotten - and this is very important - the conditions of employment under the Audit Act and under this Bill. The Auditor-General is not to be removed unless on an address presented to the Governor-General by both Houses during the same session. For all practical purposes he is appointed for life at a salary of £1,000 a year. Cannot the honorable senator see the difference between an appointment for life and an appointment for seven years? If we are to appoint a man for a limited period, we must offer him a correspondingly increased salary ; otherwise we shall get no man to take the position. Is it likely that a public officer will give up a position at £1,000 a year to take an engagement for seven years at that salary, or at even £1,200 a year ?

Senator Charleston

- Unless the Government abolish the office, they will not abolish the man. Therefore, he is appointed practically for life.

Senator DRAKE

- Under this Bill, the commissioner is to be engaged for seven years, and, if Parliament should have decided to adopt any other method of public service control, his engagement is to cease at the end of that term.

Senator Charleston

- If he is a good man, what will the Government do with him 1

Senator DRAKE

- We are under no obligation to provide for him.

Senator Charleston

- If the Government retain the office, they will keep the officer, if he is a good man.

Senator DRAKE

- If he is a good man, and the office is retained, no doubt he will have a better chance of getting the appointment than will any other man, but this is one of the chances he has to take. While the position of Auditor-General is one of very great responsibility, requiring very great skill and ability, it is not so onerous as that of the Public Service Commissioner. It does not require the days and nights of work which will necessarily be required from the man who will undertake the organization of the public service of the Commonwealth. There is a great deal to do in the way of classification, That has been done to a certain extent in each State, but we have to harmonize the services of the six States, and produce uniformity in the grading and the salaries. Those who think that that is a work which any one can perform cannot have had sufficient personal experience to enable them to form an opinion. We are told that the permanent heads of the departments have this knowledge. No doubt a permanent head has a considerable amount of knowledge in regard to his own department, but if the transferred services are to be harmonized, we must have one head with strong, well-defined powers, and great organising ability, who will be assisted by the knowledge which is possessed by the heads of the transferred departments. Can we expect to get a man of that character if we cut down the salary to £1,000 or even to £1,200 a year ? We shall not get a man who is commanding a salary of £1,000 a year to accept the position. I do not think we could find a man with the requisite ability in the lower ranks of the State services.

Senator Sir William Zeal

- One can count on the fingers of both hands the men who are getting £1000 a year.

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Senator DRAKE

- If we take all the States I think it will be found that a great number of public officers are getting more than £1000 a year. The head of the Postal department, the head of the Customs department, and the Auditor-General occupy positions which must go on from year to year, so that it is necessary to offer a salary which will tempt a first-class man to give up a position which is not likely to be abolished, and accept the uncertain office of Public Service Commissioner.

Senator Lt.-Col.NEILD (New South Wales). - The speech of the Postmaster-General was a very able one

indeed, but I do not think it quite "fills the bill." There are a great many men who take temporary appointments, and the Minister is a living example of them. I am sure that he abandoned a very much more lucrative position in Queensland to come and serve the country here. I suppose the position had some attractions for him, otherwise he would not have made so great a monetary sacrifice. I can well conceive that many men would be prepared to make a sacrifice for the sake of the position which the Bill proposes to confer. It is a very high position, and, even if there are duties to which attach higher salaries in certain parts of the Commonwealth, it must be borne in mind that many men are very glad to make some sacrifice for the sake of a change of employment. It is quite true that this appointment is to be limited to seven years, but we know perfectly well that if the commissioner does his duty, and his health and strength are preserved, he will be re-appointed. There is no possible chance of a new-chum being appointed to upset seven years of good work by a very good man.

Senator Drake

- If the office is continued?

Senator Lt Col NEILD

.- If it is not likely to be continued do not let us create the office. The States have taken a great deal of trouble in grading their officers, and one man will not be able to achieve very much in their re-arrangement. Surely we shall not make a great many transfers of officers from one State to another.. I think that the Public Service Commissioners in the States have brought affairs into a working compass, and that the new broom will find that there is not very much to sweep up. I have not heard from the Postmaster-General anything to induce me to change the vote I should give had I not paired with Senator Downer.

Question - That the word " fifteen " proposed be omitted stand part of the subclause - put. The committee divided -

Ayes 7

Noes 12

Majority 5

Question resolved in the negative.

Motion (by Senator Sir William: Zeal) proposed -

Thatafter the word "of," line 3, the words " one thousand" be inserted.

Senator PULSFORD

- I think that £1,000 is too low a salary. I am prepared to support the suggestion of Senator Dobson as originally made, that the amount should be £1,200. That would be a reasonable compromise, but I do not think we ought to go below £1,200.

Question - That the words proposed to be inserted be inserted - put. The committee divided -

Ayes 9

Noes 10

Majority 1

Question resolved in the negative.

Amendment (by Senator Dobson) agreed to-

That the blank be filled by the insertion of the word "twelve."

Senator PLAYFORD

- I contend that the salaries of the inspectors ought to be voted annually by Parliament. There ought to be no provision for their salaries in this Bill. It is a mistake to place these officers above the permanent heads of departments by providing for their salaries in a special Act. I move -

That the following words be omitted - "and to each inspector a salary at the rate of £800 per annum."

Senator DRAKE

- If these inspectors are to be the creatures of the commissioner, and not to have any better tenure of office than any ordinary civil servant - say a clerk in the commissioner's office - the words objected to by Senator Playford may be struck out ; but if the committee want the inspectors to occupy a better position - subordinate to the commissioner, but still with a certain amount of independence secured to there - the words should be retained. I understand that it is not the amount of the salary that is objected to.

Senator Playford

- I think £600 is ample.

Senator DRAKE

- It all depends on what position the committee wish them to be in. I understood that there was a desire on the part of the representatives of the States that the inspectors should occupy a position which would secure to them a certain amount of independence as representing the commissioner in the various States. If, however, the committee desire to place them lower than they are placed under the Bill, this amendment will do it.

Senator Sir WILLIAM ZEAL

- I think the Postmaster-General is taking a wrong view of the case altogether. I am sure that the only desire of honorable senators is to make the Government of the Commonwealth as efficient and economical as possible. Are honorable senators aware that amongst the debt-owing countries of the world Australia stands sixth 1 France stands first, Russia is second, and AustroHungary third, whilst Canada stands twenty sixth on the list.

Senator Drake

- And does not own any of her own railways !

Senator Sir WILLIAM ZEAL

- Even if the Postmaster-General takes the railways into consideration, he cannot bring the Canadian debt up to as high a figure as the Australian debt.

Senator O'Connor

- T - The honorable senator might as well compare four pounds of butter and four o'clock !

Senator Sir WILLIAM ZEAL

- The Vice-President of the Executive Council can make these absurd comparisons if he likes, but they do not interest me. The committee should pause before entering upon a career of reckless extravagance which is foreshadowed by the proposals of the Government. There is outside a very uneasy feeling as to the extravagance of the Federal Government.

Senator Stewart

- It is not half so extravagant as the State Governments.

Senator Sir WILLIAM ZEAL

- It is my duty to call attention to a matter which in my opinion involves the future welfare of this Commonwealth. If we enter upon a career of extravagance it will be most difficult to retrace our steps. The Bill originally proposed to pay the commissioner £1,500 and the inspectors £800 a year. That appeared to me to be a grossly extravagant proposal, and I am glad to see that the committee have indorsed that view, and are determined to enforce the question of economy and efficiency on the Government. I entirely agree with Senator Playford's amendment. These inspectors are not idols or gods, but ordinary civil servants who are appointed to distinguished positions. I shall support Senator Playford's proposal. I think these men should have their salaries voted in the same way as the ordinary civil servants.

Senator PEARCE

- I suggest to Senator Playford that he should move to strike out the words " and to each inspector a salary at a rate of," so that if his proposal is defeated we may still propose amendments to decrease the salary proposed by the BUI. I cannot see how it is going to degrade the commissioner or the inspectors to have their salaries voted year by year, or how it would enable them to have their salaries fixed by a special Act of Parliament. We have already, by the amendment made in subclause (2), provided that the inspectors shall be appointed in the same manner as other civil servants, and not for a term of seven years, and seeing that we have made that distinction between them and the commissioner, it will only be logical now to make a similar distinction in the matter of voting their salaries. We have decided that they shall be appointed in the same way as the ordinary civil servants, and their salaries should be voted in the same way also.

Senator FRASER

- The difficulty I see about it is that the salary of the ordinary civil servant is placed upon the Estimates every year without question, and he is not liable to be reduced. I do not see why we should make a special case of these inspectors. If we accept the amendment we shall invite Parliament every year to reduce or increase the salaries. I do not think- that in justice to these civil servants they should be placed

in that anxious position. They would be more likely to do their duty honestly and fairly if their salaries were fixed at a reasonable rate. I think it would be better even to fix the salaries at a lower rate than is here proposed than that they should remain to be voted year by year.

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Senator CLEMONS

- Senator Playford's amendment is to a large extent consequential, and of course we may therefore assume that the Government will oppose it. What Senator Playford urges is that as the committee has already amended subclause (2), so that the inspectors are no longer to be appointed for the term of seven years, we should, to be consistent, refuse to specially appropriate their salaries. The speech! appropriation was provided for chiefly because the inspectors as well as the commissioner were under the scheme of the Bill to be definitely appointed for a fixed period. But as we have decided that that shall not be so in the case of the inspectors, but that they shall be treated as ordinary civil servants, it seems to me that this amendment is consequential.

Senator DRAKE

- The statement of the honorable and learned senator is not exactly correct, because what the committee affirmed by the amendment agreed to in sub-clause (2) was that an inspector should not be appointed for a term of seven years. "We have not affirmed that an inspector should not be appointed for some lesser term.

Senator Clemons

- What are we going to do 1 Is it to be the recommittal dodge again '!

Senator DRAKE

- There will no doubt be plenty of opportunities if it is the wish of the Senate, to provide for their appointment for some term less than seven years. The several honorable senators expressly stated that the appointment should be for a less term than seven years. If the inspectors are to be appointed for a fixed term, there is no reason why they should not have their salaries fixed in the same way as the commissioner.

Senator CHARLESTON

- We clearly understood when we made the amendment in sub-clause (2) that its effect would be to put the inspectors in the matter of their appointment in the same position as other civil servants, and that their salaries would appear on the Estimates annually. The Postmaster-General appears to have indicated that at the earliest opportunity, when the Government think they have a majority, they will move the recommittal of the clause .and endeavour to get the words which the committee has decided to omit, re-inserted. This only shows that we shall be right in striking out these words. We must now insist that the salaries of the inspectors shall not be appropriated by a special Act, but shall appear on the Estimates year by year, and be voted in the same way as the salaries of ordinary civil servants. After the suggestion thrown out by the Postmaster-General, we shall be doing less than our duty if we do not insist upon the amendment.

Senator PLAYFORD(South Australia).Unlike Senator Clemons, I do not blame the Government for sticking to their Bill. I think it a great virtue on the part of the

Government to stick to the proposals they have brought forward. This, however, is really a matter for the Senate to determine, and as we have decided to leave the time for which the inspectors shall be appointed indefinite, it does seem to me very like a consequential amendment to say that their salaries shall be voted by Parliament in the same way as the salaries of ordinary civil servants. There is only one point urged by the Postmaster-General in favour of the contention that the salaries of these men should be a special appropriation, and that is that we want to make them independent. We can make our civil servants too independent. We" may carry' that principle to an extreme. 1 contend that these men should be under the control of the head of this department precisely as officers in every other department are under the control of their head. These inspectors must understand that they are to obey the commissioner and be loyal to him, and that they are not independent. That is just the very thing we do not want them to be. As we expect the commissioner to be dependent upon and loyal to the Ministry who are our executive officers, so we expect the inspectors, his subordinates, to be loyal to him, and not independent of him. It is no degradation to these men to have their salaries voted by Parliament year by year, in the ordinary way, as the salaries of men like Sir Charles Todd, Mr. Outtrim, and the heads of the various departments

in the different States are voted. Are these officers not as independent as they ought to be in spite of the fact that their salaries are voted yearly, and will not these inspectors be as independent as they ought to be, even if their salaries are Voted in the same way ? To place them in another position, and fix their salaries by a special Act of Parliament, is to entice them to be a little proud and stuck up, and to ride the high horse, which nobody wants them to do. I am willing to accept the suggestion of Senator Pearce, and to amend my amendment in such a way as to permit of reductions being moved upon the salary that is proposed under the Bill, should my amendment be defeated.

Amendment amended accordingly.

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Senator DOBSON

- The last remarks of the Postmaster-General foreshadow that Ministers intend to ask for a recommendation of this clause, and as we now have an opportunity of testing the opinion of the Senate I hope we shall see that Senator Playford's amendment is carried - that Ministers may understand that we desire that the inspectors shall not be appointed for any special term, and that their salaries shall be voted annually. I have considerable sympathy with Senator Playford's amendment because it is a step back to ministerial control. We are responsible to the ratepayers for voting their money and taxing them severely, as we are going to do under the Tariff; and we should, therefore, have some control over the seven men who are supposed by Ministers to be necessary - I do not think they are - for conducting the public service of the Commonwealth. Some honorable senators appear to think that, first, one, two, or three inspectors only may be necessary, and that we may afterwards require more. I think, on the contrary, that we may want three or four inspectors at the beginning, when we shall have to classify the civil servants, but, when that is done, we shall not want the inspectors again, unless we are going to regard the chief officers as so incapable that they will require an inspector, like a bank inspector, to be periodically auditing their accounts, and seeing whether they understand their business, and know how to organize their offices. I do not take any such view of the heads of our public service. The departments of the public service are properly organized now, and what we want at the commencement is to have them properly graded and classified, and the salaries allotted to the officers as members of one service. The Postmaster-General has, at last, answered my question, and has admitted that the delicate matter of classifying and grading the salaries of the public servants in each of the six States as members of one Commonwealth service, is to be undertaken by this new commissioner, who will know nothing about it, but what he is told.

Senator Sir Frederick Sargood

- Who else could know more ?

Senator DOBSON

- The chief officers.

Senator Sir Frederick Sargood

- They only know what goes on in their own States.

Senator DOBSON

- That is the very point I am coming to. This re-grading can only be done by the man who knows one particular State acting in conjunction with other men, whether they be chief officers, permanent officers, or inspectors. They must act loyally and honorably, and they will have to take one another's word. When they see a man named " A " in one State with the same length of service as " B " in another State, they will have to take one another's word as to which of the two is better qualified. There must be a great deal of guesswork. The idea in proposing that there should be six inspectors is that there should be one inspector for each State. While I desire to secure on behalf of Tasmania a fair share of the plums and good billets, I cannot help saying that we do not want an inspector. We have not got sufficient work for him.

Senator Keating

- Oh, yes, we have.

Senator DOBSON

- Then all I can say is that my honorable and learned friend has a very poor opinion of the chief officers of the Customs and Postal departments. In my opinion, there will be no work in Tasmania for an inspector to carry out unless he makes work for himself. If we have one inspector for each State, and each one spends weeks or months in examining the civil service, conferring with the chief officers, and obtaining all

the information available in the State for which he acts, what will be the position when they all meet 1 The result will be what Senator Sargood has pointed out. Each inspector will know a great deal about the civil service in one State, but nothing at all about the civil service in the others. We shall thus have six inspectors, and the new commissioner - whose ignorance about the matter will be dense - in the same position as our present chief officers. Why cannot we have a temporary board, with a chairman appointed temporarily from outside, at a remuneration of £1,000, or more, to do the work of classification 1 They could sit for two or three months and carry out the whole work once and for all. What occasion is there for this cumbersome Bill 1 I would ask the Postmaster-General how he expects this classification to be brought about. It certainly is important work. It affects the salaries, and grades in the service, and position in life, of thousands of our civil servants. Therefore I shrink from giving to one man, who will be absolutely ignorant of what is required, a power which should be left to the chief officers, who have grown up in the service, for 20 or 30 years, with the very officers who have to be graded. What is the procedure to be adopted 1

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Senator Barrett

- That has nothing to do with the question of salary.

Senator DOBSON

- Certainly it has. The Postmaster-General admits that the inspectors must make inquiries from the chief officers, but why should we pay men high salaries for making inquiries from the very officers who know exactly what is to be done? The proposal is monstrous. Are these inspectors to be auditors, just as bank inspectors are ? No. Are they going to be responsible for the discipline of the department ? No.

The CHAIRMAN

- I would remind the honorable and learned senator that there is only one question before the Chair, and that is whether the salaries of these officers should be specially appropriated or not. Their duties have been discussed almost ad nauseam.

Senator DOBSON

- All that I desire to add is that I am in favour of Senator Playford's amendment, because it proposes to place Parliament and Ministers in their proper position. It would require Ministers to suggest to us whether we should continue to employ six, or four, or any inspectors. It would enable Parliament to consider the work that these inspectors were doing, and when we knew the value and the result of their work, we would be in a position to say Whether their salaries should be voted or not. Let them be "taken, as they can be, from the civil service ; and let the Premier of each State be consulted before any outside appointment is made. I shall not vote for any outside appointment unless it is shown that it is absolutely impossible to obtain the officer required from within the service. If we carry Senator Playford's amendment, Parliament will be placed in its right position.

Senator STANFORTH SMITH

- We heard last night a great deal about a two-edged sword, and it seems to me that that sword is being used to-day with great effect. It is rather significant that those honorable senators who favour a reduction of the salaries and an alteration in 'the duties and term of service of these officers are those who opposed, in the first instance, the appointment of a commissioner and inspectors. We have the admission from Senator Dobson that this amendment would, to a certain extent, bring the service under parliamentary control. In view of the fact that it has been decided that we should ; have a commissioner and inspectors, and that we should do away with political ' influence while retaining parliamentary control, it appeal's to me that the objection of some honorable senators at the present juncture is to endeavour to nullify the scope of this Bill by making certain alterations as to the tenure of office and salary of these officers. In that way they would revoke the vote which was given previously by a much larger committee. Senator Playford has said that the inspectors should not be independent. The very object of appointing them, and endeavouring to fix the tenure of their office and salary, is to make them independent, not of the commissioner, and not of Parliament, but independent of the chief officers in the various States.

Senator Playford

- They will be in- dependent of them in any event.

Senator STANFORTH SMITH

- What will be the object and functions of these inspectors? In the first place, they will have to visit the

various-States. They will find in six different States six different systems, working under six different Acts, and they will have to report on all these systems.

Senator Clemons

- They will not go to every State.

Senator STANIFORTH SMITH

- There will have to be one inspector for each State.

Senator Clemons

- But they "will not go to every State.

Senator STANIFORTH SMITH

- The honorable and learned senator seems to know more than the Bill says in regard to that point. I do not know whether it is intuition or merely his own idea of how the Bill should be administered. If there is to be a proper system of classification there must be a report as to the systems which are carried on in the different States, and one system will have to be instituted for the whole Commonwealth. If an inspector is not made independent, how will it be possible for him to furnish a report condemning the system in force in any -State. If he is made subordinate to the chief officer, it will be very difficult for him to do so. He will be employed like any other civil servant, and undoubtedly he will raise a storm of dissent if he condemns a system which has been working in one State for perhaps 40 or 50 years.

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Senator Dobson

- I do not understand what the honorable senator means by a system.

Senator STANIFORTH SMITH

- That is not my fault. There is a different system in each State.

Senator Dobson

- But the service has to be classified.

Senator STANIFORTH SMITH

- There is to be one uniform system. The civil service of the different states is being carried on in absolutely dissimilar ways.

Senator Playford

- There is precious little difference.

Senator STANIFORTH SMITH

- If the honorable senator reads the various Public Service Acts - which, apparently, he has not done - he will see that the systems are very dissimilar. A great deal of work has to be performed in organizing the service.

Senator Dobson

- The service does not want organizing. It requires only to be classified.

Senator STANIFORTH SMITH

- I wish the honorable and learned senator would allow me to proceed. He has asked someone to say what the inspectors will be called on to do, and I am pointing out what their duties will be.

The CHAIRMAN

- I am very glad the honorable senator has mentioned that fact, because I propose to stop him from doing so.

Senator STANIFORTH SMITH

- Senator Dobson spoke just now for a quarter of an hour - it was about his sixth speech during the day - and he did not touch upon the question of tenure. Unless we know what the duties of the inspectors are to be, how can we determine the question of their salary ?

The CHAIRMAN

- The question of salary is not involved. It is a question whether the salaries should be specially appropriated or not.

Senator STANIFORTH SMITH

- It is a question of appropriation of salary, and I am endeavouring to point out why it is necessary that these inspectors should be independent. If they are not independent, they will not be fearless in condemning abuses which have crept up in the different States.

Senator Playford

- Independent of whom?

Senator STANFORTH SMITH

- Independent of heads of departments.

Senator Playford

- They will be independent of them whether their salaries are specially appropriated or voted annually.

Senator STANFORTH SMITH

- It is not necessary that these inspectors should have a fixed salary and fixed tenure of office if they are to do their duty fearlessly, just as it is necessary in the case of the commissioner. Many honorable senators who have addressed themselves to this question do not appear to have allowed their mental horizon to extend beyond the State from which they come.

Senator Playford

- The honorable senator should speak for himself.

Senator STANFORTH SMITH

- I think I am speaking for a number of honorable senators, including my honorable friend. Some honorable senators appear to prefer the system in force in their respective States. They do not see that when we have conflicting and varying systems in all the States a change is required. For instance, if a man established a bank in Melbourne he would not require to appoint inspectors, but if he found it necessary to open branches in the capital of each State he would need their services. "When this alteration is made, it will be necessary to have inspectors. One honorable senator has made some very weighty and statesmanlike arguments relative to the national debt of Australia, as bearing upon the point whether inspectors should be paid £800 per annum or less.

Senator Sir William Zeal

- I did not make any such comparison.

The CHAIRMAN

- That question is not before the chair.

Senator STANFORTH SMITH

- I am replying only to an argument which has been advanced on this question since the adjournment.

The CHAIRMAN

- That point was raised on the question as to the salary of the commissioner. At present we are dealing simply with the question whether there should be a special appropriation or not.

Senator STANFORTH SMITH

- If these inspectors are not made independent they will not carry out the drastic changes necessary. I sincerely hope that the committee will not use the two-edged sword which has been spoken about so much, and endeavour to wreck the Bill simply because they were beaten on another matter yesterday.

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Senator STEWART

- I am astonished at the spirit of levity in which some honorable senators seem to approach this important question. It is apparent that they do not fully realize its importance. Senator Dobson says that the only things which the commissioner and the inspectors will have to do is to classify the public service. If I held that opinion I should oppose the Bill tooth and nail; but they will have something more to do. When I was discussing the appointment of the commissioner, I said I should endeavour to place the inspectors in a position of complete independence. Let us not try this experiment in a half-hearted manner. I heard one honorable senator say - "Make the inspectors independent." They cannot be independent in the fullest sense of the word, because the Bill contains provisions for dealing with the commissioner and inspectors. I had some sympathy with the amendment of Senator Playford until I began to examine what the result of its enactment would be. He said it would not do to place the inspectors in a higher position than ordinary civil servants, because they would get proud and look down on their fellow officers. The very thing we wish to do is to make the inspectors perfectly independent of civil servants.

Senator Sir William Zeal

- Would the honorable senator pay them an extravagant salary then?

Senator STEWART

- We are not discussing the question of salary at this moment, and the honorable senator will get every assistance from me in cutting down expenditure at all points. If we appropriate the salaries of the

inspectors in this Bill the amounts will appear in a schedule on the annual estimates and cannot be interfered with. It is very desirable that their actions should not be liable to annual discussion in Parliament. The idea is to place them in such a position of independence of outside influence that if they are honest and patriotic, they will do the best they can for the community.

Senator Playford

- And if they did Parliament would not interfere with them.

Senator STEWART

- It is very possible that some Members of Parliament would try to interfere with them. If some members want a favour from an official, and he is not so amenable as they like, they carry their ill - feeling on to the floor of the House.

Senator Sir William Zeal

- Does the honorable senator speak from experience ?

Senator STEWART

- I speak from experience.

Senator Sir William Zeal

- I have never seen anything of that kind.

Senator STEWART

- Then Victoria is the only spot on the face of the globe where it has not happened. I know that Members of Parliament are continually urged by constituents to secure billets for this man or for that man. Instead of being anxious to revert to the old system of Ministerial control and political patronage, honorable senators should be glad to institute the new system. I am going to support the Government in their effort to clear out political influence, and parlour influence. Honorable senators have placed the commissioner in a position of complete independence, but they propose to emasculate the scheme of non-political control by reducing the inspectors to subordinate positions. The inspectors should be able to move amongst the officers of the departments subject to no control by the heads, and free to criticise them, too.

Senator Clemons

- Does that depend on a special appropriation ?

Senator STEWART

- I do not think so. I do not favor special appropriations on ordinary occasions. It is not contemplated that the inspectors shall be ordinary civil servants, or that they shall do ordinary civil service work. It is the extraordinary nature of their position which calls for this extraordinary provision. I shall support the Government.

Senator DRAKE

- It would be interesting to know what the committee wants. We know very well what Senator Dobson wants, because he has told us that he would like to kill the Bill.

Senator Dobson

- This part of it.

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Senator DRAKE

- There are other honorable senators who have not told us what they want, but who clearly wish to help him. What is the ordinary idea in regard to the Public Service Board ? Is it not looked upon as a semi-independent body to come between the Ministry and the great body of public servants? The commissioner with the inspectors to assist him is a substitute for a board. What Senator Playford desires is a commissioner who shall be loyal to the Ministry, and inspectors who shall be loyal to the commissioner. If his idea were carried out what hope could we have that there would be anybody to interpose between the Ministry of the day, and the great body of public servants ? Honorable senators have reduced the salary of the commissioner, and they now propose to lower the status of the inspectors by refusing to appropriate their salaries in this Bill. If they persist in that course they will emasculate the Bill in such a way that they may give up all hope of having a commissioner occupying the position of a board that will be able to control the public service free from political influence. If the efforts of these honorable senators are successful they will eventually wreck the Bill.

Senator CHARLESTON(South Australia).I always thought that it was the duty of the representatives of the Government to assist the Chamber in carrying out its expressed wish. The clear wish of the

committee this afternoon was that the inspectors should not hold any special appointment under the Bill, and, as a consequential amendment, we ought to strike out the words indicated by Senator Playford ; otherwise, we shall say in one part of the clause that the inspectors shall not be appointed for a special term, and in another that their salaries shall be so much every year'. If the salaries are to be appropriated in this manner, the Parliament will have no control over them. We contend that the inspectors should not be placed in that position, because this is really an experiment. We believe that their work will soon be finished, and that, therefore, their salaries should be voted on the annual Estimates. That, I contend, is consistent with what the committee did in the early part of the evening.

Senator O'Connor

- S - So as always to keep the fear of a Member of Parliament in the mind of the inspectors.

Senator CHARLESTON

- What non sense ! I understood from remarks made by members of the Government that the men appointed as inspectors were to be above all possible suspicion of being approached by any Member of Parliament or any other person. They were to be ideal men.

Senator Drake

- That is the intention of the Bill, which the honorable senator is trying to thwart.

Senator CHARLESTON

- No; we are trying to limit unnecessary expenditure as much as possible. We contend that this Bill will entail an expenditure altogether inadequate to the services that the Commonwealth will receive, and that being so, we are of opinion that at least the salaries of the inspectors should be voted annually.

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Senator Sir FREDERICK SARGOOD

- Is not the honorable senator asking the committee to stultify itself? In the first part of the clause we have already decided that there shall not be more than six inspectors - not " may " be, but " shall " be. Now, we are asked in this sub-clause to provide that the salaries of these inspectors shall be provided by special appropriation. If instead of a special appropriation the salaries are voted annually, it will simply mean that Parliament may undo what we have already decided shall be done. My own feeling has been from the first that the inspectors should be on all fours with the chief commissioner, so far as appointment and tenure are concerned, and' certainly there should be a special appropriation for their salaries.

Question -That the words proposed to be omitted stand part of the sub-clause - put. The committee divided -

Ayes 12

Noes 9

Majority3

Question so resolved in the affirmative:

Amendment negatived.

Amendment (by Senator Pulsford) proposed -

That the word "eight," line 8, be omitted with a view to insert in lieu thereof "six."

Question - That the word proposed to be omitted stand part of the sub-clause - put. The committee divided -

Ayes 9

Noes 11

Majority 2

Question resolved in the negative.

Senator GLASSEY

- I move -

That the blank be filled by the insertion of the word "seven."

I move this amendment by the way of compromise. The blank created wants filling up, and I think Senator Pulsford might be content to allow the salary to stand at £700.

Senator Pulsford

- I shall accept that suggestion.

Senator PEARCE

- I should like to point out that there is provision made for travelling expenses for these inspectors as well

as salary.

Amendment agreed to.

Sub-clause (7) -

The commissioner may at any time exercise and perform all or any of the powers, duties and authorities of inspectors.

Senator PULSFORD

- I shall be glad to have some explanation of this sub-clause. It seems to me that the commissioner must necessarily have the power, if he chooses to exercise it, to do any work which may be performed by his subordinate officers. Surely he may do that without special leave under an Act of Parliament ?

Senator DRAKE

- Clause 8 is a long clause which deals with the powers of inspectors. I think it is right that we should make it perfectly clear that the commissioner may himself exercise any of those powers if he chooses to do so.

Sub-clause agreed to.

Clause as amended agreed to.

Clause 6 -

The commissioner or any inspector may be suspended from his office by the Governor-General, but shall not be removed from office except as hereinafter provided.....

Senator PLAYFORD

- There may be some reason in the proposal that the commissioner shall only be suspended by the Governor-General, but why on earth should we put the inspectors in the same position? They are subordinate officers, and I do not know why they should be put, head and shoulders, over the heads of the civil service in this matter. I move -

That the words "or any inspector," line1, be omitted.

Senator DRAKE

- This is exactly the same question as we have been discussing all these weary hours and days. The question is whether an inspector is to occupy a position of semi-independence or is to be at the mercy of any Member of Parliament who may choose to attack him. This subclause provides that an inspector may be suspended by the Governor-General, but, in that case, a statement of the reasons for his suspension is to be laid before Parliament, in order that Parliament may judge whether the power of suspension has been properly exercised. I understand that what Senator Playford objects to is not the power of suspension but the special provision that if an inspector is suspended a statement of the cause of his suspension must be laid before Parliament.

Senator Playford

- I never said anything of the sort, and the honorable and learned senator has no right to insinuate that I did.

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Senator DRAKE

- I am not making any insinuation. If the amendment is carried, the provision to which I refer will not apply to inspectors, and I am therefore making not an insinuation but a statement of fact. The question for the committee to decide is whether these inspectors are to be placed in a position in which they may be able to carry out the duties laid upon them without any fear of the consequences which may happen to them through political influence.

Question - That the words proposed to be omitted stand part of the clause - put. The committee divided -

Ayes 13

Noes 7

Majority... .. 6

Question so resolved in the affirmative.

Amendment negatived.

Sub-clause agreed to.

Sub-clause (3) -

The commissioner or any inspector so suspended shall be restored to office by the Governor-General unless each House of the Parliament within 42 days after the day when such statement is laid before it

severally declares by resolution that the said commissioner or inspector ought to be removed from office ; and if each House within the said time so declares the said commissioner or inspector shall be removed by the Governor-General accordingly.

Senator DOBSON

- I shall be glad to hear from the Postmaster-General whether there is a precedent for this subclause in the form in which it stands. But even if there is, I shall still think that it has been drafted in a wrong way. Surely if Ministers suspend the commissioner it will be a Ministerial act of grave responsibility, and should stand as correct until the contrary is proved. Instead of providing that if nothing is done on the report of the suspension to Parliament, the commissioner shall continue in his office, it should be provided that the suspension shall stand unless Parliament carries a resolution disapproving of it. I think that Ministers are unwise in their own interests in submitting the subclause in the form here proposed. I could understand an Opposition, but not a Government, making such a proposal. Ministers must take the responsibility of suspending the commissioner, and if they have done an unjust act they will certainly find it out. But in order to discover the minds of the representatives of the people on the question, the clause ought to lay upon Parliament the necessity of carrying a resolution that the Ministerial act was not warranted.

Senator Drake

- Which would be a vote of censure upon the Ministry.

Senator DOBSON

- It would be a vote of censure, but why put it in that way?

Senator Drake

- It is the honorable and learned senator who wants to put it in that way. If Parliament does nothing, the man is restored.

Senator DOBSON

- The man is restored without any inquiry whatever. If Ministers suspend a commissioner, the wires are pulled ; the friends of the commissioner use their influence ; nobody does anything, and the man is restored automatically by a policy of silence. Is that responsible government ? I do not understand the clause perhaps, but I may indicate the amendment I desire to move -

The Commissioner so suspended shall not be restored to office by the Governor-General unless each House of Parliament within 42 days after the day on which such statement is laid before it, severally declares by resolution that the suspension of the commissioner was not warranted, and if each House within the said time fails to so declare, the said commissioner shall be so removed by the Governor-General.

That appears to me to be the proper way of putting it.

Senator Sir Frederick Sargood

- This is a copy of a provision in the Audit Act which we have already passed.

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Senator DRAKE

- As Senator Sargood has pointed out, there is a precedent for this in our legislation of this session, and I see by the side-note to the sub-clause that it is taken from the Queensland Act. But quite apart from that, so far as the substance of the matter is concerned, I think the course followed here is the correct one, because if we adopted the alternative proposal suggested by Senator Dobson, it would mean that when a man was once suspended by the Ministry he could not be restored unless Parliament passed what would be practically a vote of censure upon the Ministry who suspended him. If, in the terms suggested by Senator Dobson, a resolution were passed by both Houses saying that the act of the Ministry in suspending the commissioner was not warranted, it would make the position of the Ministry very uncomfortable, and Parliament would hesitate before it passed such a resolution, unless it desired to turn the Ministry out of office. . The system adopted here is that, where a commissioner is suspended, 42 days are allowed in order that Parliament may take any action it desires to enforce the suspension. If nothing is done during the 42 days, the commissioner will go back to his office. I think it is undesirable to require that Parliament shall pass an address censuring the Ministry before a suspended commissioner can be restored to his office.

Senator DOBSON(Tasmania). - The honorable and learned senator has not dealt with two points. First of all, I take it, that if Ministers think themselves justified in suspending a, commissioner, they ought to see

the resolutions are passed by Parliament, and on the other hand, if after suspending a commissioner, honestly believing they had very good reasons for doing so, they find upon further inquiry that the officer did not deserve suspension, they could move in the matter themselves, and no vote of censure would be passed upon them. They might say - "Ave have inquired into the matter, and though the circumstances looked suspicious and the commissioner did not explain himself or justify himself when first communicated with, he has done so now to our satisfaction," and upon that statement Ministers could themselves bring in a resolution to prevent his dismissal.

Senator CHARLESTON

- Ministers appear to me to be placing themselves in an extraordinary position. Assuming that they had decided that the commissioner had done something which justified his suspension, the clause provides that if after he is suspended Parliament does not pass a resolution confirming his suspension, he must go back to his position. What would then be the position of Ministers with regard to that commissioner? He could simply snap his fingers at them. The effect of this sub-clause will be to destroy all Ministerial control. We have what we call responsible Ministers, we are paying them high salaries, and they hand over their duties to a commissioner who is a buffer between them and Parliament. Now we find that if they think it necessary to suspend the commissioner, and Parliament does not take the matter up, he can snap his fingers at Ministers and go back to his place. I contend that under this subclause Ministers are lowering their own position, and making themselves subordinate to an officer whom they should control.

Senator PEARCE

- I would point out to Senators Dobson and Charleston that if Ministers suspend a commissioner, their first care will be to put themselves right, and to justify their action. They will take very good care that Parliament does pass the necessary resolution. I think, therefore, that the honorable senators to whom I refer are needlessly apprehensive as to what will happen.

Senator PLAYFORD

- I think that this proposal will throw undue responsibility upon the Government. They take the responsibility of suspending a commissioner, and then they lay all the necessary facts before Parliament. The clause provides that if after a certain number of days no action is taken, Mr. Commissioner walks quietly back into his office again. I think the position ought to be reversed in fairness to the Ministry, not because, as Senator Charleston says, they are not accepting the responsibility, but because I think that in this case the Ministry are taking a responsibility which is perfectly unnecessary. The proper course to adopt under these circumstances would be for the Government if they believed that a commissioner had done something which warranted his suspension, to advise the Governor-General to suspend him. They should then submit the facts to Parliament, and it should lie upon the commissioner and his friends to show whether the action of the Government was right or not. If nobody moved in the matter, then, after a certain number of days, the dismissal of the commissioner suspended should follow automatically, and as a matter of course. The amendment would compel the Ministry to move a motion which would cause a debate, possibly a very long one, whereas, if that duty had not been cast upon them, the matter would have gone by default. The facts laid upon the table by the Ministry would be of such a character as to satisfy the Houses that they were acting properly. There is no necessity to throw upon the Ministry the responsibility of action. If they have acted rightly, they can prove that by the papers which they submit, and the facts which they bring forward, and throw the responsibility of any action upon the commissioner and his friends.

Senator Sir FREDERICK SARGOOD

- I am unable to follow Senator Playford in his remarks, and I am rather surprised to find an old Minister arguing as he has done. What are the facts of the case? 1 The Ministry suspend an officer on what they believe to be good grounds. They then report their action to the Parliament, and the natural consequence is for them to move that the Houses agree with their action.

Senator Playford

- Ask for a vote of confidence.

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Senator Sir FREDERICK SARGOOD

- It is the ordinary course. Surely my honorable friend does not want to encourage an officer who has been suspended to bring political influence to bear on members of the Opposition to worry the Ministry.

Senator PLAYFORD

- He will do that under any circumstances.

Senator Sir FREDERICK SARGOOD

- He may, but there is no necessity to throw upon him the duty of doing it. It is not a novel proceeding for the Ministry to move that the Houses agree with their action ; it is not asking for a vote of confidence, but is simply asking the Houses to indorse their action. It appears to me to be a common-sense procedure

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Senator GLASSEY

-If honorable senators will reflect for a moment they must see that the suggestion of Senator Playford is absolutely impracticable. In whose hands is the conduct of the business of the House? The Ministry control and supervise the ordinary business of the House, and it is only on certain days that private members can initiate any proposal. Supposing that the commissioner or an inspector is suspended, the Ministry must of necessity inform Parliament of the causes of suspension. Does it rest with any private member to move that the papers be taken into consideration to decide whether the officer should be restored to his position ? When would a private member be able to submit a motion of that kind ? In the early part of the session he might get a chance, but in the ordinary part of the session he could only move the adjournment of the House, which would result in an academic discussion. I am quite sure that Senator Playford will realize that his suggestion cannot be carried out.

Senator DOBSON(Tasmania). - I have not been affected by the arguments I have heard, and in order to test the matter I move -

That the word "not" be inserted after the word "shall," line 2.

Senator Glassey has said that the suggestion which Senator Playford and myself make is quite impracticable. I see no difficulty in the way of its being carried out. Supposing that the Ministry suspend a highly-paid officer on, I presume, very good grounds ; if the Ministerial responsibility is to be worth anything, the suspension ought to be annulled or the officer ought to go. We must assume that the Government, which has a majority at its back, formed a correct judgment and had cause to suspend the officer.

I cannot help the fact that political patronage may be used in this instance, because you have to come to Parliament. We ask that the officer shall have the right to lay his case before Parliament through a member, and if it likes to say that his suspension was unwarranted or passes a vote of censure that is not our fault: that is responsible government. The Ministry are responsible for the good government of the Commonwealth, and if they without just cause suspend an officer they must take the responsibility of their act. Let us look at the method prescribed in the sub-clause. Of course in nine cases out of ten the Government would take steps before the 42 days expired to get Parliament to confirm the suspension. But is it responsible government for Ministers to keep running to Parliament for a confirmation of their act in suspending or dismissing a civil servant ? In the tenth case the Ministry might see that they had made a mistake, and by a mere conspiracy of silence the suspension would be set on one side, and the man would be reinstated automatically by the sub-clause as if he had done nothing. Can the Postmaster-General justify a provision of that sort ? The ' Audit Act may contain a similar provision, but as the Auditor-General stands on a different plane from any other civil servant, I do not regard his case as analogous in any way. Dealing with an ordinary civil servant, can Senator Drake justify a provision that Ministers shall not take the responsibility of a Ministerial Act but shall come to Parliament for a confirmation or disapproval? The Bill has been framed to get rid of Ministerial responsibility, to place public servants in such a position that they cannot get justice, and to deprive Ministers of their power and Parliament of its control to a certain extent. Under this provision the silence and inaction of the Ministry may reinstate the suspended officer. Is that the way in which an English Ministry should act ? I ask the Postmaster-General to cite an authority other than the section in the Audit Act for this provision.

Senator MCGREGOR(South Australia). I hope that Senator Dobson will not press his amendment because there is really nothing to fight about. It does not make one bit of difference as to which way it is done. If the amendment had appeared in the clause it would have made no difference.

Under the sub-clause, if the commissioner is suspended all the particulars have to be laid on the table of each House. A suspension always precedes an investigation, and, if at the preliminary inquiry the Government ascertain that the suspension was not justifiable, then no action will be taken and naturally

the officer will go back to his position. On the other hand, if, at the preliminary inquiry, it is found that dismissal is justifiable, of course action will be taken under the Act. If the sub-clause were worded, as Senator Dobson would desire, the same thing would occur, but in another way. The Governor-General would suspend the officer ; the causes of suspension would be laid before each House, and some member in the interests of the officer would move that the suspension was not justifiable, and if he proved his case the officer would go back to his position. No matter in which way it might be done, the same result would be arrived at.

Senator DRAKE

- Senator Dobson asked me if I had any precedent for this provision. The precedent, which is quoted in the side note, is almost verbatim the same as the sub-clause. The Queensland Public Service Act of 1896 contains this provision -

A member of the board who has been suspended shall not be removed from office unless the Legislative Council and the Legislative Assembly, within 42 days after the day when such statement is laid before them respectively, severally declare by resolution that he ought to be removed from office ; and, if within that time the Legislative Council and Legislative Assembly severally so declare, the member shall be removed from office by the Governor in Council accordingly.

Senator Sir Frederick Sargood

- Is not that the same as the provision in the Victorian Railways Act ?

Senator DRAKE

- Very likely it is, but I have not the Act handy.

Senator Dobson

- Is it not contrary to the ordinary rules of responsible government?

Senator DRAKE

- My honorable and learned friend asked me if I could find any precedent for the provision, and I am responding to his request. Section 6 of the Public Service Act of New South Wales is also nearly the same as the sub-clause -

A member of the board suspended under this section shall be restored to office unless each House of Parliament shall, within 21 days from the time when such statement shall have been laid before it, declare by resolution that the said member ought to be removed from office, and, if each House of Parliament shall, within the said time, so declare, the said member shall be removed by the Governor accordingly.

The provision in section 7 of the Audit Act is as follows : -

The Auditor-General so suspended shall be restored to office unless each House of the Parliament within 42 days after the day when such statement is laid before it and in the same session pass an address to the Governor-General praying for his removal.

That, I believe, is substantially the same as the provision which appears in the Acts of New South Wales, Tasmania, Victoria, Queensland, Western Australia, and South Australia. All the precedents are against my honorable and learned friend. His proposal may have the charm of novelty, but that is about the only merit it has. The reason which seems to me strongest against its adoption is that a suspension, in order that it might not take effect, would have to be supported by a resolution of each House - virtually a vote of censure against the Ministry for their act. Under the sub-clause the causes of suspension are to be reported to each House, and each may take such action as it pleases. If it considers that the officer should be removed from his position it may pass a resolution to that effect, but if it should take no action within 42 days he is to be restored to office. Surely that is a more correct principle to go upon ?

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Senator Sir WILLIAM ZEAL

- I would ask Senator Dobson to withdraw his amendment, because there is not much difference between the two methods. I do not think that his proposal should be characterized as it has been by Senator Drake, merely because it throws upon the Government the responsibility for their action. Supposing that a malicious Government suspended a civil servant and failed to take the initiative which the Act prescribes - a stigma would be thrown on the officer through their neglect. They might see that they had done wrong, but they might be sufficiently strong in Parliament to burke an inquiry, and thus the civil servant might continue under the stigma. On the other hand, if the circumstances warrant it, Senator Dobson's proposal is much fairer to the civil servant, inasmuch as it casts upon the Government the responsibility of

suspending him. If a Government were malicious, I am satisfied Parliament would call upon them to justify their act. Parliament would not permit any indignity to - be cast upon a civil servant, such as Senator Dobson suggests.

Senator DOBSON(Tasmania)* - I have much pleasure in withdrawing the amendment, because I now see that there are some reasons for the clause as it stands.

Amendment, by leave, withdrawn.

Sub-clause agreed to.

Sub-clause (4) - (Transfer of inspector to office).

Senator DOBSON(Tasmania). - Does not this sub-clause require an amendment? At the end it refers to the tenure of office of the inspector: Formerly, the Bill provided that he was to hold office for seven years, but as we are not going to appoint him for that term, and as the idea of the committee appears to be that he shall be appointed as an ordinary civil servant, I think some amendment is required.

Senator DRAKE

- I do not think the point is of much importance, because the inspector might be appointed for a term of years even if no provision were made in this measure.

Sub-clause agreed to.

Sub-clause (5) - (Suspension of inspectors).

Senator PEARCE(Western Australia). - I must raise the question of whether it is advisable that the commissioner should have power to suspend an inspector. If he suspends an inspector "for any of the causes for which an officer of the special division is liable to be suspended under this Act," and if in that case the inspector is to be tried by a board, as provided by clause 47, I would draw attention to the fact that the board of inquiry is to be appointed by the commissioner. So that on the one hand there is a suspension by the commissioner, and then the inspector suspended is to be tried by a board appointed by the same commissioner. Surely some amendment is needed.

Senator Drake

- "We can deal with it when we reach clause 47.

Senator PEARCE

- But if this clause is passed we shall have decided that "the like action shall be taken," and in that case it will be necessary to recommit the Bill for the purpose of altering this subclause.

Senator DRAKE

- I am not sure that it is a fatal objection that the board would be appointed by the commissioner. I do not know who else could appoint the board than the commissioner. But I suggest that we should wait until we reach clause 47. We shall be older and wiser by that time, and if it is necessary we can recommit the Bill for the purpose of altering this clause.

Sub-clause agreed to.

Clause, as amended, agreed to.

Clause 7 -

A commissioner or inspector shall be deemed to have vacated his office - (») If he engages during his term of office in any paid employment outside the duties of his office ;

if except on leave granted by the Governor-General he absents himself from duty for fourteen consecutive days or for twenty-eight days in any twelve months or becomes incapable of performing his duties ; or

Senator Sir FREDERICK SARGOOD

- P - Paragraph (a), of this clause, differs from sub-section (o) of the Audit Act. I think the wording of the Audit Act is preferable. It reads -

If he directly or indirectly engages in any paid employment outside the duties of his office, or in any trade or business, except as a member of a registered company.

While I shall not press an amendment against the wish of the Postmaster-General, I call attention to the point in order that an amendment may be made if he thinks it necessary.

Senator DRAKE

- I am not sure that the wording of the Audit Act is an improvement upon this. In the one case, the Audit Act provides that an officer must not engage in any employment outside the duties of his office. This clause says - "Any paid employment." There is a substantial difference. I do not know that an inspector

should be debarred from engaging in honorary employment. I should not like to make an amendment unless I was assured that it was an improvement.

Senator Sir Frederick Sargood

- - It is desirable that an exception should be made in the case of membership of a registered company, though an inspector should not be allowed to be a director.

Senator DRAKE

- If he received fees, that would be paid employment, and is met by this clause, which seems to cover everything that is objectionable.

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Senator Lt Col NEILD

- There are in the different States such organizations .as Public Service Co-operative Societies, which are necessarily managed by civil servants, by whom also the shares are held. I do not know whether it would be possible to make an exception in a matter of that kind. We need not be too precise about gentlemen occupying positions connected with such societies.

Senator Drake

- But they should not be paid fees.

Senator PEARCE

- I draw attention to paragraph (c), which provides that if a commissioner or an inspector vacates his office for fourteen consecutive days he is deemed to have given up his situation. It seems to me to be wrong that an officer should have power to take leave for a fortnight.

Senator Sir Frederick Sargood

- No private firm would allow it.

Senator PEARCE

- I move-

That the word " fourteen," in paragraph (c), be omitted with a view to insert " seven " in lieu thereof.

Senator DRAKE

- Of course this is a very stringent clause. It does not involve the infliction of punishment upon an officer or the suspension of him for absence without leave. The paragraph contemplates that the officer may have gone away without an explanation. In that case he is deemed to have vacated his office without having had an opportunity of defending himself. So far from reducing the term, it almost seems to me that we should make it longer. It really means that if he is away from his office for fourteen days it will be equivalent to his having sent in his resignation.

Senator PEARCE(Western Australia).The paragraph appears to me to be either too lenient, or altogether inoperative. The inspectors are not going to be in offices all the time. They will travel round, and will be frequently absent.

Senator Drake

- A man will not be deemed to be absent from duty when he is travelling ; it does not say absence from the office.

Senator PEARCE

- It is difficult to say how the provision is to be enforced when the man is travelling.

Senator Drake

- That is rather a reason for extending the time. I think we should be careful not to limit too severely a provision which requires an office to be vacated.

Senator Lt.-Col.NEILD (New South Wales). - There are portions of the Commonwealth in which some of the inspectors may be travelling that are far removed from telegraphic communication. Accidents may happen on parts of the Australian coast where an officer may be unable to communicate with the commissioner. The propeller of a steamer may break, and the inspector may be unable to apply for leave. Under this provision his position is therefore absolutely forfeited.

Senator Drake

- I do not think so. He is doing his duty in trying to get to land:

Senator Lt Col NEILD

.- I think the fourteen days period is little enough, because the iniquities of inspectors are provided for elsewhere, and this is merely a question of forfeiting the office if by some ill-chance the inspector does not

obtain leave. An inspector may be in parts where it is impossible to obtain leave.

Amendment, by leave, withdrawn.

Senator CLEMONS

- This clause, as worded, distinctly implies that there is to be more than one commissioner. One, in the opinion of this committee, is quite enough. The word " a " at the beginning of the clause should be " the," and it should read " any inspector."

Senator DRAKE

- The honorable and learned senator is quite right. I move -

That the word "a," line 1, be omitted with a view to insert in lieu thereof the word "the," and that after the word "or," line 1, the word* " any " be inserted.

Amendments agreed to.

Clause, as amended, agreed to.

Progress reported.

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22:15:00

Senate adjourned at 10.15 p.m.