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1901-06-13

House of Representatives.

PETITION

Mr. PIESSE

presented a petition from certain Tasmanian residents of the Commonwealth, praying that the Post-office might not be allowed to be used for facilitating the operations of gambling institutions.

ADJOURNMENT.

ELECTION PETITION.

Mr CONROY

- I rise to speak upon a matter of urgent public importance, in connexion with a petition which may be referred to the Elections and Qualifications Committee, and I find that under the standing orders, to put myself in order, I shall have to move the adjournment of the House.

Mr SPEAKER

- Before the honorable member proceeds, five honorable members, including himself, must rise in their places.

Five honorable members having risen in their places.

Question proposed,

Mr CONROY

- It appears that a petition has been lodged against the return of the honorable member for Fremantle ; but the petition does not comply with the requirements of the West Australian Act. The honorable member was elected by 2,800 votes, the next candidate on the poll being Mr. O'Byrne, with something over 1,800 votes ; and then came Mr. C. E. Jones, with over 400 votes. The last candidate on the poll, who obtained only 104 votes, has lodged a petition against the return of the honorable member who headed the list.

Mr Barton

- Is the Elections and Qualifications Committee sitting 1

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Mr CONROY

- Not yet. That is why I want the House to deal with this matter. If the petition is referred to the Elections and Qualifications Committee, the honorable member for Fremantle, who was elected by such a large majority of votes, will be put to a very great expense, and, so far as we can judge from his action, the person who has lodged the objection must regard it as a frivolous one, because he has not complied with the requirements of section 146 of 63 Victoria, No. 20, the West Australian Act, by making the £50 deposit required thereby. The Act provides that no election return shall be disputed except by petition, and that no petition shall be noticed, and no proceedings taken upon it, unless it is signed by a candidate in the election in dispute, and each signature attested by two witnesses whose occupations and addresses are stated. ' In my opinion these requirements have not been complied with. But the Act contains a still further requirement, which seems to me a very wise one, and a similar provision is, I think, in force in all the States. The Act provides that a petition against a return must be accompanied by the certificate of the Clerk of the House that £50 has been lodged with him as security against costs. That seems to me a very reasonable provision. If any man has any bona fide objection to make against the return of a person who has been declared elected, he should deposit some such sum as security against costs, and as a guarantee that his petition is not frivolous.

Mr Crouch

- In Victoria a deposit of £100 is required.

Mr CONROY

- In New South Wales either £40 or £50 has to be deposited.

Mr V L SOLOMON

- The amount of the deposit required in South Australia is £50.

Mr CONROY

- Yes ; similar provisions exist in all the States. I find, however, that no deposit has been made in this case, and I think that it would therefore be most unfair to the gentleman who has been declared elected that he should have to go to the expense of appearing before the Elections and Qualifications Committee.

I think that it is competent for the House to settle the matter and to dismiss the petition as frivolous.

Mr Barton

- As a matter of privilege, the honorable member has power to move any motion he likes on this subject now ; he is not bound to move the adjournment of the House.

Mr SPEAKER

- I might remind the House that last night, at the conclusion of the sitting, the four sitting days during which the warrant which [laid on the table last week could have been taken exception to expired, and that, therefore, after that time, but not before, the Elections and Qualifications Committee could have acted. I propose, within the next few minutes, to ask the Prime Minister to move that the petition to which the honorable member for Werriwa has drawn attention be referred to the Elections and Qualifications Committee, and if the right honorable gentlemen makes that motion, it will be competent for the honorable member for Werriwa to move any amendment upon it that he may think fit. I would suggest that that course should be taken instead of honorable members debating so important a matter upon a motion of adjournment.

Motion, by leave, withdrawn.

QUESTIONS

EUROPEAN INTERESTS IN AUSTRALASIAN WATERS

Mr CROUCH

asked the Prime Minister, upon notice -

Whether the Government is in possession of information as to what islands in Australasian waters are claimed or unclaimed by European Powers ?

Whether he would have any objection to communicating such information to honorable members of this House by means of a map exhibited in the Library ?

Mr BARTON

- Information on this matter is now being collected, and instructions have been issued to prepare maps giving the required particulars, one of which will be placed in the Library for the information of honorable members.

MELBOURNE POST-OFFICE CYCLE CORPS

Mr O'MALLEY

asked the " Minister representing the Postmaster-General, upon notice -

Whether there is any objection to a return being laid before this House showing the saving effected by the cycle corps at the General Post-office, Melbourne, with a view to the extension of the system ?

Minister (without portfolio)

Sir PHILIP FYSH

- There is no objection. Instructions have been given to prepare the return, and it will be placed before the House.

THE NEW HEBRIDES : NEW CALEDONIA

Mr THOMSON

asked the Prime Minister, upon notice -

Whether he is correctly reported as having stated that he was able to give an assurance that it is no part of the policy of the Imperial authorities to allow the New Hebrides to become the sole property of the French Republic on any terms that have yet been suggested ?

Does his statement imply that he has grounds for believing that the Imperial authorities may agree to the annexation of the Islands by France on some other terms?

Is he of opinion that any such annexation is against the interests of the Commonwealth, and, if so, will he endeavor to obtain a reference by the Imperial Government to the Government of the Commonwealth of any agreement in connexion with the Island, before it is concluded ?

In view of recent suggestions from a French source of agreement to annexation by Great Britain in return for concessions in Nigeria, will he, if such proposal be seriously entertained, endeavour to have New Caledonia included in the negotiations ?

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Mr BARTON

Yes.

No.

A request will be made . to the Imperial Government that the Commonwealth should be communicated with before any agreement in respect of the New Hebrides is concluded.

The matter has not yet been considered by the Government, but should that event happen, I shall lay the suggestion of the honorable member before Ministers.

THE TELEGRAPH CONSTRUCTION BRANCH

Mr SPENCE

asked the Minister' representing the Postmaster - General, upon notice -

Whether he is aware that a number of men who have been employed for years in the Telegraph Construction -Branch are still classed as temporary hands ?

Whether he will take steps to place these men on the same footing as other employes in the public service ?

Sir PHILIP FYSH

. Yes. They have been so employed in accordance with" the provisions of the Public Service Act.

Their claims will be considered together with those of men holding similar positions in the other States.

THE PACIFIC AND EASTERN EXTENSION CABLE AGREEMENTS

Mr JOSEPH COOK

asked the Prime Minister, upon notice -

Whether he will lay upon the table of the House such papers as will indicate the present position of the Pacific cable ?

Also a copy of the agreement recently made between the New South Wales Government and the Eastern Extension Telegraph Company ?

Mr BARTON

- 1 and 2. Yes, as soon as the papers can be obtained and copies made.

ELECTION PETITION

Adcock v. Solomon.

Mr. BARTON

(Hunter- Minister for

External Affairs). - I move -

That the petition of William Eddrup Adcock, of Derby, in the State of Western Australia, against the return of. Elias Solomon, as member for Fremantle, Western Australia, be referred to the Committee of Elections and Qualifications for inquiry and report.

I shall move another motion later, to give the committee power to send for persons and papers and to search the records. I deem it my duty to move this motion, and that duty is not diminished because objections can be taken that the petition is not in proper form. Section 31 of the Constitution Act provides that -

Until the Parliament otherwise provides, but subject to this Constitution, the laws in force in each State, for the time being, relating to elections for the more numerous House of the Parliament of the State shall, as nearly as practicable, apply to elections in the State of members of the House of Representatives.

Then section 47 says -

Until the Parliament otherwise provides, any question respecting the qualification of a senator, or of a member of the House of Representatives, or respecting a vacancy in either House of the Parliament, and any question of a disputed election to either House, shall be determined by the House in which the question arises.

The Committee of Elections and Qualifications, acting of course for the House, is a delegated authority, because from the manner in which its members have been appointed, they do not come to any final decision binding the House, but have simply to report to the House, which decides the matter. They will have to read the two sections which I have quoted, and to decide whether laws relating to elections include provisions of State Acts with respect to petition against returns, and upon that the question will be whether the provisions of the Western Australian law can be held to be applicable to a petition against the return of a member to this House ? As I consider that the question is a proper question to refer to the committee which has been appointed, I shall not express any legal opinion upon its validity, although I have one, because I do not think that a judicial committee, such as the Elections and Qualifications

Committee is, should have before it at this stage expressions of opinion from honorable members which may influence its decision. I think that this is a question which should be dealt with by the committee in a report. They will be able to consider the law on the subject, and if there is anything in the objection which has been raised by the honorable and learned member for "Werriwa, we may rely upon them to give their best attention to it, and to report to the House upon the subject for our information. As we have appointed the committee, I think that the proper thing to do is to refer the petition to them.

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Mr CONROY

- I have to oppose this motion on the grounds I have already stated. No injustice can be done to the gentleman who has presented the petition, because it must have been perfectly clear to him, if he had looked up the law of his own State, what the procedure to be followed was. Section 31 of the Western Australian Act is, to my mind, sufficiently clear to put any one on his guard as to what should be done. We find that the

Western Australian law requires, as does the law of every State in the Commonwealth, that a deposit shall be paid by any candidate opposing the return of a member, and that procedure ought to have been followed in this case. There is no reason why it should have been departed from. The petitioner was not next on the poll to the honorable member who has been returned, nor was he even the third candidate. He was fourth on the list, and, out of 5,000 votes, he polled only something like 104. In defiance of the Western Australian law on the subject, this House is asked to increase the expense which the sitting member must have incurred by compelling him to 'go before the Elections and Qualifications Committee. The fact that the petitioner has not paid a deposit is also strong evidence that he has no belief in the justice of his case. Otherwise his deposit would have been forthcoming, because it is not forfeited unless the petition is dismissed as frivolous. As a candidate, the petitioner must have been perfectly aware of the state of the law. No two persons could be found to sign a petition and to support the facts alleged against the return of the successful candidate, as required 'by the law. On these grounds, I do not think it is right that the honorable member against whose return the petition is lodged should be made to incur further expense.

Mr Crouch

- What is there to show that Mr. Adcock may not urge that the section relied upon by the honorable member for Werriwa has not been amended or repealed ?

Mr CONROY

- I think there is no doubt about that.

Mr A McLEAN

- What proof has the honorable and learned member that the deposit required by the law has not been made 1

Mr Ewing

- The petitioner has a right to fair play from this House.

Mr CONROY

- It will be found that I have correctly stated the facts : and I submit that it is competent for the House to deal with the matter forthwith.

Mr Barton

- After all, it is a matter for inquiry by the committee.

Mr WATSON

- I rise to a point of order. There may be a great deal in what the honorable and learned member for Werriwa has stated ; but is it a proper thing to have the petition debated in this House before it is investigated by the Elections and Qualifications Committee ? Although there may not be a standing order on the subject, it is in accordance with the natural principles of justice that the petitioner should have a hearing, free from any possible influence that might occur through a debate in this House. I suggest the propriety of stopping any debate if it is possible to do so.

Mr SPEAKER

- It seems tome that the question before the House is simply that this petition be referred to the Elections and Qualifications Committee. On that motion it is fully competent for any honorable member to advance reasons why the petition should or should not be so referred. It would not be right to restrict debate so

long as it is confined to the question whether the petition should or should not be referred to the committee.

Mr EWING

- The House, of course, does not know what is alleged in the petition. We do not know whether it is even in order. If the petition be out of order what right has it to come before the House at all ? Why should it be here ? I agree with the honorable member for Bland that we should not discuss a question that is subsequently to be the subject of consideration by the committee. But how does, the petition come before us at all if it be out of order ? I should be glad if you, Mr. Speaker, would explain the procedure in reference to petitions, and how it is that if, as alleged, the petition is not in order, it comes before the House at all.

Mr SPEAKER

- I think it would be advisable that as a question of law is involved the Attorney-General, and not I, should answer the honorable member's question.

Mr GLYNN

- May I, on a point of order, ask a question t If the petition formally complies with the rule as. to general petitions presented to the House, is it not in order to receive it t The question of its formality according to the local law of Western Australia is one for the' committee to determine, but as long as the' petition complies with the general rule regarding petitions presented to this House- I submit that it is in order.

Mr Barton

- The question is whether - the petition complies with the electoral law, and that will be settled by the committee.

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Mr SPEAKER

- If this petition were offered to-day, since we have adopted draft? standing orders, it could not be received unless it complied -with those standing orders. But the petition was presented in the way that has been previously described, and when we had no standing orders and no rules of procedure. Therefore, I have to rule that it is now duly before the House.

Attorney-General

Mr DEAKIN

. - It is scarcely necessary to answer in detail the questions raised by the honorable and- learned member for Werriwa, but it may be desirable to point out that, assuming the case he has put to be correct, there can be no possible objection on our part to remitting the question to the Elections and Qualifications Committee. If Western Australian law, as the honorable and learned member assumes, governs this petition, there is no doubt the committee will have a very easy task in disposing of it. The whole question is whether the Western Australian law is to bind us in dealing with petitions of this particular kind ; and that question surely can be very much better settled by the committee, which will have time to consider it, than by this House in an impromptu debate. Of course I can indicate no leaning, and express no opinion upon the subject, but one objection of the honorable and learned member for Werriwa to the course ' proposed to be taken is on the score of expense to the petitioner. There need be no expense at all if the honorable and learned member's contention be correct. The committee will not require to call before it even the honorable member against whose return the petition is lodged in order to settle this preliminary question of law. The committee can decide that for itself if necessary. If the contention of the honorable and learned member be correct, he appears to have deprived himself, if I may say so, : of his own argument. If his contention be not correct, it will be of the greatest importance and value to this House to have determined in some degree, at all events, how far and in what manner electoral petitions of this nature and in this form are to be dealt with. We have a committee in whom we all have confidence. That committee will do no injustice, and will take care that it involves no honorable member in any unnecessary expense.

Mr.CONROY(Werriwa).- On the grounds pointed out by the Attorney-General, and as the honorable member affected is not likely to incur any expense, I have no reason for further objection to the motion before the Chair.

Mr PIESSE

- I have no objection to offer to this proposal if it be clearly understood that the Elections and

Qualifications Committee will make a preliminary report on the question of law ; but there may be some doubt as to whether the committee should not take evidence. There should really be an instruction to the committee to take the course suggested by the Attorney-General unless the committee will themselves undertake to do so.

Mr Conroy

- I understand that that is what will be done.

Mr. EWING

(Richmond).- I do not desire to be persistent in regard to this matter, but it will be well for the House to have some information with regard to the aspect of the case which has been suggested. Suppose, for instance, that a petition were lodged against your return,

Mr. Speaker,

or against mine, and there was no deposit accompanying the petition, it being presented in a form which carried no consequences to the petitioner, would a petition of that kind get as far as the Elections and Qualifications Committee

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Clearly, it ought not to do so.

Mr. GLYNN

(South Australia). - I take it that if a petition is presented to this House, and formally complies with the standing orders regulating petitions, it must be entertained. I take it also that this petition being properly before the House it must be referred to the committee on disputed elections. Though the committee may decide that the local law of Western Australia does not legally apply, they may decide that they have no absolute power with regard to the petition - that though the local law does not apply, they will not on general grounds entertain a petition which does not comply with that law. The committee may say that inasmuch as if the local law did apply the petition should not on other grounds be entertained, it should be dismissed, and they may refuse to take evidence upon the facts set forth in the petition.

Mr Barton

- The committee may report as they like and the House can afterwards deal with their report.

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Mr GLYNN

- If the committee decide that the local law does not apply, the question of disputed elections still rests entirely with the House. The House, in the full omnipotence of its powers, may say that on general grounds it will refuse to entertain the petition. The committee need not take any evidence at all on the facts stated in the petition. If that is so the honorable member affected need not be put to any expense whatever. I throw out this suggestion because it may be that the committee will hold that local law does apply or that it does not apply ; and if they hold that it does apply, perhaps they might be inclined to go into evidence upon the question.

Mr FOWLER

- I should like to say, without committing myself to any expression of opinion on the legal aspect of the case, that all possible expedition ought to be made in connexion with the matter. The Western Australian representatives are not very numerous in this House, and there is no saying when they may require every possible vote. In addition to that, the electorate of Fremantle has been totally unrepresented up to now ; and if it should happen that this petition is irregular, a hardship will have been inflicted upon Western Australia and upon the people of Fremantle, inasmuch as the member for the constituency has been improperly kept from taking his seat. I would, therefore, urge that all possible haste be made in settling the matter; and I think that what I ask is only fair and reasonable under the circumstances.

Question resolved in the affirmative.

Resolved

(on motion by

Mr. Barton)

-

That the Committee of Elections and Qualifications have power to send for persons, papers, and records, to examine witnesses, and to sit during any adjournment of the House ; three to be a quorum.

PRAYERS

Minister for External Affairs

Mr BARTON

. - I have to lay on the table a report, signed by the Speaker, as Chairman of the Standing Orders Committee, recommending for the consideration of the House that its proceedings should be opened by prayer. The report is very short, and I will, therefore, read it. It is as follows : -

That the committee, in compliance with the instructions of the House, recommend that the following standing order be adopted and be Standing Order 29a-

Upon the Speaker taking the chair each day he shall read the following prayer : -

Almighty God, we humbly beseech Thee at this time to vouchsafe Thy special blessing upon this Parliament, and that Thou wouldst be pleased to direct and prosper all our consultations to the advancement of Thy glory, and to the true welfare of the people of Australia.

Our Father, which art in Heaven, Hallowed be Thy name. Thy Kingdom come. Thy Will be done in Earth, as it is in Heaven. Give us this day our daily bread. And forgive us our trespasses, As we forgive them that trespass against us. And lead us not into temptation ; But deliver us from evil : For Thine is the Kingdom, and the Power, and the Glory, for ever and ever. Amen.

I beg to move -

That the standing orders be suspended to admit of the consideration of the report forthwith.

Question resolved in the affirmative.

Resolved

(on motion by

Mr. Barton)

-

That the report be adopted, and that the proposed standing order be a standing order of this. House.

AUDIT BILL

in Committee :

Resolved

- That it is expedient that an Appropriation be made from the Consolidated Revenue Fund for the purposes of a Bill for the collection and payment of the public moneys, the audit of the public accounts, and the protection and. recovery of the public property, and for other purposes.

Resolution reported and agreed to.

ACTS INTERPRETATION BILL

Attorney General

Mr DEAKIN

. - It has been the practice in the Legislature of Victoria to make verbal amendments on the report, but, having, regard to the standing orders which we have temporarily adopted, that course might be of doubtful validity, and I therefore move -

That the Bill be recommitted.

Motion agreed to.

In Committee

(recommittal).

Clause 11 -

Where an Act repeals and re-enacts with or without modification any provisions of a former Act, references in any other Act (whether passed before or after the repealing Act) to the provisions so repealed shall unless the contrary intention appears be construed as references to the provisions so re-enacted.

Mr DEAKIN

- I move-

That the words in brackets (" whether passed, before or after the repealing Act be omitted.

These words would, perhaps,, make the clause clear, but they are not to be found in the corresponding English section, and might, therefore, raise a doubt.

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Mr PIESSE

- Before clause 11 is passed, I would lake to call attention to clause 9, which contains the words "where

an Act repeals in the whole, or in part, a former enactment." This clause does not refer to a portion of an Act, and I would like a little more light upon the subject before it is passed. I think the words "or part thereof" ought to be inserted in order to make it clear that a repeal does affect a portion of an Act as well as the whole.

Mr DEAKIN

- At first I was inclined to think such an amendment necessary, but on carefully reading the clause, in which the reference appears no less than five times, it seems clear that the whole construction points back to the preliminary phrase "where an Act repeals in the whole or in part." The reference afterwards framed in the words "so repealed," means the repeal in whole or in part, and carries out the sense which the honorable member desires.

Amendment agreed to ; clause as amended agreed to.

Clause 28. -

In any Act unless the contrary intention appears -

The words "statutory declaration" shall mean a declaration made by virtue of any Act authorizing a declaration to be made in lieu of an oath.

The words "committed for trial," used in relation to any person, shall mean committed to prison with the view of being tried by a jury, or admitted to bail upon a recognisance to appear and to be so tried.

Mr DEAKIN

- I move-

That the words "in lieu of an oath," sub-clause (c), be omitted, with a view to insert in lieu thereof the words "otherwise than in the course of a judicial proceeding."

The object of the amendment is to avoid any possible reading of the two sub-clauses (b) and (c) together, from which it might possibly be supposed the statutory declaration might be used in any judicial proceeding.

Amendment agreed to.

Mr DEAKIN

- I move-

That the word "by," sub-clause (d), be omitted, with a view to insert in lieu thereof the word "before," and that after the word "a" the words "-judge and " be inserted.

The words "tried by a jury" are the expression used in the New South Wales Act, but it appears desirable to revert to the language of the English section.

Mr GLYNN

- I was about to suggest that the provision be struck out altogether, because if a person be committed for trial he must- be committed before a jury under the Constitution. Is it necessary to say that "committed for trial" means anything, seeing that under the Constitution it means trial by jury?

Mr DEAKIN

- We have already inserted several definitions which are unnecessary under the Constitution, and these, which are familiar words, will, without taking us any further, be of no disadvantage.

Amendment agreed to; clause as amended agreed to.

Clause 30. - Meaning of "service by post" - verbally amended.

Clause 34 -

When an Act confers a power to make any instrument (including rules, regulations, or bylaws) the power shall, unless the contrary intention appears, be construed as including a power exercisable in the like manner and subject to the like conditions (if any) to rescind, revoke, amend or vary the instrument.

Amendment (by Mr. Deakin) proposed -

That the words "instrument (including," line 2, and the words, "the instrument," line 7, be omitted.-

Mr PIESSE

- Has the Attorney-General considered the possibility of having to rescind a proclamation? Should that not be provided for? If there be power to issue a proclamation there should, unless there be a contrary intention, also be power to supersede it with a new proclamation or to revoke it.

Mr Deakin

- Who has the power to make a proclamation?

Mr PIESSE

- The Governor-General.

Mr Deakin

- Exactly. The Governor-General needs no authority to revoke a proclamation, and no one else can issue it.

Mr PIESSE

- That is just the point- as to whether power has been given to make a proclamation without power being given to revoke.

Mr Deakin

- I should not doubt it.

Mr PIESSE

- I can only say I think I could put my hand on provisions giving this power of revocation, and as it has been necessary to give this power, I suspect it is not inherent in the exercise of the original power.

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Mr DEAKIN

- That would not inevitably follow. I can suggest cases in which a proclamation is required under an Act, the proclamation having certain effects. While I can imagine the power of proclamation being conferred by Statute in regard to some particular matter, and action follow upon it, it might not be desirable that there should be the power of revocation, unless that power were expressly given in the section. However, there will be an opportunity to consider this matter when the Bill is passing through the other Chamber. 'At present I "am not inclined to include it.

Mr GLYNN

- I would like to suggest that there seems to be an inherent power in the Governor-General as regards the proclamation, but there are cases where there does not seem to be the power to undo what has been once done. Supposing an Act comes into operation by proclamation, the Governor-General cannot repeal it by proclamation, so that there may be a danger in giving the two powers under this clause.

Mr BRUCE SMITH

- I would point out that so long as a word "instrument " remains in this clause, the difficulty suggested cannot arise.

Mr. GLYNN

(South Australia)- Would it not be better if the Attorney-General inserted a provision that the power to make rules should include the power to revoke or alter them ? He need not go beyond that.

Mr Deakin

- This is the usual way. We are following the English Act absolutely.

Mr GLYNN

- But the English Acts are at times very verbose. The best way, I think, is to provide that the power to make regulations shall include the power to alter, vary, or repeal.

Amendment agreed to; clause as amended agreed to.

Clause 37 - (.1) Where in an Act any period of time, dating from a given day, act, or event, is prescribed for any purpose, the time shall, unless the contrary intention appears, be reckoned exclusive of such day or of the day of such act or event.

Where the last day of any period prescribed or allowed by an Act for the doing of anything falls on a Sunday, or on any day which is a public or a bank holiday throughout the Commonwealth, or throughout the State or part of the Commonwealth in which the thing is to be or may be done, the thing may be done on the first day following which is not a Sunday or such public or bank holiday.

Mr DEAKIN

- I move-

That after the word "prescribed" the words "or allowed," be inserted.

This is to make the clause harmonize with the second clause, in which these words are introduced.

Amendment agreed to; clause as amended agreed to.

Preamble; - Be it enacted by the King's most Excellent Majesty and by the Senate and the House of Representatives of the Commonwealth of Australia in Parliament assembled as follows : -

Mr DEAKIN

- In the enacting words I accepted what seemed a happy abbreviating suggestion made the other day, but

which on consideration, I fancy can be further improved upon. I move -

That the words "and by" in line 2, and also the words ' ' in Parliament assembled " in line i, be omitted,
The point was raised by the honorable and learned member for Corio whether the words " in Parliament assembled " were really necessary.

Mr. GLYNN(South

Australia). - I suppose the Attorney-General would not consider the suggestion which I made to substitute " the Parliament of the Commonwealth " for " the Senate and the House of Representatives of the Commonwealth of Australia." The striking out of the words " in Parliament assembled " is logical, but it does not help us regarding the dead-lock provisions. Those words may really have a significance in regard to a dead-lock or referendum. In the case of a Bill coming to the Governor-General from a joint sitting of both Houses, it may be said that the Parliament was " assembled," but if it comes from a referendum, Parliament would not have been " assembled," and the retention of the words here would show that there was a distinction. Let us suppose that there was a dead-lock between the two Houses. There is a provision in the Constitution that if the Senate does not agree to a Bill passed by the House of Representatives after a certain period, that Bill can be referred to the people notwithstanding such dissent. If the people indorse that Bill it would not have been passed by the Parliament assembled, but under a special provision which finds a place in the Constitution. There is really some sense, therefore, in the retention of these words. But the better way on the whole would be for us to say : " Be it enacted by the Parliament of the Commonwealth." If we wanted to show that a Bill had been passed upon a referendum it could be expressly stated in the preamble to the Act itself.

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Mr McCAY

- I suggest to the honorable and learned member for South Australia, Mr. Glynn, that his proposal is entirely an alteration of phraseology. It does not affect the particular point that he has been discussing.' The honorable and learned member asks us to use in the enacting clause of the Bill the shortened phrase which is given in the Constitution, instead of the enacting words employed here. The Constitution says that " The Parliament " shall mean " The King, Senate, and the House of Representatives," and we merely repeat the definition of " The Parliament " instead of repeating the words " The Parliament." It is, therefore, only a question of sound of phrase between the Attorney-General and the honorable member for South Australia, Mr. Glynn. If we have an amendment of the Constitution on a referendum, neither the Attorney-General's phrase nor the honorable member's phrase will be suitable. Personally, as a matter of taste, I think that there is more dignity and more of a sonorous ring about " The. King, the Senate, and the House of Representatives," than there is about " The Parliament." That, however, is a matter entirely of personal opinion. I would suggest that we shall need to have different enacting words when other circumstances arise, and there is really nothing dividing the two parties now as to the technical effect of the two forms of enactment.

Mr DEAKIN

- I am strongly in accord with the argument of the honorable and learned member for Corinella that this matter resolves itself into a pure question of taste. I share the opinion of the honorable and learned member that the form we have employed sounds more like the old form with which we are all familiar, and has more dignity about it than has the phrase suggested by the honorable member for South Australia, Mr. Glynn.

Amendments agreed to ; preamble, as amended, agreed to.

Bill reported with amendments ; report adopted.

Mr DEAKIN

- As the amendments made are purely verbal, and the Bill itself is one of interpretation, perhaps honorable members will agree to the suspension of the standing orders, in order that it may be despatched to the Senate as early as possible. I move - '

That the standing orders be suspended for the purpose of enabling the Bill to pass through its remaining stages without delay.

Question resolved in the affirmative.

Bill read a third time.

COMMONWEALTH PUBLIC SERVICE BILL

Second Reading
Minister for Home Affairs
Sir WILLIAM LYNE

. - I move - -

That this Bill be now read a second time.

In moving this motion I should like to say first that I think-
An Honorable Member. - The Bill has. not been circulated yet.

Sir WILLIAM LYNE

- Yes ; the Bill has been circulated for some days.

An Honorable Member, - It is not in the chamber.

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Sir WILLIAM LYNE

- It appears to me that the civil service as it is now constituted under the Commonwealth will be to some extent different, and if I may say so more difficult to deal with than it could be under any one State. We all know that we have been accustomed for some years to have Public Service Boards. At least, that has been the case in New South Wales, and I think in the other States with one or two exceptions. I have no doubt that honorable members of this Parliament, and also the people of this community, expect some such provision in the Bill which I am now submitting, but I am submitting it in a form somewhat different from that of any of the Bills that have been before honorable members on previous occasions. I wish to point out that in my humble estimation the working of some of the Public Service Acts in the States has not been as satisfactory as it might be. The system was instituted with a view if possible of removing the semblance of political influence. But I do not think that it is a good thing to substitute for that influence social influence, in regard to which neither Members of Parliament nor the public can exercise any control. No one is more favorable than I am - and I speak for the Ministry - to the , removal, so far as it can be removed, of the source of the trouble which is given to Ministers by the applications which are made to them by those who wish to get into the public service. I have had a great many years experience of Ministerial office, and I know that in years past more particularly than of late years, one of the greatest troubles of a Minister was the number of applications he received from persons who wanted to get into the public service. Half one's time was taken up in replying to these applications, which in most cases had to be refused. That trouble has not been altogether removed in New South Wales by the appointment of a Public Service Board - and I refer particularly to New South Wales, as I am not intimately acquainted with the working of the Acts in force in the other States - because the public will not understand that Ministers cannot now make appointments to , the public service, as they used to do in times past. But I have known cases, and I have heard of others, in which influence has been brought to bear to obtain the appointment of outsiders from a source which is more dangerous to the community than either -parliamentary or Ministerial influence ; because Members of Parliament can deal with Ministers, and the electors can deal with their representatives, while the insidious influence to which I refer is most difficult, and almost impossible, to deal with. It is for this reason that the measure which I have introduced differs in some respects from that of similar Acts now in force in the States. I think that in most of the States where there is in force an Act for the administration of the public service there are three Public Service Commissioners. I propose, however, to throw the whole responsibility upon one man, and have provided for only one commissioner, who, I hope, will be a good man. I may say that at the present moment I have not the slightest idea as to where I am to obtain such a man - I mean that I have no one in my mind.

Mr G B EDWARDS

- The appointment is not cut and dried then 1

Sir WILLIAM LYNE

- No. In the interests of the measure of which I have charge, and which I hope will become an Act of Parliament, I want to get a man who will give satisfaction to honorable members, to the public, and to the members of the public service.

Mr HUME COOK

- How does the honorable member propose to obtain him?

Sir WILLIAM LYNE

- I do not know that advertisements will be published in the press, but notice wall be given that the

Government require such a person, and I have very little doubt that we shall find in Australia some one who is qualified to fill the position. I propose to pay this commissioner a higher salary than I think is paid to any of the State Public Service Commissioners - £1,500 a year.

Sir Malcolm McEacharn

- That is not enough.

Sir WILLIAM LYNE- I believe that it is not too much. However, that is the sum which I propose shall be paid, but if honorable members think that we should go higher, I shall not object to it being increased. But after the statements which were made last night about the absence of economy, and the recklessness shown by the Government, I begin to feel that one has to be fairly careful before making any proposal to pay a salary of more than £100 a year.

Mr A McLEAN

- A very healthy feeling too.

Sir WILLIAM LYNE

- I wish it to be understood that, personally, I am not in favour of low salaries. Whenever I have employed any one I have not given him low pay, but I have expected good work. Whenever I have had the opportunity to do so, I have given the public servants under me good wages, and I have expected to get good men. In this case I expect to get a good man, and whether we pay him £1,500 or £2,000 a year is of little moment so long as he gives satisfaction. The commissioner will have to deal with the servants of the Commonwealth in the six States, and that makes it, if I may use the words, more difficult and more intricate to provide for this control than if all the servants of the Commonwealth were in one State. I propose that there should be inspectors under the commissioner, and I have inserted in the Bill the words - not exceeding six - though possibly two inspectors will be able to do the work for some time to come.

Mr HUME COOK

- No.

Sir WILLIAM LYNE

- I do not know whether they will or not, but it is not necessary, because six inspectors are provided for, that six should be appointed. If two or three can do the work, they will be as many as we shall require.

Mr BRUCE SMITH

- Cannot the honorable member find a better word than, inspector 1 .

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Sir WILLIAM LYNE

- Perhaps the honorable and learned member can provide me with a better word. I am not wedded to the term. If the honorable and learned member will suggest a better word, I shall be glad to accept his suggestion. What I want is a distinguishing term and a title which will carry weight in the minds of the people.

Sir William McMillan

- The honorable member will keep an open mind on the subject 1

Sir WILLIAM LYNE. - I always do; just as the honorable member does. I have also made the Bill a little more elastic than is the New South Wales Act. I mean elastic in the sense that if it is necessary for the Governor-General to step in - and Governor-General means Governor-General in Council - he is empowered to do so; but he must submit whatever action he has taken to Parliament for approval, and let Parliament decide whether it is right or wrong. I have done that for this reason. The Public Service Act of New South Wales has created many anomalies which have caused great trouble in connexion with the working of the departments. One very important matter which I tried to alter concerns the manner of dealing with the heads of departments. The New South Wales Public Service Board, when they first entered upon their duties, appointed sub-boards, composed of men whose positions were on a low rung of the departmental ladder - men who were simply clerks - and sent them round the departments to spy out what was being done, and practically to spy upon the heads of the departments. The result of that system was, that for a time the public service was fairly knocked to pieces, and the heads of departments had no control over their officers. The system was altered somewhat by the last administration, because we compelled the Public Service Board to send their communications in reference to a department through the under-secretary of that department. Formerly, the first intimation that an under-secretary would have that any alteration was to be made, in his department was by a notification from the

sub-board, or perhaps by receiving some information from officers of his own department. It is impossible, however, to keep up the efficiency of the public service, unless the heads of departments are given control over the officers of their departments ; and, for that reason, in this Bill I give the permanent heads of departments more power than has* been given to them in some of the State Acts. An honorable member last night said in reference to the Estimates then before honorable gentlemen, that, in his opinion, there were signs of the trail of the American system of appointing officers to go out with the political authority which appointed them. But there is nothing of that kind in the Bill, and my colleagues and myself are absolutely opposed to allowing the measure to be even tinged with the suspicion of the possibility of that happening under it. The position of gentlemen who have been appointed secretaries to the Ministers was referred to last night, and there seemed to be a misconception about it. I, therefore, wish to inform honorable members that these officers will enter the Commonwealth Public Service, and having done so, will be subject to all the pains and penalties attaching to the position, and will be under the orders of the commissioner, the inspectors, and the permanent heads of departments. There is no cause for believing that any of these officers will go out with his political heads ; and I might again refer to the position of an officer to whom I referred last night - that of my own secretary - who has been private secretary to three or four Ministers in succession in New South Wales. I cannot see that there is any necessity for an officer leaving the service because his Ministerial head is changed, unless perhaps he took an extreme part in politics. If I might give advice to any one in such a position, I would say keep away from any extreme expression of opinion on public matters.

Mr G B EDWARDS

- The Premier himself suggested that it would be desirable* that the secretaries should retire with the Ministers whom they served.

Sir WILLIAM LYNE

-- I did not hear what the Premier had to say, but from what I heard of the debate afterwards I knew that a misconception existed.

Mr Conroy

- I heard the Premier's explanation, but I do not understand the situation as well now as I understood it before he spoke.

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Sir WILLIAM LYNE

- Well, I am sure that after I have finished, the honorable member will understand all about this matter. I want to say a word about the other appointments which were referred to last night. Those officers will also enter the Public Service of the Commonwealth. If honorable members will refer to page 2 of the Bill, they will find the term " officer " defined as -

Any person employed in any capacity in the Public Service of the Commonwealth, whether appointed or transferred thereto, before or after the commencement of this Act.

And under that provision those who have been appointed to carry out the , work which we have had to do since the 1st January will enter the Public Service of the Commonwealth like any other officers, and their positions will be subject to any alteration or re-arrangement of duties that the Governor-General, at the instance of the commissioner, may approve of. The Bill is divided into five parts - the first part deals with matters of administration, the second part with the division of the public service and appointments, the third part with internal administration, the fourth part with life assurance - though I do not know why a division should have been given to that subject, because it is only a small matter ; while the fifth part comprises miscellaneous provisions.

Mr BRUCE SMITH

- I suppose that the Bill substitutes life assurance for pensions.

Sir WILLIAM LYNE

- Yes ; but I will deal with that matter presently. I propose to refer to these divisions as they occur in the Bill, without going into too much detail, because I do not think that it is wise to go too much into detail in regard to the provisions of a measure which has been circulated amongst honorable members for nearly a fortnight.

Mr V L SOLOMON

- But we have been kept pretty close at work here during that fortnight. We have not had much time to

read this Bill.

Sir WILLIAM LYNE

- The commissioner and inspectors are appointed for seven years ; but the commissioner is placed over the inspectors, as he should be, and the inspectors are to carry out such work as the commissioner may direct. Besides that, the commissioner and inspectors are placed in positions in which they practically cannot be interfered with by the Governor-General or the Ministry unless they do something wrong, as enumerated in one of the clauses. If any wrong is done, the Minister can only suspend. If Parliament is not sitting at the time of the suspension, within seven days after Parliament sits the Minister must lay on the table of the House a report on the matter in question. If Parliament is sitting, the Minister must at once lay on- the table of the House notice concerning the suspension. The notice must lay on the table of both Houses, and if within 42 days it is not confirmed by Parliament the inspector or commissioner is reinstated in his position. It was originally proposed to make the term ten days, but I felt that it was not a proper thing to curtail the time so" severely, and I have therefore altered it to 42 days. If the Minister wishes to take action he must do it within that time.

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Mr McColl

- The Minister keeps the man in suspense a long time.

Sir WILLIAM LYNE.- The object is not to keep the man in suspense, but to prevent the possibility of the Minister being blocked . from dealing with the subject within a certain time. It is an easy thing for some members in some Parliaments to prevent a Minister from dealing with a subject, because he has to give certain notice, which would take a day or two ; and if the matter were blocked for the ten days, which is the term originally proposed, the man might improperly go back to the position he held. The general administration of the service is placed in the hands of one commissioner, assisted by six inspectors ; but I want to impress this upon honorable members : That the inspectors are under the immediate orders of the commissioner, and they are to exercise the powers he directs and delegates to them. Now I come to the internal administration of the different departments. The administration is to be conferred upon the permanent head. It is a matter to which I was referring just now. If honorable members will look at clause 12 of the Bill - they will find that it provides as follows : -

The persons for the time being holding the several offices specified in the second schedule to this Act or any office which may be prescribed either in addition to or in place of any of such offices shall be permanent heads of departments.'

The permanent head of a department shall be responsible for the general working of such department, and for all the business thereof, and shall advise the Minister in all matters relating thereto.

The clause does not mean that the permanent head is to be allowed to do exactly as he likes. The Minister must look to see that the work of the permanent head is properly done. I have inserted the clause after the experience I have had of the public service of New South Wales. We have sometimes had the head of the department fighting with the commissioners, and feeling that he has been oppressed by them. We could not have- the work done as it should be done under such conditions. We have had that kind of thing happening in many cases in New South Wales. A great deal has been said in reference to the Government not having applied to the public service of the Australian States for under-secretaries. Notwithstanding the criticisms which have been made, I may tell honorable members that I applied to the Public Service Board of New South Wales for an under-secretary to the Treasury, and was not able to get such a man as I wanted for the service of the State. The position has not yet been filled up - or, rather, the man who is wanted is not yet there.

Sir William McMillan

- It is a difficult position.

Sir WILLIAM LYNE

- I acknowledge that the position is a difficult one to fill ; but I mention this instance in order to show that men who grow up in the public service have a tendency to get into a groove, and if - I could put my finger on a good business man outside the ser" vice and choose him to direct and organize a new department, such as -the Prune Minister's, the -Treasurer's, or my own, I would far rather take such a man, if he were really a good and powerful man, and had not been brought up in the public service. That is not a reflection in the slightest degree upon the public service, because I believe that the public service of -

Australia is as loyal and good a one as it is possible to find. At any rate I speak for the civil service of New South Wales.

Mr Poynton

- That is not saying anything to the credit of the service.

Sir WILLIAM LYNE

- Yes it is; because I am referring to work entirely different from that which the public service has usually had to do. What I have said is no reflection at all upon the public service. It is intended to appoint a permanent head for each department. The so-called permanent head will be the head of the central department, wherever it may be located. But when we have our own Federal capital, as I hope we shall have, the central- place for the permanent head of the department will be that capital. He will reside there. But to get over difficulties that may arise, if we allow tilings to remain exactly as they are now, I propose that there shall be a chief officer in each of the States, because I recognise that we must depend to a large extent upon those who have been the permanent heads in the various States for carrying on the work in those States. The chief officer of each department will be in a special class, and will probably be the man who has been in the past the head of his particular department in his own State. For instance, in New South Wales, the chief officer of the Post-office will be Mr. Dalgarno. I do not know the names of the chief officers in the other States ; but the object is to have a responsible officer in the various States, and to throw a great deal of responsibility upon his shoulders. ' He, as I have indicated, will be called the chief officer under the permanent head ; and the permanent head will be the under-secretary to the Minister. Honorable members will see in schedule 2 that the permanent heads of the various departments are mentioned as secretaries. It is also proposed to give the chief officers power to deal with certain minor offences that cannot be dealt with in the ordinary way. But, though these officers will deal with the offences, a recommendation for the final dismissal of an officer will in every case come before the Governor-General in Council. I wish to emphasize the point that under clauses 51 and 52 of this Bill, and under section 84 of the Commonwealth Constitution Act, there is a provision to make it quite certain that no trouble shall arise with regard to transferred officers, and that all the rights that accrue to those officers who are taken over from the various States will be respected.

Mr McCay

- Is not this provision practically a repetition of the words of the Constitution 1

Sir WILLIAM LYNE

- -It is practically, though I do not know whether these words are the exact words of the Constitution.

Mr McCay

- Is there anything gained by putting the provision in this Bill ?

Sir WILLIAM LYNE

- It will show to the public servants that we are not unmindful of their rights, and of the way we are directed by the Commonwealth Act to deal with them. We have taken over a number of servants- from the States, and have not yet had time to decide how many of those officers are required ; but these clauses are inserted in the Bill to assure to them that their rights will be respected.

Mr McCay

- The Commonwealth Act requires us to do everything that this clause itself says, and no further enactment is required.

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Sir WILLIAM LYNE

- We could not do what is necessary except under the Constitution ; but I thought the public service might have been of opinion that, without some such provision in the Bill, we were losing sight of that section in the Constitution Act. They now have the assurance that the point has not been overlooked. If the inspectors are found to be not all required, the number of them may be reduced, and power is taken by the Governor-General in Council to transfer them at the same rate of salary to another office in the public service. But in this particular clause, an amendment will be required upon the Bill as it stands. An inspector may also be suspended for the same causes as officers in the special division, and may be treated in the same way as those officer*. Clauses '40 and 41 provide for that matter. But if there were no such provision as I have just referred to with regard to removing an unnecessary inspector from his post, we should not know what to do with him, because we could not

apply every provision that would apply to other civil servants to . an inspector. I have therefore prepared an amendment which I shall move at the proper time. It is intended that the commissioner shall make a report to the Minister every year. That report is to be laid before the Parliament of the Commonwealth, and is to cover the whole working of the departments during that time. The Governor-General in Council may take upon himself the responsibility of refusing to adopt the recommendation of the commissioner in some cases. But we have one clause in this Bill, which is also to be found in the Public Service Acts of the other States, providing that where no one can be found in the service suitable for a vacant office or for a special appointment, a man may be brought in from outside to occupy that post. In addition to that, the Governor-General has power, as I have just said, to refuse the recommendation of the commissioner or the permanent head at any time if he thinks that in the interest of the service it is the proper thing to do. The refusal must be submitted to Parliament, and the Government must take the consequences. That is the point I referred to at the onset, when I said that this Bill is "more elastic so far as the Government is concerned than are the public service Acts already in existence. It has, however, been held by legal opinion in New South Wales that there is an inherent power in the Government to do anything it likes over the head of the commissioner. Then we come to the divisions of the public service.

Our plan divides the service into four divisions : - The special division, the professional division, the clerical division, and the general division. If honorable members will turn to the 3rd schedule of the Bill, they will find particulars with regard to the clerical division. This classification is taken from the Victorian Act. Honorable members will find that in the clerical division no one can enter the service except at the very foot of that division at the salary of £40 a year - that is to say, if he be over 16 years of age and under 21.

Sir William McMillan

- That is to say after we have established the service t

Sir WILLIAM LYNE

- Yes. In the meantime the present officers retain their positions, with all their rights and everything connected therewith. Clauses 17 and 18, especially the latter, provide for the payment of officers in the special division " except in the case of officers paid at a specified rate by virtue of any Act." The officers in the special division, with these exceptions, are to be paid " such salaries as may be provided in the annual Appropriation Act." Clause 18 provides that -

In the professional division and general division (except in the case of officers paid at a. specified rate by virtue of any Act) the officers shall be paid such salaries and wages in accordance with such fixed amounts or scales as may be prescribed.

In the New South Wales Act every salary is put before Parliament, unless it is a statutory salary. This would mean that the Executive. Government, on the recommendation of the commissioner and the permanent head, would fix the salaries generally, and that the individual salaries would not be submitted to Parliament at all.

Mr Ewing

- Does not clause 20 provide for that?

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Sir WILLIAM LYNE

- That applies to the fixing of salaries, but I think it desirable to provide that the salaries shall all come before Parliament. It was only yesterday that I discovered this omission. I hold that all salaries except statutory salaries should come before Parliament; that is the practice in New South Wales. The special division is the division including the permanent heads and the chief officers. Those officers are brought from other positions in the service, climbing up as they show qualifications for appointment to the higher offices. There is power in the Bill that they can be taken for their special qualifications from other parts of the service. I have tried to keep each department by itself ; that is, unless under very exceptional circumstances, we provide that Government shall not go all over the service, and take a man out of one particular department to put him over the heads of officers in another department, who are looking forward to being able to climb up to the higher positions for which they have qualified. I have seen the ill effect of the alternative practice in other States. Of course, there is power for the Governor-General in Council to make transfers from other departments in exceptional cases, but these transfers must be on the recommendation of the commissioner and the permanent head.

Mr BRUCE SMITH

- It is a little inconsistent. The Government have stated that they believe in men coming into the service from outside, and yet they now say that men shall not go from one branch of the service to another.

Sir WILLIAM LYNE

-I" did say that, and under this Bill there is power to go outside the service for special officers.

Mr BRUCE SMITH

- Surely, if we can go outside the service on occasions, it may be advisable to go to other departments of the Commonwealth ?

Sir WILLIAM LYNE

- So it may be, and it can be done under this Bill. But it is not to be done as a common practice, which is the thing I desire to prevent.

Mr Barton. - Does the honorable member recommend transfers from one department to another ?

Sir WILLIAM LYNE

- It can be done specially by the Governor-General.

Mr BRUCE SMITH

- That is the Ministry.

Sir WILLIAM LYNE

- Take for instance those in the service, or from outside, who may be placed at the head as chief clerks and chief officers, and who may be enabled to climb up under this clause. An officer will have the opportunity of advancing from £40 a year up to £600 a year as a clerk, and probably would make a good chief officer, though he might not make a good permanent head. It is in such cases "that we may require to get men from out- 'side. I have heard expressions of opinion from those who know more about the schedule of the Victorian Act than I do. That schedule, I understand, was drafted about 1893, and recommended as the salaries of the Victorian officers. Exception has been taken to that schedule, but I am informed that a commission made inquiry some two years ago, and again recommended that the schedule should stand. The reason I refer to this is because I have no doubt we shall have difficulty in dealing with the various States having regard to the average salaries in those States. I have tried to obtain a comparison of those average salaries, and I find that in New South Wales under secretaries and heads of departments receive from £920 to £1,010 a year; in Victoria, £750 to £1,000; South Australia, £550 to £600; Queensland, £500 to £750 ; Western Australia, £550 to £650 ; and Tasmania, £500. That accounts, I think, for the exception taken last night in regard to various salaries it is proposed to pay. Honorable members who have been accustomed to see lower salaries paid in their respective States must not forget that we who have come from New South Wales have been accustomed to higher salaries, and that is probably the reason for the divergence of opinion in this matter. It will be seen that New South Wales is considerably higher in those classes of salaries than are other States.

An Honorable Member. - One State is a great deal more important than another.

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Sir WILLIAM LYNE

- That is a point I will deal with presently. In New South Wales chief clerks receive from £550 to £600 ; in Victoria, £300 to £485 ; South Australia, £320 to £425 ; Queensland, £450 to £500 ; Western Australia, £350 to £450 ; and Tasmania, £250 to £280. It will be seen that there is a vast difference in this respect between Tasmania and some of the other States. As to accountants, I believe that Victoria pays higher salaries than any of the other States, for while in New South Wales this class of officer receives from £400 to £550, in Victoria the salary paid is from £485 to £750, while in South ' Australia the figures are from £320 to £420, and in Western Australia from £300 to £500. I have' not been able to ascertain the salaries paid to senior clerks in Victoria and South Australia, but in New South Wales this class is paid £400, in Queensland from £250 to £300, in Western Australia from £290 to £375, and in Tasmania from £150 to £200. Junior clerks are paid £50 to £150 with an annual increment in New South Wales ; in Victoria £40, with an increment of £15 or £25 as promised ; while in South Australia the salary commences at £26, and in Queensland at £50, in Western Australia at £50, and in Tasmania at £50. Under this schedule, if a clerk comes into the service at nineteen he can rise rapidly to a salary of £140 at 21 years of age, while it takes five years to do that in some of the States. So that really this Bill will not provide such a drag upon the lower men as some honorable members seem to imagine. I refer to this

because I think it will be necessary for the commissioner and inspectors to recommend officers in the various grades in the various States. In Tasmania, for instance, there would no doubt be an outcry if a salary were paid there equal to that paid in Victoria or New South Wales to an officer doing practically the same work, although not so much of it as in the Hatter States. That might be the case in some other States, and I think the commissioner would require to be guided very -much by the amount of work that has to be done so that he may grade the officers and recommend salaries equivalent to the amount of work - not lifting them all up to the higher position, nor reducing all to the lower position. Either method would be most unfair. A man should be paid according to his power of doing the work, the amount of work done, and the duties required of him.

Mr HUME COOK

- The valuation of the work is the best provision in the Bill.

Sir WILLIAM LYNE

- I hope it is.

Mr Piesse

- How far will those increases go as of course 1

Sir WILLIAM LYNE

- The clerical staff commence at £40 a year, and they must be twelve months in the service before an increase is given, unless there be exercised by the Governor-General the power given in the Bill. If there be a recommendation from the commissioner and the permanent head, the Governor-General can move officers say, from positions worth £185 per annum in the fourth class to positions worth £400 per annum in the third class. The Governor-General, on such recommendation, can go further and bring a man up to a position worth £420 per annum in the second class, and thus a public servant can climb more rapidly than he would if he had no recommendation, providing he has special ability.

Mr Piesse

- Will public servants proceed from the fifth to the fourth class as of course 1

Sir WILLIAM LYNE

- A public servant will do that if there be a position for him, but no position will be made. When a public servant has reached £150 a year he has to remain there a certain time, and will have to continue there if there be no position for him elsewhere:

Mr Poynton

- How long will it take 'a public servant to get £150 1

Sir WILLIAM LYNE

- A public servant can get £150 per annum when he arrives at 21 if he has commenced at the age of 16.

Mr Poynton

- Are the increases automatic up to that point?

Sir WILLIAM LYNE

- Yes.

Mr Poynton

- It is not so according to the Bill.

Sir WILLIAM LYNE

- I think it is, but I will again look into the matter presently. I may tell honorable members that in New South Wales the regulations provide that at the age of 21 a junior shall receive only £100 per annum, and not £150, and therefore this Bill provides more liberally than does the New South Wales Act for lower grades in the service.

Mr McColl

- The increases are automatic up to a fair living wage.

Mr Poynton

- The Bill does not say so.

Sir WILLIAM LYNE

- I think if the honorable member looks into the Bill he will see that I am correctly stating its provisions. The promotions to which I was referring have to be recommended by the permanent head and the commissioner.

Mr F E McLEAN

- That is not automatic.

Sir WILLIAM LYNE

- I am now referring to cases where an officer is moved from one grade to another. The increases are automatic up to a certain point. There is provision in the Bill for the employment of females who can reach a salary of £140 a year. I have heard strong objections raised to the employment of females in the Telephone office and the Post-office, but for my own part I must say that while they do give one a little trouble occasionally at the telephone, I do not know that young men would not give just as much trouble. It is absolutely necessary to provide an avenue of this kind for women who cannot go to hard work as can most young men.

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Mr F E McLEAN

- More than £140 a year is paid to females in the public service in New South Wales.

Sir WILLIAM LYNE

- I believe more is paid to females in the public service in New South Wales than is proposed here, taking into account those employed under the Public Instruction Act.

Mr F E McLEAN

- And in the Post office, too.

Sir WILLIAM LYNE.- I do not know that, but I know that under the Public Instruction Act of New South Wales female teachers in some cases reach a salary of £300. The professional division will be dealt with under regulations, and I may tell honorable members that admission to the professional division, the clerical division, and the general division will be by examination, so that there is not much likelihood of the powers under the regulations being exercised, if there are good men in the service with brain enough to climb up. The special division will be filled by transfer and promotion from the clerical and professional divisions on the recommendation of the commissioner. In special cases, under clause 27, persons outside the service may be appointed by the Governor-General on the nomination of the commissioner, and on a report from the permanent head, to the special and professional divisions.

Mr JOSEPH COOK

- Why is there not a schedule for the special division 1

Minister for Home Affairs

Sir WILLIAM LYNE

- We are really doing exactly what is done in the State of New South Wales.

Mr Barton

- And Victoria, too, I think.

Sir WILLIAM LYNE

- Perhaps so, but I do not like to make an assertion where I am not certain. In New South Wales all this is done under regulations, but the difference, as it appears to me, between this Bill and the New South Wales Act is that there is no provision for Parliament to vote the money every year, and I think there should be.

Mr BRUCE SMITH

- Will the honorable gentleman say why he begins classes by placing number one at the top, while in the case of sub-divisions he places number one at the bottom. An officer of the 1st class would be in the 6th sub-division.

Sir WILLIAM LYNE

- I think the honorable member spoke to me on this point the other night and I have no objection to alter the schedule as suggested. It is only a matter of form and is here simply because it is a copy of the schedule in the Victorian Act. The matter may be dealt with in committee. Some honorable members, I understand, want to know how many civil servants we shall have to deal with under the Bill. I have just had put into my hands a return from which it appears that in the Defence, Customs, Post-office, and Telegraph departments there are in New South Wales 3,959 civil servants; in Victoria, 2,767; in Queensland, 1,288; in South Australia, 1,232; in Tasmania, 510; and in Western Australia, 1,422.

Sir William McMillan

- Do those figures include the soldiers of the defence forces 1

Sir WILLIAM LYNE

- No; these figures refer only to the civil division of the public service. For instance, in New South Wales there are 10, in Victoria 35, and in Queensland 15 civil servants in the Defence departments. The total number of those who come under the Bill is 11,178, and I have no doubt that as time goes on we shall have a very much larger number in the various departments.

Mr BRUCE SMITH

- Has the honorable gentleman estimated the probable number of civil servants there will be in the employ of the Commonwealth ?

Sir WILLIAM LYNE

-I have given the number we have taken over, but I cannot estimate what number we are going to have in connexion with other departments. For instance, in dealing with public works, such as customs houses, post-offices, court houses, and other necessary buildings, we shall require to have, at any rate, a staff in each State. It seems to me that is the only proper way in which to carry out these works., and that will increase the number of civil servants. What I propose to do is to consult the Premiers of the various States, or Ministers of Works, and get a proportion of the men now in the employment of each of these departments in the States. If I can get good men in that way the shrinkage will take place in the departments of the States, where it should take place and where the work is coming from, and will not mean a new department with, additional officers.

Mr BRUCE SMITH

- There is an automatic shrinkage in consequence of taking the departments over.

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Sir WILLIAM LYNE

- We have not taken the Works departments over, and therefore the consequence of works being transferred to the Commonwealth will be that the States' Works departments will be over-manned. I hope, therefore, to get some officers from each of the departments, and I propose to have a supervising inspector and a general inspector.

Mr BRUCE SMITH

- To what sort of works is the honorable gentleman referring?

Sir WILLIAM Lyne. - Post-offices, defence works, customs houses, and works of that kind. Shortly I presume we shall have to deal with the quarantine question, and with light-houses.

Mr JOSEPH COOK

- And the federal capital.

Sir WILLIAM LYNE

- Yes ; and a considerable amount of money will be spent when the site is decided on. I -wish to impress upon honorable members that I do not propose to depend on the States, because, while I have no doubt we shall receive assistance from them, I have already had sufficient experience to lead me to suppose that to amalgamate the Works department of the Commonwealth with the various works departments of the States would not be satisfactory at all. There would be two heads and two directors - the States head and the Commonwealth head - and they would be bound to clash at some time or other. I propose, therefore, not to increase the total number of officers in connexion with the Works department, -but to let the shrinkage take place in the States where the shrinkage of work has taken place.

Mr HUME COOK

- That proposal is not in the Bill.'

Sir WILLIAM LYNE

- No ; it is a proposal that will emanate from the Cabinet, and if it be agreed to the officers- will come under the Bill. I will now turn to Part IV. of the Bill, but only for a few minutes, because I do not want to be too long in dealing with the question of life assurance. In this part there is a proposal to compel all officers to insure their lives, and that of course is a necessity where there is no provision for pensions. We have had an experience in the State of New South Wales with our superannuation fund that we do not want repeated in the Commonwealth. It seems to me it was a mistake to commence the insurance in the way we did in that State, because the system has practically broken down, and I do not know how much money the State will have to find to pay the public servants what is justly due to them.

Mr. Bruce Smith. - Was it not the fault of the actuaries ?

Sir WILLIAM LYNE

- I think it was the fault of the actuarial calculation There is no doubt about that. It was introduced in Sir Alexander Stuart's time, but it has grown to such a large amount - some millions, I think - that it is a serious question to decide what is to be done. It is proposed here that the States shall require the officers to insure their lives, and the amount is to be paid either at their death or at 60 years of age. If I had my way I should certainly insert a provision which would enable them to so insure that they could get a lump sum of money. This Bill provides for an annuity, and the objection to that, to my mind, is, that when a man arrives at the age of 60* years, or, as it. may be in some cases, 65- years, and he takes the annuity, the moment he dies his wife and family may be left beggars ; whereas, if it were a lump sum, they would have that money, or the interest upon it, to keep them going.

Mr BRUCE SMITH

- There are plenty of companies that would make it optional.

Sir WILLIAM LYNE

- I merely mention the point now, and it can be debated in committee; but I certainly would like to see the women and children provided for.

Sir William McMillan

-Is the honorable gentleman sure that the policy such as he proposes can be obtained 1

Sir WILLIAM LYNE

- I think there is no doubt but that it can.

Mr Barton

- Inquiry was made.

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Sir WILLIAM LYNE

- Clause 44 sets forth-

Subject to the provisions of this Act every probationer before the confirmation of his appointment and every officer shall effect with some life assurance company or society registered and carrying on business in the Commonwealth an assurance on his life providing for the following benefits, mainly' : -

the payment of a sum of money on his death if it occurs before he attains the age of sixty years ;

the payment to him of an annuity until death if he survives the age of sixty years ;

the payment to him, if he retires from or ceases to be a member of the public service before attaining the age of sixty years, of a sum of money equal to the whole amount of premiums paid, by him to the company or society unless he elects to continue paying the premiums on his policy ; and

for the increasing from time to time of; the amount assured as may be prescribed.

It may be necessary to alter the provision slightly. However, what I wish to point out is the proposal that is here made. I also wish to direct attention to this fact - that though 60 years of age is mentioned as that at which officers should retire, if both parties are agreeable, an officer can remain in the service till he is 65 years of age, although he cannot remain longer unless specially requested to do so by the Government. The Bill is pretty well safeguarded, therefore, in this respect, and I think that most persons will admit that two men are not always alike - that, whereas one man may be a good man at 65 years of age, another may be decrepid in various ways at 60, and should therefore leave the service.

Mr McCay

- Would the Minister mind saying, before leaving this part of the Bill, whether the exemption from insurance of officers in the public service of the State is to refer only to those who are taken over from the States now, or to those also who may be taken over at any time during the history of the Commonwealth?

Sir WILLIAM LYNE. - Which clause is the honorable member referring to 1

Mr McCay

- To clause 43.

Sir WILLIAM LYNE

- I think that is a matter upon which a legal opinion might be taken. My intention was to keep officers in exactly the position they occupied in. this respect when they were taken over.

Mr Barton

- There is nothing to deter them from insuring, but they are not compelled to do so if their State service did not require it.

Sir WILLIAM LYNE

- The 84th section of the Constitution provides, I think, for the case of the persons to whom the honorable member for Corinella refers. The object of the clause in this Bill is to enable them to continue their insurance.

Mr Piesse

- Is the Minister aware whether the risk contemplated by clause 44, sub-clause (c), can be undertaken by any company?

Sir WILLIAM LYNE.- That I cannot say. But if any question of that kind arises, will very soon ascertain.

Personally, I think there is no doubt about it.

Mr Glynn

- What the Minister has done is to take the State system, and to ! apply it to general assurance, but he will find that he cannot do so.

Sir WILLIAM LYNE

- I think we can do that. I can very easily make inquiries, however, and I think I know something about life assurance. I know that certain things have to be indorsed on the policy when it is being dealt with. The Bill provides for eighteen days' holiday a year to officers for purposes of recreation, and, in case of illness, leave of absence up to twelve months may be granted, and six months' further leave may be given without pay where necessary. But, of course, this leave is given on the recommendation of the permanent head of the department, and I do not think, therefore, that the power is likely to be abused in any way. Furlough can also be granted to an officer after twenty years of service to the extent of twelve months - six months on full pay and six months on half-pay. To an officer who has continued in the service for at least ten years, and who was over 30 years of age before being admitted to the service, leave of absence may also be given on full pay. Of course, this leave is in addition to the usual holiday. There is a provision here, too, which is a very stringent one. It enacts that no officer is to engage in any other remunerative employment without the express sanction of the Governor-General. I do not wish to weary honorable members by going into further details which can be dealt with in committee. I have attempted to give a general outline of the Bill, and to compare it with State Acts, and I feel sure from the expressions that I have heard from those who have read its provisions, and also from some public servants regarding minor amendments which do not touch the principles laid down, that we have in this Bill a foundation upon which we can create and carry through a good Public Service Act which will work well under the peculiar circumstances of all the States.

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Sir WILLIAM McMILLAN

- I think the honorable gentleman in charge of the Bill has given a very fair outline of its provisions. There is a special interest attaching to the Bills which are now being introduced, into the Commonwealth Parliament, because we are considering what we may call the fundamental principles upon which the laws and administration of the future will be carried on. It is therefore very essential that all these Bills should have the most drastic criticism, so that we may see whether we are going on the right lines at the inception of our legislation. Now the first question that naturally presents itself to one in dealing with a Public Service Bill, is " what should a good public service be ? " In the first place we must recollect that, although we do not want to have political influence unnecessarily introduced into the public service, it is a political institution, and that we cannot apply to it the same rules that we would apply to the ordinary affairs of life. At the same time, to make it thoroughly effective, there should be, in its discipline and in its origin, the most complete business administration throughout the whole. There are two opposite dangers to which the honorable gentleman has very properly referred. There is no doubt that the Act in New South Wales - which, I may say, was the result of an absolutely rotten system that had been followed for years in that State - like the returning swing of the pendulum, was the result of a reaction, and it was a drastic piece of legislation, the full purport of which was scarcely understood when it went through Parliament. That legislation went far beyond the intention of Parliament itself. I do not believe, and I quite agree with the honorable gentleman, that we should give to any man, or body of men, absolute, complete, autocratic powers in dealing with the departments of State. At the same time, we cannot shut our eyes to the other extreme, and I am rather afraid that this Bill, if it is not carefully amended in committee, while seeking to give a certain amount of control and power of inspection to the commissioner and his inspectors, will practically, if we are not very careful, nullify the whole of that principle. I hold that there are essentially two

parts in the public service that we must recollect. When we have created it - and it is well to take a simple department as an example, as if the whole of the service were one department - we place at the head of the department what is called a permanent head. In the case of the Commonwealth, where these sub-departments will be distributed all over Australia, we place a chief officer over the head of the different branches. Now there is no doubt that we ought not to enact any provisions in this Bill which will interfere with the disciplinary work of the head of the departments. We create our departments to the best of our ability under the commissioner and under certain rules and regulations of a particular Act, "but when once that department is set going, the -whole discipline of it should be entirely under the control of the permanent head. But on the other hand - and there is a defect in the Bill here - all changes, removals, alterations, and creations of new offices or such offices should be done entirely on the report and advice of the commissioner. Of course, naturally the commissioner would not do what the commissioners did in New South Wales - absolutely ignore, as in many . cases I know they did, the recommendations of the permanent heads of the departments who had been in the service of the country for years. In many cases the commissioners treated those permanent heads almost with contumely. I do not think that anything could have been worse than the way in which the commissioners went about their business, and it was only because I felt that they had a very delicate task to perform, and that there was undoubtedly a drastic work to be done, and because I feared that any discussion in Parliament would weaken their necessary authority, that I refrained from referring to it when the matter came up in the House. They had a difficult and a delicate task, but I think they discharged it in a way which neither Parliament nor the Government intended. I find, on referring to this Bill, that in two very important clauses there is no reference whatever to the commissioner. If honorable members will turn to clause 35 they will find this provision.

The Governor-General may from time to time -

create a new office in any division in any department on the request of the permanent head thereof ; or raise or lower the classification or grading of any office, the duties of which have been materially changed ; or

transfer or promote an officer from the professional division to fill a vacancy in the clerical division, if such officer has previously been in the clerical division, and- consents to such transfer or promotion ; or transfer or promote an officer from the professional division or clerical division to the special division.

I find there is no reference to the commissioner in that clause.

Sir William Lyne

- I wish to explain to the honorable member that I have that clause marked, and that I intend moving an amendment upon it.

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Sir WILLIAM McMILLAN

- There are most important matters- to be done, without any reference to the commissioner. I. think there might have been a clause referring generally to that officer. Clause 5 refers to him, and I think it might have embodied some provision conferring his general powers under all possible circumstances in connexion with this Bill. In Clause 71 the same thing occurs again. Here we have regulations. I do not see in this clause - it may be owing to my rapid and ineffective reading of it - any reference to the commissioner.

Mr Deakin

- Look at sub-clause (j).

Sir WILLIAM McMILLAN

- I understand that the principle of the Bill is that we create a commissioner. The Government think that one man is sufficient for this purpose, but, that, as the Commonwealth administration extends all over Australia, he must have a number of inspectors to assist him in the performance of his work. I do not object to that, because it is a matter that will come under review in committee. But at present I do not object to the principle of one commissioner.

An Honorable Member. - There will be sub-commissioners.

Sir WILLIAM McMILLAN

- Yes, there will be sub-commissioners just as a bank would have sub-inspectors in the different States. That is a sound business principle. But whilst we do not want to ignore the Minister or the head of the department, I do say that, in the first place, if the Commissioner is to be of any use at all, he must be a

live institution under this Bill.

Sir William Lyne

- But the honorable member would not say that the provision is wrong, that if a recommendation is made by the commissioner it need not be acted upon by Parliament ?

Sir WILLIAM McMILLAN

- I do not want apparently to create a principle of control and advice and of real power for the safeguarding of the public interests of the country, the safeguarding of Parliament, and the safeguarding of Ministers themselves, in order to see that the service does not become unwieldy, and that it is always effective - I do not want to appear to carry out that principle, and then by some clause insidiously put in - I do not use the word in any offensive sense - to whittle away the very power of the officer who represents in this Bill the principle of inspection, report and control. Coming to another matter, allusion has been made to the red-tape influences that affect men in the public service, especially in the clerical branches. That influence affects them just as, in a large business, if you keep men at certain mechanical work, they become in mid-life practically fossils. Therefore there must be some means of not merely going to other branches for efficient officers, but of going outside the service. Take the position of the permanent head of the Treasury. It may be well enough - as has been said to me, when I had the honour of dealing with these affairs - to have a public officer who knows the innumerable Acts and technicalities, and all that sort of thing. Indeed it is necessary to have an officer to keep the Minister right in such matters. But you want to have at the head of such a department in the first place a man of large general information, business capacity, and knowledge of the world ; and, in the second place, it is essential, acting under statutes, and in connexion with public service requirements and the interests of the State, that you should have a man, who, while not dictating to his Minister, can be safely relied upon to put his hand to no improper act, no matter what the Minister may attempt. Therefore I feel that this provision is not a weakness, but a necessity, and it may possibly have to be exercised very often in the interests of the public. At the same time upon the other principle I feel strongly - that it is the duty of the Minister to exhaust the public service of Australia before he makes an outside appointment. The provision for an examination, to insure efficiency, is of course a proper principle in this Bill. Then there is a small point which I have noticed, with regard to the divisions of the service. We are to have the special division, the professional division, the clerical division, and the general division. The clerical division, the professional division, and the general division are terms which are all reasonable, and must be used ; but the term " special division " does not mean anything in particular. If I might suggest another word, I think " administrative " would meet the case.

Sir William Lyne

- I do not mind.

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Sir WILLIAM McMILLAN

- The term " administrative division " gives the clear idea that you are dealing with men in the higher ranks of the service - not mere mechanical servants, but men who have to think and act for themselves - of course, under proper control. As regards the question of providing for men in their old age, and for their widows and children in case of death, the provisions of this Bill have my heartiest concurrence. It is a reproach to the Legislature of New South Wales that in creating the Public Service Superannuation Fund the widow was absolutely neglected, so that the only way in which she can get assistance is by applying informapauperis. Although it is not the business of this House to discuss insurance, I also feel strongly that it is to the advantage of the Commonwealth to make provision not only for its servants in their old age, but also for their widows and children. I believe that life assurance will be the salvation of the people in the future, and a remedy for a great many things that we are trying to secure by other more questionable methods. Of course, this is essentially a Bill for committee discussion, if we decide that the main principles of it are fairly correct. A question that may give rise to some debate is that of appointing one commissioner, with a number of subordinates as inspectors, instead of a board. That is a very difficult question to decide. The principle in regard to a board is that, although you have a chairman, still in all matters where opinion is divided, the majority rules.

Sir William Lyne

- I have adopted this plan because of the distance of most of the States from the seat of Government. A

board could not very well deal with any matter without the assistance of a staff, just as one commissioner would need a staff. . I am strongly in favour of one man taking all the responsibility. If you had a board of three members, they would require to have a staff, because they personally could not visit each of the States.

Sir WILLIAM MCMILLAN

- There is one principle of this Bill which renders' that provision not such .a matter of necessity. I refer to the absolute independence of this commissioner, subject of course to Parliament. I take it that he is to be in the same position as the railway commissioners, the Judges, and others occupying similar positions in the States, where it is necessary, not merely to give some kind of permanency to the officer, but to secure him from political influence and improper political control. I. made one or two notes of the speech of the Minister, but I do not think I need refer to them. The Bill is made up of the best parts of the Public Service Acts of the States, and a great deal of it consists of provisions which under any circumstances would need to be introduced into such a measure. I may say in conclusion that the only question which it seems to me we have to consider is, first, whether the principle of having one commissioner instead of a board, isa proper one to adopt, and secondly, whether it is a reasonable principle to try, at any rate for the present. In committee we must provide that the commissioner shall not be an autocratic person like the Public Service Board in New South Wales, able to ride rough-shod over Minister, permanent head, and every one else, but at the same time he must occupy that position of absolute power and control which is necessary for the efficiency and economy of the public service.

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Mr HUME COOK

- With the general policy and principle of this Bill I think there can be no quarrel. Personally, I strongly approve of having the Public Service Act of the Commonwealth free from political control. We have had some experience of that kind of control in most of the States of Australia, and in Victoria we are particularly familiar with the evils of the system. For the most part, the policy laid down in this Bill is that adopted in the Victorian Public Service Act, with this difference - that whereas in Victoria we have a board consisting of three commissioners, with a secretary, the proposal of this Bill is to have one commissioner and some assistants, who will practically take the place of the commissioners who form the Victorian board. But under the Bill the commissioner, and the inspectors will do what should have been done by the Victorian board. Under the original Act in Victoria, the Public Service Board was specially enjoined to make inquiry into the various departments of the service - to inquire as to the work being done by the several officers and to make reports upon the work of the several departments of the State service. The board did this at the initiation of the Act, but they have never done it since. It is because it has not been done that anomalies have crept in which have led to innumerable Bills being presented to the Legislature, by creating numerous grievances and general dissatisfaction among the, members of the service. Under this Bill I see that that fault is going to be remedied, because the Bill provides that the inspectors must make periodical examinations of all the departments. They must inspect the work actually being -done, and not take it on hearsay from the heads of departments. They must go into the several branches of the State service and see the men at work, make themselves familiar with what is being done, and report to the commissioner - who is supreme under this measure - what particular office individual men are holding, what is the class of work they are doing, what positions they are fit to hold, and give him other information of that kind. I believe the very salvation of an efficient service lies in the fact that there must be periodical examinations of the work done. Under this system the men will be fairly treated and ' their work properly valued, and they will no longer have to complain because no notice is being taken of them. I direct attention to the fact, however, that perhaps too much power is given to the permanent heads of departments, notwithstanding that the commissioner is to have such very great powers himself. The permanent head is the . man who is to exercise great powers over the working of the departments, the distribution of officers, the salaries they are to receive ; and he is to make recommendations for promotions, additions to salary, and things of that kind.

Sir William Lyne

- Not as to salaries ; that comes through the commissioner.

Mr HUME COOK

- I have no hesitation in saying that it will be found, particularly in the case of entry into the service, that a

man cannot get any increase of salary unless the permanent head recommends him for an increase.

Mr Poynton

- He gets two increases of £10 each in one year, and after that he is at the mercy of the permanent head of the department.

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Mr HUME COOK

- If the permanent head of the department does not recommend him, he may remain for years at £60 a year. I do not think that is fair. I take it for granted that if a man passes the necessary examinations, on the face of it he should be good enough to proceed in his order towards promotion in the service. If not, it should not be at the sweet will of the permanent head to say whether he shall get an increase or not; but specific reasons should be stated having regard to his deficiencies why he should not receive an increase. If he gets through the probationary period successfully, there should be automatic increases of his salary. Of course the appraisalment of his work will be made by the inspector, whoever he may be. I approve of the principle of competitive examinations for men entering the public service, because it is possibly the best that can be* devised. It puts men on their mettle, and although we all know that a mere clerical examination is not the best test of a man's fitness for a post, it is the best test that can be devised for the right to enter a service of this kind. One other matter I wish to speak about is in regard to the distribution of officers, which will be largely controlled by the inspectors. It will be within the knowledge of men who have had some experience of the Victorian public service that regulations have been drawn up in this State which have actually been a violation of the Public Service Act itself. I cannot at the moment recollect many instances, but I can cite one. Some time ago regulations were made as to the penalties that may be imposed upon prisoners lodged in the gaols of this State. These regulations were drawn up by the Governor in Council, and they enabled certain things to be done which were not in accordance with the spirit of the Act. Then, again, the Public Service Act of Victoria said that seniority was to be considered as one of the first qualifications for promotion, while, as a matter of fact, in the regulation drawn up by the Public Service Board it was made the last consideration. My view is that when a promotion is to be made the senior man in the service, provided that he has the ability, should get the position. I do not think power should be given to a permanent head to override the senior man, and appoint a junior, who may be a relative or a friend, or may have what the Minister for Home affairs has described as "social influence" behind him. The list of senior men should be exhausted first; and if the permanent head cannot recommend the senior man, he should be bound to supply specific reasons as to the non eligibility of the senior man, for his recommendation of some other individual for the post in question. It should not be at the discretion of the permanent head to say what should or should not be done in regard to a promotion of this kind. In the first place seniority should be considered. I would not place it altogether above merit, because merit must tell in these matters; but, when men have entered the public service on equal terms, and have in the first instance proved their fitness, the senior officer should have the first chance of promotion, and should not be passed over just because the permanent head is inclined to recommend a junior officer. "With regard to transfers from one department to another, I should like to say that, in the higher offices of the service, it is to a large extent a mistake to allow too easy a method of transfer. A man has, perhaps, become a very valuable officer in the Customs department, where he has occupied an honorable and onerous position, and he may, for the sake of a few additional pounds per annum, seek to obtain a transfer to the Post-office; but when he arrives at the Post-office he will probably find himself in the position of having to be coached and instructed by juniors as to how his work is to be done, and it may take him years before he thoroughly understands his new duties.

Sir William Lyne

- - -We have had several instances of that kind in New South Wales.

Mr HUME COOK

- We have had them in Victoria also. We have had men who possessed special, qualifications in a particular department transferred to other departments of which they knew practically nothing. The proper method of treating men whose long service and merit it is thought desirable to recognise is to give them additional salary, if they are worth it, and to retain them in the department where they are useful, rather than permit them to go to another department, where, as I have said, they will have to be instructed by

juniors as to how they shall do their work. That being so, it will be wise to make transfers easy only in the three lower divisions - Nos. 3, 4, and 5 - leaving men in the higher divisions not so free to obtain transfers, except under special circumstances, and where the needs of the Commonwealth require that it shall be done. There are some provisions in this Bill as to dismissal from the service; but, as far as I am able to see, there is no machinery for appeals. I can see no provision under which a civil servant will have the right to appeal to any high authority. Surely that is a mistake. Surely the Ministry did not intend that it should be so. When they take the matter into consideration, I am sure they will admit the ordinary justice of the civil servants' demand, that a man shall have some tribunal to which he can appeal in the event of his dismissal, or retirement, or anything of the sort. Provision is made for courts of inquiry to be held, but it seems to me that the arrangement is a rather cumbrous one, since it necessitates the institution of a new court for every trumpery case. I should prefer to have a permanent court of appeal, so that a civil servant who felt aggrieved might know that he could take his case before some impartial and judicial body with the full knowledge that it would receive attention, and that justice would be done.

Mr McColl

- Inside the department.

Mr HUME COOK

- I am not particular whether it be inside or outside the department. Perhaps it would be better inside the department ; but, at any rate, some court of appeal should be provided. Such a court would make it unnecessary for civil servants who have grievances to come to Members of Parliament, and we should get rid of the nuisance of being continually waited upon by civil servants wanting promotions or transfers, or something of the sort. I speak upon this matter from a large amount of experience. I formerly represented in the Legislative Assembly of Victoria a constituency which included two large departments of the State, and I have had rather a large experience of civil servants.

Mr Cruickshank

- How would the honorable member stop it ?

Mr HUME COOK

- I will put forward a proposal which I think will assist very materially in getting over the difficulty. In Victoria the railway servants have the right to elect a man to represent them.

Sir William Lyne

- - There is an arrangement to that, effect in New South Wales, too.

Mr HUME COOK

- This has been found to be a very good thing, and I would suggest that in connexion with each of the Commonwealth departments there should be a man elected by the civil servants, in whom they have confidence, to act with the permanent head and the inspector, and to see that no favoritism or nepotism of any kind takes place. There have at times been suspicions - which in some cases almost appear to be justified, though I could not prove them - that civil servants have had reason to believe that favoritism of the worst kind has taken place.

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Mr Conroy

- Nepotism is provided against in the Bill.

Mr HUME COOK

- But, reading the clause, I think it is a mistake and will not work, It seems to put a disability on the relatives of permanent heads of departments, where there ought to be no disability, provided that the men are able to do the work. I therefore suggest that the public servants in each department should have a representative elected by themselves, who could, in addition to adjudicating between them and the commissioner, or the inspector, also act on the Appeal Board if need be, evading forms of law, as the Bill properly provides shall be done, and represent a case from the civil servants' point of view. If that were done it would be found as efficacious here as the ' system has proved in connexion with the Railway departments of New South Wales and Victoria. What we desire is to get the civil servants of the Commonwealth to confidently believe that they will, at any rate, get fair play. We do not, of course, wish to coddle them up and make them " curled darlings," in the phrase of years ago. But they are human beings, and have to conduct a great portion of the business of the State, and they ought to have fair play.

Mr JOSEPH COOK

- We should guarantee that their case shall be adequately represented.

Mr HUME COOK

- If the right be given to them to elect their own man, they themselves, and not particular Members of Parliament, will be to blame if their case is not adequately represented. As to the question of assurance or guarantees, honorable members will notice that I have circulated an amendment for the purpose of testing the feeling of the House. That amendment provides that the Government, shall undertake the insurance of the civil servants -of the Commonwealth. This opens up a large question, which I do not propose to discuss now. I conscientiously believe that this is a subject which the Government should take in hand, though that will be for the House to determine later on ; hut I agree with the honorable member for Wentworth that assurance of some sort is necessary, and that it is wise to provide for it in every case. It is much better than the old pension system we had in Victoria, and if any man deserves a statue in this State that man is Robert Ramsay, because of what he did in abolishing the system -of pensions, which has loaded Victoria with a large expenditure of money every year.

I believe in the insurance principle and will support it heartily and strongly, but I think the Commonwealth itself should undertake this work. I have only one more remark to make, and it is to repeat that I am very much afraid that all through the Bill the permanent heads have been given too much power, and I feel that the suggestion I have made for the appointment of some person to represent the civil servants may, to a certain extent, meet that, to me, apparent evil. In any case I am certain the principles of the policy laid down in the Bill are such as can commend themselves to every man who has had experience of civil servants in any of the Australian States. The further we remove civil servants from political control the better, and the more guarantees we can give them that they will be fairly dealt with, the more satisfied both they and the people of the Commonwealth are likely to be.

Mr CONROY

- I feel that I must repeat the remarks I made last week as to the suddenness and rapidity with which these measures are placed before us, before we have had time to fully consider them. This Bill was circulated _ last week ; but honorable members know that while Parliament is sitting, and we are engaged here in discussing other business, we cannot find time to consider Bills which are to come on. The only days we have left free for that are Saturdays and Mondays.

Sir Malcolm McEACHARN

- We have had this Bill a fortnight.

Mr CONROY

- The Bill came to hand last Tuesday week, and Parliament has been sitting ever since. A measure like this, affecting as it does over 11,000 civil servants throughout Australia, should have been laid upon the table for a month, and no harm would have been done if civil servants had been allowed to secure copies, and to inform honorable members how they felt in regard to its provisions.

Sir William Lyne

- Had I not done what I have, the honorable and learned member would have twit ted the Government with not having any work ready.

Mr CONROY

- -The Government should have started to get their Bills prepared in the five months which have elapsed since January.

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Sir William Lyne

- The Bills were started almost immediately the Government was formed.

An Honorable Member. - The Government could not circulate Bills until Parliament was elected.

Mr CONROY

- Ministers were appointed on the 1st January last, and, knowing exactly what work was coming on, they could have given instructions for the various Bills to be prepared. It was perfectly clear that a Public Service Bill, a Post and Telegraphs Bill, a Defence Bill, and other measures would be necessary.

Sir William Lyne

- The Attorney-General has been hard at work on Bills ever since the Government was formed.

Mr JOSEPH COOK

- Is the Attorney-General doing all the Government work?

Sir William Lyne

- - He has had to attend to the drafting of a great many measures.

Mr CONROY

- I have no doubt the Attorney-General has done a great deal of work, and I should say he has been in a very unpleasant position indeed.

Mr Mauger

- Does the honorable member not think it is time he changed his tune and left off finding fault ?

Mr CONROY

- If the Government do the right thing I shall not find fault. As an instance of the undue haste that has been made, I can clearly show that the draftsman has not had time to consider this measure. If there is one thing incumbent on Parliament, it is to shorten its measures as much as possible, and to draw them simply, so that anybody may be able to understand their provisions. But what do we find? In the first part of the Bill, in what are called the interpretation provisions we read, " ' Governor-General ' means ' the Governor-General ' with the advice of the Federal Executive Council.1 " The other day there was introduced an Acts Interpretation Bill, which was brought forward for the purpose of shortening Bills, and in that Bill, clause 18, we find -

" The Governor General" shall mean the Governor -General of the Commonwealth, or the person for the time being administering the government of the Commonwealth, acting with the advice of the Executive Council.

That is a definition with which I have no quarrel whatever, but, having enacted that definition, I ask where is the necessity for the definition in the Bill before us.

Mr Deakin

- The interpretation of " Governor-General " was inserted advisedly in this Bill, because the Public Service Bill is not law yet. I considered the point no later than last week, and the draftsman advised that the definition should be left in the Bill until the Acts Interpretation Bill had been assented to. The words may be struck, out if desired, but they can do no harm.

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Mr CONROY

- I find no fewer than four or five clauses put into the Bill, which all have the effect of lengthening it. When we find mistakes like that in the first part of ' a Bill it shows there has not been time for full consideration ; "and the House ought to be most careful to see that measures are not introduced until honorable members have had an opportunity to consider them. Some inexperienced men seem to think that Parliament should sit every day in the week, but it is perfectly clear to me that the more an honorable member knows of parliamentary business the more he sees that Parliament ought not to sit more than two or three days a week, and, that the other days should be devoted to the consideration of Bills which are likely to be introduced; even the sessions might then have to be prolonged. If measures were not rushed through, and full opportunity was given for discussion, the session would necessarily occupy a longer time, but the result would be much more to the benefit of the people. It is almost impossible for us to take up a measure introduced in this hurried way, and seriously discuss its principles. In the Bill before us there is only one principle to which I should like to refer, and that is the principle of life assurance. There is this to be said of the proposal of the Government, that every man who comes into the service will thoroughly understand what will be required of him. I do not know whether the provisions contained in clause 45 have been put before the board of any life assurance society, but in clause 44 sub-clause (c) we read -

the payment to him, if he retires from or ceases to be a member of the Public Service before attaining the age of sixty, years, of a sum of money equal to the whole amount of premiums paid by him to the company or society, unless he elects to continue paying the premiums on his policy, and . .

That provision may require a civil servant to pay a considerably increased rate for his insurance, and I should like to know whether the Minister for Home Affairs has noticed the point. Would the effect not be to compel the civil servant to pay a higher rate than under an ordinary death policy 1

Mr Crouch

- That has not been the effect in Victoria.

Mr CONROY

- I should be glad to receive some assurance on that point.

Sir William Lyne

- My impression, was that the. clause would raise the rate, but I do not know from experience.

Mr CONROY

- It must of necessity make the insurance much more expensive than it otherwise would be, and I do not know that the honorable and learned member for Corio is quite in a position, to assent the contrary.

Mr Glynn

- There will have to be special tables framed, with a limit of business.

Mr CONROY

- I am not making these remarks in a captious spirit, but merely with the desire to draw the attention of the. Minister to the point.

Sir William Lyne

- I shall make inquiry. Some one directed my attention to the point when I was speaking.

Mr Glynn

- It is only applicable to State business. It is copied from the State system.

Mr CONROY

- The honorable member for Bourke has sufficiently pointed out the objections in connexion, with the permanent heads of the departments, and I will content myself with referring to clause 5, sub-clause (5), which reads -

No action or suit shall be brought or maintained against any person who is or shall, have been a commissioner or inspector for any nonfeasance or misfeasance in connexion with his duties, nor shall any action or suit lie nor any costs be payable in respect of any proceedings before the commissioner or inspector.

I should like to ask the Minister for Home Affairs whether he has considered- this clause. It appears to me that the result would be that if a commissioner were to do wrong he would be protected. That is to say, if a commissioner, knowing a thing to be wrong, continued to do wrong, he would not be liable to an action or suit.

Sir William Lyne

- He will be protected only ; if he does not do wrong deliberately. The clause does not bring, in malfeasance.

Mr CONROY

-In my opinion, the effect of the clause would be that if a commissioner or inspector knowingly did wrong, he would still not be liable. I do not think that is intended.

Sir William Lyne

- It is intended- to protect him unless he does wrong deliberately, which amounts to malfeasance.

Mr Deakin

- It is the customary protection in these cases.

Mr CONROY

- I think it gives far too great a power to the commissioner or the inspector for the time being;

Mr Deakin

- These officials must be protected against frivolous actions on unfounded charges of injustice or neglect.

Mr CONROY

- I know that in two or three Acts- of this, sort a similar provision exists, but at the- same time it is to a large extent going beyond- what should be done.

Sir Philip Fysh

- A similar provision has been in operation for ten years in Victoria.

Sir William Lyne

- The clause is taken from the Victorian Act.

Mr CONROY

- But the clause seems to give far greater protection, than should be allowed.- If, however, it can be shown that no disabilities will arise under the clause, there may not be so much objection to it. If there were a clause making it incumbent on the plaintiff to show that the official complained of had acted wrongly, that would be quite sufficient. I do not see how, under the sub-clause, an action could be brought

at all against the commissioner or inspector, no matter how wrongly he had acted. Two or three other points to which I had intended to refer have been dealt with by the honorable member for Wentworth and the honorable member for Bourke, and I will therefore content myself by asking why, when it is intended to have adult suffrage throughout the Commonwealth, the salaries of females in the public service are limited to £125 and- £140, even- though it be found that they are able to perform the work just as well as men are.

Sir William Lyne

- Females are supposed not to require so much salary.

Mr CONROY

- But females are allowed to go into the civil service, and, if women are given votes, it is likely that they will insist that females in the service doing the same work as males shall be paid the same salaries.

Sir William Lyne

- That has never been allowed under any Public Service Act.

Mr CONROY

- Because there was no such provision as adult suffrage till the last few years. At the time the various Acts were framed nobody ever- dreamed, of giving the suffrage to women.

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Sir WILLIAM LYNE

- Lyne:- - Does the honorable member- think, that because women have votes . they should receive higher pay? .

Mr CONROY

- The granting of adult suffrage is an- admission that women are competent to do much of the work which has hitherto been done by men, and, if this be so, they should obtain- the same pay for it.

Mr HIGGINS

- I had not- the advantage of hearing the Minister for Home Affairs move the second reading of this Bill, but I am. surprised to find that such a small, degree of interest seems to be taken in such, an important measure. We are now going to- the root ' of the administration of this new Commonwealth, and, if it be true that whatever, is best administered- is best, it becomes of vital importance that we should look well to the principles 'on which we establish our public service. There is no doubt that the public service is growing,, not diminishing. The tendency- in every country, and above all in Australia, is to increase the number of persons who are engaged in the service of the public. I am" sorry to say - speaking from my own experience - that there is more of the time and of the energies of Members of 'Parliament flittered away in considering, discussing, and dealing with the grievances of public servants than is spent upon any of the higher problems of parliamentary life. I think I can appeal to honorable members to bear me out when I say that it is simply lamentable to see how, owing to a badly - administered public service, we find the energies of some who are regarded as most promising Members of Parliament absolutely frittered away, and the principal part of their time absorbed in looking after the grievance of this little post or of that little post. I need not give absolute details, but when an honorable member who is busy with great questions, such as we have to face in the first session of the Commonwealth Parliament, is visited by people who want a billet as cleaner of a house or sweeper of an office, and has his time taken up in hearing requests of that sort, the position is indeed a lamentable one. I do not find- in this Bill, although it seems to adopt the routine prescribed-' , by- the Acts of the different States, any attempt to grapple- with the difficulty. Of' course, in all administration there must be grievances, and there- must be hitches, but I am thoroughly convinced that by applying the experience of England, America, and Australia, we could devise methods by which Members of Parliament would be enabled to give more of their time to high issues, and less of their time- to these miserable questions which a proper business man could deal with if he were put in a position, of control and given a free hand. I find in this Bill that, there are one or two honest attempts to grapple- with these difficulties, but the measure is not sufficiently venturesome in striking out a new course for the guidance of this House. The public service is increasing), and the problems of the public service must increase.

Sir William Lyne

- We have taken over about 11,000 officers. I gave the figures.

Mr HIGGINS

- The Government is taking over more and more functions. It is not for me to say that this is right or that it is wrong. But we have to face the fact that the Government is becoming more and more concerned in businesses and in working out undertakings ; and, perhaps, eventually - it is not for me to prophesy - all of us will become public servants. At all events, the more we have of the spirit of the true public servant, the better. But at the same time we cannot close our eyes to the fact that in all the States the number of public servants is steadily increasing, and they are all electors ; and the grave question arises shall we do our duty in regard to this huge tiling that is growing under our eyes. I see that the Government propose in this Bill to deal with the matter very much upon the lines that we have been familiar with in Victoria, and certainly our public service administration in Victoria has not been a brilliant success ; I do not know what the experience has been in New South Wales. But grave as are the evils arising from political influence, there are influences which are far worse.

Sir William Lyne

- That is what I said.

Mr HIGGINS

- I am very glad to hear it. We are trying here, by appointing a commissioner who will be largely independent of Parliament, to shunt the responsibility upon him which the Government, to a large extent, ought to take. I am not an advocate of appointments being made by political influence, but at the same time [feel that we cannot get a proper system unless we have some person who will be responsible to the representatives of the people for every act, and every appointment, and every promotion.

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Sir William Lyne

- This Bill provides for' that to a greater extent than any of the State Acts.

Mr HIGGINS

- I hope it does ; but I have not been able to find that it goes very far in that direction.

Mr A McLEAN

- The further it goes in that direction the more Members of Parliament will be badgered.

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Mr HIGGINS

- Obnoxious as is the system of badgering honorable members, it has the effect of making them familiar, as they ought to be, with the working of the departments, and it makes them familiar to a large extent with the difficulties which face the Ministers who are responsible to Parliament for the working of those departments. One great difficulty is with regard to promotions and transfers. There is nothing which creates so much soreness in the minds of public servants as promotions and changes in the departments. On the one hand, every one feels that Ministers ought to be able to get for their departments the very best talent available, and that they ought to be allowed to put into responsible positions brilliant young men with other experience than that of the civil service - men who have seen something of outside life, and who have not been brought up in the groove of the department, and, on the other hand, at the same time, by letting them select at their will, such men as they think fit for those positions, we are in great danger of bringing in the evils of favoritism, of nepotism, and of the pressure of political supporters. But if we say that we will not go outside a department for special talent, we run the risk of a still greater danger. That greater danger is that the civil servant will become wooden and incompetent, and lose all initiative. It is to be borne in mind that in a public department there are not the motives for improvement, for initiative, and for good work that there are in the departments of any big business concern. In the public departments the object is not to make profits. In a big business concern the object is to make profits. Of course in a business concern the intellect is made keen, and the abilities are, as it were, ground to perfection. But if a man enters a public department when he is young, the tendency : is for him to do whatever work he is told to do by his superior, and to trust for the improvement of his position to increments periodically, and to getting into his superior's shoes. I do not think that there is anything more undesirable than that. I was greatly struck by an article which appeared in the Nineteenth Century of last year under the heading " Administrative Reform in the Public Service," by Mr. P. Lyttelton Gell. It is a short article, and it was criticised by Sir Algernon Borthwick, himself a public servant of some experience, but, without shaking in any way the main thesis of Mr. Gell. Mr. Gell puts it that it is our duty to reform the public service by having regard to the experience of different countries. He says -

The inherent weakness of every public office is that it breeds in-and-in. Men come into the department young, with no knowledge of affairs, no general business experience. They are drilled into methods and routine by seniors who have themselves never known anything different. The existing system and regulations (with all the little accretions of custom and method which spring up to meet the special conditions, and need to be reviewed and brushed away from time to time) become sacrosanct. They appear to be absolutely essential to the conduct of affairs, and obedience to them becomes one of the chief ends of man.

He contrasts with that the case of a big business firm, where, as he puts it -

There is a ceaseless evolution of improved methods, a constant interchange of men and ideas, and an instructive economy of effort. The promising junior passes from one firm to another, or from a Home branch to an American branch, and back again, always bringing in fresh methods and always finding fresh methods to learn.

He also points out how there is a difficulty in developing merit under a close departmental system.

Promising men may be ossified in their very youth by stereotyped forms, by limited and monotonous duties, by the discouragement - even the jealousy - aroused by initiative.

I feel that I shall be excused for referring to this article, because it is so pertinent to the subject ; and I can give its essence in a few words. Mr. Gell says that there is no encouragement to juniors to try to excel their seniors in public departments, and that if we keep a man in one department, a senior will never stand a junior being placed over his head. The great thing that he recommends is that there should be elasticity in the service, and in place of prohibiting transfers between departments, he would encourage them. The writer's idea is that the offices should be kept interchangeable as much as possible. Then, when a brilliant man is found, although his promotion in his own department might arouse a good deal of irritation, he can be promoted in another department without there being at all the same amount of friction.

Mr Deakin

- There would he here.

Mr HIGGINS

- There would be friction, but not the same amount of friction.

Mr A McLEAN

- The old fellows would make things lively for them.

Mr HIGGINS

- Mr. Gell

says-

No man will see his own quondam subordinate stepping immediately over his head-

But if the public servants understood that they were not to be kept within the groove of the particular department which they first entered, but that the authority above them possessed the power of transferring them freely, and promoting them over the heads of their seniors, it would be a wonderful stimulus to all branches of the service. If they knew that the responsible person to appoint them had a free hand to take the enterprising young man and put him over the slow man, it would be a great incentive to more efficient work. At the same time, with regard to those who will not develop initiative, and who are not of the class that ought to occupy the highest departments of the State, it is very important that they should feel sure of their increments. I do not believe in the system of stopping increments, which appears to be provided for in this Bill. We have two classes of civil servants to deal with - one the elastic class, which is capable of undertaking the higher duties, such as organizing work, and the other class comprising the steady worker, who feels that, so long as he does his work well from year to year, he will be sure to get his increments. Mr. Gell suggests the appointment of three paid commissioners, of whom not more than one should be a civil servant, two being men of experience in the industrial and commercial world. To these, he thinks, might be added four or six unpaid commissioners, who would be members of the Upper or Lower House, chosen for their business reputation - great shipowners, railway managers, or manufacturers. I shall try to apply these principles to our own conditions ; but in doing so, I may say that I do not think there is any harm in the Minister's suggestion that we should have one commissioner instead of three. The more I think of it the more I am convinced that it is important to have one definite head of whom to make a scapegoat in case of need, or on whom to lay the responsibility.

The idea of having one commissioner and six inspectors is a good one.

Sir William Lyne

- The six may not be appointed. We may only need three but we take power to appoint six in case of need.

Mr HIGGINS

- Is the idea to have one inspector for each State?

Sir William Lyne

- Yes.

Mr HIGGINS

- I cannot quite understand what is to be the distinction between the chief officer of a department and the permanent head ?

Mr Deakin

- The permanent head will be the officer at the head of the whole department, and the chief officer will be the chief of the department in a particular State.

Mr HIGGINS

- The reason I feel a difficulty about this point is that clause 13 says- *

The persons for the time being holding in any State such offices as may be prescribed shall be chief officers of departments.

It is also provided that the chief officer is to exercise such powers, authorities, and duties "as are prescribed or as are assigned to him." Then it is said that the permanent head of the department may in any case "exercise any or all of the powers conferred, by this Act on a chief officer." I do not quite understand the relation that the chief officer will bear to the permanent head. I should like one of the Ministers to explain the exact distinction between these officials.

Mr Deakin

- The permanent head is the head of the whole department, wherever it may be located ; and the chief officer is the chief officer of that department in each State. For instance, the chief officer of the Post-office in Victoria will be the head of the department in Victoria ; but the permanent head of the Post-office will be the permanent head of the whole department immediately under the Minister.

Mr A McLEAN

- Will there be a chief officer for each State?

Mr Deakin

- Yes, in all probability, but not necessarily.

Mr Isaacs

- The permanent heads of departments are enumerated in the schedule. They are all secretaries.

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Mr HIGGINS

- I know that the details of this Bill are matters for consideration in committee, but the vital portions of it, to which I wish to direct the attention of honorable members, are clauses 27, 35 and 36. There are important proposals elsewhere, but those are particularly important. I observe that there is power in "any special case" to appoint to the special division or the professional division "some person who is not in the public service." This, however, must be done upon the report of the permanent head, and the nomination of the commissioner. As I understand that provision, the commissioner must take the responsibility of naming the man. Then even if the permanent head reports against the appointment, the Government may appoint him. The clause says - "on the report of the permanent head ;" it does not say - "the favorable report." I understand that the permanent head is to give a report, and that there is authority, on the report of the permanent head, or the nomination of the commissioner, to appoint such an officer.

Sir William Lyne. - The intention is to have the concurrence of both officers.

Mr HIGGINS

- I agree with the honorable gentleman that that is probably the intention, but if the concurrence of both officers is wanted, the phraseology of the clause must be altered.

Sir William Lyne

- I think so.

Mr HIGGINS

- This clause as it stands means that the commissioner takes the responsibility of nominating, but it does not say that the Government are bound by the report of the permanent head. I thought that was a very happy idea indeed. It often happens that our best ideas come to us accidentally, and I beg to congratulate the Minister for Home Affairs upon having hit upon an idea that will, to a large extent, tend to prevent the ossification which is so common in our public service.

Sir William Lyne

- To carry out what the honorable member suggests, I think the wording will have to be slightly altered.

Mr HIGGINS

- I think the permanent head will be very apt to be tied down by the routine of his own department.

Mr JOSEPH COOK

- Is it that the permanent head has to report and then the commissioner has to nominate?

Mr HIGGINS

- I understand that the commissioner nominates and the permanent head reports ; but the clause does not say whether he is to report before or after the commissioner nominates. I apprehend that the permanent head will say that he wants a man for a certain purpose.

Sir William Lyne

- He will do that, and probably mention a man.

Mr HIGGINS

- It is one thing to say "I want a man for an office," and another thing to say - "I want this man." I hope the Minister will make it clear that the commissioner may nominate without the consent of the permanent head. In sub- clause (2) of clause 27, it is laid down that -

No such appointment shall be made until the commissioner has certified that in his opinion there is no person available in the public service.

I hope that will be struck out. I am quite sure it was put in with the good intention of preventing unnecessary appointments and stopping men from being brought into the public service from outside by favoritism or without warrant ; but we might take the risk so long as the Minister remains responsible. It is better to take the risk than to make <a -rigid rule which may prove to be a mischievous one. If you cannot bring a man into the service from outside unless you have no person available inside the service, you may prevent the introduction of good men from outside. As is shown in the article by Mr. Gell, some of the very best public servants in England have been brought in from the outside, and have been men of ripe years. For instance, Sir Robert Herbert, who was Under-Secretary to the Colonies did not enter the public service until he was over 40 years of age ; and after he left it he was put into an important position in the Bank of England.

Mr Deakin

- He was afterwards recalled to the public service.

Mr HIGGINS

- Then take the cases of Lord Loch and Sir Alfred Milner - though perhaps there may be some doubt about Sir Alfred Milner being a successful public servant. Then there are such men as Sir Arthur Godley and others.

Mr Deakin

- There is the case of Sir, Robert Giffen.

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Mr HIGGINS

- I am not sure about the case of Sir Robert Giffen. I have seen him, and he was a splendid public servant ; but I am not acquainted with his case in this respect. I would rather rely upon Ministerial responsibility than upon a rigid rule. I want next to refer to clauses 34, 35, and 36. I agree with the statement of the Minister for Home Affairs that in grading a new office the commissioner must be consulted. But let honorable members look at clause 36. It says -

Wherever a vacancy occurs in any office, and it is expedient to fill such vacancy by the promotion of an officer, the Governor-General may, subject to the provisions of this Act, appoint.

This has to be looked at" very closely. Whom is he to appoint ? He is to appoint to the vacancy -

An officer of the department in which such vacancy occurs, regard being had to the relative efficiency, or in the event of an equality of efficiency of two or more officers, to the relative seniority.

Now, to stop there first, I think' that is a move in the right direction. Merit comes first, and seniority second. You have to pick out the man who has merit, and then if you have equal merit you look to seniority. We have in our Victorian Public Service Act the principles of seniority and merit combined, which makes an unworkable hash. The clause goes on to say -

If it appears that such appointment would result in the work of such office being more efficiently performed than by selecting an officer from any other department.

Does that mean that you must go to an outside department unless you can prove that the work can be done better by a man inside the department in question? If so, it is a very curious thing. At the same time the provision may be deliberate.

Sir William Lyne

- I take it the other way. I know that is intended.

Mr HIGGINS

- The meaning of the words is distinct - that if you want to appoint to a vacancy in -a department you must first look outside the department, and if. you can prove that the appointment from inside would result in the work being better done, then and then only you can appoint from inside the department.

Sir William Lyne

- - I want to keep inside the department, but if it is not satisfactory to make the appointment from inside the department, to go outside.

Mr Glynn

- Substitute the word "as" for the word " more " and the difficulty will be met.

Mr HIGGINS

- I think the clause can be altered to carry out the Minister's view. But here again the Minister, by some subtle process, is carrying, out the idea which I think should be carried out as far as possible - to go outside the department and bring in fresh blood and fresh ideas. I know that it is rank heresy to say this.

Mr Deakin

- Do you think you would get fresh blood by going to another department ?

Mr HIGGINS

- Not necessarily. At present I am only endeavouring to get at the meaning of the Bill. Then, further on, the clause says that the Governor-General may "or appoint to fill Such vacancy any qualified officer from any other department whom on the ground of efficiency, or, in the -event of an equality of efficiency of two or more officers, whom on the ground of seniority, it seems desirable so to -appoint."

I do not understand the meaning of that. Does the expression " or " mean that the body appointing is to have a choice, and that that body may either appoint from another department or from the department in which the vacancy has to be filled? These two sub-clauses are inconsistent. There should be something more definite to explain what the intentions of the Bill are. I should like it better if there were no such provision as clause 36 at all. I* should like to see Parliament giving the responsible body, whatever it is, a free hand within larger limits. I admit that there must be some limits, but there should be larger limits than are imposed here. I think it will be extremely important, especially in connexion with, the higher grades of 'the public service, to allow a Minister a wider discretion. Knowing that he has the pressure of responsibility, and knowing that the sword of Damocles is hanging over his head in this House, he will be careful how he exercises that responsibility.

Mr Deakin

- There are several swords hanging over our heads here.

Mr HIGGINS

- Although the power might be sometimes abused, that danger would be balanced by the fact that the Minister would run the risk of being hauled over the coals for his action. It might be wise to have a provision that proposed appointments should be laid "upon the table of this House for a time, and then, if there was no action taken to the contrary, should take effect. I know I am speaking in the presence of 'skilled 'administrators, and if what I suggest is not practical, I am sure that they will let us know why.

Mr Deakin

- I thought the honorable and learned member's object was to keep the public service as far as possible out of the control of Parliament 1

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Mr HIGGINS

- I do not object to Parliament having its thumb on every possible point in connexion with the public service. What I object to is that members should have their time frittered away by being urged to look into grievances which Ministers ought to inquire into.

Mr Deakin

- I am afraid that if every appointment could be challenged by resolution in this House, we should never do any other business.

Mr HIGGINS

- I do not know. I have merely thrown out that as a suggestion. I hope I shall not be understood as committed to these suggestions which I have made while upon my legs ; but I feel that it is better to run the risk of some bad appointments than to have the dead hand of seniority of promotion within the departments, and " breeding in and in," as it has been called, within our Commonwealth service.

Mr JOSEPH COOK

- It is not so much a question of bad appointments as of unnecessary appointments.

Mr HIGGINS

- If the honorable member reads clause 35 he will see that no new office can be created without the consent of the commissioner. It must be created then by the Governor-General. I was applying my attention, in the argument I have just advanced, to a vacancy in an office, the usefulness of which is admitted. The question is : who is to fill such an office ? With regard to the lower grades of the public service, it may be well to have more or less promotion by seniority ; but in the case of the higher work, the man who has spent his life in the service, and has never had the responsibility of initiation put upon him, is not the man to take charge of a large department. You want a man of energy - a man with commercial ideas and experience ; a man who is in contact with the work-a-day world, and who has had to deal with " men. You will find in the public service men who will go diligently to work at the office at ten in the morning, and stay till four in the afternoon - men who are most exemplary in their family life, who go to church regularly, who never read the newspaper in office hours, and never get off the office stool when there is work to do. They are good men, but they are not the men to whom to intrust the initiation of new departments. We are starting a new Government machinery in Australia, and we must make it the best we can have. The public service problem is really the greatest problem we have to face, and yet to-night we have the smallest attendance of members that we have had since this Parliament commenced its deliberations.

Mr Deakin

- You must remember that we are taking over the old machinery - the Customs department, the Defence department, the Post-office department, and so on.

Mr HIGGINS

- I recognise the importance of the obligations which arise from taking over the old servants of the States. But I am looking forward a bit. I admit that we shall have difficulties in replacing what is effete and old by what is fresh and new ; but I want to have our hands kept free, so that the reforms we initiate may have their inevitable result, by filling vacancies with men who will make the public service of the Commonwealth healthy and sound.

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Mr POYNTON

- It is not my intention to occupy very much time in discussing this Bill ; but I look upon it as a very important measure, and we ought not to be in too great a hurry to rush it through, It appears to me that the pendulum is inclined to swing a little too much in the opposite direction to that in which it has hitherto swung. I recognise fully that under the old system of automatic increases in the public service a great many anomalies have arisen ; that in some cases there are round men in square holes. But it is only in regard to the heads of departments, or in the case of men who are well advanced in years, that you can say that this is a drawback. What I am afraid we are doing by means of this Bill is to make it possible to penalize the thousands in order to cure the few. I am not particularly concerned about the men at the head of departments, because my experience in life is that they can very well look after themselves. It is those on the lower rungs of the ladder whom we have to be more concerned about, and notwithstanding what has been stated here to-day, that a youth going into the service at sixteen years of age may be

receiving £160 a year by the time he is twenty-one, I am afraid that while there is such a possibility there will not be many instances of the occurrence. The only thing that is guaranteed to the youth who enters the service at sixteen years of age, or even at twenty-one years of age - because the age for admission to the clerical division is from sixteen to twenty-one - is that he shall receive \pm '40 per annum to commence with, and that inside twelve months he may obtain two £10 rises, bringing his salary up to £60 a year. I cannot see anything in the Bill which insures any further increases. It is true there are certain provisions by which an officer may be drafted from one division to another, examinations taking place from time to time for the purpose ; but he must be one year in a class before he is entitled to be moved, and, so far as I can read, there is no assurance given that he may not be five or even ten years in the one class before he is shifted. The automatic increase stops at £60, and I would ask the Minister whether some consideration ought not to be shown to those who have not the opportunity to show special ability in the first few years of their service - whether there is any necessity to apply the drastic rule of doing away with the automatic increase when a man receives the enormous salary of £60 a year. I should offer no objection to stopping the automatic increase at £1 60 a year ; but to apply it to the smaller salaries would make considerable hardship possible. It is considerably more difficult for the men in the lower grades of the service to bring themselves under the notice of the heads of their department than it is for one who is well up in the service to do so. There are worse things than political patronage, with all its evils. There is the insidious system of departmental favour, which cannot be dealt with in this Chamber. We can deal with political favoritism, and I would sooner take the risk of political patronage than allow the much worse evil. Promotion from one class to another is permissible. Is not that where favoritism would come in. Are the heads of departments so absolutely free from bias that they will be any better than ourselves in the matter of shoving along particular friends? Before the Bill leaves this Chamber I hope something will be done to protect the low grade officers who receive up to, say, £160 a year. In the limited time I have had to examine the clauses dealing with offences I have formed the opinion that they are almost unworkable. Considerably more power ought to be given to the heads of departments, because, if I read aright, all the power they have in cases of irregularities or neglect of duty is to give a reprimand, and then, if the offence deserves something more, there is to be suspension.

Sir William Lyne

- Yes, that is so.

Mr POYNTON

- And on proof of the offence there is dismissal.

Sir William Lyne

- Not dismissal by the permanent head.

Mr POYNTON

- But there is no intermediate degree between what one may call a trivial offence worthy of a small punishment and what may be termed a serious offence, followed by the heavy punishment of dismissal.

Sir William Lyne

- To what clause is the honorable member referring %

Mr POYNTON

- To clause 40 ; and I cannot see why the word " habitual " should appear before the word " negligent." That is a word which will open up endless disputes. Measures of . this kind should be as free from language of that kind as possible, so that their provisions may be easily understood. How could one define "habitually negligent "?

Mr Higgins

- What is "habitually drunk"?

Mr POYNTON

- Exactly. Could any offence be proved so long as those words remained. I am quite sure there are several honorable and learned members on the Treasury Benches who with their legal talent could make a very fine defence indeed out of those words. It would be a very bad case if they could not get their client off if he were charged with "habitual" negligence; and I believe that the assistance of counsel is allowed under the Bill in these cases.

Sir William Lyne

- Yes.

Mr POYNTON

- If these words are left in, the legal gentlemen will win every case where there is a charge of neglect of duty.

Sir William Lyne

- What the honorable member objects to is that there is no provision for fining?

Mr POYNTON

- There ought to be an intermediate course between the drastic punishment of dismissal and the power to reprimand or suspend which is allowed to the heads of departments.

Sir William Lyne

- That can be dealt with in committee. I think there is perhaps a good deal in what the honorable member says.

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Mr POYNTON

- Take the case of a small offence committed, say, in Western Australia, which would be a long way from where the permanent head would be situated. The officer in charge might consider the case too flagrant to justify simply a reprimand, and so he would have to suspend the offender. Thus the whole machinery of the Bill would have to be put into force when a 5s. fine would be quite sufficient punishment.

Sir William Lyne

- I do not object to a proposal of the kind suggested.

Mr Isaacs

- There is a similar power in the Victorian Act under which an offender may be fined up to £5.

Mr POYNTON

- I believe there are similar powers in the Public Service Acts of other States. As to transfers, would it be possible for employees in the railway service to be transferred to the Commonwealth service? Has this Bill anything to do with the railway service?

Sir William Lyne

- No.

Mr POYNTON

- Would an officer of the railway department be eligible for any of the positions under this Bill?

Mr Batchelor

- Not until the railways are taken over by the Commonwealth.

Mr POYNTON

- If it be admitted that it is possible, and in some instances necessary, to go outside the service to get good men, surely the supply in the railway service might be drawn upon.

Sir William Lyne

- There would be no objection if a man could not be found in the public service to make arrangements with the Railway Commissioners to get a man from the Railway department.

Mr Piesse

- A man may be transferred from the railways.

Mr Isaacs

- Clause 31 says that the fact that any person is an officer of the public service of a State shall not disqualify him from also executing the duties of an office under the Commonwealth government.

Mr POYNTON

- Then that meets the case I have presented to the House. Under the Victorian Act, I believe there is a maximum of £200 per annum in the fifth class, to reach which requires, at the longest, a period of sixteen years, and in addition to the ordinary increments there are two special increments.

Mr Deakin

- Long -service increments.

Mr POYNTON

- Exactly. Under this Bill men in the service of the Commonwealth, coming from some other State might be found working at £160 a year alongside a man from the Victorian service earning £200 a year, although both were doing the same class of work. That, it appears to me, would bring about a considerable amount of dissatisfaction. I do not know, however, on looking into it, that they would work

out very badly on the whole.

The Minister in charge of the Bill gave a comparison between what is provided under the Victorian Act and what is provided under the Bill, and it appears -that the maximum salary in 'the fifth grade is £40 less than is given in Victoria.

Sir William Lyne

- I did not make a comparison with Victoria., but with New South Wales.

Mr POYNTON

- The honorable gentleman compared a number of positions.

Sir William Lyne

- I was referring to positions higher in the service.

Mr POYNTON

- In connexion with the insurance provisions of the Bill, I would like to know whether it is intended to compel those who are to assure to go to a particular company ? Will members of the public service have the right to assure in any company?

Sir William Lyne

- It must be an approved company.

Mr Higgins

- Is that provided for ?

Sir William Lyne

- I am not quite Sure, but it certainly should be provided for, and it can be done by regulation.

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Mr POYNTON

- I do not think it is provided for. I have known of cases, "for instance, in which civil servants have taken out a policy in youth and when, some time after, it became necessary to take out another policy the very fact of their having to go to a particular company led to the imposition of conditions which were worse than they could have got elsewhere. We must take care we do not build up any monopoly. I would prefer, if it were possible, something in the nature of State insurance, and the question ought to be considered in dealing with this Bill. In any case, whatever is the outcome, we must not give an advantage to any particular company or companies, and thus create a monopoly. I am not going to occupy any further time now, but in committee there are several other points I wish to raise. I appeal to the Minister to endeavour to secure that the salaries of the lower grade men shall continue to increase automatically beyond the £60 limit provided in the Bill. In their case it is not a question of ability, because they are all in the ruck, and it would be much more satisfactory for them to feel some certainty as to their annual increases, than for them to have to wait and perhaps to "pull" the different departments in order to get their recognised rights.

Mr PIESSÉ

- I will deal first with the point the member who has just resumed his seat dealt with in the last part of his remarks. I hope . that the question of the automatic increases in the proposed fifth class,, will -be definitely settled. Although the words of clause 21 are absolutely clear, the inference that might be gathered from sub-clause (4) is that it is intended that the increases should go on. Subclause (4)is as follows: -

No officer shall until he has been at least twelve months in a subdivision of a class in the clerical division be promoted to a higher subdivision thereof.

The inference might be that, having been twelve months in a subdivision, an officer would get promoted, and the exact meaning of the clause should be made clear. Something very dreadful may happen, though I hope not, which will make it necessary for us to curtail our expenditure, but it ought to be an understanding that officials who enter the service at £40 a year shall have before them, within five or six years, the possibility of receiving £160 per annum, which is the maximum in that class. Even in the poor's state of Tasmania we have managed to give increases every year to officers of that class. I do not remember, even in the times of depression, a year - though there may have been one - in which men receiving under £150 did not receive their increases. There is a great difficulty even then, even when these increases are given, because there are many men of mature years who have the responsibility of families on them who do not rise to a position where they can get more than 150 or £160 per annum. That

is one of the difficulties of the civil service, and I do not know how it is to be guarded against if men will enter with that prospect, in view. It is one of the things we do not like to see in a civil service, where men have to maintain a certain position, dress respectably, and live in a particular way. Still, it is right that those civil servants should have before them the prospect, in five or six years, of reaching the standard.

Mr V L SOLOMON

- Whether they deserve it or not.

Mr PIESSE

- We ought not to allow them within the service if they do not deserve it, and if they are in the service and are undeserving they should be discharged. We should not have a man in the service in receipt of lower wages.

Mr Crouch

- We only pay our permanent soldiers £40 a year.

Mr PIESSE

- I do not think that that statement is quite a true representation of the case. I think that the soldiers get rations and clothes besides their allowance, and these together represent far more than £40 a year. Of course, the soldier has always received less than other servants of the community. I do not know why it should be so. I do not understand why the man who serves his country, and has in case of emergency to risk his life, should be paid at such a low rate for his services, but I think that what I am urging should be well considered, and that some arrangement should be made so that these automatic increases shall be given. Another feature of the measure has been alluded to by the honorable member for Bourke. Whilst we are providing to a great extent for the regulation of the service we are not providing sufficiently for the ventilation of grievances. That is the reason why members of the Legislature are so often appealed to. If we could devise some system by which members of the civil service could appoint representatives - either as departments or with the whole of the service divided into territorial divisions - to sit as a board, empowered to investigate grievances, I think it would relieve honorable members of the great necessity of listening to complaints from civil servants, and of acting for them. I understand that this principle has to some extent been recognised in the railway services of New South Wales and Victoria.

Mr Tudor

- It is very unsatisfactory in the railway service of Victoria.

Sir William Lyne

- We improved upon the Victorian system. With us it works very satisfactorily.

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Mr PIESSE

- What we want to give to civil servants is the opportunity to get justice. If they feel that they are not being justly dealt with by not being given promotion, or for any other reason, they ought to have the means of securing redress. If they were allowed to elect their own representatives, they would have the best opportunity possible to obtain redress. I am not prepared to go into any detailed suggestion in amplification of what I have already said, except to observe that it might be desirable to have boards representing departments of the civil service. There are some departments quite large enough to be entitled to a board, and there are other departments which would have to be grouped if my suggestion were adopted. On the other hand, it might be found better not to confine the board to the representatives of one department, and instead of taking the department as the basis of organization, to divide the civil service territorially. I do not say that we should divide it into States. We should rather, so far as it is possible, eliminate the idea of States in the consideration of matters affecting the Commonwealth. I notice that many honorable members speak here as if they had to represent State interests only. To some extent I admit that we have to represent State interests, but to a much larger extent we ought to regard ourselves as representing the whole of the Commonwealth, and as speaking here for the good of all. Therefore, we should not recognise further than is absolutely necessary in matters of this kind the division of the continent into States. Convenient districts it seems to me might be defined, and within these districts members of the civil service should be allowed to appoint a board to which might be referred questions with which it might seem desirable that such a body should deal. It might even be well on some occasions to allow the civil servants to speak their minds upon the matter of appointments. I do not mean to suggest that they should be allowed a controlling voice, but they might in the first instance be

permitted to suggest names for the consideration of the commissioner or of the inspectors. I do not know whether that would meet the views of the honorable member for Northern Melbourne, who expressed himself in favour of giving a freer chance to men who might not be of senior rank to rise in the service. Such men would possibly be known among the public servants in their own locality, and they might, therefore, get a chance to have their claims recognised by the voice of their fellow servants speaking for them and recommending them. Of course my remarks can only be taken in the light of suggestions. I trust that the Ministry will consider whether some such proposals cannot be embodied in the Bill. It would seem to offer a way out of the difficulty that honorable members have felt in the past. If honorable members were able to say to civil servants when they approached them with grievances, "You have your own board, who will listen to your grievances, and who will take them up if they are worth taking up," I think they would be freed from some of the unpleasantness that has hitherto attached itself to their position. In introducing this Bill to the notice of the House the Minister for Home Affairs referred to the question of the different salaries paid in the several States for the same office. I am aware that in one case a difficulty has arisen on account of a superior officer of equal rank with an officer in another State getting a salary which is not equivalent to his; but I do not think that officers of the same rank in different States should necessarily be paid the same salaries. The salary paid to an officer should bear some relation to the responsibility of his particular position. If he happens to be in a State where there are larger interests to be guarded, he should receive a larger salary than the officer in another State who holds the same rank, but whose responsibilities are not nearly so great; but I regret to notice that there is a tendency to regard civil servants in the same class as being entitled to the same emoluments in every instance. I do not think that such a rule should be observed, and I do not suppose that it will be observed when we have settled down, and things get into proper running order. In the particular instance I refer to, the Minister, who is not sitting in this House, had to negotiate with the officer aggrieved, and to make his position as nearly as possible equal in salary to that of an officer in another State in order to satisfy his demands. That ought not to be so. The importance and responsibility of the office should govern the amount of salary to be paid. Clause 17 provides that the salaries in the special division shall be those provided in the Annual Appropriation Act. I presume that that Act will govern, where necessary, the question of salaries generally. It might come to pass that there should be a reduction in salaries under circumstances of stress. I hope that will not occur, but we ought not to give civil servants to understand that they have an inalienable right to the salaries mentioned in any schedule. All the States have had to face this question of a reduction of salaries for a time, and I think it ought to be understood by civil servants that they will be under the necessity of accepting such a reduction if it becomes necessary at any time in the history of the Commonwealth to enforce it. In clause 28 there is power given - I do not suppose it is intended that it shall be exercised in the literal way in which it is there stated - to the Minister to appoint boys of any age. The sub-clause provides -

Nothing in this sub-section shall be taken to prevent the appointment of boys of any age to be message boys or junior messengers.

I presume that the Ministry will agree that the boys should at least be 13 years of age before they receive an appointment.

Sir William Lyne

- That ought to be governed by regulation.

Mr PIESSE

- No Minister should have an excuse in the Bill for appointing children under 13 or 14 years of age. In clause 33 there is power given to the Government of the Commonwealth to make terms with the Government of a State for the performance of any of its functions by an officer of the Commonwealth; and there is provision made for determining the rate of payment to be made by the Government of that State, and also for any matter that may require to be adjusted with regard to the performance of the work or service. But I do not see any clear provision made for retiring allowances. That is a question which will no doubt arise if there is anything like a recognition of the principle of dual service. Power therefore should be provided, that where a State has to pay a retiring allowance the Commonwealth should pay a part of such allowance in proportion to the salary received from the Commonwealth Government.

Mr Deakin

- The honorable and learned member is referring to officers transferred who are not in transferred

departments. Mr. PI ESSE.- No. The clause says-

It shall be lawful for the Governor-General, at the request of the Governor in Council of a State, to authorize and cause any work or services to be performed for the Government of such State ; and the Governor-General, by agreement with the Governor in Council of a State, or otherwise, may make arrangements for determining -

The rate of payment to be made by the Government of a State for the performance of such work or services ; and

Any matters which may require to be adjusted with regard to the performance of such work Or services. But on the question of retiring allowances generally, I do not notice that there is any very clear provision in the Bill, except that it enacts that when these life insurance policies are effected the officer is guaranteed the payment to him, if he retires from, or ceases to be a member of, the public service before attaining the age of 6 years, of a sum equal to the whole amount of the premiums paid by him to the company or society in which he is insured. I believe that there are cases frequently arising where it is advisable to secure the retirement of an officer from the public service, and the only way very often to accomplish this is to allow the officer a certain amount to retire upon. There is no provision in this Bill for the payment of such amounts. It would be far better to have a general scheme of allowances settled, upon which these allowances could be made, than to have to come to Parliament for its sanction in every individual case. I do not think that the mere return of the premiums paid would meet every case where it is desirable to give a retiring allowance. Regarding clauses 43 and 44, which deal with life insurance, I understand that the Minister for Home Affairs intends giving the House further information as to the probability of companies undertaking all the risks which are involved in the acceptance of the terms of those clauses ; I refer especially to the risk of providing for men who are retiring. Of course there may be occasions when a great many retirements will take place, and I do not see how a company can very well calculate the value of the risk it is undertaking. Clause 51 seems to be rather a doubtful one inasmuch as what it seeks to provide is much more enacted in section 84 of the Constitution Act. Clause 51 gives a transferred officer a guarantee that his rights will be preserved. This matter, however, is more fully dealt with in section 84 of the Constitution Act, which also provides how a pension or retiring allowance shall be shared between the State and the Commonwealth, and I think it would be undesirable to re-enact in this Bill any portion of that provision. If we do anything in this matter we should go a little further and state, under all circumstances, what portion of the retiring allowance shall be met by the Government of the Commonwealth, and what portion by the Government of the State.

Sir William Lyne

- Would not that be worked out in the proportion that the time the officer had been with the Commonwealth bore to the time he was with the State ? It is a matter of actuarial calculation.

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Mr PI ESSE

- No doubt this is so ; but I think it should be settled. There should be no question hereafter of the basis on which the matter should be calculated. We have already enacted in the Constitution that officers who are transferred with the transferred departments shall have this provision made for them ; but it does not appear to have been clearly provided for in the case of officers- who are taken over, but who are not employed in transferred departments - officers who are taken over individually to fill positions under the Commonwealth. It is not set forth on what basis their retiring allowances or pensions shall be paid, as- between the Government of the Commonwealth and the Government of the States. I hope we shall be able to perfect this Bill, because it is really one of the most important, if not the most important, Bill we are likely to have to consider in relation to the future of the Commonwealth. To establish- a civil service, so as to have the men contented and rendering good service to the State, and to start that service v so that there shall be as little political influence in regard to appointments as possible, is a work which will be beneficial not only to ourselves, but to all who come after us.

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Mr KNOX

- It is one of the unfortunate circumstances that have to be faced by an honorable member who speaks somewhat late in a debate- that many important points to which he wished to draw the attention of the House have- already been well and satisfactorily dealt with, and it will, I think, be found that I am not one

of those who reiterate observations which have been already made by other honorable members. But I may be permitted- to refer to one or two subjects to which allusion has been made by those who have preceded me, and on which, considering the important principles underlying the Bill, honorable members individually may desire to express an opinion. For myself, I should like to say that I think the Bill' is an earnest and honest effort to deal with- a great subject in a business-like fashion. The intention of the measure is to place the civil service in- such- a position that it will be- an honorable and desirable thing for any citizen to become a member of it. That is an object we should- desire to attain: I am distinctly of opinion that the- underlying principle of the Bill, which is that its operation shall be free from- political influence, should be the- dominating- idea of any such measure. I quite agree also that the appointment of one single commissioner, upon whom will rest the responsibility of carrying out this measure in its spirit and in its letter, is a good idea. In my judgment it is better to have a responsible, capable man to undertake these duties than to have a divided authority. I quite recognise, that it will be difficult and will require great consideration to secure the service of a competent commissioner, but I have no doubt that an officer of the kind desired will be discovered, who will fitly and fully discharge the obligations pertaining to his office. In an interjection I made when- the Minister for Home Affairs was explaining the Bill, I said that while £1,500 is a considerable salary, I hoped that the Ministry would not tie themselves down to that amount. I hope also that Parliament will not tie the hands of the Government by limiting them- to £1,500. The first essential consideration is, that for this important office, the services of the most capable, impartial, judicial-minded man obtainable should be procured. That should be the dominating consideration-; because in the hands- of that commissioner the happiness of a large number of our citizens must rest. I hope, too, that while every consideration will be given to the question of how to obtain the best class of man for the position of- commissioner,- the- inspectors whom it is proposed to appoint, who will have important- obligations- devolving upon them, and whose influence for - good or evil will be considerable, will be carefully chosen. The chief officers of the departments will also have great obligations resting upon them. But, while it is intended- to conserve the- rights, positions, and privileges of the higher officers of the service, I am firmly persuaded that the Minister will, at the same time, desire that the privileges and possibilities of progress of the humblest clerk will receive the same careful consideration as those of officers in the higher grades. I am persuaded, as has been so ably suggested previously, that it will be necessary to have some means of- appealing from any decision, in order that any. member of the- service- may be- able to vindicate his position- and obtain justice, if he thinks he- has been unjustly treated: The whole spirit of the- Bill" is intended to give a feeling- of confidence and security to the members of the service, so long as that security is justified by their merits. If we wish to do justice to the public service of the Commonwealth, we must recognise the necessity of getting out of the ordinary rut which has become a by-word in connexion with- many officers of the State services ; we must get the - men to believe that they are members of. a live service, where the application of - their own energies and abilities is the only means of progress. The mere automatic progression of men through the various stages of promotion, as life goes on, has a bad effect upon the men themselves. There are men who will never get on of themselves, and such men. probably will always be the majority in the service, but for those who are prepared to apply their intellects and their time to the service of the State there ought to be the fullest facility and opportunity for getting I the reward which it is the desire of Parlia ment to give them.

Mr Poynton

- Do you not think that the automatic increases should go on also ?

Mr KNOX

- I think there ought to be automatic increases to some extent, but such increases seem to me in the main to bring about an indifference on the part of men who have not the incentive to more vigorous and energetic service which they otherwise- would have. I would wish to feel, in connexion with this public service, that we are going to apply to it the ordinary rules and customs in every day business life ; that is to say, that it is not simply a case where a man having once secured a footing: may feel that he has very little incentive to progress, but that, just as in the outside world, his progress in the service will depend upon his own efforts. But we must have from the commissioner, and those associated: with him, judicial and impartial consideration of- the questions coming before them, and proper oversight and discrimination, so that justice may be done. Seniority should find proper and just consideration in its own- place.- I quite recognise all the difficulties that will face the Minister and the officers who will support him

in the administration of this measure, in consequence of the diversity, of conditions existing in the various States.- I am prepared to believe that next session the Minister will have to come to Parliament and ask for assistance to rectify various anomalies that the obligations of this measure will bring to light. For myself, I think, as I have already said, that there should be a proper court of appeal for officers of the service- who are discontented. The suggestion that men. should have their own representatives, upon the. court of appeal deserves consideration1. . I do not desire to deal with a number of other matters, which will be- more- properly considered in committee, when, we shall have to deal with the Bill clause by clause- ; but I may be permitted to say that one of the existing anomalies is the discrimination which it is proposed to make between male servants of the Commonwealth and female servants. I venture to hold the opinion, in considering the demands made by some women for the extension of the franchise to them, that as soon as woman gets the right to vote, she will not be: content until she has removed the disparity of remuneration, winch now exists. If she performs equal services, I see no logical reason why woman should not receive equal salary with men. "Why should you place men and women on a different footing in that respect? You are doing woman a great injustice ; and I hold that when woman gets the right to vote - and probably this Parliament will grant it to her - she will insist upon being, placed on the same footing as' men. I do not say that I advocate this, because I believe it is a. tremendous injustice to men that women should be competing with them for employment to the extent that they do now. Women are taking away from men the means' of livelihood which they; as heads of families and- breadwinners, should have.-

Mr Mauger

- Surely that is a reason for paying them equally for equal services. If you pay them equally, there is no injustice to the men, because the men, if they do better work, will be employed in preference to women;

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Mr KNOX

- The present position is absolutely inconsistent. If you employ a. woman, she is certainly entitled to equal pay with a man;, and that is one of the inconsistencies which exists in.connexion with the policy of those who advocate giving women, a vote. In regard to the question of life assurance, it has been, pointed out that the- provisions of the Bill require reconsideration Within the civil service itself-, there- will be- a sufficiently large number- of employees to provide funds for the. future, if the payments are placed- upon a proper actuarial basis. There are examples of that, practice in the various banking institutions, where systems of retiring allowances and .compensations for men suffering any temporary trouble or disablement are provided for. I am of opinion that it is a good thing that we are taking up this matter. I trust that this Bill will not be hastily rushed through the House, but will be carefully debated. The questions involved in it require the most thoughtful consideration, clause by clause, in order that we may see that all classes of civil servants receive justice and consideration, and that no injury is done to any portion of the service. My only hope is that the Ministry will agree, after honorable members have addressed themselves to the motion for the second reading of the Bill, to allow us to have further time for digesting the valuable information which has been brought to bear upon the question to-night. The whole subject should be re-considered in the light of that information. The Bill is excellently conceived, on sound business lines, and I hope that it will receive thoughtful consideration and be applied in a business-like way.

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Mr EWING

- Possibly no Bill will ever come before this House in regard to which every individual member will feel more absolutely free than the measure now under consideration. If we may gather anything from the speeches already delivered, there is to be a total absence of party bias in respect to this Bill. The reason for this is perhaps to be found in the fact that the public service are a very strong class numerically, and a numerically strong class is always entitled to special consideration from Members of Parliament. But, sir, I desire to believe that the attitude of honorable members towards the Bill is based upon higher and better grounds than that, and that the House approaches the question in a spirit of reasonable consideration, believing that one of the great and vital essentials of any civilized State is a competent and contented public sen dee. Of course, the public servants themselves did not make this Commonwealth, nor did they create the machinery for its working ; but they are the working bees within the hive who may be said to

run the machine ; and it is incumbent upon us, as representatives of the people of Australia, to see that these working bees, as I have termed them, work under legislation that not only makes competent and good work possible, but, so far as we may be, compels it. Now, sir, the Minister of Home Affairs, in introducing this Bill, and the honorable member for Wentworth, in following him, referred to the Bill as a measure made up of clippings from other Acts of Parliament bear upon the public service. And so it is. The Bill is made up from various other Public Service Acts ; but I would rather describe it as being, a judicious selection of those portions of the Public Service Acts of the States which our experience has shown to be worthy of being copied. In dealing with this, our first Federal Bill, we should endeavour to make it such a Bill that each and every one of the other States will endeavour to emulate it, and to, as far as possible, bring their public service legislation into unison with it. I do not desire to enter upon a dissertation in regard to the various clauses, but underlying the Bill there are certain vital and great principles. The first great principle of all appears to be that it is absolutely essential there should be no political influence. That opinion has been stated by almost every member who has spoken on this occasion. Our experience in New South Wales - if I may be permitted to make reference to it - has been, with regard to the non-political control of the departments of the public service and the railways, that time after time various members have started on a sort of " scalp hunting " expedition, and have delivered serious and acrimonious speeches against the Public Service Board and the Railway Commissioners. But the result has always been the same. Although some of the charges may have rested on a substratum of truth, and although it is perfectly true that now and again there may have been faults in the administration of the departments, the Parliament of New South Wales has always started back with horror and dismay - from the alternative, a return to political influence. There can be no doubt that the view taken by the Parliament of New South Wales will be the view taken by the Federal Parliament of Australia, and we look to the legal members of the House - and I feel there is a heavy responsibility on them - to see that we laymen are not misled, and that political influence is absolutely destroyed by the Bill. I do not desire to be captious. [I have only one end in view - to get the best Bill we can, a Bill which will be worthy of us and worthy of what we believe will be the important functions of the federal public service of Australia. There is another point to which I would like to make reference, although it may be regarded as a detail. The Bill must be so framed that no man shall enter the service who has not a sane mind in a sound body. I think it was the honorable member for Bourke, and also the honorable and learned member for Wentworth, who pointed out that it was possible by a system of examination to test men who desired to enter the service. I am prepared to concede at once that the only way to test what may be called comparative intellectual ability is by examination, and though not a perfect way, it is still the best we have. But other things approaching anything like equality, I should be almost inclined to put physical vigour - the physique of a man - first, and to choose a healthy candidate rather than a weakly one. We in this century are rather inclined, with our wonderful labour-saving appliances and inventions, to under-estimate physical strength ; but if there be one thing that is fundamental in dealing with this matter, it is that every man who enters the service shall be a strong and healthy individual. I do not want to enter into a dissertation as to whether literary men are inclined to be feeble, though, of course, the question of literature lies very close to our public service work. The moment one makes a suggestion of the kind, the names of Stevenson, Gibbon, Prescott, and a number of others occur in the minds of men accustomed to reading. Great and important work has been done by weakly men, and their names at times have been written large in English literature, dealing with the question of big and large, the work of the world, both in business and in literature, is done by healthy men, and the best work of the public service, generally speaking, will be done by healthy men. In regard to the great and vital question of health, there is no man in any Parliament of the world to-day, who has been there a little while, who does not know men of brilliant abilities and great powers, whose physique was not such as to enable them to stand the hurlyburly of those turbulent assemblages, and who, therefore, soon left public life. Every man who succeeds in public life is possessed of strong physique, as may be seen by a glance at the front benches on the Government side of this House. Josh Billings, it may be remembered, on one occasion, speaking on this subject said that a good reliable set of digestive organs - he used a homelier phrase - was worth any quantity of brain. If any person chooses to look round this Assembly he will not, perhaps, find an absolute verification of those words, but he will find a verification of the statement that to succeed and live long in public life a man must be possessed of physical power and a considerable amount of good health. I hope, therefore, that, '

before we have done with this measure, we will make it perfectly clear that in the public service we require men of sound health. There is one more question to which I would like to refer, and I ask the House to bear with me for a moment while I endeavour to emphasize it. From the statement of the Minister for Home Affairs in introducing the measure, and from the temper of the debate last night - with regard to which there can be no mistake - take it that we are going to absolutely destroy political influence. But we must be careful that we do not permit what is almost as pernicious an influence to spring up, namely - bureaucratic influence, or what might be called departmental favour or patronage. You must guard carefully against that. I sympathized with the honorable member in charge of the Bill the difficulties of his position. The honorable member for Kooyong and the honorable member for Wentworth have said that we should run the Commonwealth public service as a business concern. That is absolutely true in this sense, that in no case should competent men be working under incompetent men. There should be no system which destroys men's imaginations and brings about the sort of ossified intellect which we are accustomed to believe is sometimes found amongst public servants who are not in our own electorates. The honorable member for Wentworth pointed out a special difficulty in regard to dealing with the public service as a business' concern, and he might have gone a little further. The essence of the matter is that the merchant or successful man of business - the lawyer or solicitor - is placed where there is one great principle obtaining - the principle of the survival of the fittest. Such a man has one customer, the public, ' which knows nothing of political exigencies and nothing of individual relationships. He has to cater for the public, and the best man wins. 'But in the public service there is" no competitor ; the public service stands alone. I "understand the difficulty which besets the Minister with this Bill. 'He has to endeavour by internal arrangements to create inside what is virtually a watertight compartment that competition and life, without which the public service is not complete, which is found in the hurly-burly of the world. We talk breezily about the destruction of political influence. Each and every one of us shouts as though we would almost lift the roof, and you, Mr Speaker, and others, in addressing electors, are accustomed to the promulgation of theories in regard to a pure and competent public service. At . those meetings there is always a little bald-headed man in front, who keeps cheering those great sentiments, but that very man meets you round the corner with the pressing request to have his promising boy put into the public service. Parliament ought to be free from these demands. I was about to say a word or two in regard to the breezy way in which men approach the destruction of political influence. Although we regard the destruction of political power as right and essential, we are face to face with a great difficulty. We desire to have, if we can, a board or an organization without the control of the Executive, but still with the support of the Executive. That is the trouble. I will again quote for what it is worth the example of New South Wales in regard to the two departments which are outside the control of Parliament, the departments of the Railways Commissioners and the Public Service Board. They have been charged time after time - not always unjustly and unfairly, but frequently so - and there would be seen a Minister sitting quietly at the table who said, "Why should I trouble about them ? I am not responsible for their decisions. They will not take my advice, and I am inclined to believe they have done a great number of things of which I would disapprove." They may be specially able men, doing the best they could for the country, and yet they have taken from them that political and parliamentary support which they should have if they do their duty. Honorable members must see the special difficulty that besets the matter, and which a true statement of the case discloses. I. should like now to enumerate what appear to me to be the main points in the Bill. There is the destruction of political influence, the appointment of men with sane minds in sound bodies, the destruction of bureaucratic influence, and the giving of political support and parliamentary aid to the commissioner, although he is not under parliamentary or executive control. Those' are the points which I consider essential in the Bill. In the presence of the lawyers of the House I approach this question with a considerable amount of temerity, and I would like them to tell us exactly - and I am sure the Minister for Home Affairs wants what ideas he can get - the position in which the commissioner will stand under the Bill.

Mr Isaacs

- That is a difficult question..

Mr EWING

- If my honorable and. ' learned friend finds a difficulty, what difficulty must the question possess for me? In New South Wales the Act is tabulated, and a list given of the duties which fall to the lot of the Public

Service Board. Here there is no tabulated statement, and the duties to be performed by the commissioner are distributed in the various clauses. I should like to know whether the commissioner is to be simply an advisory officer, a controlling influence, the creature of the Executive, or responsible to Parliament, or really what his powers are to be. I find it difficult to make up my mind, but I am quite satisfied that before we have done with the Bill the House will exactly understand the position. If honorable members look at clause 8 sub-clause (2), it will be found that recommendations of the Governor-General are to be considered. I will not read other clauses on which I would like to say something, but will refer honorable members to clauses 9, 35, and 36. I do not say that these clauses are absolutely on all-fours, but the duties and responsibilities of the Governor-General in those two latter clauses come perilously close to the responsibilities of the commissioner in clause 9. I only offer these remarks for the consideration of the House. If honorable members look at clause 23, which has reference to regulations, not made by the commissioner, but made by the Governor-General-

Sir William Lyne

- These regulations, will be made by the commissioner in much the same way as under the Act of New South Wales, but they have to be approved and. gazetted by the Governor-General.

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Mr EWING

- Honorable members will understand that I am not endeavouring to find fault, because I think that the Bill is a. proof of great labour, industry, and wisdom. I know the honorable gentleman's view, but I want the House to be clear on these points,. so that we may know exactly what we have clone with the Bill when we have finished with it. In clause 23 it will bo seen that regulations are to be made for examinations. I should like to insist on the word " competitive " being used, but that is simply by the way. These regulations are made by the Governor-General ; and I have said perhaps enough to establish the difficulty that is in my mind with regard to the question of political influence. In regard to minor matters, such as that, for instance, referred to by the honorable member for Parkes, I do not think any of us would care to see the term " inspector " used, but would rather sec the head man called " administrator " or " commissioner," and the other officers called " sub-commissioners." There are a number of other matters, but they do not appear to be of vital importance at the second-reading stage. Honorable members may accept a Bill which may be right in general principle but in which there, is much that is wrong in detail, and therefore I am placing before the House the amendments that suggest themselves to my mind. The Minister in charge of the Bill says - and I know the honesty of his intentions - that although the Governor-General will make the regulations, they will really be made by the chief commissioner. If that is so, it ought to be stated that the regulations will be made by the commissioner. Take, for instance, the case of the secretaries to Ministers, of whom we heard so much last night. Supposing that after the Bill is passed it turns out that political influence obtains, and we find that a man we have chosen and placed in a high position is really a tool of the Executive. In such a case, what would be the use of sending on to him for discussion any question in which the Ministry is vitally interested?

Mr G B EDWARDS

- Parliament has its remedy.

Mr EWING

- If the honorable member is in Parliament long enough he will know what parliamentary remedies mean. He will discover how easy it is with a majority to apply that majority to a bad cause, and he will one day form one of a majority that will be applied to a bad cause. I should like, finally, to enforce one point. When the time comes for the House to determine on the salary of the chief commissioner and his inspectors - by whatever name we may call them - we shall be told that they must be men of great ability and absolutely trustworthy, and that we must give them large salaries. But if we give those men large salaries, let us give them responsibilities . commensurate with their salaries. If we employ good men, let us endeavour, as far as we can, to give full responsibility, and let us place them in such a position that Parliament and the people will get value for their money. Of course, in a civilized community one has to trust somebody, and we get rid of the suspicion which belongs to more barbarous peoples. But there is one tiling I am not prepared to trust, and that is departmental, or rather political interference, with the public service of the country. I do not desire to say anything further than that I hope the lawyers in the House, who have full knowledge of these matters, will give use very assistance. I sometimes think that the lawyers who come

to this House at £400 a year are the most patriotic men who are returned to Parliament. It is a horrible and terrible thing to say, but that is my opinion. I see around me men on both sides of the chamber - attorneys and barristers - whose time to a large number of them is worth £40 or £50 - I beg those honorable members' pardon, I mean guineas - or 100 guineas a day. Why on earth these men, who are supposed to be bubbling over with selfishness and living as a parasitic class on the community, come to Parliament I do not know. It is not pure love, however, and there may be some other reason for it, of which I know - nothing. But to every able lawyer who looks at this Bill carefully, it is simply like shelling peas, and every one of them has a special responsibility to place us right in regard to its provisions. I hope we shall find that the lawyers of the House will discharge their obligations to their fellow members and to the country.

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Mr ISAACS

- I feel terribly oppressed by the weight of the responsibility thrown on the shoulders of myself and my brother lawyers in this House, but I feel also that the committee stage is the proper stage at which to endeavour to discharge that responsibility. With regard to the Bill itself, I presume that on the second reading debate it is our duty to draw attention only to the broad principles - so far as they occur to our minds - that we wish to present to the House. I should like to say at the beginning that I recognise in this Bill a well-intentioned effort to deal with a very difficult subject, and to deal with it upon very broad lines. I would like, also, to remark that I appreciate the drafting of the Bill. It is easy to follow the mental course pursued by those whose responsibility it has been to give directions in its framing. I shall only trouble the House at this stage with a few observations upon what I think are important matters. I recognise that in the four divisions into which the civil service is to be divided, the clerical division is the only one that is to have definite statutory classification and salaries. With regard to the special division, the secretaries, chief officers and other officers put into it, will depend entirely on the decision of this Chamber in dealing with the Appropriation Bill.

Sir William LYNE

- And on the recommendation of the commissioner.

Mr ISAACS

- Whatever recommendation is given it is for this House to determine from year to year what the salaries shall be. With regard to the professional division I understand that their salaries and classification are to be determined by regulation.

Sir William LYNE

- I think that they also should be voted by the House. That is done in New South Wales.

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Mr ISAACS

- I am speaking now of the *prima facie* intention of the Bill. With regard to the clerical division, in respect of which we are expected definitely to say in this measure what their classes, subdivisions, and salaries shall be, I take up this position - rather differing from that of my honorable and -learned - friend for Tasmania, Mr. Piesse - that public servants should understand definitely what their rights are to be. I recognise that circumstances may arise when it may be necessary to deal in some exceptional manner with public servants, but that ought not to be contemplated in this Bill. Public servants ought to know, like any other contractors with the State, what are their rights. I certainly cannot recognise the position that these rights are only tentative, and that civil servants are to understand that we are making provisions to which we may not intend to adhere. On the assumption that we are laying down certain definite lines, I would draw attention to the fact that some provisions are introduced which are at variance with that position. If I were a public servant, I should feel that I had not any very definite rights under this Bill as to the tenure of my position. I shall point out why. In the first place, passing from the doubtful nature of the tenure, and dealing rather with the arrangement of the Bill, I wish to say that I recognise in the provision regarding promotion, that the Victorian system is to a large extent adopted - that is, the long automatic step by step system. I sympathize very strongly with what fell from the lips of the honorable member for South Australia, Mr. Poynton, in regard to the desirability of granting automatic increases to some of the lower paid officers. I think we might grant such increases up to the fifth class. Until we reach the maximum of the fifth class, which is a little over £3 per week, we might fairly say that officers should rise

step by step through the various subdivisions of that class, and that this right should only, be taken from them through misconduct or any other demerit after it had been proved in the ordinary way. In close juxtaposition to the provisions as to promotion, I see a new sub clause, embodying a new principle, and one which may be of great service to the State, but which is capable, if badly administered, of working great injustice. I find that, notwithstanding the ordinary provision that no officer is to rise more than a step at a time, in sub-clause (8) of clause 21, power is given to promote any officer from any class to the next higher class on the recommendation of a permanent head, the approval of the Minister, and the nomination of the commissioner, although he may not have served even one year in each subdivision of the class from which he has been promoted. I recognise that there maybe cases of exceptional merit that should be treated in this way, but it is a power to be jealously safe-guarded, because nothing is calculated to dishearten the service more than to find juniors promoted over the heads of seniors, without, as may seem, apparent good cause. It is a power to be very sparingly used. It should be very carefully exercised in administration, and care should be taken that the idea is not allowed to generate that any favour may be expected by officers in its application. It is provided that a copy of every recommendation, approval, and nomination is to be laid before Parliament. I suggest that not only should such recommendation, approval, and nomination be laid before Parliament, but that the reasons for this exceptional treatment should also be laid before Parliament. In this connexion clause 27 provides that where there is no person available in the public service capable of filling the position to which it is proposed an appointment shall be made, the Minister can go outside of the service. No doubt such a power ought to exist, but here again I say that the public servants who are doing the drudgery of the States should be regarded as the first body to be looked to. It is only right when prizes exist, that the rank and file should be able to look to securing those prizes if they honestly deserve them. The power conferred by this clause ought to be regarded as a very exceptional one indeed, and one to be sparingly used, as I mentioned before.

Sir William Lyne

- That clause operates at the present time in Queensland, 'Victoria, and New South Wales.

Mr ISAACS

- It does. But we are entering upon a very much larger field, and while I do not suggest that the clause should be eliminated, I draw attention to it because it includes a very useful and perhaps a very dangerous power. Reference has been made to a principle which finds embodiment in the "Victorian Railways Act, and, however defective that principle may have been in its operation, it must be remembered that, to a large extent, it was an experiment which I consider was worth}- of trial. That principle was to allow representation upon the inquiry board which has to deal with the position of any officer - representation out of the class in which such officer found himself. It has been suggested that there should be a permanent inquiry board. It is contemplated, I apprehend, by this Bill that there shall be a permanent inquiry board, because I find that in sub-clause (d) of clause 71 power is given to the Governor-General to make regulations -

For constituting in any part of the Commonwealth, or for any locality or department in any locality, boards of inquiry.

I am inclined, upon reading this, to the opinion that boards of inquiry are intended to lie constituted even before the necessity for using them exists. If that is not so, it should be distinctly stated. There is warrant in clause 40 for thinking that that may not be the case ; but I should like this matter to be made quite clear before the Bill passes from this House. But while the Bill makes provision for guarding the rights of officers by providing that every officer may rely, before he is reprimanded, fined, or dismissed, upon having a certain course of procedure gone through, and while his position is not to be taken from him without due cause, this Bill contains a clause which allows every one of these safeguards to be swept away. Clause 57 reads -

Nothing in this Act shall be construed or held to abrogate or restrict the right or power of the Crown to dispense with the services of any person employed in the public service other than the commissioner and inspectors.

In other words, the provision gives power to the Crown to regard the whole of its servants as holding office "during pleasure," and enacts that if the Ministry wish, they can dismiss any man, and he will have no legal right to object to it.

Mr Higgins

- In sub-clause (5) of clause 8 the honorable member will find- the same thing.

Mr ISAACS

- The honorable and learned member for Northern Melbourne points out that sub-clause (5) of clauses contains a similar provision. It reads as follows : -

If in the opinion of the commissioner the services of any officers in excess in any department are not likely to be required in any other department the Governor-General may call upon such officers to retire from the public service ; and every such officer so called upon to retire shall retire accordingly.

That provision is fairly strong, but not nearly so strong as the clause to which I have called attention.

Under clause 57, without the interposition of the commissioner, and without the report at all of the permanent head, it is within the political power of the Government of the day to dismiss any officer, and he has no right of redress. I think that is too strong a power to confer. It exists in the New South Wales Act and in the Canadian Act ; but the Canadian Act is on totally different lines, and therefore cannot be taken as a guide at all. I strongly object to this provision. It deprives public servants of the power of going to court, and claiming that they have not had the formalities prescribed by this Act observed. I should like to hear from the Minister in charge of the Bill whether that is the intention. If it is so, I think the clause is highly objectionable.

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Mr Glynn

- The honorable member would not give them vested interests in their offices ?

Mr ISAACS

- I certainly would give them vested interests. If these clauses as to boards of inquiry, and which require offences to be proved, are to be inserted in this Bill at all, then they should be observed. Let us either say that we will leave the matter absolutely in the hands of the Government, or let us give a reality to these provisions which guard the rights of public servants.

Mr Glynn

- It is a matter of contract. Why give them exceptional rights if in a general business they would not get them ?

Mr ISAACS

- The honorable and learned member, for South Australia will be able to discuss that point. I think that the clauses are absolutely inconsistent.

Mr Glynn

- They are, undoubtedly.

Mr ISAACS

- As they are inconsistent, I want to choose between them.

Mr HUME COOK

- Will not this clause apply only to new appointments?

Mr ISAACS

- No. It applies to every person in the service.

Mr McCay

- In view of the prevision in the Constitution for preserving the rights of transferred officers ?

Mr ISAACS

- I am quite sure that no clause in this Bill can override the Constitution, but, at the same time, this provision is intended to apply to all officers. Its wording applies to all, but what its legal effect may be as against the Constitution, I am not now discussing. Its wording is intended to apply to every person employed in the public service. I go further than that, and say that as regards future members of the public service, my observations apply just as strongly. I should like to point out that in clause 67 the same principle appears. Under clause 67 the Gazette notice is to be taken as conclusive evidence - Of every such appointment, promotion, transfer, retirement, or removal, or of such Order in Council or proclamation respectively.

I do not quite know what the clause means. Whether it means that it shall be taken as conclusive evidence of the "appointment, promotion, transfer, retirement, or removal," or as conclusive evidence of the legality of it, I do not know.

Mr Higgins

- The Gazette notice is, under clause 9, only prima facie evidence.

Mr ISAACS

- - 'In some places it is prima facie evidence, in other places it is conclusive evidence. But, whatever it is intended to mean, I would ask that the meaning of the clause be made clear. I find in clause 37 that a principle is adopted which is worthy of very careful consideration. It is intended that for every class in every department there shall be an examination. Apparently the examination is not to be a literary examination. It is not to be an examination for which every man may qualify himself ; but it is to be an examination of a special kind, specially adapted to the particular class of the particular department ; because it is to have reference to the work to be performed by the" department, and to be upon the subjects a knowledge of which would increase the efficiency of the department. It is difficult, as it seems to me, for any member of the service not engaged in the particular class in question to do that work. There may be classes to which this observation would not apply : but there must be other classes ' to which it will apply, and I see there a great possibility of shutting out thousands of men in every department from any chance of getting into the other departments. They may be shut out because they have not had opportunities of qualifying themselves for the examination. It may be that the principle thus laid down in the Bill is absolutely right, but at present I am not convinced of the propriety of it. These are considerations which are very important. I . purposely refrain from going into what I may call the committee aspects of the measure, such as questions of wording and drafting : but what I have dealt with are the large principles which strike me, and which are to a considerable extent outside those considerations which have been touched upon by other honorable members. I wish to say also, that I re-echo what has been said by some honorable members, that we ought to have a little time to consider this Bill further, before it is finally passed through committee. I have heard observations to-night that have given me abundant food for reflection, and the Bill is of so important a nature and covers so vast a variety of interests, and interests so great in themselves, that we should do well for ourselves as men entrusted with the duties appertaining to our office, and also as regarding the welfare of the Commonwealth and the array of loyal workers whose future we are legislating for, if we took full and ample time for the final consideration of the measure.

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Mr TUDOR

- There are one or two remarks which I should like to make upon the Bill at this stage, more particularly concerning not the clerical or professional divisions, but the general workers who are included under the terms of the measure. While it is specified how the members of the clerical and professional divisions may rise in the service, no provision is made whereby members in the general division of the public service can be promoted from one class to another, It has been a great fault in many measures similar to this which have been brought in. in the various States that the general workers have been thus neglected. In "Victoria, as I am well aware, we have had married men working in the public service for £60 a year-.

Mr O'MALLEY

- It is a disgrace.

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Mr TUDOR

- I quite agree with the honorable member for Tasmania, Mr. O'Malley, that it is a disgrace, and it is one that I hope will not be perpetuated in the Commonwealth service. There are several clauses in this Bill to which .1 take exception, and I will at once direct attention to them. The honorable and learned member for Indi objects to sub-clause (2) of clause 27. J hold the opinion that that clause must be altered, though not perhaps in the direction that he thinks. We have had examples in V ictoria, where the effect of a similar clause in the Public Service Act has been that it has prevented men of ability from obtaining certain positions in particular departments, whilst other men who have been longer away from their trade or calling have easily obtained positions as inspectors of those trades. Indeed, the longer a man has been away from a trade, and, consequently, the less he knows about it, the more easy it has been for him to obtain the position of inspector. That is a state of things that should not be permitted under any measure such as this. On the creation of any new office, 1 should prefer to see the appointments thrown open to the best men obtainable, whether inside or outside the civil service. It has been said that this is a practical and business measure, and that we should not take a man from one branch of the State service to

another, provided we can get a man of greater ability from outside : and I think that the principle that should be followed is to get the ablest men obtainable into the service of the Commonwealth. In clause 28 there is a prohibitory provision which will prevent men over the age of 40 years from being appointed to the service. I think that is a wrong proposal. Why should we say that when a man has arrived at the age of 40 years he is absolutely useless to the Commonwealth ? I could understand that provision if it were also provided in the Bill that we were to pay pensions to men on retiring from the service at the age of 60, or at any other age : but, as there is no such provision in the Bill, it should be perfectly possible for men, at any rate, up to the age of 50, to obtain access to the departments. There are men at present working as temporary hands who would be prevented by this Bill from obtaining permanent appointments. That should not be so. In clause 34 the conditions governing temporary employment in the civil service are laid down, but in addition to this provision, there should be a clause inserted to provide that men who are temporarily employed in any department of the Commonwealth, shall receive at least the minimum wage paid to the permanent men. I referred last night to the case of a man employed in the Commonwealth service at 5s. a day for temporary work, when the minimum wage for permanent men doing that particular work is 6s. a day. If a temporary hand is doing the same kind of work as a permanent man, he is entitled to at least the same minimum pay. In addition to that, the temporary employees should be entitled to the gazetted holidays. The permanent men in the departments receive all the gazetted holidays, a half-holiday per week, and their annual leave. The temporary men have none of these privileges. All I claim for them is that at least they should receive the half-holiday per week and the gazetted holidays. I am quite willing that they should not have annual leave, and I am perfectly aware that under the terms of this Bill they would not be entitled to it, because they are not allowed to be employed for twelve months in that status. The honorable member for Bourke has raised the point that men who are dismissed from the service for any cause should have the right of appeal. I agree with that contention. I also urge that the appeal Board should be representative to some extent of the class to which the appellants belong. If they are in the clerical branch, there should be a member of the clerical branch of the service of the State to which the appellants belong sitting upon the Appeal Board. In regard to insurance for State employees, I hope that provision will be made for insuring public servants by the State. We should not attempt to make any profit from this business, but it is a matter that the State might very well take over. When the Government compel persons joining the service to insure, they should undertake that insurance themselves. Under clause 53 I notice that rent is to be charged for quarters, in cases where any person may be compelled to use for purposes of residence a building belonging to the Commonwealth. It is quite possible that in the Commonwealth service we may require men to work in out-of-the-way and distant places. For instance, in the post-office service, we compel men to go into the interior of South Australia to attend to the telegraph line. These men, under this clause, may be compelled to pay rent for the quarters they use in the interior, but when we compel men in the discharge of their duty to go to out-of-the-way places, far removed from civilization, we surely should not make a charge to them for the buildings they occupy under such circumstances. I notice this point because the line repairers on the Victorian railways are compelled to pay rent for the miserable huts or tents they use when discharging their duties in the country. This clause needs to be carefully considered before it is passed. Clause 18 says that in the general division the officers shall be paid salaries or wages in accordance with a fixed amount or scale that may be prescribed. I hope to see something put into the clause to the effect that no male in the employment of the State shall, after five years service, receive less than £105 per annum. That is a poor living enough for any adult male, and I do not think there will be much objection on the part of the House to inserting such an amendment when we arrive at the proper stage. We are all aware that the subject of this Bill is a difficult one, and I trust that the effect of the measure will be that we shall bring into existence for the work of the Commonwealth a public service that will be beneficial to all Australia.

Mr BRUCE SMITH

- I do not think any apology is required from an honorable member who wishes to speak upon an important and far-reaching Bill like this. There is a tendency on the part of honorable members of a modest turn to curtail their utterances rather than prolong the debate. But it must be remembered that we are having submitted to us in this House at the present time a large number of Bills, any one of which would make a sufficient figure-head in a speech from the Crown in any State Parliament. We are asked to

deal with what I call the the very fundamentals of Government in a series of Bills, all of which are presented to us in a few days. I make no apology for speaking to this question, because we have here a Bill by which many thousands of the people of this country will be affected; and I cannot help feeling that it is a matter of great importance, not only to those thousands of people, but to the whole community of Australia, who, to a great extent, by this measure will be bound by something in the nature of a contract with the civil servants. We are practically framing a scheme by which the positions of thousands of people in one of the most important services of the country are going to be determined. We have to realize that in this, as in all contracts, there are two sides to the question.. We are here as the representatives of the people in the first place, to see that this arrangement, which is to stand between the people and its public servants, will guarantee to the state a due performance of certain . work that is necessary in the interests of the Commonwealth. We have, on the other hand, to see that we build up a service in the employment of the Commonwealth, not upon parsimonious lines, but in harmony to a great extent with the sort of arrangement that is made between the great commercial concerns of the country and their servants. At the same time we have to see that the arrangement we make will lead to the establishment of a service which will become an attraction to the most intellectual men in the country. I have no hesitation in saying that I have on several occasions, as a Member of Parliament and as a Minister of the Crown, had to deplore the unwillingness of parents to put their sons into the public service of New South Wales.

Mr A McLEAN

- It is not so in Victoria. I wish it were.

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Mr BRUCE SMITH

- As we pointed out in the debate upon the Address in Reply, there is a great struggle for employment in the State of Victoria,, by reason of many causes, which we mentioned. I am happy to say that we have those difficulties in a very much less severe degree in New South Wales. I- am very much amused at the frequent innocent confessions which the representatives of Victoria are constantly making - inadvertently of course - which go to support our theory that the policy of the neighbouring State is the sound and wise one. Whether that is or is not the case, I hold that we should be guided to some extent by the experiences of the mother country in this matter. Comparing great things with small, we know very well that when a man enters the public service of Great Britain, he can see ahead of him a passible peerage ; because it is not an uncommon thing for the permanent head of a great public department in Great Britain to be raised to the peerage when he becomes old and retires with honour from the' occupation of a lifetime. I am afraid we cannot , Otter any prize of that sort in Australia : but, at any rate, we want to make our public service attractive. We should make it attractive to the best men in the country. The prizes at the heads of the departments, and the salaries paid, should be of such a character that the young men who go to our universities, and who take their degrees, shall feel attracted towards the public service as a profession ; and, though he begins at a salary not lower than that which would be paid by one of the various banking institutions of Australia to a clerk, the . young civil servant should always know that, by good conduct, and by making an effort to distinguish himself, he may rise through a series of grades, and reach, if not a peerage, at any rate, the leg of mutton on the top of the greasy pole. I am quite sure the honorable gentleman in charge of this Bill will not only nob deprecate, but will encourage any observations that honorable members may choose to make, because he knows that the second reading of a Bill like this is a matter of course, and that any observations that are made are in the nature of suggestions, not only to him, but sometimes to ourselves. I say that because, in the process of thinking out this question, one's mind is drawn from one side to the other by certain great principles which the Bill contains. I confess that the subject of administration, looked at in an abstract way, has always had great attractions for me. I have ever taken great interest in trying to discover some of the great principles underlying the science of administration as it appears in connexion with the great public departments of England, where, perhaps, £100,000,000 of money are being wielded. I took great interest, for instance, in the administrative work of that master of administration, the late Mr. Eddy, who was imported from . England to undertake the organization of the greatest branch of the public service of New South Wales. I prefer to look upon this Bill as a sort of standing arrangement that the Parliament of the Commonwealth is about to make between its servants and its people. Whilst on the one hand we must see that the terms of this arrangement are such as will secure to the people a due performance of the work contracted for, and due

payment for that work, we must also see that the public service of the country is placed upon such a level that it guarantees a provision and a life's occupation for the best men the country can produce. The Minister in charge of the Bill thought fit in one portion of his speech to point out that the primary object of the Bill was to substitute political influence for social influence.

Sir William Lyne

- Excuse me, I did not say that.

Mr. BRUCE SMITH. - I thought I took the words down.

Sir William Lyne

- I said that political influence was bad enough, but that social influence was worse.

Mr BRUCE SMITH

- Very well then, we will take it that the honorable gentleman put it in that way. He gave, as an illustration, the condition of things in New South Wales, and he mentioned that the extreme form of non-political patronage had been adopted in that State under its Public Service Act. He went so far as to say that it did not work well ; but I do not think it was quite fair to give to this House, in regard to New South Wales, only one illustration, and that an illustration which suited the honorable gentleman's argument. Another service in New South Wales, namely, the Railway service, can be quoted as a most splendid illustration of the successful working of non-political patronage.

Sir William Lyne

- Hear, hear. But that is a different thing: it is differently constituted.

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Mr BRUCE SMITH

- If the honorable gentlemen does not see a parallel between the two services, I am afraid I cannot help him. Of course, the services are differently constituted. But what I want to point out to the House is that the honorable gentleman gave as an illustration of the non success of the non-political patronage system the Public Service Board of New South Wales, and then he was silent. He said that because . that board was not a success, ergo, we are going to change it here. But, before the ergo is allowed I would like to say that we have also in New South Wales a splendid illustration of the successful working of the non-political system in the railway service! I defy the honorable gentlemen to mention a single case of importance in which political influence has been allowed to creep into the administration of the railway service of New South Wales. By reason of there being good men in the position of commissioners, the system has worked admirably. The system has saved New South Wales from the curse of Australian State politics. It has prevented a large part of the time of Parliament from being taken up with the grievances of public servants, not general grievances or the general principles which underlie grievances, but individual cases, by which the House - and sometimes a select committee - has been occupied for hours over the dis rating of a policeman, the discharge of a railway porter, or the forfeiture of a 40-acre selection. These things are the curse of our political life. Members, in order to please their constituents, occupy their own time and brains, or the brains of other people, in analyzing these individual cases, while the general business of the country is being neglected.

Mr Higgins

-I think the time spent by members out of Parliament is even worse.

Mr BRUCE SMITH

- That is even worse.

Sir William Lyne

- The honorable and learned member for Parkes is quite mistaken. The time taken up in the New South Wales House by the railway service has been greater than that taken up by any of the other services. .

Mr BRUCE SMITH

- Then the Ministry are answerable for allowing questions affecting that service to come forward.

Mr F E McLEAN

- It is only on the Estimates.

Sir William Lyne

- No; on motions for the adjournment of the House.

Mr BRUCE SMITH

- I speak from three years' experience of Ministerial life in New South Wales, when my honorable friend,

the member for Wentworth, was Colonial Treasurer, and therefore at the head of the railway service of that State, and I know that he deprecated and resisted on every single occasion when this question was brought up, any attempt to occupy Parliament over the grievance of any individual man.

Sir William Lyne

- It could not be stopped.

Mr BRUCE SMITH

- I can only say that if the successors of the member for Wentworth had exercised the same influence, instead of being open to the influence of Members of Parliament who might sit on their own side of the House, they would have had just as little trouble during their reign as my honorable friend had during his reign. The non-political administration of the Railway Department in New South Wales has been a magnificent success, and therefore I ask honorable members when they hear accounts of the non-success of the non-political system - which I am not prepared to admit - and of the non-success of the administration of the New South Wales Public Service Board, for which I can give a reason in a moment, they ought at the same time to bear in mind that New South Wales can offer a splendid illustration of the success of the non-political system.

Mr Ewing

- The honorable and learned member does not concede that the Public Service Board has been an absolute failure.

Mr BRUCE SMITH

- I said I would give my reasons why it was not a complete success. The right honorable gentleman did not tell honorable members that when the Public Service Board of New South Wales was established the Treasurer of the country actually placed upon his Estimates, before the Board had entered on its work, a sum representing a saving of £100,000. That was the result of a conversation which the Colonial Treasurer of New South Wales had with the members of the Board, when he asked them to estimate the sum by which they thought they would be able to reduce the cost of the public service of New South Wales.

Sir William Lyne

- The actual amount was £301,000.

Mr F E McLEAN

- The sum of £100,000 was for the half-year.

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Mr BRUCE SMITH

- I understand it was £100,000 at least. I want the House to realize that I desire to understate my case rather than overstate it - it is much more effective in debate to do so. Before this body of men had entered on their work of reorganizing the public service of New South Wales, they very foolishly committed themselves to a saving of £200,000. What sort of start was it for men to make in reorganizing a service, to commit themselves to such an opinion before they had commenced operations? I do not know whether it was cause or effect, or merely a case of post hoc, but after the Public Service Board had committed themselves to a saving of £200,000 a year, they conducted themselves in their office in such a way as to bring down upon them the condemnation of the whole public service of the State.

Mr F E McLEAN

- Would it not be fair to state that a Royal commission had reported to the present leader of the Opposition, prior to the appointment of the board, that a quarter of a million could be saved.

Mr BRUCE SMITH

- The honorable member for Lang informs me, and I am very glad to have the information, that prior to this taking place a Royal commission had sat and reported that a quarter of a million a year could be saved if the civil service were reorganized. What I say is that it is not a fair or a useful illustration of the non-success of the non-political system to point to a case where a body of men started with a sort of obligation on them to save at least £200,000 a year. They went about their work in a drastic and trenchant manner. They "cut down" men advisedly or inadvisedly, fairly or unfairly, wisely or unwisely. They cut down men in high positions in the public service, with 24 hours' notice.

Mr Barton

- They might as well have cut some of them down with an axe.

Mr BRUCE SMITH

- As the Prime Minister knows, some of these men had served New South Wales for a whole lifetime with honour to themselves and with credit and advantage to their country : and one or two of them at least went to their death-beds very shortly after this drastic sort of conduct had been exhibited by the board.

Mr Isaacs

- Could the board do that without the approval of the Ministry of the day ?

Mr BRUCE SMITH

- I think they could ; at any rate, they were allowed to do it, and were not interfered with.

Mr Isaacs

- It must have been upon their recommendation, and by the act of the Ministry.

Sir William McMillan

- The board held that they could not be interfered with.

Mr BRUCE SMITH

- I wish honorable members to recollect that the board were carrying out this great saving - certainly carrying it out in their own way - which they had anticipated, and which the Minister had counted on in order to arrange his finances. I do not see how - when the board had been established in their position - the Ministry or the Government could come in at any time under the Act and say that this was a particular case in which they could interfere, although they were not going to interfere in other cases. At all events, this went on, and protests were made and a great deal of ill-feeling engendered. I have no hesitation in saying, and I believe the Minister for Home Affairs, will bear me out, that the action of this board was one of the deadliest blows ever made at the public service of New South Wales. Hundreds of men in the service were trembling from day to day lest their turns were coming next. Although I have stated the case in the strongest possible terms, I do not cast personal blame on the members of the board, every one of whom I believe was actuated by a single desire to do his duty. But each and all of them made a mistake in setting about the organization of the service by committing themselves beforehand to a saving which they could not possibly have been sure it was possible to make. My point is, although I may be somewhat circumlocutory in pointing it out, that this is not a good or fair illustration of the non-success of a non-political body, and that the railway service of New South Wales is a splendid illustration of the success of a non-political body. I think that success was due in the first place to the fact that a very strong man - a veritable Cromwell in his own particular business - had come into the service. While on the one hand he was organizing the service according to what he conceived to be the merits and abilities of his men, he was at the same time bringing into existence all sorts of organizations for their improvement and for their personal and corporate elevation. He was seized with a desire to benefit the service as a whole, and anxious to make a service of ' which the country might be proud, and in which the men might be thoroughly satisfied.

An Honorable Member. - Who was the man 1

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Mr BRUCE SMITH

- Mr. Eddy. He lived to gain the good opinion of the whole of the railway service. I do not think any body of men in New South Wales showed greater regret or greater grief at the death of Mr. Eddy than did the men employed in the railway service of that State. I do not want to be considered at all provincial in dealing with One State, but we are told that history is philosophy teaching by example. We look naturally to the country in which the system of non-political interference has been tried, and we cannot look to New South Wales without feeling that while on the one hand, under certain conditions, the non-political system has been a failure, it has on the other hand, been a remarkable and splendid success. There is really a lot to be gained from the experience of that State. I have mentioned that one of the objections to a politically managed public service is that Parliament is frequently occupied over questions of detail in connexion with the grievances of individual members of the service. But the nuisance extends beyond that. It is a well known fact that under a politically managed public service, questions of such a character as to make public life almost impossible for men who have other occupations to follow come by thousands to honorable members. I do not wish to do so, but I could quote instances in New South Wales in which during the political management of the public services, business men, merchants, and professional men were compelled to give up political life because of what I might call the inundation of their offices and

homes by men seeking situations, complaining of having lost situations or of disgracing, or trying to get relatives into the service. By a non-political system, which I strongly advocate, we save the time of Parliament, and of members, and although it may seem a very remote sequence, we give encouragement to a better class of men - at all events men who have occupations of their own - to come and take a part in the political life of the country. The honorable ' member for Wentworth pointed out very properly that there were two extremes here. There is the extreme case of non-political management, and the other extreme case of political management, and I understand him to say that the ideal which he wishes to see brought about is a sort of moderate compromise between the two. For my part I have no desire to see the thread of connexion between Parliament and the public service completely severed. It is quite certain that we must have a Minister in Parliament who is responsible to the popular representatives for the management or mismanagement of the public service of the country. On the other hand we do not want cross purposes to arise such as have arisen recently in England between Lord Wolseley and Lord Lansdowne. That is a case very useful as illustrating the underlying principle of administration. In one of the greatest services in England, we find quite suddenly, that the man who was supposed to be permanently at the head, had been enjoying or suffering under such very limited jurisdiction that it is not at all unlikely we shall find ' hereafter that very serious consequences in South Africa, were the result of either maladministration or unwise administration in the mother country. On the other hand we do not want the other extreme of political patronage, and I hope that when the Bill comes out of committee it will be in such a state that, whilst we shall have retained Ministerial control so that the Minister will be able to explain everything and anything, that takes place, we shall have escaped the trammels of political management, and relieved Parliament and its members from the curse of which I. have already spoken in detail. I am now dealing with general principles only. The honorable gentleman dealt with the question of the salary of the commissioner, and I had forgotten' for the moment that in the Bill only one commissioner is recommended. The honorable gentleman told us he thought the sum of £1,500 was a fair remuneration for such a man. arid went on to say that he was going to get an excellent man for the position. I would like to ask the honorable member whether he thinks he is going to get such a man - not in the service for, of course, he could get a man in the service - but whether he thinks he can get a man out of the service of the type he has described in rather glowing language for £1,500 a year. This is really a matter of detail to be considered in committee. But I should like to say that I differ entirely from those politicians who are under the impression that we can manage all our great departments and our great positions of State on small salaries. Honorable members know very well that in the larger institutions in Great Britain, there are men who receive from £5,000, to £10,000 a year, and are considered cheap at that.

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Mr G B EDWARDS

- What is the country's income.

Mr BRUCE SMITH

- That has nothing to do with the matter.

Mr G B EDWARDS

- It has, because we cannot afford to pay more than a certain amount.

Mr BRUCE SMITH

- My contention is, that it is a question of the amount of money involved in the service which you are appointing this man to manage. From time to time men are found receiving immense salaries, but the salaries are a mere fleabite compared with the immense amount of money involved in the services which they are managing. At the present time there are under-secretaries in New South Wales receiving £1,200 a year, and the Minister for Home Affairs tells us that we are going to get a commissioner, who is to be over a very large number of under-secretaries, and who is to control the whole public service of Australia for £300 a year more than they are getting, or for the same amount as we get a County Court Judge for in New South Wales. The honorable gentleman is talking in a way which I think will not be indorsed by the House. As illustrating the great value which is placed upon a specialist's services, did we not see the other day the greatest railway company in England, possessing a capital of about £200,000,000 - the Midland Railway Company - passing over the 40,000,000 or 50,000,000 people in England, and singling out the Railway Commissioner of this State and giving him £4,000 a year, with a promise of £5,000, to manage its railways? This is only one of a number of positions that we are going to create in this country,

and it behoves us to consider whether another £1,000 is not a mere infinitesimal consideration when we remember that this man will control a service which will have an expenditure, through its various channels, of scores of millions of pounds in the future of this country. The honorable member in charge of the Bill has enunciated the principle that the commissioner who is to stand at the head of this service must submit matters to Parliament.

Sir William Lyne

- No.

Mr BRUCE SMITH

- I understood the honorable gentleman to say so. I understood him to say that the commissioner must make a return once a year, and the honorable member for Indi went so far as to say that whenever anything was done of an abnormal character that also should be laid before Parliament. I do not know whether I understood the honorable and learned member aright, but his experience is very different from mine if he recommends that whenever anything exceptional is done with regard to the public service of the country, the details of it shall be made a sort of bone of contention between the two sides in Parliament.

Mr Isaacs

- I did not suggest that.

Mr BRUCE SMITH

- I am very glad to hear the honorable and learned member say so, because I was a little surprised that a man of some administrative experience should have made such a suggestion.

Mr Isaacs

- What I suggested was that where exceptional treatment had been accorded to any officer of the commonwealth by way of promotion the reasons for such treatment should be laid before the House.

Mr BRUCE SMITH

- That is exactly what I understood. I was perfectly right in thinking that the honorable member advocated that in any exceptional case the matter should come before Parliament. I hope that when the Bill leaves this House' it will be so framed that Parliament will not be troubled with such questions. Parliament will have quite enough to do without dealing with individual cases, and the honorable and learned member must see that what he calls exceptional cases will really be those of individuals who conceive themselves to have been injured in some way, or cases in which the commissioner has felt disposed to give some sort of differential treatment to some particular public servants.

Mr Higgins

- The honorable and learned member's view is that the less we have to do with them the better ?

Mr BRUCE SMITH

- I know that the honorable member for Northern Melbourne has a sort of faith that Parliament is the half-way house to the millennium, but I do not entertain any such opinion.

Mr Deakin

- Not even when the honorable and learned member is in it ?

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Mr BRUCE SMITH

- Not even when I am in it. I have not that exalted opinion of the powers of Parliament. It can transfer things from one person to another, and it can do a great deal of harm. I hold that the more time Parliament has to think out broad political questions, and the less concerned it is with details relating to any particular public servant, the better for that servant and for the general public. The Minister for Home Affairs said that the commissioner would be required to make a report to Parliament periodically. I have no objection to that principle, but I see very strong indications of what was figuratively called by an honorable member opposite the "trail of the Minister" all through the Bill. Honorable members will notice in the Bill a very frequent reference to the Governor-General, which under the interpretation clause means the Governor-General in Council. Every honorable member of this House who has had the honour of being a Minister of the Crown will know that when that very big phrase is boiled down it very often means the under-secretary of the department of one of the Ministers. In the first place it means the Minister, because where the Government has plenty of business to transact the Minister brings up his minute to Cabinet. All the other Ministers bring up their minutes, and every Minister is so anxious about

his own minute that very often he does not give that attention to those of his Ministerial colleagues that he should do. Then there is a sort of esprit de corps amongst Ministers, which makes them accept on unimportant questions the dictum of the particular Minister concerned. Thus it is that a minute goes before Cabinet, is adopted as a matter of course in many cases, and then is transmitted to the Executive Council. The Governor does not go into these matters in any great detail, and consequently we find that the opinion of the Minister becomes by this process of evolution the opinion of the Governor in Council. In cases where a Minister has an under-secretary in whom he places very great confidence, he will sometimes accept the suggestion of the under-secretary, and make it his own, with perhaps insufficient examination. In that way in a great many instances the under secretary's recommendation ultimately develops into the much more formidable entity of the dictum of the Governor in Council. I find throughout this Bill a very large number of cases in which matters are left entirely to the Minister.

Sir William Lyne

- I do not think so.

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Mr BRUCE SMITH

- I will show the Minister when we get into committee. In my opinion this Bill leans much more to the system of political patronage than it does to the non-political system. It is very mixed, because in some cases matters are - left entirely in the hands of the Minister - that is to say, in the hands of the Governor-General in Council - whilst in other cases they are left to the commissioner. In one case I notice that the head of the department is put into communication with the Minister without the commissioner being mentioned at all. When the Bill gets into committee I shall make a modest attempt to produce as nearly as possible an approach to the non-political system, for the reasons which I have given. The Minister for Home Affairs has referred to an abuse which arose in New South Wales by reason of the Public Service Board delegating certain inquiries to a subordinate board. There is no doubt that an abuse of that sort did take place, and it is one that we shall do well to bear in mind. The Public Service Board of New South Wales delegated some of their inspection to certain of their subordinate officers. Those delegates went into the different public departments with a ferret-like disposition, and actually made inquiries - as to the private movements of the heads of those departments, without those heads knowing that they were there. Thus it came about that the heads of certain departments, without ever having been consulted, found that action had been taken by the Public Service Board on the strength of the reports of those delegates. We should do well, at all events, to avoid such an abuse. But the fact that such an abuse took place does not constitute any reason why we should denounce the system of non-political management, because it is merely an excrescence that we can get rid of without touching the body of the institution. I think that this is a very opportune time to consider what should be the principle of administration in a huge department of this sort. I once saw that principle well illustrated by a diagram in which a heap of cannon balls of the old style were drawn. The top ball was regarded as the head of the department, and was so arranged that although controlling all the underlying series of occupants, it should not come into immediate contact with them. I remember too a circumstance that occurred in New South Wales under the administration of the late railways commissioner, Mr. Eddy, which, although trivial in its character, illustrates remarkably well the underlying principle of administration which he exercised. I remember seeing Mr. Eddy: come down to the express train which was just about to start for Melbourne. Looking into a carriage, he saw that a tumbler was deficient. I watched to see what he would do. He called for the station-master, and then sent for some officer high up in the service - an officer at the very apex. Mr. Eddy had this officer brought down: and, although the latter had never seen the carriage, the commissioner told him that the matter came under his department, and he would require to see him next day in regard to it. That illustrates the system that is observed in the conduct of all the great departments of England. The man at the head is not allowed to fritter away his time with a large number of details, but each man in turn is responsible for the people beneath him. That is the principle which should be observed in all administration, as every one who has studied with any interest the management of great departments can testify. Having been in charge for some years of the largest department in New South Wales - the Works department - I can speak with some authority, I think, on the principles which should underlie all administration. I think that the principle I have indicated should underlie the Commonwealth service. If it is going to be a non-political service, the commissioner should

be the responsible head, and I would not assist in any plan which made the commissioner responsible in some cases, whilst the heads of departments were directly responsible to the Minister, over the head of the commissioner, in other cases. Everything that comes to the Minister should come through the commissioner. The Minister for Home Affairs has explained that provision should not have been made in clause 12 by which the heads of departments can come into contact with the Minister without the commissioner knowing something about it. We cannot get men to serve two masters. The moment we put subordinate officers into communication with the Minister we tend to destroy discipline.

Sir William Lyne

- That clause is only intended to insure the work of the department being carried out.

Mr BRUCE SMITH

- I quite recognise what the Minister for Home Affairs says. I recognise that an attempt is made in the Bill to distinguish between the internal management of a department with regard to its own affairs and the general management of the service with regard to the men who do the work. I quite recognise that the head of a department should be made responsible for what I call the detailed working - the discipline of the department. But to distinguish between the work of the commissioner as the supervisor of the general conduct of members of the service, and the detailed working of the departments under a permanent head is a very difficult matter to put into words. It seems to me that there will be cases on the "border line," so to speak, which it will be impossible to say come within either one sphere or the other. The moment a department fails to work easily and regularly as an engine might do, the question arises as to whether that department is in such good working order as it might be in if an alteration of the status of the different officers were made. There the question arises as to whether the commissioner should not come in. Unless we can lay down a very definite line to differentiate the internal working of a department from the general supervision of that department, we shall run foul of a difficulty, because we shall have a divided jurisdiction. We shall then have a quarrel coming before the Minister as to: whether some particular matter at issue does not involve the commissioner's interference, or whether it is not within the peculiar province of the permanent head of a department.

Sir William Lyne

- We cannot wipe out the heads of departments.

Mr BRUCE SMITH

- I do not wish to do so, but unless we can arrive at a scientific definition between these two provinces, we must let everything go through the commissioner; and if we get a man of the proper stamp he will recognise at once what matters are internal matters. His pride will be satisfied by reason of such matters having passed through his hands, and thus we come once more to the illustration of the cannon balls.

Mr Higgins

- Is there any clause in the Bill - which allows the permanent head to advise the Minister?

Mr BRUCE SMITH

- Yes; but the Minister says that there has been an oversight in respect to that clause.

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Sir William Lyne

- No. The clause is an attempt to do what the honorable and learned member suggests. I thought that the honorable and learned gentleman was referring to another clause.

Mr BRUCE SMITH

- Sub-clause (2) of clause 12 says -

The permanent head of a department shall be responsible for the general working of such department and for all the business thereof, and shall advise the Minister in all matters relating thereto.

It is quite clear from the clause that there is no intention of passing the information with regard to those things through the commissioner, and I foresee from my administrative experience, as every honorable member will see who has had administrative experience, that all sorts of difficulties may arise under that provision.

Sir William Lyne

- Surely the honorable and learned member would allow the permanent head to be the confidential adviser of the Minister?

Mr BRUCE SMITH

- Yes ; but I should like the information to pass through the hands of the commissioner to the Minister. Unless you can have a scientific definition to differentiate these things, it is better to allow all recommendations by the head of a department to go to the Minister through the commissioner. If you can discriminate, I quite approve of that being done; but the difficulty is to do it.

Mr Higgins

- I suppose that the honorable and learned member would not have any arrangement in, say, the post-office, with regard to the mails submitted to the commissioner, where it did not affect the public service ?

Mr BRUCE SMITH

- I do not think that would be a matter for the Minister himself, unless some big question arose - like a change of the mail contracts. Rather than run the risk of the difficulty which I anticipate might arise from an insufficient or unscientific definition, it would be better to allow all these things to pass through the hands of the commissioner.

Mr Higgins

- It looks like the case of the circumlocution office over again.

Mr BRUCE SMITH

- I think not. It would be desirable in other ways to allow the commissioner to be acquainted with all the bigger steps that are taken in a department. However, I am not advocating one course or the other.

Sir William Lyne

- The clause may not be well worded, but the object is that the business of the department shall be transacted between the permanent head and the Minister, and that all matters connected with the appointment and removal of officers shall be with the commissioner.

Mr BRUCE SMITH

- I do not think the honorable gentleman in charge of the Bill appreciates the point I am putting. I agree that if you can differentiate such things, it is better to free the commissioner from internal interference. The honorable gentleman uses certain airy terms, but let him put what he means on paper, so that any one may see what is the business of the one, and what of the other. He will then find that his airy language is useless for the purpose. But if the honorable gentleman can put the matter into such a form that by-and-by it will not cause any conflict of jurisdiction between these officers, so much the better. On the question of insurance I should like to say one word. I am very glad to see on the part of the Ministry a tendency to really limit the sphere of Government undertakings. I know the popular view of this question, and the one which will no doubt be advocated by honorable members who occupy the corner seats, as to the advisability of establishing a system of State insurance. This proposal of the Bill will probably be used as a peg. We are to have a State bank - why not a system of State insurance, so that we shall be able to reap the benefit of the large profits that will be made ? That is the view of the visionary, who would do well to spend twelve months in a bank or a year in an insurance office, before declaring himself upon the subject. He would then know something about it. The provision for insurance is a very useful part of the Bill. The Government have profited by the experience of other States. In New South Wales the pension system has to some degree failed, because I suppose the actuarial work was done at the outset by those who were not sufficiently experienced to forecast what the ultimate obligations of the fund would be.

Mr Mahon

- They were not "superior persons," I suppose

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Mr BRUCE SMITH

- They were not up to the honorable member's level. I suppose that the actuary who made the calculation in New South Wales, on behalf of the Government, did not work it out correctly, and the consequence is that the fund from which the civil service are supposed to draw their pensions, is deficient to something like the extent of £1,000,000. But it does not follow that the system of pensions is a wrong one because that has been the consequence of such a system being wrongly founded in one of the States. I think, however, that the insurance system is an immense advance upon the pension system, because it throws the responsibility upon the individual. I differ from a great many of my political friends in the corner, when I say that the more responsible the individual has to be, the more the individual becomes like men who

stand four square and flat-floated, and not like men who are compelled to lean upon one another.

Mr Mahon

- There is some hope for us then.

Mr BRUCE SMITH

- Not for the honorable member, but for the rest of his party, perhaps. My honorable friend is too far gone. It is a new thing to see a Government in this country having the courage to introduce into a Bill this element of private enterprise. The Government practically say - " We are not going to bother ourselves with all this insurance business ; there are plenty of corporations who are conducting this business well, and at a lower rate than we could do it for as a Government. These corporations will not be subject to political influence, and they will give you value for your money. All we require is that you shall obtain a policy which will secure to you and to your family certain results in the event of your dying, or, in case of your retiring, will give you back all the money you have paid in." But, while I applaud this action, I think the Government should have some sort of "say" as to the character of the ' particular insurance companies in which these policies may be taken out. I do not wish to individualize at all ; I can only say that there are insurance companies which I should not like the civil servants of this country to depend upon. On the other hand, there are insurance companies and societies which are strong enough to bear the strain of a plague through the civil service. I think that by-and-by, perhaps, the Minister might find it desirable to put into one of the clauses the names of a number of approved insurance companies.

Mr Higgins

- Approved by the Governor in Council 1

Mr BRUCE SMITH

- Yes.

Mr Higgins

- But the Government would then have to give a guarantee of the solvency of these insurance companies. Mr.BRUCE SMITH.- That is another question. I think not. There are only one or two more observations I wish to make. There is a phrase in the Bill which is used with regard to some very important officers, who are called inspectors. I have no fault to find with the etymology of that word, but its associations are not such as to make it acceptable to the service. The use of the word " inspector " suggests a certain kind of spying out in regard to the details of the offices of the public service. There are plenty of other words which would serve the purpose better. The officials in question might be called " sub-commissioners." That phrase would convey some sense of dignity, and it would make it clearer that the officials were not supposed to act as spies, or to search out the conditions of the service in such a way as would make their presence uncomfortable to the other officers.

Mr McCay

- Would a change of word get rid of the fact 1

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Mr BRUCE SMITH

- No, it would not; but sentiment has a great deal to do with this life, and the associations of the word " inspector " are such that one should consider the people in whose interests this Bill is being passed. I therefore think that it is just as easy and satisfactory to use a phrase like " sub- commissioners," and I should recommend the adoption of that phrase instead of the word " inspectors." I have spoken to the Minister on the question of rotation, and I should like to mention it to the House. Honorable members will notice that in the schedule certain officers are placed in different classes ; there is a first class, a second class, a third class, and so on. These classes again are graded according to subdivisions, and the rotation of the subdivisions is just in the opposite direction to the rotation of the classes. A man who is at the top of the civil service is, very properly, in the first class, and his number cannot be altered, but if you had six subdivisions in the service and wished to create a seventh, you would, under the present arrangement, have to alter the rotation of the numbers of the sub-classes. It is not a matter of much importance, but I should say that the subdivisions should run in the same order as the principal classes ; and just as we say of a ship that she is "Al," so we should say of a civil servant who has attained to a high position that he is " 1st class, 1st division." There is only one other observation I should like to make, and that is in reply to the honorable member for Kooyong. My honorable friend, although very forward and progressive in many of his theories, seems to have got behindhand on the subject of the other sex. He

deprecated the introduction of women in the civil service of this country. I want to cross swords with him on that subject. I think that so long as we compel women to pay land tax, income tax, and rates, and so long as we make them amenable to the laws of our land just as the men are amenable to them, they have an equal right to have their say in the making of those laws, and an equal right also to compete with us men in the offices of State for the management of those taxes. Therefore, I always take the side of those who would allow women to enter into these employments.

Mr Mauger

- On equal pay?

Mr BRUCE SMITH

- I think that if women do the work of men they should receive the pay that men receive. The honorable member for Kooyong said that the breadwinner should be the only person allowed to compete for these places. The honorable member has been more fortunate - or shall I say more unfortunate? - in his acquaintance with the other sex than I have been ; because I have met a very large number of estimable women who have been breadwinners. They have had neither husbands, nor brothers, nor fathers to sustain them, and have had to be their own breadwinners. My own impression is that we should open the doors for the employment of women as readily as we do for men. We should accept their services as readily as we do those of men.

Sir Malcolm McEacharn

- Would you admit them to Parliament ?

Mr BRUCE SMITH

- I would admit them to vote for Parliament.

Sir Malcolm McEacharn

- Would you admit them to Parliament?

Mr BRUCE SMITH

- Well, I would consult my wife about that. But I would certainly open the doors of employment to women, because they are equally amenable to the laws of the State, and should be equally qualified to do the work of the State. Furthermore, when women do the same work as men, they should receive the same pay. We recognise under this Bill that certain work is entitled to receive certain pay, and if a woman does that work she is entitled to that pay. The idea in the past has been that you should not mix up the sexes in connexion with work of this kind.

Mr A McLEAN

- Then I suppose that the honorable and learned member withdraws what he said as to the women in our Victorian factories ?

Mr BRUCE SMITH

- I never offered any objection to women working in Victorian factories. What I objected to, however, was this - that in this State women were being employed in the place of men, while they were paid less than half the wages that men received.

Mr Mauger

- That is not the fact.

Mr BRUCE SMITH

- The honorable member for Melbourne Ports, who is a perfect walking volume of statistics from a protectionist point of view, knows very well that the "women in the factories of this State are not paid the same wages as men when they are doing the same work.

Mr Mauger

- Are they so paid in any part of the world ?

Mr BRUCE SMITH

- Then I say that in all parts of the world if men do certain work, and take certain pay for it, women who do the same work should receive the same pay. The doctrine of my honorable friend, the member for Kooyong, however, is an exception to his usual forward views. In this respect instead of being advanced he adopts a middle-aged doctrine - using that phrase not in an objectionable sense, but in its historical significance.

Mr Knox

- I want women to have equal pay for equal service.

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Mr BRUCE SMITH

- There is just one other question that was mentioned by the honorable and learned member for Indi. He spoke of vested interests, and said that he thought that the public servants of the Commonwealth should have a vested interest in a contract made between them and the people through Parliament, by means of which they would have a certain tenure of office guaranteed to them. I have an idea that these things should cut both ways. The honorable and learned member knows that every public servant can to-morrow leave the service if he chooses. There is no obligation to stay in the service of the Commonwealth ; and if a man were asked to enter into such an obligation, I am sure every sensible public servant would . refuse. We must always remember this : that while the State retains the same right to dismiss that the servant retains to leave, the servant can always depend upon the sympathy of . right-minded, men to be with him when he is unjustifiably disposed of.

Mr Isaacs

- Are you going to apply that reasoning to the Judges also ?

Mr BRUCE SMITH

- No.

Mr Isaacs

- Why not?

Mr BRUCE SMITH

- Because the occupation of the Judges is such that they must be removed from any fear of political influence or favour, it is the very essence of his occupation that a Judge should be so situated.

Mr Deakin

- He should have neither hope nor fear.

Mr BRUCE SMITH

- As the Attorney-General suggests, a Judge should be subject to neither hope nor fear. I should have thought that the honorable and learned member for Indi would have had that thought embodied in his mind.

Mr Isaacs

- I want to apply the same principle as far as possible to the public service.

Mr BRUCE SMITH

- Then the honorable and learned member is too Utopian for his time. . He should not be living in this century.

Mr Isaacs

- I do not want to be thought to be living in a past century.

Mr BRUCE SMITH

- I have endeavoured as far as possible to confine myself to the general principles of this Bill, and to point out that it appears to be in the nature of a, contract between the civil servants and the people through their representatives. But while we look after the interests of the people, to see that they get value for their money, we should also have to look after the interests of the public service and see that the service we create attracts to it the best intellects of the country. They should not stand in any fear of being unfairly treated.

Mr Higgins

- Do you think it is well to attract people from outside into the public service?

Mr BRUCE SMITH

- I think that the best men should win. I am a free-trader, and the principle of free-trade runs like a thread right through every theory that I am conscious of holding. I believe in the survival of the fittest; and if we can get better men from outside the service, we should take them from outside. I sympathize a great deal with the view that preference should be given to those within the civil service, but . I sympathize also with the opinion that a cramping influence takes place in the minds of those who move in one rut for many years at a stretch. . It sometimes happens that, though . originally a man had the mental machinery which should have fitted him for a higher office,, after having served the Government for many years he is found to be unfitted for it. In that case, the Minister, who knows facts with which the outside world is not familiar, is the best judge as to whether there is a suitable man in the service for an office which may be vacant,

and if the Minister thinks it is necessary to choose a man from outside, Parliament has no right to interfere with him, except in cases of marked political influence.

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Mr SALMON

- I think the honorable and learned member who has just resumed his seat need not fear for one moment that he has wasted the time of the House. Personally, I feel very much obliged to him for having raised the tone of the debate to something like the altitude which it should have occupied from the beginning. This I consider the most important question that we shall have to settle for many months. In my opinion, much of the success of the Commonwealth will depend on the stability with which we lay the foundations of the public service, and I agree with honorable members in desiring that that service shall as far as possible be absolutely of a non-political character. I should like to see political influence absolutely excluded from the ranks of the public service, and to my mind there is only one way by which we can hope to accomplish that. The only possible means that we can employ is to put the public service in such a position, by fair, equitable, and just legislation, that we shall have an absence of the complaints and anomalies which unfortunately have arisen in every one of the States. It is only by the proper treatment of those employed in the service of the public, that we can hope to make that service a success as a nonpolitical organization. So long as we fail- by legislation to make proper provision for the tenure of office, the conditions under which the men work, the hours during which they labour, and especially the amount of remuneration paid, so that they shall not be subject to capricious treatment by any particular officer in their department, so long shall we have appeals to the highest authority - the Parliament - in order to remedy their grievances. I will very briefly point out one or two particulars in which I think the Bill can be improved. It is not my intention to deal with the main principles of the Bill, which have already been dealt with at some length, and which I feel sure will be debated at further length. In the first place I am convinced that the best means we can adopt to secure a contented service is to have a well-paid service, and in order that we may have a service commensurate with our means, it is necessary that it should not be an overcrowded service. We should have such a service in numbers just-as large as is necessary to the effective discharge of the work of the Commonwealth. Political influence undoubtedly would tend towards the overcrowding of the service, and consequently towards the sweating of the employees, as we have seen in more than one of the States. I agree with those who say that in their opinion the more pernicious influence is the social influence. The social influence is dictated simply by a desire to gain an advantage, and it carries no responsibility, whereas political influence does carry some slight responsibility in every case. So that there is a difference between the two ; but I would like to see both influences removed if possible. As to promotion in the service, that should, in my opinion, depend almost entirely upon merit. I would like to see a departure from the cast-iron method of transferring men from subdivision to subdivision, and eventually into other classes. There ought to be some means devised - not the means proposed in the Bill - whereby a public servant may be transferred not only from subdivision to subdivision, but actually from class to class at the will of the Minister - whereby public servants, who bring under the notice of their immediate superiors the capacity they possess to do the work set out, the ability they evidence in the discharge of their duties, and, above all, the loyalty they show to the interests of the State, shall receive reward in the way of promotion. Concerning the provisions of increment that have been laid down here, I am of opinion there should be added at least two which we in Victoria have known as "long service increments." There are in the service of the State at the present time a large number of men, who through no fault of their own, but entirely through lack of opportunity, have not been able to receive the promotion and preferment which undoubtedly is their due. Year by year they occupy the same position and draw the same salaries ; but their obligations are increasing, or should be increasing, and they find that what was sufficient to keep them while they were in one state of life is not sufficient with their added obligations. Under these circumstances they will have an opportunity, if still found, to have the necessary capacity, of having some addition to their income other than that which would have come merely from seniority. Then* I think there ought to be some provision for the right of appeal to be exercised by public servants. There is no provision in the Bill worth calling a provision to that effect, and I think a public servant who is stated to have committed a wrong, to have neglected his duty, or to have been guilty of a dereliction of duty, should have an opportunity to appeal against the decision of the permanent head of the department. As to clause 39, to which attention has been drawn

lay the honorable member for Corinella, I am of opinion that public servants doing exactly the same work in different parts. of the Commonwealth are entitled in some instances to different compensation. A system of tropical allowances should be adopted where men are sent from southern States to, say, the northern part of Queensland, to carry on exactly the kind of work as that in which they have been previously employed. There should be some system by which these men should have an allowance for the necessary expense incurred in travelling to a distant part of the Commonwealth, and especially for the discomfort resulting through a transfer from a temperate climate to one of a more tropical character.

Mr Kirwan

- That is provided for in the Bill.

Mr SALMON

- I would like the honorable member to tell me where.

Mr Kirwan

- In clause 71, under the head of regulations.

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Mr SALMON

- The clause escaped my notice, and I am very glad indeed to find that by regulation it will be possible for the Minister or the Governor-General to. compensate those officers who are transferred. As to life insurance, it has been said that the State ought to take up the matter, and I am very strongly of opinion that the State could provide, at a reasonable cost, and with far greater safety than any outside body, the necessary facilities. If there be anything in the contention that the business transacted would not justify the State taking up this project, would like to point out that there is another scheme which could be taken up in conjunction with life assurance, and which has had a signal success in the neighbouring State of South Australia. In that State a superannuation scheme has been in operation for some years, and has been found to work admirably. It was first introduced in connexion with the Education department there, and I believe it is now to be extended to- the other departments in the State. These two might be conjoined. I would like to say something more about life insurance policies- . being provided for those in the service of the State. There cannot be a more deplorable spectacle than that of a man who has- spent many years, and, in fact, the major part of his life, in the service of the State, doing loyal and effective service to his country, and who has perhaps been, inadequately paid, being shunted off with the small sum he may get from an insurance company, or which his family may get after his death. In the State of Victoria the custom is to assure for about £200. What is the use of that sum ? Besides, we know how often these amounts are hypothecated, and how those who have been depending on even a small amount find themselves, in stress and trouble.

An Honorable Member. - That is prevented by the Bill.

Mr SALMON

-It is forbidden in the Bill, but we know how difficult it is to prevent men from contracting themselves out of provisions of this kind. There are always means by which the rights of people may be bought and sold. I do not say we can alter the law in this respect, but we can provide an addition to life assurance, which would place those in the service of the State beyond want and necessity. I now make that suggestion to the Minister in charge of the measure. I feel that it is too late to deal with the superannuation scheme in this Bill, but the Minister might think it well to introduce a measure providing for a superannuation scheme. If that were laid before the House and passed, the life insurance principle might be engrafted on it, and then the Government could take in hand the matter of issuing policies. I hail with a great deal of satisfaction the prospect of the appointment of a permanent head who will be responsible, and, I trust, will always remain responsible, to Parliament, but who will have vested in him sufficient power to organize the service of the Commonwealth. "We cannot have an effective public service so long as we allow Members of Parliament to interfere. Those of us who have had experience in the past know the enormous addition to our labour which is created by reason of the imaginary political patronage that we are supposed to possess. People outside do not realize how very little a Member of Parliament can do in the way of putting an undesirable person, or any person, into a desirable billet. I trust that we shall pass a measure which will make it impossible for any man to be foisted on the public service either by a Minister or by a Member" of Parliament, or by the exercise of social influence. If we can get the public to realize that we have passed such a measure we shall find our labours very much diminished,' and feel our position in the

House very much more comfortable than it has been within the experience of some of us. Most of these matters might be dealt with in committee, but there is one point to which I would like to make a passing reference, in order to indicate the direction in which I desire amendment, it has reference to the transfers from the general division to the clerical.

Mr HUME COOK

- the Government are making provision for that.

Mr SALMON

- I thank the honorable member for the assurance that the Government is making provision. I shall not detain the House further than to express the hope that means will be devised whereby those in the general division may have an opportunity by fitting themselves to pass an examination, which probably they had the means to prepare for previously to entering the service, which will qualify them to enter the clerical branch.

Debate (on motion by Mr. F. E. McLean) adjourned.

SPECIAL ADJOURNMENT

Minister for External Affairs

Mr BARTON

. - I wish to bring it under the notice of the House that the Government and Parliament of Victoria have accepted an invitation to dine with the Commonwealth Government and the members of this Parliament, and, I hope, with His Excellency the Governor-General and the Lieutenant-Governor of Victoria, on Tuesday night. Under the circumstances, it will be impossible to have a sitting on that night, as it is the only night available on which we can make sure of a proper attendance at such a dinner. In the afternoon I believe there are some functions at which the Parliament and State of Victoria desire the attendance of members of this House, and, as there is not much that could be done in that afternoon, I take it that honorable members will agree with me when I now move, without notice, and with concurrence - That the House at its rising to-morrow adjourn until Wednesday next.

Question resolved in the affirmative.

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22:20:00

House Adjourned at 10.20 p.m.