

HOUSE OF ASSEMBLY

Thursday, August 5, 1971

The SPEAKER (Hon. R. E. Hurst) took the Chair at 2 p.m. and read prayers.

CARRICK HILL VESTING BILL

His Excellency the Governor, by message, intimated his assent to the Bill.

QUESTIONS**ROADWORKS**

Mr. HALL: Can the Minister of Roads and Transport say whether work will proceed on the Salisbury Freeway and the Hilton bridge before 1981? In respect of the Salisbury Freeway, I wish to quote from a letter sent by the Commissioner of Highways to the Secretary of the Local Government Association on March 8 of this year, which reads as follows:

It is appreciated that, as urban development extends in the areas abutting this section of the Main North Road, increasing cross traffic and the entry of additional traffic from abutting properties are having a detrimental effect on traffic capacity. Access control provisions of the Highways Act, which apply to a section of this road, enable some control to be exercised on direct access from abutting properties. The effectiveness of this, however, is limited, particularly as the Corporation of the City of Salisbury is, understandably, anxious that these provisions should not in any way restrict property development abutting the road. Funds available within the next five years are not expected to allow for any significant construction works on this road, such as over-passes. It is, however, proposed to commence in 1975-76 the widening of the section between Gepps Cross and Hogarth Road to provide for six lanes of traffic. Also scheduled for commencement in 1975-76 is the construction of an entirely new road to connect with Salisbury Highway passing on the western side of Port Wakefield Road to meet with Grand Junction Road and Regency Road in the vicinity of the old Islington sewage farm. It is expected that the development of this route will draw a considerable volume of traffic from the Elizabeth area which would otherwise use Main North Road.

That is a reference to the commencement of what is known as the Salisbury Freeway in 1975-76. Concerning the second part of my question, I draw the Minister's attention to the fact that industries near the Hilton bridge have 1975 as the deadline by which they must vacate their premises. The other day in this House the Minister said that no construction would begin on any freeway works before 10 years had elapsed. The letter of the Commis-

sioner of Highways of March this year which indicates that the Salisbury Freeway will be commenced in 1975 and the need to vacate premises near the Hilton bridge by 1975 are the bases for my inquiry about whether the variation to the Minister's previously proclaimed attitude to freeways will be countenanced in view of the information I have now given the House.

The Hon. G. T. VIRGO: Obviously, the Leader has not carefully studied or listened to my previous declarations about freeways, as he has described them. I again refer him to my previous statement in this House (as I had to do yesterday) and quote from the document which I had previously read in this House and about which a debate ensued. It states:

Because it expects better modes of travel to be available within the next 10-year period, the Government will not implement the decisions made by the previous Government—If the Leader will listen this time perhaps he may not find it necessary to ask further questions.

Mr. Hall: Do they embarrass you?

The Hon. G. T. VIRGO: They do not embarrass me in the least. What I am trying to do is repeat once again what I have said previously. The statement continues:

The Government will not implement the decisions made by the previous Government to construct the freeways and expressways proposed in the M.A.T.S. plan which are within the built-up areas and where substantial demolition of private property is involved.

If the Leader carefully studies that statement I believe that it will provide the answer to the first part of his question, but the second part of the question about the Hilton bridge has no relationship to this statement. I think we have said many times that it is our policy to provide grade separation wherever it is necessary and as quickly as possible. I should not have to remind the Leader that the Hilton bridge was condemned as being unsafe for traffic about 15 years ago, so I think perhaps he should direct his question to his former Minister, to his own Government, and to former Liberal and Country League Governments, asking why they had not done something about this bridge before.

Mr. MILLHOUSE: Will the Minister say whether the part of the letter which refers to the construction of an entirely new road to connect with the Salisbury Highway and which was referred to by the Leader is accurate? In reply to the Leader, the Minister did not canvass the

following part of the letter which the Leader read out:

Also scheduled for commencement in 1975-76 is the construction of an entirely new road to connect with the Salisbury Highway passing on the western side of Port Wakefield Road to meet with Grand Junction Road and Regency Road in the vicinity of the old Islington sewage farm.

I point out to the Minister that that area is not built up. I therefore specifically ask the Minister this question regarding the Highways Department's plans, as set out in the letter from the Commissioner of Highways.

The Hon. G. T. VIRGO: The honourable member asked, first, whether the section of the letter the Leader quoted was accurate. I have no reason to doubt the veracity of the Commissioner of Highways, in whom I have complete confidence. Naturally, however, I cannot verify the accuracy of letters I do not write. I stress that I have no reason to doubt the Commissioner of Highways, who is a person of the highest integrity and who should not even be questioned by the honourable member.

The Hon. D. N. BROOKMAN: Will the Minister say in plain terms what he intends to do, and whether or not the road to connect with the Salisbury Highway, to which the Commissioner has referred in his letter, is to be a freeway? If it is, will the Minister review his recent statement that he will not make a decision on freeways for 10 years?

The Hon. G. T. VIRGO: The first question asked by the honourable member, before he started his explanation, was whether I would make a clear statement on the Government's policy, and that is the question I intend to answer. I think I have made this matter clear, and I think that anyone who has listened to what I have said will understand it as a clear and simple—

Members interjecting:

The Hon. G. T. VIRGO: I am sorry if members opposite do not have the ability to understand the Queen's English expressed in single-syllable words. I have stated the policy of the Government, and we are pursuing that policy. The statement read to the House by the Leader as allegedly having been made by the Commissioner of Highways is not inconsistent.

Mr. COUMBE: Will the Minister now say clearly whether or not the road referred to near Salisbury which will traverse the sewage farm to Regency Road is designed as a freeway?

The Hon. G. T. VIRGO: No decisions whatsoever have been made in that regard.

The SPEAKER: The honourable member for Fisher.

Members interjecting:

The SPEAKER: Order! The member for Fisher has the call, and he is entitled to ask his question without interruption.

Mr. EVANS: Will the Minister say whether the statement he made last Tuesday is accurate, and does he still stand by that statement, namely, that the Government has said that it will not proceed with any of the freeway proposals for at least another 10 years and that it stands by that today?

The Hon. G. T. VIRGO: If that statement is related to the question, it is completely accurate, as is the statement I made in reply to the question asked today.

Mr. RODDA: As the Minister has said that no freeways will be built in this State for 10 years—

The Hon. G. T. Virgo: I didn't say that at all.

Mr. RODDA: —and in view of the increased volume of motor vehicle traffic that will be experienced during that period, I should like the Minister to say how he intends to handle this increased volume of traffic that must result, irrespective of the inadequacies of the highways and byways on which the traffic must move.

The Hon. G. T. VIRGO: We are traversing the same ground over and over again. I have stated what is the Government's policy and, for the information of members opposite, I may add that that policy was stated to this House: it is in *Hansard* for all members of this House and for the public to read; it was debated in this House; and it was voted on in this House. That policy is that the Government will not pursue the policy of the previous Government, but that we will expend our energies in upgrading our existing road system and at the same time retain an area of flexibility so that we can incorporate these newer forms of transport that are expected within the next 10 years. I believe that our policy is clear and simple, and I am sorry for those who cannot understand it; but we are pursuing this policy and I think an indication of that was given yesterday when I made an announcement about dial-a-bus operation.

Dr. EASTICK: Can the Minister say whether the planning currently being undertaken by the Highways Department takes cognizance of the fact that ultimately some roads to be constructed within the next 10-year

period may be required to become part of a freeway system?

The Hon. G. T. VIRGO: It is possible that some roads that are being constructed could be part of the freeway system. For instance, the South-Eastern Freeway is being built now as part of a freeway system, and it is possible that a road that may be built through Islington will become part of a freeway system.

Members interjecting:

The Hon. G. T. VIRGO: I am pleased that I am able to entertain members opposite.

The SPEAKER: Order!

The Hon. G. T. VIRGO: This is completely in the future, and I am certainly not prepared to give any assurance to the member for Light that it will or that it will not.

SHOW ADJOURNMENT

Mr. LANGLEY: Will the Premier inform the House of the Government's intentions regarding the duration of the Royal Show recess?

The Hon. D. A. DUNSTAN: Although last year the House adjourned for a fortnight at show time, the Government will this year ask members to be ready to resume Parliamentary sittings immediately after the normal one-week show break. As the House will adjourn for the week of the show only, it will resume immediately thereafter. I inform honourable members of this now so that they will realize there will not be a longer adjournment this year than normally occurs.

MORPHETT VALE SCHOOL

Mr. HOPGOOD: Will the Minister of Education, after consulting with his department, indicate to the House the probable future of the Morphet Vale Primary School?

The SPEAKER: Order! I regret that I must ask the honourable member to repeat his question. Honourable members must cease talking across the Chamber; it is unfair to me, to the member asking the question, and to the *Hansard* reporters. I ask members to conduct themselves in a proper manner. Will the member for Mawson repeat the question?

Mr. HOPGOOD: Thank you, Mr. Speaker; I congratulate you on your vigilant control of the House. Will the Minister of Education, following consultation with his department, indicate to the House the probable future of the Morphet Vale Primary School? This school, which is at Hackham, should not be confused with the Morphet Vale town school, which is at Morphet Vale. The school to

which I am referring is at the intersection of Main South Road and Beach Road on a most unsuitable site, crammed full with temporary classrooms. I understand that, in the vicinity, the department has various sites for the building of new schools, and the interest of the local residents is whether, when these schools are built, the present site of the school to which I have referred will continue to be used for a school or whether the whole school will be shifted to one of the new sites.

The Hon. HUGH HUDSON: I am aware of the school to which the honourable member refers. It is clear that, as soon as it is practicable to provide more effective accommodation, the department will be wanting to do so. However, in order to find out what is the latest position, I will consult with my officers and bring down a report for the honourable member as soon as possible.

TRANSPORTABLE SCHOOLS

Mr. SLATER: Can the Minister of Education say how many transportable units are currently in use at primary schools and whether additional units are likely to be available in the future? I have been told that some primary schools within the Gilles District (and I refer particularly to the East Marden Primary School) are experiencing difficulty in accommodating children because of the mid-year intake. A transportable unit has been requested by the East Marden school to alleviate the situation pending the construction of a solid classroom early next year.

The Hon. HUGH HUDSON: We obtain transportable units on a yearly contract, consequently during the year it is sometimes a little awkward to find additional transportable units as and when they are required. We may not find that transportable units are being freed at one school in order that they may be used somewhere else. I will investigate the problem regarding the East Marden Primary School and bring down a report for the honourable member as soon as possible.

CLEARWAYS

Dr. TONKIN: Can the Minister of Roads and Transport say at what rate the number of car registrations in South Australia is rising each year? Also, for how long does the Minister consider that the present clearways operating in the metropolitan area will continue to cope with these increasing numbers of motor vehicles?

The Hon. G. T. VIRGO: I cannot accurately quote figures on the number of increased

registrations, so rather than give an estimated figure I think it is safer to give the honourable member the accurate figures, which I will obtain for him and bring to the House.

MINISTER'S INFORMATION

Mr. WARDLE: My question to the Minister of Roads and Transport concerns his policy of supplying to members information concerning their districts and his intentions regarding a continuance of the present policy. An article on the front page of my local paper under the heading "Lights for a Danger Crossing" states:

Increased protection for the railway level crossing in Cypress Terrace in the form of flashing lights was announced this week by Senator Geoff McLaren. Senator McLaren said he had been advised by the Minister of Roads and Transport (Mr. G. T. Virgo) that the existing "stop" signs would be replaced by flashing lights.

I know that both local government bodies in this area have written to the department about this matter over many years. I also know, in my capacity as a former traffic officer for one local government area, that many reports have been made on this matter. I cannot find anywhere in the records where in previous years Liberal Senators have been given such information regarding my district. This information came through the local Australian Labor Party representative. Can the Minister say whether he has changed his policy, and if he has changed it, does he intend to pursue it?

The Hon. G. T. VIRGO: I am sorry that politics have been brought into road safety by the honourable member, and I correct a statement he made: Senator McLaren is a Labor Senator, not a Liberal Senator. This matter goes back a long way and, if the honourable member checks *Hansard*, he will find where Mr. Bywaters continually raised this matter. The A.L.P. at Murray Bridge has also continually raised the matter with me and, as an act of courtesy, I replied to the letter and supplied it with the information sought.

Mr. Wardle: You haven't given it to local government yet.

The Hon. G. T. VIRGO: I do not know whether it has gone to local government or whether I have even received a request from local government, although I may have received a request. Considerable correspondence goes through my office, and if local government had sought the advice I am sure it would have received the same reply as that

given Senator McLaren when he sought the information a couple of weeks ago.

THEVENARD WHARF

Mr. GUNN: Has the Minister of Marine a reply to my recent question about the Thevenard wharf?

The Hon. J. D. CORCORAN: The period of total shut-down of the bulk-loading plant at Thevenard will be from November 12 to December 10. During this vital period the legs of the travelling loader will be removed and replaced with new legs to a wider gauge. At the same time, the two concrete beams that will support the rails for the travelling loader wheels will be poured and allowed to cure. The bulk-loading facility at Thevenard, which was constructed for the gypsum trade, is being fully amortized by the two firms involved, and grain is shipped over the plant with their concurrence and on certain conditions. The gypsum interests have accepted the closure dates and the Wheat Board has raised no objections. The closure is unavoidable, and to delay it would inconvenience other users and cost the Government extra money in down-time for the workmen concerned. So far as I am aware, barley has never been shipped over the Thevenard bulk-loading plant. Whilst sympathizing with the barleygrowers in this initial shipment I cannot recommend upsetting the other interests involved who are, and have been, the main and only users of the bulk-loading plant.

PORT LINCOLN RAILWAY

Mr. CARNIE: Will the Minister of Roads and Transport investigate the possibility of re-routing portion of the railway into Port Lincoln, particularly the section of the line between Wanilla and Coomunga, so that trains could carry greater loads? Because of the gradients and the condition of the line, loads on this section are limited to 800 tons. Work is currently proceeding on some sections of the track in connection with upgrading ballast and replacing sleepers. Nevertheless, the gradients are steep and the line is in poor condition; these are the main reasons why full loads cannot be carried on it. The same situation applies to some other sections, but the section I have referred to is by far the worst. In view of the increasing loads of grain being carried on the Port Lincoln Division, will the Minister investigate the possibility of lessening the steep gradients, which limit the load carrying capacity?

The Hon. G. T. VIRGO: I will investigate the matter for the honourable member.

RURAL ASSISTANCE

Mr. McANANEY: Has the Minister of Works obtained a reply to my recent question on rural assistance?

The Hon. J. D. CORCORAN: My colleague states:

Officers of the Rural Industry Authority do interview applicants for assistance, and up to the present over 200 interviews have been conducted. Inspections of some properties have already been made and this practice will continue. It will be understood, however, that inspections can be made only in cases where the authority believes there is some chance of the applicant's qualifying for assistance.

My colleague has no knowledge of any announcement by the Commonwealth Government of any change in the conditions of the scheme. Any such change would involve an amendment of the Commonwealth legislation and the schedule to the agreement. Until such time as there is a change in the conditions there will be no alteration in the present policy on the issue of protection certificates.

LITTER FINES

Mr. BECKER: When does the Minister for Conservation intend to introduce legislation to authorize seaside councils to institute on-the-spot litter fines? On March 3 this year, in reply to a similar question, the Minister said that the Government was considering on-the-spot litter fines in general. When will I receive a reply?

The Hon. G. R. BROOMHILL: When consideration of the matter has been concluded.

TEACHER RESIGNATIONS

Mr. GOLDSWORTHY: Has the Minister of Education a reply to my recent question about teacher resignations?

The Hon. HUGH HUDSON: First-term resignations of teachers were 263, or 2.59 per cent, in 1971 as against 316, or 3.16 per cent, in 1970. The increase in resignations from end of first term to the end of June was 65 in 1971, as against 83 in 1970. Cumulative resignations to the end of June, therefore, amount to 328, or 3.05 per cent, in 1971 as against 399, or 3.87 per cent, in 1970. I know that the honourable member will be pleased to hear about the reduction in the rate of resignations.

SOUTH AFRICAN TRADE

Mr. HALL: Will the Premier communicate with the Australian Council of Trade Unions expressing his Government's desire that no action be taken industrially to prevent free trade with South Africa? In last Wednesday's issue of the *Financial Review* an article

appeared commenting on possible moves to take place at the A.C.T.U. congress "next month"—and as the article appeared on July 28 I assume that is the month of August.

The Hon. G. T. Virgo: How do you work that out?

Mr. HALL: My question is given in this way so that the Minister of Roads and Transport will understand it. The extract which interests me, and which will interest many employees in South Australia, is this:

It seems likely that, even if the stronger motions are defeated, there will be a union campaign to harass the importing, distribution and sales of South African goods.

It is well known that trade between Australia and South Africa is increasing rapidly, and in the year 1969-1970 exports from Australia to that country amounted to \$64,860,000 and imports from South Africa to \$21,631,000, a situation showing a balance dramatically in favour of Australia. More importantly for South Australia, about 20 per cent of this represents trade between this State and South Africa. Therefore, in the year 1969-1970 approximately \$12,000,000 was involved as far as South Australia was concerned. I am told that since that time there has been a dramatic increase in this trade, which now stands some millions of dollars above the figures I have quoted. Since much of this export figure represents manufactured goods, then obviously for South Australia this means hundreds if not thousands of jobs in industry. I express my concern by asking the Premier, as Leader of the State Government, to assure the A.C.T.U. that we do not wish to see industrial action which may prejudice South Australian exports and South Australian jobs.

The Hon. D. A. DUNSTAN: I know of no moves by any trade union in Australia to inhibit South Australia's exports to South Africa. I certainly do not intend, as Premier of this State, to write to the A.C.T.U. and express a view upon some speculative report in a newspaper.

Mr. Hall: It would be a safeguard, though.

The Hon. D. A. DUNSTAN: If the honourable member feels strongly about it, I suggest he might use his own good offices in the matter by doing what he suggests I do, but I do not intend to try to influence the A.C.T.U. in any discussion of policy on the basis of some speculative report by a newspaper reporter.

INDUSTRIAL DISPUTES

Mr. MILLHOUSE: Will the Premier say what action, if any, the Government has taken in the last 24 hours regarding the present rail

strike? I read in the *News* today that there is some hope of settlement of this disastrous strike. In the *Advertiser* this morning, echoing persistent reports during the past few days which were mentioned in the House on Tuesday in the absence of the Premier, is the following report:

Any further moves will now come from Melbourne or the S.A. Government with local wage offers to have this State exempted.

When I asked the Premier's Deputy about this on Tuesday the implication was that this course of action was being considered, but no definite answer one way or the other was given. I, therefore, ask the question that I have framed of the Premier: will he direct his mind particularly to this aspect of the matter in view of the reports that are being received and in view particularly (I mention this finally) of the bitter attack that was made during one of the Premier's absences overseas by the Australian Railways Union on the Minister of Roads and Transport to the effect that he was not sympathetic to railway workers?

The Hon. D. A. DUNSTAN: The Government has been constantly in touch with the negotiating parties in this matter to endeavour to use what influence it has to obtain a reasonable settlement of the dispute. I believe that what has been done has been helpful but I do not believe that a public statement at this stage, quite a delicate stage, of the negotiations, would be helpful to their final successful determination. I assure the honourable member that the Government has been concerned to get a settlement in this matter as soon as possible and has used its constant endeavours to do so; and that does not, of course, apply only to this matter: it applies also to the other industrial dispute that is at the moment affecting South Australia, in which the Government has constantly sought to get the parties together. However, when they have come together, it is unfortunate that the recommendations of the Commissioner in the meeting of the parties was agreed to by the unions but rejected by the employers, who have gone to the length of exacerbating the matter by spending a great deal of money in publicizing one side of the dispute. The Government has persistently endeavoured to get the parties again together in order to see that there is an early settlement of that matter, too.

Mr. COUMBE: Can the Minister of Labour and Industry now give me a reply to a question I asked on July 27 about how many man-hours were lost as a result of not only

members of the Transport Workers Union but also employees of other industries being stood down because of the strike that had occurred in the previous week?

The Hon. D. H. McKEE: As a previous Minister of my department, the member for Torrens will probably realize that it is difficult to obtain figures for a specific dispute. Statistical information regarding the number of industrial disputes and time lost because of them is prepared by the Commonwealth Bureau of Census and Statistics as part of an Australia-wide statistical collection. This is put out on a quarterly basis. Fortunately, I received that information this morning, which enables me to give the overall picture of industrial disputes for this quarter in this State.

The bulletin concerning industrial disputes issued by the Commonwealth Statistician last Tuesday showed that for the first five months of this year the time lost in South Australia because of disputes was 22,900 working days. For the first five months of 1970 (which were the last five months in which the previous Government was in office) the time lost was 48,100 working days, or more than double the time lost this year. An examination of the information published by the statistician indicates that during the first 12 months of the present Government's term of office (June, 1970, to May, 1971), 68,100 working days were lost due to industrial disputes. This compares with the last four quarters of the previous Government's term (12 months to end of March, 1970) when 133,400 working days were lost. In other words, the time lost in South Australia because of industrial disputes in the first year after the change of Government was half that of the previous year, with the previous Government. This figure is much more favourable than that for other States in Australia at present having Liberal Governments.

Mr. HALL: Has the Premier abandoned his support of the arbitration system? By a previous reply the Premier has indicated that the union involved in the dispute at Uniroyal would agree to the Commissioner's recommendation but that the company would not, directly implying that the company was in the wrong. In explanation, I quote from a statement made and issued by the South Australian Chamber of Manufactures concerning this dispute:

It is important to recognize the nature of the proposals made last week by Mr. Commissioner Lean. They were not a decision by the Commissioner as to what wages should be paid. They were nothing more than what

the Commissioner himself termed "a basis for a return-to-work settlement" which the parties were asked to consider. The employers did this but found the proposals were so close to the union's strike-supported demands that they did not provide a basis for discussion. In subsequent conferences before the Commissioner, the union has insisted upon alternatives of continued strike action or concessions by Uniroyal that would affect its competitive position. The company will not do as the union desires and give to a group of strikers wages far in excess of what the Commissioner has decided is their proper wage position in the structure of relative duties of all employees. Inevitably, this would cause unrest amongst people who are not on strike, and in settling one dispute would create the probability of many more.

A spokesman for the Chamber of Manufactures has also said that it is difficult for the company to agree to a compromise when it is right and is obeying the dictates of arbitration. As the company has fulfilled its part of the Commissioner's directions regarding what wages should be paid, and as it has not broken the directions of the wage determination machinery, I therefore ask the Premier whether he has abandoned his support of the arbitration system.

The Hon. D. A. DUNSTAN: Of course I have not abandoned my support of the arbitration system. Indeed, my previous reply has made it perfectly clear that I am in favour of it.

Mr. Millhouse: It didn't, you know.

The Hon. D. A. DUNSTAN: Yes, it did. The honourable member always regards the arbitration system harshly, but in fact the system of voluntary conferences is a part of the arbitration system. Where a dispute arises about the inadequacy of existing orders, it is a part of the arbitration system that voluntary conferences and recommendations by arbitrators should take place. A recommendation was made by an arbitrator and was summarily rejected by the employers.

Mr. Hall: Are you saying that it should be obeyed?

The Hon. D. A. DUNSTAN: I am saying that it should have been treated as it was intended by the arbitration system that it should be treated: as a basis for discussions. However, it was summarily rejected.

Mr. MILLHOUSE: Does the Premier say that there are inaccuracies in today's press statement by the Chamber of Manufactures, and, if he does, will he say what are those inaccuracies?

The SPEAKER: Order! I must rule that question out of order. It is not in order to

ask the Premier to comment on a press statement.

Mr. MILLHOUSE: He has already done so. He has commented in reply to a question.

The SPEAKER: There are ample rulings in *Erskine May* in relation to inadmissible questions and, in this case, a question concerning the accuracy or inaccuracy of a press statement. I rule the question out of order.

Mr. MILLHOUSE: I take a point of order, Mr. Speaker.

Mr. Jennings: Sit down!

Mr. MILLHOUSE: Sit down? I will take my point of order. I am entitled to do that.

Mr. Jennings: You've gone all military since you've had a moustache.

Mr. MILLHOUSE: Members opposite may laugh and joke about the industrial situation in South Australia.

The Hon. J. D. Corcoran: We're laughing about your moustache.

The SPEAKER: Order! The member for Mitcham has taken a point of order and deserves the courtesy of the House so that he can be heard and so that everyone can have an opportunity to understand what is his point of order. The honourable member for Mitcham.

Mr. MILLHOUSE: The point of order I take, Sir, is on your ruling on the question I have just framed to ask the Premier. A few minutes ago I asked the Premier a question about the rail strike in South Australia and, in the course of his reply to me, the Premier canvassed the merits and demerits of the other strike which is occurring in South Australia concerning Uniroyal. In the course of his remarks, the Premier referred to the press statement of the Chamber of Manufactures and described it as being one-sided. My question to him, therefore, arises directly out of something he has said in the House this afternoon on a matter of great public importance. Surely to goodness it is possible, if you allow the Premier in his reply to canvass these matters, for me to ask him a supplementary question about the very things that he himself has brought into the discussion.

That being so, I ask you to allow this question. It is not as though I plucked it out of the air: this matter was raised by the Premier, who made a serious accusation against the Chamber of Manufactures, and we are entitled to know precisely what he meant. That is why I referred to inaccuracies rather than to his description of one-sidedness. I will reframe the question, if you wish, to refer directly to what he said earlier; but I suggest

that this is subject matter which you should allow to be canvassed, as the Premier himself has raised it.

The SPEAKER: As the Speaker of the House, it is my duty to administer Standing Orders according to precedents. The member for Mitcham has said that the Premier made a statement regarding press reports. I am not responsible for statements made by Ministers or by any members, for they have to accept the responsibility for making those statements. I refer the member for Mitcham to *Erskine May* (15th Edition), at page 353, which gives as an example of an inadmissible question one that asks whether "statements in the press, or of private individuals, or unofficial bodies are accurate". Having ruled the question out of order, I stand by that ruling.

Mr. MILLHOUSE: May I, Sir, reframe the question to avoid that problem, in view of the matters I have raised?

The SPEAKER: Order! The honourable member had his opportunity to ask this question. I am not departing from the practice I have adopted, because, if I did, I would be told that I was being inconsistent. If the honourable member raises his hand, he will get the call again, if there is time. However, I adhere to the ruling, for it is up to members to frame their questions properly and according to the rulings laid down by *Erskine May* and established precedents. If time permits and the honourable member asks the question, I will adjudicate on it.

Mr. Millhouse: Why didn't you adjudicate on the Premier's reply?

Mr. Jennings: A reflection on the Chair!

The SPEAKER: Order!

Mr. HALL: Will the Premier define for the House his Government's policies regarding strikes that are undertaken to obtain over-award payments? The management of Uniroyal has abided by the awards of the appropriate industrial authority concerning the payment of its employees. The present strike is aimed at obtaining over-award payments for the company's employees. The Premier has indicated that the company is at fault in not agreeing to some over-award payments that have been suggested as a way of settling the strike. It therefore becomes extremely important for South Australians, particularly industrialists and their employees, to know exactly where the Government stands regarding the many strikes that are being instituted in furtherance of over-award claims.

The Hon. D. A. DUNSTAN: The Government has consistently expressed its support for

proceedings by arbitration to settle industrial disputes, and it stands by that statement. The Leader is not going to draw me into condemning strike action in all circumstances. At times the only recourse left to employees for their protection is to say that they are not prepared to work in the circumstances and under the conditions offered, and no Labor Government will ever alter its attitude on that score. At the same time, however, the Labor Government is opposed to industrial unrest and is assiduous in endeavouring to avoid it. My condemnation of the company was not that it refused to react favourably to strike action but that in the course of the arbitration process it was not prepared to reach any kind of compromise or to take the Commissioner's suggestions as a basis for compromise: it rejected them out of hand, a course which the unions did not take. I do not believe the course that the Chamber of Manufactures has chosen to follow is a course in furtherance of the arbitration process. I believe it should have taken the attitude that the Commissioner's suggestions were a basis for sensible discussion.

Mr. MILLHOUSE: I address my question to the Premier on the topic on which I attempted to ask a question earlier in the day. Does the Premier, on reflection, regard the attitude of the South Australian Chamber of Manufactures concerning the industrial dispute at Uniroyal as one-sided? In replying to an earlier question I asked the honourable gentleman about the rail strike, he got on to the subject of the Uniroyal strike and said that the chamber's attitude, as expressed in the press announcement, was one-sided. In replying to the Leader's most recent question, the Premier repeated the same thing regarding the company's attitude and said again that the company was not prepared to take the Commissioner's suggestions and consider them as a basis for settling the dispute or for reaching any kind of compromise. That is directly contrary to the assertions of the chamber in the statement to which he referred and which states:

It is important to recognize the nature of the proposals made last week by Mr. Commissioner Lean. They were not a decision by the Commissioner as to what wages should be paid. They were nothing more than what the Commissioner himself termed a "basis for a return to work settlement" which the parties were asked to consider.

I ask the Premier to note particularly the next sentence:

The employers did this but found the proposals so close to the union's strike-supported

demands that they did not provide a basis for discussion.

I point out to the honourable gentleman that Uniroyal is a key to one of the industries most vital to South Australia as well as being a significant industry itself. If the Government is to take sides against firms in South Australia when they are engaged in industrial disputes, surely he will prejudice—

The SPEAKER: The honourable member is debating the question.

Mr. MILLHOUSE: The Premier refused to condemn unions in any circumstances, and in answer to the Leader—

The SPEAKER: The honourable member must put his question and not keep debating the matter. I call on the Premier to reply.

The Hon. D. A. DUNSTAN: My statement is this: I urge the parties concerned to engage in the arbitration process. This applies to unions as well as to employers.

Mr. Millhouse: And they do it!

The Hon. D. A. DUNSTAN: My advice in this matter is that the suggestions of an arbitration tribunal have been so summarily rejected that they were not even taken as a basis for discussion. That does not seem to me to be a process of abiding by either the spirit or the terms of arbitration. I urge the parties to get together to listen to the Commissioner and to endeavour to arrive at conclusions on the basis of discussion around his suggestions. To summarily reject the Commissioner's suggestions and go outside and say, "We will have nothing to do with these," and then to publish statements condemning the Commissioner's suggestions, is not a means of getting a satisfactory settlement.

Mr. HALL: Does the Premier believe that any company management that is subject to strike action in relation to an over-award claim is obliged to agree to some portion of that claim?

The Hon. D. A. DUNSTAN: I really do not think that that is a statement of belief that anyone should be asked to make. I can certainly make no such generalization.

FOSTER PARENTS

Mr. PAYNE: Is the Minister of Social Welfare considering any change in the rates of subsidy currently paid to foster parents by his department? I have seen a letter that has been circulated among some of the foster parents in South Australia. I understand this letter is being sent out by some members of the committee of an organization that sets

out the case for what I describe as considerable increases. I have been approached by one of my constituents, a member of the association, who is a foster parent and who wishes it to be made known that some of the parents are concerned and very perturbed about the possibility that very large increases in the amount of money involved in the subsidy may induce people to become foster parents for reasons other than *bona fide* reasons.

The Hon. L. J. KING: The matter is under consideration at present and I hope to be in a position to make an announcement shortly.

SOUTH-EAST PLANTINGS

Mr. RODDA: Can the Deputy Premier, representing the Minister of Forests, tell the House the extent of forestry plantings in the South-East part of the State?

The Hon. J. D. CORCORAN: I shall be happy to obtain that information from my colleague and bring back a reply.

SCENIC ROAD

Mrs. BYRNE: I direct my question to the Minister of Roads and Transport. Will he review present departmental policy concerning the granting of a financial allocation for the reconstruction, sealing, and maintenance of Range Road North, Range Road South, Churchett Road, and Seaview Road, Houghton, this road being declared a scenic highway under the Planning and Development Act? Reference will show that I raised this matter in the Budget debate on September 24, 1969, and again by posing a question in Parliament on October 30, 1969, to the then Minister of Roads and Transport, a reply being given on November 6 to the effect that the development of tourist roads as declared under the Planning and Development Act was not being treated as a special project and no funds were being specifically allocated for such purpose. The roads were rather being treated in the same manner as all other roads, in that they formed an intrinsic part of the overall road system. The Corporation of the City of Tea Tree Gully has now written to me on this matter (in a letter dated July 28, 1971) and I will supply the Minister with a copy of the correspondence so that he will be aware of the council's views on why such financial assistance should be given.

The Hon. G. T. VIRGO: I shall be pleased to have the matter examined and bring down the information the honourable member seeks.

OMBUDSMAN

Mr. EVANS: Can the Premier say whether the Government intends to appoint an ombudsman during this Parliamentary session or to introduce legislation to make such an appointment possible? During the last two years, on two occasions a vote was taken in this House expressing the view that this House was favourably disposed to the appointment of an ombudsman. I believe the Attorney-General announced that the Government intended to make such an appointment. I also believe that, every day that goes by without such a person in office, people may be receiving unjust treatment and having no opportunity to make an approach through this type of person.

The Hon. D. A. DUNSTAN: The precise form of administration and legislation needed for the establishment of an ombudsman is being investigated. Whether the legislation will be ready during this session is probably doubtful, because of the present investigations. However, I assure the honourable member that, during the period of this Parliament, legislation will be introduced and the office established. Also, I assure him that, in the meantime, the work of dealing with complaints about administrative injustice or unsatisfactory treatment can be dealt with by the three administrative officers of the Premier's Department. We have a constant stream of people at our door who have their complaints promptly dealt with by members of the department, and I assure the honourable member that people are not without remedy. As soon as the Government can introduce this measure it will do so.

VENEREAL DISEASE

Dr. TONKIN: Has the Minister of Education a reply to my recent question about venereal disease?

The Hon. HUGH HUDSON: At present health education is treated incidentally in such subjects as physical education, social science and home science. However, a committee set up to prepare health education courses for primary and secondary schools hopes to have preliminary courses available for 1972. Social diseases such as alcoholism, drug addiction, and venereal disease will have their place in these courses. The human relations courses, which are run by the Family Life Movement and the Marriage Guidance Council in several secondary schools, include reference to venereal disease as the occasion arises. Until the committee on health education has researched the question thoroughly, it is not intended to

go beyond present practices in the discussion of venereal disease in schools.

RAILWAY REVENUE

Mr. McANANEY: Will the Minister of Roads and Transport obtain a report setting out why the Railways Department revenue dropped more than \$1,000,000 this year? Also, can he say whether the Government is investigating ways and means to overcome the serious financial situation of the Railways Department at present? I understand from figures I have that the Railways Department lost slightly more than \$1,000,000 for the year before the last financial year. Last year it lost \$5,500,000 and, obviously, this is a serious state of affairs.

The Hon. G. T. VIRGO: I understand that the honourable member has asked me to ascertain why the Railways Department revenue dropped by \$1,000,000 in the last financial year. However, I understood that the department received an additional \$1,000,000 revenue in the financial year just concluded.

Mr. McAnaney: I am going on the Treasurer's figures.

The Hon. G. T. VIRGO: I think the honourable member will find that the revenue increased by \$1,000,000 in the last financial year.

VINE VALE SCHOOL

Mr. GOLDSWORTHY: Has the Minister of Education a reply to my recent question about Vine Vale school?

The Hon. HUGH HUDSON: The enrolment at Vine Vale school has declined over the past four years to the present enrolment of 15 pupils. There is not a problem in providing transport to the Nuriootpa Primary School but Vine Vale will not be closed in December, 1971, because accommodation is not available at the Nuriootpa Primary School. A new school is programmed for Nuriootpa, and present plans are for this to become available in June, 1974. It is probable that Vine Vale school would then be closed and the children transported to Nuriootpa.

ABATTOIR CAPACITY

Dr. EASTICK: Has the Minister of Works a reply from the Minister of Agriculture to my recent question about the slaughtering capacity at the Gepps Cross abattoir?

The Hon. J. D. CORCORAN: My colleague states that the Metropolitan and Export Abattoirs at Gepps Cross have a capacity of 570 head of cattle a day, that is, 2,850 for a normal five-day working week. At present

the board is considering providing additional facilities to treat an additional 2,000 cattle a week. I have been provided with an estimate of 90,350 cattle a year as the slaughtering capacity of country abattoirs for 1971-72, increasing to a total capacity of 95,350 cattle a year in 1972-73.

DINGO SCALPS

Mr. GUNN: Will the Minister of Works ask the Minister of Lands to review the present bonus payment on dingo scalps and to consider an alternative system of payment? I understand that \$1 is paid for each dingo pup scalp and \$4 for a fully grown dingo scalp, but this system has proved to be unsatisfactory, because people are not willing to destroy dingo pups. I have been reliably informed that the dingo population is increasing at an alarming rate. It has been suggested to me that an alternative system could provide for payment of \$3 for all scalps, and that this would improve the present situation.

The Hon. J. D. CORCORAN: I think the honourable member will recall that legislation dealing with this matter was introduced last session, mainly because the fund had dried up. I think that if the honourable member's suggestion was adopted people would breed pups, although I believe that, in some cases, they have been doing this. However, I will obtain a report from my colleague.

FIREWORKS

Dr. TONKIN: Will the Attorney-General ask the Chief Secretary whether the Government intends to take any action during the current session of Parliament in relation to fireworks?

The Hon. L. J. KING: I will consult my colleague and let the honourable member have a reply.

MURRAY RIVER METERS

Mr. WARDLE: Has the Minister of Works a reply to my recent question regarding Murray River meters?

The Hon. J. D. CORCORAN: Commencing in September, 1970, one unit of three men has been employed full-time on installing meters for private diversions. A further unit will commence in the near future following completion of the second mobile workshop vehicle. This unit will be used in the lower reaches of the river and around the lakes areas. A total of 137 meters has been installed, commencing at the State border, and at present the unit is located in the Pyap area. The sizes of meter installed to date are 10in., 8in., 6in., and 4in.

About 800 meters have yet to be installed: 12in. meters have been ordered, and delivery is expected within two months. It was impracticable to install large meters only, in random locations over 400 river miles, and installation is being carried out sequentially going downstream on both banks of the river.

INFANTS SCHOOLS

Mr. MATHWIN: Will the Minister of Education say what is his department's policy regarding the phasing out of infants schools and infants schoolteachers? One of my constituents who is extremely worried about this matter recently wrote to me and part of the letter is as follows:

I have been wondering if you can help me regarding any future information in the Karmel report on the phasing out of infants schools and infants school mistresses. As I understand it, they want to limit schools to 600 pupils and have only a headmaster; the infants mistress would then become a consultant with no actual authority. I am sure a headmaster would certainly not have the same concern or the time to give to the little ones, as the infants mistress does at present.

The Hon. HUGH HUDSON: I think the Karmel committee's recommendation on this aspect dealt with the extent to which primary schools headed by a headmistress rather than a headmaster could be expanded; it also recommended that greater provision should be made for the appointment of deputy headmasters and deputy headmistresses than exists at present. However, I make it clear, as I did in a public statement that I made on Tuesday, that no decision has been made on this matter and, indeed, it is unlikely that one will be made in the immediate future. Furthermore, no decision regarding the future of infants schools will be made without the fullest consultation with infants teachers and the community at large. It is unlikely that anything will happen soon in this regard because, first, many primary schools have enrolments well over 600 and, secondly, in many instances the infants schools are located on sites separated in some way from the primary school site. Clearly, to disestablish infants schools in those circumstances would require extensive rebuilding. Therefore, the problem of accommodation that would be created by the immediate adoption of the Karmel committee recommendation in this respect would be of such a magnitude that a decision thereon would probably be deferred for a considerable time. I also point out that the Karmel committee recommendation in this respect did not in any way line up with the suggestion that the

staffing situation in infants schools should be worsened. I think that the role an infants mistress is able to play wherever there is a separate infants school is generally recognized. Certainly that role, in giving additional assistance within the school as an assistant or consultant to teachers and parents, and in helping out with general administrative matters, needs to be expanded even in those primary schools that do not have a separate infants school. I hope that the honourable member will ensure that the points I have made are conveyed to his constituent.

LOCAL GOVERNMENT INQUIRY

Mr. ALLEN: Will the Minister of Local Government say whether a committee has been appointed to take evidence in outback areas regarding local government in those areas and, if it has and evidence is being taken in various districts, will he say what steps are being made to publicize its presence in the area concerned? While in the Far North of the State last weekend my attention was drawn to the fact that a local progress association had received advice that a committee would be visiting the district shortly to take evidence regarding local government in that area. On further investigation, I found that some pastoralists had no knowledge of the committee's intended visit.

The Hon. G. T. VIRGO: The committee, which commenced its investigations during the term of office of the previous Government, is continuing to do so. As I cannot answer the second part of the honourable member's question off the cuff, I will obtain the information and let him know.

FOYS BUILDING

Mr. RODDA: Has the Minister of Labour and Industry seen the article on the front page of the latest edition of the *Public Service Review* drawing attention to the fire danger to hundreds of public servants employed in the old Foys building at the corner of Rundle Street and Pulteney Street? This article recommends that certain rules should be implemented, namely, the appointment of fire wardens, staff lectures on each floor, and regular fire drills in each section. Has the Minister seen this report, and, if he has, have his officers examined the safety aspect concerning the many public servants employed in this building?

The Hon. D. H. McKEE: Although I have not seen the report, I appreciate the honourable member's concern in this matter. However, I refer him to the Premier, under whose jurisdiction this building comes.

The Hon. D. A. DUNSTAN: Although I have not, since my return, seen the report in the *Public Service Review*, I assure the honourable member that the situation concerning Foys building has caused the Government considerable concern. This building is quite unsatisfactory in its present form for accommodating the departments that are there, and I am sure that every Minister who has had anything to do with the departments in that building must be well aware of this. I assure the honourable member that plans are in hand to alter the conditions existing at Foys building.

RESETTLEMENT POLICY

Mr. GOLDSWORTHY: Can the Minister of Works say whether the Government has pursued a policy of determining a resettlement value in respect of properties that are being acquired under the Metropolitan Adelaide Transportation Study plan? At Chain of Ponds, properties are being acquired in order to prevent pollution. The Government announced some months ago that it intended to pursue a policy of determining a resettlement value as against the strict market value of these properties which in some instances, especially concerning Chain of Ponds, had been devalued with the result that for people to set up in another locality it would require a sum in excess of the market value of the acquired property. Subsequently, however, the Minister has said that he is having some difficulty; in fact, one officer has told me that the procedure is illegal. Can the Minister say whether the Government is pursuing this policy, or does he now repudiate it?

The Hon. J. D. CORCORAN: I do not repudiate it. The honourable member may be pleased to know that legislation is partly drawn and should be ready to be introduced this session by the Minister of Local Government. Therefore, there is no need to repudiate anything; the policy is being pursued.

ROAD MAINTENANCE ACT

Mr. CARNIE: Can the Minister of Roads and Transport say who are the members of the committee inquiring into the Road Maintenance (Contribution) Act and whether it is intended that that committee will take evidence in country areas?

The Hon. G. T. VIRGO: I do not remember the names of all members, but Mr. Crawford is one member and Mr. Adams from the Highways Department is another. I will bring back a reply setting out the names and qualifications of the members, I hope by Tuesday next.

STURT LAND

Mr. PAYNE: Can the Minister of Education say what is the current proposal by his department for the use of the land situated on the south-eastern corner of Marion and Sturt Roads, Sturt? A constituent of mine has a property on Sturt Road just east of the Sturt River, immediately adjacent to the land to which I have referred. As I understand that he is in the rather awkward position of having been approached by three different Government departments for portions of his land, perhaps a statement on this matter will assist him.

The Hon. HUGH HUDSON: This land, known as Laffer's land, is a matter of some history now. Some negotiations are still taking place. I hope that, as a result of discussions to take place between me and the Minister of Roads and Transport, some overall decisions of a permanent nature will be made shortly in relation to the use of this land. I assure the honourable member that I have a direct interest in the land, as part of it is in my district.

MOTOR REGISTRATIONS

Mr. McANANEY: Will the Minister of Roads and Transport say whether he intends to introduce legislation to provide for the taking out of third party insurance by a person at the same time as he registers a motor vehicle? This was part of my Party's policy at the last election, and I understand that the Government intended to introduce legislation to enable this to be done. I know that there is considerable pressure from motoring interests for this facility. Does the Minister intend to introduce this legislation and, if so, when?

The Hon. G. T. VIRGO: I expect to introduce this legislation. I cannot tell the honourable member just when this will be done, but in due course he will be told.

HACKNEY REDEVELOPMENT

Mr. BECKER: Can the Premier say whether the Government intends to proceed with the proposed Hackney redevelopment and, if it does, when?

The Hon. D. A. DUNSTAN: Yes, it does. Two reports have been made now on this matter. It is expected that a plan will be adopted shortly by the State Planning Authority, and as soon as that plan has been adopted the Government will be proceeding with it.

VIRGINIA METERS

Mr. FERGUSON: Can the Minister of Works say how many meters have been connected to the wells in the artesian basin at Virginia and how many are yet to be connected? Can he also say whether his department is having any difficulty in connecting these meters?

The Hon. J. D. CORCORAN: I will obtain this information from the Minister of Mines.

MOUNT GAMBIER NORTH SCHOOL

Mr. BURDON: Can the Minister of Education tell me what progress has been made in acquiring an additional two acres of land for the Mount Gambier North Primary School? Some time ago the Minister told me that the department intended to acquire an additional two acres of land for this school, and members of the school committee and other interested people would like to know how far these negotiations have proceeded.

The Hon. HUGH HUDSON: Acquisition proceedings have been instituted in this matter. From memory, I think the latest position is that the owner of the land has requested an adjustment to the area that is proposed to be taken. The honourable member can assure the school committee that the commitment that has been given to the committee has been fulfilled.

SIR JOSEPH BANKS ISLANDS

Mr. CARNIE: Can the Minister for Conservation say when I may expect a reply to a question I asked on July 15 concerning the Sir Joseph Banks group of islands?

The Hon. G. R. BROOMHILL: I received a report on this matter but, because two issues were involved, it was necessary for me to seek further information from the Mines Department on the matter. I shall do what I can to expedite a reply for the honourable member.

ISLINGTON SEWAGE FARM

Mr. EVANS: Will the Minister for Conservation negotiate with his Cabinet colleagues to have the old Islington sewage farm declared a recreation reserve or a regional reserve instead of having it developed in whole or in part as an industrial area? With the advent of daylight saving and the increase of leisure time people in the community are to have, there will be an even greater demand for recreation areas as time goes on. I believe that we have a unique opportunity at this stage to declare an area such as this (some

1,200 acres, I believe) as a reserve. People have asked me why this move has not been made in the past. I know that the previous Government had the same opportunity to do something in the matter and that it may have made decisions that affected the present Government's action in allocating money for the development of the area. It has been suggested to me that this area would be ideal for playing fields for women. Most of the recreation areas and playing fields in the metropolitan area are available only for male sports, and there is a real need for playing fields for women. If we develop this area as an industrial area, it will be lost for all time for recreation purposes. I believe that recreation areas are vital in our community.

One other point that has been put to me concerns pollution. If our recreation areas are a long way from the city, people have to travel greater distances in their motor cars or in public transport, thus creating more pollution. It is better to have recreation areas as close as possible to the residential areas, for this is where they are needed. I express the view strongly that the area concerned should be classed as a recreation area. Even though it may be valuable land, it is more valuable for recreation purposes than for industrial purposes.

The Hon. G. R. BROOMHILL: The Government shares the honourable member's view that there is an important need for the Government to establish as much open space for recreation purposes as possible and, to this end, it is doing a considerable amount. As I reported to the House only recently, in the last 12 months almost \$1,000,000 has been provided for the State Planning Authority to purchase open space, and this programme is being continued. At the same time, there is also a need for certainly part of the area to which the honourable member has referred to be devoted to recreation purposes. Several plans that have been considered by the Government have all provided for a considerable area of open space to be left in this area for recreation purposes.

Mr. Hall: How much?

Mr. Jennings: I think it is 300 acres.

Mr. EVANS: As the Minister for Conservation has said that the Government has a plan for the development of the old sewage farm, will he make the plan available to members so that they may study it?

The Hon. G. R. BROOMHILL: The Public Works Committee's report on that matter has been completed and printed.

PENONG SCHOOL

Mr. GUNN: Will the Minister of Education consider having 240-volt power connected to the Penong school? The Chairman of the school committee has made this request because at present there is no power supply to Penong and the school is at a severe disadvantage, as the lighting at the old school buildings is very poor and the parents are concerned that during the winter months the children's sight may be endangered if this defect is not rectified. I understand that the Public Buildings Department has been approached but, in the usual manner, it has not done anything about it. However, as Penong is almost 500 miles from Adelaide, that is understandable.

The Hon. HUGH HUDSON: The honourable member will appreciate that I am not an electrician, nor do I have a licence; consequently, I personally shall not be able to connect the Penong school to an electricity supply. However, I shall be pleased to investigate the matter and to see that the Minister of Works is consulted on what can be done.

PROSPECT SCHOOL

Mr. COUNBE: In the Loan Estimates, under Appendix I, which details major works for which planning and design is proposed during 1971-72, appears an entry regarding the Prospect Primary School. Can the Minister of Education give me some idea of the possible time table for the work on this school and say whether it is also part of the scheme being discussed by the Education Department and the Prospect City Council?

The Hon. HUGH HUDSON: I imagine that the answer to the latter part of the question is "Yes", but I will look into the matter and obtain a detailed reply for the honourable member.

PENSIONER FLATS

Dr. EASTICK: Can the Treasurer say whether the Housing Trust, in compiling statistics of completed housing, regards individual units in blocks of pensioner flats as single houses? The only detail available to members in the Treasurer's statement on the Loan Estimates yesterday deals with completed housing and houses to be commenced. I am seeking the information because I want to know the scale of building operations.

The Hon. D. A. DUNSTAN: From memory, I believe that each housing unit of whatever kind (be it a flat, a separate house or a part of a double-unit house) is taken as one unit

completed by the trust; because it is a separate dwelling, it is treated as one unit in the trust's statistics. In the Housing Trust's report that will be tabled next week the honourable member will not find any great increase in the number of cottage flats completed, but there has been a big increase in rental housing.

BANK ROBBERIES

Mr. BECKER: Can the Premier say what is the Government's policy on providing protection for State Bank officers against armed hold-ups? This afternoon's *News* reports that the Victorian branch secretary of the Australian Bank Officials Association (Mr. H. K. Salter) has suggested that bank officers should not be armed. I believe that the association has issued a pamphlet suggesting that, instead of arming tellers, banks could make robbery less attractive by providing visual and effective security measures. The pamphlet suggests that banks should introduce silent alarms connected to police points, extend the use of cameras, and employ competent security officers.

The Hon. D. A. DUNSTAN: I have not discussed this matter with the State Bank Board or the trustees of the Savings Bank of South Australia, but I will refer the honourable member's question to them and get a report.

DUPLICATING FACILITIES

Mr. MILLHOUSE: Mr. Speaker, when may I expect the written reply, promised by you on April 1, to my request for clarification on the duplicating of material in the House for members? On that day I asked you a question about this matter and referred to the fact that three weeks earlier you had prevented the duplication of a paper that I was to deliver to the Royal Institute of Public Administration a day or so later. You had then told me that, in your view, members were not allowed to have any material duplicated in the House, but you would consider the matter and send a circular to members to make it clear what were the rules. I waited then for three weeks for the circular and, as none came, I asked the question and you undertook to give me a written reply. That was on April 1, and so far I have heard nothing from you. I may say that the absence of a direction on this matter has led me to conclude that your intervention in the first place was solely to cause me embarrassment and humiliation at the time.

The SPEAKER: As promised, I will give the honourable member a written reply, but I assure honourable members that nothing was designed to embarrass the honourable member. What the honourable member for Mitcham was requesting had never been done, to my knowledge, in this House, and I asked him to do the right and proper thing, particularly as I had appealed to members to try to curtail expenses, as requested by the Premier. I make no apologies for my decision in relation to that matter; the decision stands, and any similar occurrence will get the same treatment, irrespective of whether the honourable member involved is the honourable member for Mitcham or any honourable member on the other side.

PSYCHIATRISTS

Dr. TONKIN: Can the Minister of Social Welfare say whether the appointment of a full-time psychiatrist has been made to the Department of Social Welfare and Aboriginal Affairs and whether any further appointments are planned for the coming year?

The Hon. L. J. KING: A psychiatrist has been appointed, and it is not intended at present to make further appointments this year.

GAME RESERVES

Mr. GUNN: Can the Minister for Conservation say what plans there are to fence flora and fauna reserves in my district, particularly those in the hundreds of Hambidge and Hincks? As the Minister would no doubt be aware, many farms adjoin those large reserves, and throughout the year kangaroos and other game cause much harm to farmers' crops. I believe that the Government has framed regulations (they may have been brought forward already) to make it an offence to allow stock to stray into the reserves.

The Hon. G. R. BROOMHILL: I will provide the honourable member with a full report on the fencing of those areas.

AMPLIFICATION

Mr. BECKER: Mr. Speaker, will you investigate how the amplification in the Speaker's Gallery can be improved? I have received several complaints from visitors to the Speaker's Gallery that difficulty has been experienced in hearing the proceedings of this House.

The SPEAKER: It is not my duty as Speaker to investigate this matter personally, and I have no intention of doing so; I have too

much to do. I am aware of the problem and it is being looked at.

PASTORAL LEASES

Mr. EVANS: Will the Minister for Conservation discuss with the Minister of Lands and the Minister of Agriculture the possible closing for 20 years of some of the pastoral leases in what might be termed the low-rainfall or marginal areas of South Australia? It is evident to us all that if these areas are left for grazing the trees that have reached maturity will eventually die, no regrowth will follow, and the area will be an arid desert, of no use to future pastoralists or for recreational purposes. It is essential that we look at this now in a sensible way and tell the pastoralists and the agriculturalists in the area that they will be paid compensation, but that we must specify a 20-year period to give the new growth a chance to reach a height suitable for stock, and at least give the plants an opportunity to mature and to produce seeds so that new growth can be germinated in later years. Will the Minister take up the matter and bring down a reply at the earliest opportunity?

The Hon. G. R. BROOMHILL: This matter is already under consideration, and has been so for some time. There are problems associated with it, and I shall be happy to keep the honourable member informed of any decisions that may be made. It may require discussion with the Commonwealth Government to adopt a policy such as the honourable member has outlined, and therefore a reply might not be possible in the immediate future.

EXTRADITION COSTS

Mr. MILLHOUSE: Has the Attorney-General considered the payment of extradition expenses in respect of offenders who have gone to another State but are charged with offences in this State? At present the police do not pay the costs of extradition of those who have been located or are believed to be in another State, except in most unusual and grave cases. It is necessary for private individuals, if they desire the person to be brought back to stand trial, to put up the money for the police officer to travel interstate, and the money must cover his return fares, the fare of the person charged, and also certain accommodation expenses. This matter has been raised on a number of occasions and it was raised with me while I was in office. We felt, as a Government, that, because of the financial situation at the time, we could not vary the practice that had been

followed for many years. I am prompted to raise the matter now because of a letter, received by the Leader of the Opposition and passed to me, from a person living at Christies Beach who has been taken down, he says, over a motor car transaction in which apparently there is a criminal element, and it is known that the man concerned is in another State. As expenses seem to be increasing in many directions, will the Attorney-General say whether the Government has considered this matter and whether it will be possible in the near future to alter the policy so that costs of extradition are borne by the police or by some other Government department?

The Hon. L. J. KING: This question has been answered twice during the life of the present Parliament, once in the previous session and once a week (or at most a fortnight) ago. On that occasion I expressed the view, as on the earlier occasion, that there could be little doubt as a matter of principle that the State ought to be responsible for the costs of extradition of persons who had committed criminal offences and who had left the jurisdiction. However, the practice of long standing has been that the State bears this expense only in certain cases of serious crimes and crimes in specific categories, but in relation to crimes in other categories the State does not bear the expense of extradition, which is required to be borne by the person seeking to have the offender brought back to the jurisdiction. I have already stated that I can see no justification in principle for this, but the obstacle to changing the system has been, as the member for Mitcham says, the cost of altering it.

When I replied to the question asked of me a week or so ago, I estimated, on information I had received last year, that the cost of altering the system and making the State responsible for all extraditions would be about \$15,000 a year. Following that, I had further inquiries made, but I received little solace from what I was told. The estimate now placed on this by the Chief Secretary's Department, after consultation with the police, is that it would cost the State \$30,000 a year. I take it that that is not the measure of the inflationary trends over a period of 12 months, but rather that there has been undoubtedly an increase in numbers owing to the increase in population over the years, and I think a reassessment made in more recent times. The figure supplied last year was obviously based on an estimate made at an earlier time, perhaps when the member for Mitcham was looking at

the matter. At all events, the position remains the same. I would very much like to be able to recommend to Cabinet that the State be made responsible for all extraditions, but it becomes a matter of priorities, as do all matters involving finance. I cannot see the possibility of providing for the amount in this year's Budget. It is a matter which can be kept in mind in the hope that before long the finances of the State will permit a change of this kind. However, it must be a matter of priorities and balancing the expenditure involved in this and other matters.

FAMILY PLANNING CLINICS

Dr. TONKIN: Has the Minister of Roads and Transport considered the allocation of departmental funds to help establish additional family planning clinics since, by his statements and answers in this House, he has indicated that the Government can only be relying on an immediate halt in the birthrate to solve the pressing and immediate problems of transport and traffic in the metropolitan area?

At 4 o'clock, the bells having been rung:

The SPEAKER: Call on the business of the day.

COTTAGE FLATS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from July 29. Page 470.)

Mr. CUMBE (Torrens): Let me indicate my complete support of this Bill, which is short but nevertheless important. It seeks to continue for a further five years the original five-year agreement made in 1966 whereby the Cottage Flats Act was passed to provide a sum of \$50,000 a year over a five-year period, to be paid to the Housing Trust. That five-year period ended on June 30, 1971.

The main purpose of that legislation was to provide for the building of cottage flats for necessitous people in our community. Members who were in the House when the Bill was introduced will recall that it passed with unanimous support, although a division was called on one of the clauses which dealt with a move by Sir Thomas Playford (the then member for Gumeracha) to have a certain proportion of this money spent in the country areas. However, in my opinion, this Act has worked well. All members appreciate the absolute need for providing more and more of this type of accommodation for elderly people.

This Bill provides that the agreement shall be continued for a further five years but, instead of the \$50,000 a year that has been provided for in the past, it is proposed that the amount shall be a sum not exceeding \$75,000 a year. As at June 30 last, the balance in the Home Purchase Guarantee Fund was \$371,754, so the amount proposed can be met. As I understand it from reading the Auditor-General's Report of last year (obviously not this year's report, because it will not be available until the Budget is introduced), up to June 30, 1970, 103 flats have been completed under this scheme. Since then, of course, obviously more have been built, and I am sure that all members present would like to see more and more of this type of construction provided. The Minister in charge of housing will agree that there must be a fairly long waiting list for this type of dwelling.

As a metropolitan member, I know that some applications for this type of housing have been made, only for the applicants to be told that they would have to wait a little longer. The Auditor-General's Report sets out clearly how this Act operates. Members will recall that moneys were taken from the Home Purchase Guarantee Fund for the purpose of building cottage flats to be let by the Housing Trust to persons in necessitous circumstances. The Auditor-General's Report states:

In terms of the Act, the rents received by the trust in respect of such cottage flats, less any necessary outgoings, may be expended by the trust on the building of further cottage flats. The trust has resolved that it will in each financial year appropriate out of surpluses \$50,000 to match the \$50,000 being provided under this Act.

I note that the trust itself, possibly on its own initiative or perhaps by direction, has on occasions put up more than the \$50,000 required, and so has enabled more flats to be built.

It is interesting to note that, since this agreement was entered into or the first Bill was introduced in 1966, the other lending institutions that operated under the Homes Act have now made alternative arrangements for securing repayment of their loans. So there are likely to be no further operations on the Home Purchase Guarantee Fund, either by way of receipt of commission or by way of payment under guarantee.

Therefore, I support this Bill and commend it as a worthy measure. I hope by a speedy passage through this House and another place

the agreement entered into in 1966 for a five-year period will be continued for a further five-year period, thus providing more of this type of housing for people in necessitous circumstances throughout the State, no matter where they live, whether in the metropolitan area or in country areas.

Mr. LANGLEY (Unley): I, too, like the member for Torrens, who has an electoral district similar to Unley where there are many elderly citizens, support this Bill. I am sure that in our travels around our districts we find that one of the main concerns of elderly people is housing. As the Premier has said, at present South Australia, and the Housing Trust in particular, is finding itself lagging behind in this sphere of activity. The number of people who require this type of accommodation will not be catered for by the amount of it available at present. Like the member for Torrens, I think more of these flats should be provided.

The main problem for these people is the fact that over a period of years they have not been able, through their lifetime, to purchase a home of their own, often because they have brought up large families, and now only one of the partners is living. With these few words, I support the Bill wholeheartedly and hope that in future more money will be available for building these flats.

Mr. WARDLE (Murray): I add my support to this Bill, because I believe that not only in the metropolitan area but also in larger country towns there is a real need for cottage flats and for the type of housing that this money can provide. I refer briefly to a very energetic organization in my own town that is providing accommodation for the aged, an organization known as Murray Lands Homes for the Aged. In this group, it is necessary that the elderly person should have a certain amount of money, about \$2,500.

There are now 22 units on that site. This has met the need that has existed for people who have a clear asset in the form of a home that has become too large for one single person trying to take care of a normal home on a normal block of land, and it has been possible for those people to sell their homes. They have, therefore, had sufficient funds to be able to provide the necessary deposit of about \$2,500 in order to purchase a unit on the Murray Lands Homes for the Aged site. While this has met a certain need, and is meeting it very well, there is the other group of elderly people who have not the finance

necessary to provide the deposit required for this type of housing.

This Bill provides for more home units to be built. It may be possible for the Housing Trust to erect more units in country areas, as I believe that Gawler is the only country town in which they have been erected, where there are 15. I understand some are planned for other country towns. I hope to help in providing the necessary statistics to prove that my district has a similar need. Many people are in the situation where they do not have the means either to rent a trust house, or a flat, or an ordinary private house, so that these cottages will be of great benefit to them. I have much pleasure in supporting the Bill.

Mrs. BYRNE (Tea Tree Gully): I, too, support the Bill, and like other speakers I wish that more money was available to finance the erection of these cottage flats. Although I represent an outer metropolitan district with perhaps not as many elderly people living in it as there are living in the inner metropolitan area, there is a need for this type of housing in my district, and perhaps in other similar districts. One housing development company which operates in my district has built many houses that are usually occupied by migrants, who are often accompanied by an elderly parent who lives with them for the time being. After a while the parent usually wants to reside on his or her own, but also wishes to live near the children and grandchildren. I hope that, when the trust chooses future sites for this type of cottage flat, it will consider erecting them near housing development areas of the kind to which I have referred.

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—"Power of Treasurer to pay out of the Home Purchase Guarantee Fund certain moneys to the trust."

Mr. CUMBE: Has the Premier up-to-date figures of the number of houses constructed under this scheme? Also, although I am aware of our Country Housing Act and the Commonwealth's State Grants (Dwellings for Aged Pensioners) Act, 1969, can the Premier say what proportion of these houses will be built in the metropolitan area and in country areas?

The Hon. D. A. DUNSTAN (Premier and Treasurer): Although I read the figures this morning, I do not have them with me now. Of the number of cottage flats built, a high proportion has been built in country areas, but

I cannot give accurate figures. As the annual report of the Housing Trust will probably be tabled next week, the honourable member will be able to obtain accurate figures from that report.

Clause passed.

Title passed.

Bill read a third time and passed.

SUPREME COURT ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from July 29, Page 473.)

Mr. MILLHOUSE (Mitcham): I support the second reading of this Bill and also support the Bill which goes with it and which we will debate next, the Local and District Criminal Courts Act Amendment Bill, as they deal with the same subject. As the Attorney-General stated in his second reading explanation (and as I know), it is necessary, except in circuit sittings, for the Attorney personally to sign all informations. When I came into office I thought I should try to consider each one and form a conclusion, but the sheer weight of numbers made this impossible. Within a short time all I was doing was looking at the name and the offence and perhaps opening one or two of the files. Otherwise, the Attorney can do no more than rely on the fact that their placement before him for signature indicated the Crown Prosecutor's opinion that the information should be filed. This is what I did, and I gather from the Attorney's comments that this is all he is able to do as well, for which I do not blame him. This procedure has therefore become a formality. It is now impossible for the Attorney-General personally to read through all the files and to come to a personal conclusion on them.

On one occasion when I was in office an information was put on my desk late one evening, the trial in relation to which was due to begin the next day. The then Crown Prosecutor (the late Mr. E. B. Scarfe) relied upon my usual custom of getting into the office about 8 a.m. He expected me to be there the following morning to sign the information so that it could be picked up and taken to court. However, as bad luck would have it for him, I was either going to another State or certainly out of Adelaide and did not go into the office the next morning and I could not sign the information. I first realized there was trouble when I read in the newspaper that the Chief Justice had released the prisoner because the information did not contain my signature and was not, therefore, in order.

This was a matter of embarrassment for me and of intense embarrassment for the Crown Prosecutor.

Mr. Clark: And of some comfort to the prisoner.

Mr. MILLHOUSE: Yes. The police then had to go through the motions of finding the defendant, arresting him again, and so on: all because of a formality when I probably would have signed the information as a matter of routine without looking at it, anyway. Because of the increasing number of informations, there is justification for adopting, for the Adelaide sittings of the Criminal Court, the same procedure that has been followed in relation to circuit courts for as many years as I can remember and, indeed, before that. This practice has been provided for by section 58 of the Supreme Court Act. Looking at the marginal note, I cannot see when it was inserted, so it must be an old provision.

Only one thing, which I have already mentioned privately to the Attorney, has caused me some concern. New section 340a of the Local and District Criminal Courts Act enables the Attorney to appoint the Crown Prosecutor (to which there could be no objection whatever) or any person to represent him on all matters or for the purpose of signing informations. Of course, that provision is open-ended: it does not preclude the appointment of an office boy, the Parliamentary Draftsman, the Clerk of this House (it is a heavy responsibility, Sir) or anyone else. That, in itself, is undesirable, and I wonder whether this provision could be restricted in any way. I can see the difficulties of restricting it, because the Crown now frequently adopts the most desirable practice of briefing out.

Many prosecutions are taken not by officers of the Crown Law Department but by members of the independent bar, and even legal practitioners in amalgamated practice are briefed, and it is necessary for all these people to have the authority upon delegation to do this. It will therefore be difficult to restrict the provision. In any case, I am somewhat reassured because section 58 is drafted in such a way that the Crown Prosecutor or any other person can have this power delegated to them. So far as I know, there has never been any abuse of this power of delegation. I can remember delegating members of the independent bar myself, so I do not intend to take that point. However, I raise it in case any other honourable member may be able to think of a way around this at least theoretical difficulty.

There are a couple of other matters to which I should like to refer while the matter of the courts is before us. However, perhaps I can more properly refer to them in the debate on the Local and District Criminal Courts Act Amendment Bill. Although the subject matter of the two Bills is the same, I will refer to these points in the debate to which I have just referred.

The Hon. D. N. BROOKMAN (Alexandra): I have some reservations about the provision of this Bill relating to the signing of informations and the delegation to the Crown Prosecutor of this power. The many informations coming before him are undoubtedly too numerous to let the Attorney-General study them personally. Although he may occasionally study one closely, undoubtedly he could not be expected to study them all. However, I point out that this applies to many things that a Minister must sign. It often seems that a Minister spends all day signing his name on documents of various kinds that he could not possibly read from beginning to end. This applies to all Ministers, who must rely heavily on the efficiency of their staffs. The public servants that give a Minister documents to sign are careful that those documents are in order and that they do not let the Minister make a mistake.

Having had much experience in various departments, I fully realize the intense conscientiousness of public servants in a Minister's department. It is a matter of great pride to them to ensure that the Minister does not make errors and it is a matter of conscience to them to point out to the Minister which of the documents he is signing is likely to involve difficulties. This may sound as though a Minister does not take his work seriously. However, anyone who has been a Minister will realize that what I am saying is correct. Indeed, members often see the secretaries to the various Ministers come into Parliament House with sometimes more than one bag of documents for their Ministers to sign. Often, a Minister can sign these dockets only in an odd half an hour during which he can get out of the Chamber. The Minister of Lands signs his name probably more often than most Ministers do.

If we adopt the principle that if a Minister does not have time to study and consider everything below which his signature is to be placed he should not be asked to sign it, we would have to delegate far more authority than what is proposed for informations for criminal offences. I have been a Minister in charge

of several departments and, during the time I acted as Attorney-General, had to sign many informations.

Mr. Jennings: They tell me you were the best Conservative Attorney-General in the State.

The Hon. D. N. BROOKMAN: Important changes took place during my term in office and, in fact, I think there were some considerable changes concerning the law courts; if changes were not actually set in motion, at least matters proceeded smoothly whilst I was the Acting Attorney-General. I am merely agreeing with other Attorneys-General of greater eminence and learning than I that no Attorney-General has time to read all informations thoroughly; nor, incidentally, has he time to look at many other things.

The Hon. L. J. King: The Leader would say that you were one of the few Attorneys-General who had done a day's work in his life.

The Hon. D. N. BROOKMAN: The Attorney-General cannot study informations in detail, let alone many other things. He would not attempt to study nominations for justice of the peace, and so on; he would depend on his department in that respect. There is a good point to be made, however, that the Minister's signature should still be required, because everyone is then all the more careful to see that the Minister is not led into signing something that he would not have signed had he been in less haste. If we remove the necessity for the Minister to sign such important documents as informations, we are throwing a greater load on the next person on the ladder of responsibility (in this case, the Crown Prosecutor, who also probably has great difficulty in reading everything on an information, although his task is focused on that aspect more than on anything else).

We should not remove lightly the obligation for a Minister to sign various documents. I remember that years ago a senior public servant, who had to sign many documents formally, asked if he could use a rubber stamp, but that procedure was objected to, I think rightly so in that case. Also, I remember when the Minister of Lands had to sign many documents and, although the number has now been reduced, he still has to sign many lease agreements, etc., that he cannot study. But the fact that he has to sign those documents gives him added authority and increases public confidence in him, and it gives the Government

added confidence in the public servants concerned. I see no reason why the Attorney-General should not delegate or be allowed to delegate this task to the Crown Prosecutor in cases where it is not practicable for him to sign.

The member for Mitcham referred to an instance where he had to go to another State one morning; in fact, the information was not signed and someone was let go who might otherwise have been in more difficulty. That does not seem to me to be much of a case because, if the Minister is going to another State, he should be able to delegate this authority. I intend in Committee to suggest that, provided the Attorney-General is within the metropolitan area, he should be expected to sign an information concerning a criminal sitting and cannot delegate that task. However, if the Attorney-General is away, the Crown Prosecutor should be allowed to sign informations for him. That seems to me to be a practical way of dealing with the matter, without actually giving away an important responsibility of a Minister as well as, I submit, an important safeguard for members of the public who may one day have their own names on an information. I think it is reasonable for people to know that a Minister responsible to Parliament is generally responsible for seeing whether or not an information should be proceeded with. I support the Bill.

The Hon. L. J. KING (Attorney-General): I should just like to comment briefly on some of the points made by the member for Alexandra. He referred to the considerable work load involved for all Ministers in signing dockets and documents that are placed before them by their officers, and this undoubtedly involves a major problem. I do not think there is any virtue in having Ministers sign documents unless there is some clear reason why they should do so. The multitude of documents placed before Ministers for signing can occupy much of whatever time Ministers have when they are hot engaged in Cabinet meetings, Parliament, or in attending to their other duties. It seems to me that, if Ministers are to adopt a constructive role in administering their portfolios, and if they are to spend the time necessary in developing the policies that ought to be followed in their departments, they must be free of the purely routine signing of dockets and documents, so far as is practicable.

Actually, the present case stands on a basis quite different from that of ordinary dockets

which the Minister signs, so it is not really necessary for me to develop that point. An information is based on depositions taken in the magistrate's court on which a magistrate or justice of the peace has committed the defendant for trial. Therefore, there has been a preliminary investigation and, at the point at which we are considering the matter, a magistrate or justice of the peace has concluded that there is sufficient evidence to put the defendant on his trial. The matter is then referred to the Crown Prosecutor, who is responsible under the present system to advise the Minister whether he should file an information. In practice, the Crown Prosecutor reads the depositions, forms a view on the charge that ought to be laid in the information and on the particulars that ought to be furnished. He draws the information and simply sends it across to the Attorney-General for signature, thereby exercising a responsible discretion as part of the criminal process.

In one sense, it is a *quasi* judicial act by the Crown Prosecutor when he considers whether a charge should be laid and what charge should be laid, and when he draws the information. Therefore, this is not simply a case of an officer's giving his Minister advice; it is a case involving a Law Officer of the Crown, whose specific responsibility it is to decide on the depositions what information ought to be laid. As I indicated when I moved the second reading, in Victoria and New South Wales certainly, and I think in Queensland (I do not know about the other States), informations are signed by either the Crown Prosecutor or another law officer of the Crown. In the United Kingdom, the whole responsibility of preferring informations devolves upon a public functionary, the Director of Public Prosecutions, and the Attorney-General in the U.K. for some years now has not been responsible for filing informations.

The Hon. D. N. Brookman: For how long?

The Hon. L. J. KING: At least 15 years, and possibly 20 years. The office of Director of Public Prosecutions was set up in the post-war period, either in the late 1940's or the early 1950's; I know it is of relatively long standing. South Australia has no Director of Public Prosecutions, but it has an officer who fills the office of Crown Prosecutor, and he is a senior law officer of the Crown. I think the House might safely assume that any responsible Attorney-General would delegate this power only to persons of sufficient standing

and, responsibility to exercise the discretion and discharge the duty properly.

I should mention two other considerations. First, when the information is filed the matter comes before either the Supreme Court or the District Criminal Court. In other words, this is not like some of the dockets or agreements to which the honourable member has referred—cases where the Minister's signature disposes of the matter. The information simply brings the defendant before the court. If the information as drawn does not disclose an offence, or if on the depositions the filing of the information is unjustified, at that point it is likely that there will be a judicial intervention that would resolve the matter without a trial. In other words, if it happened that the Crown Prosecutor was wrong in what he did, it is likely to be corrected at an early stage. But, in addition to that, the ultimate responsibility is that of the Attorney-General, on whose behalf the information is filed, and in many cases (certainly in those cases where there is any real doubt about what should be done) defendants are represented by solicitors who would, one supposes, take up the matter with the Attorney-General.

Tn the first place, I would expect any responsible law officer of the Crown, if any doubt existed about whether the information ought to be preferred, to take up the matter with the Attorney-General to allow him to make a personal decision. Certainly my instructions to the Crown Prosecutor would be that, if there was any real question about the appropriateness or the propriety of filing the information, it should be referred to the Attorney-General. But even if he does not do it of his own initiative, it is likely that the defendant's advisers would refer to the Attorney-General any question where they contended that the Attorney-General should not file an information; and, of course, wherever there was an application for a *nolle prosequi* it would come to the Attorney-General for his personal decision.

It seems to me that there are many safeguards surrounding the procedure proposed by this Bill. Its purpose is simply to relieve the person who holds the position of Attorney-General at any time of the burden of time involved in signing an ever-increasing mass of informations. This is increasing, of course, because with the growth of population the number of indictable offences is increasing, and the problems associated with it are becoming greater and greater. These problems are real even when the Attorney-General is in

Adelaide at the particular time. The member for Mitcham mentioned a case where an information was placed on his table late in the afternoon and he did not go to his office the next morning. It may be that he did not go into the office because he was travelling to another State or something quite unexpected had cropped up and he had changed his plans about going to the office.

It frequently happens that informations in large numbers appear on the Attorney-General's table only a few hours before a defendant is to be presented in court, because when a man is committed for trial he is committed to the next session of the criminal court, the session that is to take place in the following month. Generally speaking, all these depositions are dealt with in the Crown Law office in the week preceding the commencement of the criminal session; informations are drawn up, and generally they are not ready for the signature of the Attorney-General until a day or two before the commencement of the session. If for any reason the Attorney-General's business keeps him out of the office on the afternoon before criminal sittings commence, it is likely that embarrassment will result. Whilst I have not had an experience such as the member for Mitcham has had, I confess that I have had a few near misses, a few occasions when someone has had to find me in a hurry or I had to cut short or interrupt some interview in order to sign half a dozen informations so that matters could go forward at 10 o'clock that morning. I believe that is quite pointless, and I do not see that it serves any good purpose. Any matter that falls to be decided by the Attorney-General would still fall to be decided by him. There are ample safeguards, not only in the fact that the Crown Prosecutor holds an office which carries a serious responsibility with it in this matter but also because behind it all is the fact that the matter has to go before the court anyhow. I ask the House to support the Bill.

Bill read a second time.

Tn Committee.

Clauses 1 and 2 passed.

Clause 3—"Power of Crown Prosecutor and others appointed by Attorney-General as to informations, etc."

The Hon. D. N. BROOKMAN: I move:

In new section 79a (1) (a) after "presented" to insert "at any criminal sitting of the court held in Adelaide at any time when the Attorney-General is absent from the Metropolitan Planning Area as defined in the Planning and Development Act, 1966-1967, as amended".

If it was practicable for a country the size of England to have the Attorney-General responsible for informations until a quarter of a century ago, it does not seem to me to be asking very much for the Attorney-General to sign informations in a State of 1,000,000 people.

The Hon. L. J. King: I did not say that the Attorney-General in England signed them.

The Hon. D. N. Brookman: I have it on good authority that until about a quarter of a century ago the Attorney-General in England was responsible for informations. It would be appropriate for the Minister and not the Crown Prosecutor to act in a *quasi* judicial capacity. The Crown Prosecutor is simply the person who will launch an assault on the person named in the information, and how he can be *quasi* judicial I do not know. The Attorney-General could be, but the Crown Prosecutor could be only under great difficulty. I suggest that, unless the Attorney-General were warned by someone in his department of a difficult decision, he would probably sign the heap of informations sent to him without trying to read all the evidence. On the other hand, there might be a good case for insisting that, if the Crown Prosecutor had something to discuss with the Attorney-General, this should be done, because a two-way discussion is better than one man deciding on his own. The public would gain more confidence if they knew that the Attorney-General had to sign every information. The amendment provides that the Attorney-General will, in normal conditions, sign all informations. However, if he is absent from Adelaide, the Crown Prosecutor could be delegated to do this for him. This procedure should be regarded as fundamental when it comes to Ministerial responsibility.

The Hon. L. J. KING (Attorney-General): I ask the Committee to reject the amendment. Although until about 25 years ago the United Kingdom Attorney-General was responsible for all informations, I think it is highly unlikely that he signed them. Under this Bill, the South Australian Attorney-General will remain responsible for all informations. However, he could delegate his authority to be exercised by the Crown Prosecutor in appropriate cases, and that delegate would be responsible for consulting him if the need arose. The effect of the amendment would be to place the Attorney-General in an even worse position than he is in at present, because clause 2 repeals section 58 of the principal Act.

The Hon. D. N. Brookman: If my amendment is carried, it would be easy to recommit clause 2.

The Hon. L. J. KING: I am pleased to have that assurance, because I should be sorry to have to go to Port Augusta and Mount Gambier from time to time to present informations. The amendment defeats the purpose of the Bill, which is simply to relieve the Attorney-General of the unnecessary demands made on his time by the mass of informations he must sign; also, it avoids the real risk of great inconvenience and sometimes a breakdown in the administration of justice.

The Hon. D. N. Brookman: Will you be looking at the informations for the major crimes?

The Hon. L. J. KING: Only if referred to me by the Crown Prosecutor or if representations are made by someone representing the defendant, who, in all major crimes, is represented by a solicitor. If the defendant's solicitor believed that the evidence given at the preliminary hearing did not support the charge on which the defendant had been committed for trial, he would make representations to the Crown Solicitor not to file an information. If the Crown Solicitor said, "I do not agree. I think an information should be filed," the solicitor would say, "It is the Attorney-General's responsibility. I will make representations to him."

The Hon. D. N. Brookman: Don't you think representations should be made to the person who will sign the information?

The Hon. L. J. KING: I do not think the signing of the information is important: what is important is that the Attorney-General should retain the authority, which he retains under the Bill, to refuse to file an information, to enter a *nolle prosequi*, if required, or to instruct his delegate to file an information for an offence different from that on which the defendant had been committed for trial. The important thing is to retain the Attorney-General's authority, and that is retained. Nothing would be gained by requiring the Attorney-General personally to sign a mass of informations when he could not possibly, for reasons advanced by the member for Mitcham, read the depositions on which the informations had been based.

It is only in a small percentage of cases that any real question arises regarding the filing of an information or the charge to be laid; most of them are automatic. From the evidence given it is clear whether an information should be filed and what the charge should be. It is only in a rare case that a

real question arises on either of those matters. In such a case, the Crown Prosecutor would refer the matter to the Attorney-General. If he did not do that, certainly the defendant's legal advisers would do so. I ask that the amendment be rejected, because new subsection (4) of the proposed new section expressly reserves the Attorney-General's authority.

Mr. MILLHOUSE: I have great regard for the member for Alexandra and for his perspicacity. I shall always be grateful for the way in which he acted in my stead for several months that were burdensome for him while I was abroad in 1969. However, I cannot support the amendment, which has been moved with the best of motives. The member for Alexandra always scrutinizes with great care any suggestions for change. He is disinclined to accept them unless a crystal clear case is made out. I support the Attorney-General's arguments in opposition to the amendment.

Mr. Jennings: Union solidarity at its best!

Mr. MILLHOUSE: I am always prepared to acknowledge those rare occasions when the honourable member opposite is right. There is one argument besides those used by the Attorney-General: how on earth would a court ever know, in the case of an information that had been signed by someone other than the Attorney-General, whether the Attorney-General was, in fact, out of the metropolitan planning area? The Chief Justice or any judge would be entitled to say, "All right. I want some proof that the Attorney-General is, in fact, out of the metropolitan planning area." When is the vital time? Is it the time when he would normally have signed the information? Is it the moment when the information is put before the court? The Attorney-General might be at his holiday house, which might be a mile outside the metropolitan planning area. Alternatively, the Attorney-General might be at home in bed—perhaps a mile inside the metropolitan planning area. There would be the most appalling difficulties in showing where the Attorney-General was at any time. The amendment would therefore be impracticable. So, with great regret and expressing my continuing respect for the member for Alexandra, I must oppose the amendment.

Amendment negatived; clause passed.

Title passed.

Bill read a third time and passed.

LOCAL AND DISTRICT CRIMINAL COURTS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from July 29. Page 474.)

Mr. MILLHOUSE (Mitcham): As I said in an earlier debate this afternoon, this Bill is on all fours with the Supreme Court Act Amendment Bill, except that the jurisdiction is different. The same considerations apply to this Bill as apply to the other Bill, and I do not intend to canvass those matters again. I shall mention two things at this stage. First, we can all say that the new court system which came into operation about 11 months ago, and which followed legislation passed by this Parliament in 1969, is working well. Everyone in South Australia may feel satisfied that the administration of justice has been greatly improved by the changes made.

Secondly, I wish to raise the question of magistrates, who are at present members of the Public Service. Those magistrates come under this legislation. For a long time they have wanted to be taken outside the Public Service because of considerations of their judicial status. Representations were made to me, as I have said, when I was in office. When I raised the matter with the Attorney-General by way of a question towards the end of last session, he confirmed that the same representations had been made to him, but he said that no decision had been reached on the matter. I hope he feels that this is an appropriate occasion, when we are scrutinizing legislation under which the magistrates work, to say whether a conclusion has yet been reached on their position.

The Hon. L. J. KING (Attorney-General): The matter raised by the honourable member is at present being considered. It is necessary to resolve a number of matters before I can make a recommendation to Cabinet. I have sought the views of various persons who would be interested in the consequences of the removal of magistrates from the Public Service. I have certain replies under consideration at present, and I am awaiting at least one other reply. I can only tell the honourable member that I am actively pursuing the matter and that I will make a recommendation to Cabinet as soon as practicable.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

New clause 1a—"Powers of Full Court on hearing of appeal."

The Hon. L. J. KING (Attorney-General): I move to insert the following new clause:

la. Section 63 of the principal Act is amended by striking out from paragraph (b) of subsection (1) the passage "or he".

This is merely a matter of the removal of certain redundant words from the Local Courts Act, because at one time section 63 read "the Supreme Court or Judge". Therefore, the consequential words "or he" appeared later in the section. The section was amended in 1969 to substitute "Full Court" for "Supreme Court or Judge". At that time the words "or he" were not removed. This amendment simply tidies up the section.

New clause inserted.

Title passed.

Bill read a third time and passed.

MINING BILL

Adjourned debate on second reading.

(Continued from August 3. Page 498.)

The Hon. D. N. BROOKMAN (Alexandra):

This Bill is so large and has so many clauses that I do not intend to discuss it in detail. I will deal with various provisions as I come to them. Generally, I would not oppose the Bill; I would be in favour of it. Mining in South Australia has a better future than it has had in the past. There is more activity in mining and, although our production has been overshadowed by the discoveries in Western Australia in the last few years, there is nevertheless an important future for South Australia. It is worth noting at this point the contribution made to the mining industry by Sir Thomas Playford who, as Leader of the Government for many years, was particularly interested in seeing that our mining progressed. Not only was he interested in the development of the Leigh Creek coalfield but also I think he set the pace for Australia in the search for uranium.

Before the Commonwealth Government or any other State Government had taken a real interest in the uranium search, Sir Thomas had been over the Flinders Ranges at various points, including Mount Painter, and also to Radium Hill, thus in effect setting the pace for the rest of Australia. The view has been expressed to me (I am not in a position to judge it) by somebody interested in mining that he was disappointed that the whole Act was not being rebuilt from the ground up by having a full inquiry conducted into the industry. It was suggested to me that the Western Australians have just been doing this. The Western Australian Minister appointed a committee of inquiry, which earlier this year issued a report that is full of appeal for people

interested in South Australian mining. The Western Australian committee's report states, at page 146:

The old Act is not only outmoded in its concept but it is so ambiguous, vague and confusing that even senior members of the legal profession find it difficult to advise on it with reasonable confidence.

That is what the Western Australians thought of their Act. I have no idea what they thought of ours, but it is possible that the same complaint could be made about our Act, though perhaps not with the same intensity.

The Western Australian committee investigated matters dealing with prospecting and mining in national parks, and it recommended that such practices should be prohibited unless the consent of Parliament was given—not, incidentally, of the Minister but of Parliament, which is a far-reaching recommendation.

The value of mineral production in South Australia has been rising rapidly. The latest report I have, at June 30, 1970, states that the value of mineral production for the year 1969 showed an upward trend and was \$21,128,237 more than the value for the previous year. The outstanding production came from metals, minerals and ores, the largest production being of iron, which was responsible for about \$61,000,000 in value in the calendar year 1969. This was followed by coal at \$3,000,000, gypsum at \$1,800,000, limestone for flux at \$1,100,000, and limestone for cement at \$1,000,000. Other valuable contributions were from opal (\$7,300,000) and salt (\$2,200,000). Then there were certain roadstones, including dolomite at \$1,100,000; limestone for road purposes, \$6,300,000; quartzite, \$4,200,000; and sand, \$2,300,000. The total for that year was about \$98,000,000.

My general comment on the Bill is that, first, the Minister has made out a case for taking to the Crown all royalties in the future. The pre-1889 land titles are eventually to lose their effect regarding minerals. I do not know what advantage this will be, other than the fact that the Crown would prefer to have the royalties rather than that someone else who now owns the land and who is entitled to have them should have them. There will certainly be complaints about it, and one man has summed up his views (a lawyer, by the way) by stating that, if existing mineral rights are allowed to remain undisturbed, the community at large will suffer no loss or hardship. His second point is that if, on the other hand, the rights are resumed, it is difficult to see what benefit will flow to the community at large, but that former owners of mineral rights are

likely to suffer considerable loss and even hardship as a result.

The Minister has said that this principle has already been established (that is, the effect of breaching or altering the conditions of the land titles that preceded 1889) by the Petroleum Act of 1940 and the Mining Act of 1945. I should like to quote another comment from a person who cites the Minister in his second reading explanation as stating that it is interesting to point out now that the problem of division of ownership was recognized in the case of petroleum in 1940, when all petroleum in the ground was proclaimed to be the property of the Crown, and that in respect of uranium the same principle was applied in 1945. In commenting, my informant states:

It seems to me that the cases are entirely different. No-one paid more for land or has been paid more for land prior to 1940 because of any possibility of petroleum being beneath the surface. In South Australia mining for minerals has taken place since the earliest days of the colony and it is a fact that many landholders have considered the worth of known mineral deposits on land in determining the price paid or the price at which to sell. He also refers to the summary of the lawyer whom I have already quoted. I think that we should bear in mind the rights attached to the early titles, and should ask ourselves the question the lawyer asks in his letter. Is there any loss or hardship to the community by leaving them as they are? If they are resumed, what benefit does the community get and how much suffering or hardship may be caused to landholders? Some landholders have been able to survive serious agricultural losses as a result of the right they have on their old title. The Minister has pointed out that current mining or mining commencing within the next two years may be registered as a private mine, and royalties can be obtained if the mine is brought into production in the next 10 years, but that provision could still cause serious restrictions on some titles. Of course, it can come to an end; the royalties on mines that are brought into production within the next 10 years will continue for the duration of those mines, but after that there is no further value in the title of the land with respect to the mineral rights.

I now wish to discuss the status of wardens. Throughout the Bill many references are made to wardens. It is pointed out in the Western Australian report that the warden is an important person who must deal with serious cases. The report suggests that wardens are stipendiary magistrates and are restricted in

their jurisdiction in ordinary court work to cases involving \$1,000. However, when hearing a case in a wardens court this person will hear cases involving literally millions of dollars. I do not know whether a warden is a lawyer: in this State he is an employee of the Mines Department. Although I have heard no complaint about the quality of the work of the wardens (and I make that point clear), there is nevertheless a strong feeling, particularly in legal circles, that a wardens court should be constituted by someone who has a much higher judicial status than the present status of a warden, who is virtually an employee of the Mines Department. When I deal with matters provided in the section dealing with wardens I can show that the Director of Mines is empowered to apply to the court for the removal of licences and in respect of other matters, although the warden, who is his junior, constitutes the court.

The definition of "opal" confuses me completely. Opals worth more than \$7,000,000 were taken out of the ground in South Australia in 1969. The definition of "precious stones" in clause 6 includes opal; "minerals" means, among other things, "precious stones"; so that we reach the stage where clause 17 (1) provides:

Subject to this section, royalty shall be payable to the Minister on all minerals . . .

I have just shown that minerals include precious stones which in turn include opal. One would assume that royalty is payable on opal, yet clause 17 (11) provides:

Royalty shall not be payable on precious stones.

This may be a drafting error, but it is completely contradictory. It may not necessarily be an important matter if the Bill can be made to provide what Parliament means, and I take it from clause 17 (11) that royalties shall not be payable on precious stones and that the Minister means that a royalty shall not be paid on opal. As the Minister appears to agree with my interpretation, I suggest that something should be done about the definition of "minerals", which includes precious stones on which royalties are payable. If something is not done, confusion within the department may result. If one wants to find the definition of "mineral lands" in the Bill, one would naturally look to the definition clause (clause 6). However, it is not to be found there. After much searching, however, the definition may be found in clause 8. From a drafting point of view, it might have been better to include the definition in clause 6 instead of having it hidden in clause 8.

As far as I can see, some provisions of this Bill clash with those of the Pastoral Act, section 132 (2) of which prevents certain operations in pursuance of the Mining Act or the Petroleum Act from being carried out within 440 yards of any well, waterbore, reservoir, and so on, or within 25 yards of any fence. However, in the Bill now before the House the restriction in this respect is not so great. Indeed, clause 9 refers to land situated within 150 meters of any dwelling house, factory, building, spring and so on. As the provision in the Pastoral Act to which I have referred

was inserted only two or three years ago, that Act should be followed in this case in order to overcome the problems facing pastoralists as a result of mining operations. If I am correct in saying that there is a clash, this aspect should be cleared up in Committee. I seek leave to continue my remarks.

Leave granted; debate adjourned.

ADJOURNMENT

At 5.33 p.m. the House adjourned until Tuesday, August 10, at 2 p.m.